

Memorandum

To: Sea Isle City Planning Board

From: Andrew A. Previti, P.E.

Date: October 7, 2024
April 1, 2025 - Update

Subject: Doc3, LLC – Mixed Use Development
Block: 46.02, Lots: 1.01 & 1.02
4615 Landis Avenue
C-1 General Business Zoning District
City of Sea Isle City, Cape May County, New Jersey

CED Project No.: SIP0091

I. Background

The applicant has submitted an application for preliminary and final site plan approval along with a request for Hardship and Flexible "C" variance relief.

The property is located at 4615 Landis Avenue at the corner of 47th Street and Landis Avenue. The property has fifty-five (55) foot of frontage on Landis Avenue and one hundred (100) foot of frontage on 47th Street, and therefore has a lot area of five thousand five hundred (5,500) square feet and would be a conforming lot in the C-1 Zoning District.

The applicant is proposing to demolish the existing restaurant building and construct a three (3) story building with a restaurant on the first floor and four (4) residential units above. The architectural plans indicate that each of the residential units would have a unit area of one thousand **five** hundred (**1,500**) square feet.

The application has been accompanied by the following documents which have been submitted for review:

<u>Drwg.</u>	<u>Title</u>	<u>Prepared By</u>	<u>Date</u>	<u>Revision</u>
1 of 4	Cover Sheet	Vincent C. Orlando, PE	5/9/2024	3/27/2025
2 of 4	Existing Conditions, Demolition & Site Plans	Vincent C. Orlando, PE	5/9/2024	3/12/2025
3 of 4	Landscape, Grading Drainage & Utility Plan	Vincent C. Orlando, PE	5/9/2024	2/18/2025
4 of 4	Engineering Details	Vincent C. Orlando, PE	8/20/2024	2/18/2025
•	Stormwater Management Report	Vincent C. Orlando, PE	6/13/2024	8/20/2024

<u>Drwg.</u>	<u>Title</u>	<u>Prepared By</u>	<u>Date</u>	<u>Revision</u>
P-1	Proposed First & Second Floor Plans	William A. Haryslak, RA	1/30/2025	3/26/2025
P-2	Proposed Third Floor Plan & Elevator Penthouse Plans	William A. Haryslak, RA	1/30/2025	3/26/2025
P-3	Proposed Street Elevations	William A. Haryslak, RA	1/30/2025	3/26/2025
P-4	Proposed Rear & Left Side Elevations	William A. Haryslak, RA	2/21/2025	3/26/2025
•	Letter to Genell Ferrilli, Planning Board Secretary from Anthony Monzo, Dated May 23, 2024.			
•	Letter to Genell Ferrilli, Planning Board & Zoning Board Secretary from Nichol E. Welsh, LLA dated July 22, 2024.			
•	Letter to Genell Ferrilli, Planning Board & Zoning Board Secretary from Nichol E. Welsh, LLA dated August 22, 2024			
•	Planning Board Submission "Architectural Design Standards" Compliance Breakdown	William A. Haryslak, RA	3/26/2025	---

Note: The revised plans eliminate encroachment into the fifteen (15) foot easement which provides access from 47th Street to the adjacent property north.

The application requires variance relief from the requirements of the C-1 General Business District. These variances are outlined in the Variance Chart below.

VARIANCE CHART

<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
1. Parking Lot Aisle Width	24 ft.	20 ft.	4 ft.	26-23.2
2. Ground Level Transparency	33%	27% 31.2% (47 th St.)	6% 1.8%	26-42.D(1)

VARIANCE CHART - Continued

<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
3. Public Street Primary Entrance (Residential Component)	Required	Not Proposed	Variance Required for Residential Component	26-42.3.e.1
4. Articulated Entrance For Residential Component	Required	Not Proposed	Variance Required For Residential Component	26-46.3.e.2
Note: Variance Not Necessary				
5. Max. Spacing Between Vertical Offsets	33 ft.	35 ft.	2 ft.	26-42.3.a.2
6. Max Number of Colors Excluding Roof	3	9	6	26-42.3.f.2
7. Awning & Canopy Lowest Portion	9 ft. Above Adjacent Grade	7 ft. Landis Ave. & 47 th St. Dining Awnings	2 ft.	26-42.3.h.2

II. Determination for Completeness

The applicant has attended two (2) completeness review meetings with the first one being held on August 12, 2024, and the second being held on September 9, 2024. The Planning Board Review Committee determined that the application was conditionally complete at the September 9, 2024, meeting and could be scheduled for public hearing subject to the submission of revised architectural plans. Revised architectural plans have been submitted.

Status: In addition to the two (2) completeness review meetings noted above, the applicant and their professionals also attended additional completeness review meeting on February 10, 2025, and March 10, 2025. The application was deemed complete by the sub-committee at the March 10, 2025, meeting. The Board should also determine completeness and I would recommend that it be deemed complete.

III. Site Plan Review

I have the following comments which are keyed to the attached site plan review check list:

3. **Site plans should be presented at a scale no smaller than 1"=50', nor larger than 1"=20'; size of sheets should not exceed 36 inches by 24 inches.**

The application will technically require a waiver. The site plan scale as presented that 1"= 10' and is larger than the permitted 1"=20'. The smaller required scale would make it difficult to review the application and the scale presented is acceptable. Therefore, I would recommend that a waiver be granted for site plan scale.

Status: Comment Continues.

4. **Scale and graphic scale.**

See Comment 3.

Status: Comment Continues.

6. **Submit survey of the property prepared by a licensed surveyor of New Jersey, showing boundaries of properties, line of all existing streets and roads, easements rights-of-way and areas dedicated to public use within 200 feet of the development. Also indicated on this sheet will be the north arrow, scale feet and graphic scale, name and address and professional license number and seal of the surveyor who prepared the survey.**

- a. The Gibson survey indicates that an Iron Pin Found at the south easterly corner of the property where the proposed driveway is to be reconstructed. Therefore, a note should be added to the engineering plans that this iron pin is to be preserved or reset if disturbed by the concrete driveway construction which it appears it will be.

Status: Satisfied

14. **Show the boundaries of the property, building and setback lines, lines of existing streets, lots, reservations, easements and areas dedicated to public use.**

- a. The attorney should address the status of the easement which is to be extinguished as well as the Encroachment into Easement Agreement.

Status: Sheet 2 of 4 of the EDA Plans indicates that the existing five (5) foot wide access easement along the northerly property line has been extinguished and has been recorded on August 22, 2024, at Deed Book 4182, Page 923. A copy of this recorded extinguished easement should be submitted if this was not done previously.

The proposed building no longer encroaches into the existing fifteen (15) foot easement from 47th Street. The applicant's attorney should address the status of the submitted Encroachment Into Easement Agreement. Is this Encroachment Agreement still necessary and/or will it be extinguished?

15. **Indicate locations of all utility structures and lines, existing and proposed storm water drainage on-site and off-site and from buildings and structures, as well as telephone, power and light, water hydrant locations, sewer, gas, etc., whether privately or publicly owned, with manholes, inlets, pipe sizes grades inverts and directions of flow.**

a. **Sanitary System.**

1. The plans indicate that the existing six (6) inch sewer lateral from 47th Street will be used for the proposed building. This is acceptable.

Status: Comment Continues.

b. **Water Distribution System.**

1. Utility Plan Sheet 3 calls out a proposed six (6) inch fire line which is acceptable, but also calls for a two (2) inch water service for "(Fire)". This should be reconciled.

Status: Satisfied

2. An existing one (1) inch water service has been extended into the site and this is shown on the plan. This service could be used for the proposed one (1) inch commercial service. The plans appear to be proposing splitting the existing one (1) inch service behind the existing meter for a two (2) inch residential service. The residential service will need its own service line tapped into the existing eight (8) inch PVC main in 47th Street. I will provide the engineering with the City Standard Detail for a two (2) inch water service.

Status: Satisfied

3. The proposed Water Service Detail for a one (1) inch service on Sheet 4, is not consistent with the City's Water Service Detail. I will provide the engineer with the City Standard Detail for a one inch water service.

Status: Satisfied

4. The engineer should meet with Don Teefy, Director of Public Works, to discuss the City's requirements for metering the four (4) proposed residential units. If individual meters for the proposed residential units are required, they should be on the Utility Plan.

Status: Comment Continues.

5. The "Wet Tap Detail" should specify a Mueller Tapping Sleeve and Valve

Status: Satisfied

c. **Stormwater Management System**

The application is subject to the requirements of Code Section 26-34-Stormwater Management Systems as amended. I have reviewed the submitted Stormwater Management report and calculations and the proposed stormwater plan and have the following comments.

1. **Calculations**

- a. The calculations as submitted are acceptable.

Status: Comment Continues

2. **Stormwater Plans**

- a. A soil boring should be performed to confirm the Seasonal High Groundwater (SHGW). If the SHGW is less than thirty-four (34) inches below the existing surface then the proposed stormwater system will require a redesign.

Status: The following note has been added to the plans on Sheet 3 of the EDA plans:

Soil borings to be performed to determine seasonal high water for underground stormwater trench and invert elevation.

These soil borings must be performed as a condition of approval and I will not be in a position to sign off on the site plans until the soil borings have been performed and the final design for the stormwater management system is confirmed and approved.

- b. The fifteen (15) inch Drainage Inlet Detail calls for a minimum of eight (8) inch thick concrete around the inlet, while the Drainage Trench Detail calls for six (6) inch thick concrete over the trench. This should be reconciled.

The eight (8) inch thickness may be reduced ten (10) foot beyond the inlet.

Status: Outstanding. Comment Continues.

- c. The fifteen (15) inch Drainage Inlet Detail calls for a twelve (12) inch PVC riser pipe to connect the inlet grate to the pipes to the recharge system. The Schedule and Thickness of this pipe should be specified. Due to the heavy load of the trash trucks which will back into the easement / driveway area the design engineer may want to consider a Ductile Iron Pipe (DIP) riser pipe instead of the proposed PVC.

Status: Riser pipe changed to DIP. Comment Satisfied.

- d. The architectural plans should include a roof drainage plan which illustrates how roof runoff will flow to the proposed downspouts and the recharge system. This could be part of the Construction Plans when those are prepared and should be

submitted to the Municipal Engineer for approval. Points of connection to the recharge system should be shown on the Architecture Plans.

Status: Comment Continues.

17. **Show all proposed easements and public and community areas.**

See Comment 14.

Status: Comment Continues.

18. **Indicate all means of vehicular ingress and egress to and from the site on to public streets, showing the size and location of driveways, curb cuts and curbing, and site lines.**

- a. A variance will be necessary for the driveway width and the drive isle width as noted in the Variance Chart.

Status: Comment Continues. The revised plans show an Elevated Electrical Panel Access Platform and Steps. The steps encroach into the proposed twenty (20) foot wide drive aisle and I would recommend that two (2) bollards be placed at the bottom of the steps to protect them from vehicular traffic, especially truck traffic necessary for solid waste pickup from the property to the north. Details for these bollards should be added to the plans.

- b. The Concrete Vertical Curb Detail should note a compressive strength of four thousand (4,000) psi at twenty eight (28) days.

Status: Satisfied.

19. **Show location and design of off-street parking areas, showing their size, and the location of internal circulation, traffic patterns, parking space, aisles, driveways, curbing, barriers and wearing surface finishes and construction.**

- a. A variance will be necessary for a twenty (20) foot wide driveway when a twenty-four (24) foot drive aisle is required. This is noted in the variance chart. .

Status: Comment Continues.

- b. The engineer should provide testimony on ADA compliance relative to the proposed parking plan.

Status: Comment Continues.

21. **Indicate provisions for refuse and garbage disposal. Insure that such areas are not exposed to view, are unpolluting, covered from weather and are secure from vandalism. Incineration or burning of units will be of such design and construction as to be approvable by the State Department of Health and Environmental Protection. Compactor units will ensure completely sealed operation. Open dump areas for garbage**

or refuse should be prohibited but where they are deemed necessary, they must be enclosed and constructed with views to sight, fire protection, sanitation and security.

- a. The engineer should provide testimony concerning how solid waste and recycling will be stored onsite and how it will be collected.

Status: Comment Continues. Note added to plan "Collection by Private Hauler". Collection by a private hauler should be a specific condition of approval.

- b. The proposed trash room must comply with the requirements of Chapter 18 relative to the number of containers and/or dumpsters. The architect should provide testimony on the adequacy of the size of the proposed trash room.

Status: Comment Continues.

- c. The architectural plans show a clear vertical distance of thirteen point five (13.5) feet to the underside of the proposed overhang building extension. The Department of Public Works in their email to me of September 12, 2024, indicates that they will need a clearance between fourteen (14) and fifteen (15) feet in order for the trash truck muffler stack to clear the proposed building extension. Architectural plans should be revised accordingly.

Status: Satisfied.

- d. Details for the fence and gates with post foundations for the entrance to the trash room should be provided on the engineering plans.

Status: Details no longer necessary.

- e. Any approval that the Board may grant should be conditioned on the applicant satisfying the requirements of the Department of Public Works relative to recycling and solid waste storage and pick up. **This should be a condition of approval.**

Status: Comment Continues.

22. **Show provisions for screening or storage of equipment, attached or separate from buildings.**

- a. The architect should provide testimony relative to how the roof top HVAC units will be screened. Details for the screening should be provided on the architectural plans and should also be indicated on the engineering plans.

Status: Comment Continues.

24. **Note all existing and proposed signs and their sizes; nature of construction and locations, height and orientation, including all identification signs, traffic and directional signs and arrows, freestanding and façade signs and time control for sign lighting.**

- a. It is unclear what the actual proposed sign area is. The architect should provide testimony concerning the size of the proposed signs. A variance may be necessary based on the testimony.

Status: The architectural plans have been revised to show the proposed signs and both the architectural plans and the EDA plans indicate a total sign area of sixty (60) square feet which would be conforming. The professionals should testify relative to whether they are seeking any variance relief for any of the proposed signs.

- b. Sign details should be provided.

Status: Comment Continues.

25. **Indicate locations, dimensions and construction of off-site sidewalks, on-site exits, walks and sidewalks. Provision should be made for pedestrian safety, access ways and, where necessary, a bicycle system and racking.**

- a. The surface of the proposed three (3) foot wide area along the northerly property line should be indicated on the Site Plan.

Status: Satisfied

- b. Note 7 on Sheet 1 of the engineering plans indicates the following:
"All concrete curb, sidewalk, pavement disturbed in kind within rights of way are to be repaired in kind".

This should be a condition of approval.

Status: Comment continues. The note is now Note 8 on the revised plans.

26. **Show proposed screening of green areas and landscaping and fencing, including a planting plan and schedule, and trees, off-site and along road, etc. Provision should be made for maintenance.**

- a. The proposed project requires four (4) street trees, three (3) on-site trees and twenty-five (25) shrubs. Four(4) street trees are proposed and at least forty-seven (47) shrubs are proposed. The number of street trees and onsite shrubs conform to the City's standards.

Status: Comment Continues.

- b. The plan is proposing four (4) Pencil Point Junipers which I assume are being proposed as an onsite tree. This plant could be considered a small tree or shrub and will grow to a height of five (5) feet in approximately ten (10) years. The Board should determine if the proposed Pencil Point Juniper would address the on-site tree requirement.

Status: Satisfied. The Board has accepted this as an on-site tree.

- c. The only proposed plant material which is on the City's accepted plant materials list is the October Glory Red Maple. Therefore, the engineer should provide testimony that the other proposed plant materials will tolerate the coastal environment.

Status: Comment Continues. The revised plans on Sheet 3 under the Landscape Plan indicate a Goldspire Red Maple instead of the original proposed "October Glory" Red Maple. While this particular red maple is not accepted on the City's accepted material plant list it is acceptable. Testimony should be provided relative to the other proposed plant materials as to whether they will tolerate the coastal environment.

- d. The quantity of plants listed in the Planting Schedule on Sheet 3 is not consistent with the Landscape Plan. This should be reconciled.

Status: Satisfied.

- e. An irrigation system is being proposed and this is acceptable.

Status: Comment Continues.

27. **Show improvements to adjoining streets and roads, and traffic control devices necessary in streets or highways. Acceleration and deceleration lanes, paving, land dedication or acquisition for road should be considered.**

- a. See Comment 25 concerning replacement of disturbed concrete and pavement areas.

Status: Comment Continues.

- b. A Street Restoration Detail for restoration in and along 47th Street should be provided. Restoration should consist of a six (6) inch gravel or DGA base course, a four (4) inch HMA base course and a two (2) inch HMA surface course conforming to the City's road opening requirements.

If any road disturbance occurs along Landis Avenue the plans should include a restoration detail following Cape May County's requirements.

Status: Satisfied.

- c. Sheet 2 of the engineering plans calls for a "Proposed Tactile Warning Surface ADA Curb Ramp" at the 47th Street and Landis Avenue corner. The engineer should provide testimony confirming that this ramp is actually being proposed. If proposed, a separate detail with proposed elevations should be provided.

Status: Satisfied. Ramp being proposed and details provided.

28. Copies of any covenants and deed restrictions intended to cover any of the development site should be submitted.

- a. The attorney should address the status of the Easement Termination and Easement Encroachment Agreement.

Status: Comment Continues

29. A detailed written description, sketch, rendering or picture of any new buildings or structures should be presented.

- a. This information should be presented at the hearing for this application.

Status: Comment Continues.

30. Preliminary architectural floor plans and elevations should be submitted, with the name, address, professional number and seal of the architect.

1. The architectural plans having an original date of July 18, 2024, and a latest revision date of September 29, 2024, have been reviewed for conformance to the adopted Architectural Design Standards of Chapter 26-42 and I have the following comments:

Status: Revised plans prepared by William A. Haryslak, RA having an original date of January 30, 2025, and a latest revision date of March 26, 2025, have been submitted. Mr. Haryslak has also prepared a "Architectural Design Standards" compliance breakdown. I have reviewed that breakdown relative to any additional variances necessary and these are listed in the Variance Chart.

1. **General Comments**

- a. The purpose of Architectural Design Standards is to "reflect the City's desire for a coastal seashore village" and "create buildings that are attractive, improve the City's Commercial Zone's image and enliven the landscape".
- b. The plans as presented do not meet certain of the architectural design standards under Code Section 26-42. The architect has prepared an Architectural Design Standards Chart on Drawing P-1 and based on that narrative I have determined that at least three variances are necessary from the Code Requirements of Code Section 26-42 and these are listed in the Variance Chart. Additional variances may be necessary dependent upon the architect's testimony relative to the proposed building.

Status: Comments Continue. A total of five (5) variances are necessary based on the revised plans and the Compliance Breakdown noted above. These are as listed in the Variance Chart as noted.

2. Comments on Plans

- a. The height of the windowsills above the sidewalk should be noted on the plans.

Status: Satisfied.

- b. The Architectural Design Standard Chart P-1 does not address the proposed number of colors under the Material Section. This information should be added, and the architect should provide testimony on the proposed number of colors.

Status: Satisfied. Testimony should be provided.

- c. The architect should explain how residential unit area was calculated.

Status: Comment Continues.

- d. The architectural plans and the engineering plans should be consistent, and the architectural plans should be revised where necessary.

Status: Satisfied.

32. **In fire prevention, consideration must be shown for service lines, hydrants, Siamese connections, automatic sprinkler system, fire zones, "no parking fire zones" and pavement and wall signs.**

- a. A fire suppression system is proposed. The architect should provide testimony concerning the type of system and where controls for the system will be located. The comments of the Director of Public Works should be incorporated into any fire suppression system plans.

Status: Comments Continue.

- b. Any comments from the City's Fire Department should be incorporated into the project plans.

Status: Comments Continue.

33. **Flood zone and base flood elevation.**

- a. This information should be noted on the plans and should include the Local Design Flood Elevation (LDFE).

Status: Satisfied.

- b. The architect should testify how the building will be constructed to meet elevation and floodproofing requirements.

Status: Comment Continues.

36. **A detailed written list of any additional permits required from the municipality, county, state or federal agencies.**

- a. The applicant should address the status of the additional permits which are listed under Note 9 on the plans.

Status: Comment Continues. The Note is now Note 10 on revised plans.

38. **Show all requirements under the Americans with Disabilities Acts of 1990 for parking and pedestrian and vehicular movement.**

- a. The design professionals should provide testimony relative to accessibility conformance relative to the requirements of ADA for both pedestrian and vehicular conditions.
- b. **This should be made a condition of approval.**

Status: Comments a & b continue.

IV. Additional Comments

1. Comments from the City's Police, Fire, and Public Works departments should be considered by the Board.
2. A note should be added to the plans that any required electrical transformer will be located onsite.
3. If this project is approved, a plan of construction should be prepared as part of the Construction Plans. This plan should address construction phases, site security during construction, pedestrian safety, staging areas, material delivery and any other construction related activity. **This should be a condition of approval and should be prepared as part of the construction permit application to the Construction Official. The plan of construction should be reviewed and approved by the Municipal Engineer.**
4. If this project is approved a condition of approval should require the applicants to attend a pre-construction meeting along with the City's Police Department and Municipal Engineer before any site activity including foundation for the new structure is undertaken. The applicant's builder should be present at any pre-construction meeting.
5. The project, if approved will be required to comply with Code Section 26-43.4, Non-Residential Affordable Housing Development Fees. This should be discussed with the applicants at the hearing and a condition of approval should require the applicants to conform to the requirements of this Code Section.
6. The engineering and architectural plans should be revised as necessary to be consistent with each other.

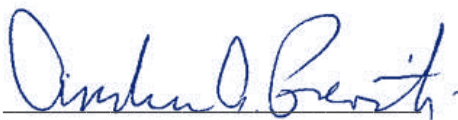
Status: Comments 1-5 Continue. Comment 6 has been satisfied.

V. Recommendations

1. I would advise the Board that the application could be deemed complete for a Site Plan Review in my opinion. There are several issues which will require discussion with the applicants and there will also be a need to amend the site plan as noted in this report.
2. The outstanding items mentioned in this report should be addressed by the applicants and their professionals.
3. The applicants and their professionals should provide testimony as to why the Board should grant variance relief which are required for this application.
4. The Board has the discretion to grant the variances requested or could decide to grant some of the variance while denying others. The Board Solicitor will advise you relative to this issue.
5. If the Board is to grant the variances requested and if the Board takes action on Preliminary and Final Site Plan approval, then these actions should be conditioned on the applicants submitting the revised plans to satisfy the comments noted in this report and action on any other variances requested.
6. Any approval should be conditioned on the applicants obtaining all other governmental approvals and must submit copies of these approvals to the Board Secretary and Board Engineer. These approvals should also include approvals from the Department of Public Works relative to connection to the City's utilities as well as the acceptability of any proposed solid waste and recycling plan.
7. Copies of all easement documents should be submitted to the Board Attorney and Board Engineer prior to filing.

A copy of the filed encroachment into easement agreement should be provided.

Status: Comments 1-6 Continue. The project no longer requires encroachment into the fifteen (15) foot wide easement along the easterly property line for access from 47th Street to the property to the north. I would recommend that the applicant's attorney address the need for the encroachment into easement agreement and the Board should consider whether this encroachment into easement agreement should be extinguished.



Andrew A. Previti, P.E.
Municipal & Board Engineer

AAP/dpm

Site Plan Check List Attached

cc. Planning Board Members (via Board Secretary)
Genell Ferrilli, Board Secretary (via email)
Jon Batastini, Esquire, Board Solicitor (via email)
Don Teefy, Jr., Director of DPW (via email)
Cornelius Byrne, Construction Official (via email)
Mariah Rodia, Construction Office (via email)
Anthony P. Monzo, Esq (via email)
Vincent Orlando, PE (via email)
William A. Haryslak, RA (via email)
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