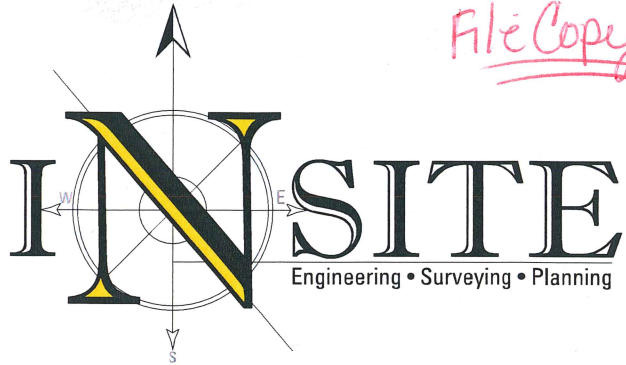


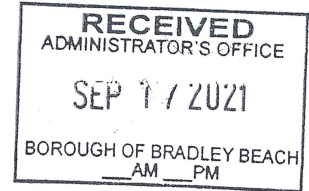
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Borough of Bradley Beach
Zoning Board of Adjustment
Attn: Kristie Dickert, Board Secretary
701 Main Street
Bradley Beach, NJ 07720-1089



September 17, 2021

Via Hand Delivery



RE: **ZONING BOARD OF ADJUSTMENT
RESPONSE LETTER FOR 501 LAKE TERRACE, LLC
FILE NUMBER: BBBA #20-12**
501-511 Lake Terrace
Block 7, Lot 2.03; Tax Map Sheet #1
Borough of Bradley Beach, Monmouth County, NJ

Dear Ms. Dickert:

We are submitting this letter on behalf of the Owner/Applicant in response to the Leon S. Avakian Engineering and Planning Review Letter, dated April 16, 2021, revised June 14, 2021. Each comment and response is numbered in accordance with the aforementioned review memo. *Italicized text is taken from the review memo for your ease of reference; non-italicized text represents our responses.*

Leon S. Avakian Engineering and Planning Review Letter, dated April 16, 2021, revised June 14, 2021

1. Project Description

A. *The property is located at house number 501 Lake Terrace (Lot 2.03, Block 7) with a total of 63,728 square feet (1.7385 ac.).*

Comment Only. No response required.

B. *The existing lot contains two (2) apartment buildings, which consist of 40 apartment units.*

Comment Only. No response required.

C. *The Applicant is proposing to expand and repave the parking lots on-site, construct a covered entrance, new refuse enclosure, remove and replace sidewalks on-site and along the roadways, new landscaping, and upgrade the lighting on-site.*

Comment Only. No response required.

2. Zoning and Land Use

A. *The property is located in the R-1 Residential Single-family Zone and the existing apartment building is not a permitted use in this zone.*

Comment Only. No response required.

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- B. *The proposed improvements require Board approval for variances on use, front yard setback to the covered entry, building coverage, impervious coverage, off-street parking, driveway width, driveway setback, aisle width for off-street parking, and others as described in this letter.*

Comment Only. No response required.

3. Variances and Waivers

- A. *In accordance with Section 450-26.A, the existing apartment building is not a permitted use. The proposed improvements are an expansion of a non-conforming use. A D (2) use variance for the expansion of a non-conforming use is required. To obtain a D (2) use variance, the Applicant must show that the proposal meets three separate criteria.*

- 1) *Special Reasons. Proving the positive criteria for D (2) variances is set at a lower bar than for a new non-conforming use. Proof should still be proffered that demonstrates the furtherance of a goal of zoning.*
- 2) *Intent of the Zone Plan (negative criterion #1). The Applicant must prove that the proposed expansion does not substantially impair the intent of the zoning ordinance or master plan.*
- 3) *Detriment to the Public Good (negative criterion #2). The Applicant must prove that the expansion of the proposed use would not have a substantial detriment on nearby properties.*

Planning Testimony will be provided at the next public hearing.

- B. *In Section 450-13.A., an open unscreened entrance porch leading to the basement, cellar, or first floor, projecting not more than 8 feet in depth into a required front yard area and not exceeding the width of the existing or proposed structure. The permitted setback along Lake Terrace is 17 feet. The Applicant is proposing a front yard setback of 6.9 feet to the front entry. A variance is required.*

Planning Testimony will be provided at the next public hearing.

- C. *In accordance with Section 450-26.D., area, yard and building requirements, the following variances or existing non-conformities are noted below:*

- 1) *In accordance with Section 450-26.D.(1)(d), the minimum front yard setback permitted for a street running east to west (Lake Terrace) is 25 feet and for a street running north to south (Fletcher Lake A venue) is 15 feet, or the minimum depth of any front yard within the block and fronting on the same street on which the structure fronts, whichever is greater. When the prevailing setback of the existing buildings along a block front is less than the setback requirements, the front yard setback distance may be reduced to the average of front yard setbacks of principal structures on all developed properties on the same side of the street within 200 feet of the property as documented by a map prepared by a licensed land surveyor. The average depth will be from the front wall of the structure, provided that such setback is not less than 10 feet.*

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Front porches shall also be averaged within 200 feet on each side of the lot and within the same blockfront. The Applicant did not provide the mapping of the average front yard setback. The existing front yard setback is 12.0 feet along Fletcher Lake Avenue, which represents an existing non-conformity. The existing front yard setback is 10.4 feet along Lake Terrace, which represents an existing non-conformity.

Planning Testimony will be provided at the next public hearing.

- 2) *In accordance with Section 450-26.D.(1)(e), the minimum side yard setback permitted is 5 feet and 10 feet. The existing side yard setback is 1.8 feet and over 60 feet. The existing side yard setback of 1.8 feet represents an existing non-conformity.*

Planning Testimony will be provided at the next public hearing.

- 3) *In accordance with Section 450-26.D.(1)(f), the minimum rear yard setback permitted is 25 feet. The existing rear yard setback is 2.7 feet, which represents an existing non-conformity.*

Planning Testimony will be provided at the next public hearing.

- 4) *In accordance with Section 450-26.D.(1)(h), the maximum building coverage permitted is 35% of the lot. The existing building coverage is 40.8%, which represents an existing non-conformity. The Applicant is proposing a building coverage of 41.0%. A variance is required.*

Planning Testimony will be provided at the next public hearing.

- 5) *In accordance with Section 450.26.D.(1)(i), the maximum impervious coverage permitted is 60% of the lot. The existing impervious coverage is 60%, which conforms. The Applicant is proposing an impervious coverage of 68.5%. A variance is required.*

Planning Testimony will be provided at the next public hearing.

- D. *In accordance with Section 450.39.E, residential parking shall be specified in Residential Site Improvement Standards. The requirement is 1.8 spaces for a one-bedroom and two (2) spaces for a two-bedroom. Studio apartments are considered a one-bedroom apartment for parking requirements. The building has four (4) studio apartments and 28 one-bedroom apartment, which require fifty-eight (58) parking spaces. The building has eight (8) two-bedroom apartments, which requires sixteen (16) parking spaces. The site requires a total of seventy-three (73) parking spaces. The existing site has twenty-three (23) off-street parking spaces which represents an existing non-conformity. The Application is proposing thirty-eight (38) parking spaces which include two (2) ADA compliant parking spaces. A variance is required.*

Planning Testimony will be provided at the next public hearing.

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- E. *In accordance with Section 450-41.B.(1), a minimum setback of 5 feet shall be maintained between a driveway and the lot line of any adjoining property. The existing driveway setback is 1.1 feet for the driveway to Newark Avenue. This represents an existing non-conformity. The proposed driveway setback is over 22 feet for the driveway to Lake Terrace, which conforms.*

Planning Testimony will be provided at the next public hearing.

- F. *In accordance with Section 450-41.B.(2), the curb cut shall be a maximum of 26 feet wide for two-way traffic. The driveway apron shall be a maximum of 24 feet wide at the property line and 26 feet wide at the curb line for two-way traffic. The Applicant is replacing the existing driveway apron on Newark Avenue. The existing driveway apron is 21.1 feet wide at the property line and 25.1 feet wide at the curbline. The driveway apron on Newark Avenue conforms. The Applicant is proposing a driveway apron on Lake Terrace. The proposed driveway apron is 24 feet wide at the property line and 28 feet wide at the curbline. A variance is required for the proposed driveway apron width at the curbline. In accordance with Section 450-41.B.(2) each lot shall have no more than one (1) two-way driveway and curb cut. The existing lot has two (2) two-way driveways and curb cuts. This represents an existing non-conformity.*

Planning Testimony will be provided at the next public hearing.

- G. *In accordance with Section 450-41.B.(7), no ingress or egress drive shall enter upon a public road or highway at a point closer than 50 feet to any street intersection or closer than 30 feet to any property line. The existing Newark Avenue drive is 47.4 feet from an intersection and is 1.1 feet from the property line. This represents an existing non-conformity. The proposed Lake Terrace drive is greater than 50 feet from the intersection and is approximately 22 feet from the property line. A variance is required for the setback from the property line.*

Planning Testimony will be provided at the next public hearing.

- H. *In accordance with Section 450-41.B.(8), the minimum aisle width for parking angle of 90° is 25 feet. The Applicant is proposing an aisle width of 22.8 feet for the parking lot along Newark Avenue and 24.0 feet for the parking lot along Lake Terrace. A variance is required for each aisle width.*

Planning Testimony will be provided at the next public hearing.

- I. *In accordance with Section 450-41.B.(1 l), the minimum parking space size shall be 9 feet wide by 18 feet deep, except for handicap accessible spaces shall comply with ADA standards and requirements. The Applicant is proposing ten (10) parking spaces to have a width of 9 feet and a depth of 16 feet. A variance is required for the length of the parking spaces. The remaining proposed parking spaces will have a width of 9 feet and a depth of 18 feet, which conforms.*

Planning Testimony will be provided at the next public hearing.

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4. Stormwater Management

- A. *The Applicant does not propose an increase of more than a quarter acre of new impervious surfaces. The project is below the threshold of a major development and is exempt from NJDEP Best Management Rules.*

Comment Only. No response required.

- B. *The Applicant has designed an underground drywell system within the site to address runoff discharge.*

Comment Only. No response required.

- ~~C. *The Applicant shall provide a Stormwater Operation and Maintenance Manual in accordance with NJDEP BMP Standards. The Applicant has provided a Stormwater Operation and Maintenance Manual.*~~

Comment Only. No response required.

- ~~D. *The following maps (11"x 17") shall be provided within the Maintenance Report:*~~

- ~~1. *Grading Plan*~~
- ~~2. *Drainage and Utility Plan*~~
- ~~3. *Landscape Plan and Details*~~

Comment was previously addressed. No response required.

- ~~E. *The following notes shall be added to the Grading and Drainage Plan:*~~

- ~~1. *Stormwater management facilities shall be regularly maintained to insure they function at design capacity and to prevent health hazards associated with debris buildup and stagnant water.*~~
- ~~2. *Responsibility for operation and maintenance of the stormwater facilities, including particulate removal and disposal of accumulated particulate material and debris, shall remain with the owner or owner of the property. Maintenance shall follow the operations maintenance manual approved by the Board Engineer.*~~
- ~~3. *In the event that the facility becomes a danger to public safety or public health, or if it is need of maintenance. The Owner shall affect such maintenance and repair of the facility in a manner that is approved by the Borough Engineer.*~~

Comment was previously addressed. No response required.

- D. *The Applicant's Engineer shall confirm the area for post development subarea Ai.*

We have updated sheet 2 of 3, Post-Development Drainage Area Map, to delineate the areas clearly for Watershed A. The total area for Watershed A is 1.29 acres broken down in 3 subareas, (Ai Ground 0.30 ac., Ai Roof 0.60 ac., and Ap 0.39 ac.). The changes have been updated in the Stormwater Report, last revised September 15, 2021;

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- E. *The Applicant's Engineer shall confirm the proposed drywell is 2 feet above the seasonal high water table elevation.*

The Stormwater Management Report has been revised to include results from the Whitestone Geotech Report which indicates the SHWT at Elevation 9 which is well below the proposed drywells thus showing the adequate 2-foot separation. The construction detail has also been updated to reflect this information.

5. Landscaping & Lighting

- A. *The Applicant is proposing landscaping along the building frontage of Lake Terrace. Also, landscaping is proposed around the parking area, which provides a buffer for the adjacent property. The Applicant should provide testimony on landscaping.*

Landscape Testimony will be provided at the next public hearing.

- B. *In accordance with Section 450-41.A.(9), all parking areas and related access drives shall be adequately illuminated during all hours between sunset and sunrise. All such illumination shall be adequately shielded in such a manner as to protect any adjacent residential properties from glare generated by said illumination. The lighting plan indicates spillage of lighting onto adjacent residential properties. The Applicant should provide testimony on the site lighting.*

Lighting Testimony was provided at the public hearing.

6. General Comments

- A. *The Applicant should be aware that Lake Terrace is County Road 18. The Applicant should secure the appropriate approval from the County.*

Applicant is in the process of receiving approval from Monmouth County. Once an approval letter is received, we will provide a copy for your records.

- B. *~~A General Note should be added to the plan indicating~~ Site Layout Note #11 (Sheet C300) indicates the existing curb and sidewalk along the frontage will be replaced if found in poor condition.*

Comment was previously addressed. No response required.

- C. *~~A General Note should be added to the plan indicating~~ Site Layout Note #12 indicates the planting area between the sidewalk and curb must remain natural grass.*

Comment was previously addressed. No response required.

- D. *The Applicant should provide information that taxes are currently paid.*

Applicant agrees.

- E. *The Applicant shall secure any and all construction permits need for the project.*

Applicant agrees to secure any and all construction permits needed for the project.

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In addition to any plan changes listed above, we have also revised the plans as noted below:

1. Misc. Plan and Stormwater Report revisions along Lake Terrace (County Route 18) as requested by Monmouth County Planning Board Review Letter, dated May 24, 2021.
2. Sheet C300 Site Layout Plan
 - a. Removed the Handicap Ramp replacement at the intersection of Lake Terrace and Fletcher Lake Avenue per our conversation with Victor Furmanec, Supervising Planner, Monmouth County Division of Planning.
3. Sheet C400 Grading and Drainage Plan
 - a. Updated grading at intersection and slightly in parking lot per the site layout revisions.
 - b. Updated drywell layout and connections to reflect geotechnical findings.
4. Sheet C802 Construction Details
 - a. Updated drywell detail to match plan and reflect geotechnical findings.

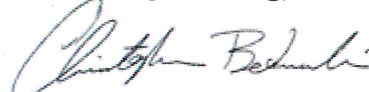
In accordance with the above, please find enclosed the following information:

- Fifteen (15) copies of the site plans entitled "Preliminary & Final Major Site Plan for 501-511 Lake Terrace," dated November 20, 2020, and last revised September 15, 2021;
- Fifteen (15) copies of the Stormwater Analysis Report, dated April 16, 2021, and last revised September 15, 2021;

Thank you for your kind consideration of this application. If you have any questions or require further information and/or documentation, please do not hesitate to contact me directly at (732) 531-7100 or at Chris@InSiteEng.net.

Sincerely,

InSite Engineering, LLC



Christopher Bednarski, P.E.

20-1472-01
CMB/jnw
cc:

InSite Engineering, LLC

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