



April 17, 2023

Mr. Dennis Block
Dennis E. Block, Esquire, PC
1101 Marlton Pike West
Cherry Hill, NJ 08002

Mr. Neil Byrne
Construction Official
City of Ocean City
861 Asbury Avenue
Ocean City, New Jersey 08226

**RE: Seaspray Condominiums
3313 Bay Avenue
Block 3306, Lot 1
City of Ocean City, Cape May County
EE No. 5423.007**

Dear Mr. Block and Mr. Byrne:

As Mr. Block is aware, this office completed an on-site inspection of the above referenced property on February 24, 2023. The purpose of this onsite inspection was to conduct a structural engineering study of the common areas and buildings to determine the structural integrity of these buildings for the purposes of continued use and occupancy, safety to the general public and the residents and owners of the Seaspray Condominium Complex.

The observations made during that inspection, along with the information obtained during my review of numerous professional engineering studies conducted on the common areas and buildings of the Seaspray Condominium Complex, including the initial structural engineering study supplied to the City of Ocean City and the Zoning and Planning Office, as part of the initial application to convert the Seaspray Motel to the Seaspray Condominium Complex dated September 30, 1980, establishing the existence of structural problems sufficient enough for the developer at the time to have considered demolishing the buildings, through the most recent Property Condition Report/Structural Engineering Report and the March 18, 2022 correspondence of Richard Lee Burke, PE certifying to the structural integrity of the common areas and buildings of the Seaspray Condominium Complex, it is my professional opinion along with several of the other engineers, that have conducted structural engineering studies, from 1980 to 2021, that the common areas and buildings of the complex are no longer fit for continued use and occupancy and are structurally unsound.

It is my understanding that all of the engineering studies and reports referenced herein have been supplied to your office and these documents have led me to the following conclusions:

1. There are significant structural defects present in each of the buildings, including extensive differential settlement of the foundation system, advanced deterioration of load-bearing beams and structural slabs, and considerable out-of-plane shifting of bearing walls.
2. Numerous other engineering studies have classified various structural elements of the buildings to be in "fair" condition or worse. The same engineering studies also recommended significant remedial repairs be made to correct the subpar conditions and extend the useful life of the building. It appears that the majority of these recommendations were ignored or if repairs were made, the scope of the repairs was reduced to a level that was less than adequate to address the underlying issues. There appears to be a history of completing minor improvements in select areas of the structures, in lieu of comprehensive improvement projects. Basically, small "band-aid" projects were completed in an attempt to address deficiencies that required a more extensive and thorough approach. Specifically, there was a major renovation project proposed around 2012 to address the structural concerns of the "coffee shop" which was located at the south end of the complex. In a letter to the City of Ocean City, Jon Rosenkrantz, PE states that the cost of his original scope of the needed repairs was more expensive than the Condominium Association wanted to spend. Therefore, the scope was reduced and apparently a lesser remedial action was completed. Based on my inspection, it was apparent that there are still significant structural flaws in this area, and it is our professional opinion that this area should not be utilized by the residents until extensive structural repairs are completed.
3. Historically, routine maintenance of the structures and surrounding grounds appears to have been non-existent. This has led to the accelerated deterioration of the concrete and steel in essential structural elements of the foundation and building superstructure. Essentially, the structure has aged poorly, and the overall condition of the structure is worse than similarly aged structures that have been properly maintained. There are numerous cracks on the surfaces of the existing precast hollow core concrete slabs. These cracks have never been sealed, resulting in the infiltration of water through the surface concrete and the corrosion of the steel rebar. The corroding rebar has expanded in size, resulting in additional cracking of the beams, which has further reduced the load bearing capacity of these elements.
4. The structures are located in an environment subject to above-average exposure to salt air and salt water. This marine type of environment is especially corrosive to building materials, particularly concrete and steel. Additionally, concrete and steel that is not properly maintained can realize an even more significant reduction in useful life than normal when exposed to this type of environment. There are significant areas of spalling of the concrete on the underside of the concrete beams that support the first floor. These flaws have remained unchecked and the issue has worsened since it was first noted a report prepared by Roy Benjamin, PE in May 2000. This has allowed moisture to infiltrate the beams and further corrode the steel rebar. This corrosion has resulted in a loss of cross-sectional area of the steel, along with a corresponding reduction in the strength of the beams.
5. The July 14, 2006 report and analysis of Michael Hyland, PE of the Hyland Group in detail states the following: *"Foundations are unstable due to ongoing rotting of piling, This instability constitutes a threat to the stability of supported walls, columns and beams. The magnitude and timing of future incremental foundation subsidence cannot be predicted with any degree of certainty. It is possible that additional settlements may be of sufficient magnitude to precipitate a condition of instability in a wall, column, or beam within the structure, Localized sudden collapse is possible, such localized sudden collapse may cause*

personal injury or death to visitors or occupants. In my opinion the level of danger presented by these conditions can only be considered acceptable for a finite time period, to reflect the hardship that immediate cessation of use and occupancy will constitute, I consider 3 years to be an upper limit on that time period, but I recognize that assessment of this time interval is subjective. It is my opinion that as an engineer charged with protection of public safety in my practice I must make such subjective judgments. It is also my opinion that public officials will defer such judgments to professional engineers. Based on my education, training and experience, it is my professional opinion that unless planning, to include fundraising, of comprehensive structural remediation is commenced by August 1, 2006 and unless construction of such remediation is commenced by January 2007 and completed by January 2008, the buildings should be declared unfit for continuing use and occupancy and demolished." My observations confirmed that many of, if not all the recommendations made by Mr. Hyland were not undertaken by the Seaspray Condominium Complex and that the complex has only attempted to undertake repairs that were attempt to ensure the safety of the common areas and buildings without addressing the major structural repairs outlined by Mr. Hyland. It is clear that the three (3) years as being the upper limit for the continued use and occupancy of the common areas and buildings has clearly come and gone.

6. The November 7, 2022 letter of resignation by Richard Lee Burke, PE and Becht Engineering to the Seaspray Condominium Association and Board clearly, that you are in possession of states: *"There are difficult economic decisions to be made and we do not believe continued repair projects short of a complete and comprehensive rehabilitation of the entire structure are an appropriate approach."*

Therefore, based on the above, it is my conclusion based upon a reasonable degree of structural engineering and engineering certainty as well as a licensed professional engineer that the structural elements of the buildings have reached the end of their useful life and can no longer be repaired even to the degree as stated by Mr. Burke in his November 7, 2022 letter. It is my further opinion that the common areas and buildings are unfit for continuing use and occupancy and they should be demolished.

This opinion and conclusion that I am expressing is being expressed as a licensed professional engineer charged with not only the protection of my clients but with the protection of the general public and public safety. In my practice, I must make such subjective judgments. It is also my opinion that public officials will defer such judgments to professional engineers. As a result, it is my professional opinion that the common areas and buildings of the Seaspray Condominium Complex are unfit for continuing use and occupancy and should be demolished. The only reasonable course of action is a complete and total rebuild of the entire structure and complex. The continued deterioration of the common areas and buildings along with the continued use and occupancy of the structure presents a safety hazard to both the residents and the general public and as such the complex is unfit for continued use and occupancy.

My opinions and conclusions have been made, and have been based upon the current and previous Board's failure to undertake a complete and comprehensive rehabilitation of the entire structure that has been recommended and advised for 23 years, along with the current Board's failure over the last 18 months to come up with a plan to undertake this comprehensive plan rehabilitation that Mr. Burke and Becht Engineering recommended back in September, 2021, the lack of major structural maintenance, the lack of ongoing maintenance, the refusal to complete appropriate repairs, the continued intrusion of stormwater runoff and saltwater into the crawl spaces and the continued deterioration of structural steel and concrete due to the lack of maintenance and repair. Additionally, it should be noted that the time for remedial actions has passed, and any attempts at complete remedial repairs or improvements would be futile and would not

adequately correct the significant shifting of the structure. As a result, it is my professional opinion that the common areas and buildings are no longer fit for continued use and occupancy and must be demolished.

If you have any questions or require any additional information, please do not hesitate to contact this office.

Respectfully,

ENDICOTT ENGINEERING, LLC

A handwritten signature in black ink, appearing to be 'CE', written in a cursive style.

Charles E. Endicott, PE