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April 15, 2020

Barnegat Township Zoning Board of Adjustment
900 West Bay Avenue
Barnegat, NJ 08005

**Re: Docket No. ZB 20-03
Bulk Variance Application – Review #1
Block 201, Lots 22 & 23
363 Bayshore Drive
Applicant: 363 Bay Shore, LLC
Our File: VBGZ0201.02 (60001)**

Dear Zoning Board Members:

Our office has received for review a bulk variance application for the subject property. The purpose of the application is to permit the construction of a single family structure on an undersized lot. The application was accompanied by the following information:

- Plan entitled "Variance Map/ Plot Plan, Tax Lot 22 & 23, Block 201; As Shown on the Barnegat Township Tax Map Sheet #123; Last Revised 12-31-13; Barnegat Township, Ocean County, New Jersey" sheet one (1) of one (1), prepared by Frank J. Baer, PE, PP of WSB Engineering Group, dated 2/25/2020, unrevised;
- Architectural plans untitled, consisting of six (6) sheets, prepared by Statewide Custom Modular Homes, dated 12/12/2019, revised 12/14/2019, unsigned;
- Plan entitled "Location & Topographic Survey; Tax Lot 22 & 23, Block 201", sheet one (1) of one (1), prepared by Edward M. Weinert, PLS of WSB Engineering Group, dated 09/27/2019, last revised 11/22/2019.
- A completed "Bulk" Variance & Waiver Application;
- A completed Check List for Bulk Variance Application, prepared by Frank J. Baer, Jr. PE, PP, dated February 27, 2020;
- A completed Applicant/Developer Escrow Agreement, dated March 2, 2020;
- A completed Affidavit of Non-Collusion, prepared by Joseph E. Lauda, Esq. for 363 Bay Shore LLC., dated March 2, 2020;
- A copy of a Tax Release dated February 12, 2020 from the Barnegat Township Tax Collector's office which states that the real estate taxes on Lot 22, Block 201 are **NOT** paid current;
- A copy of Applicant Disclosure of Ownership Statement, dated 3/20/20;

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CONSULTING AND MUNICIPAL ENGINEERS

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- A copy of a Tax Release dated February 12, 2020 from the Barnegat Township Tax Collector's office which states that the real estate taxes on Lot 23, Block 201 are **NOT** paid current;
- A copy of a completed Contribution Disclosure Statement from Edward M. Weinert, PLS dated February 25, 2020;
- A copy of a completed Contribution Disclosure Statement from Frank J. Baer, PE, PP, dated February 25, 2020;
- A copy of a completed Contribution Disclosure Statement from Lawrence Marro, dated February 5, 2020;
- A copy of a completed Contribution Disclosure Statement from Ron Shaljian, Esq. dated February 5, 2020;
- A copy of a completed Contribution Disclosure Statement from John R. Hipple, dated February 5, 2020;
- A copy of applicant's W-9 form, dated March 2, 2020;
- Completed List of Professionals & Consultants;

The property in question is a pair of undeveloped lots located at 363 Bayshore Drive, north of the Public Beach on Bayshore Drive. It is located in the (R-6) Residential Zone (plans indicate R-20) and has an area of 5,468 sf.

We have reviewed this Bulk Variance application and offer the following comments:

1. As required by the Completeness Check List for Bulk Variance Application, the Applicant must submit the following information to the Zoning Board:
 - a) The owner shall resolve issues with the Tax Collectors office and submit proof that all taxes and assessments are paid to date.
2. The Applicant proposes to construct a residential four (4) bedroom, two and a half story dwelling with associated off street parking. Per latest FEMA PFIRM mapping, property is entirely within the AE8 zone.



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3. Based on the information shown on the Variance Map/Plot Plan, the following table summarizes the lot requirements in the R-6 Zone as compared with what presently exists at the site:

	<u>Required</u>	<u>Existing</u>
Lot Area	6,000 sf	5,468 sf
Lot Depth	90 ft	78.5 ft

Therefore, the property is non-conforming in terms of lot area and lot depth.

4. Based on the Information shown on the Variance Map/Plot Plan, the following table summarizes the yard and building requirements in the R-6 Zone as compared with what is proposed at the site:

	<u>Required</u>	<u>Proposed</u>
Front Yard	25 ft	25.2 ft
Side Yard (one side)	5 ft	5 ft
Side Yard (both sides)	12 ft	12 ft
Rear Yard	25 ft	25.5 ft
Height	35 ft	27.84 ft/2.5 stories

Based on the above, proposed dwelling will not require a variance. It shall be noted that proposed FF is at elevation 13.3, whereas required FF is el 9, which is AE8+1, in accordance with Section 46B-17A(1). Applicant shall update proposed height to note distances from grade as well as from BFE+1.

5. The Applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.
6. The Applicant should address the Board regarding the following issues:
- a) The reasons for the requested variances.
 - b) The makeup of the surrounding neighborhood and how the proposed dwelling conforms with respect to size, style and value.



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7. A note indicating that the Applicant has provided four (4) off-street parking spaces, the minimum amount of off-street parking per RSIS 5:21-4.14 should be added to the plans.
8. The plans should be revised to note that the site is located in the R-6 zone.
9. The plans should be revised to address erosion in Lot 22, due to its potential long term impact on the public right of way.
10. Based on our review of the submitted plan, it appears that the proposed improvements will not adversely impact the grading of the subject property or properties adjacent.
11. As per Ordinance 2019-8, all roof drains shall be piped to the street and away from adjoining properties or structures to ensure the water collected from the roof is discharged to the street. If the Board waives this requirement, then Applicant must provide drainage calculations, as well as onsite soils and SHWT information, to show the proposed system will operate. Any onsite stormwater drainage system will require maintenance by property owner.
12. We recommend that, should Board act favorable upon this application, the applicant shall be required to obtain all applicable zoning and/or building department permits.

Based on our review of the submitted information, we recommend that this application be deemed **conditionally complete** for consideration by the Zoning Board of Adjustment subject to the Applicant complying with all applicable notification requirements as set forth in the Barnegat Township Land Use Ordinance and the Municipal Land Use Law. ***In addition, at least 10 days prior to the public hearing, the Applicant must submit to the Board the information requested above. Failure to submit this information will result in the application being deemed incomplete and carried to a future meeting.***

Should you have any questions regarding this application, please feel free to call.

Very truly yours,

CME Associates

Kurt J. Otto, PE, CFM, CME
Zoning Board of Adjustment Engineer

KO/DB/ir
cc: Martin J. Llsella - Administrator
Barnegat Township Zoning Official
Brian E. Rumpf, Esq. – Zoning Board Attorney
363 Bay Shore LLC – Applicant
Ron Shaljian, Esq., Applicants Attorney
Frank J. Baer, Jr., PE, PP – Applicant's Engineer