

HIGHWOOD
Development & Holdings

3 0 1

MAIN

Bradley Beach

Planning Board Application

Meeting Date | March 25, 2020

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BOROUGH OF BRADLEY BEACH
PLANNING BOARD

DEVELOPMENT APPLICATION

(To be filed with appropriate fee with administrative Officer-Borough Clerk)

Applicant's Name 301 Main Street Holdings LLC Phone No. 201-914-7094

Address P.O. Box 185, Glen Rock, NJ 07452

(If not owner set forth ownership interest: lessee, contract purchaser, etc. and attach copy of document showing same)

Present Owner:

Name 301 Main Street Holdings LLC Phone No. 201-914-7094

Address P.O. Box 185, Glen Rock, NJ 07452

Attorney representing applicant (Corporations must be represented by a NJ attorney)

Name Michael Bruno Phone No. 732-741-3900

Address 125 Half Mile Road, Suite 300, Red Bank, NJ 07701

FIRM Giordano Halleran & Ciesla

Licensed NJ Professional Engineer and/or Land Surveyor preparing plat; site plan, plot plan or survey (must attach seal thereto)

Name Jason Fichter, PE, PP, CFM, CME Phone No. 732-531-7100

Address 1955 Route 34, Suite 1A, Wall NJ 07719

FIRM InSite Engineering LLC

Application for (check appropriate):

Addenda attach (check appropriate):

Zoning Variance: Yes No

Addendum #1

Conditional Use: Yes No

Addendum #1

Site Plan:

Preliminary Yes No

Addendum#2

(AMENDED)

Final Yes No

SUBDIVISION:

Classification	Yes _____ No _____	Addendum#3 _____
Minor	Yes _____ No _____	Addendum#3 _____
Preliminary	Yes _____ No _____	Addendum#3 _____
Final	Yes _____ No _____	Addendum#3 _____

Fee Notice Requirements Sheet Attached with Fee Sheet

Location 301 Main Street
 (Street)
59 9.01 GBW (General Business West)
 (Block Numbers) (Lot Numbers) (Zone)

Existing Use As memorialized on Resolutions dated 8-27-15 & 2-22-18 (8) one bedroom units,
(22) two bedroom units & (1) retail unit.

Proposed Use (8) One Bedroom, (22) Two Bedroom, (1) Retail Mixed Use Building
 Unit Mix to remain as previously approved.

Permission requested to: Erect _____ Alter X Site Permission _____
 Use _____ Subdivide _____ Other _____

Descriptive explanation of request: Revised Building Massing and plans for Mixed Use Building. Unit Mix to remain as previously approved.

Tax and Assessment payment report indication of all taxes and/or assessment required to be paid attached to this application:

Yes _____ No X

Are any easements or special covenants by deed involved in this site?

Yes X No _____ (If yes, attach copy)

I CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE.

Sworn to and subscribed before me on
 This 10 day of March, 2020

Amira White #18# Mark Sanguozzi
 Notary Public State of New Jersey 2345739 Signature of Applicant

(Notarized stamp & seal)
AMIRA WHITE
 Notary Public
 State of New Jersey
 My Commission Expires Aug. 2, 2021
 STATE OF NEW JERSEY

AFFIDAVIT OF OWNERSHIP

New Jersey : ss.
 COUNTY Bergen :

Mark SANGIOZZI, of full age, being duly sworn according to
 the law on oath deposes and says, that deponent resides at
108 S Highwood Ave, in the (Borough) (City) (Town) (Township) of
Glen Rock, NJ in the County of Bergen and State of New Jersey

Amira White
 A Notary Public of New Jersey

AMIRA WHITE
 Notary Public
 State of New Jersey
 My Commission Expires Aug. 2, 2021
 I.D.# 2345739

ADDENDUM FOR ZONING VARIANCE

1. Size of lot affected _____.

2. Applicant owns adjoining property? Yes _____ No _____.

If answer to foregoing is yes, describe location and size _____
_____.

3. Size of proposed structure (s) _____.

4. Percentage of lot occupied by building _____.

5. Height of building _____ stories _____ feet _____.

6. Set back or proposed set back from property line _____.

7. Set back or proposed set back from rear property line _____.

8. Side line or proposed side line setback _____ left _____ right _____.

9. Has there been any previous appeal involving these premises? _____
If so, state character of appeal and date of disposition _____

10. The proposed building or use thereof is contrary to the Zoning Provisions of the Revised Ordinances in the following particulars (State Articles and Sections)

11. State reasons why this zoning variance should be granted.

12. If conditional use is required, detail conformance to requirements of zoning Provisions of the Revised Ordinances.

13. This appeal is based on (decision rendered) (order issued) by the Building Official dated _____, 20_____, and reading as follows:

14. Section of Revised Statutes upon which appeal is based.

ADDENDUM FOR SUBDIVISION APPROVAL

(A) SKETCH PLAT:

1. Area of entire tract _____(sq. ft.) Number of proposed lots_____.
2. Are all the lots conforming Yes____ No____, If not, indicate how many and their size:

3. Indicate: Intent to sell lots only:_____ Construct houses for sale:_____

Specify other development plans:_____

4. Location of nearest sanitary sewer:_____
5. Location of nearest public water supply:_____
6. Type of existing surface of street:_____
7. Does subdivision about or affect any County, State or Federal Highways, properties or facilities? If yes, describe:

8. Are new streets, extension of municipal facilities or utilities involved in subdivision?

9. Are any variances involved in this subdivision?_____
10. Are easements or special covenants by deed involved? Yes____(Attach copy) No____
11. Are drainage ditches, streams, other water courses involved in this subdivision?

12. Have all real estate taxes been paid as of this date?_____

(B) PRELIMINARY: In addition to the above information, following shall be provided:

1. List proposed improvements and utilities and intentions to install or post perform

IMPROVEMENT

INTENTION

_____	_____
_____	_____
_____	_____
_____	_____

2. Give any other information you desire to submit to the Board.

C. FINAL: In addition to the prior information, the following shall be provided:

1. Number of lots granted on preliminary approval____Number of lots requested for final _____
 2. Date preliminary approval granted:_____
 3. Are variances, easements or special covenants by deed involved in Subdivision?_____
 4. Has fee been submitted to the Municipal Attorney? Yes_____ No_____
 5. Have new book and lot numbers shown on final map been approved by the Tax Assessor? Yes_____ No_____
 6. List any changes between preliminary plat and final map. (Any change in intention of use should be indicated.)
-
-

7. Have all conditions of tentative approval of preliminary plat been complied with? If not, state conditions and when compliance will be met.

8. Have all required improvements been completed and so certified by the Borough Engineer? _____ If not, indicate below:

<u>IMPROVEMENT</u>	<u>COMPLETION DATE</u>	<u>BY WHOM</u>	<u>PERFORMANCE GUARANTEE</u>
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9. Estimated cost of installation as approved by Municipal Engineer \$_____

10. Amount of bond, check or other security:_____

11. Has agreement for construction of municipal improvements been signed?_____

Attach to Application Number:_____

NOTICE REQUIREMENTS

Corporations and partnership require representation by a New Jersey licensed attorney.

Notice is required on all development applications with the exception of Minor and Final Major Subdivisions.

The applicant must submit a written request to the Tax Assessor for a certified list of property owners located within 200 feet in all directions of the property subject to a hearing. This must be accompanied by a fee of \$10.00.

CONTENTS OF NOTICE:

- A. Date, time and place of hearing.
- B. Nature of matters to be considered.
- C. Identification of the property proposed for development by street address, block and lot numbers as shown on current tax duplicate.
- D. Location and times at which maps and documents for which approval is sought are to be available for public inspection.

AT LEAST TEN (10) DAYS PRIOR TO SCHEDULED HEARING:

- A. Publish notice in the Asbury Park Press.
- B. Notify by personal service or certified mail:
 - 1). All property owners within 200 feet.
 - 2). Clerk of adjoining municipality, if located within 200 feet.
 - 3). County Planning Board, if adjacent to existing or proposed County road, adjoining other County land, or situated within 200 feet of boundary.
 - 4). Commissioner of Transportation, if property is adjacent to State highway.
 - 5). Commissioner of the Department of Community Affairs, if development exceeds 150 acres or 500 dwelling units. (include copy of maps and documents required to be on file with secretary.

AFFIDAVITS for both Publication and Notice to Property Owners are required, and are to be submitted at least three (3) days prior to the scheduled hearing, accompanied by a copy of notice sent and list of property owners.

NOTE: The Municipal Agency will notify each applicant of their scheduled hearing date when the application is deemed complete.

NOTICE OF DECISION:

- A. Required on all development applications.
- B. Brief notice to be published in the Asbury Park Press, The Coaster, or the Coast Star
- C. To be arranged by the applicant.
- D. A copy of the affidavit of publication is to be submitted to the Board Secretary.

ADDENDUM FOR SITE PLAN APPROVAL

PRELIMINARY SIT PLAN:

Complete Numbers 1 through 3 only.

1. Have you read all of the site plan requirements? Yes x No _____
2. Have you complied with all the requirements? Yes _____ No x
3. If not, where does it differ and state reasons why you cannot comply.

Completeness waivers are sought for 50' topography overlap onto adjacent properties and for the Environmental Impact Statement requirement. Both completeness waivers were granted during the initial approval. The survey provides sufficient overlap onto adjacent properties to confirm drainage patterns. The site was previously fully developed with impervious surface, so no environmental impacts are anticipated.

Submission of Preliminary Plat for Site Plan Approval. A preliminary development proposal requiring site plan review.

Procedure for submission of preliminary plat.

- (1) A preliminary plat shall be submitted to the administrative officer at least three weeks prior to the regular meeting of the Planning Board. It shall be submitted in at least twelve (12) copies and shall be accompanied by three copies of the application forms for preliminary approval.
- (2) Upon receipt of the necessary material from the applicant, the administrative officer shall forward the copies to the secretary of the Planning Board . The applicant shall be responsible for supplying copies; of the plat to the County Planning Board, New Jersey Commissioner of Transportation and adjacent municipalities for those development applications requiring public notice and County Planning Board review as required in the Municipal Land Use Law.
- (3) All hearings held on applications for preliminary site plan approval shall require public notice of the hearing. The board shall set the date, time and place for the public hearing and shall inform the applicant of this at least 20 days prior to said hearing date. Notice of the hearing shall be given by the applicant at least ten (10) days prior to the date of the meeting.

NOTICE OF APPLICATION (N.J.S.A. 40:55D-12)

Application requirements; public notice of hearing shall be given for the following:
A REQUEST FOR SITE PLAN APPROVAL.

Responsibilities of the applicant:

- a. Notice of hearing requiring public notice as required above shall be given by the applicant at least ten days prior to the date of the hearing in accordance with N.J.S.A. 40:55D-11 et seq. The ten day requirement is exclusive of the date of publication and date of the hearing.
- b. Upon the written request of an applicant and the payment of a fee of ten (\$10.00) dollars, the Borough Clerk shall, within 7 days, make and certify a list from the current tax duplicates of names and addresses of owners within the Borough of Bradley Beach to whom the applicant is required to give notice. The applicant shall be entitles to rely upon the records and maps of documents for which approval is sought to be available for inspection.

Preliminary Plat Details. The preliminary plat shall be clear and legible or reproduced at a scale of not less than one inch equals 100 feet. Preliminary plats shall be drawn by a professional engineer or licensed land surveyor.

FINAL SITE PLAN: Complete numbers 4 and 5 only.

4. Does this differ in any way from preliminary approval? Yes _____ No x _____

5. If it does differ, please indicate where it differs and state the reasons thereof.

6. Anticipated starting and completion date: Q4 2020

7. Estimated cost of construction: \$100,000

Submission of Final Plat for Site Plan Approval. A final plat is required of all development proposals requiring site plan review.

Procedure for submission of final plat:

(1). A final plat shall be submitted to the administrative officer within three years after the date of the preliminary approval or extension. The final plat and all supporting drawings and documents shall be submitted at least three weeks prior to the regular Planning Board meeting.

(2). When applying to the board for final approval, the applicant shall carry out the following steps:

- (A) Incorporate all changes or modifications as required by the board in the approval of the preliminary plat.
- (B) Pay the required fee.
- (C) Submit to the administrative officer copies of the final plat and 3 copies of application for the final approval.
- (D) Submit three copies of the Deed and Dedication for all properties, including street right-of-way which is offered to the Borough for Dedication.

SITE PLAN DETAILS

(1) All details stipulated for preliminary approval shall be included.

(2) All additional details required at the time of preliminary approval shall be submitted.

(3) Detailed architectural and engineering data including:

- (A) An architect's rendering of each building or a typical building and sign, showing front, side and rear elevations.
- (B) Cross sections of streets, aisles, lands and driveways, which shall adhere to applicable requirements of said chapter.

(4) The final plat will be submitted by the secretary of the Board to the Borough Engineer for his review as to correctness, the expense which to be incurred by the applicants.

InSite Engineering, LLC

Amended Preliminary & Final Site Plans

Monteforte Architectural Studio LLC
Architectural Plans & Elevations

Prior Resolutions

2015-8-27_Planning Board Resolution

2018-2-22_Planning Board Resolution

APPLICANT: BRIELLE DEVELOPERS, LLC
ATTORNEY FOR APPLICANT: MICHAEL J. WENNING, ESQUIRE
APPLICATION NO. PB-B59-L9-12-01-15
BLOCK 59, LOT 9 - 12

PLANNING BOARD OF THE BOROUGH OF BRADLEY BEACH

**RESOLUTION OF THE PLANNING BOARD OF
THE BOROUGH OF BRADLEY BEACH, COUNTY
OF MONMOUTH AND STATE OF NEW JERSEY**

PRELIMINARY AND FINAL SITE PLAN APPROVAL WITH VARIANCE(S)

WHEREAS, BRIELLE DEVELOPERS, LLC, (hereinafter referred to as the "Applicant"), is the owner and/or contract purchaser of property known as Block 59, Lots 9-12, as shown on the Borough of Bradley Beach Municipal Tax Map, more commonly known as 301 Main Street and 704 1/2 Third Avenue, Bradley Beach, New Jersey; and

WHEREAS, the Applicant has appeared before the Borough of Bradley Beach Planning Board (hereinafter referred to as the "Board"), represented by Michael J. Wenning, Esquire, for Preliminary and Final Site Plan approval with bulk variances. The property in question is located on the northwest corner of Third Avenue and Main Street. The existing Lots 9, 10 and 11 contain a two and one-half story frame dwelling building, which is known as Giamano's Restaurant. The lots also include a parking area, concrete patio, dumpster area and bocce ball court. The existing Lot 12 contains two (2) residential dwellings with concrete and brick walkways, planters and shed.

WHEREAS, the Applicant plans to demolish all existing structures and amenities on all lots and proposes to construct a mix-use building on Lots 9, 10 and 11, with a proposed parking area on Lot 12. The original proposal was for a mix-use building consisting of a restaurant on the first floor with parking on the remainder of the first floor, and thirty-six (36) apartments consisting of twenty-one (21) one-bedroom apartments with study and fifteen (15) two-bedroom apartments; and

WHEREAS, the Applicant presented a revised plan which removed the restaurant and replaced it with a commercial use as permitted in the General Business West Zone and reduced the number of apartments to thirty-four (34) units, consisting of five (5) one-bedroom apartments with study and twenty-nine (29) two-bedroom apartments; and

WHEREAS, the Applicant further revised the plan wherein the commercial use remains but the number of apartments are reduced to thirty (30) consisting of eight (8) one-bedroom apartments with study and twenty-two (22) two-bedroom apartments; and

WHEREAS, the Applicant is in need of bulk variances for number of parking spaces (Section 450-39); the minimum lot width is less than the minimum required (Section 450-29.1.D.(1)(b)); parking and driveway requirements for townhouse or apartment uses (Section 450-41.B) as to maximum curb cut width for two-way traffic, excess number of two-way driveways and curb cuts per property, distance from property line to driveway, and required aisle widths proposed in a parking area; parking and driveway requirements for commercial, professional and business uses (Section 450-42.A) as to distance from property line to driveway and required aisle widths proposed in a parking area; where any commercial or industrial site abuts a residential use or zone, a landscaping buffer strip of 10 feet is required; lack of an off-street loading zone (Section 450-43.B), and height of building (Section 540:29.D(1)(g)) ; together with waivers as to Check List No. B.36 for existing and proposed grades and other topographic features of the property within a minimum distance of 50 feet beyond the property lines; Check List No. B.42 for percolation tests and soil logs where retention basin or groundwater recharge is proposed or required; and Check List No. D.11 for a statement of environmental improvement and assessment (SEIA); and

WHEREAS, notifications as required by the Statutes of the State of New Jersey, as well as the Borough of Bradley Beach pertaining to the public hearings on this matter have been satisfactorily perfected; and

WHEREAS, the Board did conduct public hearings on February 26, 2015, May 28, 2015 and July 16, 2015, to evaluate and consider the application as above set forth; and

WHEREAS, the Board did hear testimony of the Applicant, its expert witness and members of the general public, and considered the various exhibits, thereafter marked into evidence and introduced as follows:

A-1 Application of Brielle Developers, LLC, to demolish all existing structures/improvements on both properties and construct a new mixed-use four-story building with associated improvements, signed by Michael J. Wenning, Esquire, dated January 29, 2015.

A-2 Preliminary & Final Major Site Plan consisting of ten (10) sheets, prepared by Jason L. Fichter, P.E., of InSite Engineering, LLC, dated January 22, 2015, with no revisions. (signed, sealed).

A-3 Architectural plan consisting of four (4) sheets, prepared by Stephen J. Carlidge, AIA, of Shore Point Architecture, dated January 22, 2015, with no revisions. (signed, sealed).

A-4 Plan of survey and streetscape consisting of three (3) sheets, prepared by Frank R. DeSantis, P.L.S. of FDR Surveying, LLC, dated September 3, 2014, with no revisions.

A-5 Stormwater Management Report prepared by Jason L. Fichter, P.E. of InSite Engineering, LLC, dated January 21, 2015, with no revisions.

A-6 Affidavit of Publication of the Asbury Park Press, dated February 9, 2015.

A-7 Original certified mail receipts to property owners, dated February 13, 2015.

A-8 Copy of Notice to Property Owners, signed by Michael J. Wenning, Esquire.

A-9 Affidavit of Service to property owners, signed by Karen McWilliams and dated February 18, 2015.

A-10 Posterboard of architectural plans prepared by Stephen J. Carlidge, AIA, of Shore Point Architecture, P.A.

A-11 Posterboard of aerial photograph exhibit illustrating property in question and additional property to the west, prepared by Jason L. Fichter, P.E. of InSite Engineering, LLC, dated February 26, 2015, with no revisions.

A-12 8.5 X 11 sheet of color coded outline of apartments with area, elevations and dimensions noted.

A-13 Posterboard of rendering of site plan #3, illustrating landscaping, prepared by Jason L. Fichter, P.E. of InSite Engineering, LLC, dated February 26, 2015, with no revisions.

A-14 Preliminary and final major site plan consisting of ten (10) sheets, prepared by Jason L. Fichter, P.E., P.P., C.F.M. of InSite Engineering, LLC, with the latest revisions dated March 30, 2015.

A-15 Architectural plan consisting of four (4) sheets, prepared by Stephen J. Carlidge, AIA of Shore Point Architecture, P.A. dated January 22, 2015, with the latest revisions dated March 30, 2015.

A-16 Preliminary & final major site plan consisting of ten (10) sheets prepared by Jason L. Fichter, P.E., P.P., C.F.M. of InSite Engineering, LLC, dated January 22, 2015, with latest revision dated June 17, 2015.

A-17 Architectural plan consisting of four (4) sheets, prepared by Stephen J. Carlidge, AIA of Shore Point Architecture, P.A. dated January 22, 2015, with the latest revisions dated June 15, 2015.

A-18 Affidavit of Publication of Asbury Park Press, dated May 12, 2015.

A-19 Copy of Notice to Property Owners, signed by Michael J. Wenning, Esquire.

A-20 Original certified mail receipts, dated May 8, 2015.

A-21 Affidavit of Service signed by Karen McWilliams, dated May 18, 2015.

A-22 Exhibit illustrating ability of fire truck to reach the top of the proposed structure.

B-1 Letter of Gerald Freda, Avakian, Inc., Board Engineer, dated February 19, 2015.

B-2 Letter of Gerald Freda, Avakian, Inc., Board Engineer, Revised April 14, 2015.

B-3 Letter of Gerald Freda, Avakian, Inc., Board Engineer, dated June 29, 2015.

WHEREAS, based upon the testimony presented, the exhibits offered by the Applicant, its expert witness, and those appearing from the public, the following findings of fact and conclusion of law have been made by the Board, to wit:

1. The Applicant is the owner of property located on the northwest corner of Third Avenue and Main Street. The existing Lots 9, 10 and 11 contain a two and one-half story frame dwelling

building, which is known as Giamano's Restaurant. The lots also include a parking area, concrete patio, dumpster area and bocce ball court. The existing Lot 12 contains two (2) residential dwellings with concrete and brick walkways, planters and shed.

2. The Applicant plans to demolish all existing structures and amenities on all lots and proposes to construct a mixed-use building on Lots 9, 10 and 11 with proposed a proposed parking area on Lot 12.

3. The Applicant proposes to construct a mixed use four-story building with a commercial use as permitted in the General Business West Zone on the first floor, together with indoor and outdoor parking and with the second, third and fourth floors consisting of thirty (30) apartments comprised of eight (8) one-bedroom apartments with study and twenty-two (22) two-bedroom apartments

4. The Applicant revised the originally filed plans several times to provide for sufficient parking on-site for the residential, eliminate the need for a height variance and step the fourth floor back from the front of the building to reduce visual mass.

5. The Applicant has provided 58 total parking spaces beneath and adjacent to the building and based upon the number of bedrooms for the residential component of the project, there is a need for 59 parking spaces.

6. The Applicant presented a traffic engineer who opined that there is sufficient onsite parking to accommodate the residents and same will not increase the existing on-street parking problems in the area.

7. If RSIS parking requirements are rounded down, the Applicant will meet the parking requirement on site.

8. The final amended Site Plan reduced the number of units and the mix of one and two-bedroom units to coincide with parking requirements, which satisfies the ordinance, as well as many of the objectors to the prior proposals which required a greater parking variance.

9. The commercial use on the site is less than 1,000 square feet as opposed to the original proposal for a restaurant and bar, and that size commercial use does not require on-site parking.

10. There will be more on-street parking along Main Street, since the existing number of curb cuts is being reduced.

11. The minimum lot width required is 50 feet and the subject site has a preexisting width of 42.91 feet, which cannot be expanded, due to the development in the neighborhood.

12. The ordinance requires curb cuts to be a maximum of 26 feet wide for two-way traffic and the Applicant is proposing curb cuts with aprons of 29.1 feet wide and 34.05 feet wide on Third Avenue and 29 feet wide on Main Street.

13. Due to the configuration of the site and the approach from the street, the wider curb cuts will provide a safer ingress and egress for large vehicles and fire/rescue apparatus.

14. The ordinance provides for no more than one, two-way driveway and curb cut and the Applicant is proposing two, two-way driveways on one lot.

15. The additional driveway is needed for access to the street from the indoor and outdoor parking spaces on site, since there are areas in the parking lot which do not fully circulate the site.

16. The ordinance does not permit ingress or egress drives closer than 30 feet from a property line. The Applicant proposes distances of 28.6 feet and 14.59 feet.

17. The access points to the site are based on the location of the indoor and outdoor parking, as well as the layout of the interior of the site.

18. The aisles having direct access to parking stalls require a minimum width of 25 feet and the Applicant is proposing 24 feet, which is safe and adequate for the size and layout of the parking on this site.

19. The Applicant presented a traffic engineer who provided credible testimony that the placement of the driveways, the number of curb cuts, the width of the curb cuts, the aisle width and the number of parking spaces are all safe and adequate for this site and the proposed use.

20. The Applicant is not providing an off street loading zone and provided testimony that same is not necessary except when new tenants move in and there is adequate area in the outdoor parking section to provide for temporary loading and unloading.

21. Where the subject site abuts a residential use to the north, there will be a landscaping buffer of 1.46, whereas 10 feet is required.

22. The site is preexisting in its current configuration and the buffer will widen as the property goes back to the west. The Applicant is providing a fence to mitigate this deficiency.

23. Although the Applicant provided plans for a maximum building height of 47.92 feet, the same eliminated the architectural design of the corner of the building at Main Street and Third Avenue to have a pyramid type design to add interest to the building appearance.

24. The Board finds that the granting of a limited variance to permit the corner architectural enhancement with a height of 52 feet would provide a better look to the building, enhance the area and add an aesthetic feature to the benefit of the Borough of Bradley Beach and outweigh any detriment.

25. The Applicant presented a Professional Planner who opined that the proposed construction would be beneficial to the Borough of Bradley Beach and meet the intent of the requirements of the Master Plan and Zoning Ordinance.

26. The Professional Planner further provided proofs that the proposed construction would advance the purpose of the zoning plan, since it will maintain light, air and open space and create a desirable visual environment.

27. The Planner further proved that there will not be any negative impact on the zone plan if the application is approved, since it will eliminate some of the current nonconforming conditions, fit

well into the neighborhood development pattern as proposed by the most recent Master Plan and increase values of the surrounding properties.

28. Although many concerned citizens objected to the prior site plans and architectural proposals, most were satisfied with the revised plans which now comply with the parking requirement and reduced the look of the building to minimize its mass.

29. The Board did find that the proposed application would be a benefit to the area and be in conformance with the Master Plan, purposes of the Municipal Land Use Law and the zoning plan of the Borough of Bradley Beach.

30. On balance, with the conditions to be imposed, the benefits of granting the required variances outweigh any detriments and can be granted without substantial detriment to the adjacent property owners and without substantial impairment to the intent and purpose of the zoning plan and zoning ordinance.

WHEREAS, the Applicant is in need of a Design Waiver from Checklist No. B-36, which requires existing and proposed grades and other topographic features of the property with a minimum distance of 50 feet beyond the property lines; and the Applicant has provided credible testimony that the same is not necessary to the satisfaction of the Board's Engineer; and

WHEREAS, the Applicant is in need of a Design Waiver from Checklist No. B.42 for percolation tests and soil logs where retention basin or groundwater recharge is proposed or required; and the Applicant has provided credible testimony that the same can be provided as a condition of approval to support the stormwater report and will include dry-well locations in accordance with the suggestions of the Board Engineer; and

WHEREAS, the Applicant is in need of a Design Waiver from Checklist No. D-11, which requires a statement of environmental improvement and assessment (SEIA); and the Applicant has

provided credible testimony that the same is not necessary to the satisfaction of the Board's Engineer;
and

WHEREAS, in addition to the foregoing, the Board finds as follows:

1. The Board has jurisdiction to herein consider the application pursuant to N.J.S.A. 40:55D-1 et seq.

2. The Applicant has satisfied the notice requirements of the State and Municipal Ordinances, and, therefore, the Board has the authority and jurisdiction to consider the application.

3. The Applicant is the owner of the premises known as 301 Main Street and 704 1/2 Third Avenue, Block 59, Lots 9, 10, 11 and 12, as shown on the Tax Map of the Borough of Bradley Beach.

4. The Board has concluded that the proposed application would not adversely impact upon the Master Plan of the Borough of Bradley Beach and does promote the safety and welfare of the residents of the municipality and accordingly, has satisfied the requirements of obtaining any and all required variances as herein set forth.

5. The Board is further satisfied that the information and evidence submitted by the Applicant is sufficient to permit the Board to make a decision in this case and, as such, waives any additional formal requirements as contained in the Borough Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Borough of Bradley Beach Planning Board that the application for Preliminary and Final Site Plan to construct a four-story, mixed use with a commercial use as permitted in the General Business West Zone and thirty (30) apartments consisting of eight (8) one-bedroom apartments with study and twenty-two (22) two-bedroom apartments with parking on the first floor and rear of the site with bulk variances for 58 parking spaces, lot width of 42.91 feet, parking and driveway requirements for townhouse or apartment uses with curb cuts with aprons of 29.01 feet and 34.05 feet on Third Avenue and 29 feet on Main Street, 2, two-way driveways, driveways 28.6 feet and 14.59 feet from property lines, aisle widths in a parking area of 24

feet; parking and driveway requirements for commercial, professional and business uses with distance from property line to driveway of 28.6 feet and 14.59 feet aisle widths of 24 feet in a parking area; a 1.46 feet set back from the property line with less than a 10 foot landscaped buffer abutting a residential use or zone; no off-street loading zone, and a limited height variance of 52 feet solely for the pyramid type architectural enhancement at the corner of Main Street and Third Avenue; and Design Waivers as to Checklist Nos. B.36, B.42 and D.11, as to Block 59, Lots 9, 10, 11 and 12, is hereby *granted* subject to the following:

1. Applicant to comply with the Planning Board Engineer's report dated February 19, 2015, April 14, 2015 and June 29, 2015.
2. Applicant to provide underground stormwater system to mitigate roof flow and provide percolation tests and soil logs to support the stormwater report with all stormwater management, subject to the review and approval of the Board Engineer, including the placement of dry-wells where suggested.
3. The within approval is conditioned upon the Applicant being granted a vacation of the unnamed alley between Lots 9, 10 and 11 and Lot 12, and providing the Borough of Bradley Beach a satisfactory easement across the new consolidated lot to permit traffic to flow in both a northerly and a southerly direction between Third Avenue, and the balance on the unnamed alley once vacated.
4. Applicant to relocate dumpster away from the property line and landscape same to the satisfaction of the Board Engineer.
5. The Applicant shall be permitted to use the commercial space as a rental office for the apartments until the building is 85% rented.
6. Upon vacation of the unnamed alley aforesaid, Applicant shall consolidate all lots into a single lot to be designated by Tax Assessor.

7. Applicant to add two lights along the street frontage, as well as landscaping as directed by the Board Engineer, in conjunction with NJDOT approval.
8. Applicant to provide striping or other markings satisfactory to Board Engineer in front of trash/electric/mechanical room, entry/exit door near sprinkler, and stairway B, to deter parking in front of same.
9. All courtyard lighting to be subject to the review and approval of Board Engineer.
10. Applicant to provide "wallpack" type lighting along the building on Third Avenue, subject to the review and approval of the Board Engineer.
11. Applicant to provide signage in the rear open parking area, to indicate Parking for Residents and their Guests Only.
12. Unnamed alley, when vacated, shall remain open at all times as per easement aforesaid and Applicant shall notify the Bradley Beach Police Department, First Aid, Fire Department and residents as to time, date and duration of any closure for construction purposes only.
13. Subject to New Jersey Department of Community Affairs approval, if required.
14. Applicant shall finish the facade of the building with lighter shades on the brick area and siding to be a lighter cream-like color.
15. Applicant to amend plans to incorporate all of the above conditions, subject to final Board Engineer approval.
16. The Applicant shall cause notice of the decision to be published on one occasion in the official newspaper of the Borough of Bradley Beach, and return proof of publication to the administrative office of the Planning Board.
17. The Applicant shall pay any application fees and taxes, which may be due to the Board or the municipality.

MEMORIALIZATION DATE: August 27, 2015

MOVED BY: CHAIRMAN PSIUK

SECONDED BY: VICE CHAIRMAN ALBANIR

ROLL CALL VOTE

Those in Favor: CHAIRMAN PSIUK, VICE CHAIRMAN ALBANIR, MR. ENGELSTAD, MR.

KAPLAN, MR. WEBER, MR. ROSENTHAL, MR. JUNG, MR. GUBITOSI

Those Against: NONE RECORDED

Those Absent: MR. GOLDFARB

Those Abstaining:

Those Ineligible:

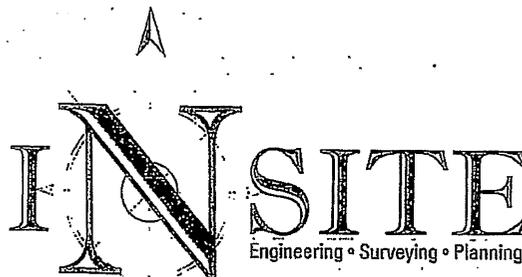
The foregoing is a true copy of the Resolution adopted by the Planning Board of the Borough of Bradley Beach at its meeting of August 27, 2015, and copied from the Minutes of said meeting.



WILLIAM PSIUK, Chairman
Bradley Beach Planning Board

Prepared by:
MARK A. STEINBERG, ESQUIRE
2300 State Highway 66
Neptune, NJ 07753-0925
(732) 774-5665

Keith, Winters & Wenning, LLC
Attn: Michael Wenning, Esq.
Main Street & LaReine Avenue
PO Box 188
Bradley Beach, NJ 07720



via email: mwenning@kwlawfirm.com

July 23, 2015

Subject: **Proposed Mixed-Use Building Site
Right-Of-Way (ROW) Vacation Request**
301 Main Street; Block 59, Lots 9 - 11
Borough of Bradley Beach, Monmouth County, New Jersey

Mr. Wenning:

Per your request, we are sending this letter to describe the background of this project and the applicant's request to vacate a portion of a Borough ROW. The ROW in question is a portion of the unnamed alley in Block 59.

THE PROPERTY

The applicant's property is Block 59, Lots 9 through 12 as shown on the Borough's Tax Map #11 (attached for reference). The lots are commonly known as 301 Main Street (Lots 9 - 11) and 704½ Third Avenue (Lot 12). Giamano's Ristorante occupies 301 Main Street, and a residential home occupies 704½ Third Avenue.

BACKGROUND

The applicant submitted an application to the Borough's Planning Board to raze all existing improvements and construct a single building. The building will contain commercial space and parking on the ground level, and three stories with 30 residential units above.

The proposed development is the Borough's first significant application for a project following the Borough's new General Business West (GBW) zone. The GBW zone was created as a result of recommendations in the Borough's July 24, 2014, Master Plan Re-Examination (MPR). The MPR recommends: *"that the western portion of Main Street be rezoned to allow four (4) story buildings, with a maximum height of 48', in order to accommodate mixed use structures provided that the ground floor is utilized for parking"*.

Subsequent to the MPR, the Planning Board considered its recommendations and ultimately created the GBW zone, making it a part of the Borough's ordinance. This application meets the goals and objectives of the GBW zone, as evidenced by the Planning Board's approval last week. (The applicant appeared before the Borough's Planning Board on three separate occasions this year, the most recent of which was last week, on July 16th. During the most recent hearing, the Planning Board voted 8-0 in favor of the application.)

InSite Engineering, LLC

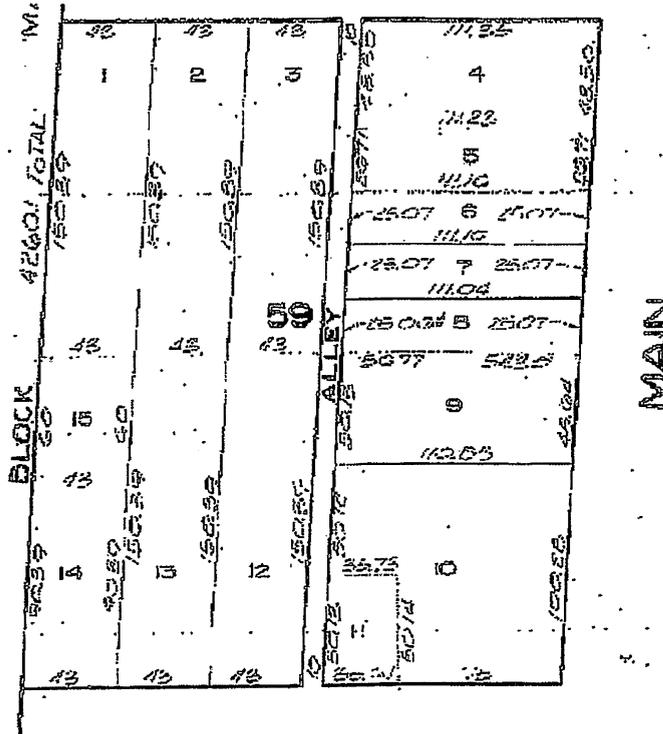
1913 Atlantic Avenue, Suite F4 • Wall, NJ 08736

732-531-7100 (ph) • 732-531-7344 (fx) • InSite@InSiteEng.net • www.InSiteEng.net

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UNNAMED ALLEY

We call your attention to the 10-foot wide unnamed alley, which runs in a north→south direction and thereby dividing the block. Coincidentally, the alley runs through the applicant's properties. Below is a portion of Tax Map #11, showing Block 59, for ease of reference:



We understand the purpose of the alley is to provide general and emergency access. According to the Borough's tax map #11 (see above image from the tax map), each of the properties that front the alley have access from either Main Street, Third Avenue, or Fourth Avenue. In other words, without the alley, none of its adjacent properties will become landlocked. The alley's ROW is 10-foot wide. At the northern limit of the alley within the applicant's property, the pavement is approximately 6-foot wide. Vehicular access is therefore minimal, but it has existed for many years.

In any case, the proposed development was designed with the assumption that the Borough's preference is to maintain public access through the block.

REQUEST TO VACATE THE RIGHT-OF-WAY AND PROVIDE EASEMENT

The applicant respectfully requests the portion of the unnamed alley ROW (i.e. the portion along the applicant's properties) be vacated and dedicated to the adjacent lots (both of which are owned, or will be owned, by the applicant). The proposed development provides ample space for continued public access through the lot, a portion of which will continue over the applicant's property.

We further note that the access provided through the applicant's property is far more accommodating to vehicular traffic than the existing pavement within the alley. We are proposing to increase the width of pavement from approximately 6-feet to 24-feet. Pavement at 24-feet wide is typical for two-way vehicular travel.

During the public Planning Board hearings, the Board expressed concern about the slight "jog" in the public access through the applicant's lot. In response to this question, we presented an exhibit at a subsequent hearing showing safe and adequate access for a single unit truck (SU-30). This is the typical design vehicle, which commonly represents fire trucks, ambulances, FedEx/UPS trucks, garbage trucks, and the like. The exhibit is attached for ease of reference.

As shown on the attached plan, the applicant proposes a public access easement in perpetuity to maintain public access through the lot. If the Borough is inclined to vacate the ROW, the applicant will establish the easement.

A full copy of the site plan approved by the Planning Board is attached for ease of reference.

CONDITION OF PLANNING BOARD APPROVAL

The Planning Board's approval of this project is conditioned upon the Borough vacating the applicant's portion of the 10-foot wide unnamed alley ROW. If the Borough agrees to vacate the ROW, the Planning Board will then require a copy of the ROW vacation ordinance and the deed of easement for their review and files. Upon the Planning Board's receipt and approval of these documents, they will sign the site plan indicating their final approval of the project. Assuming all outside approvals are in place at this point, the applicant will then be able to submit for construction permits and begin construction of the site.

InSite Engineering, LLC

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ATTACHED DOCUMENTS AND CLOSING

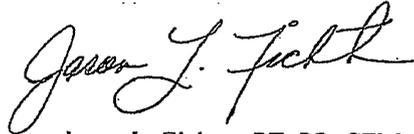
In accordance with the above, attached please find:

- Borough tax map #11;
- "Fire Truck Exhibit", dated 5/28/2015, totaling one (1) sheet, as prepared by this office;
- "Easement Exhibit", dated 7/23/2015, totaling one (1) sheet, as prepared by this office;
and
- One (1) copy of plan titled "Preliminary & Final Major Site Plan" dated 1/22/15, with the latest revision (R3) dated 6/17/15.

Thank you for your assistance with this ROW vacation request to the Borough. Please also extend my appreciation to the Borough's representatives for their kind consideration of the applicant's request.

If you or the Borough have any questions, please feel free to contact me anytime.

Sincerely,
InSite Engineering, LLC



Jason L. Fichter, PE, PP, CFM

11-674-01

cc: Bruce Wilt
Brielle Developers, LLC
Steve Carlidge
Shore Point Architects, PA
Steffan Manno
19 Washington Avenue, Avon-By-The-Sea, NJ 07719

(Via Email)

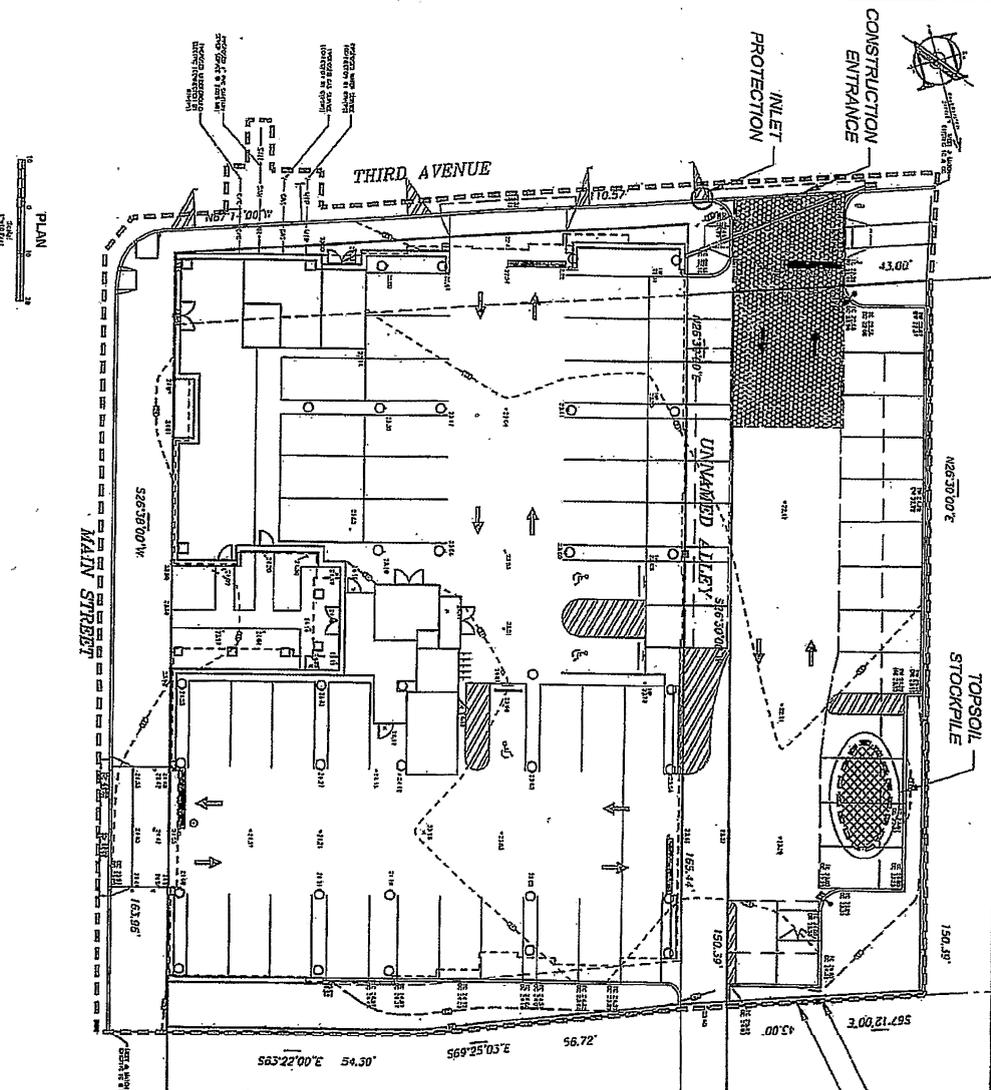
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(Via Email)

InSite Engineering, LLC

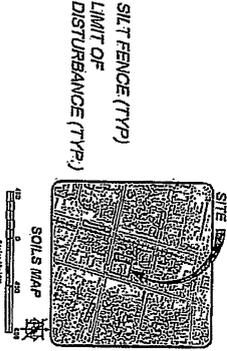
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THIS SHEET TO BE UTILIZED FOR SOIL EROSION AND SEDIMENT CONTROL PURPOSES ONLY.



NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	11/15/10	JAN
2	REVISED PLAN	11/15/10	JAN
3	REVISED PLAN	11/15/10	JAN
4	REVISED PLAN	11/15/10	JAN
5	REVISED PLAN	11/15/10	JAN
6	REVISED PLAN	11/15/10	JAN
7	REVISED PLAN	11/15/10	JAN
8	REVISED PLAN	11/15/10	JAN
9	REVISED PLAN	11/15/10	JAN
10	REVISED PLAN	11/15/10	JAN

REFER TO SHEET 10 OF 10 FOR SOIL EROSION & SEDIMENT CONTROL NOTES AND DETAILS



PROPOSED MIXED-USER BUILDING

DESIGNER: [Firm Name]

DATE: [Date]

PROJECT: [Project Name]

SCALE: [Scale]

REVISIONS:

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	11/15/10	JAN
2	REVISED PLAN	11/15/10	JAN
3	REVISED PLAN	11/15/10	JAN
4	REVISED PLAN	11/15/10	JAN
5	REVISED PLAN	11/15/10	JAN
6	REVISED PLAN	11/15/10	JAN
7	REVISED PLAN	11/15/10	JAN
8	REVISED PLAN	11/15/10	JAN
9	REVISED PLAN	11/15/10	JAN
10	REVISED PLAN	11/15/10	JAN

SOIL EROSION & SEDIMENT CONTROL PLAN

9 OF 10

PROPOSED MIXED-USE BUILDING

SECTION THROUGH SOIL STORCHLE (MPS)

SILT FENCE

TEMPORARY TREE PRESERVATION FENCINGS

STABILIZED CONSTRUCTION ENTRANCE

TREE ROOT PROTECTION

TREE PROTECTION FILL AREAS

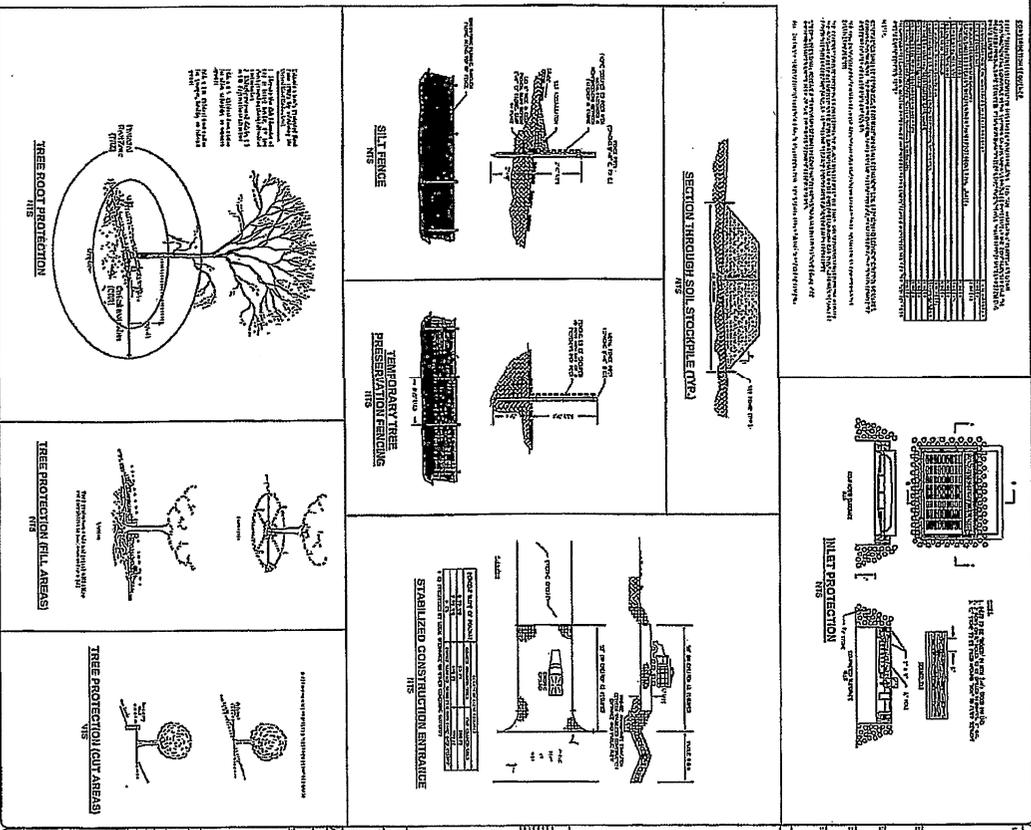
TREE PROTECTION CUT AREAS

REVISIONS

PRELIMINARY & FINAL MAJOR SITE PLAN

SSSO NOTES & DETAILS

10 OF 10

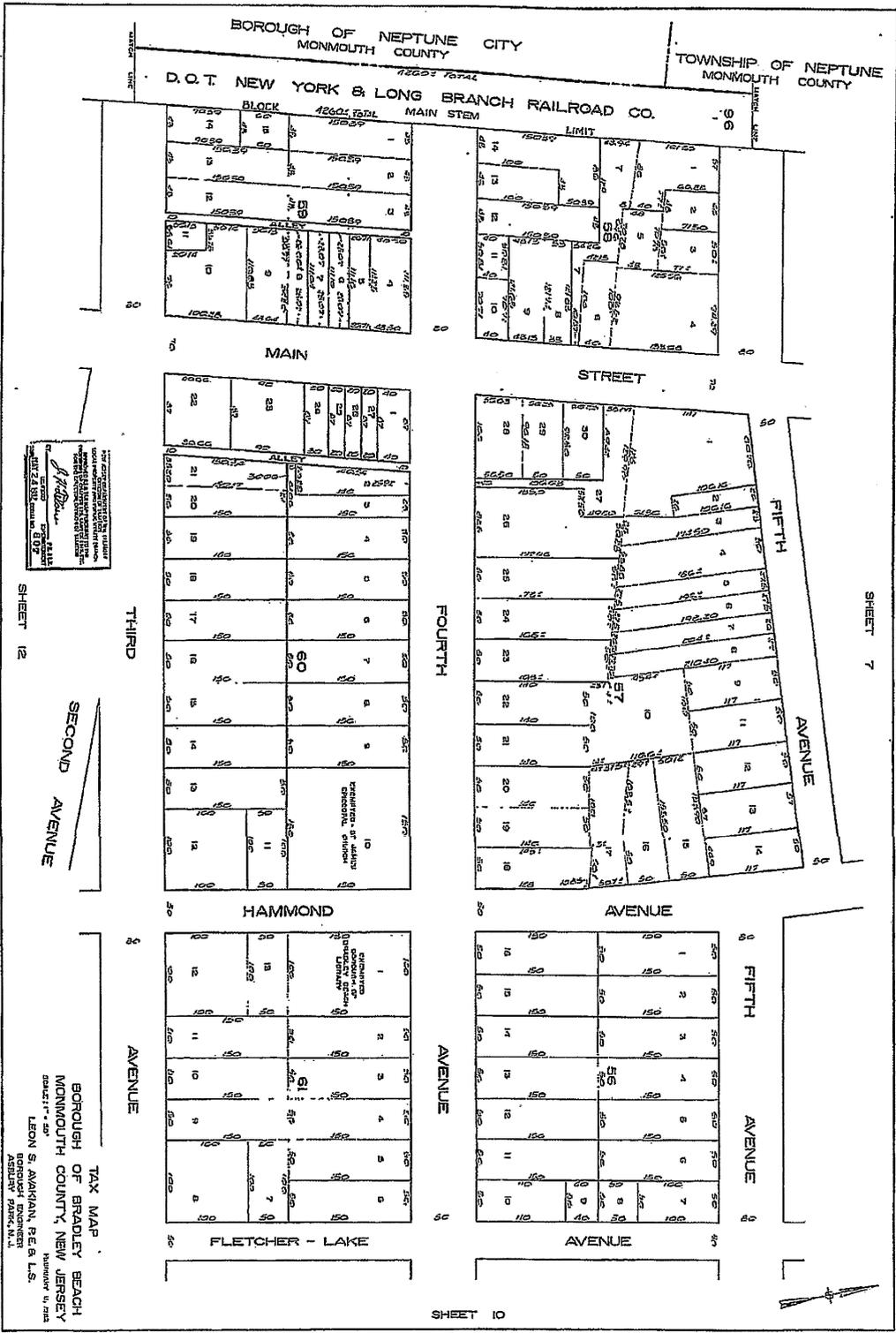


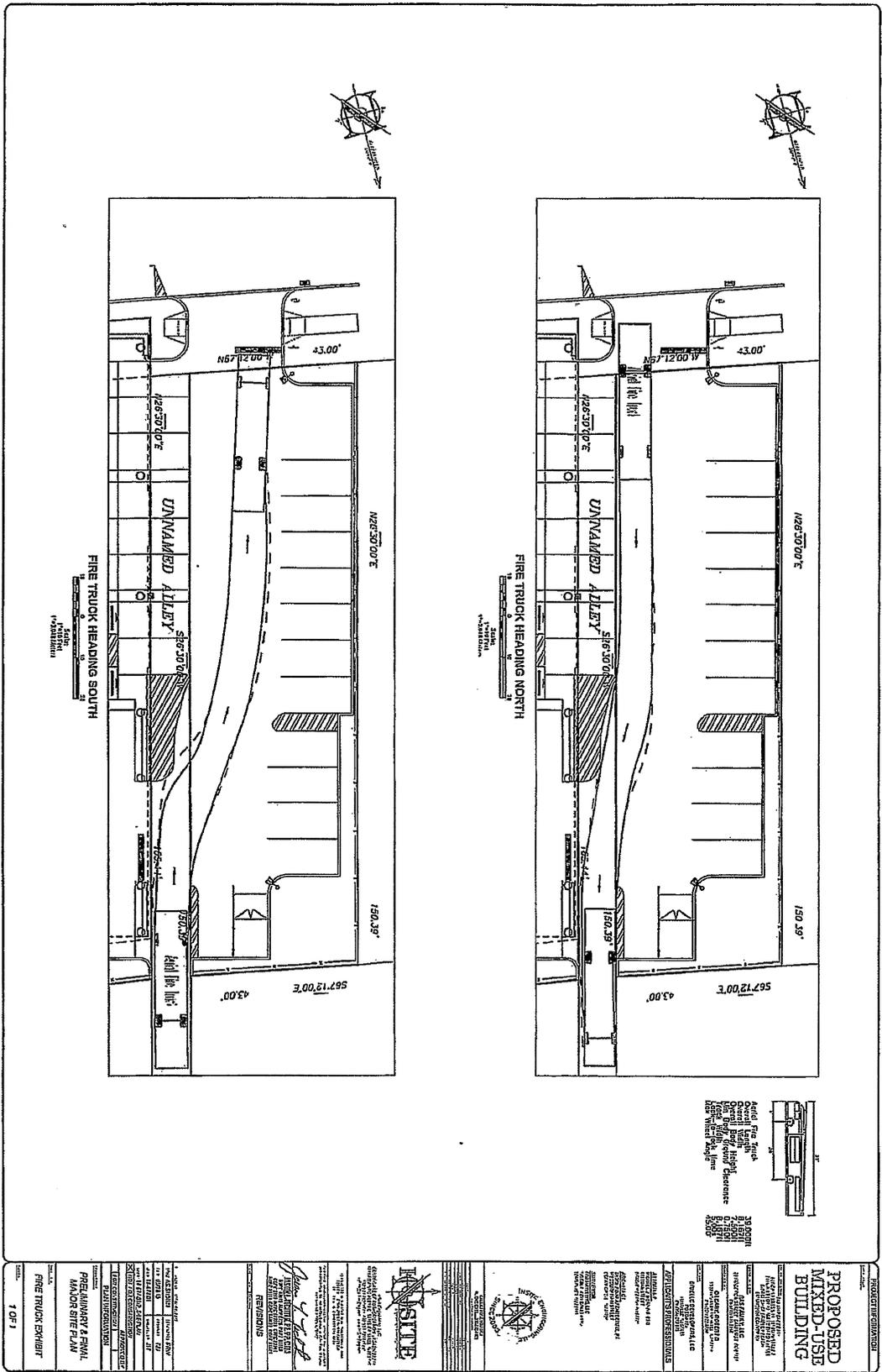
REVISIONS

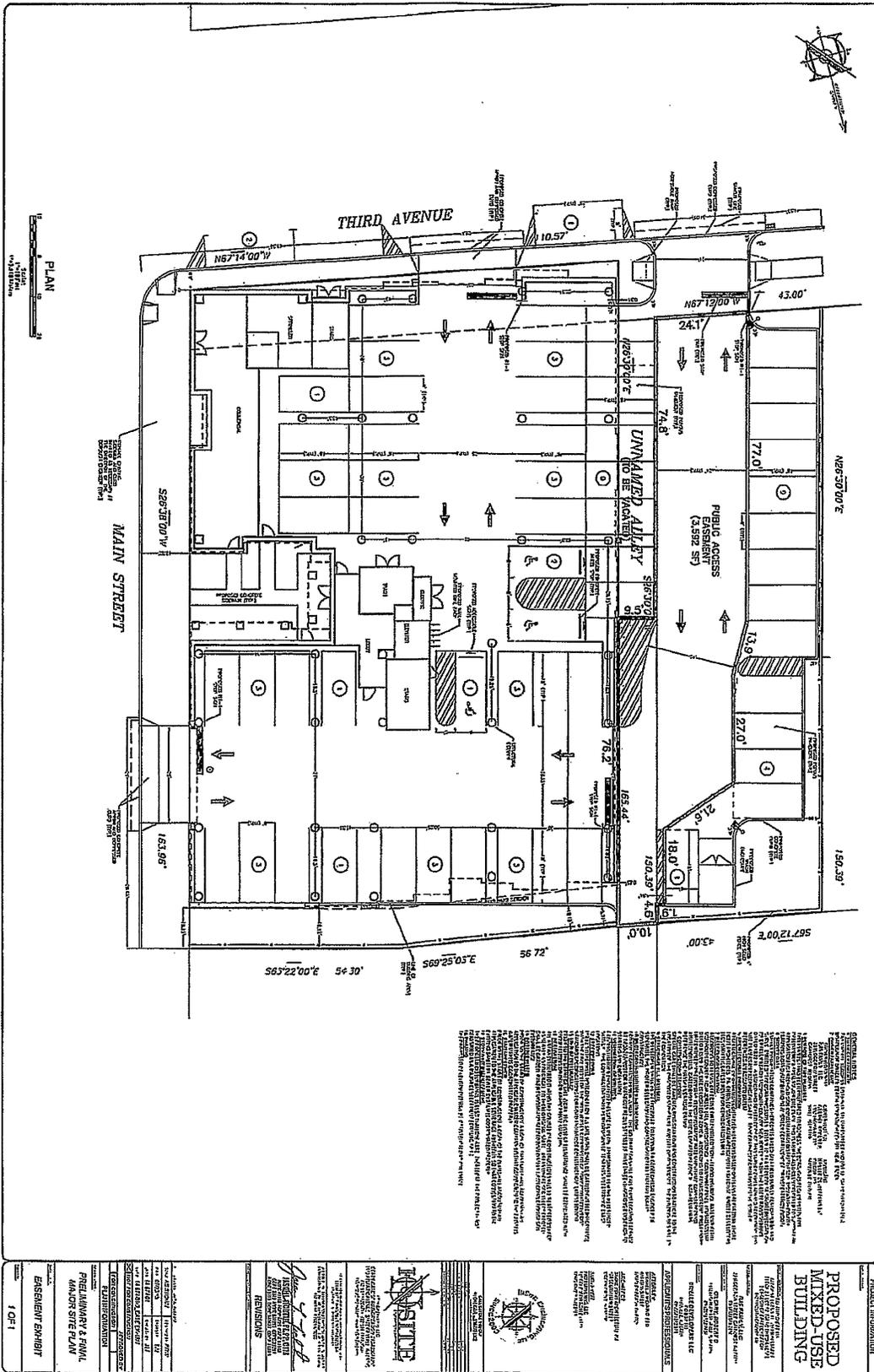
PRELIMINARY & FINAL MAJOR SITE PLAN

SSSO NOTES & DETAILS

10 OF 10







PLAN
 1/8" = 1'-0"
 1/4" = 1'-0"

THIRD AVENUE

MAIN STREET

UNNAMED ALLEY
 (TO BE VACATED)

PUBLIC ACCESS
 (3,592 SF)

PROPOSED MIXED-USE BUILDING

BRISSENBACH SHARIT
 ARCHITECTS

1 Oct 1

REVISIONS

DATE: 10/1/11

BY: [Signature]

DESCRIPTION: [Text]

PROJECT INFORMATION

PROJECT NO.: [Text]

CLIENT: [Text]

LOCATION: [Text]

DATE: [Text]

SCALE: [Text]

PROJECT NO. 11-000000-000

DATE: 10/1/11

BY: [Signature]

DESCRIPTION: [Text]

PROJECT INFORMATION

PROJECT NO.: [Text]

CLIENT: [Text]

LOCATION: [Text]

DATE: [Text]

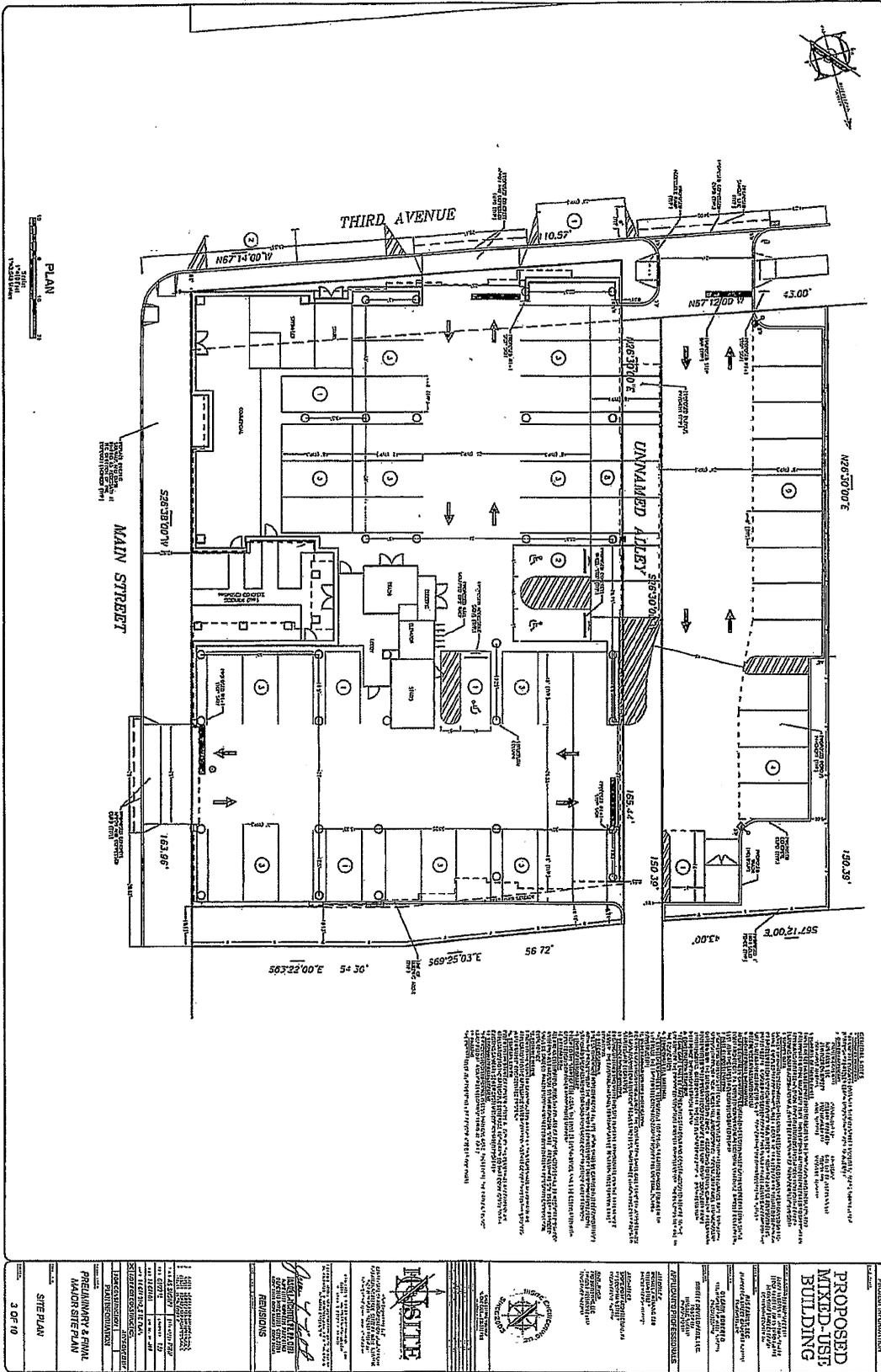
SCALE: [Text]

PROJECT NO. 11-000000-000

DATE: 10/1/11

BY: [Signature]

DESCRIPTION: [Text]



GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
 2. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
 3. THE PROPOSED BUILDING SHALL BE CONSTRUCTED ON A GRADE OF 100.00' AS SHOWN ON THIS PLAN.
 4. THE PROPOSED BUILDING SHALL BE CONSTRUCTED ON A LOT OF 10,000 SQ. FT. AS SHOWN ON THIS PLAN.
 5. THE PROPOSED BUILDING SHALL BE CONSTRUCTED ON A LOT OF 10,000 SQ. FT. AS SHOWN ON THIS PLAN.
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PROPOSED MIXED-USE BUILDING PRELIMINARY & FINAL MAJOR SITE PLAN 3 OF 10		
REVISIONS NO. DESCRIPTION 1. 10.00.00 2. 10.00.00 3. 10.00.00		SCALE 1" = 10'-0"
DATE 10/10/2010		PROJECT NO. 10000
CLIENT ABC COMPANY		ARCHITECT DEF ARCHITECTS
ENGINEER GHI ENGINEERS		DATE 10/10/2010

<p>PROPOSED PAVEMENT WITH RECHARGE BED A1 (1.197 SP)</p> <table border="1"> <thead> <tr> <th>ITEM NO.</th> <th>DESCRIPTION</th> <th>QUANTITY</th> <th>UNIT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1.5\"/> </td></tr></tbody> </table>	ITEM NO.	DESCRIPTION	QUANTITY	UNIT	1	1.5\"/>	<p>PROPOSED PAVEMENT WITH RECHARGE BED A2 (224 SP)</p> <table border="1"> <thead> <tr> <th>ITEM NO.</th> <th>DESCRIPTION</th> <th>QUANTITY</th> <th>UNIT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1.5\"/> </td></tr></tbody> </table>	ITEM NO.	DESCRIPTION	QUANTITY	UNIT	1	1.5\"/>	<p>PROPOSED PAVEMENT WITH RECHARGE BED A3 (411 SP)</p> <table border="1"> <thead> <tr> <th>ITEM NO.</th> <th>DESCRIPTION</th> <th>QUANTITY</th> <th>UNIT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1.5\"/> </td></tr></tbody> </table>	ITEM NO.	DESCRIPTION	QUANTITY	UNIT	1	1.5\"/>	<p>UTILITY TRENCH & PAVEMENT REPAIR MS</p> <p>1. 12\"/> </p>	<p>WATER SERVICE CONNECTION WITH FORD METER PIT MS</p>	<p>TYPE B INLET MS</p> <p>SANITARY LATERAL CONNECTION WITH CLEANOUT - SEWER DEPTH 6' OR LESS MS</p>	<p>PROPOSED IMPROVEMENT</p> <p>PROPOSED MIXED-USE BUILDING</p> <p>PROPOSED SITE PLAN</p> <p>PROPOSED CONSTRUCTION DETAILS</p> <p>PROPOSED PRELIMINARY & FINAL MAJOR SITE PLAN</p> <p>PROPOSED CONSTRUCTION DETAILS</p> <p>PROPOSED 8 OF 10</p>
ITEM NO.	DESCRIPTION	QUANTITY	UNIT																					
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APPLICANT: BRIELLE DEVELOPERS, LLC
ATTORNEY FOR APPLICANT: MICHAEL J. WENNING, ESQUIRE
APPLICATION NO. PB-B59-L9-12-01-15
BLOCK 59, LOT 9.01

PLANNING BOARD OF THE BOROUGH OF BRADLEY BEACH

**RESOLUTION OF THE PLANNING BOARD OF
THE BOROUGH OF BRADLEY BEACH, COUNTY
OF MONMOUTH AND STATE OF NEW JERSEY**

AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL

WHEREAS, BRIELLE DEVELOPERS, LLC, (hereinafter referred to as the "Applicant"), is the Applicant for property owned by 3rd & Main Associates, LLC, known as Block 59, Lot 9.01, as shown on the Borough of Bradley Beach Municipal Tax Map, more commonly known as 301 Main Street and 704 1/2 Third Avenue, Bradley Beach, New Jersey; and

WHEREAS, the Applicant has appeared before the Borough of Bradley Beach Planning Board (hereinafter referred to as the "Board"), represented by Michael J. Wenning, Esquire, for Amended Preliminary and Final Site Plan approval with all bulk variances, as previously approved. The property in question is located on the northwest corner of Third Avenue and Main Street.

WHEREAS, the Applicant was granted Preliminary and Final Site Plan approval by this Board on July 16, 2015, as memorialized by Resolution dated August 27, 2015. Said approval was for a four story mixed use building consisting of a commercial use, thirty (30) apartments consisting of twenty-two (22) two-bedroom units and eight (8) one-bedroom units. The Applicant was also granted variances for 58 parking spaces, lot width, curb cut widths for two apartment access uses, number of two-way driveways, driveway distance from property line for apartment use, aisle widths in parking area for apartments, driveway distance from property line for commercial uses, aisle width in parking area for commercial use, landscaping buffer abutting a residential use and no off-street loading zone, together with waivers for existing and proposed grades and other topographic features of the property

within a minimum distance of 50 feet beyond the property line, percolation test and soil logs, and statement of environmental improvement and assessment; and .

WHEREAS, the Applicant has demolished all existing structures on the site, and has amended the site plan for facade and roof alterations, parking layout, location/size and layout of retail space, sprinkler room, electrical room and trash room and size and layout of lobby area, as well as slight changes to the building footprint, location of interior stairs, balcony locations and size, and relocation of storage units and manager's rooms; and

WHEREAS, the Applicant presented a revised plan for the changes but has retained the commercial space at less than 1,000 square feet and the number of apartments as originally approved at thirty (30), consisting of eight (8) one-bedroom apartments and twenty-two (22) two-bedroom apartments; and

WHEREAS, the Applicant has not created the need for any additional bulk variances other than those granted as part of the Preliminary and Final Site Plan approval, but has improved the structural integrity of the original design, which has also allowed for a better parking layout and less mass on the fourth floor from the Main Street facade, among other improvements; and

WHEREAS, notifications as required by the Statutes of the State of New Jersey, as well as the Borough of Bradley Beach pertaining to the public hearings on this matter, have been satisfactorily perfected; and

WHEREAS, the Board did conduct a public hearing on January 25, 2018, to evaluate and consider the application as above set forth; and

WHEREAS, the Board did hear testimony of the Applicant, its expert witness and members of the general public, and considered the various exhibits, thereafter marked into evidence and introduced as follows:

A-1 Amended Preliminary & Final Major Site Plan, consisting of ten (10) sheets, prepared by Jason L. Fichter, P.E., of InSite Engineering, LLC, dated October 19, 2017, with no revisions.

A-2 Stormwater Management Report prepared by Jason L. Fichter, P.E., of InSite Engineering, LLC, dated August 16, 2016, with no revisions.

A-3 Color rendering of site plan from Amended Preliminary & Final Major Site Plan, consisting of ten (10) sheets, prepared by Jason L. Fichter, P.E., of InSite Engineering, LLC, dated October 19, 2017.

A-4 Color rendering of site plan from Preliminary & Final Major Site Plan, consisting of ten (10) sheets, prepared by Jason L. Fichter, P.E., of InSite Engineering, LLC, dated June 17, 2015.

A-5 Architectural Plans prepared by Harrison F. Bink, R.A, of Bink Architects, consisting of five (5) sheets, dated May 24, 2017 and June 16, 2017.

A-6 Amended Architectural Plans prepared by Harrison F. Bink, R.A, of Brink Architects, consisting of three (3) sheets as revised, dated June 16, 2017, with no revisions.

A-7 2015 Architectural Rendering from Architectural Plans prepared by Stephen J. Carlidge, AIA, of Shore Point Architecture, dated January 22, 2015, with no revisions.

A-8 2017 Architectural Rendering from Amended Architectural Plans prepared by Harrison F. Bink, R.A, of Bink Architects, consisting of one (1) sheet as revised, dated December 19, 2017, with no revisions.

A-9 Second and Third Floor overlay from Amended Architectural Plans prepared by Harrison F. Bink, R.A, of Bink Architects, consisting of one (1) sheet as revised, dated December 9, 2017, with no revisions.

A-10 Fourth Floor overlay from Amended Architectural Plans prepared by Harrison F. Bink, R.A, of Bink Architects consisting of one (1) sheet as revised, dated December 9, 2017, with no revisions.

WHEREAS, based upon the testimony presented, the exhibits offered by the Applicant, its expert witness, and those appearing from the public, the following findings of fact and conclusion of law have been made by the Board, to wit:

1. The Applicant seeks to amend the Preliminary and Final Site Plan granted by this Board on July 16, 2015, as memorialized by Resolution dated August 27, 2015.

2. 3rd & Main Associates, LLC, is the owner of property known as Block 59, Lots 9.01, as shown on the Borough of Bradley Beach Municipal Tax Map, more commonly known as 301 Main Street and 704 1/2 Third Avenue, Bradley Beach, New Jersey, which is the subject matter of the within Application; and

3. The property in question is located on the northwest corner of Third Avenue and Main Street.

4. The Applicant has demolished all existing structures on the site, and has amended the site plan for facade and roof alterations, parking layout, location/size and layout of retail space, sprinkler room, electrical room and trash room and size and layout of lobby area, as well as slight changes to the building footprint, location of interior stairs, balcony locations and size, and relocation of storage units and manager's rooms.

5. The Applicant presented a revised plan for the changes, but has retained the commercial space at less than 1,000 square feet and the number of apartments as originally approved at thirty (30), consisting of eight (8) one-bedroom apartments and twenty-two (22) two-bedroom apartments.

6. The Applicant has not created the need for any additional bulk variance other than those granted as part of the Preliminary and Final Site Plan approval, but has improved the structural integrity of the original design which has also allowed for a better parking layout and less mass on the fourth floor from the Main Street facade, among other improvements.

7. The Applicant presented its Professional Engineer and its Architect, who each provided credible testimony that the amendments to the Plan will better serve the needs of the proposed occupants as well as the Borough of Bradley Beach, while maintaining the integrity of the original approval.

8. The Applicant presented planning testimony which found the proposed amendment to the original approval would be beneficial to the Borough of Bradley Beach and meet the intent of the

requirements of the Master Plan and Zoning Ordinance. Said Planning testimony reiterated the original findings that the proposed construction as amended would advance the purpose of the zoning plan, since it will maintain light, air and open space and create a desirable visual environment and that there will not be any negative impact on the zone plan and fit well into the neighborhood development pattern as proposed by the most recent Master Plan and increase values of the surrounding properties.

9. The Board's professionals were in agreement with the proposed amendments to the original approval and found that same would enhance the project as approved.

10. The Board did find that the proposed amended application would be a benefit to the area and be in conformance with the Master Plan, purposes of the Municipal Land Use Law and the zoning plan of the Borough of Bradley Beach and no new variances were created by the amendment and the height variance for the corner facade previously granted was withdrawn.

WHEREAS, in addition to the foregoing, the Board finds as follows:

1. The Board has jurisdiction to herein consider the application pursuant to N.J.S.A. 40:55D-1 et seq.

2. The Applicant has satisfied the notice requirements of the State and Municipal Ordinances, and, therefore, the Board has the authority and jurisdiction to consider the application.

3. The Applicant seeks Amended Preliminary and Final Site Plan approval on behalf of 3rd & Main Associates, LLC, the owner of the premises known as 301 Main Street and 704 1/2 Third Avenue, Block 59, Lot 9.01, as shown on the Tax Map of the Borough of Bradley Beach.

4. The Board has concluded that the proposed application would not adversely impact upon the Master Plan of the Borough of Bradley Beach and does promote the safety and welfare of the residents of the municipality and accordingly, has satisfied the requirements of obtaining any and all required variances as herein set forth.

5. The Board is further satisfied that the information and evidence submitted by the Applicant is sufficient to permit the Board to make a decision in this case and, as such, waives any additional formal requirements as contained in the Borough Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Borough of Bradley Beach Planning Board that the application for Amended Preliminary and Final Site Plan to construct a four-story, mixed use with a commercial use as permitted in the General Business West Zone and thirty (30) apartments consisting of eight (8) one-bedroom apartments with study and twenty-two (22) two-bedroom apartments with 58 parking spaces and the elimination of the height variance for the corner facade is hereby *granted* subject to the following:

1. Any and all conditions of the original approval of the Preliminary and Final Site Plan approval by this Board on July 16, 2015 as memorialized by Resolution dated August 27, 2015, if not in conflict with the amended plans.

2. Applicant to supply yearly Stormwater Management annual reports to the Bradley Beach Environmental Commission.

3. Applicant to submit plans to move parking spaces 27-35 southerly to accommodate new structural supports and ground stripping of at least six (6) inches for each support, if possible, all subject to the review and approval of the Board Engineer.

4. Revised Architectural Plans to be submitted with final date of all revisions.

5. Alarm door to Stairway No. 2, east of parking space 23 to be noted on plans.

6. Place "do not enter" sign for entrance from site into alleyway proceeding north.

7. Subject to Board Engineer and/or construction official approval of color and materials for exterior finishes.

8. Applicant shall be subject the Residential Development Fees and the Nonresidential Development Fees, as set forth by Ordinance, unless exempted by the terms thereof.

9. The Applicant shall pay any application fees and taxes, which may be due to the Board or the municipality.

10. The approval is subject to posting of any and all required guaranties or other escrows which may be required by the appropriate Borough officers or professionals, to secure performance of this approval.

11. The approval is subject to compliance with all federal, state, and local rules, regulations, laws and/or ordinances and the procurement of any required governmental approval or permits required in connection with this application.

IT IS FURTHER RESOLVED that a copy of this Resolution be certified by the Secretary of the Borough of Bradley Beach Planning Board to be true and shall be forwarded to the Construction Code Officer, Borough Clerk, Board Engineer, and Borough Assessor within ten (10) days of the date hereto to the Applicant herein.

BE IT FURTHER RESOLVED that the notification of this Resolution shall be published in the Asbury Park Press within ten (10) days of its passage.

DATED: January 25, 2018

MOVED BY: William Psiuk

SECONDED BY: Marc Rosenthal

ROLL CALL VOTE

Those in Favor: Alan Gubitosi, Marc Rosenthal, Douglas Jung, George Waterman, John Weber,
Rafael Albanir, and William Psiuk

Those Against: None.

Those Absent: Meredith DeMarco and Norman Goldfarb

Those Abstaining: None.

Those Ineligible: Paul Williams and Jane DeNoble

MEMORIALIZATION DATE: February 22, 2018

MOVED BY: William Psiuk

SECONDED BY: John Weber

ROLL CALL VOTE

Those in Favor: Alan Gubitosi, Douglas Jung, Marc Rosenthal, George Waterman, John Weber,
Rafael Albanir, and William Psiuk

Those Against: None.

Those Absent: None.

Those Abstaining: None.

Those Ineligible: Jane DeNoble and Paul Williams

The foregoing is a true copy of the Resolution adopted by the Planning Board of the Borough of Bradley Beach at its meeting of February 22, 2018, and copied from the Minutes of said meeting.



WILLIAM PSIUK, Chairman
Bradley Beach Planning Board

Prepared by:
MARK A. STEINBERG, ESQUIRE
2300 State Highway 66
Neptune, NJ 07753-0925
(732) 774-5665

Notices

Notice of Public Hearing

**NOTICE OF PUBLIC HEARING
BOROUGH OF BRADLEY BEACH PLANNING BOARD
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

PLEASE TAKE NOTICE that the Borough of Bradley Beach (“Borough”) Planning Board (“Board”) will hold a public hearing on March 25, 2020, at 6:30 p.m., in the Municipal Complex Meeting Room, 701 Main Street, Bradley Beach, New Jersey 07720, or at such other time and place as the Board may adjourn thereafter, to consider the application made by **301 Main Street Holdings, LLC** (“Applicant”), for Amended Preliminary and Final Major Site Plan Approval with Bulk “c” Variance Relief and Waiver Relief to permit modifications to the previously approved mixed-use development and site plans, as well as the building massing, elevations, and floor plans (“Application”) at property located in the Borough at the northwest corner of Third Avenue and Main Street, with an address of 301 Main Street and 704 ½ Third Avenue, and identified as Lots 9, 10, 11, and 12, Block 59 on the Borough’s Tax Map (“Property”). The Property is located in the General Business West Zone (the “GBW Zone”). The proposed use is permitted in the GBW Zone.

By way of background, the Board previously granted site plan approval relating to the Property via resolution of approval adopted on August 27, 2015 and an amended site plan approval adopted on February 22, 2018 permitting construction of a four story mixed use building consisting of approximately 1,000 s.f. of commercial use on the ground floor with thirty (30) residential apartment units (22 two-bedroom units, and 8 one-bedroom units) located the floors above, along with 58 parking spaces, and associated striping, drainage, lighting and other typical site improvements, with one access drive to Third Avenue and second access drive to Main Street (the “Prior Approval”). The Property is under construction pursuant to the Prior Approval. The number of residential units, the amount of commercial area, and the number of parking spaces are not modified by this Application and will remain consistent with the Prior Approval. Applicant now seeks to amend the Prior Approval to permit a site access drive from Third Avenue only, which will allow for additional on-street parking along the Main Street frontage. The existing depressed curbing on Main Street will be replaced with a full curb. With respect to the design of the building, Applicant proposes a roof deck area on the second floor at the rear of the building, and the elevations, shape and roofline of the building is modified, and the overall building volume will be slightly reduced.

In addition to Amended Preliminary and Final Major Site Plan Approval, Applicant requests that the Bulk “c” Variance Relief previously granted in the Prior Approval continue. Within the Prior Approval the Board granted Bulk “c” Variance Relief from the Borough’s Zoning Ordinance (“Ordinance”), pursuant to the Ordinance and N.J.S.A. 40:55D-70(c) to permit: (1) no loading space where one loading space is required; (2) 58 parking spaces where 59 parking spaces are required; and (3) a 1.46’ landscape buffer between commercial and residential uses where a 10 ft. buffer is required. Applicant will seek any such further variances, waivers, exceptions, or other relief as the Board or its professional consultants may deem necessary without additional public notice.

A copy of the Application and supporting documentation is on file with the Borough. These documents are available for public inspection, during regular business days and hours, in the office of the Board Secretary at the Borough of Bradley Beach Municipal Complex, 701

Main Street, Bradley Beach, New Jersey 07720. This Notice is given pursuant to the Municipal Land Use Law N.J.S.A. 40:55D-1 *et seq.* Any interested person may appear in person, through his attorney, or through his designated agent at the above-referenced public hearing at the time and place herein stated and be heard.

301 Main Street Holding, LLC
By: John A. Sarto, Esq.
Giordano, Halleran & Ciesla, P.C.
125 Half Mile Road, Suite 300
Red Bank, NJ 07701
Attorneys for the Applicant

Dated: March 11, 2020

Docs #4248657-v1

Highwood Development
Portfolio

HIGHWOOD
Development & Holdings



555 West End Avenue, New York, NY

Developer: Tamarkin Co.

Title: Director of Construction

Metrics: 13 Luxury Condominiums | 65,000 sqft | Completed 2019

Project Budget: \$118,000,000

Website: <https://555westendave.com>

HIGHWOOD
Development & Holdings



550 West 29th Street, New York, NY

Developer: Tamarkin Co.

Title: Director of Construction

Metrics: 19 Luxury Condominiums | 67,000 sqft | Completed 2018

Project Budget: \$105,000,000

Website: <https://www.sohycondos.com>

HIGHWOOD
Development & Holdings



21 West End Avenue, New York, NY

Developer: The Dermot Company

Title: Owner's Representative

Metrics: 616 Rental Units | 747,000 sqft | Completed 2015

Project Budget: \$450,000,000

Website: <http://www.21westendnyc.com>



Battery Maritime Building, New York, NY

Developer: The Dermot Company

Title: Project Manager

Metrics: 67 Room Boutique Hotel

HIGHWOOD
Development & Holdings



Signature Theatre Company, New York NY

Construction Manager: Structure Tone, Inc.

Title: Superintendent

Metrics: Cultural Center | 68,000 sqft | Completed 2012

Project Budget: \$60,000,000

Website: <http://www.signaturetheatre.org>