

TR#: _____

FEE: _____

DATE: _____

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
RETAIL LIQUOR LICENSE APPLICATION

Action ID Code
[] [] [] []
A W D U

STATE ASSIGNED LICENSE NUMBER

DATE APPLICATION FILED:

(For DIVISION use only) _____

CODE TYPE OF LICENSE (CHECK ONE)
CLASS C LICENSES [N.J.S.A. 33:1-12]

THIS APPLICATION IS FOR:

- 31 _____ Club
32 _____ Plenary Retail Consumption
w/Broad Package Privilege
33 ☒ Plenary Retail Consumption
36 _____ Plenary Retail Consumption
(Hotel/Motel Exception)
37 _____ Plenary Retail Consumption
(Theatre Exception)
35 _____ Seasonal Retail Consumption
(November 15 through April 30)
34 _____ Seasonal Retail Consumption
(May 1 through Nov. 14)
44 _____ Plenary Retail Distribution
43 _____ Limited Retail Distribution
OTHER
14 _____ Annual State Permit
(N.J.S.A. 33:1-42, NJAC 13:2-52)

- _____ A New License
_____ Person to Person Transfer
(Incl. Partnership change,
except Ltd. Partnership)
_____ Place to Place Transfer
(Including expansion of premises)
_____ Change of Corporate Structure
_____ Extension of License (To Executor,
Receiver, Administrator, etc.)
_____ Renewal of License
☒ Amendment of Application of File
Other _____
Trade Name Change

This Area is Reserved for Municipal Use

Municipal Fee \$ 0

Effective Date 9/28/22

(As Stated in Resolution. Date of resolution unless otherwise established.)

State Fee \$ 0

Date Denied / /

(As Stated in Resolution)

Refund Amount \$ _____

Special Conditions Attached: _____ Yes _____ No

Stabley, Diane B

Type or Print Name (Last name, first, middle initial) of Municipal Clerk or ABC Secretary

Diane B Stabley

Signature of Municipal Clerk or ABC Secretary

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009Application is made on behalf of: 7

1 = An Individual
 3 = A Partnership
 5 = Incorporated Club

2 = Business Corporation
 4 = Unincorporated Club
 6 = Limited Partnership

7 = Limited Liability Company

2.1 NAME(S) AS IT DOES OR WILL APPEAR ON THE LICENSE CERTIFICATE (NOT "TRADE NAME"):

Seaside Beach Bar, LLC

(Last Name, First, Middle Initial or Corporate Name)

2.2 ACTUAL ADDRESS WHERE THE LICENSE IS TO BE USED (SITED PREMISES):

Street Address 2 Boardwalk

Number

Street Name

Municipality Seaside HeightsZip 08751Telephone number of business (732) 359 7246

Area

Exchange

Number

E-Mail Address tjannarone@jerseyshorelawyer.com

2.3 If no licensed premises exists or if mailing address is different than the "actual address" given above, provide the mailing address: (Insert N/A if not applicable).

Street Address 600 Warren Avenue

Number

Street Name

P.O. Box # _____ Municipality Spring Lake Heights

State

New JerseyZip 07762

Telephone

(732)35972462.4 New Jersey Sales Tax Certificate of Authority No. 834-137-482/000

2.5 TRADE NAME(S) UNDER WHICH BUSINESS IS TO BE CONDUCTED. ALL TRADE NAMES MUST BE LISTED AND REGISTERED WITH THE NJ SECRETARY OF STATE (if a corporation) OR COUNTY CLERK (if a partnership or sole proprietor):

The Ocean View Restaurant

2.6 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS OTHER THAN APPLICANTS FOR A NEW LICENSE:

A. IS THE LICENSE ACTIVELY USED AT AN OPERATING PLACE OF BUSINESS?
☒ Yes ☐ NoB. IF NO, GIVE THE DATE THE BUSINESS STOPPED OPERATING (OR THE DATE THE LICENSE WAS ORIGINALLY ISSUED IF NEVER SITED AT AN OPERATING PLACE OF BUSINESS):
 ____ / ____ / ____C. IF THE LICENSE IS INACTIVE AND THE APPLICATION IS FOR A TRANSFER, WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS AFTER APPROVAL?
☐ Yes ☐ No

2.7 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY AN APPLICANT FOR A NEW LICENSE:

A. WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS IMMEDIATELY UPON ISSUANCE?
☐ Yes ☐ NoB. IF NO, PROVIDE ANTICIPATED DATE OF LICENSE ACTIVATION:
 ____ / ____ / ____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 33 018 009

AFFIDAVIT

LICENSE PERIOD
APPLIED FOR

FROM _____ TO _____

DATE:

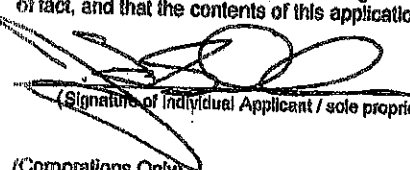
State of New Jersey)
 County of Monmouth) SS:

As provided by law (N.J.S.A. 33:1-36),

(Check One)

1. The Individual Applicant
2. Members of the Partnership Applicant
3. Managing Member of Seaside Beach Bar, LLC
 (President/Vice-President) (Corporation or Club Name)

consent(s) that the licensed premises and all portions of the building constituting the licensed premises, including all rooms, cellars, closets, out-buildings, passageways, vaults, yards, attics, and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in his/her/their possession or under his/her/their control, may be inspected and searched without warrant at all hours by the Director of the Division of Alcoholic Beverage Control, his or her duly authorized deputies, inspectors, or investigators and all other sworn law enforcement officers, and being duly sworn according to law, upon his/her/their oath(s), depose(s) and say(s) that he/she is (they are) the person(s) duly authorized to sign the application, that in instance of corporate ownership, the signator is authorized by corporate resolution to sign on behalf of the corporations; and that the contents of this application represent complete disclosure of fact, and that the contents of this application are true.

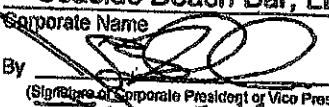

 (Signature of individual Applicant / sole proprietor)

(Corporations Only)
 Attestation by Corporate Secretary

Attest:

Secretary _____
 Signature
 Affix Corporate Seal

Seaside Beach Bar, LLC

Corporate Name
 By 
 (Signature of Corporate President or Vice President)
John Sullivan

(Partnership Name)

(Signature of Partner)

(Signature of Partner)

(Signature of Partner)

(Signature of Partner)

Sworn to and subscribed before me
 this 27th day of Sept. 2022

AFFIDAVIT MUST BE SIGNED HERE →

BY DULY AUTHORIZED NOTARY PUBLIC

OR AN ATTORNEY AT LAW OF NEW JERSEY

(Signature of Officer Administering Oath)

Stephen P Chicoli

(Printed Name of Officer Administering Oath)

Notary Public, State of New Jersey

(Title of Officer Administering Oath)

01/05/2027
 (Date of Expiration of
 Commission, if applicable)

STEPHEN P CHICOLI
 Notary Public, State of New Jersey
 My Commission Expires Jan 5, 2027

Diane Stabley

From: Thomas Jannarone, Esquire <tjannarone@jerseyshorelawyer.com>
Sent: Tuesday, September 27, 2022 5:30 PM
To: Diane Stabley
Cc: John Sullivan
Subject: Seaside Beach Bar LLC - Trade Name Change
Attachments: 12 Page-Name Change filing (signed).pdf

Diane,

Attached please find an amended 12 page application to change the trade name of Seaside Beach Bar LLC to "The Ocean View Restaurant" from "The Ocean Club Restaurant."

Are there any other local filings that must be made such as mercantile licenses or the such? I did not set the business up in town. So I do not know what was filed to set it up locally other than the ABC filings.

Thank you for any information you can share.

Respectfully,

Thomas Jannarone, Esquire
Law Office of Thomas Jannarone
705 16th Avenue, Suite 3
Lake Como, N.J. 07719
Office (732) 681-0013
Cell (732) 513-6433
FAX (732) 807-7284

Certified by the Supreme Court of the United States

www.tjannarone.com

"PRIVILEGED AND CONFIDENTIAL"

Attorney Client Privilege/Attorney Work Product, Confidential

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Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by the Law Office of Thomas Jannarone.

Diane Stabley

From: Diane Stabley
Sent: Wednesday, September 28, 2022 11:09 AM
To: 'Anna Perna'
Cc: 'Thomas Jannarone, Esquire'
Subject: Trade name change
Attachments: Liq Lic 1526-33-018-009 beach bar name chng.pdf

Hi Anna, please see 3 page app. Attached, let me know if you need anything further

Regards, Diane

Diane B Stabley, RMC/CMR
Borough Clerk
732-793-9126
100 Grant Ave.
Seaside Hts., NJ 08751



State of New Jersey

Department of Law and Public Safety

Division of Alcoholic Beverage Control

2022 - 2023

26 - SEASIDE HEIGHTS
BOROUGH
15 - OCEAN COUNTY

Pursuant to Title 33 of the New Jersey Statutes, A PLENARY RETAIL CONSUMPTION LICENSE
Is Hereby Granted To SEASIDE BEACH BAR LLC

2 BOARDWALK
SEASIDE HEIGHTS, NJ 08751
License Number: 1526-33-018-011

This license confers all rights and privileges pertaining thereto, as set further in Title 33 of the New Jersey Statutes, and any amendments thereof and supplements thereto, and is expressly subject to the terms, provisions, limitations, requirements and conditions set forth therein and any rules and regulations promulgated heretofore and hereafter by the Director of the Division of Alcoholic Beverage Control pursuant to Title 33 of the New Jersey Statutes. The license is further subject to the provisions of all municipal ordinances and/or resolutions pertaining thereto which have been or shall have been duly enacted under law.

Effective Date: 08/17/2022

Fee Paid \$0.00

Attest: 26 - SEASIDE HEIGHTS BOROUGH

RESOLUTION NO. 22-235

RESOLUTION OF THE BOROUGH OF SEASIDE HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AND APPROVING THE PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1526-33-018-009 FOR SEASIDE BEACH BAR, LLC

WHEREAS, an application has been filed by Seaside Beach Bar, LLC for a place to place transfer of plenary retail consumption license number liquor license # 1526-33-018-009; and

WHEREAS, the applicant is seeking to reduce the premises covered by the license to exclude the public bathrooms and the public beach access area, as depicted on the attached Schedule B; and

WHEREAS, the submitted application form is complete in all respects, the applicable fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, and the regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the application for a reduction of the licensed premises submitted in accordance with requirements of the Division of Alcoholic Beverage Control, and the applicant has been reviewed and approved by the Municipal Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, State of New Jersey, that it does hereby approve:

1. That this approval is specifically conditioned by the Special Conditions set forth on the attached Schedule A which is incorporated as if set forth in its entirety herein.
2. The application for a place to place transfer for a reduction of the licensed premises as shown on Schedule B to exclude the public bathrooms and the public beach access area of plenary retail consumption license number #1526-33-018-009 is hereby approved in accordance with the application submitted by the applicant.
3. That all other terms and conditions that have been imposed upon the operation of this license by the governing body shall remain in full force and effect.
4. That a copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control and the applicant.

r|m|s|h|c

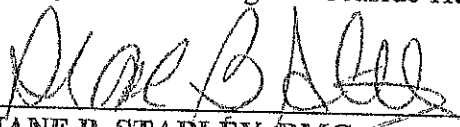
Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

o: 732.363.0777
f: 732.905.6555

CERTIFICATION

I, Diane B. Stabley, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Seaside Heights at a meeting held on the 17th day of August, 2022.



DIANE B. STABLEY, RMC
Borough Clerk, Borough of Seaside Heights

r|m|s|h|c

Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

o: 732.363.0777
f: 732.905.6555

TR#: _____
FEE: _____
DATE: _____

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
RETAIL LIQUOR LICENSE APPLICATION

Action ID Code
[] [] [] []
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STATE ASSIGNED LICENSE NUMBER

DATE APPLICATION FILED:

8.11.2022

[For DIVISION use only]

CODE TYPE OF LICENSE (CHECK ONE)
CLASS C LICENSES [N.J.S.A. 33:1-12]

- 31 _____ Club
32 _____ Plenary Retail Consumption
w/Broad Package Privilege
33 X Plenary Retail Consumption
36 _____ Plenary Retail Consumption
(Hotel/Motel Exception)
37 _____ Plenary Retail Consumption
(Theatre Exception)
35 _____ Seasonal Retail Consumption
(November 15 through April 30)
34 _____ Seasonal Retail Consumption
(May 1 through Nov. 14)
44 _____ Plenary Retail Distribution
43 _____ Limited Retail Distribution
OTHER
14 _____ Annual State Permit
(N.J.S.A. 33:1-42, NJAC 13:2-52)

THIS APPLICATION IS FOR:

- _____ A New License
_____ Person to Person Transfer
(Incl. Partnership change,
except Ltd. Partnership)
X Place to Place Transfer *Reduction of premises*
(including expansion of premises)
_____ Change of Corporate Structure
_____ Extension of License (To Executor,
Receiver, Administrator, etc.)
_____ Renewal of License
X Amendment of Application of File
_____ Other Reduction of Premises

This Area is Reserved for Municipal Use

Municipal Fee \$ 250.00

Effective Date 8.11.22

(As Stated in Resolution. Date of resolution unless otherwise established.)

State Fee \$ 2012.00

Date Denied 1/1/

(As Stated in Resolution)

Refund Amount \$ _____

Special Conditions Attached: ☒ Yes ☐ No

Stabley Diane B

Type or Print Name (Last name, first, middle initial) of Municipal Clerk or ABC Secretary

Diane B Stabley
Signature of Municipal Clerk or ABC Secretary

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009Application is made on behalf of: 7

1 = An Individual
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 5 = Incorporated Club

2 = Business Corporation
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7 = Limited Liability Company

2.1 NAME(S) AS IT DOES OR WILL APPEAR ON THE LICENSE CERTIFICATE (NOT "TRADE NAME"):

Seaside Beach Bar, LLC

(Last Name, First, Middle Initial or Corporate Name)

2.2 ACTUAL ADDRESS WHERE THE LICENSE IS TO BE USED (SITED PREMISES):

Street Address 2 Boardwalk

Number

Street Name

Municipality Seaside HeightsZip 08751Telephone number of business (732) 359 7246

Area

Exchange

Number

E-Mail Address tommyj@theoceanclubnj.com

2.3 If no licensed premises exists or if mailing address is different than the "actual address" given above, provide the mailing address: (Insert N/A if not applicable).

Street Address 600 Warren Avenue

Number

Street Name

P.O. Box #

Municipality

Spring Lake Heights

State

New JerseyZip 07762

Telephone

73235972462.4 New Jersey Sales Tax Certificate of Authority No. 834-137-482/000

2.5 TRADE NAME(S) UNDER WHICH BUSINESS IS TO BE CONDUCTED. ALL TRADE NAMES MUST BE LISTED AND REGISTERED WITH THE NJ SECRETARY OF STATE (if a corporation) OR COUNTY CLERK (if a partnership or sole proprietor):

The Ocean Club Restaurant

2.6 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS OTHER THAN APPLICANTS FOR A NEW LICENSE:

A. IS THE LICENSE ACTIVELY USED AT AN OPERATING PLACE OF BUSINESS?

☒ Yes ☐ No

B. IF NO, GIVE THE DATE THE BUSINESS STOPPED OPERATING (OR THE DATE THE LICENSE WAS ORIGINALLY ISSUED IF NEVER SITED AT AN OPERATING PLACE OF BUSINESS):

____/____/____

C. IF THE LICENSE IS INACTIVE AND THE APPLICATION IS FOR A TRANSFER, WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS AFTER APPROVAL?

☐ Yes ☐ No

2.7 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY AN APPLICANT FOR A NEW LICENSE:

A. WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS IMMEDIATELY UPON ISSUANCE?

☐ Yes ☐ No

B. IF NO, PROVIDE ANTICIPATED DATE OF LICENSE ACTIVATION:

____/____/____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

The following questions identify information about the licensed premises. This describes the area or place which is to be licensed for the sale, service, consumption, delivery, receipt, or storage of alcoholic beverages. If the license is inactive and NOT SITED AT A PLACE OF BUSINESS answer question 3.1 only, entering N/A for "not applicable." (If you use N/A as a response to questions 3.1, question 2.2 on Page 2 should also be answered N/A).

3.1 HOW MANY SEPARATE BUILDING ARE TO BE INCLUDED UNDER THIS LICENSE? 2

If more than one building is to be included under this license, a separate page number three is to be submitted covering each building.

An up-to-date sketch of the entire licensed premises should be submitted for inclusion, in the State ABC license file.

3.2 BUILDING NO. 1 OF 2 TO BE LICENSED.3.3 IS THE ENTIRE BUILDING TO BE LICENSED? Yes X No

If the answer to question 3.3 is "No," specify which floors are to be under license and which ones are not by answering the following questions:

3.4 Basement	<u>N/A</u> Yes	_____ No	All of it	_____ Yes	_____ No
1 st floor	<u>X</u> Yes	_____ No	All of it	_____ Yes	<u>X</u> No
2 nd floor	<u>X</u> Yes	_____ No	All of it	<u>X</u> Yes	_____ No
3 rd floor	<u>X</u> Yes	_____ No	All of it	<u>X</u> Yes	_____ No

Specify each additional floor number to be included under this license: N/A

If only part of any floor is to be licensed, attach a more detailed explanation with sketches to clearly delineate licensed from unlicensed areas.

3.5 ARE ANY GROUNDS ADJACENT TO THE BUILDING UNDER LICENSE TO BE INCLUDED AS PART OF THE LICENSED PREMISES? X Yes _____ No3.6 IS THERE ANY UNLICENSED AREA LOCATED BETWEEN BUILDINGS UNDER THIS LICENSE OR BETWEEN LICENSED ADJACENT GROUNDS? Yes X No

IF ANSWER IS "YES" ATTACH A SKETCH OF THE LICENSED AND UNLICENSED AREAS SHOWING DIMENSIONS IN FEET.

3.7 DOES THE APPLICANT OWN THE BUILDING? _____ Yes X No
IF "YES" IS THERE A MORTGAGE ON THE BUILDING? _____ Yes _____ No
DOES THE APPLICANT LEASE THE BUILDING? X Yes _____ No3.8 MORTGAGEE (HOLDER OF MORTGAGE):
N/A

Street Address _____ (Last Name, First Name, Middle Initial or Corporate Name)
P.O. Box # _____ Number _____ Street Name _____
Municipality _____ State _____
Zip _____

3.9 LANDLORD (HOLDER OF LEASE):

Seaside Ocean Terrace, LLC
Street Address 782 _____ (Last Name, First Name, Middle Initial or Corporate Name)
Number _____ Street Name _____
Municipality Bayville State New Jersey
P.O. Box # _____
Zip 08721

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

The following questions identify information about the licensed premises. This describes the area or place which is to be licensed for the sale, service, consumption, delivery, receipt, or storage of alcoholic beverages. If the license is inactive and NOT SITED AT A PLACE OF BUSINESS answer question 3.1 only, entering N/A for "not applicable." (If you use N/A as a response to questions 3.1, question 2.2 on Page 2 should also be answered N/A).

- If more than one building is to be included under this license, a separate page number three is to be submitted covering each building.

An up-to-date sketch of the entire licensed premises should be submitted for inclusion, in the State ABC license file.

- 3.3 IS THE ENTIRE BUILDING TO BE LICENSED? X Yes No

If the answer to question 2.3 is "No," specify which floors are to be under license and which ones are not by answering the following questions:

- 3.4 Basement: N/A Yes No All of it Yes No
- 1st floor X Yes No All of it X Yes No
- 2nd floor X Yes No All of it X Yes No
- 3rd floor Yes No All of it Yes No
- Specify each additional floor: Yes No All of it Yes No

Specify each additional floor number to be included under this license: N/A

If only part of any floor is to be licensed, attach a more detailed explanation with sketches to clearly delineate licensed from unlicensed areas.

- 3.5 ARE ANY GROUNDS ADJACENT TO THE BUILDING UNDER LICENSE TO BE INCLUDED AS PART OF THE LICENSED PREMISES?
☒ Yes ☐ No

- 3.5 IS THERE ANY UNLICENSED AREA LOCATED BETWEEN BUILDINGS UNDER THIS LICENSE OR BETWEEN LICENSED ADJACENT GROUNDS?

IF ANSWER IS "YES" ATTACH A SKETCH OF THE LICENSED AND UNLICENSED AREAS SHOWING DIMENSIONS IN FEET.

- 3.7 DOES THE APPLICANT OWN THE BUILDING? _____ Yes X No

IF "YES", IS THERE A MORTGAGE ON THE BUILDING?

DOES THE APPLICANT LEASE THE BUILDING?

- 3.8 MORTGAGEE (HOLDER OF MORTGAGE):
AAA

N/A

Street Address _____ (Last Name, First Name, Middle Initial or Corporate Name)

P.O. Box # _____ Number _____ Street Name _____
Municipality _____ State _____
Zip _____

- 3.8 LANDLORD (HOLDER OF LEASE):

Seaside Ocean Terrace, LLC

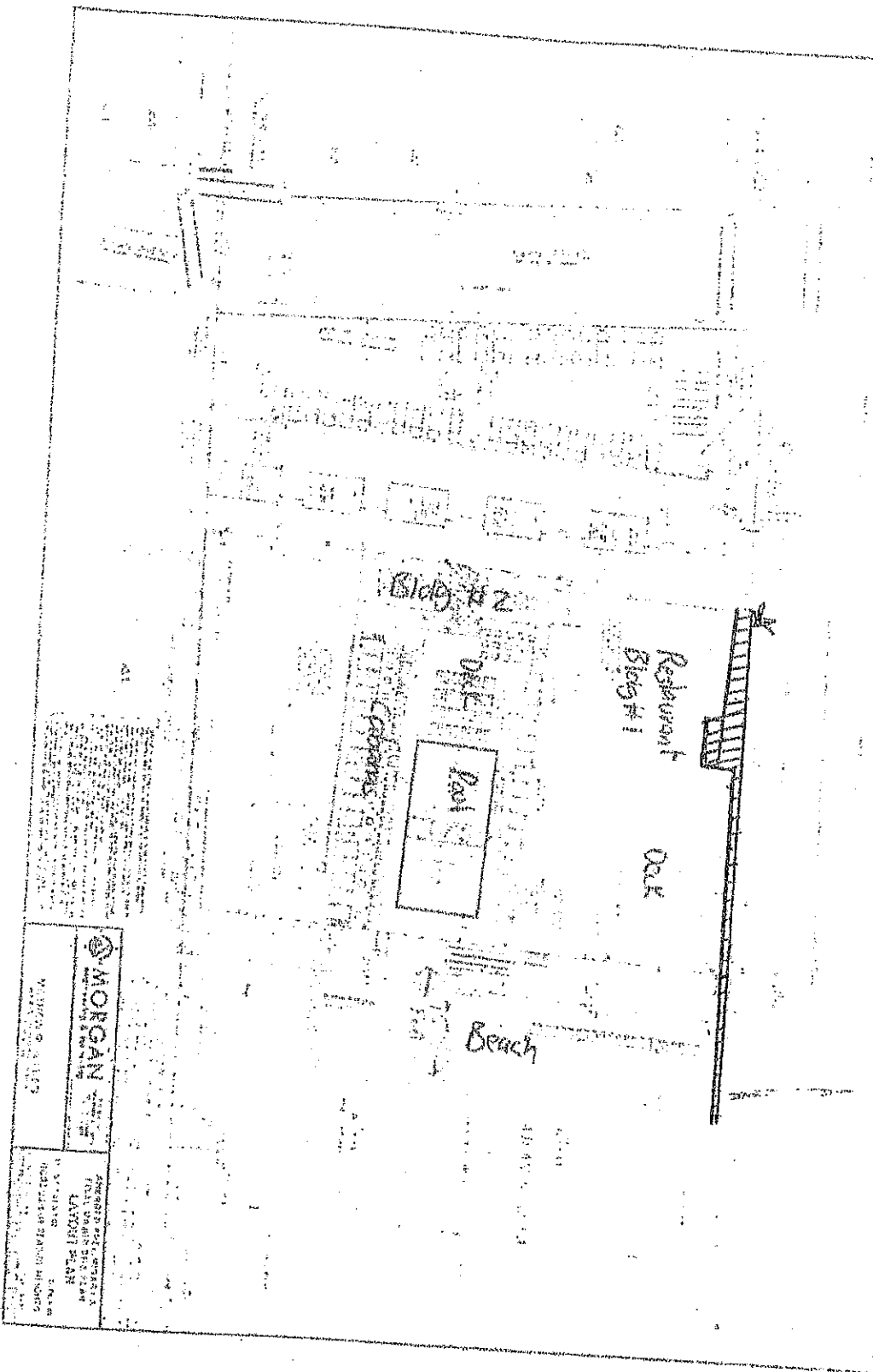
Street Address 782 (Last Name, First Name, Middle Initial or Corporate Name) Route 9

P.O. Box # _____
Zip 08721

Number _____ Street Name _____
Municipality Bayville State New Jersey

Licensed Area in Yellow
De-Licensed Area in 

Defenses: Public Defenses + Public Access



PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

4.1 IS THE NEAREST ENTRANCE OF THE PLACE TO BE LICENSED WITHIN 200 FEET OF THE NEAREST ENTRANCE OF ANY CHURCH OR SCHOOL? Yes X No
 IF THE ANSWER IS "YES", IS A WAIVER SIGNED BY THE APPROPRIATE OFFICIAL ATTACHED TO THIS APPLICATION? Yes No

4.2 DOES THE APPLICANT INTEND TO USE ANY VEHICLE FOR THE TRANSPORT OR DELIVERY OF ALCOHOLIC BEVERAGES? Yes X No (TRANSIT INSIGNIA IS NECESSARY BEFORE BEVERAGES MAY BE TRANSPORTED.)

4.3 HAS THE APPLICANT FILED AN ANNUAL SPECIAL TAX REGISTRATION AND RETURN FORM (ATF F 5830.5) WITH THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS?
Yes X No

IF "YES" DATE FILED / /

4.4 WILL ANY BUSINESS OTHER THAN THE SALE OF ALCOHOLIC BEVERAGES BE CONDUCTED ON THE PREMISES TO BE LICENSED? X Yes No

IF THE ANSWER IS "YES", INDICATE THE NATURE OF THE BUSINESS AND WHO WILL CONDUCT IT BY RESPONDING TO THE FOLLOWING QUESTIONS:

<u>X</u> Restaurant	<u>X</u> Applicant	<u> </u> Other
<u>X</u> Catering	<u>X</u> Applicant	<u> </u> Other
<u> </u> Hotel/Motel	<u> </u> Applicant	<u> </u> Other
<u> </u> Amusements	<u> </u> Applicant	<u> </u> Other
<u> </u> NJ Lottery	<u> </u> Applicant	<u> </u> Other
<u> </u> Grocery or Delicatessen	<u> </u> Applicant	<u> </u> Other
<u>X</u> Other (specify)	<u>X</u> Applicant	<u>X</u> Other
<u>ATM (applicant), cabana rentals and pool club (Other)</u>		

4.5 IF SOMEONE OTHER THAN THE APPLICANT WILL OPERATE THE OTHER BUSINESS ON THE LICENSED PREMISES, ANSWER THIS QUESTION. IF THERE IS MORE THAN ONE INDIVIDUAL OR COMPANY, ATTACH A SEPARATE PAGE LISTING THE REQUESTED INFORMATION FOR EACH OPERATOR.

Business to be operated Cabana rentals and pool club

Name of company/individual Seaside Ocean Terrace, LLC

(Last Name, First Name, or Corporate Name)

Street Address 782 Route 9

Number

Street Name

Municipality Bayville

State New Jersey

Zip 08721

NJ Sales Tax Certificate of Authority No. 824-558-152/000

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS ANSWER THE FOLLOWING

- 5.1 IS THE APPLICATION OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION A POLICE OFFICER OR HOLD ANY POSITION ENTRUSTED WITH THE ENFORCEMENT OF ANY LAWS CONCERNING ALCOHOLIC BEVERAGES IN ANY MANNER WHATSOEVER?

Yes ☒ No

If the answer is "Yes", complete the following:

Name of individual N/A

Last Name

First

Middle Initial

Title of position held

Name of Employing Agency

- 5.2 DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE? Yes ☒ No

IF THE ANSWER IS "YES", COMPLETE THE FOLLOWING:

Name of individual N/A

Last Name

First

Middle Initial

Title of office

Municipality

- 5.3 DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, DIRECTLY OR INDIRECTLY, HAVE ANY INTEREST IN ANY BREWERY, WINERY, DISTILLER, RECTIFYING AND BLENDING PLANT, IMPORTER OR WHOLESALE ALCOHOLIC BEVERAGE BUSINESS, AS OWNER, PART OWNER, LANDLORD, TENANT, MORTGAGE HOLDER, OR AS A STOCKHOLDER, OFFICER, DIRECTOR, AGENT, EMPLOYEE, OR OTHERWISE?

Yes ☒ No

IF THE ANSWER IS "YES" ATTACH AN AFFIDAVIT EXPLAINING THE RELATIONSHIP AND NATURE OF THE INTEREST AND COMPLETE THE FOLLOWING:

A. New Jersey license number, if applicable

B. IF THE BUSINESS DOES NOT HOLD A NEW JERSEY LIQUOR LICENSE, ANSWER THE FOLLOWING QUESTIONS:

Name of entity conducting business (Corporation, Partnership or Individual)

N/A

(Last Name, First Name, or Corporate Name)

Street Address

Number

Street Name

P.O. Box #

Municipality

State

Zip

Type of Business

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS ANSWER THE FOLLOWING

- 6.1 HAS THE APPLICANT EVER BEEN DENIED A LIQUOR LICENSE IN NEW JERSEY?
-
- Yes
- ☒
- No

IF THE ANSWER TO THIS QUESTION IS "YES", ANSWER THE FOLLOWING:

Type of License or Permit Denied: Retail Wholesale Transportation
Warehouse Manufacturer

Unit of Government which denied License or Permit: _____

Date of Denial (approximate, if not known) ____/____/____

Reason for Denial N/A

- 6.2 HAS ANY CORPORATION, PARTNERSHIP, OR INDIVIDUAL MENTIONED IN THIS APPLICATION, OTHER THAN THE APPLICANT, BEEN DENIED A LIQUOR LICENSE OR PERMIT?
-
- Yes
- ☒
- No

IF THE ANSWER IS "YES", ANSWER THE FOLLOWING:

Type of License or Permit Denied: Retail Wholesale Transportation
Warehouse Manufacturer

Unit of Government which denied License or Permit: _____

Date of Denial (approximate, if not known) ____/____/____

Reason for Denial N/A

- 6.3 HAS THE APPLICANT OR ANY OTHER PERSON, CORPORATION OR ENTITY MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN IT, HAD AN INTEREST IN A NEW JERSEY ALCOHOLIC BEVERAGE LICENSE WHICH WAS SURRENDERED, SUSPENDED OR HAD A PENALTY IMPOSED IN LIEU OF SUSPENSION, NOT RENEWED, REVOKED OR CANCELLED WITHIN THE 10 YEARS PRIOR TO THE DATE OF THIS APPLICATION?
-
- Yes
- ☒
- No

IF THE ANSWER IS "YES" PROVIDE DETAILS OF EACH BELOW (Complete a separate page for each action):

Name of individual Sullivan, John L - 121 River Street, LLCDATE OF ACTION 05 / 15 2015 DOCKET NO. S1538452PENALTY WAS IMPOSED BY: State Division of Alcoholic Beverage Control
(Indicate whether by Div. ABC or identify Local Issuing Authority)

PENALTY CONSISTED OF:

X FINED \$ \$3,600 NOT RENEWEDSUSPENDED REVOKED CANCELLEDX OTHER (explain) Plus two days suspension held in abeyance for two years

- 6.4 HAS THE APPLICANT OR ANY OTHER PERSON OR CORPORATION MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN THE BUSINESS UNDER LICENSE OR TO BE LICENSED EVER BEEN CONVICTED OF A CRIMINAL OFFENSE?
-
- Yes
- ☒
- No

A. IF THE ANSWER IS "YES", ANSWER THE FOLLOWING:

Name of individual N/ADate of Birth ____/____/____ Last Name First Middle Initial

State ____ Conviction Date ____/____/____

Court of jurisdiction _____

Description of offense (specific charge) _____

Disposition (fine, penalty, etc.) _____

Nature of interest in entity to be licensed _____

- B. If applicable, provide the date the Director of NJ Division of Alcoholic Beverage Control issued an order approving or disapproving disqualification removal: ____/____/____. (No license may be issued without an order from the Director, Division of Alcoholic Beverage Control determining no disqualification or removing disqualification. (See N.J.S.A. 33:1-31.2 and N.J.A.C. 13:2-15).

Provide Agency Docket No. : (NN)-_____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS OTHER THAN CLUB LICENSE ANSWER THE FOLLOWING

- 7.1 DOES THE APPLICANT, A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY (SPOUSE, CHILDREN, PARENTS, IN-LAWS OR SIBLINGS), OR ANY PERSON WITH A BENEFICIAL INTEREST IN THE SUBJECT LICENSE OF THIS APPLICATION, HAVE ANY INTEREST IN ANY OTHER NEW JERSEY ALCOHOLIC BEVERAGE LICENSE?

☒ Yes ☐ No

IF THE ANSWER IS "YES", COMPLETE THE FOLLOWING BY LISTING THE NEW JERSEY LIQUOR LICENSE TWELVE DIGIT NUMBER(S), AND THE NAMES(S) OF THE PERSON(S) OR CORPORATIONS(S) WHO HOLD(S) SUCH INTEREST. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

- A. License number 1349 - 33 - 002 - 005

Name The Irish Riviera, LLC

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Applicant Member, John L. Sullivan

- B. License number 0714 - 33 - 217 - 006

Name Juicy Burger, LLC

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Applicant Member, Cornelius O Durkin

- C. License number 0905 - 33 - 135 - 009

Name 121 River Street, LLC

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Applicant Member, John L. Sullivan

- 7.2 WOULD ANY PERSON OR CORPORATION NAMED IN THIS APPLICATION FAIL TO QUALIFY FOR OWNERSHIP OF THE LICENSE IF APPLYING AS AN INDIVIDUAL, BECAUSE OF AGE, CRIMINAL CONVICTION, OR PROHIBITED INTERESTS IN OTHER LICENSES?

Yes ☒ No

IF THE ANSWER IS "YES", ANSWER THE FOLLOWING BY INSERTING THE NAME OF THE INDIVIDUAL OR CORPORATION, THE SOCIAL SECURITY NUMBER AND DATE OF BIRTH IF AN INDIVIDUAL. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

Name N/A

(Last Name, First, Middle Initial or Corporate Name)

Social Security number _____ or

N.J. Sales Tax Certificate of Authority No. _____

Date of Birth ____ / ____ / ____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS OTHER THAN CLUB LICENSE ANSWER THE FOLLOWING

- 7.1 DOES THE APPLICANT, A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY (SPOUSE, CHILDREN, PARENTS, IN-LAWS OR SIBLINGS), OR ANY PERSON WITH A BENEFICIAL INTEREST IN THE SUBJECT LICENSE OF THIS APPLICATION, HAVE ANY INTEREST IN ANY OTHER NEW JERSEY ALCOHOLIC BEVERAGE LICENSE?
X Yes No

IF THE ANSWER IS "YES", COMPLETE THE FOLLOWING BY LISTING THE NEW JERSEY LIQUOR LICENSE TWELVE DIGIT NUMBER(S), AND THE NAMES(S) OF THE PERSON(S) OR CORPORATIONS(S) WHO HOLD(S) SUCH INTEREST. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

- A. License number 1347 - 33 - 009 - 005

Name Aleatory, Inc

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Applicant Member, Thomas Jannarone

-
B. License number 1507 - 44 - 048 - 004

Name Retail, LLC

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Michael Mabie, Son of Applicant Member Dean Mabie

-
C. License number 1507 - 44 - 056 - 001

Name Retail, LLC

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Michael Mabie, Son of Applicant Member Dean Mabie

-
7.2 WOULD ANY PERSON OR CORPORATION NAMED IN THIS APPLICATION FAIL TO QUALIFY FOR OWNERSHIP OF THE LICENSE IF APPLYING AS AN INDIVIDUAL, BECAUSE OF AGE, CRIMINAL CONVICTION, OR PROHIBITED INTERESTS IN OTHER LICENSES?
 Yes X No

IF THE ANSWER IS "YES", ANSWER THE FOLLOWING BY INSERTING THE NAME OF THE INDIVIDUAL OR CORPORATION, THE SOCIAL SECURITY NUMBER AND DATE OF BIRTH IF AN INDIVIDUAL. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

Name _____

(Last Name, First, Middle Initial or Corporate Name)

Social Security number _____ or

NJ Sales Tax Certificate of Authority No. _____

Date of Birth ____ / ____ / ____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS OTHER THAN CLUB LICENSE ANSWER THE FOLLOWING

- 7.1 DOES THE APPLICANT, A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY (SPOUSE, CHILDREN, PARENTS, IN-LAWS OR SIBLINGS), OR ANY PERSON WITH A BENEFICIAL INTEREST IN THE SUBJECT LICENSE OF THIS APPLICATION, HAVE ANY INTEREST IN ANY OTHER NEW JERSEY ALCOHOLIC BEVERAGE LICENSE?
X Yes No

IF THE ANSWER IS "YES", COMPLETE THE FOLLOWING BY LISTING THE NEW JERSEY LIQUOR LICENSE TWELVE DIGIT NUMBER(S), AND THE NAMES(S) OF THE PERSON(S) OR CORPORATIONS(S) WHO HOLD(S) SUCH INTEREST. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

A. License number 1518 - 33 - 002 - 004

Name Manchester Route 70, LLC

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Applicant Member Dean Mable

B. License number 1349 - 33 - 001 - 005

Name 700 Highway 71, LLC

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Applicant member, John L Sullivan

C. License number _____

Name _____

(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant _____

- 7.2 WOULD ANY PERSON OR CORPORATION NAMED IN THIS APPLICATION FAIL TO QUALIFY FOR OWNERSHIP OF THE LICENSE IF APPLYING AS AN INDIVIDUAL, BECAUSE OF AGE, CRIMINAL CONVICTION, OR PROHIBITED INTERESTS IN OTHER LICENSES?
 Yes X No

IF THE ANSWER IS "YES", ANSWER THE FOLLOWING BY INSERTING THE NAME OF THE INDIVIDUAL OR CORPORATION, THE SOCIAL SECURITY NUMBER AND DATE OF BIRTH IF AN INDIVIDUAL. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

Name _____

(Last Name, First, Middle Initial or Corporate Name)

Social Security number _____ or

NJ Sales Tax Certificate of Authority No. _____

Date of Birth ____ / ____ / ____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS ANSWER THE FOLLOWING

- 8.1 DOES THE APPLICANT OR ANYONE MENTIONED IN THIS APPLICATION OWE THE STATE OF NEW JERSEY OR THE UNITED STATES ANY LICENSE FEE, PENALTY, INTEREST OR ALCOHOLIC BEVERAGE TAX, WHICH HAS ACCRUED PURSUANT TO THE ALCOHOLIC BEVERAGE TAX LAW, THE ALCOHOLIC BEVERAGE LAW, OR ANY OTHER NEW JERSEY OR FEDERAL LAW?
 _____ Yes X No
- 8.2. HAS THE LICENSE BEEN ISSUED, OR IS IT BEING REQUESTED TO BE ISSUED FOR A HOTEL/MOTEL, AS AN EXCEPTION TO THE POPULATION RESTRICTION UNDER THE PROVISIONS OF N.J.S.A. 33:1-12.20?
 _____ Yes X No
- 8.3 HAS THE LICENSE BEEN ISSUED, OR IS IT BEING REQUESTED TO BE ISSUED AS AN EXCEPTION TO THE TWO LICENSE LIMITATION LAW (N.J.S.A. 33:1-12.32) FOR A HOTEL/MOTEL, RESTAURANT, BOWLING ALLEY OR INTERNATIONAL AIRPORT? X Yes _____ No

IF THE ANSWER IS "YES", CHECK ONE OF THE FOLLOWING: HOTEL/MOTEL

X RESTAURANT ___ BOWLING ALLEY ___ INTERNATIONAL AIRPORT

THE FOLLOWING ARE TO BE ANSWERED WHEN APPLICATION IS FOR A LICENSE TRANSFER.

- 8.4 LICENSE NUMBER SOUGHT TO BE TRANSFERRED 1526 . 33 . 018 . 009
- 8.5 IF THIS IS A REQUEST FOR A PERSON TO PERSON TRANSFER, INSERT NAME(S) OF PERSON (Last Name First), PARTNERSHIP OR CORPORATION CURRENTLY HOLDING THE LICENSE:
N/A

(Last Name, First Name, Middle Initial or Corporate Name)

- B.6 IF THIS IS A REQUEST FOR A PLACE TO PLACE TRANSFER OF A POCKET LICENSE (NO SITED PREMISES) MARK AN X HERE: _____

IF THIS IS A REQUEST FOR A PLACE TO PLACE TRANSFER OF A SITED LICENSE, INSERT THE ADDRESS OF THE CURRENT SITE FROM WHICH THE LICENSE IS TO BE TRANSFERRED.

Street Address N/A

Number

Street Name:

Municipality

New Jersey

zip

THE FOLLOWING ARE TO BE ANSWERED BY APPLICANTS FOR A NEW LICENSE OR A LICENSE TRANSFER.

- 8.7 INSERT THE ANTICIPATED DATES WHEN PUBLIC NOTICE OF APPLICATION WILL BE PUBLISHED, PUBLICATION MAY NOT BE SOONER THAN THE DATE OF FILING OF THIS APPLICATION.

Date of first notice 08 / 23 / 22

Date of second notice 08 / 30 / 22

- 8.8 NAME OF NEWSPAPER TO PUBLISH NOTICE Asbury Park Press

- 8.9 THE FOLLOWING ARE TO BE ANSWERED BY CORPORATIONS REPORTING A CHANGE OF CORPORATE STRUCTURE WHEREIN A NEW STOCKHOLDER ACQUIRES MORE THAN 1 PERCENT OF THE STOCK OF THE LICENSED COMPANY (ONE PUBLICATION OF NOTICE REQUIRED).

Date of notice 1 / 1 / 1

Name of newspaper publishing notice

THE FOLLOWING QUESTIONS ARE FOR CLUB LICENSE APPLICANTS ONLY:

- 8.10 HAS THE CLUB BEEN IN ACTIVE OPERATION IN THE STATE OF NEW JERSEY FOR AT LEAST THREE YEARS CONTINUOUSLY IMMEDIATELY PRIOR TO THE SUBMISSION OF ITS APPLICATION FOR LICENSE?

- 8.11 IS THE APPLICANT A CONSTITUENT UNIT, CHARTERED OR OTHERWISE DULY ENFRANCHISED CHAPTER OR MEMBER CLUB OF A NATIONAL OR STATE ORDER?

- 8.12 HAS THE CLUB HAD EXCLUSIVE POSSESSION AND USE OF CLUB QUARTERS FOR THREE CONTINUOUS YEARS?

- 8.13 DOES THE CLUB HAVE AT LEAST 80 VOTING MEMBERS?

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS ANSWER THE FOLLOWING

- 9.1 DOES ANY INDIVIDUAL, PARTNERSHIP, CORPORATION, OR ASSOCIATION OTHER THAN THE APPLICANT HAVE AN INTEREST DIRECTLY OR INDIRECTLY IN THE LICENSE APPLIED FOR OR IS THE STOCK OF ANY STOCKHOLDER HELD IN ESCROW OR PLEDGED IN ANY WAY?

☒ Yes ☐ No

IF THE ANSWER IS "YES", ANSWER THE FOLLOWING, USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION OF INTEREST. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

Seaside Ocean Terrace, LLC

(Last Name, First Name, Middle Initial or Corporate Name)

Social Security number _____ or _____

NJ Sales Tax Certificate of Authority No. 824-558-152/000

Street Address

782Route 9

Number

Street Name

P.O. Box # _____

Municipality BayvilleState New JerseyZip 08721Describe Nature of Interest Percentage rent on the natural break point of food & beverage sales

- 9.2 DOES ANY INDIVIDUAL, PARTNERSHIP, CORPORATION, OR ASSOCIATION HOLD ANY CHATTEL MORTGAGE OR CONDITIONAL BILL OF SALE OR OTHER SECURITY INTEREST ON ANY FURNITURE, FIXTURES, GOODS OR EQUIPMENT TO BE USED IN CONNECTION WITH THE BUSINESS TO BE OPERATED UNDER THE LICENSE APPLIED FOR?

☐ Yes ☒ No

IF THE ANSWER IS "YES", ANSWER THE FOLLOWING USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION OF INTEREST. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

N/A

(Last Name, First Name, Middle Initial or Corporate Name)

Social Security number _____ or _____

NJ Sales Tax Certificate of Authority No. _____

Street Address

Number

Street Name

P.O. Box # _____

Municipality _____

State _____

Zip _____

Describe Nature of Interest _____

- 9.3 HAS THE APPLICANT AGREED TO PERMIT ANYONE NOT HAVING AN OWNERSHIP INTEREST IN THE LICENSE TO RECEIVE OR AGREED TO PAY ANYONE (BY WAY OF RENT, SALARY, OR OTHERWISE) ALL OR ANY PERCENTAGE OF THE GROSS RECEIPTS OR NET PROFIT OR INCOME DERIVED FROM THE BUSINESS TO BE CONDUCTED UNDER THE LICENSE APPLIED FOR?

☒ Yes ☐ No

IF THE ANSWER IS "YES", ANSWER THE FOLLOWING, USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION OF INTEREST. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

Seaside Ocean Terrace, LLC

(Last Name, First Name, Middle Initial or Corporate Name)

Social Security number _____ or _____

NJ Sales Tax Certificate of Authority No. 824-558-152/000

Street Address

782Route 9

Number

Street Name

P.O. Box # _____

Municipality BayvilleState New JerseyZip 08721Describe Nature of Interest Percentage rent on the natural break point of food & beverage sales

APPLICANTS THAT ARE SOLE PROPRIETORS OR PARTNERSHIPS GO TO PAGE 10A. CORPORATIONS COMPLETE PAGE 10.

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

QUESTIONS TO BE ANSWERED BY CORPORATIONS ONLY. ANY CORPORATION THAT IS REPORTED TO HAVE AN INTEREST IN THE BUSINESS TO BE LICENSED, WHETHER THE LICENSEE COMPANY, THE PARENT CORPORATION OR THE LICENSED COMPANY, HOLDING COMPANY, OR OTHERWISE AFFILIATED IN THE CORPORATE CHAIN MUST ANSWER THE FOLLOWING USING SEPARATE PAGE 10 AND 10A FOR EACH CORPORATION. ANSWER QUESTIONS ON BOTH PAGE 10 AND 10A FOR EACH CORPORATION.

10.1 Name of corporation Seaside Beach Bar, LLC10.2 Street address of home office 600 Warren Avenue
Number Street NameMunicipality Spring Lake HeightsState New JerseyZip 0776210.3 NJ Sales Tax Certificate of Authority Number 834-137-482/000

10.4 IF CORPORATION ADDRESS IN NUMBER 10.2 ABOVE IS OUT OF STATE, REPORT BELOW THE ADDRESS OF ANY OFFICE LOCATION IN NEW JERSEY, INSERT N/A IF NONE.

Street Address N/A

Number

Street Name

Municipality

New Jersey

Zip

10.5 IS THE CORPORATION NOW AN EXISTING, VALID CORPORATION? X Yes No10.6 DATE CHARTERED OR INCORPORATED 03 / 26 / 2019 STATE NJ10.7 CERTIFICATE OF INCORPORATION NUMBER 0450364040

10.8 IF NOT INCORPORATED UNDER THE LAWS OF NEW JERSEY, HAS THE CORPORATION RECEIVED AN AUTHORIZATION TO CONDUCT BUSINESS IN NEW JERSEY FROM THE NEW JERSEY OFFICE OF THE SECRETARY OF STATE?

 Yes No

10.9 HAS THE CORPORATION CHARTER EVER BEEN REVOKED BY THE OFFICE OF THE SECRETARY OF STATE IN NEW JERSEY?

 Yes X No

IF THE ANSWER IS "YES", INSERT THE DATE OF REVOCATION, OR IF SUSPENDED, THE BEGINNING AND ENDING DATE OF THE SUSPENSION.

Date of revocation / / Beginning date / / Ending date / /

10.10 INSERT THE NAME AND ADDRESS OF REGISTERED OR AUTHORIZED AGENT IN NEW JERSEY UPON WHOM SERVICE OF PROCESS IN ANY PROCEEDINGS AGAINST THE APPLICANT, PURSUANT TO THE NEW JERSEY ALCOHOLIC BEVERAGE LAW, THE ALCOHOLIC BEVERAGE TAX LAW, OR PROCEEDINGS IN A STATE OF U.S. DISTRICT COURT, MAY BE MADE:

Name Sullivan, John L.Street Address 600 (Last Name, First Name, Middle Initial or Corporate Name)

Number

Warren Avenue

Street Name

Municipality Spring Lake

New Jersey

Zip 07762Telephone Number (732) 359 7246
Area Exchange Number

10.11 IF THE LICENSED COMPANY IS OWNED BY OTHER CORPORATION(S) OR IN A CORPORATE CHAIN, ATTACH A DIAGRAM DEPICTING THE CORPORATE RELATIONSHIPS AND THE PERCENTAGE OF STOCK INTEREST, IN THE COMPANY TO BE LICENSED, OWNED BY OTHER CORPORATIONS OR OTHER NON-CORPORATE ENTITIES (INDIVIDUALS, PARTNERSHIPS, ASSOCIATIONS).

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS ANSWER THE FOLLOWING (ADD PAGES AS NECESSARY)

SOLE OWNERS AND PARTNERSHIPS: Complete the page in full.

LIMITED PARTNERSHIP: All information about a general partner or partners of a limited partnership must be reported, whether the general partner is an individual or a corporation. A list of the names and addresses of all limited partners must be submitted as an attachment to this application with an identification of the percentage of each limited partner as it relates to total ownership of the business entity to be licensed.

CORPORATIONS: All corporation applicants or licensees and any corporation that has an ownership interest in the corporation under license or to be licensed must have been reported on page 10. Information on this page, 10A, will identify all officers, directors, and stockholders holding one percent or more of the shares of the respective company. Club licenses must list names of officers and directors and attach a current membership list.

NAME OF CORPORATION OR CLUB COVERED BY THIS PAGE (COMPLETE ONLY IF APPLICANT OR STOCKHOLDER IS A CORPORATION OR PARTNERSHIP)

Seaside Beach Bar, LLC

Name of individual (last name first), stockholder, partner, officer or director:

Mable Dean W
Last Name First Middle Initial
Home Street Address 782 Route 9
Number Street Name

P.O. Box # Municipality Bayville State New Jersey
Zip 08721 E-mail dean@themablegroup.com

Social Security number [REDACTED] Date of birth [REDACTED]

Home telephone number [REDACTED]

Office telephone number 732 269 3333
Area Exchange Number

% of business owned or controlled 99 Number of shares

Check position that applies: ☐ Sole owner ☐ Partner ☐ Stockholder
☐ President ☐ Vice-President ☐ Secretary ☐ Treasurer ☐ Director
☐ Trustee ☐ Manager ☐ Agent ☐ Executor/Administrator ☐ Receiver
☐ Beneficiary ☒ Other (specify) Member

Name of individual (last name first):

Seaside JLS, LLC

Last Name First Middle Initial
Home Street Address 600 Warren Avenue
Number Street Name

P.O. Box # Municipality Spring Lake Heights State New Jersey

Zip 07762 Email bigjls2@gmail.com

Social Security number [REDACTED] Date of birth [REDACTED]

Home telephone number [REDACTED]

Office telephone number 732 359 7246
Area Exchange Number

% of business owned or controlled 1 Number of shares

Check position that applies: ☐ Sole owner ☐ Partner ☐ Stockholder
☐ President ☐ Vice-President ☐ Secretary ☐ Treasurer ☐ Director
☐ Trustee ☐ Manager ☐ Agent ☐ Executor/Administrator ☐ Receiver
☐ Beneficiary ☒ Other (specify) Managing Member

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

QUESTIONS TO BE ANSWERED BY CORPORATIONS ONLY. ANY CORPORATION THAT IS REPORTED TO HAVE AN INTEREST IN THE BUSINESS TO BE LICENSED, WHETHER THE LICENSEE COMPANY, THE PARENT CORPORATION OR THE LICENSED COMPANY, HOLDING COMPANY, OR OTHERWISE AFFILIATED IN THE CORPORATE CHAIN MUST ANSWER THE FOLLOWING USING SEPARATE PAGE 10 AND 10A FOR EACH CORPORATION. ANSWER QUESTIONS ON BOTH PAGE 10 AND 10A FOR EACH CORPORATION.

10.1 Name of corporation Seaside JLS, LLC10.2 Street address of home office 600 Warren Avenue
Number Street NameMunicipality Spring Lake HeightsState New Jersey Zip 0776210.3 NJ Sales Tax Certificate of Authority Number 863-075-356/000

10.4 IF CORPORATION ADDRESS IN NUMBER 10.2 ABOVE IS OUT OF STATE, REPORT BELOW THE ADDRESS OF ANY OFFICE LOCATION IN NEW JERSEY, INSERT N/A IF NONE.

Street Address N/A

Number

Street Name

Municipality

New Jersey

Zip

10.5 IS THE CORPORATION NOW AN EXISTING, VALID CORPORATION? ☒ Yes ☐ No10.6 DATE CHARTERED OR INCORPORATED 04 / 02 / 21 STATE NJ10.7 CERTIFICATE OF INCORPORATION NUMBER 0450629529

10.8 IF NOT INCORPORATED UNDER THE LAWS OF NEW JERSEY, HAS THE CORPORATION RECEIVED AN AUTHORIZATION TO CONDUCT BUSINESS IN NEW JERSEY FROM THE NEW JERSEY OFFICE OF THE SECRETARY OF STATE?

☐ Yes ☐ No

10.9 HAS THE CORPORATION CHARTER EVER BEEN REVOKED BY THE OFFICE OF THE SECRETARY OF STATE IN NEW JERSEY?

☐ Yes ☒ No

IF THE ANSWER IS "YES", INSERT THE DATE OF REVOCATION, OR IF SUSPENDED, THE BEGINNING AND ENDING DATE OF THE SUSPENSION.

Date of revocation / / Beginning date / / Ending date / /

10.10 INSERT THE NAME AND ADDRESS OF REGISTERED OR AUTHORIZED AGENT IN NEW JERSEY UPON WHOM SERVICE OF PROCESS IN ANY PROCEEDINGS AGAINST THE APPLICANT, PURSUANT TO THE NEW JERSEY ALCOHOLIC BEVERAGE LAW, THE ALCOHOLIC BEVERAGE TAX LAW, OR PROCEEDINGS IN A STATE OF U.S. DISTRICT COURT, MAY BE MADE:

Name Sullivan, John LStreet Address 600 (Last Name, First Name, Middle Initial or Corporate Name)Warren AvenueMunicipality Spring Lake Heights New JerseyZip 07762 Telephone Number 732 359 7246
Area Exchange Number

10.11 IF THE LICENSED COMPANY IS OWNED BY OTHER CORPORATION(S) OR IN A CORPORATE CHAIN, ATTACH A DIAGRAM DEPICTING THE CORPORATE RELATIONSHIPS AND THE PERCENTAGE OF STOCK INTEREST, IN THE COMPANY TO BE LICENSED, OWNED BY OTHER CORPORATIONS OR OTHER NON-CORPORATE ENTITIES (INDIVIDUALS, PARTNERSHIPS, ASSOCIATIONS).

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS ANSWER THE FOLLOWING (ADD PAGES AS NECESSARY)

SOLE OWNERS AND PARTNERSHIPS: Complete the page in full.

LIMITED PARTNERSHIP: All information about a general partner or partners of a limited partnership must be reported, whether the general partner is an individual or a corporation. A list of the names and addresses of all limited partners must be submitted as an attachment to this application with an identification of the percentage of each limited partner as it relates to total ownership of the business entity to be licensed.

CORPORATIONS: All corporation applicants or licensees and any corporation that has an ownership interest in the corporation under license or to be licensed must have been reported on page 10, Information on this page, 10A, will identify all officers, directors, and stockholders holding one percent or more of the shares of the respective company. Club licenses must list names of officers and directors and attach a current membership list.

NAME OF CORPORATION OR CLUB COVERED BY THIS PAGE (COMPLETE ONLY IF APPLICANT OR STOCKHOLDER IS A CORPORATION OR PARTNERSHIP)

Seaside JLS, LLC

Name of individual (last name first), stockholder, partner, officer or director:

JannaroneThomas

Last Name

First

Middle Initial

Home Street Address

522

Number

Bridlemere Ave

Street Name

P.O. Box #

Municipality

Interlaken

State

NJ

Zip

07712

Email Address

tjannarone@jerseyshorelawyer.com

Social Security number

Date of birth

Home telephone number

Area

Exchange

Number

Office telephone number

Area

Exchange

Number

% of business owned or controlled

20

Number of shares

Check position that applies:

☐ Sole owner☐ Partner☐ Stockholder☐ President☐ Vice-President☐ Secretary☐ Treasurer☐ Director☐ Trustee☐ Manager☐ Agent☐ Executor/Administrator☐ Receiver☐ Beneficiary☒ Other (specify)Member

Name of individual (last name first):

KosakowskiTodd

Last Name

First

Middle Initial

Home Street Address

7

Number

Meadowlark Lane

Street Name

P.O. Box #

Municipality

Bedford

State

NY

Zip

10506

Email Address

bnytkoz1@gmail.com

Social Security number

Date of birth

Home telephone number

Area

Exchange

Number

Office telephone number

Area

Exchange

Number

% of business owned or controlled

9

Number of shares

Check position that applies:

☐ Sole owner☐ Partner☐ Stockholder☐ President☐ Vice-President☐ Secretary☐ Treasurer☐ Director☐ Trustee☐ Manager☐ Agent☐ Executor/Administrator☐ Receiver☐ Beneficiary☒ Other (specify)Member

STATE ASSIGNED LICENSE NUMBER 1526 - 33 - 018 - 009

ALL APPLICANTS ANSWER THE FOLLOWING (ADD PAGES AS NECESSARY)

SOLE OWNERS AND PARTNERSHIPS: Complete the page in full.

LIMITED PARTNERSHIP: All information about a general partner or partners of a limited partnership must be reported, whether the general partner is an individual or a corporation. A list of the names and addresses of all limited partners must be submitted as an attachment to this application with an identification of the percentage of each limited partner as it relates to total ownership of the business entity to be licensed.

CORPORATIONS: All corporation applicants or licensees and any corporation that has an ownership interest in the corporation under license or to be licensed must have been reported on page 10. Information on this page, 10A, will identify all officers, directors, and stockholders holding one percent or more of the shares of the respective company. Club licenses must list names of officers and directors and attach a current membership list.

NAME OF CORPORATION OR CLUB COVERED BY THIS PAGE (COMPLETE ONLY IF APPLICANT OR STOCKHOLDER IS A CORPORATION OR PARTNERSHIP)

Seaside JLS, LLC

Name of individual (last name first), stockholder, partner, officer or director:

SullivanJohnL

Last Name

First

Middle Initial

Home Street Address 19 Tuttle Ave

Number

Street Name

P.O. Box #

Municipality

Spring LakeState NJZip 07762

Email Address

bigjls2@gmail.com

Social Security number

Date of birth

Home telephone number

Area

Exchange

Number

Office telephone number

Area

Exchange

Number

% of business owned or controlled

51

Number of shares

Check position that applies:

☐ Sole owner☐ Partner☐ Stockholder☐ President☐ Vice-President☐ Secretary☐ Treasurer☐ Director☐ Trustee☐ Manager☐ Agent☐ Executor/Administrator☐ Receiver☐ Beneficiary☒ Other (specify)Managing Member

Name of individual (last name first):

DurkinCorneliusO

Last Name

First

Middle Initial

Home Street Address 1120

Number

Bloomfield Ave

Street Name

P.O. Box #

Municipality

West Caldwell

State

New JerseyZip 07007

Email Address

cdurkin@durkinlawfirm.com

Social Security number

Date of birth

Home telephone number

Area

Exchange

Number

Office telephone number

Area

Exchange

Number

% of business owned or controlled

20

Number of shares

Check position that applies:

☐ Sole owner☐ Partner☐ Stockholder☐ President☐ Vice-President☐ Secretary☐ Treasurer☐ Director☐ Trustee☐ Manager☐ Agent☐ Executor/Administrator☐ Receiver☐ Beneficiary☒ Other (specify)Member

STATE ASSIGNED LICENSE NUMBER 1526 . 33 . 018 . 009

AFFIDAVIT

LICENSE PERIOD
APPLIED FOR

FROM _____ TO _____

DATE:

State of New JerseyCounty of Monmouth

SS:

As provided by law (N.J.S.A. 33:1-35),

(Check One)

1. The Individual Applicant
2. Members of the Partnership Applicant

3. Managing Member of Seaside Beach Bar, LLC

(President/Vice-President)

(Corporation or Club Name)

consent(s) that the licensed premises and all portions of the building constituting the licensed premises, including all rooms, cellars, closets, out-buildings, passageways, vaults, yards, attics, and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in his/her/their possession or under his/her/their control, may be inspected and searched without warrant at all hours by the Director of the Division of Alcoholic Beverage Control, his or her duly authorized deputies, inspectors, or investigators and all other sworn law enforcement officers, and being duly sworn according to law, upon his/her/their oath(s), depose(s) and say(s) that he/she is (they are) the person(s) duly authorized to sign the application, that in instance of corporate ownership, the signator is authorized by corporate resolution to sign on behalf of the corporations; and that the contents of this application represent complete disclosure of fact, and that the contents of this application are true.

(Signature of Individual Applicant / sole proprietor)

(Corporations Only)

Attestation by Corporate Secretary

(Partnership Name)

(Signature of Partner)

(Signature of Partner)

(Signature of Partner)

(Signature of Partner)

Attest:

Seaside Beach Bar, LLC

Corporate Name

By

(Signature of Corporate President or Vice President)

Secretary

Signature

Affix Corporate Seal

Sworn to and subscribed before me
this 9 day of August, 2022

AFFIDAVIT MUST BE SIGNED HERE →
BY DULY AUTHORIZED NOTARY PUBLIC
OR AN ATTORNEY AT LAW OF NEW JERSEY

(Signature of Officer Administering Oath)

Autumn L. Iosue

(Printed Name of Officer Administering Oath)

Notary

(Title of Officer Administering Oath)

Oct 30, 2022
(Date of Expiration of
Commission, if applicable)

AUTUMN L. IOSUE
Notary Public - State of New Jersey
My Commission Expires Oct 30, 2022



State of New Jersey

Department of Law and Public Safety

Division of Alcoholic Beverage Control

2022 - 2023

26 - SEASIDE HEIGHTS
BOROUGH
15 - OCEAN COUNTY

Pursuant to Title 33 of the New Jersey Statutes, A PLENARY RETAIL CONSUMPTION LICENSE

Is Hereby Granted To SEASIDE BEACH BAR LLC

2 BOARDWALK
SEASIDE HEIGHTS, NJ 08751
License Number: 1526-33-018-010

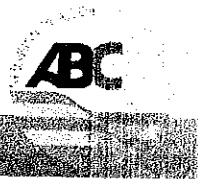
This license confers all rights and privileges pertaining thereto, as set forth in Title 33 of the New Jersey Statutes, and any amendments thereof and supplements thereto, and is expressly subject to the terms, provisions, limitations, requirements and conditions set forth therein and any rules and regulations promulgated heretofore and hereafter by the Director of the Division of Alcoholic Beverage Control pursuant to Title 33 of the New Jersey Statutes. The license is further subject to the provisions of all municipal ordinances and/or resolutions pertaining thereto which have been or shall have been duly enacted under law.

Effective Date: 07/01/2022

Fee Paid \$200.00

Dianna B. Staley

Attest: 26 - SEASIDE HEIGHTS BOROUGH



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Renewal Application - Plenary Retail Consumption License

File Number: 510522
License Number: 1526-33-018-010
License Type: Plenary Retail Consumption License
Licensee: SEASIDE BEACH BAR LLC
Legal Entity (Licensee)

Renewal Term: 07/01/2022 to 06/30/2023

Establishment: THE OCEAN CLUB
2 BOARDWALK SEASIDE HEIGHTS, NJ 08751 USA

REPORTS

Report Type	Created Date
-------------	--------------

LICENSEE QUESTIONS

Question	Response
1: IS THIS LICENSE BEING ACTIVELY USED AT AN ACTUAL PREMISE?	☐ Yes ☐ No
2: DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE?	☐ Yes ☐ No
3: IN THE PAST 12 MONTHS, HAVE YOU ENTERED INTO AN AGREEMENT IN WHICH YOU OFFERED THE LICENSE OR ANY FINANCIAL INTEREST IN THE LICENSE AS COLLATERAL OR SECURITY TO A PERSON OR ENTITY NOT NAMED IN THE APPLICATION.	☐ Yes ☐ No
4: IN THE PAST 12 MONTHS, HAS THE LICENSEE BEEN NAMED AS A PARTY TO A LAWSUIT, ARISING FROM CONDUCT IN NEW JERSEY, THAT HAS NOT BEEN DISMISSED AND IN WHICH IT IS ALLEGED THAT THE LICENSEE SERVED AN INTOXICATED PATRON?	☐ Yes ☐ No

Municipal Response

The below areas are for the municipality to respond to the license application. After you review the application please provide the following responses: If you wish to put Special Conditions, respond "Yes" to the Special Conditions questions. A Municipal Resolution document is required. The following file formats are acceptable: Word, Excel, PDF.

MUNICIPAL CHECKLIST

Confirmed?	Description	Mandatory?
☐	If applicable, verify the licensee has paid municipal fees.	Yes
☐	If applicable, verify the licensee has received tax clearance from the New Jersey Division of Taxation.	Yes
☐	Please upload the approved municipal resolution, renewing this license for the new license term.	Yes

COMMENTS:

DOCUMENTS TO ATTACH

The following documents may be required to be submitted with your response. A mandatory upload will be denoted by the "yes" in the "Required" column. Use the "upload File" button below to begin attaching the required documents. If you have any of the non mandatory documents feel free to ignore them.

Document Type	Description	Sample Form	Required?
Municipal Resolution		(n/a)	Yes

UPLOADED DOCUMENTS

Upload

Description	Document Type	File Name	Uploaded Date
-------------	---------------	-----------	---------------

Description	Document Type	File Name	Uploaded Date
 renewal	Municipal Resolution ▼	Res 22-177 Seaside Beach Bar.pdf	mmm dd, yyyy 

Does the resolution include Special Conditions?

☒ Yes

☐ No

Read the below certification and follow the prompts to respond to this application. Use the "Submit Resolution to NJ ABC" button to submit the application. Use the "Awaiting ABC Special Ruling" when the application is waiting relief or specific ruling. Once Ruling is received, use the "Ruling Confirmed" to proceed to provide the resolution response to this application.

By checking the box below, I hereby certify that I:

- 1. Have the authority to act on behalf of the municipality in this matter;*
- 2. Have reviewed the application submitted;*
- 3. Have considered any objections made to this application.*

I further certify that the statements provided herein are accurate. If any of the foregoing statements are willfully false, I am subject to punishment.

☒ Check here to indicate that you have read and agree to the certification above.

Save

Submit Resolution to NJ ABC

Awaiting ABC Special Ruling

Screen 10/1/2017 10:00

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RESOLUTION NO. 22-177

**RESOLUTION OF THE BOROUGH OF SEASIDE
HEIGHTS, COUNTY OF OCEAN, STATE OF NEW
JERSEY, REVISING RESOLUTION 21-209
AUTHORIZING THE RENEWAL OF PLENARY
RETAIL CONSUMPTION LICENSE NO. 1526-33-018-010
HELD BY SEASIDE BEACH BAR, LLC**

WHEREAS, Seaside Beach Bar, LLC has made application to renew its liquor license for the fiscal year July 1, 2022 to June 30, 2023; and

WHEREAS, the Borough Council wishes to revise Resolution 21-209 authorizing the renewal for the 2021-2022 renewal period and incorporating the correct Special Conditions, which were set forth previously in Resolution 21-98.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, State of New Jersey, that it does hereby approve:

1. That Resolution 21-209 is hereby revised to reflect that the Plenary Retail Consumption License No. 1526-33-018-010 issued to Seaside Beach Bar, LLC is renewed for the license year of July 1, 2022 to June 30, 2023, and said license shall be conditioned upon compliance with the Special Conditions set forth in Resolution No. 21-98, attached hereto as Schedule A and incorporated herein.
2. That a copy of this Resolution shall be forwarded to the Division of Alcoholic Beverage Control and the licensee.

CERTIFICATION

I, Diane B. Stabley, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Seaside Heights at a meeting held on the 15th day of June 2022



DIANE B. STABLEY, RMC
Borough Clerk, Borough of Seaside Heights

r|m|s|h|c

Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

o: 732.363.0777
f: 732.905.6555

SCHEDULE A
Special Conditions to Resolution 21-98

1. The restaurant, banquet facility, pool, cabanas, and beach shall be operated as a unified entity, to wit, a restaurant, and all advertisements and marketing shall represent the business as a restaurant with incidental and subsidiary improvements. Any advertisement for any part of the operation shall include a reference to the restaurant portion of the operation.
2. The "doing business as" name of the operation may include the words "restaurant," "eatery," "kitchen," "grill," and similar food driven descriptive words and shall not include the words "club," (except that a reference may be made to a "pool club" or "beach club" if in conjunction with the full name of the restaurant, i.e., The Beachside Restaurant and Pool Club), "nightclub," "bar," "tavern," "pub," "lounge," "saloon," "canteen," or similar alcoholic beverage driven descriptive words.
3. A zoning permit shall be obtained for digital signage on the exterior of the property as required by Section 246-92 of the Borough Code. Digital signage display may include, but not be limited to, historical and current images of Seaside Heights and public service announcements requested by the Borough.
4. Maximum property occupancy at any time shall be 750-person limit as per Land Use Board Resolution. During a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy limits for each section of the operated premises shall be in accordance with state law, but in no event shall maximum property occupancy exceed 825.
5. Restaurant Occupancy and Operations:
 - a. The maximum occupancy of the first-floor interior space shall be 179 persons except that during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy shall be 297 as permitted by state law.
 - i. Dining tables with chairs and bar stools/chairs accommodating 179 persons as set forth on the architectural plans dated November 6, 2019, shall occupy the first-floor interior space at all times this space is being used. All tables and chairs in this space shall be stationary when the business is open, except that tables may be temporarily rearranged to accommodate larger groups of seated guests.

- ii. Music (either recorded and provided by DJ or live) and dancing shall only be permitted in this space in the event the entire building is being utilized for a single event and is closed to the general public.
- b. The maximum occupancy of the first-floor exterior deck space shall be 100 persons.
 - i. Dining tables with chairs accommodating 100 persons shall occupy the first-floor exterior deck space at all times this space is being used. All tables and chairs on the deck shall be stationary when the business is open, except that tables may be temporarily rearranged to accommodate larger groups of seated guests.
 - ii. Alcoholic beverage service in this space shall cease the hour established by the Borough Code of the Borough of Seaside Heights or as established through liquor license condition in response to operational issues.
- c. The maximum occupancy of the second-floor banquet venue interior space shall be 150 persons.
 - i. Dining tables with chairs accommodating 150 persons shall occupy the second-floor banquet venue when this space is being used. All tables and chairs in this space shall be stationary and seat no more than 150 people when this space is being utilized, except that tables may be rearranged to accommodate larger parties of seated guests.
 - ii. The use of this space shall be limited to bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets) and for first-floor restaurant overflow. No other uses are permitted in this space.
 - iii. Music (either recorded and provided by DJ or live) and dancing are only permitted in this space when the space is being used for a bona fide banquet (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
 - iv. A service bar may be constructed on the second floor; however, the service bar shall only be used during bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
 - v. Service of food and beverage in this space shall be by wait staff only.
 - vi. Guests shall be cleared from this space and this space shall close by 11:30 p.m. except when the space is being used for a bona fide banquet (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
- d. The maximum occupancy of the second-floor exterior deck space shall be 50 persons except during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that

no action is taken by the governing body within the 14-day period) the occupancy limit shall be 112 as established by state law.

- i. Dining tables with chairs accommodating 50 persons shall occupy this space when this space is being used. All tables and chairs in this space shall be stationary when this space is being used, except that tables may be rearranged to accommodate larger groups of seated guests.
 - ii. Ambient and acoustical music shall be the only music of any kind permitted in this space.
 - iii. Guests shall be seated by 10:00 p.m. and the space shall be cleared by 11:30 p.m.
 - iv. The use of this space shall be limited to bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets) and for first-floor restaurant overflow. No other uses are permitted in this space.
 - v. Service of food and beverage in this space shall be by wait staff only.
- e. No persons shall be on the third-floor exterior deck space except for short term viewing and photo opportunities.
- i. No alcohol is permitted in this space.
 - ii. This space is not part of the licensed premises.
 - iii. Food and beverage service of any kind in this space is prohibited.
 - iv. No bar of any kind shall be constructed in this space.
 - v. Entertainment and music of any kind is prohibited in this space.

6. Pool area and cabana spaces and operations:

- a. Guests shall be cleared from the pool area and cabana spaces which shall close daily at 10 p.m. except that the pool area (but not the pool itself) may be occupied during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14 day period as established by terms of the approval).
- b. The maximum occupancy of the pool area and cabanas spaces shall be 220 persons.
- c. One third (1/3) of the proposed pool will have a shallow depth of approximately 12 to 18 inches for wading, for the purposes of accommodating families with small children.
- d. The second story space showing storage and a DJ Booth its architectural plans dated November 6, 2019, shall be solely used for storage with no DJ booth being permitted and shall have no windows and shall have no access open to the public operations or event attendees.
- e. Lounge chairs and tables with chairs shall be maintained in the configuration as shown on the plans attached hereto and incorporated herein.
- f. No entertainment or music of any kind shall be provided in the pool area and cabana spaces except for ambient or acoustical music.

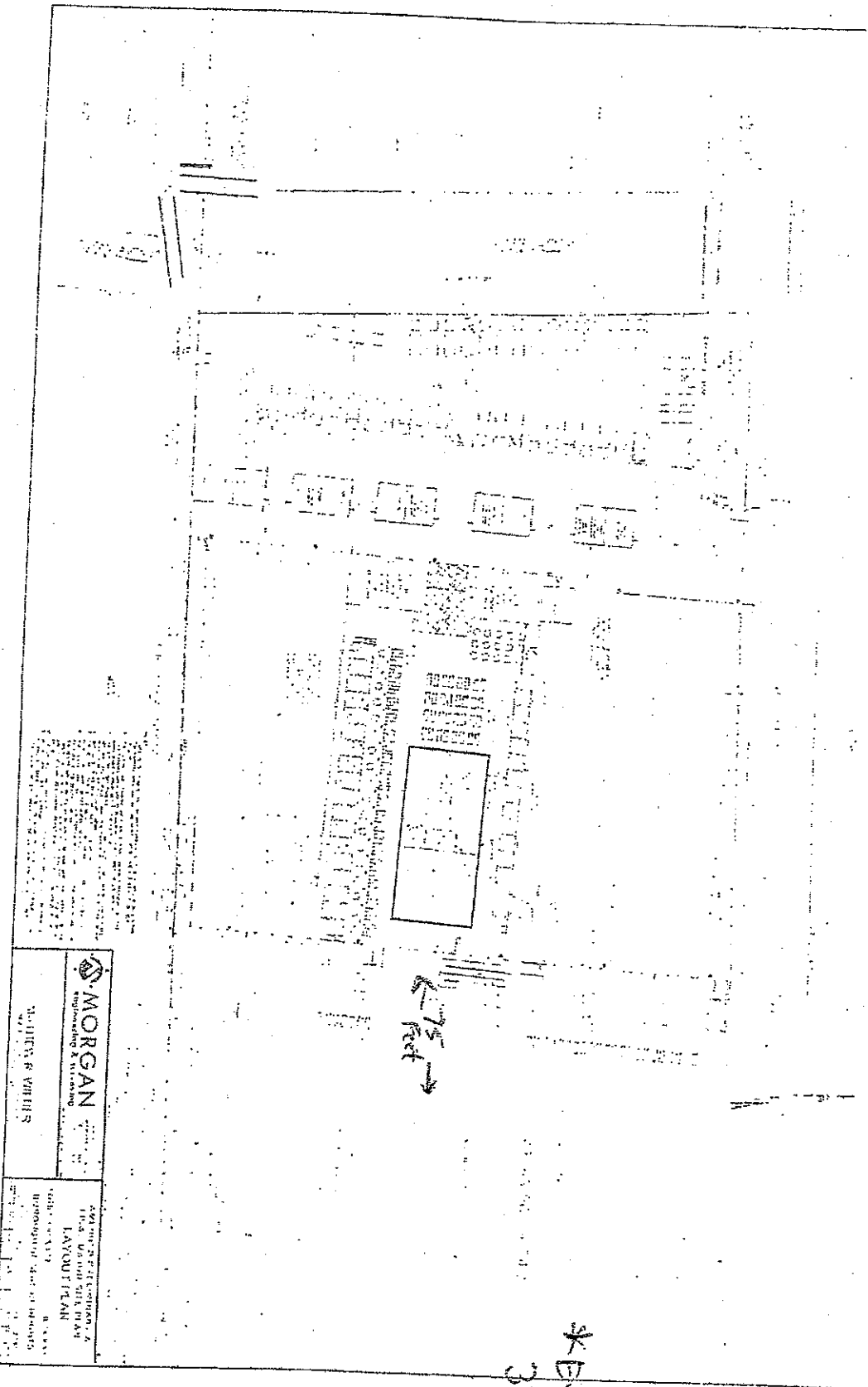
7. Beach operations:

- a. The licensed beach space may extend to a depth of seventy-five (75) feet beyond the licensed decking and up to the width of the beach portion of Block 69 Lots 1, 1.0 and 1.02, and shall require a place-to-place transfer for expansion if seeking a wider licensed premises than the seventy-five (75) feet by forty (40) feet previously approved by resolution and the ABC. Licensing of any lots merged in the future shall be subject to the procedural requirements of Paragraph 9. below.
- b. Maximum occupancy of the licensed beach space shall be as determined by law but shall not in any case exceed 600.
- c. There shall be no access to the licensed beach area directly from the beach. Entrance to the licensed beach area shall be from the licensed deck area.
- d. The licensed beach area shall be fenced in entirely with appropriate fencing, and no access shall be permitted directly from the licensed beach area to other private or public beach areas.
- e. Guests shall be cleared from the licensed and non-licensed beach spaces and these spaces closed by 10:00 p.m.
- f. American Lifeguard Association certified lifeguards shall be provided whenever swimming is permitted.
- g. Ocean Terrace shall provide signage specifically noting that guests are not permitted to take alcoholic beverages and glass to the public beach.
- h. Only acoustic guitar music may be provided in the beach spaces.
- i. Alcoholic beverages shall not be permitted at the non-licensed beach spaces.

8. General operations:

- a. No outdoor tiki bars shall be permitted at any time.
- b. No DJ booths shall be permitted except during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period).
- c. There will be no outdoor bars where guests can sit and order or consume food and beverages. There shall be a single full-service bar located in the first-floor interior space with seating to accommodate not more than 37 persons.
- d. All food and beverages served in the outdoor spaces shall be served by wait staff.
- e. No part of the premises may be used as a nightclub, dance club or similar type of operation.
- f. The premises shall be operated by the licensee as a restaurant in accordance with the definition of restaurant established by the Borough Code of the Borough of Seaside Heights.
- g. The licensee shall, at all times, comply with the conditions for restaurants in the Resort Recreational Zone.
- h. The kitchen shall be open and the full menu of the restaurant shall be available in all spaces of the premises at all times that the business is open.

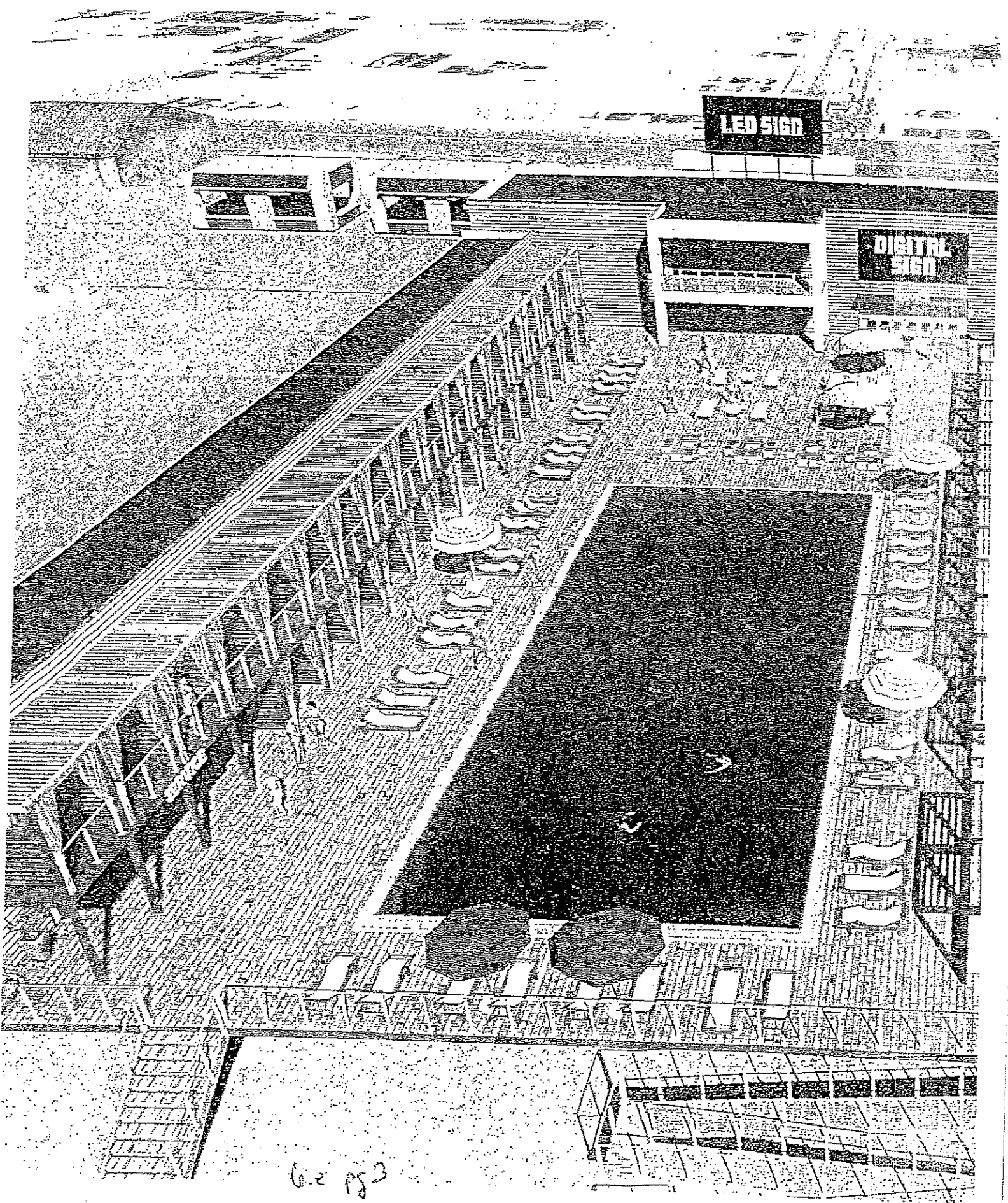
- i. No ticketed events shall be held unless an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period).
- j. Doors. Except for purposes of ingress and egress, the licensee shall ensure that the windows and doors of the buildings are closed at all times whenever live and/or recorded entertainment of any kind whatsoever, is occurring anywhere within the interior premises.
- k. Litter. The outside areas in and around the licensed premises, including the beach, must be litter free by 7:00 a.m. each morning.
- l. No lewd entertainment shall be conducted or permitted at any time in any area of the licensed premises. Lewd entertainment shall include as illustrative, but not limited to, such events as Hot Buns contests, Wet T-Shirt contests, Male/Female Revues and the like.



Boundary of licensed premises
3/17/2017

*Exclude
3rd Floor

 MORGAN Engineering & Planning	401 West 2nd Street, Suite 100 Portland, OR 97201 Phone: 503.222.1111 Fax: 503.222.1112 Email: info@morganep.com
	PROJECT NO. 17-001 3rd Floor LAYOUT PLAN



6.2 pg 3

Diane Stabley

From: ABCDoNotReply@njoag.gov
Sent: Tuesday, April 26, 2022 11:47 AM
To: Diane Stabley
Subject: NJ ABC - License Application in your municipality



State of New Jersey
Office of the Attorney General
Division of Alcoholic Beverage Control

**Municipal Notification Regarding
Application of Event Type Permit**

P.O. Box 087, 140 East Front Street, Trenton, NJ 08625-0087 • 609-984-2830 • www.nj.gov/oag/abc

FOR ALL APPLICANTS: You are receiving a courtesy copy of your filed renewal application.

FOR MUNICIPAL ISSUING AUTHORITIES: A Renewal Application has been filed in your municipality.

This notification is being sent to the following email addresses:

- administrator@seaside-heightsnj.org
- jlc@gm-law.net
- municipalclerk@seaside-heightsnj.org
- njocean@outlook.com

License Type:	Plenary Retail Consumption License
Type of Job:	Renewal Application
File Number:	510522
License Number:	1526-33-018-010
Submitted Date:	Apr 26, 2022
Applicant Email:	njocean@outlook.com
Receipt Number:	265327
Fee Amount:	\$200.00

Licensee Information

Licensee Applicant:	SEASIDE BEACH BAR LLC
Corporation Number:	0450364040
Incorporation Date:	Mar 26, 2019
NJ Tax Auth Number:	

Mailing Address:

Physical Address:

600 WARREN AVE
SPRING LAKE HEIGHTS, NJ 07762
USA

Contact Information

Contact Name:

JOHN L SULLIVAN

Business Number:

Home Number:

Mobile Number:

Contact Email:

TOMMYJ@THEOCEANCLUBNJ.COM ;
DEAN@THEMABIEGROUP.COM

Preferred Contact Method:

Email

Establishment Information

Type:

Consumption

DBA / Names:

THE OCEAN CLUB

Operator:

SEASIDE BEACH BAR LLC

Mailing Address:

600 WARREN AVE
SPRING LAKE HEIGHTS, NJ 07762
USA

Premises Address:

2 BOARDWALK
SEASIDE HEIGHTS, NJ 08751
USA

License Type Details

License Type:

Plenary Retail Consumption License

Secondary License Types:

Application Questions

Question 1:

IS THIS LICENSE BEING ACTIVELY USED AT AN ACTUAL PREMISE?

Yes / No Response:

Yes

Question 2:

DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE?

Yes / No Response: No

Question 3: IN THE PAST 12 MONTHS, HAVE YOU ENTERED INTO AN AGREEMENT IN WHICH YOU OFFERED THE LICENSE OR ANY FINANCIAL INTEREST IN THE LICENSE AS COLLATERAL OR SECURITY TO A PERSON OR ENTITY NOT NAMED IN THE APPLICATION.

Yes / No Response: No

Question 4: IN THE PAST 12 MONTHS, HAS THE LICENSEE BEEN NAMED AS A PARTY TO A LAWSUIT, ARISING FROM CONDUCT IN NEW JERSEY, THAT HAS NOT BEEN DISMISSED AND IN WHICH IT IS ALLEGED THAT THE LICENSEE SERVED AN INTOXICATED PATRON?

Yes / No Response: No

CONFIDENTIALITY NOTICE The information contained in this communication from the Office of the New Jersey Attorney General is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

ALCOHOLIC BEVERAGE ESTABLISHMENT INVOICE
2022-2023

Trade Name: Seaside Beach Bar, LLC

License Number: 1526-33-018-010

Licensed Premises Address: 2 Boardwalk
Seaside Hts., NJ 08751

Name and Mailing Address of Licensee: Seaside Beach Bar, LLC
792 Route 9
Bayville, NJ 08721

Telephone Number(s): [REDACTED] (Dean Mabie)

Consumption License Fee	\$2,500.00
#2 Entertainment License Fee	1,500.00
Retail Food License Fee	250.00
Tourist Development Fee	<u>200.00</u>

Total Due to the Borough of Seaside Heights \$4,450.00

PAID MAY 25 2022
CR#1090

****Please make your payment of \$200.00 directly to the Division of A.B.C.****

TAX CLEARANCE OK



State of New Jersey
DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
PO BOX 245
TRENTON, NJ 08695-0245

ALCOHOLIC BEVERAGE RETAIL LICENSEE
CLEARANCE CERTIFICATE
(RENEWAL)

5/18/2022

LIQUOR LICENSE NUMBER: 1526-33-018-010

SALES TAX REGISTRATION NUMBER: XXX-XX-7482/000

SEASIDE BEACH BAR LLC

The Director of the Division of Taxation, in accordance with chapter 161 Laws of N.J. 1995, has reviewed the records of the above holder of a retail alcoholic beverage license. This review shows that the licensee is in compliance with this act.

This certificate indicates the above license holder is in compliance with the above act and the Division of Taxation has no objections to renewal of said license. This certificate does not constitute a waiver of authority to demand resolution of any other deficiencies and delinquencies and shall not prevent further audit or the assessment of additional taxes, penalties, interest or fees as may be provided by law.

NOT TO BE USED FOR TRANSFERS

A handwritten signature in black ink, appearing to read "John J. Ficara".

John J. Ficara

Acting Director, Division of Taxation



State of New Jersey

Department of Law and Public Safety

Division of Alcoholic Beverage Control

2021 - 2022

26 - SEASIDE HEIGHTS
BOROUGH

15 - OCEAN COUNTY

Pursuant to Title 33 of the New Jersey Statutes, A PLENARY RETAIL CONSUMPTION LICENSE
Is Hereby Granted To SEASIDE BEACH BAR LLC

2 BOARDWALK
SEASIDE HEIGHTS, NJ 08751
License Number: 1526-33-018-010

This license confers all rights and privileges pertaining thereto, as set further in Title 33 of the New Jersey Statutes, and any amendments thereof and supplements thereto, and is expressly subject to the terms, provisions, limitations, requirements and conditions set forth therein and any rules and regulations promulgated heretofore and hereafter by the Director of the Division of Alcoholic Beverage Control pursuant to Title 33 of the New Jersey Statutes. The license is further subject to the provisions of all municipal ordinances and/or resolutions pertaining thereto which have been or shall have been duly enacted under law.

Effective Date: 07/01/2021

Fee Paid \$200.00

Diane B. Staley

Attest: 26 - SEASIDE HEIGHTS BOROUGH



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Renewal Application - Plenary Retail Consumption License

File Number: 442365
License Number: 1526-33-018-010
License Type: Plenary Retail Consumption License
Licensee: SEASIDE BEACH BAR LLC
Legal Entity (Licensee)
769 ROUTE 9 SUITE 1 BAYVILLE, NJ 08721 USA
Establishment: SEASIDE BEACH BAR
2 BOARDWALK SEASIDE HEIGHTS, NJ 08751 USA

Renewal Term: 07/01/2021 to 06/30/2022

REPORTS

Report Type	Created Date
-------------	--------------

LICENSEE QUESTIONS

Question	Response
1: IS THIS LICENSE BEING ACTIVELY USED AT AN ACTUAL PREMISE?	☐ Yes ☐ No
2: DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE?	☐ Yes ☐ No
3: IN THE PAST 12 MONTHS, HAVE YOU ENTERED INTO AN AGREEMENT IN WHICH YOU OFFERED THE LICENSE OR ANY FINANCIAL INTEREST IN THE LICENSE AS COLLATERAL OR SECURITY TO A PERSON OR ENTITY NOT NAMED IN THE APPLICATION.	☐ Yes ☐ No
4: IN THE PAST 12 MONTHS, HAS THE LICENSEE BEEN NAMED AS A PARTY TO A LAWSUIT, ARISING FROM CONDUCT IN NEW JERSEY, THAT HAS NOT BEEN DISMISSED AND IN WHICH IT IS ALLEGED THAT THE LICENSEE SERVED AN INTOXICATED PATRON?	☐ Yes ☐ No

Municipal Response

The below areas are for the municipality to respond to the license application. After you review the application please provide the following responses: If you wish to put Special Conditions, respond "Yes" to the Special Conditions questions. A Municipal Resolution document is required. The following file formats are acceptable: Word, Excel, PDF.

MUNICIPAL CHECKLIST

Confirmed?	Description	Mandatory?
☐	If applicable, verify the licensee has paid municipal fees.	Yes
☐	If applicable, verify the licensee has received tax clearance from the New Jersey Division of Taxation. Yes	
☐	Please upload the approved municipal resolution, renewing this license for the new license term. Yes	Yes

COMMENTS:

DOCUMENTS TO ATTACH

The following documents may be required to be submitted with your response. A mandatory upload will be denoted by the "yes" in the "Required" column. Use the "upload File" button below to begin attaching the required documents. If you have any of the non mandatory documents feel free to ignore them.

Document Type	Description	Sample Form	Required?
Municipal Resolution		(n/a)	Yes

UPLOADED DOCUMENTS

Upload

Description	Document Type	File Name	Uploaded Date
-------------	---------------	-----------	---------------

6/17/2021

ABC Online - Renewal Application - Plenary Retail Consumption License

Description

Renewal

Document Type

Municipal Resolution

File Name

Res 21-209 Seaside Beach Bar.pdf

Uploaded Date

mm/dd/yyyy



Does the resolution include Special Conditions?

☒ Yes

☐ No

Read the below certification and follow the prompts to respond to this application. Use the "Submit Resolution to NJ ABC" button to submit the application. Use the "Awaiting ABC Special Ruling" when the application is waiting relief or specific ruling. Once Ruling is received, use the "Ruling Confirmed" to proceed to provide the resolution response to this application.

By checking the box below, I hereby certify that I:

1. Have the authority to act on behalf of the municipality in this matter;
2. Have reviewed the application submitted;
3. Have considered any objections made to this application.

I further certify that the statements provided herein are accurate. If any of the foregoing statements are willfully false, I am subject to punishment.

☒ Check here to indicate that you have read and agree to the certification above.

Save

Submit Resolution to NJ ABC

Awaiting ABC Special

RESOLUTION NO. 21-233

RESOLUTION OF THE BOROUGH OF SEASIDE
HEIGHTS, COUNTY OF OCEAN, STATE OF NEW
JERSEY, REVISING RESOLUTION 21-209
AUTHORIZING THE RENEWAL OF PLENARY
RETAIL CONSUMPTION LICENSE NO. 1526-32-018-008
HELD BY SEASIDE BEACH BAR, LLC

WHEREAS, Seaside Beach Bar, LLC has made application to renew its liquor license for the fiscal year July 1, 2020 to June 30, 2021; and

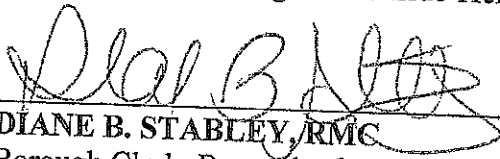
WHEREAS, the Borough Council wishes to revise Resolution 21-209 authorizing the renewal for the 2021-2022 renewal period and incorporating the correct Special Conditions, which were set forth previously in Resolution 21-98.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, State of New Jersey, that it does hereby approve:

1. That Resolution 21-209 is hereby revised to reflect that the Plenary Retail Consumption License No. 1526-33-018-008 issued to Seaside Beach Bar, LLC is renewed for the license year of July 1, 2021 to June 30, 2022, and said license shall be conditioned upon compliance with the Special Conditions set forth in Resolution No. 21-98, attached hereto as Schedule A and incorporated herein.
2. That a copy of this Resolution shall be forwarded to the Division of Alcoholic Beverage Control and the licensee.

CERTIFICATION

I, Diane B. Stabley, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Seaside Heights at a meeting held on the 7th day of July, 2021.


DIANE B. STABLEY, RMC
Borough Clerk, Borough of Seaside Heights

r|m|s|h|c

Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

o: 732.363.0777
f: 732.905.6555

SCHEDULE A
Special Conditions to Resolution 21-98

1. The restaurant, banquet facility, pool, cabanas, and beach shall be operated as a unified entity, to wit, a restaurant, and all advertisements and marketing shall represent the business as a restaurant with incidental and subsidiary improvements. Any advertisement for any part of the operation shall include a reference to the restaurant portion of the operation.
2. The "doing business as" name of the operation may include the words "restaurant," "eatery," "kitchen," "grill," and similar food driven descriptive words and shall not include the words "club," (except that a reference may be made to a "pool club" or "beach club" if in conjunction with the full name of the restaurant, i.e., The Beachside Restaurant and Pool Club), "nightclub," "bar," "tavern," "pub," "lounge," "saloon," "canteen," or similar alcoholic beverage driven descriptive words.
3. A zoning permit shall be obtained for digital signage on the exterior of the property as required by Section 246-92 of the Borough Code. Digital signage display may include, but not be limited to, historical and current images of Seaside Heights and public service announcements requested by the Borough.
4. Maximum property occupancy at any time shall be 750-person limit as per Land Use Board Resolution. During a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy limits for each section of the operated premises shall be in accordance with state law, but in no event shall maximum property occupancy exceed 825.
5. Restaurant Occupancy and Operations:
 - a. The maximum occupancy of the first-floor interior space shall be 179 persons except that during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy shall be 297 as permitted by state law.
 - i. Dining tables with chairs and bar stools/chairs accommodating 179 persons as set forth on the architectural plans dated November 6, 2019, shall occupy the first-floor interior space at all times this space is being used. All tables and chairs in this space shall be stationary when the business is open, except that tables may be temporarily rearranged to accommodate larger groups of seated guests.

- ii. Music (either recorded and provided by DJ or live) and dancing shall only be permitted in this space in the event the entire building is being utilized for a single event and is closed to the general public.
- b. The maximum occupancy of the first-floor exterior deck space shall be 100 persons.
 - i. Dining tables with chairs accommodating 100 persons shall occupy the first-floor exterior deck space at all times this space is being used. All tables and chairs on the deck shall be stationary when the business is open, except that tables may be temporarily rearranged to accommodate larger groups of seated guests.
 - ii. Alcoholic beverage service in this space shall cease the hour established by the Borough Code of the Borough of Seaside Heights or as established through liquor license condition in response to operational issues.
- c. The maximum occupancy of the second-floor banquet venue interior space shall be 150 persons.
 - i. Dining tables with chairs accommodating 150 persons shall occupy the second-floor banquet venue when this space is being used. All tables and chairs in this space shall be stationary and seat no more than 150 people when this space is being utilized, except that tables may be rearranged to accommodate larger parties of seated guests.
 - ii. The use of this space shall be limited to bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets) and for first-floor restaurant overflow. No other uses are permitted in this space.
 - iii. Music (either recorded and provided by DJ or live) and dancing are only permitted in this space when the space is being used for a bona fide banquet (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
 - iv. A service bar may be constructed on the second floor; however, the service bar shall only be used during bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
 - v. Service of food and beverage in this space shall be by wait staff only.
 - vi. Guests shall be cleared from this space and this space shall close by 11:30 p.m. except when the space is being used for a bona fide banquet (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
- d. The maximum occupancy of the second-floor exterior deck space shall be 50 persons except during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that

no action is taken by the governing body within the 14-day period) the occupancy limit shall be 112 as established by state law.

- i. Dining tables with chairs accommodating 50 persons shall occupy this space when this space is being used. All tables and chairs in this space shall be stationary when this space is being used, except that tables may be rearranged to accommodate larger groups of seated guests.
 - ii. Ambient and acoustical music shall be the only music of any kind permitted in this space.
 - iii. Guests shall be seated by 10:00 p.m. and the space shall be cleared by 11:30 p.m.
 - iv. The use of this space shall be limited to bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets) and for first-floor restaurant overflow. No other uses are permitted in this space.
 - v. Service of food and beverage in this space shall be by wait staff only.
- e. No persons shall be on the third-floor exterior deck space except for short term viewing and photo opportunities.
- i. No alcohol is permitted in this space.
 - ii. This space is not part of the licensed premises.
 - iii. Food and beverage service of any kind in this space is prohibited.
 - iv. No bar of any kind shall be constructed in this space.
 - v. Entertainment and music of any kind is prohibited in this space.

6. Pool area and cabana spaces and operations:

- a. Guests shall be cleared from the pool area and cabana spaces which shall close daily at 10 p.m. except that the pool area (but not the pool itself) may be occupied during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14 day period as established by terms of the approval).
- b. The maximum occupancy of the pool area and cabanas spaces shall be 220 persons.
- c. One third (1/3) of the proposed pool will have a shallow depth of approximately 12 to 18 inches for wading, for the purposes of accommodating families with small children.
- d. The second story space showing storage and a DJ Booth its architectural plans dated November 6, 2019, shall be solely used for storage with no DJ booth being permitted and shall have no windows and shall have no access open to the public operations or event attendees.
- e. Lounge chairs and tables with chairs shall be maintained in the configuration as shown on the plans attached hereto and incorporated herein.
- f. No entertainment or music of any kind shall be provided in the pool area and cabana spaces except for ambient or acoustical music.

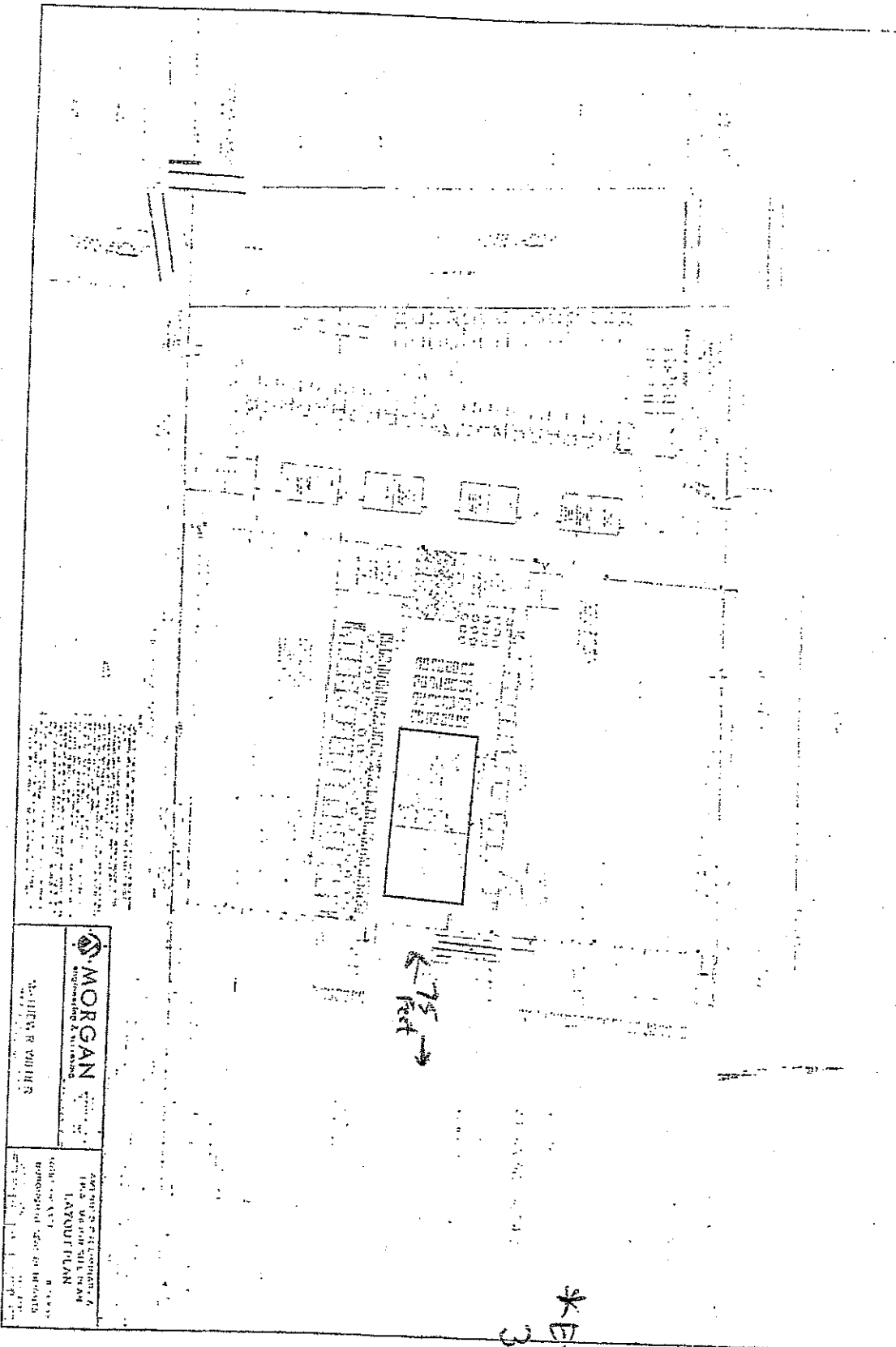
7. Beach operations:

- a. The licensed beach space may extend to a depth of seventy-five (75) feet beyond the licensed decking and up to the width of the beach portion of Block 69 Lots 1, 1.0 and 1.02, and shall require a place-to-place transfer for expansion if seeking a wider licensed premises than the seventy-five (75) feet by forty (40) feet previously approved by resolution and the ABC. Licensing of any lots merged in the future shall be subject to the procedural requirements of Paragraph 9. below.
- b. Maximum occupancy of the licensed beach space shall be as determined by law but shall not in any case exceed 600.
- c. There shall be no access to the licensed beach area directly from the beach. Entrance to the licensed beach area shall be from the licensed deck area.
- d. The licensed beach area shall be fenced in entirely with appropriate fencing, and no access shall be permitted directly from the licensed beach area to other private or public beach areas.
- e. Guests shall be cleared from the licensed and non-licensed beach spaces and these spaces closed by 10:00 p.m.
- f. American Lifeguard Association certified lifeguards shall be provided whenever swimming is permitted.
- g. Ocean Terrace shall provide signage specifically noting that guests are not permitted to take alcoholic beverages and glass to the public beach.
- h. Only acoustic guitar music may be provided in the beach spaces.
- i. Alcoholic beverages shall not be permitted at the non-licensed beach spaces.

8. General operations:

- a. No outdoor tiki bars shall be permitted at any time.
- b. No DJ booths shall be permitted except during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period).
- c. There will be no outdoor bars where guests can sit and order or consume food and beverages. There shall be a single full-service bar located in the first-floor interior space with seating to accommodate not more than 37 persons.
- d. All food and beverages served in the outdoor spaces shall be served by wait staff.
- e. No part of the premises may be used as a nightclub, dance club or similar type of operation.
- f. The premises shall be operated by the licensee as a restaurant in accordance with the definition of restaurant established by the Borough Code of the Borough of Seaside Heights.
- g. The licensee shall, at all times, comply with the conditions for restaurants in the Resort Recreational Zone.
- h. The kitchen shall be open and the full menu of the restaurant shall be available in all spaces of the premises at all times that the business is open.

- i. No ticketed events shall be held unless an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period).
- j. Doors. Except for purposes of ingress and egress, the licensee shall ensure that the windows and doors of the buildings are closed at all times whenever live and/or recorded entertainment of any kind whatsoever, is occurring anywhere within the interior premises.
- k. Litter. The outside areas in and around the licensed premises, including the beach, must be litter free by 7:00 a.m. each morning.
- l. No lewd entertainment shall be conducted or permitted at any time in any area of the licensed premises. Lewd entertainment shall include as illustrative, but not limited to, such events as Hot Buns contests, Wet T-Shirt contests, Male/Female Revues and the like.



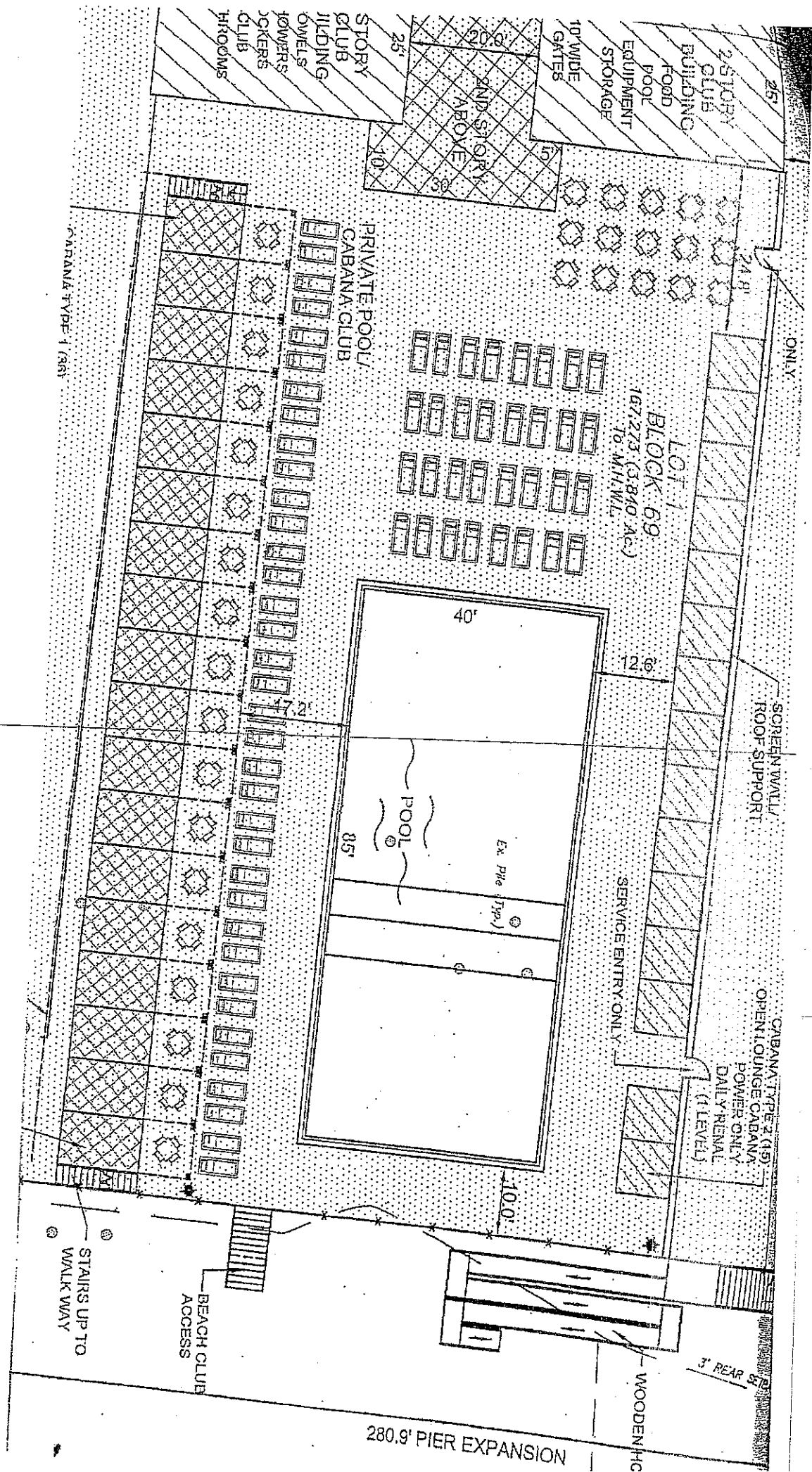
75' Feet

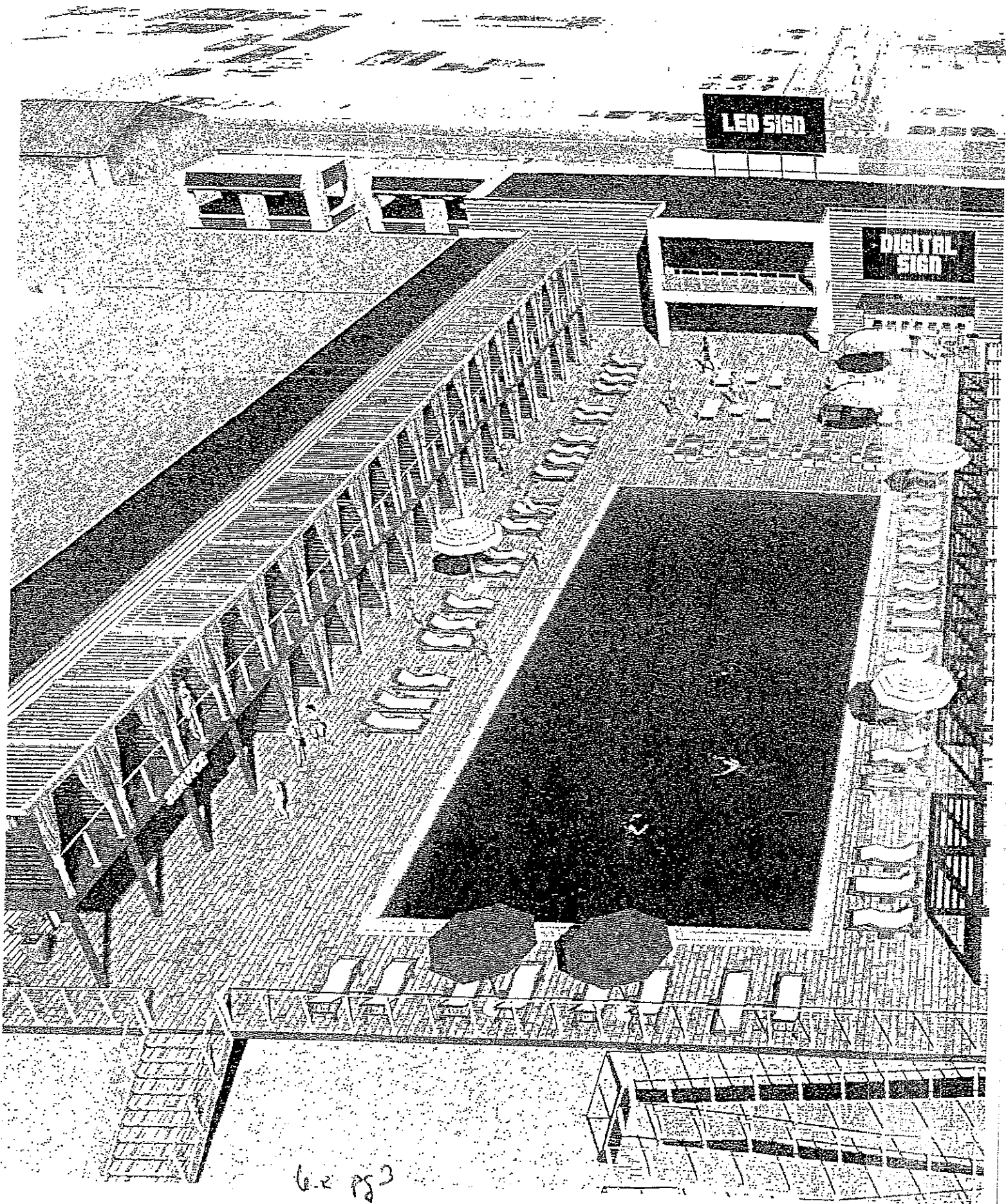
* Exclude
3rd Floor

Boundary of licensed premises
3/17/2001

 MORGAN engineering & consulting		1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100
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b.e pg 3





6.2 pg 3

Diane Stabley

From: ABCDoNotReply@njoag.gov
Sent: Tuesday, May 18, 2021 9:41 AM
To: Diane Stabley
Subject: NJ ABC - License Application in your municipality



State of New Jersey
Office of the Attorney General
Division of Alcoholic Beverage Control

**Municipal Notification Regarding
Application of Event Type Permit**

P.O. Box 087, 140 East Front Street, Trenton, NJ 08625-0087 • 609-984-2830 • www.nj.gov/oag/abc

FOR ALL RETAIL LICENSEES: You are receiving a courtesy copy of your filed renewal application.

FOR MUNICIPAL ISSUING AUTHORITIES: A Renewal Application has been filed in your municipality.

This notification is being sent to the following email addresses:

- administrator@seaside-heightsnj.org
- jlc@gm-law.net
- municipalclerk@seaside-heightsnj.org
- njocean@outlook.com

License Type:	Plenary Retail Consumption License
Type of Job:	Renewal Application
File Number:	442366
License Number:	1526-33-018-010
Submitted Date:	May 18, 2021
Applicant Email:	njocean@outlook.com
Receipt Number:	232713
Fee Amount:	\$200.00

Licensee Information

Licensee Applicant:	SEASIDE BEACH BAR LLC
Corporation Number:	0450364040
Incorporation Date:	Mar 26, 2019
NJ Tax Auth Number:	

Mailing Address: 769 ROUTE 9
SUITE 1
BAYVILLE, NJ 08721
USA

Physical Address: 769 ROUTE 9
SUITE 1
BAYVILLE, NJ 08721
USA

Contact Information

Contact Name: DEAN MABIE
Business Number: [REDACTED]
Home Number:
Mobile Number:
Contact Email: DEAN@THEMABIEGROUP.COM
Preferred Contact Method: Email

Establishment Information

Type: Consumption
DBA / Names: SEASIDE BEACH BAR
Operator: SEASIDE BEACH BAR LLC
Mailing Address: 769 ROUTE 9
SUITE 1
BAYVILLE, NJ 08721
USA
Premises Address: 2 BOARDWALK
SEASIDE HEIGHTS, NJ 08751
USA

License Type Details

License Type: Plenary Retail Consumption License
Secondary License Types:

Application Questions

Question 1: IS THIS LICENSE BEING ACTIVELY USED AT AN ACTUAL PREMISE?
Yes / No Response: Yes

Question 2: DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE?

Yes / No Response: No

Question 3: IN THE PAST 12 MONTHS, HAVE YOU ENTERED INTO AN AGREEMENT IN WHICH YOU OFFERED THE LICENSE OR ANY FINANCIAL INTEREST IN THE LICENSE AS COLLATERAL OR SECURITY TO A PERSON OR ENTITY NOT NAMED IN THE APPLICATION.

Yes / No Response: No

Question 4: IN THE PAST 12 MONTHS, HAS THE LICENSEE BEEN NAMED AS A PARTY TO A LAWSUIT, ARISING FROM CONDUCT IN NEW JERSEY, THAT HAS NOT BEEN DISMISSED AND IN WHICH IT IS ALLEGED THAT THE LICENSEE SERVED AN INTOXICATED PATRON?

Yes / No Response: No

CONFIDENTIALITY NOTICE The information contained in this communication from the Office of the New Jersey Attorney General is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

ALCOHOLIC BEVERAGE ESTABLISHMENT INVOICE
2021-2022

Trade Name: Seaside Beach Bar, LLC

License Number: 1526-33-018-008

Licensed Premises Address: 2 Boardwalk
Seaside Hts., NJ 08751

Name and Mailing Address of Licensee: Seaside Beach Bar, LLC
792 Route 9
Bayville, NJ 08721

Telephone Number(s): [REDACTED] (Dean Mabie)

Consumption License Fee	\$2,500.00
#2-Entertainment License Fee	1,500.00 <i>PS</i>
Retail Food License Fee	250.00
Tourist Development Fee	<u>200.00</u>

Total Due to the Borough of Seaside Heights ~~\$4,450.00~~
2950.00

****Please make your payment of \$200.00 directly to the Division of A.B.C.**

RECEIVED MAY 27 2022



State of New Jersey
DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
PO BOX 245
TRENTON, NJ 08695-0245

ALCOHOLIC BEVERAGE RETAIL LICENSEE
CLEARANCE CERTIFICATE
(RENEWAL)

5/12/2021

LIQUOR LICENSE NUMBER: 1526-33-018-010

SALES TAX REGISTRATION NUMBER: XXX-XX-7482/000

SEASIDE BEACH BAR LLC

The Director of the Division of Taxation, in accordance with chapter 161 Laws of N.J. 1995, has reviewed the records of the above holder of a retail alcoholic beverage license. This review shows that the licensee is in compliance with this act.

This certificate indicates the above license holder is in compliance with the above act and the Division of Taxation has no objections to renewal of said license. This certificate does not constitute a waiver of authority to demand resolution of any other deficiencies and delinquencies and shall not prevent further audit or the assessment of additional taxes, penalties, interest or fees as may be provided by law.

NOT TO BE USED FOR TRANSFERS

A handwritten signature in black ink, appearing to read "John J. Ficara".

John J. Ficara

Acting Director, Division of Taxation



State of New Jersey

Department of Law and Public Safety

Division of Alcoholic Beverage Control

2020 - 2021

26 - SEASIDE HEIGHTS
BOROUGH
15 - OCEAN COUNTY

Pursuant to Title 33 of the New Jersey Statutes, A PLENARY RETAIL CONSUMPTION LICENSE
Is Hereby Granted To SEASIDE BEACH BAR LLC

2 BOARDWALK
SEASIDE HEIGHTS, NJ 08751
License Number: 1526-33-018-010

This license confers all rights and privileges pertaining thereto, as set further in Title 33 of the New Jersey Statutes, and any amendments thereof and supplements thereto, and is expressly subject to the terms, provisions, limitations, requirements and conditions set forth therein and any rules and regulations promulgated heretofore and hereafter by the Director of the Division of Alcoholic Beverage Control pursuant to Title 33 of the New Jersey Statutes. The license is further subject to the provisions of all municipal ordinances and/or resolutions pertaining thereto which have been or shall have been duly enacted under law.

Effective Date: 02/17/2021

Fee Paid \$0.00

[Signature]
Attest: 26 - SEASIDE HEIGHTS BOROUGH

Diane Stabley

From:
Sent:
To:
Subject:
Attachments:

Anna, yes the chec
Cabanas at Seaside

Diane

From: Anna Perna <Anna.Perna@njoag.gov>
Sent: Friday, February 19, 2021 3:51 PM
To: Diane Stabley <municipalclerk@seaside-heightsnj.org>
Subject: RE: place to place transfer

Diane,

Attached is a check letter for the place to place expansion of premise transfer. Please note: some of the items checked off will be sent in with the hard copy. Also, please correct the license number of the resolution. The resolution state "32" instead of "33". If you have any questions, please do not hesitate to reach out.

Best,
Anna

From: Diane Stabley <municipalclerk@seaside-heightsnj.org>
Sent: Friday, February 19, 2021 11:10 AM
To: Anna Perna <Anna.Perna@njoag.gov>
Cc: Frank Mandia <fjm@stonemandia.com>; Ben <b.mabie@mabielaw.com>
Subject: [EXTERNAL] place to place transfer

Anna, mailing hard copy with check today, I will send a separate email with the app attached, the file was too big to send in one email

Ben, do you want to pick up your copy or should I email it somewhere, please advise

Regards, Diane

Diane B Stabley, RMC/CMR
Borough Clerk
Seaside Heights Borough
901 Blvd.
Seaside Hts., NJ 08751
732-793-9126

BOROUGH OF SEASIDE
901 BOULEVARD
SEASIDE HEIGHTS, NJ 08751
(732) 793-9100 (732) 793-0319

CASH RECEIPT

Date 1/13/21 124348

Received From Seaside Beach Bar

Address _____

For Place to Place Lic transfer

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	# 1064
BALANCE DUE		MONEY ORDER	
		CREDIT CARD	

By [Signature]

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STATE OF NEW JERSEY

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

P.O. BOX 087

TRENTON, NJ 08625-0087

PHONE: (609) 984-2830 FAX: (609) 633-6078

WWW.NJ.GOV/OAG/ABC

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

GURBIR S. GREWAL
Attorney General

JAMES B. GRAZIANO
Director

February 22, 2021

Diane B. Stabley, Municipal Clerk
PO Box 38
Seaside Heights, NJ 08751-0038

**RE: INCOMPLETE APPLICATION FOR A PLACE TO PLACE EXPANSION OF PREMISE
TRANSFER**

LICENSE NUMBER: 1526-33-018-009
LICENSE NAME: SEASIDE BEACH BAR LLC

Please be advised that an initial review of the above license transfer application indicates that it is incomplete for the following reasons:

(X) Application fee in the amount of \$200 was not submitted. *mailed 2/19/21*

Page 2 Question 2.5_X_ Can you please clarify the Trade Name for me. It is a little difficult to read on the application. *I emailed her*

Page 3 Question 3.1___ 3.2___ 3.3_X_ Our records reflect the entire 1st building is licensed. Please amend this page to reflect the same information. *please respond to her/me*

Please have the licensee complete the pages and forward them to the Division. Please note that this application will remain in pending status and that the current license record cannot be updated on the Retail Licensing System until the information requested above is received.

If you should have any questions please feel free to contact Anna Perna at (609) 376.9771.
Thank you for your cooperation.

PLEASE RETURN THIS FORM WITH AMENDED PAGES/RESOLUTION
ATTENTION: Anna Perna (609) 376.9771 FAX (609) 292.0691
OR Email Anna.Perna@njoag.gov



RESOLUTION NO. 21-98

**RESOLUTION OF THE BOROUGH OF SEASIDE
HEIGHTS, COUNTY OF OCEAN, STATE OF NEW
JERSEY, AUTHORIZING AND APPROVING THE
PLACE TO PLACE TRANSFER OF PLENARY RETAIL
CONSUMPTION LICENSE NO. 1526-33-018-008 FOR
SEASIDE BEACH BAR, LLC**

WHEREAS, an application has been filed by Seaside Beach Bar, LLC for a place to place transfer of plenary retail consumption license number liquor license # 1526-33-018-008; and

WHEREAS, the applicant is seeking to expand the premises covered by the license to include the pool and cabana area and an expanded beach area, as depicted on the attached Schedule B; and

WHEREAS, the submitted application form is complete in all respects, the applicable fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, and the regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the application for an expansion of the licensed premises submitted in accordance with requirements of the Division of Alcoholic Beverage Control, and the applicant has been reviewed and approved by the Municipal Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, State of New Jersey, that it does hereby approve:

1. That this approval is specifically conditioned by the Special Conditions set forth on the attached Schedule A which is incorporated as if set forth in its entirety herein.
2. The application for a place to place transfer for an expansion of the licensed premises as shown on Schedule B to include the pool and cabana area and an expanded beach area, of plenary retail consumption license number is #1526-33-018-008 is hereby approved in accordance with the application submitted by the applicant.
3. That all other terms and conditions that have been imposed upon the operation of this license by the governing body shall remain in full force and effect.
4. That a copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control and the applicant.

CERTIFICATION

I, Diane B. Stabley, RMC, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Seaside Heights at a meeting held on the 17th day of February, 2021.

A handwritten signature in dark ink, appearing to read "Diane B. Stabley", is written over a horizontal line.

DIANE B. STABLEY, RMC
Borough Clerk, Borough of Seaside Heights

SCHEDULE A
Special Conditions to Resolution 21-98

1. The restaurant, banquet facility, pool, cabanas, and beach shall be operated as a unified entity, to wit, a restaurant, and all advertisements and marketing shall represent the business as a restaurant with incidental and subsidiary improvements. Any advertisement for any part of the operation shall include a reference to the restaurant portion of the operation.
2. The "doing business as" name of the operation may include the words "restaurant," "eatery," "kitchen," "grill," and similar food driven descriptive words and shall not include the words "club," (except that a reference may be made to a "pool club" or "beach club" if in conjunction with the full name of the restaurant, i.e., The Beachside Restaurant and Pool Club), "nightclub," "bar," "tavern," "pub," "lounge," "saloon," "canteen," or similar alcoholic beverage driven descriptive words.
3. A zoning permit shall be obtained for digital signage on the exterior of the property as required by Section 246-92 of the Borough Code. Digital signage display may include, but not be limited to, historical and current images of Seaside Heights and public service announcements requested by the Borough.
4. Maximum property occupancy at any time shall be 750-person limit as per Land Use Board Resolution. During a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy limits for each section of the operated premises shall be in accordance with state law, but in no event shall maximum property occupancy exceed 825.
5. Restaurant Occupancy and Operations:
 - a. The maximum occupancy of the first-floor interior space shall be 179 persons except that during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy shall be 297 as permitted by state law.
 - i. Dining tables with chairs and bar stools/chairs accommodating 179 persons as set forth on the architectural plans dated November 6, 2019, shall occupy the first-floor interior space at all times this space is being used. All tables and chairs in this space shall be stationary when the business is open, except that tables may be temporarily rearranged to accommodate larger groups of seated guests.

- ii. Music (either recorded and provided by DJ or live) and dancing shall only be permitted in this space in the event the entire building is being utilized for a single event and is closed to the general public.
- b. The maximum occupancy of the first-floor exterior deck space shall be 100 persons.
 - i. Dining tables with chairs accommodating 100 persons shall occupy the first-floor exterior deck space at all times this space is being used. All tables and chairs on the deck shall be stationary when the business is open, except that tables may be temporarily rearranged to accommodate larger groups of seated guests.
 - ii. Alcoholic beverage service in this space shall cease the hour established by the Borough Code of the Borough of Seaside Heights or as established through liquor license condition in response to operational issues.
- c. The maximum occupancy of the second-floor banquet venue interior space shall be 150 persons.
 - i. Dining tables with chairs accommodating 150 persons shall occupy the second-floor banquet venue when this space is being used. All tables and chairs in this space shall be stationary and seat no more than 150 people when this space is being utilized, except that tables may be rearranged to accommodate larger parties of seated guests.
 - ii. The use of this space shall be limited to bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets) and for first-floor restaurant overflow. No other uses are permitted in this space.
 - iii. Music (either recorded and provided by DJ or live) and dancing are only permitted in this space when the space is being used for a bona fide banquet (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
 - iv. A service bar may be constructed on the second floor; however, the service bar shall only be used during bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
 - v. Service of food and beverage in this space shall be by wait staff only.
 - vi. Guests shall be cleared from this space and this space shall close by 11:30 p.m. except when the space is being used for a bona fide banquet (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
- d. The maximum occupancy of the second-floor exterior deck space shall be 50 persons except during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that

no action is taken by the governing body within the 14-day period) the occupancy limit shall be 112 as established by state law.

- i. Dining tables with chairs accommodating 50 persons shall occupy this space when this space is being used. All tables and chairs in this space shall be stationary when this space is being used, except that tables may be rearranged to accommodate larger groups of seated guests.
 - ii. Ambient and acoustical music shall be the only music of any kind permitted in this space.
 - iii. Guests shall be seated by 10:00 p.m. and the space shall be cleared by 11:30 p.m.
 - iv. The use of this space shall be limited to bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets) and for first-floor restaurant overflow. No other uses are permitted in this space.
 - v. Service of food and beverage in this space shall be by wait staff only.
- e. No persons shall be on the third-floor exterior deck space except for short term viewing and photo opportunities.
- i. No alcohol is permitted in this space.
 - ii. This space is not part of the licensed premises.
 - iii. Food and beverage service of any kind in this space is prohibited.
 - iv. No bar of any kind shall be constructed in this space.
 - v. Entertainment and music of any kind is prohibited in this space.

6. Pool area and cabana spaces and operations:

- a. Guests shall be cleared from the pool area and cabana spaces which shall close daily at 10 p.m. except that the pool area (but not the pool itself) may be occupied during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14 day period as established by terms of the approval).
- b. The maximum occupancy of the pool area and cabanas spaces shall be 220 persons.
- c. One third (1/3) of the proposed pool will have a shallow depth of approximately 12 to 18 inches for wading, for the purposes of accommodating families with small children.
- d. The second story space showing storage and a DJ Booth its architectural plans dated November 6, 2019, shall be solely used for storage with no DJ booth being permitted and shall have no windows and shall have no access open to the public operations or event attendees.
- e. Lounge chairs and tables with chairs shall be maintained in the configuration as shown on the plans attached hereto and incorporated herein.
- f. No entertainment or music of any kind shall be provided in the pool area and cabana spaces except for ambient or acoustical music.

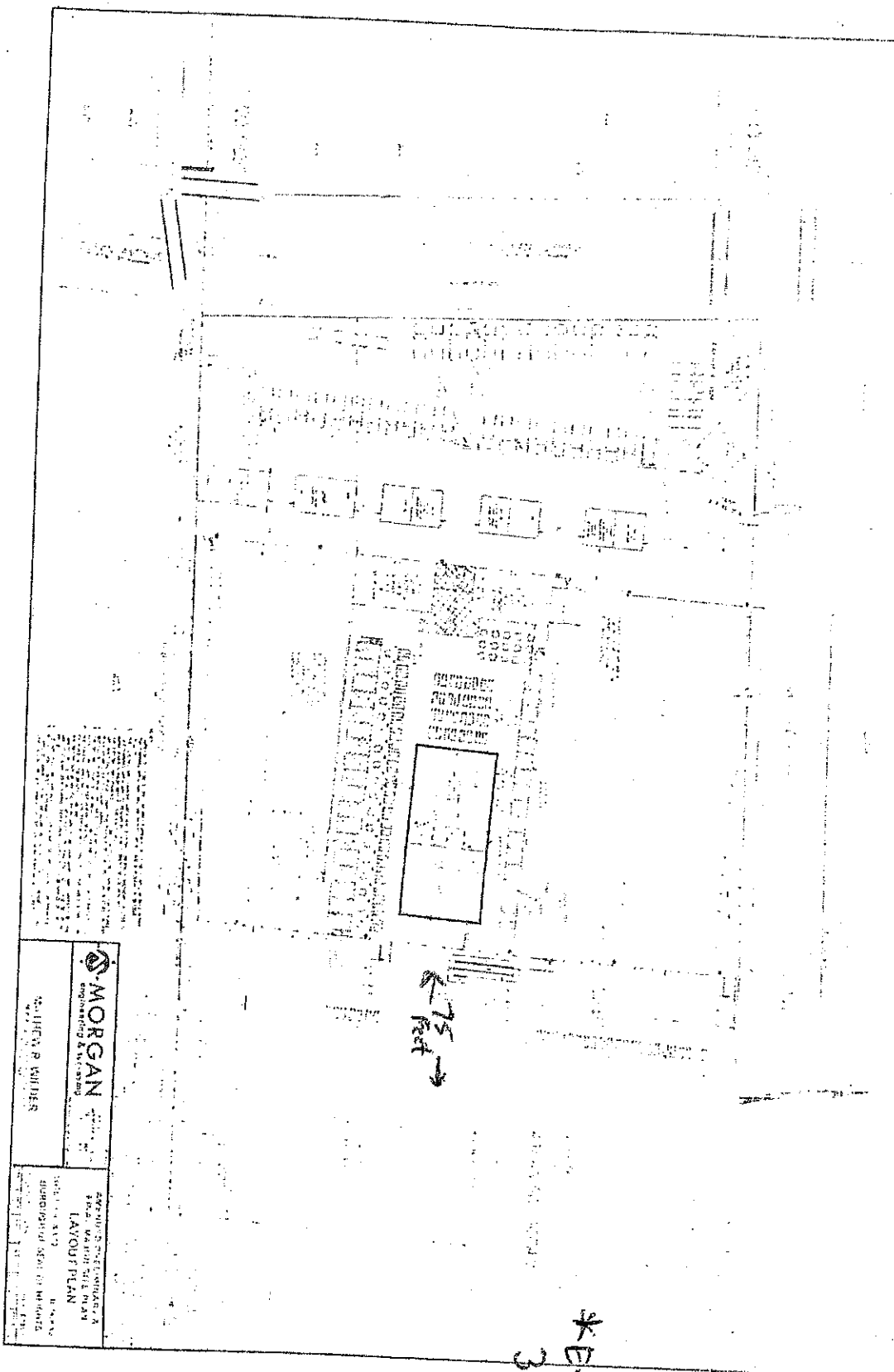
7. Beach operations:

- a. The licensed beach space may extend to a depth of seventy-five (75) feet beyond the licensed decking and up to the width of the beach portion of Block 69 Lots 1, 1.0 and 1.02, and shall require a place-to-place transfer for expansion if seeking a wider licensed premises than the seventy-five (75) feet by forty (40) feet previously approved by resolution and the ABC. Licensing of any lots merged in the future shall be subject to the procedural requirements of Paragraph 9. below.
- b. Maximum occupancy of the licensed beach space shall be as determined by law but shall not in any case exceed 600.
- c. There shall be no access to the licensed beach area directly from the beach. Entrance to the licensed beach area shall be from the licensed deck area.
- d. The licensed beach area shall be fenced in entirely with appropriate fencing, and no access shall be permitted directly from the licensed beach area to other private or public beach areas.
- e. Guests shall be cleared from the licensed and non-licensed beach spaces and these spaces closed by 10:00 p.m.
- f. American Lifeguard Association certified lifeguards shall be provided whenever swimming is permitted.
- g. Ocean Terrace shall provide signage specifically noting that guests are not permitted to take alcoholic beverages and glass to the public beach.
- h. Only acoustic guitar music may be provided in the beach spaces.
- i. Alcoholic beverages shall not be permitted at the non-licensed beach spaces.

8. General operations:

- a. No outdoor tiki bars shall be permitted at any time.
- b. No DJ booths shall be permitted except during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period).
- c. There will be no outdoor bars where guests can sit and order or consume food and beverages. There shall be a single full-service bar located in the first-floor interior space with seating to accommodate not more than 37 persons.
- d. All food and beverages served in the outdoor spaces shall be served by wait staff.
- e. No part of the premises may be used as a nightclub, dance club or similar type of operation.
- f. The premises shall be operated by the licensee as a restaurant in accordance with the definition of restaurant established by the Borough Code of the Borough of Seaside Heights.
- g. The licensee shall, at all times, comply with the conditions for restaurants in the Resort Recreational Zone.
- h. The kitchen shall be open and the full menu of the restaurant shall be available in all spaces of the premises at all times that the business is open.

- i. No ticketed events shall be held unless an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period).
- j. Doors. Except for purposes of ingress and egress, the licensee shall ensure that the windows and doors of the buildings are closed at all times whenever live and/or recorded entertainment of any kind whatsoever, is occurring anywhere within the interior premises.
- k. Litter. The outside areas in and around the licensed premises, including the beach, must be litter free by 7:00 a.m. each morning.
- l. No lewd entertainment shall be conducted or permitted at any time in any area of the licensed premises. Lewd entertainment shall include as illustrative, but not limited to, such events as Hot Buns contests, Wet T-Shirt contests, Male/Female Revues and the like.

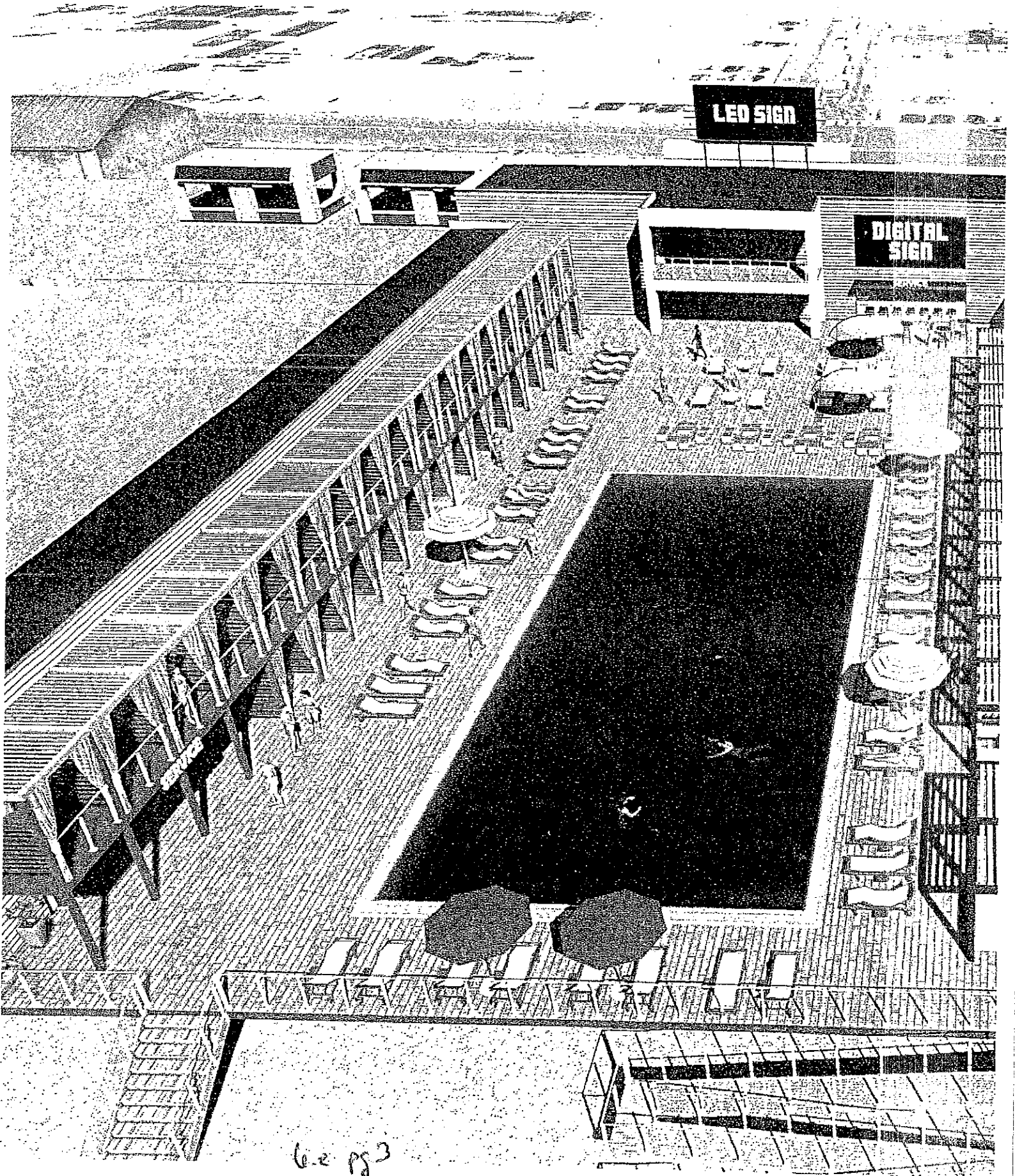


Boundary of licensed premises

3/17/2001

* Exclude
3rd Floor

 MORGAN Engineering & Planning	
WILLIAM P. KILMER	ARCHITECT/ENGINEER LAYOUT PLAN DISCIPLINARY SEAL NO. 11000000 EXPIRATION DATE 12/31/03



6.e pg 3

STONEMANDIA, L.L.C.

Attorneys at Law

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ELANA G. TAWIL*
SIDNEY J. MEISTRICH
(1937-1995)

*MEMBER OF NJ AND NY BARS
^MEMBER OF NJ AND FL BARS

December 28, 2020

Via Fed Exp # 7724 8377 3386

Borough of Seaside Heights
901 Boulevard
Seaside Heights, New Jersey 08751
Attention: Diane Stabley, Clerk

RE: Place to Place Transfer – Expansion of Premises
License-Plenary Retail Consumption License # 1526-32-018-009
Licensee - Seaside Beach Bar, LLC
Current Site-2 Boardwalk, Seaside Heights
Proposed Site- 2 Boardwalk, Seaside Heights with the expansion of licensed premises for a storage building, pool, cabanas and an expanded beach area adjacent to the storage building.

Our File # 38,726 -M

Dear Ms. Stabley,

Please be advised that this office represents Seaside Beach Bar, LLC in connection with a Place-to-Place Transfer (expansion of premises) of the above license from 2 Boardwalk to 2 Boardwalk with the expansion of licensed premises to include a storage building, pool, cabanas and an expanded beach area adjacent to the storage building.

In that regard, enclosed herein please find the following:

1. Three (3) originally executed Liquor License Applications for a Place to Place Transfer for Expansion of Premises with rendering attached.
2. Copy of Public Notice for the Place to Place Transfer to be published in the Asbury Park Press on two successive weeks on January 4, 2021 and January 11, 2021.
3. Check in the amount of \$250.00 payable to the Borough of Seaside Heights representing the Borough's fee for the Transfer Fee;
4. Check in the amount of \$200.00 payable to the "Division of Alcoholic Beverage Control", representing the ABC's fee for the Transfer.

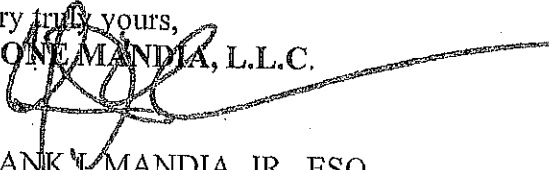
Should there be anything further you may require, please notify my office. It is respectfully requested that you contact me when this matter is to be placed on an upcoming agenda.

Thank you for your assistance.

FJM: LD
Enclosures

cc: Client (with enclosures)

Very truly yours,
STONE MANDIA, L.L.C.


FRANK Y. MANDIA, JR., ESQ.

BOROUGH OF SEASIDE HEIGHTS

NOTICE

ALCOHOLIC BEVERAGE CONTROL

PLEASE TAKE NOTICE that application has been made to the Borough of Seaside Heights for a Place-to-Place Transfer (expansion of licensed premises to include a storage building, pool, cabanas and an expanded beach area) of Seaside Beach Bar, LLC, holder of the Plenary Retail Consumption License Number 1526-33-018-009, for the premises located at 2 Boardwalk, Seaside Heights, New Jersey including expansion of licensed premises to include a storage building, pool, cabanas and an expanded beach area. Plans of the building to be constructed may be examined at the Municipal Offices of the Borough of Seaside Heights, 901 Boulevard, Seaside Heights, NJ 08751.

The name and address of the individual holding more than 1% of the membership interest in Seaside Beach Bar, LLC is as follows:

Dean W. Mabie - 782 Route 9, Bayville, New Jersey 08721

Objections, if any, should be made immediately, in writing, to: Diane Stabley, Clerk, Borough of Seaside Heights, 901 Boulevard, Seaside Heights, NJ 08751.

Seaside Beach Bar, LLC
By: FRANK J. MANDIA, JR., ESQ.
STONE MANDIA, LLC
685 Neptune Boulevard
Neptune, NJ 07754-0846
(732) 774-0800
Attorney for Applicant

TR#:

FEE:

DATE:

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Action ID Code
[][][][][][]
A W D U

RETAIL LIQUOR LICENSE APPLICATION

STATE ASSIGNED LICENSE NUMBER

DATE APPLICATION FILED:

(For DIVISION use only)

12/29/2020

CODE TYPE OF LICENSE (CHECK ONE)
CLASS C LICENSES [R.S. 33:1-12]

THIS APPLICATION IS FOR:

- 31 ☐ Club
- 32 ☐ Plenary Retail Consumption
w/Broad Package Privilege
- 33 ☒ Plenary Retail Consumption
- 36 ☐ Plenary Retail Consumption
(Hotel/Motel Exception)
- 37 ☐ Plenary Retail Consumption
(Theatre Exception)
- 35 ☐ Seasonal Retail Consumption
(November 15 through April 30)
- 34 ☐ Seasonal Retail Consumption
(May 1 through Nov. 14)
- 44 ☐ Plenary Retail Distribution
- 43 ☐ Limited Retail Distribution

- ☐ A New License
- ☐ Person to Person Transfer
(Incl. Partnership change, except Ltd. Partnership)
- ☒ Place to Place Transfer
Expansion of Premises
- ☐ Change of Corporate Structure
- ☐ Extension of License (To Executor,
Receiver, Administrator, etc.)
- ☐ Renewal of License
- ☐ Amendment of Application on File
- ☐ Other

Seaside Beach Bar, LLC
2 Boardwalk
Seaside Heights, NJ 0951

OTHER

- 14 ☐ Annual State Permit
(R.S. 33:1-42, NJAC 13:2-52)

This Area is Reserved for Municipal Use

Municipal Fee \$ 250.00

Effective Date 2/17/2021
(As Stated in Resolution. Date of resolution unless otherwise established.)

State Fee \$ 200.00

Date Denied 1/1/
(As Stated in Resolution)

Refund Amount \$

Special Conditions Attached: ☒ Yes ☐ No

Type of Print Name (Last name, first, middle initial) of Municipal Clerk or ABC Secretary

Stabley, Diane B

Signature of Municipal Clerk or ABC Secretary

Diane B. Stabley

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

Application is made on behalf of: 7

1 = An individual

2 = Business Corporation

3 = A Partnership

4 = Unincorporated Club

5 = Incorporated Club

6 = Limited Partnership

7=LIMITED LIABILITY COMPANY

- 2.1 NAME(S) AS IT DOES OR WILL APPEAR ON THE LICENSE CERTIFICATE (NOTE "TRADE" NAME):
License may be held by individual (last name, first, middle initial), Partnership or Corporation.

Seaside Beach Bar, LLC

(Last Name, First, Middle Initial or Corporate Name)

- 2.2 ACTUAL ADDRESS WHERE THE LICENSE IS TO BE USED (SITED PREMISES):

Street Address 2 Boardwalk
Number Street Name

P.O. Box # _____ Municipality Seaside Heights State NJ
Zip 08751 - _____ Telephone

- 2.3 If no licensed premises exists or if mailing address is different than the "actual address" given above, provide the mail address:
(Insert N/A if not applicable).

Street Address 769 Route 9, Suite 1
Number Street Name

P.O. Box # _____ Municipality Bayville State NJ
Zip 08721 Telephone

- 2.4 New Jersey Sales Tax Certificate of Authority No. 834137482

- 2.5 TRADE NAME(S) UNDER WHICH BUSINESS IS TO BE CONDUCTED. ALL TRADE NAMES MUST BE LISTED AND REGISTERED WITH THE N.J. SECRETARY OF STATE [if a corporation] OR COUNTY CLERK [if a partnership or sole proprietor]: Seaside Beach Bar & Pier Cabanas at Seaside

- 2.6 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS OTHER THAN APPLICANTS FOR A NEW LICENSE:

A. IS THE LICENSE ACTIVELY USED AT AN OPERATING PLACE OF BUSINESS?
X Yes No

B. IF NO, GIVE THE DATE THE BUSINESS STOPPED OPERATING (OR THE DATE THE LICENSE WAS ORIGINALLY ISSUED IF NEVER SITED AT AN OPERATING BUSINESS):

C. IF THE LICENSE IS INACTIVE AND THE APPLICATION IS FOR A TRANSFER, WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS AFTER APPROVAL?
 Yes No

- 2.7 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY AN APPLICANT FOR A NEW LICENSE:

A. WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS IMMEDIATELY UPON ISSUANCE?
 Yes No

B. IF NO, PROVIDE ANTICIPATED DATE OF LICENSE ACTIVATION:
 / /

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

The following questions identify information about the licensed premises. This describes the area or place which is to be licensed for the sale, service, consumption, delivery, receipt, or storage of alcoholic beverages. If the license is inactive and NOT SITED AT A PLACE OF BUSINESS, answer question 3.1 only, entering N/A for "not applicable." [If you use N/A as a response to questions 3.1, question 2.2 on Page 2 should also be answered N/A].

3.1 HOW MANY SEPARATE BUILDINGS ARE TO BE INCLUDED UNDER THIS LICENSE? 2

If more than one building is to be included under this license, a separate page number three is to be submitted covering each building.

An up-to-date sketch of the entire licensed premises should be submitted for inclusion in the State ABC license file.

3.2 BUILDING NO. 1 OF 2 TO BE LICENSED. Sketch and Rendering of Existing Licensed Area Attached3.3 IS THE ENTIRE BUILDING TO BE LICENSED? Yes X No

If the answer to question 3.3 is "No," specify which floors are to be under license and which ones are not by answering the following questions;

3.4 Basement Yes No N/A All of it Yes No
 1st floor X Yes No All of it X Yes No
 2nd floor X Yes No All of it X Yes No
 3rd floor Yes X No All of it Yes No

Specify each additional floor number to be included under this license:

If only part of any floor is to be licensed, attach a more detailed explanation with sketches to clearly delineate licensed from unlicensed areas.

3.5 ARE ANY GROUNDS ADJACENT TO THE BUILDING UNDER LICENSE TO BE INCLUDED AS PART OF THE LICENSED PREMISES?

X Yes No Existing Outdoor Deck and Beach area-Rendering attached

3.6 IS THERE ANY UNLICENSED AREA LOCATED BETWEEN BUILDINGS UNDER THIS LICENSE OR BETWEEN LICENSED ADJACENT GROUNDS?

Yes X No

3.7 DOES THE APPLICANT OWN THE BUILDING: Yes X No

IF "YES", IS THERE A MORTGAGE ON THE BUILDING? Yes No

DOES THE APPLICANT LEASE THE BUILDING? X Yes No

3.8 MORTGAGEE (HOLDER OF MORTGAGE):

Street Address (Last Name, First, Middle Initial or Corporate Name)
 Number Street Name

P.O. Box # _____ Municipality _____ State _____
 Zip _____

3.9 LANDLORD (HOLDER OF LEASE):

Seaside Ocean Terrace, LLC
 (Last Name, First, Middle Initial or Corporate Name)
 Street Address _____
 Number Street Name

P.O. Box # _____ Municipality Bayville State NJ
 Zip 08721

The following questions identify information about the licensed premises. This describes the area or place which is to be licensed for the sale, service, consumption, delivery, receipt, or storage of alcoholic beverages. If the license is inactive and NOT SITED AT A PLACE OF BUSINESS, answer question 3.1 only, entering N/A for "not applicable." [If you use N/A as a response to questions 3.1, question 2.2 on Page 2 should also be answered N/A].

3.1 HOW MANY SEPARATE BUILDINGS ARE TO BE INCLUDED UNDER THIS LICENSE? 2

If more than one building is to be included under this license, a separate page number three is to be submitted covering each building.

An up-to-date sketch of the entire licensed premises should be submitted for inclusion in the State ABC license file.

3.2 BUILDING NO. 2 OF 2 TO BE LICENSED. Expanded area-to include Storage Building- no sales or consumption. Rendering attached

3.3 IS THE ENTIRE BUILDING TO LICENSED? x Yes ___ No

If the answer to question 3.3 is "No," specify which floors are to be under license and which ones are not by answering the following questions:

3.4	Basement ___ Yes ___ No	All of it ___ Yes ___ No
	1st floor ___ Yes ___ No	All of it ___ Yes ___ No
	2nd floor ___ Yes ___ No	All of it ___ Yes ___ No
	3rd floor ___ Yes ___ No	All of it ___ Yes ___ No

Specify each additional floor number to be included under this license:

If only part of any floor is to be licensed, attach a more detailed explanation with sketches to clearly delineate licensed from unlicensed areas.

3.5 ARE ANY GROUNDS ADJACENT TO THE BUILDING UNDER LICENSE TO BE INCLUDED AS PART OF THE LICENSED PREMISES?

X Yes ___ No Expanded Area- to include pool, cabanas and 75 foot deep Beach area-Rendering attached

3.6 IS THERE ANY UNLICENSED AREA LOCATED BETWEEN BUILDINGS UNDER THIS LICENSE OR BETWEEN LICENSED ADJACENT GROUNDS?

___ Yes X No

3.7 DOES THE APPLICANT OWN THE BUILDING: ___ Yes X No

IF "YES", IS THERE A MORTGAGE ON THE BUILDING? ___ Yes ___ No

DOES THE APPLICANT LEASE THE BUILDING? X Yes ___ No

3.8 MORTGAGEE (HOLDER OF MORTGAGE):

Street Address _____ (Last Name, First, Middle Initial or Corporate Name)

Number _____ Street Name _____

P.O. Box # _____ Municipality _____ State _____
Zip _____ - _____

3.9 LANDLORD (HOLDER OF LEASE):

_____ Seaside Ocean Terrace, LLC
Street Address _____ (Last Name, First, Middle Initial or Corporate Name)
769 Route 9, Suite 1
Number _____ Street Name _____

P.O. Box # _____ Municipality Bayville _____ State NJ
Zip 08721 _____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

- 4.1 IS THE NEAREST ENTRANCE OF THE PLACE TO BE LICENSED WITHIN 200 FEET OF THE NEAREST ENTRANCE OF ANY CHURCH OR SCHOOL? ☐ Yes ☒ No

IF ANSWER IS "YES", IS A WAIVER SIGNED BY THE APPROPRIATE OFFICIAL ATTACHED TO THIS APPLICATION?
Yes ☐ No

- 4.2 DOES THE APPLICANT INTEND TO USE ANY VEHICLES FOR TRANSPORT OR DELIVERY OF ALCOHOLIC BEVERAGES? ☐ Yes ☒ No (TRANSIT INSIGNIA IS NECESSARY BEFORE BEVERAGES MAY BE TRANSPORTED.)

- 4.3 HAS THE APPLICANT FILED AN ANNUAL SPECIAL TAX REGISTRATION AND RETURN FORM (TTB F 5630.5) WITH THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS?

☐ Yes ☒ No Repealed

IF "YES", DATE FILED _____

- 4.4 WILL ANY BUSINESS OTHER THAN THE SALE OF ALCOHOLIC BEVERAGES BE CONDUCTED ON THE PREMISES TO BE LICENSED? ☒ Yes ☐ No

IF THE ANSWER IS "YES", INDICATE THE NATURE OF THE BUSINESS AND WHO WILL CONDUCT IT BY RESPONDING TO THE FOLLOWING QUESTIONS:

☒ Restaurant	☒ Applicant	☐ Other
☒ Catering	☒ Applicant	☐ Other
☐ Hotel/Motel	☐ Applicant	☐ Other
☐ Amusements	☐ Applicant	☐ Other
☐ N.J. Lottery	☐ Applicant	☐ Other
☐ Grocery or Delicatessen	☐ Applicant	☐ Other
☒ Other (specify)	☒ Applicant	☐ Other
Pool and Beach Club with Cabanas		

- 4.5 IF SOMEONE OTHER THAN THE APPLICANT WILL OPERATE THE OTHER BUSINESS ON THE LICENSED PREMISES, ANSWER THIS QUESTION. IF THERE IS MORE THAN ONE INDIVIDUAL OR COMPANY, ATTACH A SEPARATE PAGE LISTING THE REQUESTED INFORMATION FOR EACH OPERATOR.

Business to be operated

Name of company/individual

(Last Name, First, Middle Initial or Corporate Name)

Street Address

Number

Street Name

Municipality _____ State _____

Zip _____ NJ State Tax Certificate of Authority No.

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

ALL APPLICANTS ANSWER THE FOLLOWING

- 5.1 IS THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION A POLICE OFFICER OR HOLD ANY POSITION ENTRUSTED WITH THE ENFORCEMENT OF ANY LAWS CONCERNING ALCOHOLIC BEVERAGES IN ANY MANNER WHATSOEVER?

☐ Yes ☒ No

If the answer is "Yes," complete the following:

Name of individual

Last name

First

Middle Initial

Title of position held

Name of Employing Agency

- 5.2 DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE? ☐ Yes ☒ No

IF THE ANSWER IS "YES," COMPLETE THE FOLLOWING:

Name of individual

Last name

First

Middle Initial

Title of Office

Municipality

- 5.3 DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, DIRECTLY OR INDIRECTLY, HAVE ANY INTEREST IN ANY BREWERY, WINERY, DISTILLERY, RECTIFYING AND BLENDING PLANT, IMPORTER OR WHOLESALE ALCOHOLIC BEVERAGE BUSINESS, AS OWNER, PART OWNER, LANDLORD, TENANT, MORTGAGE HOLDER, OR AS A STOCKHOLDER, OFFICER, DIRECTOR, AGENT, EMPLOYEE OR OTHERWISE?

☐ Yes ☒ No

IF THE ANSWER IS "YES," ATTACH AN AFFIDAVIT EXPLAINING THE RELATIONSHIP AND NATURE OF THE INTEREST AND COMPLETE THE FOLLOWING:

A. New Jersey license number, if applicable ____ - ____ - ____ -

B. IF THE BUSINESS DOES NOT HOLD A NEW JERSEY LIQUOR LICENSE, ANSWER THE FOLLOWING QUESTIONS:

Name of entity conducting business (Corporation, Partnership or Individual)

(Last Name, First, Middle Initial or Corporate Name)

Street Address

Number

Street Name

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____

Type of Business

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

ALL APPLICANTS ANSWER THE FOLLOWING

- 6.1 HAS THE APPLICANT EVER BEEN DENIED A LIQUOR LICENSE IN NEW JERSEY?
☐ Yes ☒ No

IF THE ANSWER TO THIS QUESTION IS "YES," ANSWER THE FOLLOWING:

Type of License or Permit Denied: ☐ Retail ☐ Wholesale ☐ Transportation
☐ Warehouse ☐ Manufacturer

Unit of Government which denied License or Permit:
 Date of Denial (approximate if not known) ___/___/___
 Reason for Denial

- 6.2 HAS ANY CORPORATION, PARTNERSHIP OR INDIVIDUAL MENTIONED IN THIS APPLICATION, OTHER THAN THE APPLICANT BEEN DENIED A LIQUOR LICENSE OR PERMIT?
☐ Yes ☒ No

IF THE ANSWER TO THIS QUESTION IS "YES," ANSWER THE FOLLOWING:

Name of Entity

(Last Name, First, Middle Initial or Corporate Name)

Type of License or Permit Denied: ☐ Retail ☐ Wholesale ☐ Transportation
☐ Warehouse ☐ Manufacturer

Unit of Government which denied License or Permit:
 Date of Denial (approximate if not known) ___/___/___
 Reason for Denial

- 6.3 HAS THE APPLICANT OR ANY OTHER PERSON, CORPORATION OR ENTITY MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN IT, HAD AN INTEREST IN A NEW JERSEY ALCOHOLIC BEVERAGE LICENSE WHICH WAS SURRENDERED, SUSPENDED OR HAD A PENALTY IMPOSED IN LIEU OF APPLICATION, NOT RENEWED, REVOKED OR CANCELLED WITHIN THE 10 YEARS PRIOR TO THE DATE OF THIS APPLICATION?
☐ Yes ☒ No

IF THE ANSWER TO THIS QUESTION IS "YES," ANSWER THE FOLLOWING:

Name of Individual

DATE OF ACTION ___/___/___ Last Name First Middle Initial
 DOCKET NO.

PENALTY CONSISTED OF:

☐ FINED \$ _____ ☐ NOT RENEWED
 (amount)

☐ SUSPENDED _____ ☐ REVOKED ☐ CANCELLED
 (no. of days)

☐ OTHER (explain)

- 6.4 HAS THE APPLICANT OR ANY OTHER PERSON OR CORPORATION MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN THE BUSINESS UNDER LICENSE OR TO BE LICENSED EVER BEEN CONVICTED OF A CRIMINAL OFFENSE?

☐ Yes ☒ No

A. IF THE ANSWER IS "YES," ANSWER THE FOLLOWING:

Name of Individual

Date of birth ___/___/___ Last Name First Middle Initial
 Conviction date
 State _____ Court of Jurisdiction

Description of offense (specific charge)
 Disposition (fine, penalty, etc.)
 Nature of interest in entity to be licensed

- B. If applicable, provide the date the Director of N.J. Division of Alcoholic Beverage Control issued an order approving or disapproving disqualification removal: ___/___/___ (No license may be issued without an order from the Director, Division of Alcoholic Beverage Control, determining no disqualification. (See R.S. 33:1-31.2 and N.J.A.C. 13:2-15)).
 Provide Agency Docket No.: [NN]-

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

ALL APPLICANTS OTHER THAN CLUB LICENSE ANSWER THE FOLLOWING

- 7.1 DOES THE APPLICANT, A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY (SPOUSE, CHILDREN, PARENTS, IN-LAWS OR SIBLINGS), OR ANY PERSON WITH A BENEFICIAL INTEREST IN THE SUBJECT LICENSE OF THIS APPLICATION, HAVE ANY INTEREST IN ANY OTHER NEW JERSEY ALCOHOLIC BEVERAGE LICENSE?

X Yes No

IF THE ANSWER IS "YES," COMPLETE THE FOLLOWING BY LISTING THE NEW JERSEY LIQUOR LICENSE TWELVE DIGIT NUMBER(S), AND THE NAME(S) OF THE PERSON(S) OR CORPORATION(S) WHO HOLD(S) SUCH INTEREST. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

- A. License number 1507-44-048-004 & 1507-44-056-001

Name Retail, LLC
(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Son of Applicant is Member

- B. License number 1518-33-002-004

Name Manchester Route 70, LLC
(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant Member of Applicant

- C. License number

Name
(Last Name, First, Middle Initial or Corporate Name)

Relationship to applicant

- 7.2 WOULD ANY PERSON OR CORPORATION NAMED IN THIS APPLICATION FAIL TO QUALIFY FOR OWNERSHIP OF THE LICENSE IF APPLYING AS AN INDIVIDUAL, BECAUSE OF AGE, CRIMINAL CONVICTION, OR PROHIBITED INTERESTS IN OTHER LICENSES?

 Yes X No

IF THE ANSWER IF "YES," ANSWER THE FOLLOWING BY INSERTING THE NAME OF THE INDIVIDUAL OR CORPORATION, THE SOCIAL SECURITY NUMBER AND DATE OF BIRTH IF AN INDIVIDUAL. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

Name
(Last Name, First, Middle Initial or Corporate Name)
Social Security number - - or

NJ Sales Tax Certificate of Authority No.
Date of birth / /

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

ALL APPLICANTS ANSWER THE FOLLOWING

- 8.1 DOES THE APPLICANT OR ANYONE MENTIONED IN THIS APPLICATION OWE THE STATE OF NEW JERSEY OR THE UNITED STATES ANY LICENSE FEE, PENALTY, INTEREST OR ALCOHOLIC BEVERAGE TAX, WHICH HAS ACCRUED PURSUANT TO THE ALCOHOLIC BEVERAGE TAX LAW, THE ALCOHOLIC BEVERAGE LAW, OR ANY OTHER NEW JERSEY OR FEDERAL LAW?

☐ Yes ☒ No

- 8.2 HAS THE LICENSE BEEN ISSUED, OR IS IT BEING REQUESTED TO BE ISSUED FOR A HOTEL/MOTEL, AS AN EXCEPTION TO THE POPULATION RESTRICTION UNDER THE PROVISIONS OF R.S. 33:1-12.20? ☐ Yes ☒ No

IF THE ANSWER IS "YES," IS IT FOR A HOTEL/MOTEL FACILITY OF 50 OR 100 ROOMS?

CHECK ONE: ☐ 50 ROOMS ☐ 100 ROOMS

- 8.3 HAS THE LICENSE BEEN ISSUED, OR IS IT BEING REQUESTED TO BE ISSUED AS AN EXCEPTION TO THE TWO LICENSE LIMITATION LAW (R.S.33:1-12.32) FOR A HOTEL/MOTEL, RESTAURANT, BOWLING ALLEY OR INTERNATIONAL AIRPORT? ☐ Yes ☒ No

IF THE ANSWER IS "YES," CHECK ONE OF THE FOLLOWING: ☐ HOTEL/MOTEL

☐ RESTAURANT ☐ BOWLING ALLEY ☐ INTERNATIONAL AIRPORT

THE FOLLOWING ARE TO BE ANSWERED WHEN APPLICATION IS FOR A LICENSE TRANSFER.

- 8.4 LICENSE NUMBER SOUGHT TO BE TRANSFERRED 1526-33-018-009

- 8.5 IF THIS IS A REQUEST FOR A PERSON TO PERSON TRANSFER, INSERT NAME(S) OR PERSON (Last Name First), PARTNERSHIP OR CORPORATION CURRENTLY HOLDING THE LICENSE: N/A

Name

(Last Name, First, Middle Initial or Corporate Name)

- 8.6 IF THIS IS A REQUEST FOR A PLACE TO PLACE TRANSFER OF A POCKET LICENSE (NO SITED PREMISES), MARK AN X HERE: N/A

IF THIS IS A REQUEST FOR A PLACE TO PLACE TRANSFER OF A SITED LICENSE, INSERT THE ADDRESS OF THE CURRENT SITE FROM WHICH THE LICENSE IS TO BE TRANSFERRED.

Street Address 2 Boardwalk

Number

Street Name

Municipality Seaside Heights New Jersey

Zip 08751

THE FOLLOWING ARE TO BE ANSWERED BY APPLICANTS FOR A NEW LICENSE OR A LICENSE TRANSFER.

- 8.7 INSERT THE ANTICIPATED DATES WHEN PUBLIC NOTICE OF APPLICATION WILL BE PUBLISHED. PUBLICATION MAY NOT BE SOONER THAN THE DATE OF FILING OF THIS APPLICATION.

Date of first notice January 4, 2021

Date of second notice January 11, 2021

- 8.8 NAME OF NEWSPAPER TO PUBLISH NOTICE Asbury Park Press

- 8.9 THE FOLLOWING ARE TO BE ANSWERED BY CORPORATIONS REPORTING A CHANGE OF CORPORATE STRUCTURE WHEREIN A NEW STOCKHOLDER ACQUIRES MORE THAN 1 PERCENT OF THE STOCK OF THE LICENSED COMPANY (ONE PUBLICATION OF NOTICE REQUIRED).

Date of notice / /

Name of newspaper publishing notice

THE FOLLOWING QUESTIONS ARE FOR CLUB LICENSE APPLICANTS ONLY:

- 8.10 HAS THE CLUB BEEN IN ACTIVE OPERATION IN THE STATE OF NEW JERSEY FOR AT LEAST THREE YEARS CONTINUOUSLY IMMEDIATELY PRIOR TO THE SUBMISSION OF ITS APPLICATION FOR A LICENSE?

☐ Yes ☐ No

- 8.11 IS THE APPLICANT A CONSTITUENT UNIT, CHARTERED OR OTHERWISE DULY ENFRANCHISED CHAPTER OR MEMBER CLUB OF A NATIONAL OR STATE ORDER?

☐ Yes ☐ No

- 8.12 HAS THE CLUB HAD EXCLUSIVE POSSESSION AND USE OF CLUB QUARTERS FOR THREE CONTINUOUS YEARS?

☐ Yes ☐ No

- 8.13 DOES THE CLUB HAVE AT LEAST 60 VOTING MEMBERS?

☐ Yes

No

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

ALL APPLICANTS ANSWER THE FOLLOWING

- 9.1 DOES ANY INDIVIDUAL, PARTNERSHIP, CORPORATION, OR ASSOCIATION OTHER THAN THE APPLICANT HAVE AN INTEREST DIRECTLY OR INDIRECTLY IN THE LICENSE APPLIED FOR OR IS THE STOCK OF ANY STOCKHOLDER HELD IN ESCROW OR PLEDGED IN ANY WAY?
 ___ Yes X No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING, USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION OR INTEREST. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

(Last Name, First, Middle Initial or Corporate Name)

Social Security number ___ - ___ - ___ or

NJ Sales Tax Certificate of Authority No.

Street Address

Number Street Name
 P.O. Box # Municipality State NJ
 Zip

Describe Nature of Interest

- 9.2 DOES ANY INDIVIDUAL, PARTNERSHIP, CORPORATION, OR ASSOCIATION HOLD ANY CHATTEL MORTGAGE OR CONDITIONAL BILL OF SALE OR OTHER SECURITY INTEREST ON ANY FURNITURE, FIXTURES, GOODS OR EQUIPMENT TO BE USED IN CONNECTION WITH THE BUSINESS TO BE OPERATED UNDER THE LICENSE APPLIED FOR?
 ___ Yes X No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING, USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION TO BE REPORTED. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

(Last Name, First, Middle Initial or Corporate Name)

Social Security number ___ - ___ - ___ or

NJ Sales Tax Certificate of Authority No.

Street Address

Number Street Name
 P.O. Box # Municipality State NJ
 Zip

Describe Nature of Interest

- 9.3 HAS THE APPLICANT AGREED TO PERMIT ANYONE NOT HAVING AN OWNERSHIP INTEREST IN THE LICENSE TO RECEIVE OR AGREED TO PAY ANYONE (BY WAY OF RENT, SALARY, OR OTHERWISE) ALL OR ANY PERCENTAGE OF THE GROSS RECEIPTS OR NET PROFIT OR INCOME DERIVED FROM THE BUSINESS TO BE CONDUCTED UNDER THE LICENSE APPLIED FOR?
 ___ Yes X No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING, USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION TO BE REPORTED. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

(Last Name, First, Middle Initial or Corporate Name)

Social Security number ___ - ___ - ___ or

NJ Sales Tax Certificate of Authority No.

Street Address

Number Street Name
 P.O. Box # Municipality State
 Zip

Describe Nature of Interest

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

QUESTIONS TO BE ANSWERED BY CORPORATIONS ONLY. ANY CORPORATION THAT IS REPORTED TO HAVE AN INTEREST IN THE BUSINESS TO BE LICENSED, WHETHER THE LICENSEE COMPANY, THE PARENT CORPORATION OF THE LICENSED COMPANY, HOLDING COMPANY, OR OTHERWISE AFFILIATED IN THE CORPORATE CHAIN MUST ANSWER THE FOLLOWING USING SEPARATE PAGE 10 AND 10A FOR EACH CORPORATION. ANSWER QUESTIONS ON BOTH PAGE 10 AND 10A FOR EACH CORPORATION.

10.1 Name of corporation Seaside Beach Bar, LLC
10.2 Street address of home office 769 Route 9, Suite 1
Number Street Name
Municipality Bayville, New Jersey
Zip 08721

10.3 NJ Sales Tax Certificate of Authority Number 834137482

10.4 IF CORPORATION ADDRESS IN NUMBER 10.2 ABOVE IS OUT OF STATE, REPORT BELOW THE ADDRESS OF ANY OFFICE LOCATION IN NEW JERSEY. INSERT N/A IF NONE. N/A

Street address of home office
Number Street Name
Municipality _____ New Jersey
Zip _____ - _____

10.5 IS THE CORPORATION NOW AN EXISTING, VALID CORPORATION? ☒ Yes ☐ No

10.6 DATE CHARTERED OR INCORPORATED March 26, 2019 STATE NJ

10.7 CERTIFICATE OF INCORPORATION NUMBER 0450364040

10.8 IF NOT INCORPORATED UNDER THE LAWS OF NEW JERSEY, HAS THE CORPORATION RECEIVED AN AUTHORIZATION TO CONDUCT BUSINESS IN NEW JERSEY FROM THE NEW JERSEY OFFICE OF THE SECRETARY OF STATE?

☐ Yes ☐ No

10.9 HAS THE CORPORATION CHARTER EVER BEEN REVOKED BY THE OFFICE OF THE SECRETARY OF STATE IN NEW JERSEY?

☐ Yes ☒ No

IF THE ANSWER IS "YES," INSERT THE DATE OF REVOCATION, OR IF SUSPENDED, THE BEGINNING AND ENDING DATE OF THE SUSPENSION:

Date of revocation / /
Beginning date / /
Ending date / /

10.10 INSERT THE NAME AND ADDRESS OF REGISTERED OR AUTHORIZED AGENT IN NEW JERSEY UPON WHOM SERVICE OF PROCESS IN ANY PROCEEDINGS AGAINST THE APPLICANT, PURSUANT TO THE NEW JERSEY ALCOHOLIC BEVERAGE LAW, THE ALCOHOLIC BEVERAGE TAX LAW, OR PROCEEDINGS IN A STATE OR U.S. DISTRICT COURT, MAY BE MADE:

Name Mabie III, Benjamin H.
(Last Name, First, Middle Initial or Corporate Name)

Street Address 769 Route 9
Number Street Name

Municipality Bayville State NJ

Zip 08721- Telephone Number
Area Exchange Number

10.11 IF THE LICENSED COMPANY IS OWNED BY OTHER CORPORATION(S) OR IN A CORPORATE CHAIN, ATTACH A DIAGRAM DEPICTING THE CORPORATE RELATIONSHIPS AND THE PERCENTAGE OF STOCK INTEREST, IN THE COMPANY TO BE LICENSED, OWNED BY OTHER CORPORATIONS OR OTHER NON-CORPORATE ENTITIES (INDIVIDUALS, PARTNERSHIPS, ASSOCIATIONS).

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009

ALL APPLICANTS ANSWER THE FOLLOWING [ADD PAGES AS NECESSARY]

SOLE OWNERS AND PARTNERSHIPS: Complete the page in full.

LIMITED PARTNERSHIP: All information about a general partner or partners of a limited partnership must be reported, whether the general partner is an individual or a corporation. A list of the names and addresses of all limited partners must be submitted as an attachment to this application with an identification of the percentage of each limited partner as it relates to total ownership of the business entity to be licenses.

CORPORATIONS: All corporation applicants or licensees and any corporation that has an ownership interest in the corporation under license or to be licensed must have been reported on page 10. Information on this page 10A, will identify all officers, directors, and stockholders holding one percent or more of the shares of the respective company. Club licenses must list names of officers and directors and attach a current membership list.

NAME OF CORPORATION OR CLUB COVERED BY THIS PAGE (COMPLETE ONLY IF APPLICANT OR STOCKHOLDER IS A CORPORATION OR PARTNERSHIP), Seaside Beach Bar, LLC

Name of individual (last name first), stockholder, partner, officer or director:

Mable Dean W
Last Name First Middle Initial

Home Street Address 782 Route 9
Number Street Name

P.O. Box # _____ Municipality Bayville State NJ

Zip 08721- _____

Social Security number _____ Date of Birth

Email dean@themabiegroup.com

Office telephone number 732-269-3333
Area Exchange Number

% of business owned or controlled 100 Number of shares N/A

Check position that applies: Sole owner Partner Stockholder
 President Vice-President Secretary Treasurer Director
 Trustee Manager Agent Executor/Administrator Receiver
 Beneficiary X Other (specify) Member

Name of individual (last name first), stockholder, partner, officer or director:

Last Name First Middle Initial

Home Street Address
P.O. Box # _____ Number Street Name
Municipality State

Zip - _____

Social Security number _____ Date of birth _____

Email _____

Office telephone number
Area Exchange Number

% of business owned or controlled _____ Number of shares

Check position that applies: Sole owner Partner Stockholder
 President Vice-President Secretary Treasurer Director
 Trustee Manager Agent Executor/Administrator Receiver
 Beneficiary Other (specify) _____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1526-33-018-009 AFFIDAVIT

LICENSE PERIOD
APPLIED FOR FROM _____ TO _____ DATE:

State of NEW JERSEY)
) SS:
 County of Ocean)

As provided by law (R.S. 33:1-35),

(Check One)

1. The Individual Applicant
2. Member of the Partnership Applicant
3. Dean W. Mabie of Seaside Beach Bar, LLC
 (Member) (Company Name)

consent(s) that the licensed premises and all portions of the building constituting the licensed premises, including all rooms, cellars, closets, out-buildings, passageways, vaults, yards, attics, and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in his/her/their possession or under his/her/their control, may be inspected and searched without warrant at all hours by the Director of the Division of Alcoholic Beverage Control, his or her duly authorized deputies, inspectors, or investigators and all other sworn law enforcement officers, and being duly sworn according to law, upon his/her/their oath(s), depose(s) and say(s) that he/she is (they are) the person(s) duly authorized to sign the application, that in instance of corporate ownership, the signator is authorized by corporate resolution to sign on behalf of the corporations; and that the contents of this application represent complete disclosure of fact, and that the contents of this application are true.

(Signature of Individual Applicant/sole proprietor)

(Corporations Only)
 Attestation by Corporate Secretary

Seaside Beach Bar, LLC


 Dean W. Mabie- Member

Attest:

Corporate Name

(Signature of Partner)

Secretary

Signature

By

(Signature of Corporate President or Vice President)
 Affix Corporate Seal

(Signature of Partner)

(Signature of Partner)

Sworn to and subscribed before me

this 30 day of 11, 2020

AFFIDAVIT MUST BE SIGNED HERE →

BY DULY AUTHORIZED NOTARY PUBLIC

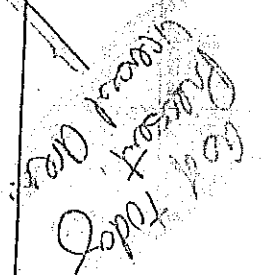
OR AN ATTORNEY AT LAW OF NEW JERSEY


 (Signature of Officer Administering Oath)

(Printed Name of Officer Administering Oath)

(Title of Officer Administering Oath)

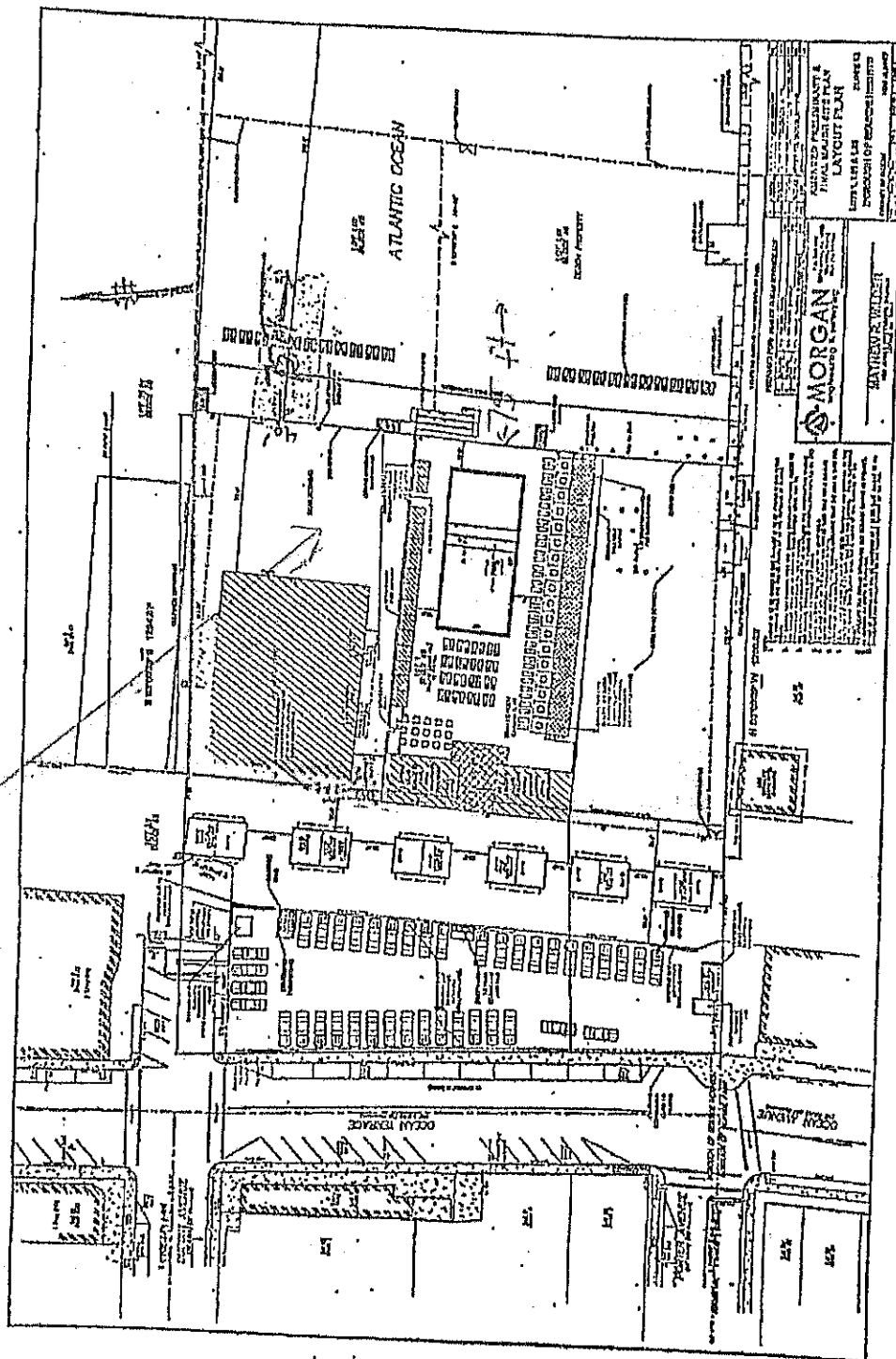
(Date of Expiration of
 Commission, if applicable)



Area To Be Added

Ex 4

Total Area for
 of 500,000 sq ft
 to 110,000 sq ft



EXA 1

SETTLEMENT AGREEMENT

This Settlement Agreement is entered into by and between **SEASIDE OCEAN TERRACE, LLC/SEASIDE BEACH BAR, LLC** (hereinafter, "Ocean Terrace") and the **BOROUGH OF SEASIDE HEIGHTS**, (hereinafter, "Borough") (both parties hereinafter collectively referred to as the "Parties"). This Agreement shall be effective on the date that its execution is completed by both Parties (hereinafter, the "Effective Date").

WHEREAS, Ocean Terrace submitted a site plan application for property located at Block 69, Lots 1, 1.01 and 1.02 in the Borough of Seaside Heights, for boardwalk kiosks, a restaurant, banquet facility, beach bar, inground pool, cabanas, and club buildings which was approved by the Land Use Board on March 18, 2018; and

WHEREAS, in 2019, Ocean Terrace submitted application for an amended site plan seeking elimination of the temporary restaurant approved in the first phase of development and designating one of the kiosks as a bathroom, relocating the cabanas to surround the pool, relocating and shrinking the pool, and adding a second story to the cabanas and the club support buildings. The application also required a parking variance to permit 40 spaces where 198 are required and a setback variance for 0 feet where 10 are required for a kiosk; and

WHEREAS, the amended site plan application was approved by the Land Use Board by resolution dated January 29, 2020; and

WHEREAS, the Borough filed a Complaint in Lieu of Prerogative Writs in Superior Court, which Complaint challenged the approvals alleging that the approved plan did not comply with all Borough ordinances, that use variances were required for the application, and that the beach area was excluded from the parking calculation rendering the parking variance invalid; and

WHEREAS, Ocean Terrace has acknowledged that a nightclub use is not permitted in the applicable zone and confirmed that it has no intention of operating as a nightclub.

WHEREAS, Article 17-28 of the Borough Code provides that "no plenary retail consumption license shall be issued for or transferred to a premises unless such premises is operated by the licensee as a restaurant. A restaurant is a commercial premise in which no other business is conducted, except such as incidental to the restaurant."

WHEREAS, in order to avoid further expense, time, effort and uncertainty with regard to this litigation and to finally resolve all claims and disputes between the parties regarding the

foregoing matters and subject to the terms of this Settlement Agreement, the Parties have agreed to settle this Action and resolve any and all disputes; and

WHEREAS, in consideration for resolving all matters in dispute, the parties have agreed to the following terms and conditions.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Parties agree to be legally bound by the following terms and conditions which constitute full settlement of this Action unless modifications are mutually agreed upon by both Parties:

Release: Upon execution of this Settlement Agreement, each party hereby releases, acquits, satisfies and discharges the other party from this Action and any related causes of action and suits which each ever had and/or now has against the other to the Effective Date of this Agreement. Each party shall bear its owns costs, attorneys fees, and expenses other than those specified in this Agreement, and both Parties agree not to file any further motions in this matter.

Modification of Agreement: This agreement may be amended, revoked, changed, or modified only upon a written agreement executed by both Parties. Except as set forth herein, no waiver of any provision of this Agreement will be valid unless it is in writing and signed by the party against whom such waiver is charged.

Entire Agreement: This Agreement sets forth the entire Agreement between the parties hereto, and fully supersedes any and all prior agreements or understanding between the Parties hereto pertaining to the subject matter hereof.

Authority: Each party represents that each person executing this Agreement on its behalf has been authorized to sign on behalf of the respective party and to bind it as to the terms of this Agreement and that each Party has the power and authority to perform its respective obligations as provided by this Agreement, and shall fully bind each Party, and its successors and assigns, to all of the terms and obligations of this Agreement. Ocean Terrace acknowledges that the Borough Council must adopt a Resolution authorizing the terms of the settlement.

TERMS

1. Ocean Terrace agrees that the restaurant, banquet facility, pool, cabanas, and beach shall be operated as a unified entity, to wit, a restaurant, and all advertisements and

marketing shall represent the business as a restaurant with incidental and subsidiary improvements. Any advertisement for any part of the operation shall include a reference to the restaurant portion of the operation.

2. The "doing business as" name of the operation may include the words "restaurant," "eatery," "kitchen," "grill," and similar food driven descriptive words and shall not include the words "club," (except that a reference may be made to a "pool club" or "beach club if in conjunction with the full name of the restaurant, ie. The Beachside Restaurant and Pool Club") "nightclub," "bar," "tavern," "pub," "lounge," "saloon," "canteen," or similar alcoholic beverage driven descriptive words.
3. A zoning permit shall be obtained for digital signage on the exterior of the property as required by Section 246-92 of the Borough Code. Digital signage display may include, but not be limited to, historical and current images of Seaside Heights and public service announcements requested by the Borough.
4. Maximum property occupancy at any time shall be 750-person limit as per Land Use Board Resolution. During a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy limits for each section of the operated premises shall be in accordance with state law, but in no event shall maximum property occupancy exceed 825.
5. Restaurant Occupancy and Operations:
 - a. The maximum occupancy of the first-floor interior space shall be 179 persons except that during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy shall be 297 as permitted by state law.
 - i. Dining tables with chairs and bar stools/chairs accommodating 179 persons as set forth on the architectural plans dated November 6, 2019,

- shall occupy the first-floor interior space at all times this space is being used. All tables and chairs in this space shall be stationary when the business is open, except that tables may be temporarily rearranged to accommodate larger groups of seated guests.
- ii. Music (either recorded and provided by DJ or live) and dancing shall only be permitted in this space in the event the entire building is being utilized for a single event and is closed to the general public.
- b. The maximum occupancy of the first-floor exterior deck space shall be 100 persons.
- i. Dining tables with chairs accommodating 100 persons shall occupy the first-floor exterior deck space at all times this space is being used. All tables and chairs on the deck shall be stationary when the business is open, except that tables may be temporarily rearranged to accommodate larger groups of seated guests.
 - ii. Alcoholic beverage service in this space shall cease the hour established by the Borough Code of the Borough of Seaside Heights or as established through liquor license condition in response to operational issues.
- c. The maximum occupancy of the second-floor banquet venue interior space shall be 150 persons.
- i. Dining tables with chairs accommodating 150 persons shall occupy the second-floor banquet venue when this space is being used. All tables and chairs in this space shall be stationary and seat no more than 150 people when this space is being utilized, except that tables may be rearranged to accommodate larger parties of seated guests.
 - ii. The use of this space shall be limited to bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets) and for first-floor restaurant overflow. No other uses are permitted in this space.
 - iii. Music (either recorded and provided by DJ or live) and dancing are only permitted in this space when the space is being used for a bona

- fide banquet (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
- iv. A service bar may be constructed on the second floor; however, the service bar shall only be used during bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
 - v. Service of food and beverage in this space shall be by wait staff only.
 - vi. Guests shall be cleared from this space and this space shall close by 11:30 p.m. except when the space is being used for a bona fide banquet (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets).
- d. The maximum occupancy of the second-floor exterior deck space shall be 50 persons except during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period) the occupancy limit shall be 112 as established by state law.
- i. Dining tables with chairs accommodating 50 persons shall occupy this space when this space is being used. All tables and chairs in this space shall be stationary when this space is being used, except that tables may be rearranged to accommodate larger groups of seated guests.
 - ii. Ambient and acoustical music shall be the only music of any kind permitted in this space.
 - iii. Guests shall be seated by 10:00 p.m. and the space shall be cleared by 11:30.
 - iv. The use of this space shall be limited to bona fide banquets (e.g., wedding receptions, birthday parties, anniversary parties, repasts, and similar types of banquets) and for first-floor restaurant overflow. No other uses are permitted in this space.
 - v. Service of food and beverage in this space shall be by wait staff only.

- a. The licensed beach space may extend to a depth of seventy-five (75) feet beyond the licensed decking and up to the width of the beach portion of Block 69 Lots 1, 1.0 and 1.02, and shall require a place-to-place transfer for expansion if seeking a wider licensed premises than the seventy-five (75) feet by forty (40) feet previously approved by resolution and the ABC. Licensing of any lots merged on the future shall be subject to the procedural requirements of Paragraph 9. below.
 - b. Maximum occupancy of the licensed beach space shall be as determined by law but shall not in any case exceed 600.
 - c. There shall be no access to the licensed beach area directly from the beach. Entrance to the licensed beach area shall be from the licensed deck area.
 - d. The licensed beach area shall be fenced in entirely with appropriate fencing, and no access shall be permitted directly from the licensed beach area to other private or public beach areas.
 - e. Guests shall be cleared from the licensed and non-licensed beach spaces and these spaces closed by 10:00 p.m.
 - f. American Lifeguard Association certified lifeguards shall be provided whenever swimming is permitted.
 - g. Ocean Terrace shall provide signage specifically noting that guests are not permitted to take alcoholic beverages and glass to the public beach.
 - h. Only acoustic guitar music may be provided in the beach spaces.
 - i. Alcoholic beverages shall not be permitted at the non-licensed beach spaces.
8. General operations:
- a. No outdoor tiki bars shall be permitted at any time.
 - b. No DJ booths shall be permitted except during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period).
 - c. There will be no outdoor bars where guests can sit and order or consume food and beverages. There shall be a single full-service bar located in the first-floor interior space with seating to accommodate not more than 37 persons.
 - d. All food and beverages served in the outdoor spaces shall be served by wait staff.

e. No persons shall be on the third-floor exterior deck space except for short term viewing and photo opportunities.

i. No alcohol is permitted in this space.

ii. This space is not part of the licensed premises.

iii. Food and beverage service of any kind in this space is prohibited.

iv. No bar of any kind shall be constructed in this space.

v. Entertainment and music of any kind is prohibited in this space.

6. Pool area and cabana spaces and operations:

a. Ocean Terrace agrees that guests shall be cleared from the pool area and cabana spaces which shall close daily at 10 p.m. except that the pool area (but not the pool itself) may be occupied during a wedding event which exclusively utilizes the entire licensed premises (or any other exclusive single use event for which an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14 day period as established by terms of the approval).

b. The maximum occupancy of the pool area and cabanas spaces shall be 220 persons.

c. Ocean Terrace confirms that approximately 1/3 of the proposed pool will have a shallow depth of approximately 12 to 18 inches for wading, for the purposes of accommodating families with small children.

d. Ocean Terrace agrees that the second story space showing storage and a DJ Booth its architectural plans dated November 6, 2019, shall be solely used for storage with no DJ booth being permitted and shall have no windows and shall have no access open to the public operations or event attendees.

e. Lounge chairs and tables with chairs shall be maintained in the configuration as shown on the plans attached hereto and incorporated herein as Exhibit ____.

f. No entertainment or music of any kind shall be provided in the pool area and cabana spaces except for ambient or acoustical music.

7. Beach operations:

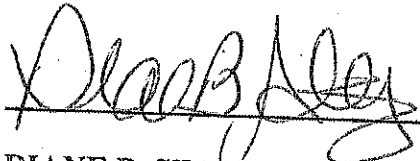
- e. No part of the premises may be used as a nightclub, dance club or similar type of operation.
 - f. The premises shall be operated by the licensee as a restaurant in accordance with the definition of restaurant established by the Borough Code of the Borough of Seaside Heights.
 - g. The licensee shall, at all times, comply with the conditions for restaurants in the Resort Recreational Zone.
 - h. The kitchen shall be open and the full menu of the restaurant shall be available in all spaces of the premises at all times that the business is open.
 - i. No ticketed events shall be held unless an application has been submitted to the governing body of the Borough of Seaside Heights on 14 days' notice and approved by action or default in that no action is taken by the governing body within the 14-day period).
9. A) Seaside Beach Bar, LLC shall not apply to extend the liquor license it is using for operation on Block 69 Lots 1, 1.0 and 1.02 to any additional restaurants, bars or other facilities subsequently approved or constructed on properties adjacent to Block 69 Lots 1, 1.0 and 1.02 (or adjacent properties merged into Block 69 Lots 1, 1.0 and 1.02) for a period of no less than three years after the date of this Agreement.
- B) After such three-year period, Seaside Beach Bar, LLC may request relief from this condition from the governing body of the Borough of Seaside Heights. Seaside Beach Bar, LLC hereby acknowledges on behalf of itself and its successors that it may not at any time in the future extend the license the liquor license it is using for operation on Block 69 Lots 1, 1.0 and 1.02 to any additional restaurants, bars or other facilities subsequently approved or constructed on properties adjacent to Block 69 Lots 1, 1.0 and 1.02 (or adjacent properties merged into Block 69 Lots 1, 1.0 and 1.02) without approval of the governing body of the Borough of Seaside Heights by resolution releasing this condition, which resolution shall be separate from any place-to-place and/or license extension resolution.
10. The Seaside Heights Water/Sewer Utility and Seaside Heights Electric Utility shall review and have approval authority for the size and locations of all services.
11. Either party may record this Settlement Agreement with the Ocean County Clerk's Office.
12. Following the full execution of this Agreement by all parties, the Borough will withdraw its complaint in lieu of prerogative writs, The Borough of Seaside Heights

v. Seaside Ocean Terrace, LLC, Belle Freeman Properties, LLC and Land Use Board
of the Borough of Seaside Heights, OCN-L-756-20PW

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be
executed the day and year first above written.

WITNESS & ATTEST:

BOROUGH OF SEASIDE HEIGHTS



DIANE B. STABLEY, RMC,
Borough Clerk
(Seal)

By


ANTHONY VAZ, MAYOR

SEASIDE OCEAN TERRACE, LLC/SEASIDE BEACH BAR, LLC

By


Secretary
(Seal)

Managing Member


President

Managing Member

Ad Number: 0004784284

Run Dates: 06/24/2021

NOTICE

Take notice that on May 28, 2021 a change occurred in the ownership of Seaside Beach Bar, LLC now trading as The Ocean Club holder of plenary retail consumption license #1326 33 018 009 for premises located at 2 Boardwalk, Seaside Heights, NJ 08751 resulting in the following persons, each acquiring the aggregate one percent or more of the ownership thereof:

Seaside JLS, LLC
600 Warren Avenue
Spring Lake Heights, NJ 07762

John L. Sullivan
19 Tuttle Avenue
Spring Lake, NJ 07762

Cornelius O Durkin
1120 Bloomfield Avenue
West Caldwell, NJ 07007

Thomas Jannarone
522 Bridlemere Avenue
Interlaken, NJ 07712

Todd Kosakowski
7 Meadowlark Lane
Bedford, NY 10506

Any information concerning the qualifications of any of the above current stockholders should be communicated in writing to Diana Stabloy, RMC, Seaside Heights Borough Clerk at 901 Boulevard, Seaside Heights, NJ 08751.

Seaside Beach Bar, LLC
600 Warren Avenue
Spring Lake Heights, NJ 07762
(\$21.60)

1002/54284 n1

AFFIDAVIT OF PUBLICATION

Publisher's Fee \$21.60 Affidavit \$35.00

STATE OF WISCONSIN
Brown County

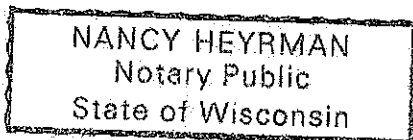
Personally appeared *Hefferman* at County of Brown, State of Wisconsin.

Of the **Asbury Park Press**, newspaper printed in Freehold, New Jersey and published in Neptune,
in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties,
who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been
published in the said newspaper 1 times, once in each issue as follows:

06/24/2021 A.D 2021

Nancy Heyrman
Notary Public State of Wisconsin County of Brown
5.15.23

My commission expires



Diane Stabley

From: Anna Perna <Anna.Perna@njoag.gov>
Sent: Wednesday, June 16, 2021 1:06 PM
To: Diane Stabley
Subject: 1526-33-018 CSC

Hi Diane,

Amy passed along the email you sent her with the CSC application for the above mentioned license. Because it is only a 1% change it is not considered a "full corporate structure change". With that being said, I took out some pages from the application because they did not need to submit the full 12 page. They only needed pages 1,2,7,8, 10, 10A & 11. I just wanted to let you know.

Best,
Anna



Anna Perna
Agency Services Representative

NJ Dept. of Law and Public Safety
Division of Alcoholic Beverage Control
140 E Front St. | PO Box 087 | Trenton, NJ 08625-0087
Office: (609) 376-9771 | Anna.Perna@njoag.gov
NJ ABC Website: <https://www.nj.gov/oag/abc/index.html>



CONFIDENTIALITY NOTICE The information contained in this communication from the Office of the New Jersey Attorney General is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

TR#: _____
FEE: _____
DATE: _____

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
RETAIL LIQUOR LICENSE APPLICATION

Action ID Code
[] [] [] []
A W D U

STATE ASSIGNED LICENSE NUMBER _____

DATE APPLICATION FILED: _____

(For DIVISION use only) _____

02/16/2021

CODE TYPE OF LICENSE (CHECK ONE)
CLASS C LICENSES [N.J.S.A. 33:1-12]

THIS APPLICATION IS FOR:

- 31 _____ Club
32 _____ Plenary Retail Consumption
w/Broad Package Privilege
33 ☒ Plenary Retail Consumption
36 _____ Plenary Retail Consumption
(Hotel/Motel Exception)
37 _____ Plenary Retail Consumption
(Theatre Exception)
35 _____ Seasonal Retail Consumption
(November 15 through April 30)
34 _____ Seasonal Retail Consumption
(May 1 through Nov. 14)
44 _____ Plenary Retail Distribution
43 _____ Limited Retail Distribution
OTHER
14 _____ Annual State Permit
(N.J.S.A. 33:1-42, NJAC 13:2-52)

- _____ A New License
_____ Person to Person Transfer
(Incl. Partnership change,
except Ltd. Partnership)
_____ Place to Place Transfer
(Including expansion of premises)
☒ Change of Corporate Structure
_____ Extension of License (To Executor,
Receiver, Administrator, etc.
_____ Renewal of License
☒ Amendment of Application of File
☒ Other Trade Name Change

This Area is Reserved for Municipal Use

Municipal Fee \$ 0
Effective Date 02/16/2021
(As Stated in Resolution, Date of resolution unless otherwise established.)
State Fee \$ 0
Date Denied 0/0/0
(As Stated in Resolution)
Refund Amount \$ _____
Special Conditions Attached: _____ Yes _____ No

Stabley, Diane B
Type or Print Name (Last name, first, middle initial) of Municipal Clerk or ABC Secretary
[Signature]
Signature of Municipal Clerk or ABC Secretary