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June 8, 2021

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

**Re: Lupo
Use ('d') Variance – Review #1
Block 44, Lot 3
Location: 56-58 Brighton Avenue
Zone: R (Residential)
Our File: HSSP0044.02**

Dear Planning Board Members:

In accordance with your authorization, our office has performed a review of the following information relative to the above-referenced Use Variance application:

- Survey entitled “Topographic Map of Survey, Tax Lot 3, Block 44, Borough of Seaside Park, Ocean County, New Jersey”, prepared by Gravatt Consulting Group, Inc., dated December 7, 2020, unrevised, consisting of one (1) sheet;
- Plan entitled “Variance Plan, Michael & Marissa Lupo, Tax Lot 3, Block 44, Borough of Seaside Park, Ocean County, New Jersey”, prepared by Gravatt Consulting Group, Inc., dated May 13, 2021, unrevised, consisting of one (1) sheet;
- Architectural Plans entitled “Proposed New Residence for: 56-58 Brighton Ave, Seaside Park, New Jersey”, prepared by Michel Di Salvo, RA, dated April 25, 2021, unrevised, consisting of four (4) sheets;
- Elevation Certificate, prepared by Gravatt Consulting Group, Inc., dated December 7, 2020;
- A copy of Resolution of Findings and Conclusions #95-11, dated November 27, 1995;
- Email from the Seaside Park Tax Assessor, dated December 16, 2020;
- A Development Application;
- Site photos (6); and,
- Tax & utility certifications.

Based upon our review of the above information, we offer the following comments for your consideration:

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1. Property Description

The subject property is indicated to contain 5,000 SF within an R Zone District and provides 50 feet of road frontage along the north side of Brighton Avenue approximately 72 feet east of its intersection with East Central Avenue. The property currently contains a 2-story two-family dwelling and a 1-story single family dwelling with associated improvements including but not limited to a stone driveway, covered porches, concrete patios/pads, paver patio, steps, walkways, outdoor wood showers, and fences

The Applicant proposes to demolish the existing two-story and one-story dwelling and construct a new 3-story two-family dwelling. A concrete paver driveway, rear wood landing and steps, air conditioning platforms, and gravel area are also proposed.

2. Surrounding Uses

Properties surrounding the subject property to the north, east, and south are similarly zoned R (Residential) and properties to the west are zoned MX (Mixed Use) and contain a mix of residential parcels.

3. Zoning Compliance

The subject property is situated within an R Zone District. The table below summarizes the bulk measures and zone requirements for the property.

DESCRIPTION	REQUIRED	EXISTING	PROPOSED
Minimum Lot Area	5,000 sf	5,000 s.f.	5,000 s.f.
Minimum Lot Width	50 feet	50 feet	50 feet
Minimum Lot Depth	50 feet	100 feet	100 feet
Minimum Front Setback	15 feet	±6 feet	15 feet
Minimum Rear Setback	20 feet	±2 feet	±16.5 feet (V)
Minimum Side Setback	5 feet	±4 feet	7.5 feet
Minimum Combined Side Setback	15 feet	±8.4 feet	15 feet
Maximum Lot Coverage by Building	40%	33.5%	±37.1%
Maximum Floor Area Ratio	90%	42.4%	83.7%*



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DESCRIPTION	REQUIRED	EXISTING	PROPOSED
Maximum Impervious Lot Coverage	65%	±41.6%	±57%
Maximum Building Height	3-story / 32 feet above FEMA Flood Elevation +2 feet of freeboard	2-story / <32 feet	3-story / 31.8 feet above FEMA Flood Elevation +2 feet of freeboard

(EC) – Existing Condition

(V) – Variance Required

* - Floor Area Ratio calculations exclude garages and foyers at ground level. Applicant to confirm area will be flood proofed.

The Applicant has requested variances and/or design waivers for the following with this application:

- a. **Section 200-67.B** – The permitted principle uses of land and buildings in the Residential Zone are detached single-family dwellings or public uses, whereas a two-family dwelling is proposed in the Residential Zone.

It appears that the following variances and/or design waivers are also necessary with this application:

- b. **Section 200-67.E(1)(b)[5]** – Nothing may project into the required setbacks, whereas two air conditioning platforms are proposed within the required rear yard setback area.

4. The Applicant has provided sufficient information in accordance with Ordinance Section 200-73.A.(10). Accordingly, we recommend that the application be deemed **complete** at this time and we estimate that the following fees are required:

- a. **Nonrefundable Application Fees:**

Ordinance Section

200-11B(2)	Request for Use Variance	\$520.00
200-11B(2)	Request for Hardship Variance	\$280.00
	Subtotal:	\$800.00



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b. **Professional Services Escrow Fees:**

Ordinance Section

200-11B(2)	Request for Use Variance	\$1,150.00
200-11B(2)	Request for Hardship Variance	\$690.00
	Subtotal:	\$1,840.00

We recommend the Borough collect \$800.00 in nonrefundable application fees and \$1,840.00 in professional services escrow fees from the Applicant prior to deeming the application complete.

5. The Applicant should be prepared to discuss the following issues with the Board:
- Reasons supporting the granting of required variances and/or design waivers and continuance of existing condition nonconformities.
 - Applicant should verify the site is actively/currently being used as a 3-family use.
 - Applicant should discuss the proposed use of the rooftop deck and the impacts that it may have to the surrounding neighborhood.
 - The property is located within an AE-8 FEMA Flood Zone. The Applicant should discuss compliance with regulations regarding same. In addition, the lowest proposed finish floor elevation (9.2 feet) for the mud room and bathroom does not appear to comply with Section 200.42.Q(2)(b)[1] regarding construction methods in the Coastal A zones (AE Zones). The lowest finished floor elevation should be elevated to provide the minimum required two (2) feet above the base flood elevation.

We note that the proposed building is approximately at maximum building height and any modifications to the finished floor elevations may increase the building height. The Applicant should verify that the any modifications to the proposed dwelling will comply with the maximum building height requirement and/or request variance relief.

- The stormwater management of the property, as well as any flood damage prevention measures should be reviewed with the Board. Applicant should specially discuss roof leaders, downspout locations, flood vent locations and the ground floor wall material.
- It appears that runoff in the rear yard will be directed to a low spot in the northerly corner of the property. The Applicant and/or Applicant's Engineer should clarify if proposed grading can be modified to direct surface runoff to the Brighton Avenue right-of-way.



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- g. Applicant should discuss location of the proposed electric meter and confirm air conditioning equipment will be elevated above the FEMA Base Flood Elevation per all applicable codes, including Section 200-67.E(1)(b)[5][a] which states the height of the platform shall not be greater than one foot higher than the height required for the minimum flood height requirement in the designated flood zone. In addition, the Applicant should clarify the proposed access to the electric meters. A separate landing and fixed stairs to provide access to the electric meters appears to be required. The Applicant shall confirm that separate access to the electric meters will be provided and will comply with all applicable requirements outlined in Section 200-67.E(1)(B)[9].
- h. Applicant should verify compliance with the applicable conditions outlined in Section 405 Article III Driveways, specifically Section 405-20 Curb Cut Specifications & Section 405-21 Drive Apron, Sidewalk, and Curb Construction Specifications.
- i. The pavement reconstruction detail indicates 3" bituminous stabilized base course, whereas 5" of hot-mix bituminous stabilized base course is required. Applicant will be required to comply with the conditions outlined in Section 405-12.C(2) regarding restoration of streets surfaced with bituminous concrete.
- j. Applicant should review the Elevation Certificate for the benefit of the Board.
- k. Applicant should confirm number of proposed bedrooms and two-family use and verify the proposed number of parking spaces comply with both RSIS and Borough requirements.
- l. The Applicant should discuss the extent of the proposed gravel ground cover shown in the rear yard of the property.
- m. The Applicant should clarify if the existing fences in the rear and side yards will be removed.
- n. 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.



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The right is reserved to present additional comments pending the receipt of revised Plans and/or 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 M. Rohmeyer, PE, CME, CFM
Planning Board Engineer

DMR/DEP/dol

cc: Sandra Martin – Board Secretary
Gregory Hock, Esq. – Planning Board Attorney
Gary Royer – Zoning Officer
Michael and Marisa Lupo – Applicant
Lynne A. Dunn, Esq. – Applicant's Attorney
Michele DiSalvo, RA – Applicant's Architect
Bruce A. Jacobs, PE – Applicant's Engineer