

New Clubhouse Special Membership Meeting May 29, 2021

The following questions were received from the Membership.

Abbreviations – OB3 = Ocean Beach & Bay Club
OB3-NCH = Ocean Beach & Bay Club New Clubhouse Committee
TR = Township of Toms River
CAFRA = Coastal Area Facility Review Act of 1973
OB3 Website = oceanbeach3.org
FEMA = Federal Emergency Management Agency

Member: Karen Polito, 126 W. Penguin Received 5/13/2021

1. Per several requests, both in writing and on several board meetings going back to 2020, can the site survey results please be shared? Members voted YES to pay the approximately \$33k to have the survey done, why can't we see the results?

Answer: Part 1 - The site survey was completed and received by the OB3 – NCH on March 15, 2021.

It was not completed nor available prior to that date.

The result of the survey is on the back of the CAFRA 200' Notification letter you received on 5/5/2021. There will be 5 foam boards on display with the CAFRA plot plans enlarged. They will be located in the clubhouse for the membership to view.

Answer: Part 2 – The members voted yes to appropriate \$33,000 to provide several items including the site survey necessary to prepare and file the CAFRA Permit.

Recommended reading – Slide 5 of the May 8, 2020 Presentation.
Slide 23 May 29, 2021 Presentation

2. Why does North Beach Way still show up on the site drawings from Gravatt, if a new survey of the property was conducted? That road doesn't exist.

Answer: North Beach Way is a paper street. The street and associated lot layout was filed with the subdivision by the original Developers of OB3 in 1951. In 1958, the Developers sold the lots to OB3 as per a vote by the membership.

To combine the lots and remove the paper street requires OB3 to hire an attorney well versed in TR Land and Use Regulations and then present to the TR

Planning Board for approvals. Previous Boards did not appropriate funding for this as there was never a need to do so.

OB3 may be required to do a “reverse lot line” and combine the lots as part of this process.

Recommended reading – Slide 23 May 29, 2021 Presentation

3. Update on the plans- last I heard, we are now considering putting the concession stand, bathrooms, garage and elevator on lower level, and a grand room, and offices upstairs? Why are we raising the clubhouse then if we are putting all of these permanent structures on the lower level. Doesn't that go against FEMA regulations?

Answer: The clubhouse concept includes elevation as per current FEMA guidelines. It is a practical decision to place the facilities on the ground level rather than track sand and wet feet up the stairs causing slipping hazards or continually cleaning the floor of the expensive elevator.

Recommended reading – Slide 36 of the May 8, 2020 Presentation.

4. What is being done about the constant flooding on the bay beach, where the new clubhouse is intended to go?

Answer: The new clubhouse will be elevated to FEMA standards for an **A8** location.

We live on a barrier island; a virtual sandbar ½ mile wide where flooding is common.

Recommended reading: Army Corps of Engineering – Philadelphia District - New Jersey Back Bay Flooding Studies beginning in 2016.

5. Per my requests, both in writing and on several board meetings where is the letter from CAFRA stating that the clubhouse needs to be moved. Can you please share this letter with the members.

Answer: TR is the entity that is has an ordinance dictating the move of the clubhouse 50' from the nearest residential property line, not CAFRA. The CAFRA permit has not been approved as yet, the OB3-NCH Committee does not know what CAFRA will or will not approve at this time.

Recommended reading: Slide 34 of the May 8, 2020 Presentation
Slide 17 of the May 25, 2021 Presentation

Toms River Ordinance Chapter 348-9.18
Quasi-Public and Private Club Recreation Areas
Item # 4 - No building shall be located closer than 50 feet to a residential property line.

6. When will the architects be selected?

Answer: The Architectural firms have a deadline for response of May 25, 2021. The committee will review the bids at a later date. The committee cannot complete the design until we gain CAFRA approvals.

Recommended reading – Slide 16 of the May 8, 2020 Presentation which states-

“...Once the Engineering reports are received and the NJ Department of Environmental Protection (DEP) Coastal Area Facility Review Act (CAFRA) permit is approved ---THIS CAN TAKE AS LONG AS ONE YEAR ---we will have a clear determination as to the exact size and location of the physical building that can be built. When it is time to engage an architect, we will go out to bid as we recently did for the engineer.”

7. Will members get a vote on options for the clubhouse or not? This seems to be very unclear, per the last board meeting. My email to the committee, about this, went unanswered. Sharon called me, but again, my list of questions weren't fully addressed or answered. Still not clear if members will get a choice to vote on options.

Answer: Part 1 - The OB3 NCH Committee is responsible for obtaining all the pertinent information from the governing authorities and presenting it to the Board for approval or not.

Answer: Part 2 – Answers cannot be fully addressed as they are not available at this point in time. The steps will be fully addressed in the presentation.

Recommended reading: Slide 16 of the May 8, 2020 Presentation.

8. Did the date of 10/29/21 to demolish the clubhouse change? I'm hearing that due to COVID, FEMA may push out the date of when homes/buildings need to be raised.

Answer: The clubhouse is a commercial building with a legal agreement filed with TR regarding the date of decommissioning (not demolition). The date is firm.

9. Why is exercise equipment installed on the bay beach (north end) without membership input? Was there a survey of members opinions asking for this? How much money was spent on this equipment? My personal opinion....I'd rather have a treadmill or exercise bikes in the clubhouse than pull up bars out on the beach/highway that are basking in the sun all day. But our opinions weren't considered. (**Answer see part 1**) Or this area would have made for a great "dog park" spot instead, which is much needed, and wanted amongst the neighborhood (**Answer see part 2**). Also heard from a few people that they'd love to see a pickleball court, (**Answer see part 3**) or beach volleyball. (**Answer see part 4**) Was any of this stuff considered in the holistic plan? Or are we strictly looking at the clubhouse only? (**Answer see part 5**)

Answer: Part 1 – No exercise equipment has been purchased nor installed. Thank you for your opinion.

Answer: Part 2 – No dogs are allowed on OB3 property.

Answer: Part 3 - There is an existing pickle board court owned by TR that is available to all TR residential properties on Strickland Blvd just north of the OB3 boarder.

Answer: Part 4 – Ball playing on the beach has been debated and voted down by the membership for several consecutive years now.

Answer: Part 5 – At this point due to the major scope of this project and cost only the NCH is being addressed. Suggestions are fine, however, they all cost money, additional member assessments, require volunteers to develop, propose, research, and implement.

10. Asbestos removal? When the clubhouse is demolished, how is the asbestos removal going to be cared for, so particles don't fly into the air/water?

Answer: The demolition company employs a licensed by the State of New Jersey asbestos removal company who is responsible for adhering according to established stringent removal standards.

Recommended reading -

<https://www.state.nj.us/health/ceohs/asbestos/asbestos-faq/>

11.Lots 30-36 – Did we take this opportunity to consolidate those lots while we are going through all of the site surveys, and work with CAFRA an DEP?

Answer: Same as the answer to Question 2

12: My concern with this entire "clubhouse" project is that it feels we are looking at this project as just the clubhouse and not a revamp of the entire bay beach, which I think is so desperately needed. Things are being done as one-off situations. (first a new playground, bocce, then kayak racks, then pull up bars) why can't we look at the entire property and see what makes the best experience, holistically. Look at what is needed to attract more people to this area.....what about installing pergolas, with picnic tables or benches underneath, so members can buy concessions and then sit and have a place to eat them. Or come down with cheese, crackers and wine, and sit and watch the sunset. Why aren't ideas like that being thought of?

Answer: Please look at the OB3 website tab - Bay Beach Recreation Area. Your ideas are welcome and several volunteer members and Boards have addressed these items. As funds become available, possibly these items can be addressed.

~ End of Questions & Answers from member – Karen Polito dated 5/13/2021~

Member: Karen Polito, 126 W. Penguin Received 5/21/2021

(Numbering continued from previous email above)

13.How much money has been raised to build the new clubhouse, to date?

Answer: Please see Slide # of the May 29, 2021 Presentation

14.Is OBBC receiving FEMA money to raise the clubhouse?

Answer: No, OBBC is a private club

14.The letter from Kim Dixon to residents who live within 200 feet of the clubhouse is a misrepresentation of what is really happening. My email to the committee on May 7th went unanswered. Ms. Dixon doesn't mention anything about the clubhouse being raised, and the drawing of the plans on the back of the paper is impossible to read.

The New Clubhouse is being elevated to FEMA regulations A8.

15.Tom, back in March, you offered to facilitate a call with Bruce Jacobs at Gravatt Consulting Group, and myself, Karen, so he could address my concerns. I have respected your wishes to not reach out to him directly. That meeting has yet to

be scheduled. Will the architects and engineers present their plans to the members, so we can ask our questions directly, to the source?

Answer: The committee is the liaison between the board and all members.

There is a cost for engaging professionals for this request and there is a cost when members call the professionals directly. The NCH Committee is the liaison between the board and membership. We are responsible to keep expenses to a minimum. The professionals are directed to refer callers that contact them to contact the NCH committee.

16. At last year's Semi-Annual meeting (July 25, 2020), it was mentioned that the clubhouse is being raised 9 feet high and moving 50 feet from the fence, 20 feet from its existing location. On the May 14, 2021 board meeting, it was stated the clubhouse is in an AE zone and has to be raised 8 feet. Yet, according to FEMA's maps, the clubhouse is in an AE flood zone and has to be raised 7 feet. In the letter from Barlo on November 25, 2019, the flood zone is listed as AE, with an elevation of 8 feet (Please note, the address Barlo used on their RFP response was incorrect). So which flood zone is the clubhouse in, and how high is it being raised? 7, 8 or 9 feet?

Answer: The height of the first floor is 11 feet and is in the FEMA A8 Zone.

Note: Tom also answered that the FEMA zones have changed over the years.

Doug added the heights of the flood elevations – 4 & ½ feet to ground floor level.

17. In the letter from Barlo, dated November 25, 2019, it is noted that the building will be designed to fit on the same footprint and will be essentially a rectangle, and refers to the address as 3339 Route 35 South. In the letter from Kim Dixon Letter dated March 26, 2020, it is noted that the existing building at 3305 Heron Lane will be replaced and relocated. So is the clubhouse staying in the same footprint, or moving? /If we are moving it, why wouldn't we build it on our owned land? and on land that doesn't flood?

Answer: The building is moving as answered in Question number 5. 3339 Route 35 South is the address of the OBBC owned lots – owned since 1958. 3305 Heron Lane is the address of the Ocean Beach Pearl owned lots leased to OBBC since 1951.

Regarding flooding - This point is moot as the owned land does flood.

See slides of today's presentation.

18. Will the current Office be sold as a commercial lot/business? Are there any interested buyers yet?

Answer: The office is not on the market. The date to be listed will be determined at a future date. It is zoned Mixed use General Business Zone and Residential.

Recommended reading: TR ecode Chapter 348. Land Use and Development Regulations 348-10.28 GB General Business Zone.

19. With the office moving to the clubhouse, does that mean the clubhouse will be open year-round? I assume that means we need to pay for heating, and other utilities, in a much larger building. Has that been budgeted?

Answer: The higher efficiency new HVAC in the new clubhouse should offset the current old office bills. The maintenance garage is temperature-controlled year-round. By combining the buildings, we reduce the electric, gas, heat, a/c, sewer, water, internet, phone to one location/one bill. Today there are separate bills for each location.

In the off-season time the office itself will have a separate heat/air control and the open area will be not temperature controlled.

~ End of Questions & Answers from member – Karen Polito dated 5/21/2021~

Member: Judy Baliman, W. Dolphin Received 5/17/2021

1. During the May 8, 2020 Special New Clubhouse meeting, the members were told in Slide #3 of the slide deck:

“Step One: Engineering and the CAFRA permit will inform our options regarding size and placement of the new building. This will take about one year to complete, so we must get started now!”

Since we’re over one year from that meeting, has this been completed? If not, why not? If not when will this be complete?

Answer: Engineering was completed March 2021. This information was incorporated into the CAFRA permit filing. The date the actual CAFRA permit was electronically sent by the Kim Dixon Environmental LLC to the NJ DEP is 5/4/2021. The CAFRA permit is currently being reviewed. We know this because requests for more information have been responded to by the OB3-NCH.

2. During the May 8, 2020 Special New Clubhouse meeting, the committee proposed, and the members subsequently approved a \$33,000 expenditure for engineering services. Please describe the request for a proposal process, how many proposals were received, and which vendor was selected.

Answer: The RFP's were sent to several firms. Five responded. One was immediately rejected because a sitting Board member worked for the company. Gravatt Consulting Group was unanimously voted by the committee as the vendor of choice.

Recommended reading: Slide 5 of the May 8, 2020 zoom meeting.

3. How many contracts have been approved related to this project?

Answer: Five - See slide 35 on expenditures for names and amounts.

4. Have any of these contracts been awarded to members of the New Clubhouse Committee, the Board or any companies they own or operate?

Answer: Absolutely not.

5. For each contract approved, please provide the following information: Please keep this information updated and share it with members on the website.

6.

Answer: This information is provided on the expense slide.

7. During the May 2020 meeting, the members were told on slide #11:

“We anticipate the cost of the project to be between \$750,000 - \$1,000,000. We have approximately \$500,000 in the Clubhouse Reserve Account, sourced from the sale of one OB3 parking lot, fundraising, 2020 Dues & Assessments, and surplus from 2019. Another \$200,000 will be collected from 2021 and 2022 Dues & Assessments. Approximately \$300,000 will be raised when we sell the current Club office. Starting in 2020, we will have an extra \$50,000/year coming in from increases in Rental Badge fees.”

Is the cost estimate to complete the New Clubhouse still \$750,000 - \$1,000,000?

Answer: Yes

8. How much money is currently in the New Clubhouse Reserve Account?

Answer: See Slide 36 in this presentation for details.

9. Does OB3 still intend to sell the current Club office? If so, what is the current estimate of the sale price for that property? If not, what is the Club's plan to cover the \$300,000 that was projected from the sale of that property?

Answer: Yes. It is too early to predict the sale price.

10. New clubhouse appearance – on Slide # 30 of the May 2020 slide deck, a question was asked regarding the appearance of the new clubhouse. At that time, members were told:

“We are not yet at the design stage. When we are, we will solicit membership opinions. Be assured, the community will be involved in this project.”

I’ve seen no survey or request for member input on the design of the new clubhouse. Do you plan to conduct a member survey? If so, when?

Answer: Not at this time.

11. Will the new clubhouse occupy the footprint of the current clubhouse? If not, where on the lot will it be located?

Answer: No, it will be moved 20 foot north, see slides # 16, 17 (TR code & plot drawing)

12. In addition to the new clubhouse, will there be any new or additional structures on the lot? If so, please describe.

Answer: We have included a Storage garage on the permit filing.
See slides 18 - 20 regarding the Storage Structure.

13. On Slide # 43 of the May 2020 slide deck, the following question was asked:

“Since the committee meets biweekly, is it possible to share their meeting minutes with the members? Details of deliberations are not necessary – you could simply include who attended, topics discussed, any resolutions or recommendations, and action items. What if you send a monthly or bimonthly email to members with an update containing this information?”

To date, the communications on the new clubhouse have been minimal and members are only kept informed when they are asked to vote on an expenditure (like last year’s vote on the \$33,000) or there is an upcoming general membership meeting and the board is trying to diffuse the questions. There is a new clubhouse page on the website – why not post more information to it and send an email blast to members when updates are posted so we all can stay informed?

Answer: We can post when we have more answers from the CAFRA and Toms River responses.

14. What is the high-level timeline for the New Clubhouse project? What are the key milestones and when do you anticipate meeting them? Please post this timeline to the website.

Answer: The timeline is very fluid. Once the CAFRA permit is approved, we can move forward.

Recommended reading – Slide 6 May 29, 2021 Presentation.

15. During the September 2019, a member asked (and two other members spoke at the meeting in support of this as a way to fund the new clubhouse):

“Can we sell another lot (Plover and Amberjack east)? Answer: Must determine if it’s a buildable lot, then take that under advisement as a way to raise funds.”

Answer: It is not for the committee to decide on the sale of any OB3 property. That is the sole responsibility of the Board of Trustees.

NOTE: During the presentation, the Board President added to this answer – the Board of Trustees voted not to sell that lot.

Please describe the process used to determine if it is a buildable lot and whether it is.

Answer: This is now a moot point.

Subsequently, the board raised a concern that we may need more parking lot/spaces. What was driving that statement and has it been determined to be accurate – does the club require a certain number of parking spaces? If so, how many?

Answer: This is a question for the Board, this is not in the scope of the NCH committee tasks.

~ End of Questions & Answers from member – Judy Baliman dated 5/21/2021 ~

Member: Chrissy, W. Penguin Received 5/20/2021

1. Why weren't the members allowed to vote on the design/size/placement of the clubhouse?

Answer: The New Clubhouse Committee was assigned the task by the Board of Trustees to research all the information regarding the design, size and placement of the clubhouse.

2. Why couldn't we move the new clubhouse onto our owned property instead of over 20 feet onto an area that floods every time it rains.

Answer: The owned land also floods.

The increased cost to move everything that is currently on the OBB3 owned land is prohibitive.

Time & Money –

1. A new highway cut out would be required for access to the building. Estimated cost \$500,000. Estimated time for approvals @ 4 years. Governing entities, NJ DOT, NJ DEP, Toms River.
2. New infrastructure – There are no utilities beyond the existing clubhouse. Would require new electric, sewer, water, and gas lines extended to the area. Cost and time estimates are not included in the proposed cost to build. Only the cost to extend the services @20’.
3. Move or removal of existing items such a playground. Older playground equipment is grandfathered and cannot be moved. If removed, must be replaced with new equipment at an extra expense. Cost – not budgeted. Example - the new playground equipment recently purchased with money raised by Fundraising cost \$35,000 not including professional installation. That expense was saved by the wonderful volunteers who took their time to assist in demolition and installation.

Recommended reading - See Slides 30-33 of the May 29, 2021 presentation.

See Slides 30-33 of the May 29, 2021 presentation.

3. Did the exercise equipment that was installed come out of our funds or was it donated? If we payed for it, why weren't the members notified? We have to vote on whether or not we can play ball on the beach (which doesn't cost us any money) why didn't we get a vote on that?

Answer: This is a rumor. There has not been a purchase of exercise equipment. It was a suggestion as part of a discussion only.

Member: Chrissy, W. Penguin Received 5/20/2021

4. When will the members get the new clubhouse design options to vote on? Since, one of the questions from the May 8th 2020 meeting questions (which is on the website) was "Will owners still have a chance to vote on the design for the clubhouse?"

Answer: When we are at the design stage, we will present options to the membership. This is a very complex project requiring approvals by several governmental entities. The answer from May 8, 2020 is still the same.

5. Can you please explain as to why we couldn't put the new clubhouse on our owned property? Since, the entire structure is being demolished it is considered a new construction so we should be able to move it wherever we would like it.

Answer - See answer to your question #2 above.

