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March 14, 2024

Keyport Unified Planning Board
70 West Front Street
Keyport, New Jersey 07735

Attn: Denise Nellis, Planning Board Secretary

**Re: Main Keyport Realty, LLC
Bulk Variance Application
Completeness and Technical Review #1
Application No. KUPB 24-02
Location: 27 Brooks Avenue
Block 102, Lot 5
Borough of Keyport, Monmouth County, NJ
CME File: HKPE0102.02**

Dear Board Members:

In accordance with your authorization, CME has performed a review of the above referenced variance application, including but not limited to the following:

- Application To the Keyport Unified Planning Board, dated February 1, 2024.
- Denial of Application by Zoning Officer (Board Approval Required) dated December 18, 2023.
- Topographic Survey of Lot 5, Block 102, 27 Brooks Avenue, Borough of Keyport, Monmouth County, New Jersey, Prepared by Thomas P. Santry, P.A., Land Surveyors, Dated: 1/23/24, No Revision, Sheet 1 of 1.
- 27 Brooks Avenue, Variance Site Plan, Block 102, Lot 5, Tax Map Sheet No. 3, Borough of Keyport, Monmouth County, New Jersey, Dated: January 28, 2024, No Revision, Prepared by East Point Engineering, LLC. Sheet 1 of 1.
- Architectural House Plans titled; 25 Brook Avenue, Keyport, NJ 07735 Monmouth County, Block 102 Lot 5, Plans A100 and A101, Dated: January 30, 2024, No Revision, Prepared by Jason Peist Architect, LLC.
- Disclosure Statement of Main Keyport Realty, LLC.



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Completeness Review

1. Based on the information submitted, the following is required to deem the application complete:
 - a. The Preliminary and Final site plan checklists shall be completed and submitted with the application. The Applicant should identify the checklist items that require submission waivers.
 - b. The Tax Payment Certification shall be completed by the Borough's Tax Collector.
 - c. The Disclosure form shall include a W-9.
 - d. The Applicant shall submit a \$75.00 (\$25.00/variance) application fee and a \$200 escrow fee. The applicant is required to post any remaining balance prior to the application being scheduled for a public hearing.

Technical Review

1. The Applicant, Main Keyport Realty, LLC, is seeking several bulk variances for construction of a four (4) bedroom, single family home on a presently vacant parcel of land located in the Residential Zoning District RA. Single family, detached homes are a permitted use in the RA Zoning District.
2. The subject property is a corner lot located at the intersection of Brooks Avenue and Hall Place. The parcel has an area of 3,760.40 square feet and is existing non-conforming to the present minimum lot area requirements in the RA Zoning District, where a minimum lot area of 5,000 square feet is required. The subject property has a width of 40 feet and is existing non-conforming to Minimum Lot Width requirement of 50 feet.
3. The Applicant is requesting variance relief for the following:
 - a) The existing non-conforming minimum lot area;
 - b) The existing minimum lot width; and
 - c) The maximum percentage of front yard parking proposed.
4. All other adjacent parcels are in the RA Zoning District. Adjacent parcels appear to contain single family and multifamily residential uses.
5. As shown on the FEMA Flood Insurance Rate Map, the subject property is not located within a flood hazard area. Based upon the NJDEP NJ-GeoWeb online resource, there are no freshwater wetlands on or in the immediate proximity of the site.
6. The proposed home is to be serviced by new water, sanitary sewer and other utilities from Brooks Avenue.



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7. The Applicant has requested variance relief as shown on the schedule of area, yard and building requirements shown below:

<u>Item</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Minimum Lot Area	5,000 s.f.	3,760.40 s.f.	3,760.40 s.f. ENC V
Minimum Lot Width	50 feet	40 feet	40 feet ENC V
Minimum Front Yard Setback	20 feet	NA	20.50 feet
Minimum One Side Yard Setback (Refer to Item 8 below)	6 feet	NA	6.17 feet
Minimum Both Side Yard Setback (Refer to Item 8 below)	16 feet	NA	16.34 feet
Side Yard of Corner Lot (Refer to Item 8 below)	10 feet	NA	10.17 feet
Minimum Rear Yard Setback	15 feet	NA	25.16 feet
Maximum Building Height	2.5 Stories and 30 feet	NA	2 stories and 27 feet, 10 inches
Maximum Allowable Building Coverage	30%	NA	29.8%
Maximum Buildings and Impervious Surface	60%	NA	38.3%
Maximum Percentage of Front Yard Coverage By Parking	30%	NA	30.8% V

ENC Existing Non Conforming

V Variance Required

NA Not Applicable (vacant lot)

Note: No accessory building is proposed



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8. The Survey Plan references the site as Lot 17 as shown on a map for Douglas Manor filed on December 6, 1928. Keyport Land Use Regulations, Section 25-1-14.3 Side yard of corner lot states "The side street setback line of any corner lot platted on the Borough's tax maps as the lot existed on December 28, 1964, or any corner lot shown on any subdivision plat which received final approval prior to December 28, 1964, shall not be less than 1/2 of the depth of the minimum front yard required on any adjoining lot fronting on a side street. It appears one-half the required front yard setback (20 feet), or a minimum 10 foot side street (side yard) setback, would be required on Hall Place and a 10.17 foot side street setback is proposed.
9. The Residential Site Improvement Standards, N.J.A.C. 5:21, requires 2.5 off-street parking spaces for a four-bedroom single family home. The proposed dwelling will have a single car garage and a 12-foot wide by 20.5 foot-long driveway which in combination counts for 2.0 parking spaces. The Applicant shall provide testimony regarding the proposed number of parking spaces.
10. In accordance with the Municipal Land Use law NJSA 40:55D-70c, the Applicant must provide testimony to address the positive and negative criteria for the requested "c" variances.
 - a) Positive Criteria: The Applicant shall provide testimony to the Board regarding the physical condition of the property and how the strict application of the provisions of the ordinance would result in a hardship that is inconsistent with the purpose and intent of the ordinance. Alternatively, the Applicant may testify that the required variance furthers the purposes of the Municipal Land Use Law and that the benefits of granting the variance will substantially outweigh any detriments.
 - b) Negative Criteria: The Applicant must demonstrate that the variance can be granted without detriment to the public good and that the granting of the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.
11. We offer the following additional comments for review and consideration by the Board and discussion at the Public Hearing:
 - a) The Applicant should provide testimony regarding the history of the site and existing non-conformance of the lot to present zoning requirements.
 - b) The Applicant should address the potential surface drainage impacts of the impervious area of the proposed building roof, driveway and walkway areas and proposed mitigation to prevent adverse impacts on neighboring properties. The Variance Site Plan shows 4-inch roof leader collectors at the front and rear of the proposed dwelling, but no terminus for these drains is shown on the plan. The roof leaders shall be directed away from the adjacent properties and also shall not be directed through the curb.
 - c) There is an existing curb cut and apron on Hall Place which appears to be a former driveway. The apron shall be removed and full face curb shall be installed. These improvements should be shown on the Variance Site Plan.



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- d) The limit of pavement restoration on Brooks Avenue shall be provided. A Pavement Restoration Detail shall be added to the Variance Site Plan.
- e) The water curb stop shall be shown on the Variance Site Plan.
- f) The Applicant should add the corner lot sight distance triangle to the Variance Site Plan with a note that no obstruction to vision exceeding 30 inches in height above the established grade of the street at the property line shall be erected or maintained within the triangle formed by the street lot lines and a line drawn between points along such street lot lines 30 feet distant from their points of intersection. (Per Land Use Regulation 25-1-14.1 (b) Corner Lots).
- g) It appears that less than 5,000 square feet of disturbance is proposed, and accordingly, Freehold Soil Conservation District certification would not be required. However, the Applicant should provide a letter of no interest from the District and include a silt fence along the common property line with the adjacent properties.
- h) The Applicant should provide testimony regarding any other agency permits or approvals that are required.

12. The followings items should be included as conditions of any approval given by the Board:

- a) The Applicant shall obtain approval from the Borough Utility Department for the water and sanitary sewer connections and the Bayshore Regional Sewerage Authority (BRSA).
- b) The Applicant is responsible to pay all connection fees to the Borough and the BRSA prior to construction.
- c) The Applicant will be required to repair any sidewalk and curb damaged during construction in accordance with the Borough's improvements standards and to the satisfaction of the Borough Engineer.
- d) The Applicant shall be responsible to post a performance bond and obtain a road opening permit prior to construction.
- e) The Applicant shall provide a Topographic and Location As Built Plan which shall be approved by the Borough Engineer prior to the issuance of a Certificate of Occupancy.
- f) The applicant must obtain any other necessary permits and/or approvals that may be required from any governmental or quasi-governmental entities having jurisdiction over the project, including but not limited to, Building and Construction Permits and Inspections. Copies of all permits must be submitted to the Board and our office.



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

Very truly yours,

CME Associates

Trevor J. Taylor, PE, PP, CME, CFM
Planning Board Engineer

TT:TF

cc: Marc Leckstein, Esq.
Main Keyport Realty, LLC, Applicant
Salvatore Alfieri, Esq., Applicant's Attorney
Marc Leber, P.E., P.P., Applicant's Engineer
Jason Peist, AIA, Applicant's Architect
Malvika Apte, PP, AICP, Board Planner