

# BROWN'S POINT MARINA REDEVELOPMENT PLAN

Borough of Keyport, Monmouth County, New Jersey



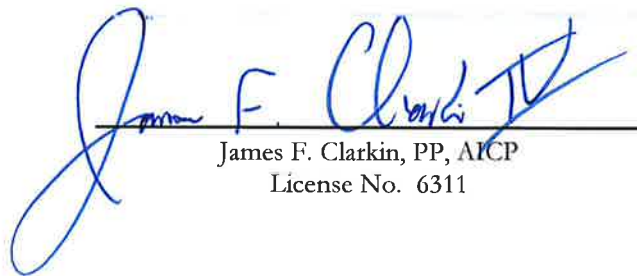
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Prepared By:



1460 Route 9 South  
Howell, New Jersey 07731  
(732) 462-7400

  
James F. Clarkin, PP, AICP  
License No. 6311

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## **ACKNOWLEDGMENTS**

Many thanks are due to the Borough of Keyport for providing funding for this redevelopment plan.

### **Borough Council**

Harry M. Aumack II, Mayor  
Joseph Sheridan, Council President  
Sophia Lamberson  
Isaiah Cooper  
Warren Chamberlain  
Kenneth Howe  
Matthew Goode

### **Borough Unified Planning Board**

Harry M. Aumack II, Mayor  
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Dennis Fotopoulos  
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Terry Musson  
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Jacqueline Kovacs-Olsen, Alternate  
Juan Carlos Oviedo, Alternate

## I. INTRODUCTION

### A. Purpose of and Statutory Basis for the Redevelopment Plan

On December 16, 2014, the Keyport Borough Council adopted Resolution #358-14, requesting the Borough's Unified Planning Board to conduct an investigation to determine whether Lots 1, 2, 3, 5, 6, 6.01, 7, and 9 in Block 20 (the "Study Area") met the statutory criteria to be designated as an "Area in Need of Redevelopment" pursuant to the provisions of the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-1 et seq.

The Borough of Keyport Unified Planning Board began the investigation through the services of T&M Associates. The Planning Board reviewed the Brown's Point Marina Redevelopment Study prepared by T&M Associates, dated May 2015, and determined Block 20 Lots 6, 6.01, and 9 to be an Area in Need of Redevelopment. The Redevelopment Study also found Lots 5 and 7 were needed "for the effective redevelopment of the area" and Lots 1, 2, & 3 were not found to meet any redevelopment statutory criteria. The Planning Board agreed with the findings of the Redevelopment Study, recommended the findings be accepted by Council, and this led to Council's designation of Block 20 Lots 5, 6, 6.01, 7, and 9 as an Area in Need of Redevelopment. The Council formally designated the Study Area as a Non-Condensation Redevelopment Area by resolution on August 4, 2015.

Subsequent to the original investigation, the Borough Council requested the Planning Board to re-investigate Lots 1, 2, & 3 in Block 20. The Planning Board conducted a public hearing on March 24, 2016 to determine if Block 20 Lots 1, 2, and 3 should be included in the Redevelopment Area. The Planning Board voted to include Block 20 Lots 1, 2, and 3 and the Borough Council subsequently designated Block 20 Lots 1, 2, and 3 as an Area in Need of Redevelopment for the effective redevelopment of the entire designated area known as Brown's Point. The findings of the original redevelopment study and the supplemental redevelopment study recommended to the Borough Council to designate Block 20 Lots 1, 2, and 3 as an "Area in Need of Redevelopment" in addition to the original designation of Block 20 Lots 5, 6, 6.01, 7, and 9 as an "Area in Need of Redevelopment". The Borough Council designated all of these properties as a Non-Condensation Redevelopment Area.

This document sets forth the "Redevelopment Plan" for Block 20 Lots 1, 2, 3, 5, 6, 6.01, 7, and 9, including land uses, bulk and area requirements, and design standards for any proposed development within the Study Area. The Study Area designated as an Area In Need of Redevelopment will be hereafter referred to as the "Redevelopment Area". This Plan is a Non-Condensation Redevelopment Plan in accordance with the redevelopment study and preliminary investigation reports.

According to the LRHL the Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational, community facilities, and other public improvements;
- Proposed land uses and building requirements in the project area;
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent safe and sanitary dwelling units, affordable to displaced residents will be available to them in the existing local housing market;
- An identification of any property within the Redevelopment Area proposed to be acquired in accordance with the Redevelopment Plan;
- Any significant relationship of the Redevelopment Plans to:
  - o The Master Plans of contiguous municipalities;
  - o The Master Plan of the County in which the municipality is located, and;
  - o The State Development and Redevelopment Plans adopted pursuant to the “State Planning Act”;
- As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the Redevelopment Plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure;
- A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of the implementation of the Redevelopment Plan. This replacement housing shall be implemented in accordance with the further provisions of Section 7(a)(7) of the LRHL.
- Additionally, A redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” P.L. 1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan; and

- The redevelopment plan shall describe its relationship to pertinent municipal development regulations including consistency with the municipal master plan.

**B. Plan Overview**

The Redevelopment Plan proposes several permitted uses within the Redevelopment Area. The permitted uses include high end luxury residential housing, public waterfront access including access to the existing Brown's Point Marina, associated parking, and other improvements typically associated with the aforementioned land uses. It is envisioned that these uses will collectively coexist with the existing surrounding neighborhood, environmental constraints, and waterfront. This Redevelopment Plan shall supersede the existing General Marine Commercial (GMC) and Residential (RA) zone standards. Additionally, the zoning standards and requirements of this Redevelopment Plan shall only apply to the permitted uses specified herein.

**C. Area Boundaries and Locational Context**

The Redevelopment Area is located in the northwestern portion of the Borough. The Redevelopment Area is bound by the Matawan Creek which extends into the Raritan Bay acting as the western and northern border. The southern border is Brown's Point Marina, the intersection of Washington Street and NW First Street, and NW First Street itself. The eastern border is Broadway. The Redevelopment Area can currently be accessed by either Washington Street or Broadway from West Front Street.

The Redevelopment Area is approximately 9.32 acres in land area with 3.16 acres in water area for a total of 12.48 acres. Approximately 1.84 acres are developable within the Redevelopment Area given the proximity to the Raritan Bay, tidal marshlands, and environmental buffer requirements. The Redevelopment Area is currently surrounded by residential homes, the existing Brown's Point Marina, the Hans Pederson & Sons Marina, and the Endeavor House. The full extent of the Redevelopment Plan Area is illustrated on the aerial image & tax map represented as **Figure No. 1**.

**D. Existing Conditions**

*Land Use*

Presently, the Redevelopment Area is comprised of four single-family residential dwellings on Lots 1, 2, 3, and 7. The Endeavor House which is an inpatient treatment center for addiction is located on Lot 5. Lots 6 and 6.01 are comprised of vacant land, boat storage for the marina, and environmental constraints including historical fill, wetlands, and water. Lot 9 includes marina boat storage, a dock, and an access driveway to Lot 6. Lots 6, 6.01, and 9 have a large amount of debris and garbage remaining from Superstorm Sandy. The designated redeveloper is wholly responsible for the clean-up of debris and garbage on lots within the redevelopment area. Land

uses in the Redevelopment Area and the areas immediately adjacent are represented in **Figure No. 2: Land Use Map**.

### *Zoning*

The Redevelopment Area is located in the General Marine Commercial (GMC) and Residential (RA) zones. The RA zone and the GMC zone permit the following uses:

- Uses permitted under the Residential District (RA):
  - Single-family detached dwelling;
  - Church, Sunday school, and other places of worship;
  - Eleemosynary and philanthropic institutions; and
  - Public School, park, playground, fire house, library, municipal building.
- Permitted Accessory uses include:
  - Uses customary and incidental to principal uses;
  - Home gardening but not the raising of livestock, poultry, or similar objectionable activities;
  - Signs subject to the Borough standards in Section 25:1-17;
  - Private garages and private parking areas; and
  - Other accessory uses and structures customarily appurtenant and incidental to a principal permitted use, including radio and television antenna.
- Conditional Uses in the RA district include:
  - Private school or college subject to standards of Section 25:1-15.9;
  - Licensed nursing homes and nursery schools; and
  - Home occupation and professional home office.
- Permitted Principal Uses in the GMC Zone:
  - Uses permitted in the NC district;
  - Apparel Shops;
  - Banks and other financial institutions;
  - Bars and cocktail lounges without live entertainment;
  - Boat yards, boat building facilities, service and sales, marinas, and docks;
  - Church or other place of worship, parish house, Sunday school building;
  - Club, exclusive of a swimming pool club;
  - Furniture stores;
  - Theaters and bowling alleys;
  - Major department stores, specialty shops, personal and business service establishments;
  - Newspaper publishing plant;

- o Professional business, and technical schools, schools and studios for photography, art, music, and dance;
  - o Public utility building or structure, telephone exchange;
  - o Sporting and athletic goods; and
  - o Undertakers and funeral parlors.
- Permitted Accessory Uses in the GMC Zone:
    - o Signs subject to Section 25:1-17;
    - o Parking garages, off-street parking, and loading areas;
    - o Accessory uses and structures customarily incidental to a principal permitted use; and
    - o Accessory storage within a wholly enclosed permanent building of materials, goods, and supplies intended for sale, processing, or consumption on the premises, except new and used cars and boats may be stored outside.

The following table displays the bulk standards and regulations for both the RA and GMC zones.

| RA & GMC ZONING REGULATIONS                                        |                                                        |                                                        |
|--------------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------|
|                                                                    | RA District                                            | GMC District                                           |
| Minimum Lot Area                                                   | 7,500 Square Feet                                      | 10,000 Square Feet                                     |
| Minimum Lot Width                                                  | 75 Feet                                                | 100 Feet                                               |
| Minimum Front Yard Setback                                         | 20 Feet                                                | 20 Feet                                                |
| Minimum One Side Yard Setback                                      | 6 Feet                                                 | 6 Feet                                                 |
| Minimum Both Side Yard Setback                                     | 16 Feet                                                | 16 Feet                                                |
| Minimum Rear Yard Setback                                          | 15 Feet                                                | 20 Feet                                                |
| Accessory Building Side Yard Setback                               | 3 Feet                                                 | 6 Feet                                                 |
| Accessory Building Rear Yard Setback                               | 3 Feet                                                 | 16 Feet                                                |
| Max Lot Coverage                                                   | 40%                                                    | 35%                                                    |
| Maximum Height                                                     | 2.5 Stories/30 Feet                                    | 3 Stories/35 Feet                                      |
| Maximum Building Coverage                                          | 30% (principal structure)<br>10% (accessory structure) | 35% (principal structure)<br>15% (accessory structure) |
| Maximum % of Lot Coverage by all Buildings and Impervious Surfaces | 60%                                                    | 90%                                                    |

Zoning Districts in the Redevelopment Area and the areas immediately adjacent are represented in **Figure No. 3: Zoning Map**.

## II. REDEVELOPMENT PLAN VISION, GOALS, AND OBJECTIVES

### A. Plan Vision

The Redevelopment Plan provides for the transformation of vacant and underutilized parcels or structures and parcels required for the effective redevelopment of the area to economically and socially productive uses, which will contribute to the general

welfare of the Borough via increased tax ratables, increased foot traffic in the downtown area, and the availability of public access along the waterfront to Borough residents. This Redevelopment Plan will increase the general welfare of the Redevelopment Area while enhancing the sense of place near the waterfront and enhance the surroundings of Keyport's historic waterfront. It is envisioned that any residential or public uses to be developed will integrate and connect with the existing residential community and waterfront.

**B. Plan Goals and Objectives**

The objectives of the Redevelopment Plan are as follows:

- Create land use requirements specific to the Redevelopment Area that are in harmony with the Borough's values, that effectuate the development of vacant and underutilized parcels or buildings, and are sensitive to existing neighborhoods and land uses;
- Provide an opportunity for the development of residential housing to increase density near Keyport's Downtown and improve underutilized areas of Keyport's waterfront;
- Encourage redevelopment to increase tax ratables within the Borough of Keyport;
- Clean up the wetland and environmentally sensitive areas by removing trash, adding landscape improvements, and removing debris from Superstorm Sandy in the Redevelopment Area while preserving existing mature trees to the extent possible;
- Provide recreation and public access to the waterfront through recreational pathways, connections to existing marinas, and a kayak or small boat launch area;
- Preserve existing vistas and view sheds to the maximum extent possible;
- Enhance shorelines and coastal wetlands where feasible; and
- Institute land use and building controls to promote the redevelopment of Brown's Point Marina while remaining sensitive to the existing environmental conditions, stormwater management policies, existing neighborhood, and parking requirements of the community.

**C. Public Input**

The Redevelopment Plan has undergone extensive review from the public through two separate public input sessions. The first session was held on December 17, 2015 at 6:00 P.M. at Keyport Borough Hall. Many Keyport residents attended this meeting to discuss their thoughts and provide the Borough professionals with their input

regarding redevelopment of Brown's Point Marina. An outline of this meeting can be found in Appendix A. Subsequent to this meeting, on April 21, 2016 the second meeting was held where Keyport residents specifically residing near the Brown's Point Marina area were invited to discuss their concerns. On March 8<sup>th</sup>, 2017 a third public input meeting was held. Many concerns were raised by the participants that required more discussion with the redeveloper to appease these concerns. The concerns and requests from all three meetings were addressed and incorporated into this Redevelopment Plan to the maximum extent possible.

### **III. LAND USE PLAN**

#### **A. Relationship to Borough Land Development Regulations**

The standards contained within this Redevelopment Plan shall supersede the Borough's existing regulations including all Residential (RA) and General Marine Commercial (GMC) principal and accessory uses, bulk requirements, general provisions, and design standards. The Keyport Borough Land Use Code shall apply only if the provisions of this Redevelopment Plan do not set any specific regulations or are not expressly modified or superseded herein. Development applications for the Redevelopment Area shall be reviewed and approved by the Planning Board based upon the land development regulations herein.

The Planning Board may grant exceptions or waivers from design standards from the requirements for site plan or subdivision approval. Any exceptions or waivers granted shall be reasonable within the general purposes and intent of the provisions for site plan review and/or subdivision approval within this Redevelopment Plan. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Redevelopment Plan or the Borough Master Plan.

No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviation from standards of this Redevelopment Plan that results in a "D" variance pursuant to N.J.S.A. 40:55D-70d may only be addressed as an amendment to the Redevelopment Plan by the Borough Council rather than via variance relief through the Borough Zoning Board of Adjustment. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq. Final adoption of this Redevelopment Plan by the Borough Council shall be considered an amendment to the Keyport Borough Land Use and Development Regulations Ordinance and Zoning Map. Unless otherwise defined in the Redevelopment Plan, terms used in this Redevelopment Plan shall have the same meaning as defined in the Borough's Land Use and Development Regulations Ordinance.

**B. Relationship to Local Objectives**

This Redevelopment Plan is consistent with Keyport Borough's objectives regarding appropriate land uses, density of population, traffic, public utilities, and recreational or community facilities. Additionally, the permitted uses of this Plan are not anticipated to have any negative effects upon municipal services. A fiscal impact analysis shall be prepared by the designated redeveloper, including an analysis of school-aged children, to affirm there are no negative fiscal impacts associated with any proposed development in the Redevelopment Area.

**C. On-Site and Off-Site Improvements**

The extent of the redeveloper's responsibility for any installation or upgrade of infrastructure related to the development of the Redevelopment Area, or contribution thereto, shall, whether on-site or off-site, be subject to a redevelopment agreement with Keyport Borough, as the municipal redevelopment entity under the LRHL.

**D. Land Use Bulk Standards**

Below are the standards that shall apply to the Brown's Point Marina Redevelopment Area:

- a. Principal Permitted Uses:
  - i. Multi-Family Residential Housing;
  - ii. Public Waterfront Access; and
  - iii. Recreational Marina.
- b. Permitted Accessory Structures and Uses (Recreational and support uses incidental to the Residential component including but not limited to those listed below):
  - i. Boardwalks;
  - ii. Pools;
  - iii. Fences and Landscaping;
  - iv. Kayak or Small Boat Launch;
  - v. Small Boat Storage;
  - vi. Bicycle Storage;
  - vii. Pet Care facilities;
  - viii. Gyms, common areas, and rooftop recreational areas;
  - ix. Marine Dependent and Recreational Uses;
  - x. Structured Parking;
  - xi. Utilities; and
  - xii. Open Space including Dog Runs.

c. Standards for Development:

- i. Total Residential units within the Redevelopment Area shall not exceed 120 residential units;
- ii. Any multi-family residential structure shall have two points of access and all traffic shall access the development directly from West Front Street. The alternate access point from Broadway shall only be used for emergencies, deliveries, or passenger pick-up;
- iii. All environmentally sensitive areas shall be preserved as required by the New Jersey Department of Environmental Protection ("DEP") and any living shorelines implemented must be approved by DEP and any other required agencies;
- iv. A landscape buffer of at least 5 feet shall be provided along Block 20 Lots 4.01 and 4.02 between the Redevelopment Area and the adjoining residential homes;
- v. Any façade facing Block 20 Lots 4.01 and 4.02 shall not have any excessive blank walls and should have architectural features matching the entire development;
- vi. Minimum Side Yard Setback for the Redevelopment Area shall be 20 feet except for Block 20 Lots 4.01 and 4.02 whereby the Minimum Side Yard Setback shall be 40 feet.
- vii. A connection to Brown's Point Marina shall be provided through a boardwalk or recreational walkway equipped with adequate security for the existing marina;
- viii. A small boat launch area along the waterfront that connects to a walking trail surrounding any development within the redevelopment area shall be provided; and
- ix. A portion of Washington Street shall be vacated for the effective redevelopment of the Redevelopment Area.
- x. The building shall provide a visual differentiation along that portion immediately fronting on North West First Street, from the easterly right-of-way line of Washington Street eastward. This portion of the building shall have a maximum building height of 3 stories or 50 feet and 4 stories or 50 feet for a parking structure along this frontage and shall visually obscure any rooftop mechanical equipment and parking structures located behind and to the north.

d. Area, Yard, and Bulk Requirements:

| BROWN'S POINT REDEVELOPMENT AREA BULK STANDARDS |                               |
|-------------------------------------------------|-------------------------------|
| Minimum Lot Area                                | 1 Acre                        |
| Minimum Lot Frontage                            | 150 Feet based on R.O.W. line |
| Minimum Front Yard Setback                      | 15 Feet*                      |
| Minimum Side Yard Setback                       | 20 Feet**                     |
| Minimum Rear Yard Setback                       | 40 Feet                       |
| Maximum Impervious Coverage                     | 50%                           |
| Maximum Residential Building Height             | 60 Feet/4 Stories             |
| Maximum Parking Structure Height                | 60 Feet/5 Stories             |
| Minimum Parking Ratio                           | 1.4 Spaces per Unit           |

\* A façade facing a Borough Right-of-Way shall be considered a front yard.

\*\*Minimum 40 foot side yard setback shall be provided to Lots 4.01 and 4.02.

e. Accessory Structure Bulk Standards:

- i. All accessory structures must comply with DEP regulations including wetlands and environmentally sensitive areas.
- ii. Recreational pathways shall be 5 feet in width, provide an ADA compliant route to the waterfront, and be open to the public;
- iii. Pools and dog runs shall be located in the rear yard;
- iv. The boat launch shall be limited to kayaks and small boats such as canoes or row boats. No motor boats permitted.
- v. Parking Stalls in any vertical garage shall be 9 feet by 18 feet and provide an aisle width of 24 feet.

#### IV. PARKING, CIRCULATION, OPEN SPACE, AND UTILITIES

A. Parking

Any residential housing proposed by a redeveloper is required to provide 1.4 spaces per residential unit at a minimum. A redeveloper is also required to provide supplemental services to reduce parking demand and encourage the use of alternative modes of transportation. These supplemental services may include, but are not limited to, small surface parking areas for public access parking or visitor parking where appropriate, van or shuttle transportation to the Aberdeen-Matawan NJ Transit train station, shared car services, and low power vehicle transportation to local destinations.

B. Circulation

Any application submitted for approval by the redeveloper shall include a detailed Traffic Analysis, which shall address impacts associated with the proposed uses on the existing roadway network. The report shall address adequacy of service levels at access points, adequacy of existing signalized intersections, vehicular and pedestrian

circulation throughout the site, and the adequacy of parking and loading. At a minimum, the design shall incorporate the following:

- Pedestrian access shall be provided to all buildings, sidewalks, accessory structures, and public access areas.
- Sidewalks shall be designed to be part of a comprehensive system to access all buildings and facilities within the development.
- Conflicts between pedestrians and vehicles should be minimized to the extent possible including any access to parking structures.
- The main access to the development for residents shall be from West Front Street.
- An alternative access point shall be required for pick up, drop off, or deliveries to be located in front of the entrance to any residential development. Additionally, access to the parking garage via the alternate access for deliveries should be used only for emergencies such as evacuation.
- The site shall be designed to accommodate emergency vehicle access.
- Parking Standards in Section 25:1-18 of the Borough Ordinance shall not apply to any development within the Redevelopment Area as the parking standard has been determined by this Redevelopment Plan.

C. **Open Space**

Areas which will remain undisturbed on the site shall be maintained as open space. These areas must be accessible to the general public, specifically access to the waterfront, unless the open space is environmentally sensitive or DEP restricts public access. This Redevelopment Plan shall advance the following goals and requirements:

- Protect natural resources to the greatest extent feasible, including wetlands, environmentally sensitive areas, and existing buffers.
- Reduce non-point source pollution in stormwater runoff and improve stormwater quality for any run-off into the Matawan Creek.
- Public access to open space is required including walkways and trails to the bayfront.
- Any developer of the Redevelopment Area is required to provide a small boat launch for kayaks, canoes, paddle boards, or other small boats and a fishing dock.

#### D. Utilities

The redeveloper shall arrange with the servicing utility for the underground installation of the utility's distribution lines and service connections in accordance with the provisions of the applicable Standard Terms and Conditions incorporated as a part of its tariff on file with the State of New Jersey Board of Public Utility Commissioners.

The Redevelopment Plan shall be designed to meet the following goals in regards to utilities:

- Ensure that water, sewer, electricity, natural gas, and internet services are reliable and of the highest quality available at a reasonable cost.
- Protect groundwater and surface water resources from potential contamination as a result of sedimentation and pollutants carried by stormwater through street drains, detention basin outflows and streambed scouring, and also as a result of wastewater disposal systems.
- Require underground installation of all utilities to the maximum extent possible.
- Any site plan submitted to the Borough Planning Board to develop the Redevelopment Area shall submit stormwater documentation for review by the Borough Engineer. Stormwater improvements may include green roofs, bio-swales, rain gardens, permeable pavement, tree cover, or other suitable alternatives. The Borough's minimum stormwater management requirements must be complied with to the satisfaction of the Borough Engineer.

#### V. GENERAL DESIGN PROVISIONS & STANDARDS

Any deviation from the following standards creates a waiver or exception pursuant to N.J.S.A. 40:55D-51. The following list includes design standards that apply to all building types in the Redevelopment Area.

##### A. Streetscape Improvements

Any proposed development shall incorporate sidewalk or pathways, pavers, street lighting, benches, trash receptacles, trees, landscaping, and other related improvements along the project area's frontage upon Borough Right of Ways and also around any proposed structure. The required streetscape improvements shall be reviewed by the Planning Board at the time of site plan approval to the Planning Board member's and professional's satisfaction.

**B. Pedestrian Amenities**

Any development shall incorporate sidewalks and crosswalks to provide for safe pedestrian access to, from, and within the site. Sidewalks located along a street frontage shall be designed and constructed of concrete. Recreational pathways may be made of a more appropriate material to be reviewed by the Borough Engineer.

**C. Signage**

Directional and safety signage shall be permitted to ensure ease and safety of vehicular and pedestrian circulation throughout the site. Notwithstanding other requirements set forth in Chapter 25:1-17, the redevelopment area is permitted two (2) project identification signs and each sign façade shall be no greater than ten (10) square feet in area.

**D. Façade Appearance**

Building façades shall be finished with a complementary color palette that utilizes shades of a Bay or Ocean theme. The building façades shall also provide architectural treatments that provide a visually interesting design aesthetic in harmony with the color palette and overall design of any proposed building. There shall not be any excessive blank walls and any building façade for a structure parking area shall match the architectural features of the entire building and other façades. There should not be any discernable difference between the building façade of a unit versus a parking structure wall.

**E. Lighting**

Site lighting shall be designed to provide for adequate lighting levels throughout the Redevelopment Area while minimizing spillage onto adjacent properties. The lighting objective is to provide safety, security, and minimize undesirable effects. LED lights are preferable. No lighting source shall shine or reflect into windows. No lighting shall be a beam or a rotating, pulsating, or other intermittent frequency. Lighting near existing residences shall be kept, at a minimum, below 1 footcandle and no lighting shall be within any landscape buffers or right-of-ways adjacent to existing residential lots. The Borough Engineer shall review any lighting plans.

**F. Landscaping**

The redeveloper shall provide a landscaping plan at the time of submission of a site plan application to determine the adequacy of existing landscaping. A landscaping buffer shall be provided around Block 20 Lots 4.01 and 4.02 that shall be at least 5 feet in width. The redeveloper shall work with the property owners

of Block 20 Lots 4.01 and 4.02 to determine the most desirable and effective screening options available. Evergreens may be preferred for year round screening or deciduous trees with supplemental shrubs. All plantings shall be maintained by the redeveloper, native plant species should be utilized to maximize the lifespan of all landscaping, and any planting that dies must be replaced by the redeveloper. Additional plantings shall be required if and where directed by the Board Engineer to ensure adequate screening and aesthetics.

**G. Public Access**

Any development shall incorporate public pedestrian access which will provide walkways to the water's edge and/or to vistas overlooking the water. Opportunities for active recreation, such as a kayak launch, are required. Public parking for residents who wish to use the public access to the water needs to be addressed by the redeveloper. On-site parking or parking along the access road from West Front Street are potential alternatives for public access/visitor parking.

**H. Fences and Walls**

Ornamental fencing is permitted with a maximum height of six feet. Chain link fence or barbed wire fencing is prohibited. Any proposed fencing shall be reviewed by the Board Engineer.

**I. Solid Waste Disposal**

No materials shall be deposited so they can be transferred off the lot, directly or indirectly, by natural forces, such as precipitation, surface water, evaporation, or wind. All materials which might create a pollutant or be a safety and health hazard shall be stored indoors or be enclosed in appropriate containers to eliminate such pollutant or hazard. All dumpsters or trash areas shall be screened.

**J. Additional Design Standards**

Any development shall comply with FEMA Special Flood Hazard Area, DEP, and CAFRA requirements. Existing views to the waterfront shall be preserved for existing homes. In addition to the standards set forth herein, all structures shall be subject to the site plan regulations and other design standards set forth in the Borough Land Use Code that are not already specifically addressed herein.

**VI. ENVIRONMENTAL ASSESSMENT**

An environmental assessment was conducted for the Redevelopment Area during the redevelopment study. Lots 6 and 6.01 are characterized by wetlands along the creek and include historic fill that raised the topographic elevation of the redevelopment area. This

created an upland area which shall be the area for development in the Redevelopment Area. If and when contaminants are discovered at the site at levels exceeding applicable remediation standards, the Redeveloper shall provide a copy of the Response Action Outcome (RAO) determination from a New Jersey Licensed Site Remediation Professional (LSRP). A Phase 1 Environmental Report shall be included at the time of site plan application pertaining to this Redevelopment Plan.

The Redevelopment Plan area is almost entirely within the Flood Hazard Area. Lots 6, 6.01, and 9 are in the “VE” zone with base flood elevations between 15 and 17 feet. The remainder of the Redevelopment Plan area is in the “AE” zone which requires base flood elevations of 14 feet. Any development in the Redevelopment Plan area will be required to follow applicable Borough, State, or FEMA requirements related to base flood elevation. Additionally, any development shall comply with the FHA Control Act Rules and any recommendations provided during FHA review.

## **VII. PLAN CONSISTENCY REVIEW**

This section describes the consistency between the Redevelopment Plan and Keyport’s Master Plan and how the provisions herein are designed to effectuate the Master Plan. It also describes the relationship of the Redevelopment Plan to adjacent municipality Master Plans and the New Jersey State Development and Redevelopment Plan.

### **A. Keyport Borough Master Plan**

Keyport Borough prepared a Master Plan Reexamination, adopted on December 20, 2012, which discusses the importance of redevelopment in the Borough but the Master Plan does not specifically discuss Brown’s Point Marina in terms of redevelopment. However, the Master Plan has been revised in 2017 through the Post Sandy Planning Assistance Grant. The following 2017 Master Plan goals are accomplished through this Redevelopment Plan.

- **Maintain and enhance the scenic and historic Waterfront area, recognizing its value as a community asset and focal point of the Borough.** The Redevelopment Plan will maintain and enhance the waterfront area by providing public access to Keyport residents which enhances the waterfront as there currently is no public access for the Redevelopment Area;
- **Support Downtown development that includes mixed use development that is functional, attractive, and compatible with the scale of the surrounding area.** The Redevelopment Plan will significantly expand the potential customer base for commercial uses by providing a significant population within walking distance of the downtown. The Redevelopment will be functional and attractive. There is a difference in scale that is necessary to expand the customer base so desired by the Borough.

- **Encourage new development and redevelopment to consider the aesthetic character of the community, especially in the Downtown and Waterfront areas, to enhance the aesthetic appearance of the Borough.** The Redevelopment Plan is very mindful of the aesthetic character of the waterfront and is incorporating nautical architectural themes to accomplish this goal of the Master Plan.
- **Maintain and upgrade the Borough's circulation network to provide for the safe and efficient movement of traffic, whether vehicular or pedestrian.** This Redevelopment Plan provides safe and efficient movement of traffic by providing a separate access road to the Borough's road network to an appropriate arterial rather than through existing neighborhood roadways with smaller Right-Of-Ways. Additionally, pedestrian traffic will be able to circulate the entire Redevelopment Area safely and efficiently along with vehicular traffic.
- **Pursue opportunities to enhance and/or increase the number of parks and recreation facilities in the Borough.** The Redevelopment Plan offers public access to the waterfront for all Borough residents which increases the recreation facilities of the Borough.
- **Promote economic resiliency through the implementation of suitable economic development ordinances, policies, projects, and initiatives.** This Redevelopment Plan will bolster the economic vitality in the Borough. Therefore the Plan is consistent with this Master Plan goal as it will promote economic resiliency through an expanded commercial customer base within walking distance of the Downtown and provide positive impacts to the local economy and employment opportunities.

The following 2017 Master Plan objectives are accomplished or furthered by this Redevelopment Plan.

- Provide for public access for the enjoyment of nature and the environment in new major developments;
- Preserve existing stream corridors, wetlands, coastline, and environmentally sensitive areas and minimize negative impacts to those areas from new developments;
- Retain and expand waterfront access for the enjoyment of the residents and visitors of Keyport;
- Provide opportunities for a wide range of housing options;
- Require that all larger parcel development or redevelopment include a recreational component for public use;
- Preserve environmentally sensitive features through sound planning and land use regulations;
- Enhance public access to the waterfront, including encouraging public waterfront activities and recognizing the Bayshore as the Borough's major environmental asset;

- Encourage economic activity that effectively utilizes the waterfront as a hub of commercial development in the Borough;
- Focus on revitalization of vacant and underutilized properties through a mix of code enforcement, improved design standards, and promotion of redevelopment opportunities;
- Develop more active economic relationships between Keyport Businesses and the Borough, focusing on opportunities in the downtown and waterfront area;
- Prevent or mitigate storm water runoff; and
- Require minimal disturbance to the natural environment during construction.

**B. Plans of Adjacent Municipalities and Monmouth County**

The Redevelopment Area is located within Keyport Borough and is near the municipal boundary of Aberdeen. The Redevelopment Plan area is close to Aberdeen and that specific area of Aberdeen is zoned as Conservation/Recreation (CR). The CR zone district recognizes the estuarine areas along the creek and is not developed. Development of the Redevelopment Area will not adversely impact Aberdeen, its Master Plan, or the purpose of Aberdeen's Conservation/Recreation zone.

The Bayshore Regional Strategic Plan adopted by the Monmouth County Planning Board in May 2006 included a copy of a questionnaire. The questionnaire included a question regarding the top three planning issues facing the Borough of Keyport. One of the top issues was waterfront development which this Redevelopment Plan furthers. In addition, to the Bayshore Regional Strategic Plan, the Monmouth County Planning Board has updated the County Master Plan. The County Master Plan indicates a goal to promote beneficial redevelopment that continues to support Monmouth County as highly desirable to live, work, play, and stay through the best use of undeveloped land resources. This Redevelopment Plan furthers this goal as well as other goals in the County Master Plan.

**C. State Development and Redevelopment Plan**

The State Plan Policy Map classifies Brown's Point Marina as Planning Area 1 (PA-1) and Planning Area 5 (PA-5). These areas are known as the Metropolitan Planning Area and the Environmental Planning Area, respectively. A majority of Lot 5 and Lot 9 are in the PA-1 and all of Lot 7 is in the PA-1 area. The remainder of the Redevelopment Area including most of Lots 6 and 6.01 are in the PA-5 Environmentally Sensitive. The redeveloper will comply with DEP and CAFRA regulations with respect to construction in the PA-1 and PA-5 areas. The purpose of the Metropolitan Planning Area is to target a majority of the State's future growth and redevelopment according to the New Jersey State Development and Redevelopment Plan (SDRP). The primary objective of the SDRP is to guide

development to areas where infrastructure is available or can be readily extended such as along existing transportation corridors, in developed or developing suburbs, and in urban areas. The SDRP's intentions for this area are to provide for much of the State's future development, promote growth in cities, and other compact forms, protect the character of existing stable communities, protect natural resources, redesign areas of sprawl, reverse the trend toward further sprawl, and revitalize cities and towns. The purpose of the PA-5 Environmentally Sensitive Planning Area is to protect natural resources and the redeveloper must further the purpose of the PA-5 as required by DEP and CAFRA.

## **VIII. REDEVELOPMENT PLAN ACTIONS**

### **A. Outline of Proposed Actions**

Any development within the Redevelopment Area may only be undertaken pursuant to a Redevelopment Agreement entered into between the proposed redeveloper and the Borough, which agreement shall stipulate the precise nature and extent of the site and infrastructure improvements to be made and their timing and phasing as permitted therein.

#### **Properties to be Acquired and Relocation**

Acquisition of privately-owned property has occurred through directly negotiated contract purchase agreements with several property owners within the Redevelopment Area. In addition, the Redevelopment Area was designated a Non-Condensation Redevelopment Area under the LRHL and condemnation is not a permitted action by the Borough.

#### **Amending the Redevelopment Plan**

Upon compliance with the requirements of the LRHL, the Borough Council may amend, revise, or modify the Redevelopment Plan in general or for specific properties within the Redevelopment Area as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL. However, any proposed changes in permitted uses, the land use plan, building height, or other core design concepts of this Redevelopment Plan shall require notice and public hearings in a manner similar to the adoption of the original Redevelopment Plan.

#### **Infrastructure**

In addition to the development described in the foregoing chapters, several other actions may be taken to further the goals of this Redevelopment Plan. These actions may include, but shall not be limited to: (1) provisions for infrastructure

necessary to service the development; (2) environmental remediation; and (3) vacation of public utility easements and rights-of-way as may be necessary to effectuate redevelopment. The partial vacation of Washington Street will be necessary for the effectuation of this Redevelopment Plan.

### **Subdivision**

The redeveloper will be required to create a single lot for the Redevelopment Plan area through a major subdivision and lot consolidation. The new lot should be separate from the marina use.

### **B. Other Actions**

Any Redevelopment Agreement between the Borough and the redeveloper will contain the terms, conditions, specifications and a description of required performance guarantees pertaining to the redeveloper's obligation to provide the infrastructure and improvements required for the project, which may include, but shall not be limited to, the provision of water, sewer, and stormwater service as well as sidewalks, curbs, streetscape improvements, street lighting, and on- or off-site traffic controls and roadway improvements required as a result of the project.

### **C. Amendment to Zoning Map and Development Regulations**

The Zoning Map within the Borough's Land Use Code is hereby amended to reference this Redevelopment Plan as a substitute zoning district encompassing the Redevelopment Area in its entirety. Additionally, the listing of zoning districts in the Borough Land Use Ordinance is hereby amended to include a reference to this Redevelopment Plan constituting such substitute zoning district.

Where specifically provided for herein, the development standards set forth in this Redevelopment Plan shall supersede the development regulations of the Borough of Keyport. In all other instances, the development regulations of the Borough shall remain in full force and effect.

### **D. Definitions**

Except as otherwise provided herein, words that appear in this Redevelopment Plan shall be interpreted in accordance with the "Definitions" section of the Borough's Zoning Code, as set forth in Chapter 25:1-3. Unless specified otherwise, any references to "Sections" in this Redevelopment Plan shall be references to sections in the Borough's Zoning Code.

E. **Non-Discrimination Provisions**

No covenant, lease, conveyance, or other instrument shall be affected or executed by the Borough Council or by a redeveloper or any of its successors or assignees, whereby land within the Redevelopment Area is restricted by the Borough Council, or the redeveloper, upon the basis of race, creed, color, or national origin in the sale, lease, use, or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use on the basis of race, creed, color or national origin.

F. **Affordable Housing**

The development of the Redevelopment Area governed by this Redevelopment Plan does not envision or require the relocation or elimination of any low or moderate income housing units or projects. To that end, there is no plan or obligation for a redeveloper to replace any such designated units or relocate any low or moderate income households. The Borough of Keyport will satisfy its affordable housing obligation through other unrelated projects.

G. **Duration of the Plan**

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of 30 years from the date of approval of this Redevelopment Plan by the Borough Council.

1. **Completion of Redevelopment**

Upon the inspection and verification by the Borough of Keyport that the redevelopment has been completed, a certificate of completion shall be issued to the redeveloper. All redevelopment agreements associated with the implementation of this Redevelopment Plan shall be in effect until the issuance of such a certificate.

2. **Severability**

If any section, paragraph, division, subdivision, clause, or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause, or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

## IX. OTHER PROVISIONS

In accordance with the LRHL, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities, and other public improvements. The Redevelopment Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Redevelopment Plan.
- The permitted uses within this Redevelopment Plan include residential uses. However, no affordable housing will be present as the Borough has already identified alternative sites for inclusionary developments that will satisfy the Borough's fair share of affordable housing.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Borough of Keyport. The Redevelopment Plan also complies with the goals and objectives of the Monmouth County Master Plan and the SDRP.

## APPENDICES

## BROWN'S POINT MARINA REDEVELOPMENT PLAN

### Keyport, NJ

#### Public Input Meeting Overview

The purpose of this document is to give an overview of the public input meeting held on December 17, 2015 at 6:00 PM in Keyport Borough Hall. The meeting was an opportunity for all Keyport residents to voice any concerns, requests, or other topics regarding the Brown's Point Marina Redevelopment Plan. This overview has been divided into three sections. The first section provides an overview of frequently mentioned concerns for the Redevelopment Area. The second section addresses requests made by Borough residents for the Redevelopment Area. The third and final section includes important notes and discussion items. Names were only used if it was given during any comments made. If you have any questions please contact James Clarkin at CME Associates (732) 462-7400.

#### Frequently Mentioned Concerns:

- School Aged Children was voiced as a concern numerous times during the meeting. This topic was usually discussed in terms of what type of units would create the least or most school aged children. This issue will be addressed by a comparison of school aged children that may be produced by different types of residential units.
- Several concerns were raised about wetlands, flood zones, and other environmental issues. Any construction must conform to any DEP standards including regulations for wetlands and other environmental issues. Any development must also conform to the flood zone which means any structure will have to be above the base flood elevation set by FEMA. The Redevelopment Plan **does not** give the developer a "free pass" on any of these issues and they will have to conform to all DEP and FEMA regulations just like any other developer.

- Traffic was a major concern for several residents. It was stated that the current roads in the Redevelopment Area cannot handle a significant increase in traffic as access to Broadway and Washington Street are already big issues. It was stated by a resident that Broadway already creates a traffic bottleneck and a one way in, one way out may relieve the current bottleneck. The Redevelopment Plan will address all traffic concerns.
- Michael Lane brought up several concerns, plans, and other documents to be considered for the Plan.
  - Mr. Lane discussed a 2006 ballot question that was posed to Borough residents for information purposes. Keyport voters rejected support of new multifamily developments in the Borough by a vote of 1353 to 546. It should be noted that the ballot is 10 years old and Borough feelings may have changed.
  - Mr. Lane asked that the Redevelopment Plan conform to the Keyport Community Values outlined in the “Future Vision of Keyport”. Keyport’s Community Values will be included in the Plan.
  - Mr. Lane was much in favor of townhomes as he feels they will be more in character with the surrounding neighborhoods and may reduce traffic and other concerns. Examples of projects and a drawing were provided.
  - Mr. Lane would prefer the Redevelopment Plan be done very similarly to Aeromarine with the same height and density that is permitted for residential units in the Aeromarine Redevelopment Plan.
- The former Mayor, Rob Bergen, also brought up several concerns in response to Mr. Lane’s concerns and discussions.
  - He discussed in length that after the financial crash of 2008, the residential market has significantly changed. He explained that multi-family units are driving current residential market demands and attracting millennials and empty nesters would be very beneficial

to the Borough through increased foot traffic to the downtown and Borough restaurants.

- o Additionally, millennials and empty nesters do not generate enough school aged children to have any significant impact to the school system. He urged the meeting's attendees to consider high end multi-family units to increase foot traffic to the Borough's businesses and that it will be an overall benefit to the Borough through tax ratables.
  - o The former Mayor also discussed that many banks will not fund townhomes and single family home projects after the recession because of mortgage payment issues and other financial circumstances.
- Tony Vecchio discussed his concern for missing out on another housing "boom" or opportunity for Keyport. He stated that in the past 20 years only a handful of projects have come to Keyport. He was in favor of any development to increase tax revenue for the Borough.
- An attendee stated that Keyport is 50% rental and this rate should not be raised. This comment was part of the discussion of rentals vs. ownership.
- A big concern of several residents was the height of any development in the Redevelopment Area. Some were in favor of mid-rise, which residents described as between 3 and 5 stories, and others were against mid-rise.
- The concern of the height of the building directly related to a concern for preserving views and vistas of the waterfront. Several residents voiced concerns about their views being destroyed and that the calm, beautiful views are what attracted them to Keyport. This must be addressed in the Redevelopment Plan through proper building orientation and height.

- In addition to the height concern, nearby homeowners on First Street and Broadway were very concerned about setbacks of any development from their property. This is a major issue that the Redevelopment Plan will fully address. Setback requirements will be made in the Plan to address this issue.
- Nicholas Vecchio discussed the need for positive improvement in the area. He would like to see passive recreation and was in favor of removing the Endeavor House because many people live there at one time which increases traffic. A discussion was had at this point about rentals vs. ownership and Mr. Vecchio made the point that condos can be rented which may create absentee owners. Ownership does not guarantee well-kept units or responsible owners.
- Concerns were raised regarding construction. Mr. Gallo, the Borough Administrator, explained that the developer's agreement will include deadlines to ensure that the developer does not fall behind schedule and the lot will be developed in a timely fashion. Also construction and traffic plans will be made to control dust, debris, and traffic during construction.
- Another concern was the Amboy bridge construction. It is unknown at this juncture if construction in the Redevelopment Plan will coincide with the Amboy Bridge being closed. The Borough will handle all issues during construction to the maximum extent possible.
- A concern was raised that Keyport's population is declining and the housing prices are also declining. This concern was followed by a statement that Keyport needs to move forward through development opportunities and by using the waterfront to its advantage.

### **Frequently Mentioned Requests:**

- An attendee raised opposition to a mid-rise (over 3 stories) multi-family structure. Owner-occupied single family homes were preferred. Several more attendees agreed with owner-occupied units rather than rentals. Other residents requested any type of development or positive improvement to move Keyport forward.
- Several attendees requested that a boardwalk be included into the Redevelopment Area to allow for passive walking, fishing, wildlife observation, and a kayak launch with storage.
- One attendee requested a boardwalk or walkway through the wetlands portion of the Redevelopment Area that could include benches and may act as a barrier to storms. The attendee mentioned that a restaurant could be built in a mixed use type development with condos.
- Other attendees mentioned a desire for mixed-use as well with the possibility of incorporating a brew-pub in the redevelopment area. Also a “commons” with mixed use, a common open space area, and an overall self-sustaining development was requested.
- Recreation was requested multiple times and is very much wanted including a need for kayak storage.
- A request was made to remove trees on Washington Street and Broadway to improve views. Keeping views was important to this resident and a mid-rise 5 story building or less would be acceptable. Also a request was voiced to have multiple residential buildings built in the direction of the road corridors to preserve the vistas and views in the redevelopment area.
- A request was made several times for affordable units, especially those who were displaced by Sandy. However, there is no plan for affordable

units in the Redevelopment Plan as the Borough will address its COAH obligation through other projects.

- A request for parking requirements in the Plan will be 100% addressed. All Redevelopment Plans must have parking standards that will adequately address the parking needs of any development.

### **Important Notes and Discussions**

A question was posed about how the Plan will affect underlying zoning and the existing Borough ordinances. This question was answered by Mrs. Beahm who explained the Redevelopment Plan does not remove the Borough's zoning or the Borough's ordinance's powers. The Redevelopment Plan will only apply to the redevelopment area. The Redevelopment Plan will supersede the existing zoning for the redevelopment area, but the Redevelopment Plan will include the exact types of uses that the Borough wishes and will also include the exact bulk standards the Borough wants for any structure in the Redevelopment Area. If there is a specific ordinance that the Borough wishes to still apply to the Redevelopment Area, we are able to specifically reference an ordinance and confirm that it applies to any building or construction in the Redevelopment Area.

A lengthy discussion was had over the topic of residential unit types (condo, rental, or single family) and how it affects the Borough with regards to school children, traffic, and other issues. As mentioned previously, this concern will be addressed by the Plan. Several residents were in favor of ownership units such as single family homes or townhomes. Mrs. Beahm stated in her experience single family homes create the most school children per unit and that condos may result in absentee owners if those owners rent the condo unit. Rentals have the advantage of a bigger market demand which creates less mortgages. Also, if a rental development is managed properly the development is well-kept. It should be noted that several residents were in favor of any type of development including rentals because of the need for tax ratables and residents using local businesses. This discussion will most likely continue through the redevelopment process and will be an important decision for the Redevelopment Plan.



**Figure 1: Redevelopment Plan Area**  
**Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7, & 9**  
**Borough of Keyport, Monmouth County, New Jersey**

 Redevelopment Area

0 175  
Feet



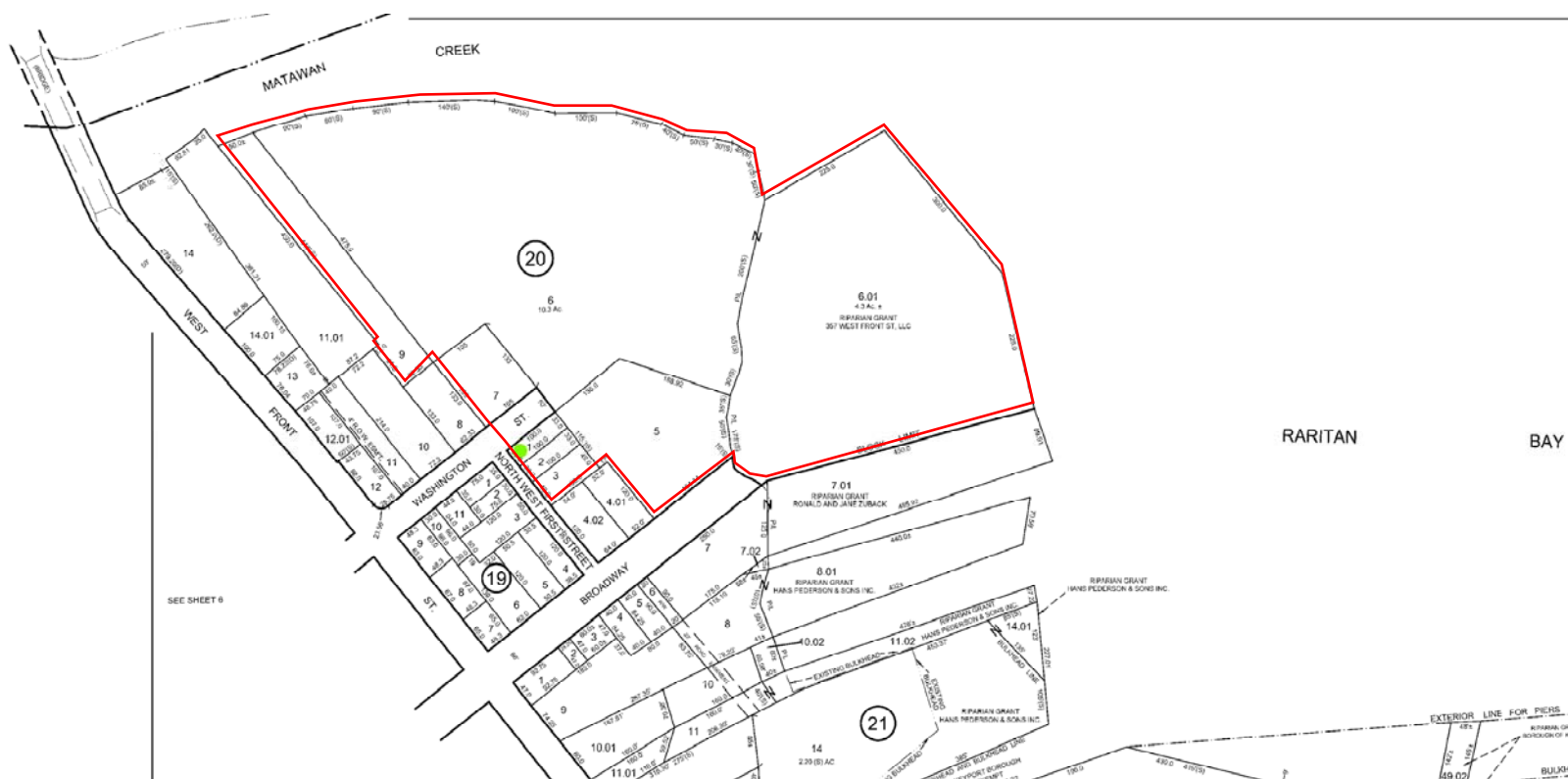




**Figure 2: Existing Land Use Map**  
 Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7, & 9  
 Borough of Keyport, Monmouth County, New Jersey

0 175  
 Feet



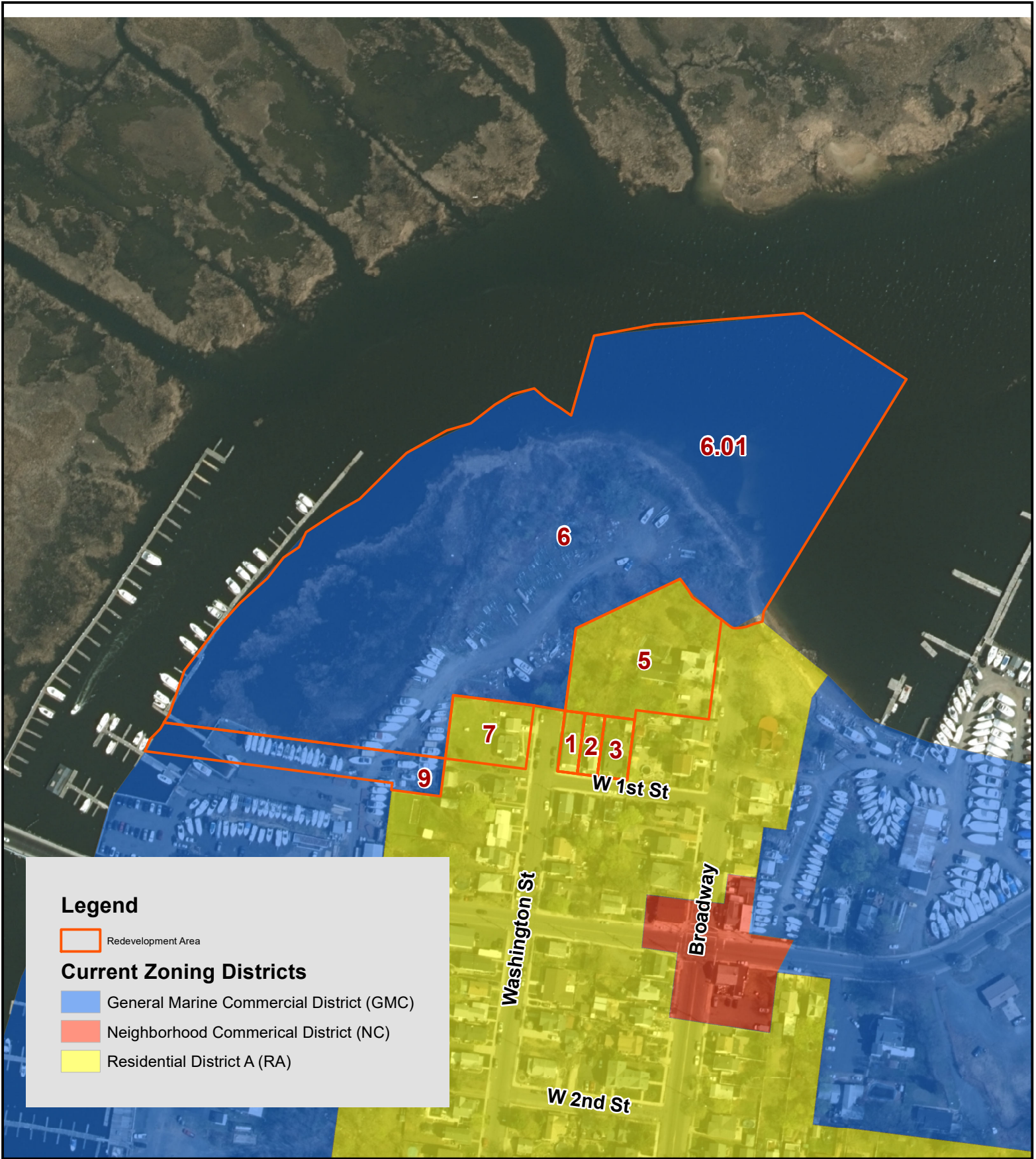


Figure 3: Zoning Map  
Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7, & 9  
Borough of Keyport, Monmouth County, New Jersey

0 175  
Feet

