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March 10, 2022

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 Lots 20.01 & 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 for Funtown Boardwalk Construction, Lots 20.01 & 20.03, Block 97, Borough of Seaside Park, Ocean County, New Jersey, consisting of one (1) sheet, prepared by Owen, Little & Associates, Inc., dated February 28, 2022, unrevised;
- General Layout, Ocean County, New Jersey, Boardwalk Reconstruction / Expansion, consisting of one (1) sheet, prepared by Griffin Engineering, LLC, dated November 7, 2021, unrevised;
- Development Application; and
- Various other application items and submissions documents.

1. Project Description

The subject property is shown to contain 123,372 sf (2.8 acres) within a B Zone District and provides 25 feet of road frontage along North Ocean Avenue opposite the Stockton Avenue intersection. Said road frontage coincides with a 25-foot-wide restrictive easement from North 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.



Seaside Park Borough Planning Board
Re: Major Boardwalk Trust/Funtown Pier Amusement, Inc.
Amended Preliminary & Final Major Site Plan - Review #1

March 10, 2022
HSSP0097.04
Page 2

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.

The Applicant was previously 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.

Most recently, the Applicant was granted Amended Preliminary and Final Major Site Plan Approval per resolution dated April 27, 2021 to construct a 40-foot by 10-foot food trailer on removable mat, fourteen (14) locker sheds, 8.5-foot by 40-foot by 8-foot high restroom trailer, disclosure signs, relocation of existing 3,600 square foot playground area, and permission to sell snacks and non-alcoholic beverages from the existing tiki hut. Please note the Applicant has not obtained Resolution Compliance for the August 25, 2020 approval and/or the April 27, 2021 approval. The Applicant will need to discuss status of outstanding compliance items and intention to perfect said approval.

The Applicant has submitted a new Amended Site Plan application and is seeking approval for the following modifications from the previously approved plans:

- Construction of an additional 29,000 square foot boardwalk set an elevation of “16.0” with a 42” high aluminum railing along the easterly side and temporary wood ramps providing access to the existing boardwalk to the west.
- The previously approved walkway ramps on to the beach are proposed to be extended.
- Several previously approved accessory structures (e.g. outdoor shower and locker sheds) within the boardwalk area are proposed to be relocated on the new boardwalk. Proposed location is not depicted.
- The 12-foot by 12-foot canopied structures are proposed to be relocated approximately 10 feet to the east; a setback of approximately 120 feet is proposed to the easterly property line, whereas approximately 130 was previously proposed.



Seaside Park Borough Planning Board
Re: Major Boardwalk Trust/Funtown Pier Amusement, Inc.
Amended Preliminary & Final Major Site Plan - Review #1

March 10, 2022
HSSP0097.04
Page 3

Fourteen (14) of the structures are setback approximately 33 feet from the boardwalk and four (4) structures appear to be abutting the new boardwalk.

- The 25-foot by 50-foot tiki-hut is proposed to be setback approximately 72 feet from the easterly property line, whereas a setback of approximately 100 feet was previously proposed.
- The 10-foot by 40-foot food trailer on removable mats is proposed to be setback approximately 105 feet, whereas a setback of approximately 115 feet was previously proposed.

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	35 feet/2-story
Structure to Structure	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:



Seaside Park Borough Planning Board
Re: Major Boardwalk Trust/Funtown Pier Amusement, Inc.
Amended Preliminary & Final Major Site Plan - Review #1

March 10, 2022
HSSP0097.04
Page 4

- 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. Resolution of approval for application PB. 2020-08 indicates that a minimum of 15 feet shall be provided to the playground equipment. No playground equipment is depicted on the plan, Applicant shall confirm compliance with same.
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. The proposed uses of the property and boardwalk. Applicant should discuss vehicular access and confirm if motor vehicles will be present on the property for any purpose, including maintenance, parking, or entertainment.
 - c. 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. Applicant should specifically address impacts to refuse collection and recycling as a result of this development and discuss pedestrian circulation and beach club access.
 - d. An overview of the design of the proposed boardwalk structure and deck material. The plans appear to indicate a flat, reinforced concrete structure at elevation of “16.0”. Applicant should confirm vertical datum and discuss drainage. Applicant should confirm boardwalk meets ADA accessibility requirements.
 - e. Applicant should discuss pile layout and confirm number and location of proposed piles.
 - f. Inconsistencies in total boardwalk area exist throughout the application. Applicant should confirm area of proposed boardwalk structure.
 - g. A gap of approximately six (6) feet horizontally and one (1) foot vertically is proposed between the new boardwalk structure and the existing structure at the westerly property line. Applicant should discuss this gap, and specifically address purpose, use, maintenance, and safety.



Seaside Park Borough Planning Board
Re: Major Boardwalk Trust/Funtown Pier Amusement, Inc.
Amended Preliminary & Final Major Site Plan - Review #1

March 10, 2022
HSSP0097.04
Page 5

- h. Adequacy of the proposed descriptive/prohibited item signs, including size, height, ground clearance, and proposed locations should be reviewed with the Board. Locations and details of signs should be provided on the plans.
- i. All proposed temporary and permanent structures on the site, including tiki hut, food trailer, canopy structures, beach showers, locker sheds, ticket booths, playground, and any other structures. Applicant should confirm if any other amenities or temporary or permanent structures are proposed and discuss foundation, anchoring, and elevation of all structures.
- j. The Applicant should clarify the location of all the locker sheds, 14-foot by 20-foot shed, and ticket booths. All are proposed to be relocated but the new location for same is not depicted on the plan. It is noted that structures on the previously approved plan respected the previously existant dune and snow fence.
- k. Location of relocated beach shower units and discuss how showers will be drained.
- l. The existing playground is indicated to be relocated, however, playground is not shown on the proposed site plan.
- m. Any relocation of existing onsite fencing must be reviewed with the Board and indicated on the Site Plan.
- n. The Area of Disturbance tabulation should be updated to include the proposed site improvements; it appears that the boardwalk expansion within the 25-foot restrictive easement was not included in the tabulation.
- o. Applicant should discuss revegetation or restoration of any disturbed areas and confirm if dune plantings will be completed.
- p. The Applicant should provide an overview of the proposed boardwalk within the 25-foot restrictive easement area and discuss how development complies with the Storm Damage Reduction Easement prepared by Owen, Little & Associates.
- q. Applicant should discuss existing and proposed public access to the MHWL along with the specifics of the access easements encumbering the property.
- r. The application indicates development is not located adjacent to a County Road; however, North Ocean Avenue is under the jurisdiction of Ocean County at this location.
- s. Proposed improvements are depicted waterward of the dune in the 9-foot to 12-foot elevation range. The Applicant is to discuss means of anchoring or removal in the event of high tidal/storm conditions.



Seaside Park Borough Planning Board
Re: Major Boardwalk Trust/Funtown Pier Amusement, Inc.
Amended Preliminary & Final Major Site Plan - Review #1

March 10, 2022
HSSP0097.04
Page 6

- t. Applicant should provide additional details for the proposed speed railing along the northerly and easterly side of the boardwalk expansion. Additional details should be provided for the proposed temporary wood ramps.
- u. The Applicant should provide an overview of the proposed grading. It appears that significant grading modifications are proposed including but not limited to the removal of existing dune and reduced elevation of the dune area. The Applicant should confirm the proposed modifications will comply with all local, state, and federal regulations.
- v. Applicant should specifically address the proposed grading at the southern end of the boardwalk, noting the existing grades appear to differ between this plan and the previously submitted plan. Applicant should confirm if work is proposed on the adjacent Borough property known as Block 97, Lot 18.01, noting an emergency access route to the beach exists in close proximity to the work and slope between said emergency access route and proposed boardwalk appears to be steep (generally 1V:4H).
- w. It appears that the slope of the ramps accessing the boardwalk from the west may exceed 15% and may require design modifications to meet ADA slope requirement. The Applicant should confirm that the proposed ramps will comply with all ADA requirements and any revisions to plans shall be provided to our office for review / approval.
- x. Applicant should discuss the proposed ramps accessing the beach from the structure, including ADA accessibility, construction, material, and stabilization methods.
- y. Applicant should confirm how development complies with stormwater management requirements of NJAC 7:8 and Seaside Park Ordinance 200-56. Applicant should specifically address quantity, quality, recharge, and green infrastructure, discuss if the work would be classified as "major development", and confirm whether the site will be accessed by motor vehicles.
- z. 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.
- aa. Applicant should provide site photos and existing conditions plan, and confirm source of shown topography.

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



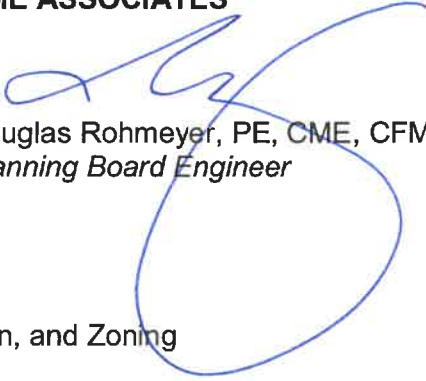
Seaside Park Borough Planning Board
Re: Major Boardwalk Trust/Funtown Pier Amusement, Inc.
Amended Preliminary & Final Major Site Plan - Review #1

March 10, 2022
HSSP0097.04
Page 7

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

DMR/DEP

cc: Sandra Martin – Board Secretary
Gregory Hock, Esq. – Planning Board Attorney
Gary Stocco – Supervisor of Code, Construction, and Zoning
Major Boardwalk Trust – Applicant
Owen, Little, and Associates, Inc. – Applicant's Engineer
Griffin Engineering, LLC – Applicant's Structural Engineer
Stephan R. Leone, Esq. – Applicant's Attorney