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September 13, 2021

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

**Re: Lombardi  
Bulk Variance – Review #1  
Block 38, Lot 6  
Location: 210 North Bayview Avenue  
Zone: R (Residential)  
Our File: HSSP0038.01**

Dear Planning Board Members:

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

- Survey entitled "Location Survey, Tax Lot 6, Block 38, as shown on the Seaside Park Tax Map Sheet #8, Tract Containing: 6,003 SF, Last Revised: December 1986, Street Address: #210 North Bayview Ave, Seaside Park, Ocean County, New Jersey" consisting of one (1) sheet, prepared by WSB Engineering Group, P.A., dated May 8, 2013, last revised June 12, 2015;
- As-Built entitled "Plan of Survey, Lot 6, Block 38, Borough of Seaside Park, Ocean County, New Jersey" consisting of one (1) sheet, prepared by Charles, O'Malley, PLS, dated August 6, 2021, unrevised;
- Sketch of Proposed Work, consisting of one (1) sheet, prepared by Kline Brothers, dated June 24, 2020, last revised, July 6, 2020;
- Submittal Letter, prepared by Lombardi and Lombardi, P.A., dated August 19, 2021;
- Advisory Notice, prepared by the Borough of Seaside Park Zoning & Code Enforcement Officer, dated July 14, 2021;
- Response Letter, prepared by Lombardi and Lombardi, P.A., dated July 19, 2021;
- A Development Application;
- Certified List of Property Owners within 200' of site;
- Copy of Ordinance Section 200-67;
- Site photos (3).

The applicant has requested the following items:

1. Appeal revocation of zoning approval by Code Enforcement Officer related to fountain and housing attached to inground swimming pool;

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2. Interpretation of Ord. 200-67©(2)(b) related to measurement of rear yard set back for inground swimming pool. “all setbacks shall be measured from the lot line to the edge of the water for inground pools”; and,
3. Alternatively, bulk variance permitting the housing of pool fountain to encroach rear yard setback; 4.2’ instead of 5.0’; a 10-inch variance.

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


1. Ordinance Section 206-67.C(2)(a) indicates *“For lots with a single-family dwelling, swimming pools, as an accessory use, shall be set back at least five feet from the rear lot line and twenty feet from the street right-of-way and not less than the required minimum side yard setback applicable to the single-family dwelling.”* In addition, per Ordinance Section 206-67.C(2)(b) *“All setbacks shall be measured from the lot line to the edge of the water for in-ground pools...”* It appears that the water from the pool will run through the pool fountain in order to function, which would ultimately require variance relief for the water surface within the five-foot rear yard setback. The Applicant should provide testimony relating to same.
2. The Applicant should clarify the reasons for modifying the location of the pool fountain and whether any attempt was made to inform the Borough office of this modification.

Please note this review only includes comments regarding Section 200-67.C relating to the pool fountain installed along the easterly side of the in-ground pool and does not include a full zoning review of any other sections of the Borough of Seaside Park Development Regulations.

We trust that this is all the information you require at this time. However, should you have any questions or require any additional information regarding the above, please feel free to contact this office.

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 F. and Jennifer M. Lombardi – Applicant  
Thomas W. Barlow, Esq. – Applicant’s Attorney  
Charles O’Malley, PLS – Applicant’s Surveyor