



April 10, 2025

Planning Board
Borough of Bradley Beach
701 Main Street
Bradley Beach, NJ 07720

**Re: Preliminary and Final Minor Site Plan
VFR Enterprises LLC
1111 & 1115 Main Street
Block 32, Lots 4 and 5
Our File BBPB 25-03**

Dear Chairman and Board Members:

Our office has received an application submitted for Board review in connection with the above-referenced project. Submitted with the application are the following:

- A boundary and topographic survey of one (1) sheet prepared by David J. Von Steenburg, P.L.S., of Morgan Engineering & Surveying, dated January 24, 2024, with the latest revisions dated November 22, 2024.
- A preliminary & final site plan consisting of ten (10) sheets prepared by Elizabeth M. Waterbury, P.E., P.P. of E. M. Waterbury & Associates, P.A., dated December 18, 2024, with the latest revisions dated April 1, 2025.
- An aerial photograph consisting of one (1) sheet dated May-July 2023.
- A traffic statement prepared by Scott T. Kennel and John H. Rea, P.E. of McDonough & Rea Associates, Inc., dated March 25, 2025.
- A statement of drainage prepared by Elizabeth M. Waterbury, P.E., P.P., C.M.E., of E. M. Waterbury & Associates, P.A., dated December 23, 2024.

The application has been deemed complete. We have reviewed the plans to determine if they conform with the requirements of the Borough Ordinance and report as follows:

1. **Project Description**

- A. The property is located on the west side of Main Street and consisting of two (2) lots. The existing Lot 4 has a total area of 11,625 square feet and Lot 5 has a total area of 29,767.03 square feet.

- B. On Lot 4 (1115 Main Street) consists of an existing one-story brick commercial building which is currently unoccupied. On Lot 5 (1111 Main Street) consists of two (2) one-story buildings. The front building is a drive-thru carwash, and the rear building is a four (4) bay self-service carwash.
- C. The Applicant is proposing to remove the existing one-story building on Lot 4 and install additional vacuums to the site. No improvements are proposed to the existing carwash facilities on Lot 5. The application indicates if approved, the Applicant will agree to merge the lots.

2. **Zoning and Land Use**

- A. The property is located in the B-O-R Business, Office, and Research Zone and the existing carwash and self-service vacuum stations on Lot 5 are not permitted use in this zoned district. In 1989 this site received site plan approval and granted a (d2) use variance for an expansion of a non-conforming use.
- B. The proposed improvements require Board approval for Preliminary and Final Major Site Plan approval. The Applicant is requesting variances for use, impervious coverage, and others described in this report.

3. **Variances and Waivers**

- A. In accordance with Section 450-31.A., (Permitted Uses) a carwash, self-service carwash and self-service vacuum stations are not listed as permitted uses in this zone. The existing carwash, self-service carwash, and self-service vacuum station represents an existing non-conforming use. The Applicant is proposing additional self-service vacuum stations to the site using Lot 4, which is 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.

B. An analysis of bulk requirements of the Business, Office, and Research Zone for yard area and building are as follows:

Bulk Requirements	Permitted	Existing Lot 4	Existing Lot 5	Proposed Lot 5.01
Minimum Lot Area	20,000 sf.	11,265 sf. (NC)	29,767 sf.	41,032 sf.
Minimum Lot Width	100 ft.	50 ft. (NC)	131.80 ft.	181.80 ft.
Minimum Lot Depth	100 ft.	225.30 ft.	225.85 ft.	225.30 ft.
Minimum Front Yard	10 ft.	±25 ft.	24.7 ft.	24.7 ft.
Minimum Side Yard	10 ft.	0.4 ft. (NC)	32.1 ft. (South)	32.1 ft. (South)
	14 ft.	2.0 ft. (NC)	±42.5 ft. (North)	99.4 ft. (North)
Minimum Rear Yard	10 ft.	Greater than 10 ft.	83.1 ft.	83.1 ft.
Maximum Building Coverage	50%	18.4% (2,077.2 sf.)	21.4% (6,379.5 sf)	15.5% (6,379.5 sf.)
Maximum Impervious Coverage	80%	32.3% (3,644.8 sf).	90.8% (NC) (27,014 sf)	81.8% (V) (33,599 sf.)
Accessory Side Yard	5 ft.	N/A	4.5 ft. (NC)	4.5 ft. (V)
Accessory Rear Yard	5 ft.	N/A	3.1 ft. (NC)	3.1 ft. (V)
Accessory Building Area	120 sf.	N/A	±2,090 sf. (NC)	±2,090 sf. (V)

(V) Variance

(NG) Not Given

(NC) indicates an existing non-conformity

Existing Non-conformities -Eight (8)
 Removing -Eight (8)
 Proposed Variance -Four (4)

C. In accordance with Section 450-31.D., area, yard and building requirements, the following variances or existing non-conformities are noted below:

- 1) In accordance with Section 450-31.D.(2)(a), the minimum lot area permitted is 20,000 square feet. The existing lot area for lot 4 is 11,265 square feet, which represents an existing non-conformity. The existing lot area for Lot 5 is 29,767 square feet, which conform. By consolidating the lots this will remove the existing non-conformity.
- 2) In accordance with Section 450-31.D.(2)(b), the minimum lot width permitted is 100 feet. The existing lot width for Lot 4 is 50 feet, which represents an existing non-conformity. The existing lot width for Lot 5 is 131.8 feet, which conforms. By consolidating the lots this will remove the existing non-conformities.

- 3) In accordance with Section 450-31.D.(2)(e), the minimum side yard setback permitted is 10 feet and 14 feet. The existing side yard setbacks for Lot 4 are 0.4 feet on the south side and 2.0 feet on the north side. Both of the setbacks represent existing non-conformities. The removal of the building will remove the existing non-conformities. The existing side yard setbacks for Lot 5 are 32.1 feet on the south and 42.5 feet on the north side. Both of these setbacks conform. By consolidating the lot, the existing carwash building will have a new north side yard setback of 99.4 feet, which conforms. The south side yard will not change.
- 4) In accordance with Section 450-31.D.(2)(i), the maximum impervious coverage permitted is 80% of the lot area. The existing impervious coverage for Lot 4 is 32.3%, which conforms. The existing impervious coverage for Lot 5 is 90.8%, which represents an existing non-conformity. By consolidating the lot, the Applicant is proposing an impervious coverage of 81.8%, which includes the porous pavement drive. **A variance is required.** The Borough does not have an ordinance giving credit to porous pavement.
- 5) In accordance with Section 450-31.D(2)(k), the minimum side yard setback for an accessory structure is 5 feet. The existing one-story rear building has south side yard setback of 4.5 feet, which represents an existing non-conformity. By consolidating the lot, a variance would be required for the side yard setback.
- 6) In accordance with Section 450-310d(2)(l), the minimum rear yard setback for an accessory structure is 5 feet. The existing one-story rear building has a rear yard setback of 3.1 feet, which represents an existing non-conformity. By consolidating the lot, a variance would be required for the rear yard setback.
- 7) In accordance with Section 450-31.D(2)(m), the maximum building area for an accessory structure is 120 square feet. The existing one-story rear building has a building area of 2,090 square feet, which represents an existing non-conformity. By consolidating the lot, a variance would be required for the building area.

4. Drainage and Grading

A. The NJDEP defines a Major Development as follows:

- An increase of $\frac{1}{4}$ acre or more of motor vehicle surface.
- An increase of $\frac{1}{4}$ acre or more of total lot coverage

- A disturbance of 1 acre or more of land.

The Applicant is proposing an increase in impervious coverage of 2,940 square feet, which is less than a ¼ acre. Also, the increase in motor vehicle surface is 5,173 square feet, which is less than a ¼ acre. The proposed disturbance is less than an acre of land. The site is not a Major Development as it relates to stormwater management.

- B. The natural grading and drainage in front of the existing building on Lot 4 is directing stormwater runoff towards Main Street. Behind the existing building on Lot 4 is directing stormwater runoff towards railroad tracks.

The Applicant is proposing porous paving at the vacuum area and asphalt pavement for the drive. The proposed improvements will direct most of the stormwater runoff towards the railroad tracks. The Applicant should provide pre- and post- development calculations to confirm that no additional stormwater will not be directed to the railroad tracks. Testimony should be provided.

- C. The proposed two (2) vacuum stations at the rear of Lot 4 appear to have a grading low point with no depressed curb. This area will have some standing stormwater which should be revised.
- D. In the Applicant's "Statement of Drainage" which indicates "Lot 4 contains the carwash facility is proposing to remain mainly as it exists". The boundary and topographic survey show the carwash on Lot 5. Also, in the Applicant's "Statement of Drainage" which indicates "Lot 5 is proposed to have all improvements removed above and below grade". The existing conditions and demolition plan, which is Sheet 2 of 10 of the site plans shows the building and driveway to be removed on Lot 4. The Statement of Drainage should be revised.

5. **Lighting and Landscaping**

- A. The Applicant is proposing four (4) pole mounted light fixtures at a height of 20 feet. The photometric on the lighting plan indicates light spillage onto Lot 3 which is not allowed. The lighting plan should be revised to include shielding on each lighting unit to minimize light spillage on adjacent properties.
- B. The Applicant should provide testimony on the hours the lights will be on. Also, the plan indicates vacuum arm to have light bar and testimony should be provided.

- C. The Applicant is proposing twenty-four (24) Northern Bayberry, which is a dense, rounded, deciduous shrub that grows 6 to 8 feet tall. Testimony should be provided on the proposed landscaping.

6. **Site Plan**

- A. The Applicant should provide testimony on the hours the vacuum station will be operational for the public.
- B. The Applicant should provide testimony of the traffic movement through the site.
- C. The Applicant's traffic statement concludes that there is no anticipated significant increase in traffic as a result of the change. Testimony should be provided.

7. **General Comments**

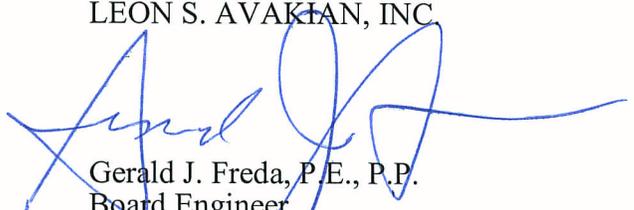
- A. The Applicant should provide information that taxes are currently paid.
- B. The Applicant shall secure any and all construction permits needed for the project.
- C. Performance Guarantees & Inspection Fees to be posted per the Borough Ordinance.

Our office reserves the right to provide additional comments upon receipt of revised plans.

If you have any questions, or require any additional information on this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC



Gerald J. Freda, P.E., P.P.
Board Engineer



Christine L. Bell, P.P., A.I.C.P.
Board Planner

DMH:mfl

cc: Kristie Dickert, Board Secretary
Mark Kitrick, Esq., Board Attorney
Jeffrey P. Beekman, Esq., Applicant's Attorney
Elizabeth M. Waterbury, P.E., P.P., C.M.E., Applicant's Engineer

BB/PB/25/25-03c