

Ms. Sherry Mason  
Municipal Clerk/ Borough Administrator  
300 Engleside Avenue  
Beach Haven, NJ 08008

Re: Bird and Betty's and Parker's Garage Proposal

Dear Sherry:

On May 19<sup>th</sup>, the Beach Haven Taxpayers Association (BHTA) expressed public safety concerns related to Bird & Betty's proposal to close a public street (Dock Road) to provide added seating for their restaurant. This item was heard by Borough Council on May 20<sup>th</sup> and deferred until June 8<sup>th</sup> for additional public comment. Since that hearing, the applicant has proposed an alternative proposal. They are proposing to use Dock Road for Bird & Betty to expand their liquor license into that area. They are also proposing a pedestrian area with emergency vehicle access. The alternative proposal then will create space not only for restaurant guests but the town of Beach Haven via a fifteen (15) foot walkway and emergency vehicle access.

Police and Fire objected to this alternative for public safety reasons. With all the deliveries on West Avenue to Parker's, no ambulance or fire truck will be able to navigate East on Dock Road between the restaurants or make a right hand turn into West Avenue, especially when northbound traffic on West Avenue now encounters a dead end. To close any portion of this busy thoroughfare does not appear to be safe.

The Fire Company indicated that with the elimination of the road, they will not be able to effectively secure the many needed water sources or have the additional apparatus able to access the area. The other issue is the turning radius of the fire apparatus. It is compounded significantly in the summer months, when that parking lot at the dock is full. This would be exponentially more difficult with the addition of traffic traveling in that area, both foot and vehicular.

Nevertheless, we understand that everyone is doing what they can to try and adjust to the new normal during this pandemic. However, we feel that this proposal does not serve the interest of public safety at large, for the Borough of Beach Haven.

BHTA has always been supportive of our business community and commerce especially in light of recent redevelopment proposals. Businesses enhance taxable rateables and provide a much needed revenue source to the Borough. That being said, we believe there should be a balance between public safety and the economic expansion of our businesses for survival. The pandemic has changed everything about how a restaurant does business which means all businesses getting creative in terms of delivery, take-out and outdoor seating and distant seating arrangements.

Given the additional municipal liability relative to the closure of a public street in order to expand a liquor license may only add an additional financial burden on the taxpayers of Beach Haven. Bird & Betty's can expand into the parking lot they have on the western side of the building and, along with roughly half of the parking spaces to the northside, combine to give a large outdoor dining area. This area is approximately the same as was being shown for use on Dock Road. It has the benefit of not closing Dock Road, of creating a beautiful space with good views of the bay, of being immediately adjacent to the existing outdoor dining area.

In summary, all businesses are undergoing hardship now, particularly those in the restaurant industry. The Borough is doing its best to provide some help by letting restaurants use their parking lots and sidewalks. But, to close a public street that puts the public's safety, health and welfare at risk is not the answer. We believe the community should come up with a solution that is feasible and safe.

Sincerely,

John Hailperin  
President, Beach Haven Taxpayers' Association