

December 7, 2020

Ms. Candace Mitchell, Planning Board Secretary  
Borough of Sea Bright  
Unified Planning Board  
1099 Ocean Avenue  
Sea Bright, NJ 07760

Re: The Break at Sea Bright  
Second Technical Review  
Block 15, Lot 3  
Sea Bright App. # Z 2020-14  
HACE # SEP-148

Dear Ms. Mitchell:

Our office is in receipt of a Preliminary and Final Major Site Plan with a D variance and bulk variances for the above property at the corner of Ocean Avenue and River Street. The applicant submitted the following:

- Cover letter from MODE architects, dated 11/24/2020 signed by Daniel Condatore.
- Preliminary and Final Major Site Plan of Block 15, Lot 3, for 1080 Ocean Avenue, Borough of Sea Bright, NJ prepared by Walter Joseph Hopkin, PE dated 10/1/20 revised 11/23/20 consisting of 5 sheets.
- Architectural Plans entitled “ The Break at Sea Bright, Mixed Use Building” by MODE , Daniel M. Condatore, RA, Asbury Park, NJ dated 10/1/20 revised 10/13/20, consisting of 10 sheets.

Previously Submitted:

- Cover letter from Trip Brooks, managing member, dated 10/1/2020 with zoning denial exhibits and application package
- Preliminary and Final Major Site Plan of Block 15, Lot 3, for 1080 Ocean Avenue, Borough of Sea Bright, NJ prepared by Walter Joseph Hopkin, PE dated 10/1/20 consisting of 5 sheets.
- Survey of Property, 1080 Ocean Avenue, Lot 3, Block 15 on Tax Map sheet # 8, Borough of Sea Bright, Monmouth County, New Jersey by Landmark Surveying and Engineering, signed by Zenon T. Grybowski, PLS dated 12/14/17 consisting of one (1) sheet.
- Architectural Plans entitled “ The Break at Sea Bright, Mixed Use Building” by MODE , Daniel M. Condatore, RA, Asbury Park, NJ dated 10/1/20, consisting of 7 sheets.
- Stormwater Management Statement for Site Plan of Block 15, Lot 3 Borough of Sea Bright, prepared by Walter Joseph Hopkin, PE dated 10/1/20.

#### A) Introduction

The property is located at the South East corner of Ocean Avenue and River Street in the center of town. The site has 55 feet of frontage on Ocean Avenue and 85 feet of frontage on River Street And is in the B-1 zone. It is an empty lot.

The applicant is proposing to construct one building with parking on the first floor, commercial on the second floor and 6 residential units on the three floors above, for a total of 5 floors. Vehicle access will be from River Street.

The property is located in the FIRM Flood Zone AE with a minimum elevation of AE zone with a BFE of 8. Any buildings, if this application is approved, shall have the lowest horizontal structural member including basement, together with attendant utility and sanitary facilities, mechanical equipment, must be built to a minimum of three feet above the base flood elevation (elevation 11).

B) Application Changes:

- 1) Trash room has been reduced to the ground door.
- 2) Parking spaces have been reduced from 13 to 12.
- 3) Resident storage has been reconfigured to the end of the hallway.
- 4) Retail has designated 60 person max. Occupancy limit.
- 5) Residential bulkhead for roof access has been redesigned as a skylight access hatch.
- 6) Roof deck railing has been modified from a cable railing to a glass railing.
- 7) Roof deck pergolas have been removed.
- 8) Roof parapet has been removed.
- 9) Parking level has been aligned with the street level, reducing the height by 6 in.
- 10) The roof skylight access hatch only extends 4'-7" above the roof, in lieu of the 10'-0" bulkhead.
- 11) Additional sheet to show the design of the roof access hatch.
- 12) Additional sheet with reference images for the design of the Break.

C) Zoning Table (**B-1 Zone**)

Item	Required	Provided
Min. Lot Area (sq. feet)	3,000 SF	4,675 SF
Min. Lot Width (feet)	50 Ft	55 Ft
Min. Lot Depth (feet)	60 Ft	85 Ft
Min. Front Yard Setback	0 Ft	0 Ft
Min. Side Yard Setback (feet)	0 Ft	0 Ft
Min. Combined Side Yard Setback (feet)	0 Ft	0 Ft
Min. Rear Yard Setback (feet)	15 Ft	<b>0 Ft</b>
Minimum Gross Floor Area	880 SF	2,800 SF
Max. Building Coverage	50 %	<b>97.0%</b>
Max. Lot Coverage	75 %	<b>97.0%</b>
Max. Building Height (feet/Stories)	42 Ft. / 3 Stories	<b>52.5 Ft. / 5 Stories</b>

- Variance Requests are in **Bold**.

D) D Variance:

The applicant is requesting a height of 52.5 feet which is over 10% above the maximum height of 42 feet which is contrary to MLUL Section 40:55D-70.1d6. Therefore a D variance is required. A

positive vote of at least 5 members is needed for this to be granted. In the Redevelopment Plan provided by Cofone Consulting Group, the maximum height is to be 55 feet.

Special reasons should be provided to support the Variance and both the positive and negative criteria should be analyzed as a basis for approval or denial.

E) Redevelopment Plan Review

There are some significant differences between this submission and the Redevelopment Plan prepared by Cofone Consulting Group. They are as follows:

- 1) The applicant is submitting a 5 story building where the Redevelopment Plan shows a 4 story building.
- 2) The use specified in the Redevelopment Plan is for a hotel and the submitted plan shows residential dwelling units.
- 3) The school building was also shown in the Redevelopment Plan as part of the project; this submission does not contain the school property
- 4) The small lot to the South (lot 2) was to be part of the redevelopment but is not included in the submission.
- 5) A public plaza with benches was to be provided on Lot 2 and this is not shown.

F) Technical Review:

- 1) SB Section 130-44 - The applicant should indicate and provide testimony on the need for a loading dock. *Testimony has been provided.*
- 2) SB Section 130-51 E - Sidewalks shall be installed if required by the Planning Board, when deemed necessary for safety. We believe that the construction will damage most of the sidewalks. Note 27 on sheet one indicates that any sidewalk or curb damaged will be replaced. The sidewalks and curbs on River Street should be replaced. The applicant in testimony indicated that they would replace the sidewalks as required.
- 3) SB 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 applicant is proposing two acorn lights on River Street. These lights should conform to the streetscape lighting installed a couple years ago. Also, building lighting should be shown and evaluated so as not to cause glare upon adjoining residential property.
- 4) RSIS & Sea Bright Ordinance - Parking  
The applicant is providing parking for the residences on site plus one handicapped space and is relying on the municipal lot across the street for the retail parking.

Parking Table

Item	Requirement	Provided
2 bed room residence (6 each)	12	13
2800 SF Retail (1 space per 200 SF)	14	0
Total	26	12

Notes on Parking

- a) Testimony should be provided as to the use of the study/den. *Testimony has been provided.*
  - b) One handicapped space is provided, as required.
  - c) Spaces are 9 by 18 where 8.5 by 18 is required.
  - d) 5 of the spaces are stacked, with 5 spaces in front of them.
  - e) A Variance/ waiver will be required.
- 5) RSIS 5:21 4 11 Underground Wiring  
 All electric, telephone, television and other communications, both main and service lines in new developments, shall be provided by underground wiring in easements. Note 22 on sheet one covers this.
- 6) Water Supply  
 The applicant is proposing a 4 inch wet tap in River Street. This is acceptable but must be coordinated and permitted by New Jersey American Water.
- 7) Sanitary Sewers
- a) The applicant is connecting to the existing 12 inch sanitary sewer in River Street. This is acceptable but a flow calculation should be done for both sizing and connection fee reasons. We will review these calculations for sewer fees. Once reviewed and approved the town can issue a will serve letter.
  - b) The detail should be changed from 4 inch to 6 inch. A saddle type connection details should be provided.
- 8) Stormwater Management
- a) This project 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 new impervious surface. A Stormwater Management statement has been provided and indicates there will be no increase in flows from the site. All flows will run to the NJDOT System and then to the River Street outfall. A contribution to the upsizing of the existing pump station or to a new River Street station should be discussed.

9) Other Comments:

- a) The area for trash and recyclables should be shown on the plans. *This has been done.*
  - b) Street trees could be provided as per the previously constructed street scape plan. *The applicant has agreed in testimony that they will conform.*
  - c) The applicant shall submit a permit to the Two River Reclamation Authority for approval of the new sewer flow. *The applicant has agreed in testimony that they will conform.*
  - d) Any supports for the building to the South that are to be removed must be done in a way to protect the adjacent building. *The applicant has agreed in testimony that they will conform.*
  - d) The architectural plans show a sign on the building “The Break” on two sides of the building. This sign should be detailed and any other signs for the retail tenant should be shown.
  - e) The Applicant is milling and overlaying River Street North of the building. Pavement repair, trench repair and milling details should be shown. *The applicant has agreed in testimony that they will conform.*
  - e) A note should be added that all existing striping and pavement markings will be replaced in kind.
  - f) The same sidewalk brick type as in the front of the property should be use on the River Street side.
- 10) If the applicant is successful, the following items shall be provided at the appropriate time:
- a) 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.
  - b)The applicant shall enter into a Developer's Agreement (Section 130-66C 10) with the Borough for fair share sewer contributions and connections fees - Sanitary sewer flows used to calculate fair share and connection fees shall be provided.

c) Shop drawings and submittals, stamped approved by the design engineer, shall be submitted to the Borough Engineer for review and approval, prior to construction, including storm sewer inlets, manholes, castings, MTD, survey cut sheets, diversion manholes, and overflow manholes.

d) The applicant shall be subject to any affordable housing requirements of Sea Bright.

15) Outside Agency Approval

The application shall be subject to review by all regulatory agencies having jurisdiction, including:

- a) Freehold Soil Conservation District
- b) Monmouth County Planning Board
- c) Coastal Area Facilities Review Act
- d) Sea Bright Fire Department (fire hydrant and other comments)
- e) 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

cc: Kerry Higgins, Esq, Board Attorney,  
Walter Hopkin, PE  
Kevin Kennedy, Esq.  
Applicant