



YOUR GOALS. OUR MISSION.

KUPB-R0801

March 9, 2021

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

Attn: Ms. Denise Nellis, Secretary

**Re: Engineering and Planning Review
LNL Realty, LLC – Application No. 12-01
Modification to Amended Planning Board Resolution
55 W. Front Street
Block 21.01, Lot 33**

Dear Board Members:

LNL Realty, LLC, by letter dated February 4, 2021, prepared by Paul N. Mirabelli, Attorney, has requested relief of conditions No. 6 and 7 of the resolution of approval, dated September 27, 2012 amended September 26, 2013.

Condition No. 7 reads as follows:

Subject to the applicant to the applicant revising the site plan to provide all rear yard fencing and the proposed gate shall be wrought iron with masonry pillars as originally proposed along Lot 34. The gate must be shifted to avoid a conflict with the Borough Parking Spaces on the adjacent Lot 49. The changes shall be subject to the approval of the Board's Engineer.

The applicant requests that the portion of condition 7 that requires the installation of fence between Lot 32 and 34 be removed. I assume the gate between Lot 33 and 34 will remain. In addition, Mr. Mirabelli's letter states Lot 32 is currently owned by the Borough. Borough records indicates that this lot is privately owned.

Condition No. 8 reads as follows:

Subject to the applicant installing wrought iron fence along the site's border with Lot 32 along with utilization of planters on the inside of the fence to provide additional screening. The style and placement of the fence and planters would be subject to the approval of the Board's Engineer and Planner.

The applicant requests the condition requiring installation of fence along Lot 32 be removed due to a hardship on the owner of Lot 32.

I have reviewed the resolution of approval, as well as the Borough ordinances and find that there is no ordinance requiring fencing between properties. However, there may be underlying issues with the installation of the fence that I am not aware of and the Board considered as part of their approval. The installation of the fence also provides an aesthetic separation between the lot in question and the Borough

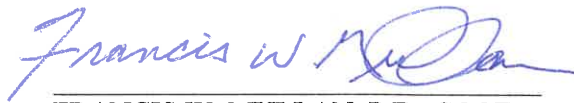
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and privately commercial lot. Since the request does not trigger additional variances, I have no objection from an engineering and planning standpoint to removing the requested conditions subject to the applicant submitting a formal application to the Board and providing a written agreement from the owner of Lot 32.

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

Very truly yours,

T&M ASSOCIATES



FRANCIS W. MULLAN, P.E., C.M.E.
KEYPORT PLANNING BOARD ENGINEER

FWM:DMD:lkc

cc: Jay Delaney, Borough Administrator
 Marc Leckstein, Esq., Board Attorney

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