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May 26, 2026

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

Re:	Docket #:	LUB-10-26 –Preliminary and Final Major Site Plan/ Special Reasons “D” Variance and Bulk Variance
	Application	
	Applicant:	Tip Holdings, LLC
	Block:	6.46
	Lot(s):	2
	Location:	13302 Long Beach Boulevard
	OLA File No.:	LBLUB-26-TIP

Dear Chairman and Members:

This office is in receipt of and has reviewed the Preliminary and Final Major Site Plan, Special Reasons “D” Variance and Bulk Variance Application for the referenced site.

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

- A. Minor Site Plan, One (1) Sheet, prepared by FWH Associates, P.A., signed by Christopher P. Rosati, PE and dated 4/7/26 as follows:
 - i. Sheet 1: Title Sheet
 - ii. Sheet 2: Existing Conditions/Demolition Plan
 - iii. Sheet 3: Site and Grading Plan
 - iv. Sheet 4: Landscape & Lighting Plan and Details
 - v. Sheet 5: Construction Details

- B. Architectural Plans, Five (5) Sheets, prepared by Michael Pagnotta Architecture & Construction, signed by Michael Pagnotta, AIA and dated 5/6/26 as follows:
 - i. Sheet CS: Front Elevation & General Plan Notes 1
 - ii. Sheet A-1: Ground Floor Plan
 - iii. Sheet A-2: First & Second Floor Plans
 - iv. Sheet A-3: Roof Plan
 - v. Sheet A-4: All Elevations

- C. Four (4) photographs of the subject site.

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D. Tax Map Sheet # 9

The 3,907 SF lot, situated at the corners of Baltic and Delaware Avenues and Long Beach Boulevard, is currently developed with a two-story mixed-use building that contains an ice cream shop on the ground floor and a single-family apartment unit above. The applicant proposes to demolish the mixed-use building and construct a new three-story mixed-use building with an ice cream shop on the ground floor and a two-story single-family apartment unit above. Other improvements will also be made to the site including parking, lighting and landscaping. 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 and the proposed mixed-use structure is permitted provided certain conditions are met per §205-59.A(18). Review of the above-mentioned materials indicates that the following variance conditions exist:
 - a. **Permitted Uses: §205-59.A(18)(c)** - Section 205-59(A)(18) regulates mixed-use development within this zone and establishes specific criteria for the construction of mixed-use buildings. Pursuant to §205-59(A)(18)(c), a minimum of 50% of the required parking spaces at the property must be allocated to the non-residential use. The applicant proposes a total of five (5) parking spaces, including two (2) spaces designated for the non-residential use and three (3) spaces designated for the residential use. Accordingly, the proposed allocation does not satisfy the requirement that at least 50% of the parking serve the non-residential component of the development. Therefore, the application requires Conditional Use ("D") Variance relief.

We further note that the parking calculations submitted by the applicant indicate that two (2) parking spaces are required for the non-residential use and three (3) parking spaces are required for the residential use, which is inconsistent with the 50% parking allocation requirement set forth in §205-59(A)(18)(c).
 - b. **Lot Area: §205-59.C (1)** – Proposed Lot Area is 3,907 SF where 6,000 SF is required in the C-General Commercial Zone. We note that this is a pre-existing non-conforming condition, however, a variance is required as the existing development will be demolished and new construction is proposed.
 - c. **Impervious Coverage: §205-59.G** – Proposed Impervious Coverage is 82.61% or (3,227 SF +/-) where 75% or (2,930.25 SF) is the maximum permitted. A Variance is required.
 - d. **Vision Clearance on Corner Lots: §205-6** – Two (2) parking spaces encroach into the 25'x25' sight triangle easement at the corner of Delaware and Baltic Avenues whereas no obstruction to vision higher than two feet six inches above the established grade at the center line of the intersecting streets or easements shall be erected, placed, permitted or maintained. A Variance is required.

<u>Onsite Use</u>	<u>Parking Stalls Required</u>	<u>Parking Stalls Provided</u>
Ice Cream/Eating Establishment	1 space/6 seats (12 seats total) 2 spaces required	2 spaces provided
Single Family Apartment (<3000 SF)	3 spaces required	1 space provided

2. **Parking** – The applicant proposes a total of five (5) onsite parking spaces, however, two (2) of the parking spaces are located within the site triangle, therefore, only (3) parking spaces are provided. A Variance is required.

Each of the parking spaces will be accessible from Baltic Avenue only and the spaces will be delineated with concrete wheelstops. The applicant shall provide testimony related to the following:

- One (1) handicap parking stall is indicated, however, the loading zone for this space is deficient in size and, therefore, the space is not compliant with ADA design standards and a waiver is required. Also, revisions to the handicap parking stall construction detail(s) may be required.
- No signage appears proposed onsite to designate spaces reserved for the commercial and residential use whereas spaces for the residential use should be assigned.
- A pavement section detail is provided on Site Plan Sheet 5, however, no reference is provided as to the proposed pavement location onsite. The applicant shall address the proposed surface material of the parking area.

3. **Utilities** – Although not indicated on the plan, existing utilities service this site, however, testimony shall be provided regarding whether these utilities will be utilized or replaced during construction. Revisions to the plans will be required.

4. **Lighting and Landscaping** – Five (5) wall-mounted light fixtures are proposed for the building, however, no proposed footcandles are provided to demonstrate onsite illumination or impacts to adjacent property. Testimony shall be provided.

A landscape plan was provided which includes turf groundcover as well as numerous shrubs and grasses. A crepe myrtle tree is proposed in front of the building near Delaware Avenue and much of the undeveloped site will be covered with concrete pavers. We note that the elimination of approximately 297 SF of pavers or other impervious surface would negate the need for a variance relief from impervious coverage.

5. **Architectural Plans** – The architectural plans show a proposed three-story mixed-use building consisting of a 1,078 SF ice cream establishment on the ground floor with a two-story residential apartment above, accessible via a ground-level entrance vestibule. The proposed ice cream establishment includes a primary retail/service area, a separate seating area containing six (6) seats, and a bar-top seating area containing an additional six (6) seats, for a total of twelve (12)

on-site seats. We note, however, that the site plan identifies only eleven (11) seats, which appears to be an error and should be revised for consistency with the architectural plans.

The first floor of the residential apartment will contain approximately 1,077 SF of habitable area, which is one (1) square foot less than the retail floor area below, and will include four (4) bedrooms, two (2) full bathrooms, and a common living area. The second floor of the apartment will contain approximately 1,007 SF and will include the kitchen with walk-in pantry, living room, dining room, one-half bathroom, an exterior sundeck, and access to a rooftop deck area. As the second floor contains less floor area than the first residential level, the total habitable floor area of the apartment is proposed at 2,084 square feet.

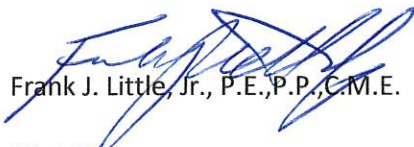
6. **Curb and Sidewalk** – Concrete curb and sidewalk exists along the frontages of the property on Long Beach Boulevard and Delaware Avenue. Should any portion of this curb or sidewalk be deteriorated or below design standard, it shall be removed and replaced at the direction of the Township Engineer.
7. **Flood Zone** – The Effective Flood Zone is AE(9) and the Preliminary Flood Zone is AE(8), and all construction shall meet the minimum Federal and State floodplain requirements set forth in the applicable permit. IN addition, dry floodproofing of the ground level commercial space will be required and coordination with the Township Construction Code Official will be required. Revised plans may be necessary.
8. **Statement of Operations** - The applicant shall provide a detailed Statement of Operations for the proposed ice cream establishment. At a minimum, the statement should address the proposed hours of operation, number of employees, anticipated customer occupancy, food preparation activities, delivery schedule and frequency, trash and recycling handling, and any seasonal variations in operation. We note that a white vinyl trash enclosure is proposed adjacent to Baltic Avenue which appears adequate for the proposed use.
9. **Plan Revisions** – The following plan revisions shall be made or testimony shall be provided:
 - a. The Site Plan Title Block shall be revised to reflect “Preliminary and Final Major Site Plan” and all references to the Long Beach Township Planning Board shall be revised to reflect the Land Use Board.
 - b. The number of seats provided on Site Plan Sheet 5 shall be revised to reflect 12 seats, not 11 seats.
 - c. The Site Plan shall be revised to reflect the need for a variance from providing the minimum number of parking stalls due to the 25’x25’ site triangle easement.
 - d. If approved, floodproofing measures may need to be addressed as a condition of Resolution Compliance to ensure no impacts on the design of the building that would require additional variance relief.

10. **Additional Approvals** - Should the Board approve this application, additional approval requirements will be as follows:
- a. NJDEP – Flood Hazard Area Permit or equivalent
 - b. Ocean County Planning Board
 - c. Long Beach Township Water and Sewer Department
 - 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 available 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:caa

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

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