



**Consulting & Municipal
ENGINEERS**

1460 Route 9 South
Howell, NJ 07731
732.462.7400 ☎
www.cmeusa1.com 🌐

July 16, 2025

Revised November 4, 2025

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

Attn: Denise Nellis, Planning Board Secretary

**Re: Jennifer Kaye Meehan
Use Variance and Minor Site Plan Application
Completeness and Technical Review #1
Application No. KUPB 25-09
Location: 176 Second Street
Block 134, Lot 5
Borough of Keyport, Monmouth County, NJ
CME File: HKPE0134.02**

Dear Board Members:

In accordance with your authorization, CME has performed a review of the above referenced Use Variance and Minor Site Plan application, including but not limited to the following:

- Application To the Keyport Unified Planning Board, dated June 12, 2025 including narrative from the Applicant.
- Tax Payment Certification dated: 06-18-2025 All taxes and assessments due have been paid.
- Affidavit of Service.
- W-9 Taxpayer Identification Number.
- March 24, 2025 Denial of zoning application by the Interim Zoning Officer to construct an apartment unit in the existing single family dwelling.
- Plan titled Topographic Survey of Property, Tax Lot 5, Block 134, 176 Second Street, Borough of Keyport, Monmouth County, New Jersey, Sheet 1 of 1, dated 05/19/2025, prepared by Lakeland Surveying.
- Plans titled: Meehan Residence, 176 Second Street, Keyport, New Jersey, Block 134, Lot 5, Tax Map Sheet 11, USE VARIANCE PLAN, Plan VP-1, dated 2025-06-13, Sheet 1 of 1. Preparer not identified.
- Proposed Dwelling, Meehan Residence, Building Plans and Elevations, 4 Sheets. Plans are undated and preparer not identified.



Denise Nellis
Keyport Unified Planning Board
Re: 176 Second Street
Use Variance and Minor Site Plan Application

November 4, 2025
Our File No. HKPE0134.02
Page 2

Completeness Review

Based upon our review of this application, we deem the Application to be **COMPLETE** and recommend scheduling the application for Planning Board review.

Planning Review

1. The Applicant, Jennifer Kaye Meehan, is seeking the following:
 - A “d” Use Variance for modifications to convert an existing single family residential (use) into a two-family residential use.
 - Minor Site Plan Approval for site improvements to support the proposed two family residential use. These improvements include construction of a 9-foot x 20-foot asphalt driveway with concrete apron and concrete depressed curb (from Second Street) and a proposed 4-foot wide paver/concrete walkway from the proposed Second Street driveway to the existing entrance to the home.
2. The subject property is a corner lot located at the southeast corner of the intersection of Second Street and Fulton Street in the RA Residential Zoning District. The only permitted principal uses in the RA Zoning District are single family, detached homes and public parks and playgrounds, therefore a “d”(5) Use Variance is required to increase the permitted density (intensity) of the use of the property for the proposed two-family residential use.
3. The parcel has an area of 8,408 square feet and conforms to the present minimum lot area requirements in the RA Zoning District, where a minimum lot area of 5,000 square feet is required. The subject property has a width of 80 feet and conforms to Minimum Lot Width requirement of 50 feet. The site includes the existing single-family residence and a shed in the southeast corner of the site, which is to remain. Available information shows the existing home was constructed in 2008.
4. All adjacent parcels are in the RA Zoning District and abutting parcels appear to contain single family residential uses. The property on the southwest corner of Second Street and Fulton Street, (the opposite side of Fulton Street from the applicant's site) appears to be a mixed business and residential use.
5. The zoning schedule is as follows, based on the information submitted by the Applicant.

<u>Item</u>	<u>Required (RA)</u>	<u>Required (RB) (3)</u>	<u>Existing</u>	<u>Proposed (RA)</u>
Minimum Lot Area (square feet)	5,000 s.f.	7,500 s.f.	8,408 s.f.	8,408 s.f.
Minimum Lot Width	50 feet	75 feet	80 feet	80 feet
Minimum Front Yard (Second Street)	20 feet	20 feet	21.6 feet	21.6 feet



Denise Nellis
Keyport Unified Planning Board
Re: 176 Second Street
Use Variance and Minor Site Plan Application

November 4, 2025
Our File No. HKPE0134.02
Page 3

<u>Item</u>	<u>Required (RA)</u>	<u>Required (RB) (3)</u>	<u>Existing</u>	<u>Proposed (RA)</u>
Minimum Front Yard Setback (Fulton Street)	20 feet	20 feet	30.3 feet	30.3 feet
Minimum Side Yard/Total Side Yard Setback	6/16 feet	6/16 feet	6.4/NA feet	6.4/NA feet
Minimum Rear Yard Setback	15 feet	20 feet	24.8 feet	24.8 feet
Maximum Principal Building Height	2.5 Stories and 30 feet	2.5 Stories and 30 feet	2 stories and 26.5 feet	2 stories and 26.5 feet
Maximum Allowable Principal Building Coverage	30%	30%	25.89%	25.89%
Accessory Building Side Yard	3 feet	3 feet	(1)	(1)
Accessory Building Rear Yard	3 feet	15 feet	(1)	(1)
Accessory Building Stories/Feet	1.5/16	1.5/16	1 story (2)	1 story (2)
Maximum Accessory Building Coverage	10%	10%	Less than 10%	Less than 10%
Maximum Building Coverage including Accessory	40%	40%	Less than 40%	Less than 40%
Maximum All Buildings and Impervious Surface	60%	60%	35.04%	37.90%
Maximum Percentage of Front Yard Coverage By Parking	30%	30%	9.67%	13.74%

- (1) The Applicant shall provide existing Accessory Building Setbacks. If the existing building setbacks are less than three (3) feet a "c" Bulk variance will be required or the shed moved to conform with the required setbacks.
- (2) The Applicant shall provide the height of the accessory building. If the existing building height is more than sixteen (16) feet a "c" Bulk variance will be required.



Denise Nellis
Keyport Unified Planning Board
Re: 176 Second Street
Use Variance and Minor Site Plan Application

November 4, 2025
Our File No. HKPE0134.02
Page 4

(3) Zoning requirements for 2 family dwelling units in the RB zone for comparison purposes only

6. The Applicant should be prepared to provide testimony as follows in accordance with the MLUL 40:55D-70d to support the requested Use Variance relief:

Statutory Criteria “d” Use Variance

The Applicant requires d(1) and d(5) variances for the use and to increase the permitted density (intensity) of the property from the existing (and permitted) single family use for the proposed two-family residential use.

Pursuant to the MLUL and applicable case law, the Applicant must be prepared to provide testimony demonstrating that there are “special reasons” to permit the nonconforming use and that the site in question is ***particularly suited*** to the use. In the case of *Price v. Himeji, LLC*, the Court held that a Zoning Board should not determine that a property is particularly suited to the use simply because it is the most suitable site in the municipality for the use. The use should be appropriate and especially beneficial based on the unique conditions of the site and its surrounding area. However, the site does not have to be uniquely suited to the use; that is, it does not have to be the only property suited to the proposed use available for development. The Applicant shall provide testimony demonstrating the following:

- a. Positive Criteria: There are special reasons that allow a departure from the zoning regulations in this particular case. In general, to show special reasons, the grant of a variance must be shown to implement one or more of the purposes of the Municipal Land Use Law (NJSA 40:55D(2)), and should promote the purposes of the municipality’s Master Plan and the State Development and Redevelopment Plan. The Applicant must also demonstrate the site suitability of the property for the development, demonstrating that it is particularly suited to the use. To do this, the Applicant must show:
 - i) Why the location of the site within the municipality or region is particularly suited to the use despite the zoning, and/or
 - ii) What unique characteristics of the site itself make it particularly appropriate for the proposed use.
- b. Negative Criteria
 - i) That the variance can be granted without substantial detriment to the public good. This requires an evaluation of the impact of the proposed use on surrounding properties and a determination as to whether or not it causes such damage to the character of the neighborhood as to constitute a substantial detriment to the public good.



Denise Nellis
Keyport Unified Planning Board
Re: 176 Second Street
Use Variance and Minor Site Plan Application

November 4, 2025
Our File No. HKPE0134.02
Page 5

- ii) That the variance can be granted without substantially impairing the Zone Plan or Zoning Ordinance.

c. d (5) density

- i) ***As this application requires a d(5) density variance, we note that in the case of Price v. Himeji, LLC, 69 A. 3d 575 (2013), in which the State Supreme Court held that “when a zoning board considers an application for a (d)(1) use variance, it tests the associated requests for density and height variances against a more relaxed standard. That means that the applicant is required to demonstrate, to the [214 N.J. 297] board’s satisfaction, “that the site will accommodate the problems associated with a proposed use with [a greater density] than permitted by the ordinance.” Grubbs v. Slothower, 389 N.J. Super. 377, 389 (App. Div. 2007) (alteration in original).***

Technical Review

1. As shown on the FEMA Flood Insurance Rate Map 34025C0029G, Revised Preliminary, dated January 30, 2015, the property is not located within a flood area but is located in the CAFRA area. Based upon the NJDEP NJ-GeoWeb online resource, there are no freshwater wetlands on or in the immediate proximity of the site.
2. The Applicant’s building plans show the proposed two-family home will have four (4) bedrooms and four (4) baths and no exterior renovations are proposed. Parking required for a four (4) bedroom home based on Borough requirements (Residential Site Improvement Standards, N.J.A.C. 5:21) is 2.5 on-site parking spaces and for a two (2) bedroom unit 2.0 spaces. The Applicant proposes three (3) on-site parking spaces compliant with the 9-foot x 20-foot size requirement, two (2) existing from Fulton Street and one (1) proposed from Second Street. The Applicant should provide testimony as to the number of bedrooms proposed in each unit as it is likely with two units, four (4) total parking spaces will be required. A “c” variance may be required.
3. The Applicant shall provide testimony to the Board to describe the layout of the two units, including the number of bedrooms and the location of the living space for each unit as well as the location of the entranceway to each unit, and if the dwelling occupancy is proposed to be owner/renter.
4. The plans provided show no existing or proposed utilities connections to the existing house. The Applicant shall provide a new connection for the second unit. Any new water, sewer or other utility connections proposed (including water curb stops and sanitary cleanouts) as well as construction details should be shown on an engineering plan for approval by the Borough.
5. The Applicant should discuss the compatibility of the proposed two-family dwelling with the surrounding neighborhood and how the proposed development would enhance the visual appearance of the area.



Denise Nellis
Keyport Unified Planning Board
Re: 176 Second Street
Use Variance and Minor Site Plan Application

November 4, 2025
Our File No. HKPE0134.02
Page 6

6. The Applicant should discuss how garbage and recycling will be maintained.
7. The Applicant should discuss how maintenance of the property will be addressed.
8. It appears that less than 5,000 square feet of disturbance is proposed, and accordingly, Freehold Soil Conservation District certification would not be required.
9. The Applicant should provide testimony regarding any other agency permits or approvals that are required.
10. The followings items should be included as conditions of any approval given by the Board:
 - a) The Applicant shall obtain approval from the Borough Utility Department for any water and sanitary sewer connections and the Bayshore Regional Sewerage Authority (BRSA).
 - b) The Applicant is responsible for paying all fees to the Borough and the BRSA prior to construction.
 - c) The Applicant will be required to repair any sidewalk and curb damaged during construction in accordance with the Borough's improvements standards and to the satisfaction of the Borough Engineer.
 - d) The Applicant shall be responsible to post a performance bond and obtain a road opening permit prior to construction.
 - e) The Applicant shall provide a Topographic and Location As Built Plan which shall be approved by the Borough Engineer prior to the issuance of a Certificate of Occupancy.
 - f) The applicant must obtain any other necessary permits and/or approvals that may be required from any governmental or quasi-governmental entities having jurisdiction over the project, including but not limited to, Building and Construction Permits and Inspections. Copies of all permits must be submitted to the Board and our office.



***Consulting & Municipal
ENGINEERS***

Denise Nellis
Keyport Unified Planning Board
Re: 176 Second Street
Use Variance and Minor Site Plan Application

November 4, 2025
Our File No. HKPE0134.02
Page 7

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

Very truly yours,

CME Associates

Trevor J. Taylor, PE, PP, CME, CFM
Planning Board Engineer

TT:RR

cc: Marc Leckstein, Esq., Planning Board Attorney
Ronald Reinertsen, PP, AICP, Board Planner
Jennifer Kaye Meehan, Applicant