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February 25, 2026

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

**Re: Docket #: LUB-01-26 – Preliminary and Final Major Site Plan and Special Reasons/"D" Variance**  
**Applicant: Bagel Boys, LLC**  
**Block: 5.27**  
**Lot(s): 1 & 10**  
**Location: 2609 Long Beach Boulevard**  
**OLA File No.: LBLUB-26-BAGEL**

Dear Chairman and Members:

This office is in receipt of and has reviewed the Preliminary and Final Major 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, Four (4) Sheets, prepared by Horn, Tyson and Yoder, Inc., signed by James D. Brzozowski, PE, PP and Leon J. Tyszka, PLS and dated 01/23/2026 as follows:
  - i. Sheet 1 – Site Plan- Cover Page
  - ii. Sheet 2 – Site Plan
  - iii. Sheet 3 – Existing Conditions Survey
  - iv. Sheet 4 – Site Plan-Details
  
- B. Architectural Plans for East House, Four (4) Sheets, prepared by Adamson Riva & Lepley Architects, AIA and last dated 1/29/26 as follows:
  - i. Sheet A2.0 – Ground & First Floor Plans – East House
  - ii. Sheet A2.1 – Second Floor and Roof Plans – East House
  - iii. Sheet A3.0 – Exterior Elevations - East House
  - iv. Sheet A3.1 – Exterior Elevations - East House
  
- C. Architectural Plans for West House, Four (4) Sheets, prepared by Adamson Riva & Lepley Architects, AIA and last dated 1/29/26 as follows:
  - i. Sheet A2.0 – Ground & First Floor Plans – West House
  - ii. Sheet A2.1 – Second Floor and Roof Plans – West House
  - iii. Sheet A3.0 – Exterior Elevations - West House
  - iv. Sheet A3.1 – Exterior Elevations - West House
  
- D. Architectural Plans for Mixed Use Property, Two (2) Sheets, prepared by Adamson Riva & Lepley Architects, AIA and last dated 1/29/26 as follows:
  - i. Sheet A1.0 – Floorplans
  - ii. Sheet A2.0 – Exterior Elevations

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- E. Four (4) photographs of the subject site, prepared by the applicant and undated.
  
- F. Resolution of Memorialization for Approval of Minor Site Plan Special Reasons Variance Application- Long Beach Township Land Use Board, Application LUB 01-07 and dated February 13, 2007.
  
- G. Resolution of Memorialization for Approval of Minor Site Plan Special Reasons Variance Application- Long Beach Township Land Use Board, Application LUB 17-20 and dated October 14, 2020.

The subject property is approximately 12,500 +/- square feet and is currently developed with a mixed-use building containing the Spray Beach Bagel & Grill on the first floor and a single-family apartment on the second floor. A separate single-family dwelling is also located to the south of the mixed-use building.

The applicant proposes to demolish all existing structures and construct a new elevated bagel shop generally in the same location as the existing commercial building, with a one-story single-family apartment above. Parking serving the bagel shop and associated apartment will be provided beneath and to the rear of the proposed building. In addition, the applicant proposes to construct two (2) freestanding two-story single-family dwellings on the property, each fronting E. 26th Street. Associated site improvements, including a trash enclosure, parking areas, landscaping, and typical residential lighting, are also proposed.

The site is located within the LiMWA (Limit of Moderate Wave Action Flood Zone) and must therefore comply with V-Zone building design standards, including the prohibition of floodproofing for commercial areas located below the design flood elevation.

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 C- General Commercial Zone. Review of the above-mentioned materials indicates the following:
  - a. **Mixed Uses in the C-General Commercial Zone - Section 205-59(A)(18)(c)** – Nine (9) parking spaces are required for the three (3) residential units at the property (3 spaces per unit) and three (3) spaces are required for the bagel shop based upon the total floor area whereas this code section requires that a minimum of 50% of the parking at the property be provided for non-residential uses whereas only 3 spaces are proposed. Since the site layout does not meet a condition of the permitted uses in the C-General Commercial Zone, a Special Reasons/"D" Variance is required.

The proposed arrangement of the structures is consistent with the ordinance insofar as mixed uses may, by definition, be located within a single building or distributed among multiple buildings on the same lot. However, the ordinance further requires that the square footage of any residential use located above the first floor shall not exceed the square footage of the commercial use provided on the first floor.

Based on the plans submitted, the cumulative residential floor area totals 3,000 square feet (968 SF + 968 SF + 1,064 SF), whereas the commercial floor area on the first floor is 1,120 square feet. Accordingly, the residential component exceeds the commercial component by 1,880 square feet, representing approximately 167.8 percent of the

commercial floor area. As a result, a Special Reasons/ "D" Variance is required as the layout does not meet a condition of the permitted uses in the C-General Commercial Zone.

2. **Architectural Plans** -- Summaries of each building are as follows:

**Mixed Use Building:** The plans show a 1,120 square foot commercial space located on the first-floor level, proposed for use as a bagel shop. Primary public access to the space is provided from the exterior via a staircase and an exterior chair lift. The interior layout includes a food preparation/kitchen area with a walk-in cooler, a sales and service counter, an open customer area (no interior seating is shown on the plans), a restroom, and a mechanical closet.

An additional interior stairway connection to the space is also indicated; however, as this stair discharges directly into the kitchen/food preparation area, it does not appear to be intended for routine public circulation. Rather, the stair would reasonably function as a secondary means of egress for employees and occupants during an emergency condition.

The exterior porch associated with the commercial space is proposed to contain five tables, each accommodating two seats, resulting in a total outdoor seating capacity of ten patrons. No additional queuing or waiting area is specifically delineated on the plans.

The plans indicate the construction of a 1,064 square foot residential dwelling unit on the second floor. The proposed apartment layout consists of two bedrooms, one full bathroom, a kitchen area, a great room area, and a designated laundry area. Access to the dwelling unit is provided solely via an interior staircase. No exterior deck, balcony, or other exterior living space is shown as part of the proposed residential unit.

Since this building is located within the LiMWA-Limit of Moderate Wave Action Flood Zone, no commercial floor area below the Design Flood Elevation may be flood proofed and instead must be elevated above the Design Flood Elevation similar to the requirements for a residential dwelling. In addition, open wall or breakaway construction is required and only parking, access, or storage is permitted below the Design Flood Elevation. Parking for three (3) vehicles will be provided underneath the building as well as building access.

**Detached Residential Dwelling – East:** The plans show a 1,817 square foot single-family dwelling. The ground level includes a one-car garage, outdoor shower, storage closet, access vestibule, and an elevator. The first habitable floor contains four (4) bedrooms and two (2) full bathrooms. The upper level provides the kitchen, dining room, living room, a half bathroom, and access to a porch/deck. A roof deck is also proposed and will be accessible by stairway only.

**Detached Residential Dwelling – West:** The plans show a 1,817 square foot single-family dwelling with a very similar layout to the east house, though reversed in orientation.

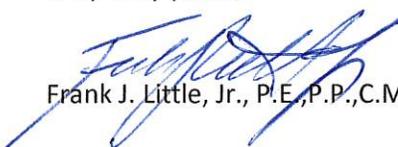
3. **Utilities**- No detail is provided related to existing or proposed connections to the municipal sewer and water utility system. Testimony shall be provided and revised plans shall be required.
4. **Landscaping** – The proposed site plan includes a landscaping layout which provides buffering along the easterly property liner as well as buffering at the north side of the residential dwellings adjacent to the commercial parking and driveway area. A decorative planting area is also shown between the mixed use building and the sidewalk adjacent to long beach boulevard. The plant species include various mix of species that are typical in the area and include hydrangeas, junipers, boxwood, crepe myrtle trees and grasses.
5. **Concrete Curb and Sidewalk**- Sections of the existing curb and sidewalk along the frontages of the property will be removed and replaced with concrete curb, sidewalk. Specifically, a 44 FT driveway opening on Long Beach Boulevard will be provided for access to the mixed-use parking area and sidewalk will be installed along the frontage on 26<sup>th</sup> Street. This depressed curb length is not restricted to a 20 FT width as it is part of a mixed use development. Details have been provided and should any portion of the existing curb or sidewalk be deteriorated or below design standard, it shall be removed and replaced at the direction of the Township Engineer.
6. **Site Lighting**- The only site lighting proposed onsite will be typical residential lighting. Testimony shall be provided to ensure that the proposed lighting will adequately cover the site and its commercial use component.
7. **Signage**- One (1) wall mounted sign is shown on the architectural plan, however, testimony shall be provided related to any additional wall-mounted identification signs or ground mounted signs.
8. **Refuse Management**- A 8 FT x 12 FT trash enclosure area is proposed adjacent to the residential dwelling on the east side of the lot. Testimony shall be provided to confirm that these receptacles will be handled by a private carting company. Also, the applicant shall address the means of accessing the trash enclosure as it appears a 12 FT wide driveway is proposed from 26<sup>th</sup> Street to access this trash enclosure on the commercial portion of the subject lot.
9. **Off-Street Parking and Loading**- The proposed parking area for the mixed-use building will be comprised of crushed shell and concrete underneath the structure. One (1) van accessible handicap stall is proposed and a wheelstop will be provided for each parking space. Testimony shall be required related to the designation of spaces for commercial use only. No loading zone shall be required for any business of commercial use less than 4,000 SF.
10. **Vision Clearance**- A 25 FT x 25 FT sight triangle is shown on the plan at the corner of Long Beach Boulevard and there are no encroachments into this easement. Testimony shall be provided regarding the AASHTO sight triangle as indicated on the plan.
11. **Flood Zone** – All construction shall be designed in accordance with the applicable regulations at time of plot plan approval for each structure and all applicable flood related permits should be obtained prior to the issuance of building permits.
12. **Additional Approvals/Outside Agencies** – Should the Board approve this application, additional approval requirements will be as follows:
  - a. NJDEP CAFRA Permit
  - b. NJDEP Flood Hazard Area Permit
  - c. Ocean County Soil Conservation District

d. 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 ([jfife@longbeachtownship.com](mailto:jfife@longbeachtownship.com))