

101 Crawfords Corner Road  
Suite 3400  
Holmdel New Jersey 07733  
Main: 877 627 3772



January 4, 2024

**VIA EMAIL**

Chairman Richard J. McGoey  
Borough of Bay Head Planning Board  
82 Bridge Avenue, P.O. Box 248  
Bay Head, New Jersey 08742

Application for Bulk Variances (**PBA No. 23-10**)  
Andrew and Verity Frizzell  
1606 Bay Avenue; Block 5, Lot 12  
Borough of Bay Head, Ocean County, New Jersey  
Colliers Engineering & Design Project No. BAP-0261

Dear Chairman McGoey and Planning Board Members,

We've received a copy of the above-referenced Application for bulk variance approval. The subject of the Application includes modifications to the existing single-family dwelling and installation of a walkway. Also proposed are the replacement of an existing non-conforming accessory structure (with a conforming structure) and installation of an in-ground pool. The 0.21-acre property is located on the northbound side of Bay Avenue, approximately 150 feet south of Evergreen Drive, and is within the R-50 Single-family Residential Zone.

We've received and reviewed the following documents:

1. "Proposed Plot Plan for Lot 12, Block 5", consisting of one (1) sheet prepared by FWH Associates, P.A., dated September 15, 2023 and last revised October 11, 2023;
2. "Architectural Plans and Elevations", consisting of eleven (11) sheets prepared by FWH Associates, P.A. and dated August 20, 2023;
3. "Boundary and Topographic Survey", prepared by FWH Associates, P.A., dated June 10, 2021 and last revised September 26, 2023;
4. Zoning Permit Denial dated October 12, 2023; and,
5. Completed Borough of Bay Head Development Application, dated November 6, 2023.

Based on our review of the submitted information and the requirements of Section 147-44.B, the Application can be deemed **complete** as of this date.

We have reviewed the Application for compliance with the Borough ordinances and offer the following comments for the Board's consideration:

1. The subject of the Application includes modifications to the existing single-family dwelling and installation of a walkway. Also proposed are the replacement of an existing non-conforming accessory structure (with a conforming structure), installation of an in-ground pool, and patio/driveway modifications. The 0.21-acre property is located on the northbound side of Bay Avenue, approximately 150 feet south of Evergreen Drive, and is within the R-50 Single-family Residential Zone. The property is bounded to north and south by residential properties and to the east by municipal property (Boro Garage and Recycling Center).
2. Following is a summary of the Zoning Requirements:

Description	Required	Existing	Proposed
Min. Lot Area (SF)	5,000	9,107	9,107
Min. Lot Width (Ft.)	50	50	50
Min. Lot Frontage (Ft.)	50	51.87	51.87
Min. Lot Depth (Ft.)	100	176	176
Min. Front Yard Setback (Ft.)	20	29.7	29.7
Min. Side Yard Setback (Ft.)	6	6	5.5 **
Min. Side Yard, Combined (Ft.)	16	18.9	17.9
Min. Rear Yard Setback (Ft.)	10	68.8	68.2
Min. Side Yard (Ft.)			
Accessory (Shed)	4	3.8 *	4.2
Pool	5	N/A	5.1
Min. Rear Yard (Ft.)			
Accessory (Shed)	4	42	43.2
Pool	5	N/A	37
Maximum Height	2.5 Stories/35 ft.	2 Story/28.5 ft.	2 Story / 28.5 ft.
Max. Building Coverage (%)	35	22.4	26.8
Max. Lot Coverage by Str. (%)	50	43.3	49.4

\* Existing non-conformance                      \*\* Proposed variance

3. There is a non-conforming side yard setback to the existing shed that will be eliminated with the location of the new shed. We note the shed is being enlarged from 10 feet by 15 feet to 12 feet by 24 feet.
4. The Applicant is requesting the following relief:
  - a. Chapter 147, Attachment 1, requires a side yard setback of 6 feet. The Applicant is proposing a side yard setback of 5.5 feet.

- b. Section 147-6.H(1) requires a patio, terrace or deck constructed 12 inches or less above ground level to be a minimum of 3 feet from a side or rear property line. The proposed walkway on the south side of the property appears to be approximately 2.5 feet from the property line. This setback dimension should be added to the plan.

The Applicant should provide testimony supporting the requested relief.

5. The Applicant is proposing to remove an existing concrete patio and reconstruct/expand the existing paver patio and driveway. The resulting building and lot coverage percentages comply with the applicable ordinance requirements.
6. Stone recharge trenches are proposed along portions of both the north and south property lines to manage stormwater runoff. The widths of these trenches should be added to the plan.
7. The various principal building setback dimensions on the "Proposed Improvement Plan" should be revised to reflect the 6-inch siding and insulation modifications on all sides.
8. Should the application be approved, the Applicant will need to obtain all applicable building permits.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,

Colliers Engineering & Design, Inc.  
(DBA Maser Consulting)



Robert A. Mullin, P.E., P.P., CME, CPWM  
Planning Board Engineer

RAM/sab

cc: Darren Erbe, Planning Board Secretary (via email)  
Steven A. Zabarsky, Esq., Citta, Holzapfel & Zabarsky (via email)  
Paul Pogorzelski, P.E., Zoning Officer (via email)  
Andrew and Verity Frizzell, Applicants (via email)  
William Gage, Esq., Applicant's Attorney (via email)  
Christopher Rosati, P.E., FWH Associates, P.A., Applicant's Engineer (via email)