

February 7, 2025

Ms. Candace Mitchell, Planning Board Secretary  
Borough of Sea Bright  
Unified Planning Board  
1099 Ocean Avenue  
Sea Bright, NJ 07760

Re: BPC Marina, LLC  
First Technical Review  
Block 3, Lot 9  
Sea Bright App. # Z 2025-02  
HACE # SEP-189

Dear Ms. Mitchell:

Our office is in receipt of a Variance Plan for the above site on Ocean Avenue. The applicant submitted the following:

- Cover letter from Daniel J. O'Hern, Esq. dated 12/23/24 with application package.
- Zoning denial from Mary Tangolis, Sea Bright Zoning Officer, dated 10/16/24.
- As Built Property Survey, Block 3, Lot 9, 1410 Ocean Avenue, Sea Bright, NJ 07760, by Najarian Associates dated 12/23/24 1 sheet.

**A) Introduction**

The property is located on the West side of Ocean Avenue 560 feet North of Imbrie Place and is part of Navasink Marina. The site has 1250 feet of frontage on Ocean Avenue and is 488.44 feet deep to the bulkhead line on the Shrewsbury River. The site is in the B-2 zone and is 1.4 acres in size. The property contains a 34.16 ft by 25.62 ft one story shed and a tent structure. The remaining area is used for boat storage including rack storage.

The applicant is proposing to continue with the use of the tent which is 40 feet by 28 ft and is 16 feet high. A "c" variance is required since Section 130-38-D1(d) states that an accessory structure cannot be greater than 500 SF or 15 FT in height. The tent does not violate any other bulk requirements.

A board may grant a "c" variance upon proof that the particular property faces hardship due to the shape, topographic, extraordinary or exceptional situation uniquely affecting the particular property.

**B) Zoning Table (B-2) Zone)**

| Item                              | Required | Provided  |
|-----------------------------------|----------|-----------|
| Min. Lot Area (sq. feet)          | 2,500 SF | 66,608 SF |
| Min. Lot Width (feet)             | 100 Ft   | 125 Ft    |
| Min. Lot Depth (feet)             | 25 Ft    | 488.44 Ft |
| Min. Front Yard Setback (to shed) | 25 Ft    | 153.63 Ft |

|   |        |           |
|---|--------|-----------|
| Min. Front Yard Setback (to tent)       | 25 Ft  | 180.78 Ft |
| Min. Side Yard Setback (feet) (to tent) | 15 Ft  | 38.55 Ft  |
| Min. Combined Side Yard Setback (feet)  | 30 Ft  | 82.9 Ft   |
| Min. Rear Yard Setback (feet)           | 10 Ft  | 278± Ft   |
| Max. Building Coverage (with tent)      | 30 %   | 2.9 %     |
| Max. Lot Coverage                       | 50 %   | 97.5 %*   |
| Max. Accessory Build. Size (SF)         | 500 Ft | 1120 SF   |
| Max. Accessory Build. Height (feet)     | 15 Ft  | 16 Ft     |

\*The lot is covered by 97.5 % of crushed stone. We believe that this is a pre-existing variance.

C) Technical Review:

- 1) The property is located in the FIRM Flood Zone AE with a minimum elevation of BFE 8. We believe that a tent structure does not need to conform to the elevation requirements.
- 2) SB Section 130 32 Off Street Parking  
 The applicant should provide testimony on the uses in the shed, in the tent and on the lot. Sea Bright Ordinances (Section 130-32) have the following requirements for typical uses in a marina:  
     Business Services - 1 space per 200 SF  
     Repair Services - 1 space per 200 SF  
     Marina boats in summer slip – 0.5 spaces per boat  
     Boats in winter storage - 0.25 spaces per boat  
 The applicant should provide a calculation and indicate where on the lot cars could be parked.
- 3) Testimony should be provided as to the use of the yard for winter storage of boats and equipment.
- 4) SB Section 130-51 E - Sidewalks shall be installed if required by the Planning Board, when deemed necessary for safety. *The sidewalks on Ocean Avenue (Route 36) are in average shape. Some slabs are cracked and should be replaced as part of this application.*
- 5) SB Section 130 58 L 1 Outdoor lighting shall be so designed as not to cause glare upon adjoining residential property or interfere with vehicular traffic. *There is lighting on site and testimony should be provided on how it may effect surrounding properties.*
- 6) Stormwater Management
  - a) This project cannot be considered a Major Development in that the application is not disturbing more than one acre of land or is building more than one quarter of an acre of new impervious surface. All flows will run to the NJDOT System and to the Shrewsbury River.
- 7) The applicant should provide testimony on how trash and recyclables will be handled.

8) The board may want to consider requiring a minor amount of landscaping (shrubs or street trees) at the front of the property.

9) If the applicant is successful, the following items shall be provided at the appropriate time:

a) Section 130-67 A 1 - Performance Guarantees - Prior to the signing of a final plat of a subdivision or of a site plan, issuance of a development permit and/or the commencing of any clearing, grading or installation of improvements, the developer shall have filed with the Borough a performance guaranty sufficient in amount to equal 120% of the total cost to the Borough, as estimated by the Borough Engineer, of constructing those on-site, on-tract, off-site and off-tract improvements necessary to protect adjacent property and the public interest in the event development of the site were not completed.

b) Shop drawings and submittals, stamped approved by the design engineer, shall be submitted to the Borough Engineer for review and approval, prior to construction, including storm sewer inlets, manholes, castings, MTD, survey cut sheets, diversion manholes, and overflow manholes.

c) The applicant is subject to any affordable housing requirements of Sea Bright.

10) Outside Agency Approval

The application shall be subject to review by all regulatory agencies having jurisdiction including:

- a) Sea Bright Fire Department (fire hydrant and other comments)
- b) Flood Plain Official

If you have any questions regarding the matter, please do not hesitate to contact our office.

Very truly yours,

HODER ASSOCIATES



David J. Hoder, P.E., P.P., C.M.E.  
Unified Planning Board Engineer

cc: Ben Montenegro, Esq, Board Attorney,  
Daniel O'Hern, Esq.