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December 20, 2020

Seaside Park Borough Planning Board
1701 North Ocean Avenue
PO Box B
Seaside Park, NJ 08752

**Re: Major Boardwalk Trust/Funtown Pier Amusement, Inc.
Amended Preliminary & Final Major Site Plan - Review #1
Location: 1800 North Ocean Avenue
Block 97 Lot 20.03
Zone: B (Boardwalk)
Borough of Seaside Park, Ocean County, NJ
Our File: HSSP0097.04**

Dear Planning Board Members:

Our office has performed a review of the following information relative to the above-referenced Amended Preliminary and Final Major Site Plan application:

- Preliminary and Final – Major Site Plan (2 sheets), prepared by Owen, Little and Associates, Inc. dated September 10, 2020, unrevised;
- Application Narrative and Renderings;
- Development Application.

1. Project Description

The subject property, Lot 20.03, is indicated to contain 123,372 sf (2.8 acres), consisting of approximately 91,523 sf (2.1 acres) of upland area and 31,849 sf (0.7 acres) of mean high water area to an existing riparian grant/pier line, within a B Zone District and provides 25 feet of road frontage along Ocean Avenue opposite the Stockton Avenue intersection. Said road frontage coincides with a 25 foot wide restrictive easement from Ocean Avenue to the boardwalk and beach and also including an 11 foot wide pedestrian access easement. The subject property was established per Minor Subdivision approval granted to the Applicant per Resolution dated May 26, 2015. The northern property line of the site serves as the municipal boundary with the adjoining Borough of Seaside Heights. The subject property is situated within the Boardwalk (B) Zone District and has been further designated as being within the Amusement Zone and Water Dependent Use Zone sub-classification as part of said Boardwalk District.

The Applicant was previously granted approval per Resolution dated June 27, 2017 to operate the site as a beach club facility, including a ticket booth/kiosk and a storage shed for the beach club amenities as well as approval per Resolution dated April 24, 2018 to add 12 seasonal cabana



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structures, a “tiki-hut” structure for rental of beach chairs and umbrellas, a picnic table area and a volleyball court as well as to amend the previously approved hours of operation for the beach club. The Applicant was also granted approval per Resolution dated May 28, 2019 to install additional seasonal cabana structures, an additional “tiki-hut” structure as well as a playground equipment area and four (4) light pole fixtures.

Most recently, the Applicant was granted Amended Preliminary and Final Major Site Plan Approval per resolution dated August 25, 2020 to install three (3) unenclosed, tower style beach shower units, including one (1) ADA accessible unit, on a ground level deck platform (approximately 5 feet by 25 feet) and permit the sales of bottled water and ice cubes onsite. Please note the Applicant has not obtained Resolution Compliance for the August 25, 2020 approval. The Applicant will need to discuss status of outstanding compliance items and intention to perfect said approval.

The Applicant is currently seeking Amended Preliminary and Final Major Site Plan approval to install/construct the following site improvements:

- A 10 foot by 40 foot food trailer on a removable mat surface near the southerly property line which was previously withdrawn from the most recent prior application.
- A 50 foot by 150 foot boardwalk area and a 2-story office structure on same also within the south portion of the property.
- 14 portable locker sheds (8-feet by 8-feet by 7-feet high) along the westerly property line.
- An 8.5 foot by 40 foot by 8 foot-high restroom trailer for private beach customers also along the westerly property line.
- Install disclosure signs as required per the August 25, 2020 approval.
- Relocate the existing 3,600 s.f. playground area to the northerly property line.
- Permit the sale of snack food and non-alcoholic beverages to the public from the existing tiki-hut structure onsite which has been prohibited per previous resolutions.

2. Zoning Compliance

The subject property is situated within both the Amusement Zone and Water Dependent Use Zone Districts established within the overall Boardwalk Zone District per Ordinance No. 1719, dated December 8, 2016. Permitted uses within both secondary zones include: amusement arcades, games, stands and rides; miniature golf courses; snack bars; restaurants; banquet facilities; outdoor dining; beach clubs; non-motorized water recreation rentals; fishing clubs; retail stores; public uses; and public restrooms. The secondary Amusement Zone and Water Dependent Use Zone both provide zone requirements related to buildings as follows:



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Buildings

Description	Required
Minimum Side Setback	15 feet
Minimum Front Setback (1)	0 feet
Minimum Rear Setback (2)	15 feet
Maximum Building Height Structure to Structure	35 feet/2-story 15 feet
Maximum Lot Coverage: Building & Boardwalk (3)	100%

- (1) Side closest to Promenade Row District
- (2) Side closest to the ocean
- (3) Water Dependent Use Zone only.

The Applicant has not requested any Variances and/or Design Waivers with this amended application and none appear necessary, however, the following previously granted variance would appear to remain pertinent which should be verified with the Board:

- a. **Section 200-71E(3)(e)[1]** – A 15 foot side yard setback is required within the Amusement Zone District; 1 foot is provided for the temporary storage shed to the northerly side property line of Lot 20.03. We note that a relocation of an existing 3,600 s.f. playground area is proposed along said property line with this current application.
3. The Applicant has provided sufficient information in accordance with Ordinance Section 200-73A(10). Accordingly, we recommend that the application be deemed **conditionally complete** at this time; conditioned upon 1) the submission of refuse management plan and 2) the Applicant is to submit application fees and escrow deposits as calculated below.

a. **Nonrefundable Application Fees:**

Ordinance Section

200-11B(2)	Amended Preliminary and Final Major Site Plan (50% of original fee)	\$345.00
	Subtotal:	\$345.00



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b. ***Professional Services Escrow Deposits:***

Ordinance Section

200-11B(2)	Amended Preliminary and Final Major Site Plan (50% of original fee)	\$690.00
	Subtotal:	\$690.00

We recommend the Borough collect \$345.00 in nonrefundable application fees and \$690.00 in professional services escrow deposits from the Applicant prior to deeming the application complete and scheduling the application hearing.

4. The Applicant should be prepared to discuss the following issues with the Board:

- a. Compliance with all Conditions of Approval contained within any prior Resolutions associated with the subject site must also be reviewed with the Board. We note the Applicant indicates subject compliance with this current submittal including descriptive signage and restroom facilities.
- b. A general overview of, the overall operations of the beach club facility, including but not limited to: time frame/duration of the seasonal uses; hours of operation; number of employees and employees per shift, including any lifeguards and/or security personnel; number of patrons anticipated to utilize the beach club; refuse management, including mandatory recyclables, etc., should be reviewed with the Board.
- c. A 2-story office building on an approximate 7,500 s.f. (50 feet by 150 feet) boardwalk area is depicted as proposed on the Site Plan (however not noted within the Application narrative) which must be verified/clarified with the Board, including if proposed:
 - i) Location of same within/atop an apparent dune and berm area. The proposed elevation of said Boardwalk should be clarified.
 - ii) Indicated size of the office building should be verified as depicted, including building height, and the need for Architectural Plans to be provided discussed. Whether the building would create visual impacts that impede views of the ocean should be discussed.
 - iii) Use of the building and utilities to be extended to same.
 - iv) Access to the boardwalk area and building.
- d. Operations associated with the proposed restroom facility trailer unit, especially regarding waste removal and utilities for said unit, as well as compliance with all local, state or federal



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regulations regarding same must be reviewed with the Board. Calculations should be provided detailing the ability of the size of the proposed facility to serve the uses on site.

- e. Operations associated with the proposed food trailer unit, including but not limited to: the continued pedestrian and vehicle access via the existing access easement at said area as well as; hours of operation and anticipated seasonal duration of said unit onsite must be reviewed with the Board including apparent available use to the general public. The size of said unit should be verified whereby 10 feet by 40 feet is indicated on the Plans while 9.5 feet by 30 feet is indicated per rendering provided.
- f. Operations associated with the proposed sale of snack foods and non-alcoholic beverages from the existing tiki-hut structure must be reviewed with the Board, including which structures as two (2) exist onsite and whether restricted to club members only. Any utilities required to be provided should also be clarified with the Board.
- g. Operations of the proposed locker structures (8 feet by 8 feet by 7 feet high) must be reviewed with the Board, including number of units proposed (14 depicted), and any utilities to be extended to same. Whether any anchoring for said units is proposed should also be clarified with the Board.
- h. The proposed restroom trailer and locker structures would appear to require relocation and/or removal of existing cabana structures and picnic table are which must be verified/clarified.
- i. Proposed spacing between the subject locker, restroom and office building to each other, themselves and any existing site improvements should be indicated on the Site Plan and reviewed with the Board.
- j. Adequacy of the proposed descriptive/prohibited item signs, including size, height, ground clearance and proposed locations should be reviewed with the Board.
- k. Locations of the beach shower units, other than within an existing easement area, differ from previously approved depicted locations which must be discussed with the Board.
- l. Any relocation of existing onsite fencing must be reviewed with the Board and indicated on the Site Plan.
- m. The Area of Disturbance tabulation should be updated to include the proposed site improvements.
- n. Proposed improvements depicted waterward of the dune in the 8 foot-9 foot elevation range. The Applicant is to discuss means of anchoring or removal in the event of high tidal/storm conditions.
- o. The proposed elevation above existing grade for the apparent pier/boardwalk structure should be provided on the Detail and Phase 1 and 2 indicated for same should be clarified. Please



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not that CME has not reviewed or approved the structural design of the proposed pier/boardwalk.

- p. Any permits/approvals required by any outside agencies. The Applicant shall address the Board regarding the status of all outside agency approvals and copies of same shall be forwarded to this office. Compliance with all flood zone requirements (NJDEP, CAFRA, FEMA) must also be reviewed with the Board.

The right is reserved to present additional comments pending the receipt of revised plans and/or the testimony of the Applicant before the Board.

If you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,

CME ASSOCIATES



Douglas Rohmeyer, PE, CME, CFM
Planning Board Engineer

DR/GAC/pg

cc: Sandra Martin – Board Secretary
Gregory Hock, Esq. – Planning Board Attorney
Alan Dittenhofer, PE, PP, CME – Municipal Engineer
Gary Royer – Zoning Official
Major Boardwalk Trust - Applicant
Owen, Little and Associates, Inc. – Applicant's Engineer
Michael A. Jedziniak, Esq. – Applicant's Attorney