

Resolution prepared by:
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463 Prospect Avenue
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RESOLUTION GRANTING MINOR SUBDIVISION APPROVAL

**UNIFIED PLANNING BOARD
BOROUGH OF KEYPORT**

BLOCK 129, LOT 4

**Application # 23-08
LINCOLN HOSE CO.
142 SECOND STREET**

WHEREAS, Lincoln Hose Co. has applied to the Unified Planning Board of the Borough of Keyport for minor subdivision approval of property commonly known as 142 Second Street which is officially designated as Block 129, Lot 4 on the tax map of the Borough of Keyport;

WHEREAS, the applicant has provided notice to all property owners within two hundred feet and has caused notice to be published regarding said application in accordance with *N.J.S.A. 40:55D-1* et seq., this Board gaining jurisdiction thereunder; and

WHEREAS, a public hearing was held in the within matter at a regularly scheduled meeting of the Unified Planning Board held on June 27, 2024 during which all persons having an interest in said application were heard; and

WHEREAS, the Board having carefully considered the evidence and exhibits presented by the applicants;

NOW THEREFORE, be it Resolved by the Unified Planning Board of the Borough of Keyport that the following findings of facts and conclusions are made:

1. The applicant, Lincoln Hose Co., is seeking minor subdivision approval of property commonly known as 142 Second Street which is officially designated as Block 129, Lot 4 on the tax map of the Borough of Keyport.
2. The subject property consists of 16,193 sq. ft. and is an irregularly shaped through lot with frontage on Second Street and Third Street. The lot is comprised primarily of a dirt and gravel surface, with a paved asphalt portion along the Northwest property line.
3. The site currently serves as an equipment storage and overflow parking area for the Lincoln Hose firehouse located on adjacent Lot 3. It is currently developed with three (3) storage sheds and an existing gravel driveway that provides access to the site from second street.
4. The applicant is requesting Minor Subdivision approve to subdivide the existing 16,193.92 sq. foot lot into proposed Lots 4.01 and 4.02. Lot 4.01 will consist of 8,325.76 SF and will provide approximately 61.1 feet of frontage on Second Street. Lot 4.02 will be located adjacent to the rear (south) of Lot 4.01, and will be comprised of 7,868.16 SF, with approximately 54.6 feet of frontage on Third Street.

5. The applicant proposes to remove the existing pavement and three (3) existing sheds from Lot 4.01. The application does not include the construction of new dwellings or any other improvements at this time.
6. The site is located within the Borough's Residential (RA) Zoning District. Proposed Lots 4.01 and 4.02 both conform with the minimum area and dimensional requirements of the zoning district. There is no variance relief required for this application.
7. During all portions of these proceedings, the applicant was represented by Salvatore Alfieri, Esquire of the law Cleary, Giacobbe, Alfieri, Jacobs, LLC which has offices located at 955 State Route 34, Suite 200, Matawan, New Jersey.
8. In support of the application, the following was offered into evidence:
Exhibit A-1: Land Use Application
Exhibit A-2: Subdivision Plan
9. Beyond the applicant's exhibits, the Board also marked its own Exhibit:
Exhibit B-1: T&M Planning and Engineering Review dated March 18, 2024.
10. In furtherance of its application, sworn testimony was presented by one of the members of the applicant, Joe DeSandolo, who confirmed that the subdivision would be exactly as indicated within the subdivision plan marked as **Exhibit A-2**.
11. As a condition of approval, it was agreed the applicant would meet all of the requirements set forth in the T&M review letter. (**Exhibit B-1**)
12. No further testimony was provided on behalf of the applicant.
13. A member of the public, Michael Lane of 51 First Street, did appear and requested that the Board include a condition of approval that the subdivided lots could never be developed with anything other than what was permitted within the zone. The Board Attorney, Marc A. Leckstein, Esquire, advised Mr. Lane that such a condition was not appropriate as this was an application for a Minor Subdivision with no variance relief whatsoever. With that said, any development at the site which differed from what was permitted under zoning would have to come to the Board for use variance relief, pursuant to the provisions of N.J.S.A. 40:55D-70(d)(1).
14. In considering this application the Board notes that this is a request for minor subdivision approval with no variance relief being requested. As such, the Board cannot envision any reason why this application should not be approved exactly as proposed.

NOW THEREFORE, be it further resolved by the Unified Planning Board of the Borough of Keyport, that the application of Lincoln Hose Co., seeking minor subdivision approval, may be granted subject to the following conditions:

1. The proposed subdivision must be in conformance with the plan marked into evidence as **Exhibit A-2**.

2. Subject to the existing pavement and three (3) existing sheds being removed.
3. Subject to compliance with the comments raised within the Planning and Engineering letter marked into evidence as **Exhibit B-1**.
4. Subject to all representations made by the applicant during the application.
5. Subject to the applicant confirming the new lot numbers with the Borough's Tax Assessor.
6. Subject to the filing of the appropriate maps in compliance with the current "New Jersey Map Filing Law". If the applicant proposes to file the subdivision by deed, deeds perfecting the subdivision must be prepared. Documents must be submitted to the Board Attorney and Engineer for review and approval prior to filing.
7. Subject to the subdivision being recorded with the County Clerk's Office no later than 190 days from the date of adoption of this resolution.
8. This application is granted only in conjunction with the conditions noted herein and but for the existence of the same, the within application would not be approved.
9. Subject to any and all other approvals as may be required by the Borough or any other governmental entity, prior to the issuance of any permits.
10. Subject to compliance with any applicable affordable housing requirements.
11. Subject to the payment of any fees, escrows and taxes as may be due to the Borough, prior to the issuance of any permits.
12. The action of the Unified Planning Board in approving this application shall not relieve the applicant of responsibility for any damage caused by this project, nor does the Unified Planning Board or its reviewing professionals and agencies accept any responsibility for the structural design of the proposed improvements or for any damage that may be caused by the development.
13. The applicant must publish adequate notice of this Resolution in the official newspaper of the Borough of Keyport at their sole cost, within ten days, and provide proof of publication to the Board Secretary within thirty days.

The foregoing was Moved by J. Oviedo, second by M. Sessa
and on Roll Call, the following vote was recorded:

Affirmative: Mayor Araneo, W. McDermott, J. Oviedo, M. Sessa

Negative:

Abstentions: Chairman Merla, D. Pacheco

The foregoing is a true copy of a Resolution adopted by the Unified Planning Board of the Borough of Keyport during its meeting on July 25, 2024.


Denise Nellis, Secretary of the Board