YOUR GOALS. OUR MISSION.

KUPB-R2070

May 6, 2021

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

Via email and mail

Attn: Denise Nellis, Recording Secretary

Re: 96-98 Church Street– Variance Application (21-08)
Block 82, Lots 8 & 9
First Completeness, Engineering & Planning Review

Dear Board Members:

As requested, we have reviewed the following documents submitted by the applicant in support of this applications:

1. Planning Board Application, dated April 14, 2021, consisting of twenty-two (22) sheets.
2. Preliminary Site Plan, Waivers and Variance Checklist, dated April 14, 2021.
3. Survey of Property showing pool sketch, prepared by David J. Von Steenburg, PLS of Morgan Engineering & Surveying, dated January 27, 2021.

A. Project Description

The applicant is seeking approval to construct an in-ground pool with associated equipment, concrete patio, and fencing.

The subject property, consisting of 9,000 square feet, which includes Lot 8 and Lot 9 of Block 82, is located at the mid-block of Church Street, between 3rd Street and Warren Street. The site is currently developed with an existing dwelling and associated driveway, garage and decking. The entirety of the site is located within the Residential District A (RA) Zone.

B. Completeness Review

Based on our review of the variance completeness checklist, the following items must be submitted, or completeness waivers must be granted prior to the application being deemed complete:

Item 2.B. Locator map showing all road intersections within fifteen hundred feet (1500). *(Since only a pool with surrounding patio is proposed, I have no objection to the Board granting a completeness waiver for this item.)*

Item 2.C. Wooded areas and topography with two (2) foot intervals. *(I have no objection to the Board granting a completeness waiver for this item, provided that the applicant provides a grading plan of the subject property with the proposed pool and amenities as a condition of approval.)*

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Item 2.D. All lot lines, approximate location of all structures and owners of lots within two hundred (200) feet of the site. *(Since only a pool with surrounding patio is proposed, I have no objection to the Board granting a completeness waiver for this item.)*

Item 2.F. Utility and drainage plans and information. *(Since only a pool with surrounding patio is proposed, I have no objection to the Board granting a completeness waiver for this item.)*

Item 2.G. Plans for elevations and locations of structures including exterior materials and trim. *(Since only a pool with surrounding patio is proposed, I have no objection to the Board granting a completeness waiver for this item.)*

Item 2.H. Preliminary plans for parking, lighting, load signs, landscaping and buffers. *(Since only a pool with surrounding patio is proposed, I have no objection to the Board granting a completeness waiver for this item.)*

Item 2.I. An extension of off-tract improvements necessitated by the proposed improvements. *(Since only a pool with surrounding patio is proposed, I have no objection to the Board granting a completeness waiver for this item.)*

Item 3. Certification by Borough Tax Collector that all taxes including current taxes are paid. *(I have no objection to the Board granting a completeness waiver for this item, provided that the applicant submits proof of taxes paid prior to the public hearing.)*

Item 4. Payment of all applicable fees for preliminary site plan review. *(I have no objection to the Board granting a completeness waiver for this item, provided that the applicant pays all applicable fees prior to the public hearing.)*

Item 5. Submission of Environmental Impact Statement. *(Since only a pool with surrounding patio is proposed, I have no objection to the Board granting a completeness waiver for this item.)*

Item 7. Stormwater management plan. *(Since only a pool with surrounding patio is proposed, I have no objection to the Board granting a completeness waiver for this item.)*

Item 15. Owners signed Certificate of Concurrence with the plan. *(I have no objection to the Board granting a completeness waiver for this item, provided that the plan is revised to include the same.)*

C. Fee Calculation

The Application Fee for this project is $50.00 as shown on Attachment "A". Additionally, the Ordinance Fee Schedule requires an Escrow Fee be posted in the amount of $200.00. The applicant is required to post any remaining balance prior to the application being schedule for public hearing.

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D. Planning and Engineering Review

1. The maximum permitted lot coverage in the RA Zone of the Borough is 60%, whereas the applicant proposes 73% lot coverage. Therefore, a bulk 'c' variance is required.

2. The minimum front yard setback in the RA Zone of the Borough is 20', whereas ± 16' currently exists. This is an existing non-conformity.

3. The minimum rear yard setback for accessory structures in the RA Zone of the Borough is 3', whereas less than 3' is proposed. Therefore, a bulk 'c' variance is required.

4. The applicant shall provide testimony to address the positive and negative criteria for the requested 'c' variances. The applicant's testimony should focus on the following:

   a. Positive Criteria: The applicant shall provide testimony to the board regarding the physical conditions 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 substantial detriment to the public good, and that the granting of the variance will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.

5. The applicant shall confirm the lot coverage of the site. The Zoning Denial states the proposed lot coverage is 68.5% whereas the applicant states the proposed coverage is 67.5%. This office has calculated the lot coverage at 73% based on the survey provided. The applicant shall provide testimony as to the dimensions of the existing and proposed improvements.

6. The applicant shall provide testimony if other amenities are proposed on site. The survey provided shows an additional hot tub and fire pit located in the area of the new concrete patio.

7. The applicant shall provide testimony regarding the curb cut and asphalt driveway on the northerly side of the site, adjacent to Lot 7.

8. The applicant shall provide testimony regarding the use of the existing dwelling. It appears that the existing structure is a two-family dwelling.

9. The site is not located in a flood zone and therefore is not subject to the Borough Flood Damage Prevention Ordinance.

10. The applicant will be required to repair any pavement, curb or sidewalk that is damaged as a result of the proposed improvements.

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11. The applicant should confirm that the property is not subject to any existing easements, deed restrictions and/or covenants.

12. The applicant will be required to obtain any necessary municipal building permits if any are required.

13. An aerial of the site is attached to this report.

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.
PLANNING BOARD ENGINEER

STANLEY SLACHETKA P.P., A.I.C.P.
PLANNING BOARD PLANNER

FWM:DMD:AWD:lkc

c: Marc Leckstein, Planning Board Attorney

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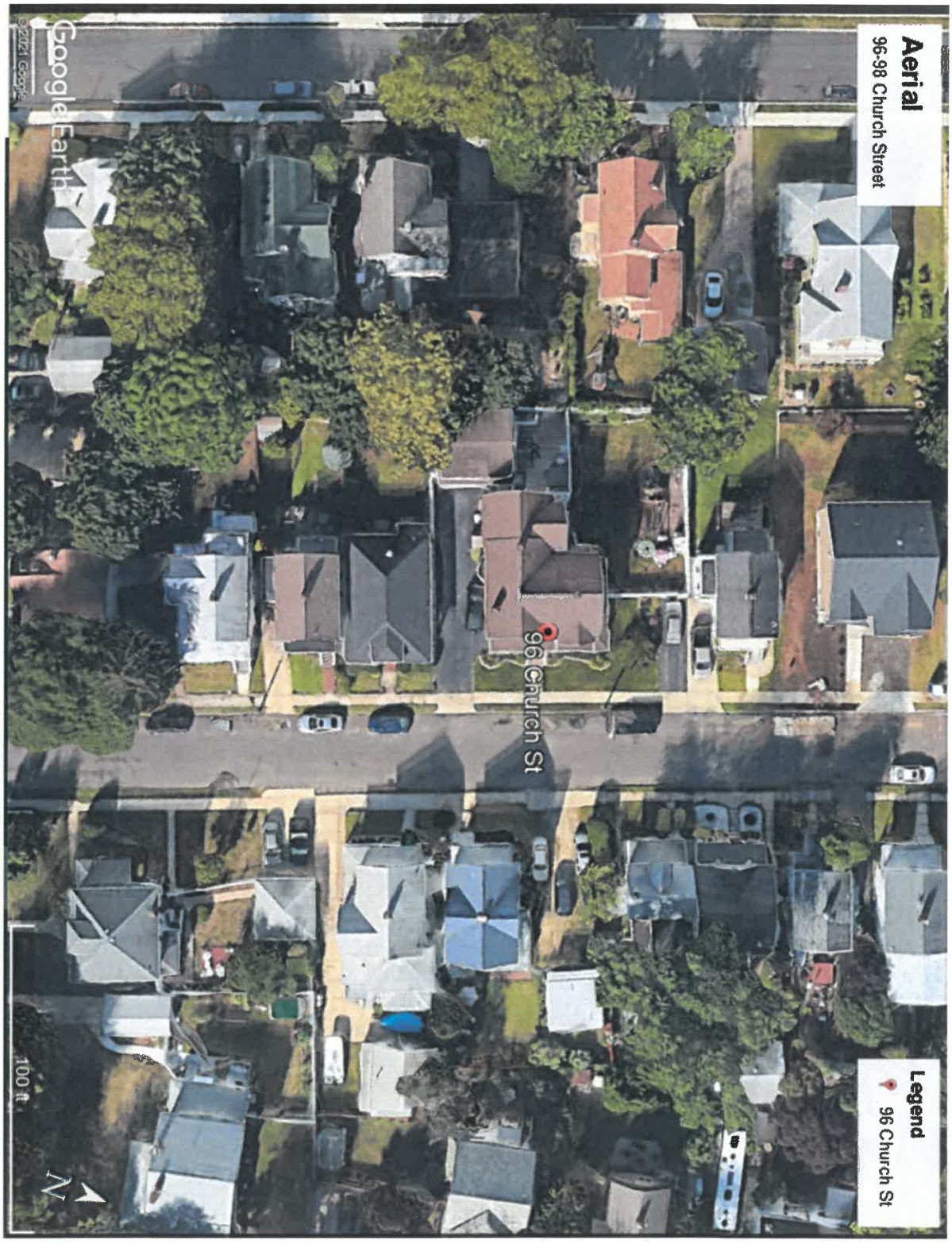

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ATTACHMENT A
APPLICATION FEE SCHEDULE

Determination of Fees

Site plan	Application Fee	Escrow Fee
"C" Variances	$50.00 ($25.00/variance)	$200.00
Total	$50.00	$200.00