KUPB-R2061 February 1, 2024

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

Attn: Denise Nellis, Recording Secretary

Re: KUPB No. 22-01
Amended Preliminary & Final Site Plan Approval
108 Broad Street, Block 60, Lot 6
RB (Residential) Zoning District
Arjika Properties, Inc.
Third Resolution Compliance Review

Dear Board Members:

As requested, we have reviewed the plans, entitled "Duplex Dwelling Site Plan 108 Broad Street" that were prepared by Marc S. Leber, P.E., P.P., of East Point Engineering, LLC, dated March 18, 2022, consisting of six sheets (6) sheets. Additionally, the applicant submitted the following documents in support of this application. Additional materials and revisions received by our office for Resolution compliance are noted in ***bold italic text.***

1. Planning Board Application #22-01, dated April 22, 2022, consisting of five (5) pages;

2. Architectural Floor Plans and building elevations prepared by Salvatore La Ferlita, R.A., consisting of one (1) sheet, dated February 10, 2022;

3. Keyport Unified Planning Board Resolution of Approval prepared by Marc A. Leckstein, Esq., Keyport Unified Planning Board Attorney, memorialized November 3, 2022, consisting of five (5) pages;

4. Email correspondence from Marc S. Leber (Applicant's Engineer) regarding items addressed for Resolution compliance, dated June 1 and June 28, 2023;

5. Plans Entitled "Duplex Dwelling Site Plan 108 Broad Street" prepared by Marc S. Leber, P.E., P.P., of East Point Engineering, LLC, dated March 18, 2022, last revised May 31, 2023 consisting of six (6) sheets;

6. Plans entitled "Duplex Dwelling Site Plan 108 Broad Street – Vehicle Turning Plan" prepared by Marc S. Leber, P.E., P.P., of East Point Engineering, LLC, dated March 18, 2022, last revised May 31, 2023;

7. Non-Certified copy of Master Deed entitled "Master Deed 108 Broad Street Condominium Association" prepared by Arjika Property, Inc. and notarized by Sandra Karlicka, Notary Public, dated May 16, 2023, consisting of 67 pages and appendices; and,

8. Architectural Plans entitled, "Arjika Properties, Inc. Proposed New Duplex Town Homes" prepared by Salvatore La Ferlita, R.A., dated June 21, 2023, consisting of six (6) sheets.

9. Letter of no Interest prepared by Victor Furmanec, P.P., A.I.C.P. – Supervising Planner of the Monmouth County Planning Board, consisting of one (1) page, dated July 17, 2023.

10. ***Certification Letter prepared Ines M. Zimmerman of Freehold Soil Conservation District (FSCD), consisting of one (1) page, dated August 9, 2023;***

11. ***Approval Letter prepared by Thomas M. Petti, P.E., of Bayshore Regional Sewerage Authority (BRSA), consisting of one (1) page, dated September 5, 2023; and,***

12. ***Borough Ordinance No. 2023-16 entitled* "ORDINANCE OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO VACATE TWO PUBLIC PARKING SPACES LOCATED AT WEST TIDRD STREET." consisting of one (1) page, adopted December 19, 2023.**

The applicant has revised the plans to address the comments outlined in the Board's Resolution of Approval memorialized November 3, 2022, and our review letters dated June 14, 2022 and October 26, 2023. The following is a summary of each condition of the Resolution and its current status as noted in ***bold italic text.***

KUPB Resolution of Approval Memorialized November 3, 2022 – Conditions of Approval

1. The proposed construction shall be in substantial conformance with all of the exhibits marked into evidence unless otherwise modified by this Resolution. ***This is an administrative condition that will be addressed once the applicant has complied with all conditions of the Resolution.***

2. Subject to the condition that a landscaping plan be submitted for review and approval to the Board's Engineer and Planner. ***This condition has been addressed.***

3. Subject to the condition that all curbing at the property be replaced. ***This condition has been addressed.***

4. Subject to the condition that the applicant mill and pave the roadway curb to curb. ***This condition has been addressed.***

5. Subject to the condition that the applicant replace the existing chain link fence with a six (6) foot PVC or wood privacy fence which will drop down to 3 feet at the end of the building. ***This condition has been addressed.***

6. Subject to the condition that the condensers for the building be situated upon pads on the sides (not rear) of the building at exact locations to be reviewed and approved by the Board's Engineer and Planner. ***This condition has been addressed.***

7. Subject to the condition that a condominium association be formed in order to assure proper maintenance of the site. The governing documents for the association shall be submitted to the Board's Attorney and Engineer for their review and approval. ***Addressed. The recorded Master Deed including the governing documents and Bylaws for the Condominium Association have been provided. Our office finds the Master Deed acceptable from an engineering standpoint. However, we defer additional review and comment to the Board Attorney.***

8. Subject to the condition the Master Deed include a provision mandating that the trash cans must be kept inside of the building until trash pick-up day. ***Addressed per Section 11.6 of the Master Deed. Please also refer to our comments in Condition 7 above.***

9. Subject to the condition the Master Deed include a provision mandating that the garages for each unit be kept clear enough to allow for the parking of at least one (1) vehicle per unit. ***Addressed per Section 11.6 of the Master Deed. Please also refer to our comments in Condition 7 above.***

10. Subject to the requirements of the Planning/Engineering review letters marked into evidence. (Exhibits B-1 and B-2). ***This condition has been addressed. Please refer to our comments below.***

T&M First Planning Review Dated June 14, 2022

- ***All items not listed from this review have been considered addressed in previous review letters or are informational.***

6. Traffic Circulation and Layout

6.3 Both driveways connected to the attached garages are accessed by West 3rd Street, a narrow, one-way street containing on-street public parking which serves the adjacent downtown commercial district and residences. This street parking lies directly in front of the proposed driveways, further reducing vehicular ingress/egress. The applicant shall revise the plans to include the dimensions of the existing width of West 3rd Street and identify the location and dimensions of the existing street parking adjacent to the proposed driveways. The applicant shall also provide testimony and turning templates regarding the access to dais driveways on West 3rd Street. ***This comment has been addressed. An executed copy of Borough Ordinance No. 2023-16 has been provided, which confirms the removal of said parking spaces within the West Third Street right-of-way.***

KUPB Resolution of Approval Memorialized November 3, 2022 – Conditions of Approval (Continued)

11. Subject to all representations made by the applicant during the application. ***This is an administrative condition that will be addressed once the applicant has complied with all conditions of the Resolution.***

12. Subject to any and all affordable housing requirements mandated by the Borough or other governmental entity. ***This is an administrative condition. The applicant shall comply with the applicable affordable housing requirements (if any) mandated by the Borough or other governmental entity.***

13. 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. ***This is an administrative condition that will be addressed once the applicant has complied with all conditions of the Resolution.***

14. Subject to any and all other approvals as maybe required by the Borough, prior to the issuance of any permits. ***All applicable outside agency approvals have been addressed.***

15. Subject to the payment of any fees, escrows and taxes as may be due to the Borough, prior to the issuance of any permits. ***The applicant shall post all required fees, escrows and taxes prior to the issuance of permits. We defer to the Board Secretary regarding conformance with this requirement.***

16. This approval shall be deemed void by abandonment if a building permit is not applied for within one year of the date hereof. ***This item has been addressed. A 120-day approval extension was granted by the Board at the public hearing held October 26, 2023.***

17. 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. ***This is an administrative condition that will be addressed once the applicant has complied with all conditions of the Resolution.***

18. 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. ***We defer to the Board Secretary regarding conformance with this condition.***

Based on our review and as indicated in the comments above, we deem the application **compliant** with the Unified Planning Board Resolution of Approval memorialized November 3, 2022 from a planning and engineering perspective. Any outstanding conditions above are administrative in scope.

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

Sincerely,

T&M ASSOCIATES

Caroline Reiter

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

CAROLINE Z. REITER, P.P., A.I.C.P.
PLANNING BOARD PLANNER

FWM:DMD:AWD

cc: Denise Nellis, Board Secretary (dnellis@keyportonline.com)
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