



YOUR GOALS. OUR MISSION.

KUPB-R2250

June 2, 2023
Via mail and email

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

Attn: Denise Nellis, Recording Secretary

**Re: KUPB Application No. 23-06 — Nickiann Ferrari
Bulk Variance Application
128 First Street, Block 95, Lot 6
RA (Residential) Zoning District
Second Completeness, First Planning and Engineering Review**

Dear Chairman Sessa and Board Members:

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

1. Borough of Keyport Unified Planning Board Application and supplemental documents, consisting of 32 pages, dated February 9, 2023;
2. Borough of Keyport Application Checklist prepared by Nickiann Ferrari, consisting of four (4) pages, dated February 28, 2023;
3. Survey prepared by Thomas Craig Finnegan, P.L.S., P.P., of Thomas Craig Finnegan Land Surveying, LLC, consisting of one (1) sheet, dated November 21, 2022;
4. Survey and Plot Plan prepared by Thomas Craig Finnegan, P.L.S., P.P., of Thomas Craig Finnegan Land Surveying, LLC, consisting of one (1) sheet, dated April 12, 2023, last revised May 25, 2023;
5. Architectural Plans prepared by Gary Junkroft, R.A., of Kinetic Architects, consisting of five (5) sheets, dated January 8, 2023;
6. Architect's Plot Plan and Variance Plan prepared by Gary Junkroft, R.A., of Kinetic Architects, consisting of one (1) sheet, dated February 18, 2023, last revised May 23, 2023;
7. Architectural Plans prepared by Gary Junkroft, R.A., of Kinetic Architects, consisting of two (2) sheets, dated April 15, 2023, last revised May 23, 2023; and,
8. Special Flood Hazard Area Development Permit Review prepared by William H.R. White, III, P.E., P.P., C.M.E., C.F.M., C.P.W.M. of Colliers Engineering and Design, consisting of two (2) pages, dated March 3, 2023.

We offer the following comments regarding the above-referenced Application and supporting documents.

A. Subject Property and Surrounding Area

The subject property, 128 First Street, consists of 4,518 square feet in area and is comprised of Block 95, Lot 4, as identified on the Borough Tax Map. The property is currently improved with an existing



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single-family dwelling, asphalt driveway, and an in-ground pool and paved patio area to the rear of the existing dwelling. The property is located within the RA (Single-Family) Residential Zoning District. The property is not located within a flood hazard area.

All lots adjacent to the subject property and opposite First Street are also located within the RA (Single-Family Residential) Zone. Adjacent to the south, east and west of the subject property are existing single-family dwellings located on Block 95, Lots 14, 7, and 5, respectively. Also adjacent to the south is an existing three-family dwelling located on Block 95, Lot 13. Directly to the north of the property and opposite First Street are an existing multi-family apartment building located on Block 94, Lot 28, and a single-family dwelling located on Block 94, Lot 29. To the northeast of the property opposite First Street lies the Harbor-View at Keyport, a multi-family apartment complex.

B. Project Description

The applicant is requesting bulk variance approval to construct a three-story addition to portions of the front and rear of the existing dwelling. The proposed total floor area of the first floor will increase from an existing 842 SF to 986 SF, and the proposed total floor area of the second floor will increase from an existing 575 SF to 986 SF. A third-floor attic space with a total habitable floor area of 310 SF is also proposed. The proposed total floor area of the building will increase from an existing 1,417 SF to 2,282 SF. The proposed addition includes three new bedrooms on the second level, as well as a “bump-out” expansions of the first and second levels.

Provided below are: an aerial photo of the subject site, street view imagery of the subject property from First Street, and an outline of the subject property on the Borough Zoning Map.

Google Earth Aerial and Approximate Outline of Subject Property (Block 95, Lot 6)





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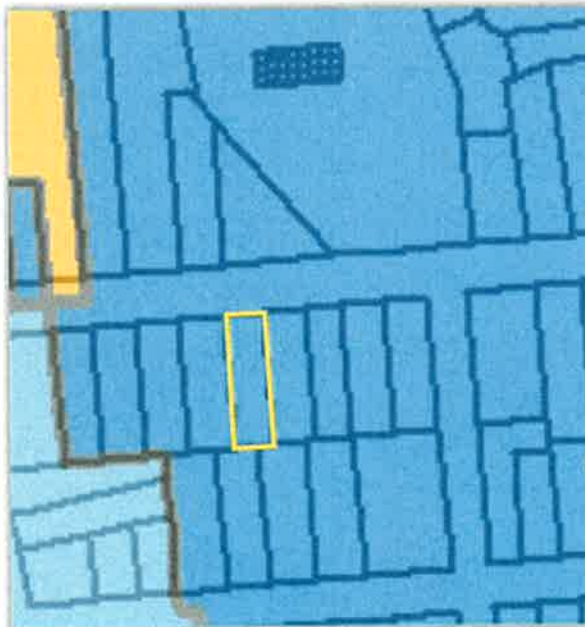
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Street View of Subject Property from First Street (Captured October 2021)



Approximate Outline of Subject Property Within the RA (Residential) Zone





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C. Completeness Review

Based on our review of the submitted items and revised plans, we recommend the application be deemed **complete**. Comments regarding outstanding items from our First Completeness Review dated March 24, 2023, are shown in *italic font* and additional comments pertaining to the most recent submission are shown in ***bold italic font***.

Preliminary Site Plan:

- Item 2A. Scale not less than one (1) inch equals one hundred (100) feet. *The architectural plot plan provided in lieu of a preliminary and final site plan is scaled to 1/16" = 1', which is superimposed over the submitted Survey. The scale is too small to accurately discern and quantify the existing and proposed conditions on site. Additionally, this plot plan is minimized on a small portion of the cover sheet of the architectural plans (Sheet A-1) and should be provided on a separate, 24" x 36" sheet. A larger scale plot plan authorized by a licensed surveyor or engineer must be submitted for the application to be deemed complete. Addressed, the revised Plot Plan is now scaled to 1 inch = 10 feet, which our office considers satisfactory for the purposes of analysis and review.*
- Item 2B. Locator map showing all road intersections within fifteen-hundred (1,500) feet. *This information has been provided, no further comment.*
- Item 2C. Wooded areas and topography within two (2) foot intervals. *The Survey and plans submitted do not show any topography. The plans and survey shall be revised to include topography within intervals of two (2) feet or less. Addressed. The Plot Plan has been revised to include spot elevations and existing vegetation on site.*
- Item 2D. All lot lines, approximate locations of all structures and owners of lots within two hundred (200) feet of the site. *The plans submitted do not contain this information. The plans shall be revised to include all lot lines and approximate locations of all lots and structures with their respective owners within 200 feet of the site. Partially addressed. The revised plot plan shows all adjacent lots to the subject property, and a locator map has been provided. We do not object to the Board granting a completeness waiver for this item, provided that the plans be revised to include this information as a condition of approval.*
- Item 2E. Streets, easements, watercourses, and right-of-way. *The submitted plans and Survey do not show any existing easements on site. We have no objection to the Board granting a completeness waiver for this item provided that the applicant provide testimony confirming there are no existing easements on the subject site. If any existing easement(s) are present, copies of these easement(s) shall be submitted to the Board and the plans shall be revised to include same at least ten (10) days prior to the public hearing. No further comment.*



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- Item 2F. Utility and drainage plans and information. *No proposed utilities and drainage information are shown on the plans. The plans should be revised to include existing and proposed utilities (if any) and drainage information for the application to be deemed complete. Addressed, both sets of plans have been revised to include this information.*
- Item 2G. Plans for elevations and locations of structures including Exterior materials and trim. *No floor plans have been provided for the proposed third floor of the addition. Additionally, the architectural plans do not show any materials proposed for the exterior trim. The architectural plans shall be revised to include the proposed floor plan for the third floor of the building, and the proposed materials for all elevations of the addition for the application to be deemed complete. Partially addressed. The revised architectural plans include a floor plan of the proposed attic space. However, the materials for the proposed building siding are labelled as "to be selected." We have no objection to the Board granting a completeness waiver for this item, provided the applicant provide sufficient testimony regarding the proposed materials, and the plans are revised to include same as a condition of approval.*
- Item 2H. Preliminary plans for parking, lighting, loading signs, landscaping and buffers. *No existing and proposed parking, lighting, landscaping or buffers are shown on the submitted plans. The plans shall be revised to include existing and proposed landscaping, lighting and buffers for the application to be deemed complete. Partially addressed. No additional landscaping and buffering are proposed, as indicated on the revised plans. However, the Applicant should provide testimony regarding any proposed lighting as part of the project. The plans should be revised accordingly based on the testimony provided.*
- Item 2I. An extension of off-tract improvements necessitated by the proposed development. *This item is not applicable to the application. No further comment.*
- Item 2J. The lot and block number, Tax Map number, exact dimensions and acreage of property to be built upon. *This information has been provided, no further comment.*
- Item 2K. A survey prepared by a licensed surveyor of the State of New Jersey shall accompany the plan, showing existing and proposed monuments and all existing and proposed lot lines and all set back lines. *A survey dated November 21, 2022 has been provided which shows the existing conditions of the site. As described in Item 2A. above, the architectural plot plan has been superimposed over the existing Survey, which shows the proposed addition and setback dimensions. However, a note states that "This is an architect's plot plan and is subject to verification by a licensed surveyor." A full-scale plot plan authorized by a licensed surveyor or engineer must be submitted for the application to be deemed complete.*



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Additionally, the submitted Plot Plan must include the following items:

1. *All existing and proposed dimensions should be included in the Zoning Table for the RA Residential Zone, pursuant to the requirements of Ordinance Section 25-1-16, Attachment 2*
2. *All variances required and/or existing non-conformities should be shown in the Zoning Table. An additional column should be added to the Zoning Table showing the dimensions of the existing dwelling and a fourth column should be added showing the required variances and existing non-conformities.*
3. *All existing and proposed parking spaces, and parking requirements pursuant to Section 5:21-4.14 of the New Jersey Residential Site Improvement Standards (RSIS)*
4. *Show all proposed on and off-site improvements, including parking, utilities, curbing and pavement repairs. Details of same shall be added to the plan.*
5. *A note shall be added stating that "all sidewalk, curbing and pavement that is in disrepair or damaged during construction shall be replaced to the satisfaction of the Borough Engineer."*
6. *The location of all roof leaders must be shown which demonstrate no adverse drainage impacts to the adjacent properties. Details of same shall be added to the plan.*
7. *The existing driveway apron and its dimensions shall be added along with sight triangles.*
8. *The location of staging areas for construction equipment and storage/disposal of materials shall be shown*

Partially addressed. Both sets of revised plans should include existing dimensions in the Zoning Data Table (Item 1 above), and address Items 3 and 7 above. However, we do not object to the Board granting a completeness waiver for these items, provided the plans are revised to address said items prior to final approval.

Item 2.L. The following legend shall be on the plot plan map:

Plot Plan of _____
Block _____ ***Lot*** _____ ***Zone*** _____
Date _____ ***Scale*** _____
Applicant _____
Address _____

I consent to the filing of this plot plan with the Planning Board

(Owner)

(Date)



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I hereby certify that I have prepared the plot plan and that all dimensions and information thereon depicted is correct.

(Name) (Title & License)

I have reviewed this plot plan and certify that it meets all codes and ordinances under that jurisdiction

(Date) (Municipal Engineer)

*Approved by Planning Board:
Plot Plan Final*

(Chairman) (Date)

We note that the revised Variance/Architectural Plans include this information, however this item is missing from the revised Plot Plan. We have no objection to the Board granting a completeness waiver for this item, provided the applicant revises the Plot Plan to include this item. prior to final approval.

Item 2M. Name and License number of site planner of Professional Engineer with documents sealed with raised seal. *A seal is not shown on the site plans and architectural plans submitted. We have no objection to the Board granting a completeness waiver for this item, provided that the applicant revises both sets of plans to include a raised seal prior to the scheduled public hearing. Partially addressed. The revised plot plan has been signed by a licensed surveyor but is not sealed. The revised architectural/variance plans do not include a signature or seal. We do not object to the Board granting a completeness waiver for this item, provided the plans are revised to include a signature and seal prior to any final approval.*

Item 3. Certification by Borough Tax Collector that all taxes including current taxes are paid. *This information has been provided, no further comment.*

Item 4. Payment of all applicable fees for preliminary site plan review. *Application and escrow fee calculations to be provided under a separate cover. We 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. No further comment.*

Item 5. Submission of Environmental Impact Statement. *We have no objection to the Board granting a completeness waiver for this item, provided the applicant provides sufficient testimony to support this waiver request.*



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- Item 6. Soil Erosion and Sediment and Control Permit and Soil Conservation District Approval. *We have no objection to the Board granting a completeness waiver for this item, provided the applicant provides sufficient testimony to support this waiver request. **No further comment.***
- Item 7. Stormwater Management Plan. *We have no objection to the Board granting a completeness waiver for this item, provided the plot plan include the location of roof leaders, and stormwater discharge locations for the application to be deemed complete, as indicated in Item 2K above. **Addressed. The plans have been revised to show the proposed roof leaders and stormwater discharge locations.***
- Item 8. Referral to Monmouth County Planning Board for review and approval. *We note that driveway ingress and egress connect to First Street, which also serves as Monmouth County Route 6. Therefore, we have no objection to the Board granting a completeness waiver for this item, provided that the applicant provide a submission to the Monmouth County Planning Board, and a letter of no interest or letter of approval is provided from the Monmouth County Planning Board as a condition of approval. **Upon further analysis and based on the scope of the Application, submission for County approval and a letter of no interest is not applicable to this proposal. Therefore, we do not object to the Board granting a completeness waiver for this item.***
- Item 9. Six copies of completed checklist. *The checklist should be revised accordingly to reflect the items required for the application to be deemed complete. An updated checklist shall be submitted with the revised plans for the application to be deemed complete. **Addressed.***
- Item 10. Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership. *This item is not applicable to the application, as the applicant maintains full ownership of the subject property. **No further comment.***
- Item 11. Applicant for a project within a flood hazard area to apply for approval in conformance with the “90 Day Construction Permit Act”. *This item is not applicable to the Application, as the subject property is located outside of the flood hazard area. **No further comment.***
- Item 12. Application for state ingress and egress approval, if necessary. *This item is not applicable to the Application, as the subject property does not enter or is located adjacent to a State roadway. **No further comment.***
- Item 13. Variance(s) from Section(s) and reasons, if necessary. *The application indicates that a “d(2)” use variance is sought by the applicant for the proposed expansion of an existing,*



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non-conforming use. However, we do not believe this is applicable to the application as the application is for an existing, permitted single-family use. No other variances are listed on the plans and in the application.

However, we note that the following existing non-conformities have been identified based on our preliminary review of the submitted plans pursuant to Section 25-1-16, Attachment 2 of the Borough Ordinance:

- *Existing non-conforming minimum lot area*
- *Existing non-conforming minimum lot width*
- *Existing non-conforming minimum side yard setback – Principal Building (one yard)*
- *Existing non-conforming minimum side yard setback – Principal Building (both yards)*
- *Existing non-conforming minimum side yard setback – Accessory Building (garage)*
- *Existing non-conforming maximum impervious coverage*
- *Proposed non-conforming maximum building height – feet*
- *Proposed non-conforming maximum building height – stories*

*Additional non-conformities and variances may be identified/required based on our review of the revised plot submitted for completeness. **Addressed. The Zoning Table on the revised Plot Plan and Architectural Plans include all existing non-conformities and variances required as part of the proposal.***

Item 14. *Waiver required from Section(s) and reason. No waiver requests have been provided on the application and submitted site plans. The plans shall be revised to include all waivers requested (if any) prior to the application being scheduled for a public hearing. **Addressed. The submitted checklist and revised plans do not indicate any waivers are requested by the applicant, and the revised plans include all required variances as part of the application.***

Item 15. *Owners signed Certificate of Concurrence with the plan. This information has been provided, no further comment.*

Final Site Plan:

Item 1: *Sixteen (16) copies of complete application for Final Site Plan Approval. This item shall be addressed in accordance with our comments above for the application to be deemed complete. **Addressed as indicated in the previous completeness items above.***



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- Item 2: Sixteen (16) copies of site plan in final form prepared in accordance With Section 804 of the Development Review Ordinance, including all information depicted on the preliminary plan and satisfaction of all conditions of preliminary approval. *This item shall be addressed in accordance with our comments above for the for the application to be deemed complete. Addressed as indicated in the previous completeness items above.*
- Item 3. Payment of all Final Site Plan Filing Fees. *Application and escrow fee calculations to be provided under a separate cover. We 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. The application fee schedule is provided in Section D. below. All fees shall be addressed by the applicant prior to the scheduled public hearing.*
- Item 4. Payment of Performance Guaranty in favor of municipality approved by the Borough Attorney and Borough Engineer. *We have no objection to the Board granting completeness waivers for these items, provided that performance guarantees and/or inspection fees are provided as a condition of any approval. No further comment.*
- Item 5. Soil removal permit signed by Borough Engineer. *We have no objection to the Board granting a completeness waiver for this item, provided that the applicant obtains a soil removal permit as a condition of any approval if any soil will be removed from the subject site. No further comment.*
- Item 6. Soil Erosion and Sediment Control Permit and Soil Conservation District Approval (if project involves a disturbance of more than 5,000 square feet of land surface area). *This item is not applicable to the Application, as the subject lot size is less than 5,000 square feet. No further comment.*
- Item 7. Engineering Inspection Fees. *We have no objection to the Board granting completeness waivers for these items, provided that payment of engineering inspection fees is provided as a condition of any approval. No further comment.*
- Item 8. Certification from Tax Collector that all taxes are current on the property through the current month quarter. *This information has been provided, no further comment.*
- Item 9. Permits from other authorities upon which approvals were conditioned. *We have no objection to the Board granting completeness waivers for these items, provided that copies of all permits and approvals are provided as a condition of any approval. No further comment.*

We recommend that the applicant address the items below prior to the start of the scheduled public hearing.



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Preliminary Site Plan:

Item 4.

Final Site Plan:

Item 3.

D. Fee Calculation

The Application Fee for this project is \$550.00 as shown below. Additionally, the Ordinance Fee Schedule requires an Escrow Fee be posted in the amount of \$1,200, for a combined submission fee of \$1,750.00. The applicant is required to post any remaining balance prior to the scheduled public hearing.

Proposal	Application Fee	Escrow Fee
Site Plan – Preliminary	\$300.00	\$0.025 per square foot being disturbed; 0.025 * 142 SF expansion of existing building footprint = \$3.55 (\$500.00 minimum required deposit) = \$500.00
Site Plan – Final	\$100.00	\$0.025 per square foot being disturbed; 0.025 * 142 SF expansion of existing building footprint = \$3.55 (\$500.00 minimum required deposit) = \$500.00
“C” Variances	\$150.00 (\$25.00 per variance)	\$200.00
Total Application and Escrow Fees	\$550.00	\$1,200.00
Total Fee	\$1,750.00	

E. Zoning - Use

1. Pursuant to Section 25-1-5.1 of the Borough’s Land Use Regulations Ordinance, the following are permitted principal uses within the RA (Residential) Zone:
 - a. Single-family detached dwelling.



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- b. Public Park and Playground.
2. As described in the property description in Item B1 above, the applicant is proposing a third-story addition to the front and rear of the existing single-family dwelling and additions to portions of the first and second floor. Single-family detached dwellings are a permitted use within the RA (Residential) Zone therefore, a use variance is not required.

F. Zoning - Area and Bulk Requirements

1. The proposed development's compliance with the bulk and area requirements of the RA (Residential) Zone are outlined in the table below, pursuant to Section 25-1-16, Attachment 2 of the Borough's Land Use Regulations Ordinance:

Bulk and Area Requirements — RA (Residential) Zone — §25-1-16, Attachment 2				
DESCRIPTION	PERMITTED	EXISTING	PROPOSED	COMPLIANT
Minimum Lot Requirements				
Minimum Lot Area	5,000 square feet (0.115 acres)	4,518 square feet (ENC)	No Change	No (V)
Minimum Lot Width	50 feet	36 feet (ENC)	No Change	No (V)
Yard Depth - Principal Building				
Minimum Front Yard Setback – Principal Building	20 feet	11 feet – Covered Front Porch (ENC); 15.42 feet – Front Building Façade (ENC)	No Change	No (V)
Minimum Side Yard Setback – Principal Building	6 feet	2.6 Feet (ENC)	No Change	No (V)
Minimum Side Yard Setback – Principal Building	10 Feet	10.2 Feet	No Change	Yes
Minimum Rear Yard Setback – Principal Building	15 Feet	65.1 feet	No Change	Yes
Minimum Side Yard Setback – Accessory Building	3 Feet	N/A	No Change	N/A
Minimum Rear Yard Setback – Accessory Building	3 Feet	N/A	No Change	N/A
Maximum Building Height				
Principal Building Stories	2.5 Stories	2 Stories	3 Stories	No (V)
Principal Building Feet	30 feet	< 30 Feet (not shown on plans)	27.58 Feet	Yes



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Bulk and Area Requirements — RA (Residential) Zone — §25-1-16, Attachment 2				
DESCRIPTION	PERMITTED	EXISTING	PROPOSED	COMPLIANT
Accessory Building Stories	1.5	N/A	N/A	N/A
Accessory Building Feet	16 feet	N/A	N/A	N/A
Maximum Percent Lot Coverage				
Maximum Building Coverage – Principal Building	30%	Approx. 22.1% (not shown on plans)	24.0%	Yes
Maximum Lot Coverage – Accessory Building	10%	N/A	N/A	N/A
Buildings Inclusive of Accessory Buildings	40%	Approx. 22.1% (not shown on plans)	24.0%	Yes
All Buildings and Impervious Coverage	60%	Approx. 79% (not shown on plans)	80%	No (V)
Maximum Front Yard Coverage by Parking	30 %	32% (ENC)	No Change	No (ENC)

(ENC) = Existing Non-Conformity

(V) = Variance Required

2. A minimum lot area of 5,000 square feet is required, whereas a lot area of 4,518 square feet exists. **While the lot area is considered an existing non-conformity, a ‘c’ bulk variance is required due to the proposed expansion of the existing building, which intensifies the use on the undersized lot.**
3. A minimum lot width of 50 feet is required, whereas a lot width of 36 feet exists. **While the lot width is considered an existing non-conformity, a ‘c’ bulk variance is required due to the proposed expansion of the existing building, which intensifies the use on the undersized lot.**
4. A minimum front yard setback of 20 feet is required, whereas a front yard setback of 11 feet is provided from the covered front porch and the 15.42 feet from the front building façade. **While the front yard setback is considered an existing non-conformity, a ‘c’ bulk variance is required due to the proposed third story addition to the existing building, which increases the magnitude of the non-conforming, 15.42-foot front yard setback from the front building façade.**
5. A minimum side yard setback of 6 feet is required,, whereas a side yard setback of 2.6 feet is provided. **While the front yard setback is considered an existing non-conformity, a ‘c’ bulk variance is required due to the proposed expansion of the existing building which increases**



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the magnitude of the side yard setback nonconformity through the proposed third story addition to the existing building.

6. A maximum principal building stories of 2.5 stories is permitted, whereas 3 stories are proposed for the principal building. **Therefore, a ‘c’ bulk variance is required.**

We note that based on the Zoning Table included on the plans, the proposed third story is shown as a half story. Pursuant to Section 25-1-3, “story, half” is defined as *“A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story; provided that any partial story shall not be used for residence purposes.”* The proposed attic space contains seven-foot walls which does not comply with the definition of a half-story above. **The Zoning Table on the plans should be revised to indicate that three (3) stories are proposed and a variance is required.**

7. A maximum impervious coverage of 60% is permitted, whereas an impervious coverage of 80% is proposed. **Therefore, a ‘c’ bulk variance is required.**
8. A maximum of 30% front yard coverage by parking is permitted, whereas 32% is proposed. We note that this condition remains an existing non-conformity, as no changes to the existing driveway are proposed. **However, the applicant should provide testimony as to whether previous variance approval was secured by the Board. Based on the Applicant’s testimony, a variance may be required.**

G. Variance Considerations

Bulk variances are classified as “c(1)” or “c(2)” variances. For “c(1)” variances, the Municipal Land Use Law (MLUL) permits granting a variance from the zoning ordinance where:

- a. by reason of exceptional narrowness, shallowness or shape of a specific piece of property;
- b. by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property;
- c. by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of the zoning ordinance would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property.

The focus of the “c(1)” variance is on the physical characteristics of the land that create a hardship on the owner. In contrast, a “c(2)” variance focuses on the characteristics of the land that present an opportunity for improved zoning and planning that will benefit the neighborhood and community. For the “c(2)” variance, the Municipal Land Use Law permits granting a variance from the zoning ordinance where the purposes of the MLUL “would be advanced by a deviation from the zoning ordinance



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Le: Denise Nellis, Recording Secretary

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requirements and the benefits of the deviation would substantially outweigh any detriment.” The “c(2)” variance should not be granted when only the owner or applicant’s purposes would be advanced. The “c(2)” variance should actually benefit the community because it provides a better zoning alternative for the property. A “c(2)” variance should promote flexibility and creativity in site design and allow for deviations from the zoning ordinance in cases where a more desirable result can be achieved through a relaxation of the bulk requirements.

The applicant must also satisfy both components of the negative criteria for bulk variance applications:

- a. The proposal will not create a “substantial detriment to the public good”; and
- b. The proposal will not create a “substantial detriment to the zone plan and zoning ordinance.”

For the first prong of the negative criteria, no substantial detriment to the public good, the focus is on the impact to the neighborhood or surrounding area. For the second prong of the negative criteria, the focus is on the impact to the Borough’s zone district and master planning documents.

H. Off-Street Parking Requirements

Pursuant to Section 25-1.5.5 of the Borough Ordinance, minimum off-street parking requirements shall be in accordance with the New Jersey Residential Site Improvements Standards (RSIS), N.J.A.C. 5:21. The proposal’s conformance with the minimum off-street parking requirements pursuant to Section 5:21-4.14 of the RSIS are outlined in the table below.

RSIS Minimum Off-Street Parking Requirements - <u>N.J.A.C. 5:21-4.14</u>				
Description	Minimum No. Permitted	Existing	Proposed	Conforming
Proposed Single-Family, Detached 3-bedroom Dwelling	2 Spaces	3 Spaces (not shown on plans)	No Change	Yes

Our office has calculated a total of three (3), 20-foot by 9-foot off-street parking spaces provided in the existing asphalt driveway connecting First Street, whereas a minimum of two spaces are required. As no changes are proposed to the existing driveway, the proposal conforms with the minimum number of spaces pursuant to the RSIS standard above. **However, the plans should be revised to include the existing and proposed number of spaces to demonstrate conformance with the RSIS requirement above, as parking calculations have not been provided on the plans.**



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I. Landscaping and Lighting

No proposed lighting and landscaping are shown on the submitted plans. **The applicant should provide testimony on whether any changes to the existing exterior lighting and landscaping are proposed, and the plans should be revised accordingly based on the testimony provided. Any proposed lighting fixtures should be shielded and downward facing to prevent glare and spillage onto the adjacent residential properties.**

J. Additional Comments

1. The Zoning Data Table on both sets of plans should be revised to include existing dimensions for all area and dimensional requirements of the RA Residential Zone, pursuant to Ordinance §25-1-16, Attachment 2.
2. The Plot plan should be revised to include the footprint of the proposed deck as shown on the Architectural Plans.
3. The left (eastern) building elevation shows one small window proposed for the first floor, with a solid façade proposed for the remainder of this building elevation. We recommend the applicant revise the plans to include facade treatment such as shutters and additional windows/glazing to the rear and side building elevations, similar to said façade treatments proposed for the front building elevation. These treatments will prevent the appearance of a blank, wall-like façade from the perspective of the adjacent residential use on Lot 7.
4. The applicant should provide testimony regarding the proposed use of the third-floor attic space and basement space. Specific testimony should also be provided confirming that these areas will not be used as an extraneous living space and that the building will remain a single-family dwelling.
5. The applicant should provide testimony regarding whether the detached garage is still present on the subject property. A garage is shown on the original submitted Survey dated November 21, 2022. However, the revised Plot Plan does not include a garage, and a proposed staging area is shown instead covering the approximate footprint of the detached garage.
6. The applicant should provide testimony regarding whether the existing fencing will remain. Any fencing that is in disrepair or damaged during construction shall be replaced.
7. The applicant will be required to repair any pavement, curb, sidewalk or pavement that is in disrepair or damaged as a result of the proposed improvements.



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8. The applicant should confirm that the property is not subject to any existing easements, deed restrictions and/or covenants.
9. The applicant shall obtain all necessary permits and approvals and provide copies of same to the Board.
10. The applicant will be required to obtain any necessary municipal building permits required. No permits will be issued until all requirements of the land use approval process are completed.

Should you have any questions, please do not hesitate to contact us.

Sincerely,

T&M ASSOCIATES

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

CAROLINE Z. REITER
PLANNING BOARD PLANNER

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