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February 4, 2026

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

Re: Docket #: LUB-22-25 – Preliminary and Final Major Site Plan
Applicant: Sunset Harbor Marina, LLC
Block: 6.25
Lot(s): 1 QualC0009
Location: 32 West South 32nd Street, Unit C-9
OLA File No.: LBLUB-25-SUNSET
SECOND REVIEW

Dear Chairman and Members:

This office is in receipt of and has reviewed the Preliminary and Final Major Site Plan Application for the referenced site.

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

- A. Boundary and Topographic Survey of the Upland Portion of Unit 9, prepared by Horn, Tyson and Yoder, Inc., signed by Leon J. Tyszka, PLS and dated 03/17/2025.
- B. Site Plan, One (1) Sheet, prepared by Horn, Tyson and Yoder, Inc., signed by James D. Brzozowski, PE, PP, dated 06/11/2025, and last revised 1/14/2026.
- C. Architectural Plans – Proposed Restroom Facility, One (1) Sheet, prepared and signed by Ralph L. Finelli Architect, dated 09/30/2024, and last revised 1/14/2026.
- D. Four (4) photographs of the subject site, prepared by the applicant and undated.
- E. Deed for Transfer of Property, made on 03/26/2024 and filed in the County of Ocean on 04/26/2024.
- F. Resolution of Memorialization for Approval of Minor Site Plan and Variance Application- Long Beach Township Land Use Board, Application LUB 25-04 and dated August 5, 2004.

The subject lot is 28,725 SF of upland area and is locally known as Sunset Harbor Marina which contains an 8-unit condominium building and a 24 space parking lot as well as 56 boat slips. The area of the lot that is specifically being reviewed as part of this application is the asphalt parking lot area which presently contains 24 parking spaces. **The application originally reviewed by this office on September 25, 2025 proposed the removal of three (3) existing parking spaces and the construction of a 10 FT by 27 FT bathroom facility containing showers, toilets, and sinks, along with a 5 FT by 18.7 FT deck and a roof overhang of equal dimensions.**

Subsequent to that review, the applicant has submitted revised plans which reduce the length of the proposed bathroom facility by six (6) FT, resulting in a revised building footprint of 10 FT by 21 FT. The revised plans propose two (2) separate ADA-compliant bathroom units, each containing a toilet, sink, and shower. In addition, a storage closet is proposed between the two units, accessible from the exterior only. The revised plans continue to include a 5 FT by 18.7 FT deck, lift, and a roof overhang of the same dimensions.

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

1. **Zoning** - The subject site lies within the MC- Marine Commercial Zone. Review of the above-mentioned materials indicates the following:
 - a. **Rear Yard Setback – Section 205-61(B)(4)** - The proposed Rear Yard Setback (adjacent to Lot 6 – permitted residential use) has been increased to 18.1 FT where 4.5 FT was initially proposed and where 10 FT is required. A variance is no longer required.
 - b. **Side Yard Setback – Section 205-61(B)(4)** - The proposed Side Yard Setback (adjacent to West 31st Street) is 5.1 Feet where 10 Feet is required. A variance remains required.
 - c. **Off Street Parking – Section 205-61(C)(1)** – The existing marina is comprised of 56 boat slips whereas 1 parking space per 2 boat slips is required by Code, therefore 28 parking spaces are needed. Currently, 24 spaces exist onsite, and the applicant proposes to eliminate 3 spaces to allow for construction of the bathroom facility. Therefore, twenty-one (21) 9 FT x 18 FT parking spaces are proposed where 28 spaces are required. A variance remains required.
 - d. **Impervious Coverage – Section 205-33(B)(3)(a)** – The existing Impervious Coverage is 82% as the site is developed with a residential condominium building and an asphalt parking lot. Therefore, the impervious coverage of 82% onsite will be maintained after construction of the bathroom facility as the building will be constructed within the existing parking lot area. This is an existing non-conforming condition and no variance is required.
2. **Architectural Plans** - The submitted architectural plans show a 10 FT x 21 FT elevated bathroom building with an attached 5 FT x 18.7 FT deck and a similarly sized roof overhang area. The interior layout includes two (2) separate ADA bathroom units, each comprised of a toilet, sink and shower. A 3 FT x 5.6 FT storage closet is also proposed, accessed from the exterior deck area. A wheelchair lift is also proposed to access the landing area.

The elevations indicate that the structure will include a pitched roof and multiple windows designed to provide natural light while maintaining privacy for restroom occupants, **however, the windows that were once proposed on the easterly and westerly elevations have since been removed.** The proposed building is located outside of the Coastal A Zone; therefore, pile-supported construction is not required. It appears, however, that open lattice may be installed between grade and the finished floor which indicates that this building will be supported by piling. The applicant shall provide additional testimony.

In addition, additional testimony shall be provided by the applicant in regards to the following:

- Restroom hours of operation (seasonal and year-round)?
- Anticipated maintenance plan for both daily use as well as incidents such as a sewerage overflow, etc.
- Means of access for patrons, i.e. will doors be equipped with coded locks and self-closing?

- Proposed interior and exterior lighting for both usage and safety.
 - Will this building be heated and/or cooled?
3. **Utilities**- No detail is provided related to connection to the municipal sewer and water utility system nor standalone sanitary waste system. Testimony shall be provided.
 4. **Building Height** – We note that the architectural plans provide 4 FT between the grade and the finished first floor and the Site Plan states that the proposed finished first floor is 10.0. However, the average grade elevation, as shown on the Site Plan, is (4.3). Therefore, the building would need to be elevated at least 6 FT from the ground surface to meet Elevation 10 and would only provide approximately 5.8 FT of headroom if the building maintained the proposed 15.8 FT building height. Testimony shall be provided and revised plans may be required.
 5. **Application and CAFRA Approval** - The applicant completed Section 16 of the Township Land Use Board Application and noted, "A variance was granted previously by the Board. The facility is required. The prior approved restroom was not constructed.

The applicant shall provide testimony related to the regulatory requirement for this bathroom facility.

We note that NJDEP General Permit 9 authorizes construction of support facilities at legally existing and operating marinas but does not require bathroom construction. In addition, if the marina was proposed, and not yet constructed, a CAFRA Individual Permit would be required and the applicant would have to demonstrate that adequate support facilities, such as bathrooms and showers, were provided as part of the site plan. In addition, it does not appear that this site has received a GP-9 approval from the NJDEP, therefore, testimony related to the status of this permit is required.

Pursuant to the recently adopted NJDEP REAL Rules, the applicant shall confirm that all necessary permits and any applicable legacy provisions will be obtained to maintain the proposed building height of 15.8 FT.

6. **Landscaping** – The applicant shall address any proposed landscaping or buffering that may be proposed as part of this new building construction, especially adjacent to the residential lots and West 31st Street.
7. **Flood Zone** – All construction shall be designed in accordance with the applicable regulations at time of plot plan approval.
8. **Additional Approvals/Outside Agencies** – Should the Board approve this application, additional approval requirements will be as follows:
 - a. **NJDEP CAFRA Permit and any other additional Coastal or Flood Hazard Permit, as applicable.**
 - 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.

We recommend that this application be deemed complete and placed on the next agenda meeting provided the applicant has met the administrative requirements of the Ordinance.

Very truly yours,



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

FJL:ASI

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