

October 2, 2021

Ms. Candace Mitchell, Planning Board Secretary
Borough of Sea Bright
Unified Planning Board
1199 Ocean Avenue
Sea Bright, NJ 07760

Re: Beachfront Joe, LLC (Joe Fontana)
Site Plan Application
Second Technical Review
Block 15, Lot 2; B-1 Zone
Sea Bright App. # P 2016-15
HACE # SEP-110

Dear Ms. Morris:

Our office is in receipt of the above application for the construction of a new mixed-use building on the property. The applicant is proposing a three story building with a café restaurant on the first and second floor and apartment on the third floor. The property fronts on Ocean Avenue and is in the B-1 Zone. The applicant submitted the following:

- Letter from Rick Brodsky, Esq. dated 9/30/21 including application package and fees.
- Architects Plans, "Proposed Addition to Existing Commercial Building, 1804 Ocean Avenue, Sea Bright, NJ, by Allende Matos, AIA, Architect, dated 7/12/21 consisting of 4 sheets.

Previously Submitted:

- Letter from Rick Brodsky, Esq. including additional fees.
- Zoning Denial from Mary Tangolics, Zoning Officer dated 3/10/21.
- Site Plan, Beachfront Joe, LLC, 1804 Ocean Avenue, consisting of 2 sheets, Block 15 Lot 2, Borough of Sea Bright, Monmouth County, NJ, by East Point Engineering, LLC, Mark Leber, PE dated 5/20/16, revised 12/11/17.
- Architects Plans, "Proposed Addition to Existing Commercial Building, 1804 Ocean Avenue, Sea Bright, NJ, by Allende Matos, AIA, Architect, dated 3/22/2,1 consisting of 4 sheets.

A) Introduction

The property is located on Ocean Avenue (NJ State Highway Route 36) one lot South of River Street. Lot 2 has a frontage of 15.00 feet on Ocean Avenue. There is an existing shell of a building on the property which will be expanded to include a café on the first floor and second floor and an apartment on the 3rd floor.

The applicant has revised the application to now have the ground and 3 levels reducing the height to 10.66 ft. The Café and Lounge has been removed and the restaurant is take-out only. The office has been moved to the top floor and the apartment has been removed.

The property is in the B-1 Zone and the uses are allowed uses.

A) Zoning

Our office has prepared the zoning table below

B-1 Business Zone Schedule

Item	Required	Proposed
Lot Area	3,000 S.F.	1,076.4 S.F.
Width	50 Ft.	15.00 Ft.
Lot Depth	60 Ft.	71.76 Ft.
Front Yard Setback	0 Ft.	0 Ft.
Side Yard Setback	0 Ft.	0 Ft.
Side Yard Combined	0 Ft.	0 Ft.
Rear Yard Setback	15 Ft.	0 Ft.
Max. Lot Coverage	70 %	100 %
Max. Building Coverage	50 %	100 %
Max. Building Height	38 Ft./3 St.	40.66 Ft.
Min. Gross Floor Area	880 S.F.	2,610 S.F.

Variances are in **Bold**

*Pre-existing

B) Parking

The application requires the following parking and is providing no spaces on site.

Take out	Not addressed in Ord.	*
Office	Per 100 SF (405 SF)	<u>4 Spaces</u>

*The take out parking requirement must be addressed in testimony.

C) Technical Review:

- 1) Section 130-43 Off street parking – *The applicant should provide testimony on the parking for the take out(patrons and employees).*
- 2) Section 130-44 Off Street Loading Berths - One berth for each 10,000 square feet (or part thereof) of gross floor area of residential uses (except for one-family) uses. *The applicant should indicate how goods will be delivered to the building.*
- 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 first floor is elevation 11.0 on the site plan.*

- 4) Section 130-51 E - Sidewalks shall be installed if required by the Planning Board when deemed necessary for safety. *A note should be placed on the plan that any sidewalk and curb that is disturbed will be replaced in kind, in accordance with the streetscape plans and standards.*
 - 5) 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.*
 - 6) 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.*
 - 7) *At the rear of the property, the applicant previously proposed a fire escape. The applicant should discuss in testimony how escape from fire will function and how it may or may not serve adjacent buildings since the building walls are touching.*
- F) 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 be subject to any affordable housing requirements of Sea Bright.

Other comments on the content of the application:

- 1) No site work or landscaping is proposed. (A planter is shown on the plans)
- 2) Any signage for the restaurant should be shown.
- 3) Any outdoor lighting should be shown on the plans.

G) Outside Agency Approval

- 1) The application shall be subject to review by all regulatory agencies having jurisdiction, including:
 - a) Freehold Soil Conservation District
 - b) 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: Monica Kowalski, Esq, Board Attorney,
Joe Fontana, Applicant
Mark Leber, PE, Applicant's Engineer
Rick Brodsky, Esq, applicants attorney

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