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August 23, 2023

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

Re:	Docket #:	LBLUB-14-23 Special Reasons/ "D" Variance
	Applicant:	Henry Street Trust (Dhan)
	Block:	10.06
	Lot(s):	9
	Location:	11902 Long Beach Blvd.
	OLA File No.:	LBLUB-23-HENRY

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 Special Reasons/"D" Variance Application for the referenced site.

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

- A. Survey Map with Topography, One (1) Sheet, prepared by Jay F. Pierson, LS, PP and dated 07/17/2023.

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

1. **Application Summary** – The 9,000 SF subject site lies within the C-General Commercial Zone and is located on the southwest corner of Long Beach Boulevard and Nevada Avenue. Presently, the site is developed with a mixed-use building containing a commercial unit on the ground floor and a single-family apartment unit above. The applicant proposes to demolish the existing building and construct a new mixed-use building with a sound-proof recording studio at the property which is not a permitted use in the C-Commercial Zone and therefore, a Special Reasons/ "D" Variance is required.

Per the application, the applicant is only seeking the Special Reasons/"D" Variance at this time and at such time that the variance is approved, the applicant will return to the Land Use Board with a Preliminary and Final Major Site Plan Application.

2. **Zoning** – As noted above, the subject site lies within the C-General Commercial Zone which permits and prohibits specific uses as follows:

Uses and buildings permitted.

- (1) Churches and other places of worship and Sunday school buildings and parish houses.
- (2) Public and parochial schools.

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- (3) Public museums and libraries.
- (4) Public utilities structures, but not including storage and maintenance uses and garages.
- (5) Microbreweries and craft distilleries, provided that specific standards and conditions are complied with and a conditional use permit is obtained from the Land Use Board.
- (6) Municipal recreational facilities, buildings and grounds.
- (7) Private garages.
- (8) Accessory uses or buildings.
- (9) Nonprofit community or neighborhood boat docks or slips, by conditional use permit
- (10) Buildings used exclusively by the federal, state, county or local municipal government for public purposes.

Public utilities structures, including storage and maintenance uses and garages subject to the approval by the appropriate Board.

- (11) Any retail shopping facility or service establishments which supplies commodities or performs a service, such as but not limited to a grocery store, delicatessen, meat market, drugstore, bakery shops, variety stores, antique shops, gift shops, furniture stores, restaurant, luncheonette, barbershop, beauty parlor, clothes cleaning and laundry pickup establishments, laundromats, banks, real estate offices, business or professional offices, provided that these business uses shall not display goods for purposes of sale outside the structure at a distance exceeding three feet from the exterior wall of the said structure.
- (12) Gasoline or oil stations, automobile service stations and public garages may be permitted, provided that certain standards and conditions are complied with, and a conditional use permit is obtained from the appropriate Board.
- (13) Hotels and motels, provided that certain standards and conditions are complied with, and a conditional use permit is obtained from the appropriate board.
- (14) Mixed uses.

Prohibited uses and buildings. The following buildings, structures and uses, except such of them as may have been in existence on November 1, 1968, are specifically prohibited in the General Commercial District:

- (1) Shipbuilding yards or ways.
- (2) Marine railways.
- (3) Machine shops.
- (4) Fish packing, shipping, canning, processing or storage.
- (5) Bottling plants.
- (6) Junkyards.
- (7) Air fields; landing bases.
- (8) Automobile wrecking yards.
- (9) Carpet, rag or bag cleaning establishments.
- (10) Any process of manufacture or treatment which is not clearly incidental to the retail business conducted on the premises.

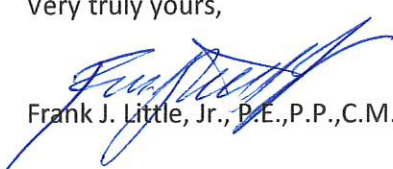
- (11) Carousels, roller coasters, merry-go-rounds, Ferris wheels or other mechanical rides, pony tracks, miniature golf courses or golf driving ranges.
- (12) Trampolines.
- (13) Wild animal exhibits.
- (14) Nightclubs.
- (15) Any type of business using jukeboxes or record players with external speakers to attract attention to the business being conducted within the premises.
- (16) Any business using sidewalk displays or signboards.
- (17) Mobile home and RV parks, except as authorized in the Marine Commercial Zone by Chapter 119.
- (18) Dance halls.
- (19) Used car lots.
- (20) Any process of assembly, manufacturing or treatment using power in excess of 25 total horsepower or constituting a nuisance by reason of odor, smoke or noise.
- (21) Amusement devices or attractions of any sort, kind or description.
- (22) Single-family detached dwellings.
- (23) Multifamily dwellings.
- (24) Trailers and recreational vehicles, except as authorized by Chapter 193.
- (25) Food trucks, except as authorized by Chapter 195.

The proposed Recording Studio is not a permitted use in this zone and therefore, a Special Reasons/ "D" Variance is required. We note the lot area and lot width dimensions meet the minimum required of 6,000 SF and 60 FT in this zone and, if constructed, the building will be completely soundproof.

3. **Additional Approvals/Outside Agencies** – Should the Board approve this application, additional approval requirements will be as follows:
- a. Preliminary and Final Major Site Plan Approval – Long Beach Township Land Use Board
 - b. 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:caa

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