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April 21, 2021

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 #4
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 (items submitted following the February 23, 2021 meeting have been identified with bold text):

- Preliminary and Final – Major Site Plan (2 sheets), prepared by Owen, Little and Associates, Inc. dated September 10, 2020, **last revised April 9, 2021**;
- Application Narrative and Renderings;
- Photos of previous office building and proposed restroom trailer;
- Development Application;
- Correspondence dated March 12, 2021 regarding construction phasing;
- Floor Plans & Elevation Views entitles “Boardwalk Office / Storage Building, Funtown Pier, Seaside Park, Ocean County, New Jersey” prepared by Ronald A. Sebring Associates, LLC, dated March 15, 2021, and;
- Site photos.

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



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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 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) along the western lot line 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 appeared before the Board on February 23, 2021. Based on testimony along with Board & public comments, additional information was requested.

The Applicant initially sought 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 a 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.



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- 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.

The Applicant revised the previously submitted drawing dated September 10, 2020 for the February 23, 2021 Board meeting. Revisions included:

- The 50 foot by 150 foot boardwalk has been extended southward to the restrictive easement;
- A 4 foot by 4 foot beach shower has been shifted southward into the restrictive easement. It is noted that the location of all three (3) showers differ from the previous approval;
- The proposed 40 foot by 50 foot, 2-story office is shown at the north side of the proposed boardwalk;
- Four foot spacing is shown between the 8 foot by 8 foot locker sheds; and,
- Additional spot grades throughout.

The Applicant has revised this plan a second time, with the most recent revisions dated March 11, 2021. These revisions include:

- Extensions to the water, sewer, and electrical utilities to serve various site improvements;
- Survey updates at the eastern side of the site, including location of Mean High Water Line;
- Depiction of proposed grading north of the proposed office structure;
- ADA-compliant temporary matting at the proposed bathroom trailer;
- Relocated snow fence at the northeast of the property;
- Relocation of a proposed 4 foot x 4 foot beach shower to be outside of the access easement area to the south of the property;
- Clarification of no utility service to the proposed food trailer and northern tiki hut;
- Clarification of finished floor elevation for the restroom trailer; and,
- Note stating playground equipment is to be proposed within the 15' setback at the north of the property.



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The Applicant has additionally revised the Site Plans with the most recent revisions dated March 9, 2021 (Sheet 1) and March 7, 2021 (Sheet 2). Said revisions include:

- Elimination of proposed 40 foot by 50 foot, 2-story office building,
- Elimination of proposed 50 foot by 150 foot boardwalk area,
- Addition of access ramp and a 4 foot x 4foot landing at north side of bathroom trailer temporary matting.

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:

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 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



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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 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.

Detailed refuse and recycling plan have not been provided.

- c. 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 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. Applicant should discuss the availability of the restrooms as the exhibit indicates "Restrooms for Funtown Beach Club Customers". The Applicant has provided a rendering of the proposed trailer. Applicant should discuss the accessibility of the sanitary sewer cleanout proposed within or below the ADA matting.
- d. 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 trailer is noted as being self-contained, however the Applicant should confirm no water, sewer, gas, or electric service will be extended to the trailer.
- e. 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. The site plan appears to indicate the 25'x50' tiki hut to the northeast of the property will not be served by utilities. It is unclear if utilities are proposed to be extended to the 18'x30' tiki hut at the south of the property; clarification should be added to the plan.



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- f. 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. Applicant should clarify if electric service is proposed to these structures.
- g. The proposed restroom trailer and locker structures would appear to require relocation and/or removal of existing cabana structures and picnic table are which should be verified/clarified.
- h. 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.
- i. Adequacy of the proposed descriptive/prohibited item signs, including size, height, ground clearance and proposed locations should be reviewed with the Board.
- j. Beach shower units were previously approved at the three beach access points. Currently proposed locations of units have been revised to the top of the dune. The plan should be revised to indicate the beach shower units are not approved as depicted.
- k. Any relocation of existing onsite fencing must be reviewed with the Board and indicated on the Site Plan.
- l. The Area of Disturbance tabulation should be updated to include the proposed site improvements. Applicant should discuss revegetation or restoration of any disturbed areas
- m. Proposed improvements are 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.
- n. Applicant should discuss existing and proposed public access to the MHWL along with the specifics of the access easements encumbering the property.
- o. 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.

An existing NJDEP CZM GP-22 permit for the property dated November 4, 2019 authorizes specific temporary structures. The proposed work appears to necessitate amended NJDEP approval.



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Applicant should provide confirmation from all outside agencies, including NJDEP and USACE, by way of new permit or correspondence confirming that the specific site plan submitted to the Board complies with the approved permit. Said plan should include all proposed grading and contours, limit of disturbance, revegetation activities, and utility installation.

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 Rohnmeyer, PE, CME, CFM
Planning Board Engineer

DMR/DEP

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