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February 22, 2023

Chairman and Members
Long Beach Township Land Use Board
6805 Long Beach Blvd.
Brant Beach, NJ 08008

Re: Docket #: LUB-03-23- Site Plan/Special Reasons "D" Variance
Applicant: Loveladies Tennis Club
Block: 20.106
Lot(s): 6
Location: 291 Rivera Drive, Loveladies
OLA File No.: LBLUB-23-TENNIS

Dear Chairman and Members:

Frank J. Little, Jr., P.E., P.P., C.M.E.
Douglas F. Klee, P.E., P.P., C.M.E.
William J. Berg, P.L.S.

This office is in receipt of and has reviewed the Site Plan and Special Reasons "D" Variance application for the referenced site.

In addition to the application, the submission consists of the following:

- A. Site Plan, One (1) Sheet, prepared by Horn, Tyson & Yoder, Inc. The map is signed by James D. Brzozowski, PE, PP and dated 1/12/2022 with no revisions.
- B. Tax map sheet with the subject property highlighted.
- C. Color Photos, Four (4) color photos of the various angles of the property.

To supplement the application, the following Land Use Board Resolutions were provided by the Township Land Use Board Secretary to this office for review as they are relevant to the current application:

- D. Township of Long Beach, Zoning Board of Adjustment- Application 81-31 Loveladies Tennis Club, Approved November 13, 1981. This application approved the construction of a 28 FT x 44 FT clubhouse plus wide, bleacher-like steps, some or all of which will be removable.
- E. Long Beach Township Land Use Board Resolution of Memorialization, Application LUB 22-07, Denied July 11, 2007. The applicant sought Minor Subdivision Approval, Minor Site Plan Approval and a Special Reasons Variance to permit the reduction of the area of the tennis courts by subdividing a parcel measuring 100 FT x 105 FT, which contained the buffer area, from the existing premises. This application was denied as the original site plan approval and use in 1965 then amended in 1980 and 1981 was specifically conditioned upon being buffered by trees and vacant areas and the Board found, that amongst other reasons, that a reduction in the buffer area will result in an improper site plan in that adjoining residential properties will be subjected to more noise.

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The subject site is presently developed with 8 tennis courts, a 1 story building, and an 18-space parking lot. Ten (10) gravel parking spaces also exist adjacent to Riviera Drive, however, all of these spaces extend into the right-of-way.

The applicant proposes the construction of two additional pickleball courts on the wooded portion (100 FT x 115 FT) of the lot fronting Riviera Drive along with a gravel walkway and four (4) park benches. The proposed area of clearing is approximately 70 FT x 75 FT.

Based on our review of the submitted materials, the following comments are offered for the Board's consideration:

1. **Zoning** - The subject site lies within the R-10- Single Family Residential Zone. Review of the above referenced materials indicates the following:
 - a. **Special Reasons/"D" Variance** – Since these tennis and pickleball courts are not associated with a primary structure and not located in a designated recreation area, they are not considered permitted uses in the R-10 Single Family Residential Zone, therefore a Special Reasons/"D" Variance is required as the proposed pickleball courts represent an expansion of a non-conforming use.
 - a. **(Pickleball Courts) Front Yard Setback** – Code 205-51(B)(2) - Proposed Front Yard Setback to Riviera Drive is 15.5 FT where 25 FT is required. A Variance is needed.
 - b. **(Tennis Courts) Front Yard Setback** – Code 205-51(B)(2) – Existing Front Yard Setback to Long Beach Boulevard is 2.3 FT where 25 FT is required. This is an existing non-conforming condition.
 - c. **(Tennis Courts) Front Yard Setback** – Code 205-51(B)(2) – Existing Front Yard Setback to Riviera Drive is 24.1 FT where 25 FT is required. This is an existing non-conforming condition.
 - d. **(Tennis Courts) Side Yard Setback** – Code 205-51(B)(2) – Existing Front Yard Setback to Riviera Drive is 24.1 FT where 25 FT is required. This is an existing non-conforming condition.
 - e. **(Tennis Courts) Side Yard Setback** – Code 205-51(B)(5) – Existing Side Yard Setback is 5.5 FT where 8 FT is required. This is an existing non-conforming condition.
 - f. **(Tennis Courts) Rear Yard Setback** – Code 205-51(B)(5) – Existing Side Yard Setback is 5.6 FT where 8 FT is required. This is an existing non-conforming condition.
 - g. **(Tennis Courts) Setback to Bulkhead/MHWL** – Code 205-11(C) – Existing Setback to the Bulkhead/MHWL is 5.6 FT where 10 FT is required. This is an existing non-conforming condition.
2. **Fencing** – Code 205-31(D) - An eight (8) FT high chain link fence is proposed on the East/West sides of the new Pickleball Courts and a 12 FT chain link is proposed on the North side of the same courts which is permitted as a chain link type fence with a maximum height of 12 FT is permitted.

In addition, the applicant proposes an 8 FT high chain link fence with Acoustifence installed along the Southerly side of the pickleball courts adjacent to Riviera Drive. A Variance for fence type is required.

Since the design of Acoustifence can vary, the applicant shall provide testimony regarding the style of Acoustifence proposed as well as related specifications related to noise reduction and wind load.

3. **Utilities**- No change in utility usage is proposed as part of this application except for the electric necessary for the EVC Units.
4. **Site Lighting**- The applicant shall provide testimony regarding any proposed site lighting as no lighting plans were provided for review.
5. **Flood Zone** – The subject property is located within Flood Zone AE, Elevation 5 on FIRM #34029C0603F, effective date 9/29/2006 and Flood Zone AE, Elevation 7 on FIRM #34029C0603G dated 01/30/2015. All new construction shall comply with current requirements of the zone.
6. **Additional Approvals/Outside Agencies** – Should the Board approve this application, additional approval requirements will be as follows:
 - a. Any and all other outside agency approvals as may be required.

It is therefore recommended that should the Board approve this application, it be conditional upon consideration of the comments cited above and any other conditions the Board may wish to impose.

Very truly yours,


Frank J. Little, Jr., P.E., P.P., C.M.E.

FJL:ASI:cmb:caa

Cc: Jackie Fife, Board Secretary (jfife@longbeachtownship.com)