

September 18, 2020

Ms. Candace Mitchell, Planning Board Secretary
Borough of Sea Bright
Unified Planning Board
1167 Ocean Avenue
Sea Bright, NJ 07760

Re: Tommy's Tavern (1010 & 1030 Partners, LLC)
Site Plan Application
First Technical Review
Block 17, Lots 4 & 5; B-R Zone
Sea Bright App. # PBZB 2020-013
HACE # SEP-145

Dear Ms. Mitchell:

Our office is in receipt of the above Site Plan for the above application for the expansion of Tommy's Tavern and Tap at 1030 Ocean Avenue in Sea Bright. The applicant submitted the following:

- Cover letter and Application package from Robert Munoz, Esq. dated 7/22/20
- Zoning Denial for Mary Tangolics, Zoning Officer dated 12/18/20.
- Application letter dated April 22, 2016 by Martin McGann, JR, Esq.
- Site Plan entitled "Alteration/Addition for Tommy's Tavern & Tap, 1030 Ocean Avenue, Sea Bright, NJ, , Block 17 Lots 4 & 5, Borough of Sea Bright, dated 12/4/19, consisting of 3 sheets by Monteforte Architectural Studio, LLC.

A) Introduction

The property is located on Ocean Avenue (NJ State Highway Route 36) three lots North of Peninsula Avenue. Lot 4 has a frontage of 93.42 feet on Ocean Avenue and lot 5 has a frontage of 143.75 feet on Ocean Avenue for a total frontage of 236.92 feet. Lot 5 also has 61.47 feet of frontage on Rumson Road. The Tommy's Tavern & Tap restaurant is on lot 4 and parking is on lot 5. On lot 5, there is a two story restaurant with offices and second floor banquet room. There is also an outdoor dining area, an interior trash enclosure and a walk-in cooler. The property is in the BR Zone and the restaurant is an allowed use.

The applicant is proposing a 464 square foot addition to the first floor, a 1037 square foot addition to the covered patio, a 2,068 square foot addition on the second floor and a 1,094 square foot deck on the second floor.

The property received site plan approval from the board on March 24, 2015 and received an amended approval on January 12, 2016 both for the improvements on lot 4. An additional approval was given in for the parking and other items in June 2017.

The applicant is also proposing the following outside improvements:

- 1) The new first floor improvements include a take out area, a new vestibule and a covered paver patio. Some of this area is now used by diners. *The applicant should provide a seating chart for the covered paver patio.*
- 2) The proposed flex dining area contains 72 seats. *The applicant should explain the term "flex" in regard to this area.*
- 3) A 20 foot by 62.5 foot open deck is proposed for the second floor in the front of the building. *The applicant should indicate the seating in both this area and in the 15 foot by 13.6 foot lounge just south of the deck.*
- 4) The square footage of the covered patio on the plan does not match the application "Detail of the of Application" paragraph (about 517 SF vs. 1037 SF). The limit of the new construction should be shown on the plans.

B) Fees

Item	Application Fee	Escrow Fee
Site Plan - Preliminary	\$350	\$2000
Site Plan - Final	\$350	\$2000
Front setback Variance	\$400	\$1000
Side yard Variance	\$400	\$1000
Parking	<u>\$400</u>	<u>\$1000</u>
TOTALS	\$2400	\$8000

C) Zoning

Our office has prepared the zoning table below

BR Business River - Zone Schedule

Item	Required	Proposed
Lot Area (lots 4 & 5)	4,000 S.F.	24811.5 S.F.
Lot Width	50 Ft.	237.17 Ft.
Lot Depth	60 Ft.	252.9 & 82.57 Ft.
Front Yard Setback	25 Ft.	9.0 Ft.
Side Yard Setback	7 Ft.	0.0 Ft.
Side Yard Combined	15 Ft.	0.0 Ft.
Rear Yard Setback	15 Ft.	63± Ft.

Max. Lot Coverage	70 %	60± %
Max. Building Coverage	50 %	45± %
Max. Building Height	38 Ft./3 St.	35 ft./3stories
Min. Gross Floor Area	880 S.F.	14,774 S.F..

Variances are in **Bold**

D) Signs

1) Two new signs are proposed for the front of the building:

- a) “Tommys” (27 Square Feet)
- b) “Tommys To Go” (13 Square Feet)

Under Section 130-72B a variance will be required for these signs where only one sign is allowed on a façade and three are proposed.

- 2) Total proposed signage on site is 130 square feet. On the front East façade 10% (188 square feet) of the façade is allowed to be covered by signs and the signs on this East façade are proposed at 96 Square feet. This is conforming.
- 3) The existing wall sign on the North facade of the building is 34 SF and was approved under the previous application. This sign will remain.

E) Parking

- 1) In order to know the intensity of the proposed full development and to calculate parking demand, the applicant should provide a full table of seating and standing (bar and lounge capacities).
- 2) The ordinance Section 130-43 Off Street Parking requires 1.0 space per each 3 persons of legal capacity, plus 1.0 per employee or if 1.0 per 200 square feet of total floor area is greater, then this greater amount shall be provided.
- 3) There are 54 spaces in the previously approved parking lot. This equates to 162 seats capacity or 10,800 square footage of building area. *A table should be provided in both seats and square footage.*

F) Technical Review:

- 1) Section 130-40 F Parking within the front, side or rear yards. *This was previously granted, but should be reaffirmed.*
- 2) Section 130-43 Off street parking – shall have a buffer strip of at least 15 feet wide. *This was previously granted, but should be reaffirmed.*

- 3) Section 130-47 The property is located in the FIRM Flood Zone AE with a minimum elevation of 8.0. Any buildings built, if this application is approved, shall have the lowest horizontal structural member including basement, together with attendant utility and sanitary facilities, built to a minimum of three feet above the base flood elevation or 11.0. *The ground floor is elevation 5.9 on the site plan. The architect should certify and explain conformance to this section.*
 - 4) Section 130-56 A - As a condition of approval and the continuance of any commercial or multifamily use, occupancy of any structure and operation of any process or equipment, the applicant shall supply to the Planning Board an environmental impact statement for the property. *We believe an environmental impact statement is not necessary.*
 - 5) Section 130 58 L 1 Outdoor lighting shall be so designed as not to cause glare upon adjoining residential property or interfere with vehicular traffic. *The nature of any lighting for the new restaurant spaces should be explained and any possible effect on adjacent apartment windows and residences should be analyzed.*
 - 6) Section 130-59 A11 - Landscaped planting shall be provided around buildings, parking areas and as otherwise required by this chapter, as well as along the perimeter of land occupied by multifamily development. *Landscaping was approved in the previous application and is not changing.*
 - 7) Section 130-101 Stormwater - This cannot be considered a Major Development in that the application is not disturbing more than one acre of land or is building more than one quarter of an acre of impervious surface. *The applicant does not need to provide reduction of stormwater flow.*
 - 8) *The status of the Sea Bright/Rumson Bridge project as it effects this property should be provided in testimony.*
 - 9) *The applicant should provide testimony on the noise that will emanate from the facility after the proposed additions.*
- G) If the applicant is successful, the following items shall be provided at the appropriate time:
- 1) Section 130-67 A 1 - Performance Guarantees - Prior to the signing of a final plat of a subdivision or of a site plan, issuance of a development permit and/or the commencing of any clearing, grading or installation of improvements, the developer shall have filed with the Borough a performance guaranty sufficient in amount to equal 120% of the total cost to the Borough, as estimated by the Borough Engineer, of constructing those on-site, on-tract, off-site and off-tract, improvements necessary to

protect adjacent property and the public interest in the event development of the site were not completed.

- 2) The applicant shall enter into a Developer's Agreement (Section 130-66C 10) if necessary with the Borough for fair share sewer contributions and connections fees
- 3) Sanitary sewer flows used to calculate fair share and connection fees shall be provided.
- 4) The applicant shall be subject to any affordable housing requirements of the Borough of Sea Bright.

H) Outside Agency Approval

- 1) The application shall be subject to review by all regulatory agencies having jurisdiction, including:
 - a) Freehold Soil Conservation District
 - b) Coastal Area Facilities Review Act
 - c) Sea Bright Fire Department & Flood Plain Official

If you have any questions regarding the matter please do not hesitate to contact our office.

Very truly yours,

HODER ASSOCIATES



David J. Hoder, P.E., P.P., C.M.E.
Unified Planning Board Engineer

DJH

cc: Kerry Higgins, Esq, Board Attorney,
Tommys Tavern, Applicant
Mark Leber, PE, Applicant's Engineer
Martin Mc Gann, Esq, applicants attorney

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