The Keyport Unified Planning Board held a Regular Meeting on August 28, 2025, which was called to order by Juan Carlos Oviedo at 7:00 PM, the Sunshine Law Notice was read followed by the Flag Salute.

Present: Mayor Araneo, Councilmember Merla, J. Oviedo, H. Aumack, T. Burke, D. Pacheco, K. Bartolome, S. Dixon

Absent**:** W. Kane, W. McDermott, C. Demarest

Professionals: Board Attorney Marc Leckstein, Matthew Zwingraf, CME, Christopher Dochney, CME, Planner

Moment of silence for Mr. Kane's father and Mr. Taylor's mother that has recently passed away.

**MINUTES: July 24, 2025**

Motion to approve was made by H. Aumack, second by D. Pacheco

Ayes: J. Oviedo, H. Aumack, T. Burke, D. Pacheco, K. Bartolome, S. Dixon

Abstain: Mayor Araneo, Councilmember Merla

**REQUEST – ADMINISTRATIVE CHANGE**
**PMB GROUP/SANSONE JR**
**KUPB 23-01**
**402 NJ ROUTE 35**
**BLK 112, LOT 1.02**

Mr. Zwingraf explained the modifications that are being requested by the applicant.

Motion to approve administrative change was made by Councilmember Merla, second by Mayor Araneo

Ayes: Mayor Araneo, Councilmember Merla, J. Oviedo, H. Aumack, T. Burke, D. Pacheco, K. Bartolome, S. Dixon

**REQUEST – ADMINISTRATIVE CHANGE**
**BLAZE KEYPORT LLC**
**KUPB 24-12**
**BLK 110 LOT 24**

Mr. Zwingraf explained what was being requested by the applicant.

Motion to approve administrative change was made by Mayor Araneo, second by Councilmember Merla

Ayes: Mayor Araneo, Councilmember Merla, J. Oviedo, H. Aumack, T. Burke, D. Pacheco, K. Bartolome, S. Dixon

**LETTER REQUESTING 1 YEAR EXTENSION FOR:**
**KEYPORT PROFESSIONAL PLAZA**
**25 EAST FRONT STREET**

Mr. Leckstein explained to the Board why the applicant needs a one year extension. The extension would expire January 26, 2027.

Motion to approve one year extension change was made by H. Aumack, second by Councilmember Merla

Ayes: Mayor Araneo, J. Oviedo, H. Aumack, T. Burke, D. Pacheco, K. Bartolome, S. Dixon

Mr. Leckstein stated that he would have resolutions for the three approvals at the next meeting.

**APPLICATION: KUPB 25-04 146 THIRD ST**
**135 THIRD ST**
**BLK 129 LOTS 1 &2**
**USE VARIANCE AND BULK VARIANCE**

Mr. Leckstein explained that the applicant has been asked to be carried to the September meeting without further notice. Mr. Leckstein stated that if anyone is here for this application must return on September 25th at 7PM if they want to be heard, there will be no further notice sent out.

Motion to carry to the September meeting was made by Mayor Araneo, second by S. Dixon

Ayes: Mayor Araneo, J. Oviedo, H. Aumack, T. Burke, D. Pacheco, K. Bartolome, S. Dixon
Abstain: Councilmember Merla

**APPLICATION: KUPB 24-11 KEY 201 PROPERTY, LLC**
**201 BEERS STREET**
**BLK 47 LOT 7**
**BULK VARIANCE**

Exhibit A1 – application
Exhibit A2 – Boundary
Exhibit A3 – Plot plan
Exhibit A4 – Letter from French & Parrello dated 3/14/25
Exhibit A5 – Survey
Exhibit A6 - Colorized version of the plot plan was entered.
Exhibit A7 - Mounted version of the tax map was entered.
Exhibit B1 – CME Letter dated 6/20/25

Mr. Leckstein explained that there is a question as to whether a use variance is required for this application. Testimony from witnesses was requested to clarify the intended use of the property. The Board's planner will provide a recommendation after testimony is heard. If a use variance is determined to be necessary, the Mayor and Councilman will be required to step down from the application. If not, they may remain.

Mr. Jeffrey Gale, applicant's attorney spoke briefly about the application.

Mr. Keith Smith the applicants engineer, stated that the property is located on Beer Street and is owned by Key 201 Property LLC, a single-member entity. The sole member, present at the meeting, purchased the property in March 2023. It has been used as his principal residence, with substantial upgrades completed.

The applicant is seeking approval to construct a two-story garage at the location. The zoning ordinance currently permits a one-and-a-half-story building. The lot area is 7,200 sq. ft. (where 5,000 sq. ft. is required), but the frontage is 5 ft. short of requirements. Proposed maximum lot coverage is 61.1%, where 60% is permitted.

Mr. Smith stated that the garage would be used to store passenger vehicles on the first floor and the second floor would be for the applicant's personal use similar to a man cave or recreation room.  The garage is not intendeds to be used for commercial use, there would be no signage, no customers and no business operations will take place. Mr. Smith stated that the owner has a commercial office on Main Street.

Mr. Flynn applicant's planner was sworn in. Mr. Flynn stated that the property is located in the RA Zone.  The ordinance allows two accessory structures on a property. Mr. Flynn spoke about what would be considered an accessory structure.

He stated that many garages in residential zones ae used for storage, recreation, or personal space rather than automobiles. The proposed two-story garage would function similarly to a “den,” “rec room,” “study,” or “man cave. The applicant originally proposed a bathroom, shower, and food preparation area. These items were withdrawn; only a toilet is requested. Revised plans will be provided.

The applicant will agree if the application is approved to restrictions limiting the space to personal residential use only, not rental, not a separate dwelling unit, and not a business operation. There will be no employees, customers, or commercial activity will occur on-site.

Mr. Leckstein confirmed that the shower and kitchen was being eliminated; yes. There was discussion regarding other people utilizing the garage. Mr. Gale stated there would be no employees, the owner might have friends or family in the room.

There was discussion regarding what was presented by the applicant’s planner.

It was agreed that the application should be a bulk variance not a change of use.

Motion to open to the public at 7:30PM was made by H. Aumack, second by Mayor Araneo with ayes by all present.

Mr. Michael Lane, 51 First Street, Keyport, expressed his concern that the posted application drawings on the Borough website depicted a second principal dwelling.

Mr. Lane questioned whether revised drawings had been submitted removing the bathroom, shower, and kitchen as discussed; Mr. Gale stated that no revised plans had been submitted. The offer to remove the features were made during the hearing. Mr. Gale explained that revised plans will be submitted if the application is approved.

Mr. Lane commented that he felt the Board should have the revised plans before voting on the application. Mr. Leckstein explained that applicants frequently modify plans during hearings in response to comments from the Board or professionals, and that such changes are common and not unusual.

There was discussion regarding the Board Engineer mentioning that the structure might be used as potential business. It was confirmed that the structure would only be used by the applicant and not for business.

Motion to close to the public at 7:35PM was made by Councilmember Merla, second by D. Pacheco

Mr. Keith Smith Licensed Engineer for the applicant spoke about the three variances that would be required. He explained that Exhibit A6 was a colorized version of the plot plan and Exhibit A7 was the borough's tax map.

Mr. Smith stated that the existing lot width is 45 feet when 50 feet is required. He mentioned that this is an existing nonconformity to bring this lot into conformity the applicant would have to purchase adjourning properties which he felt was impractical due to existing driveway. The height of the garage would be 24 feet where 16 feet is Height variance is necessary to allow usable second-floor space. The second floor of the building will serve as a recreational space for the applicant. The third variance is the maximum impervious coverage the variance is 1.1% over the maximum required. There was discussion regarding the impervious coverage. After the discussion the applicant agreed to use pavers so this variance would be eliminated.

The structures second floor will include windows so that it maintains a residential character. The Engineer stated that there will be no shower or kitchen facilizes I this structure. This would be included in the deed restrictions.

There was discussion regarding the driveway and the fire trucks access to the structure.

Motion to open to the public at 7:40PM made by Councilmember Merla, second by Mr. Bartolome with ayes by all present.

Michael Lane, 51 First Street questioned if the primary residence was properly permitted. Mr. Leckstein stated that is a matter for the building department not the Board. Mr. Lane confirmed that the driveway to the garage would be 10 feet in width; yes. Further discussion regarding the driveway width and access to the structure.

Mr. Evey Stanziale, owner of the property stated that he filed all the permits for this house.

Motion to close to the public at 7:55PM was made by Councilmember Merla second by Mayor Araneo with ayes by all present.

Motion to approve application was made by J. Merla, second by Mayor Araneo

Ayes: Mayor Araneo, Councilmember Merla, J. Oviedo, H. Aumack, T. Burke, D. Pacheco, K. Bartolome, S. Dixon

**APPLICATION: KUPB 25-06 VM ASSOCIATES**
**38-40 BROAD ST**
**BLK21.01 LOT 59**
**BULK VARIANCE SITE PLAN**

Councilmember stepped down he explained that he lives within 200 feet of the application.

Exhibit A1 – Application
Exhibit A2 – zoning denial
Exhibit A3 – Plans
Exhibit A4 – survey
Exhibit B1 – CME letter dated 6/25
Exhibit B2 – T. Vecchio email
Exhibit B3 – Police Dept letter

Lawrence Luttrell, Attorney described the application that is before the Board.

Mr. Martinez who is the principal owner explained that the building currently contains a commercial unit on the first floor, two residential units on the second floor, and one two-bedroom unit on the third floor.

What is being proposed is to subdivide the existing third-floor two-bedroom apartment into two one-bedroom units, with updates throughout the floor. There would be a 100 foot outdoor shared common space.

The variances that are needed would be the unit size there is a requirement of 675 sq feet where the proposed units are going to be 602 sq feet and 630 square feet. Currently there is no off-street parking. Mr. Martinez explained that he would need a variance for this. He explained that this is consistent with surrounding buildings but feels by making this change there would be no increase to the parking.

Mr. Luttrell stated that the applicant would contribute to the parking fund since there is a parking shortage.

Mr. Martinez felt that the project would contribute to smart growth and revitalization goals. It would create appropriate housing types, and improves the building without increasing height, footprint, or density beyond permitted uses.

Robie Wood, Architect stated that the building has historic character and the proposal is sensitive to existing layout constraints. Mr. Wood confirmed design includes adequate circulation and common exterior access. The applicant is willing to comply with all the safety concerns determined by the construction department.

There was discussion regarding the police department's concern about parking; Mr. Wood stated that there was no increase the two units would continue to generate approximately two cars.

Mr. Zwingraf asked if the plumbing could accommodate another apartment; yes. Mr. Luttrell stated that the applicant is leaving his job and this would be his way of making a living.

Motion to open to the public at 8:20PM was made by Mayor Araneo, second by Mr. Pacheco with ayes by all present.

Sandra Shetland, 6 East Front Street – Questioned number of first-floor units; clarified by applicant there is one commercial restaurant only. Expressed opposition, citing overdevelopment and parking concerns.

Ivan Martinez, Applicant confirmed that there was only one commercial unit on the first floor. Ms. Shevlin stated that she was opposed to squeezing in extra units for financial gain. She feels that this would create a negative impact to the parking and the community.

Kathy Shaw, 95 Elizabeth Street stated that she was opposed to the application. She stated that the unit's size would be inappropriate and that they do not add to the revitalization of the town. Ms. Shaw also has a concern over the enforcement of the occupancy and the parking.

Barbara Keitel Curry, 6 East Front Street (business owner) stated that she is opposed to the application. Subdividing the apartments would bring more parking. She explained the business have struggles with parking already.

Michael Lane, 51 First Street mentioned the bulk standards with this application. He felt that Board needs review the bulk variance table and make changes especially when it has to do with the business district. Chairman Oviedo agreed.

Motion to close to the public at 8:30PM was made by Mr. Pacheco with ayes by all present.

Chairman Oviedo explained that he didn't feel changing to a two-bedroom apartment is would be a dramatic change.

Mr. Burke stated that the applicant isn't changing the number of bedrooms.

There was discussion regarding 25 East Front Street extension and what else they are waiting for. Ms. Shaw questioned the demo of the building and if there was a developer's agreement. Mr. Leckstein stated that the applicant doesn't have to be resolution compliance for a demo permit to be issued. Mr. Zwingraf stated he would follow up with regarding the developer's agreement.

Motion to approve application was made T. Burke, second by H. Aumack

Ayes: Mayor Araneo, Chairman Oviedo, H. Aumack, T. Burke, D. Pacheco, S. Dixon,

Application approved with conditions. Board discussed the need to revisit commercial district bulk standards and parking requirements in future ordinance revisions.

Motion to adjourn the meeting at 8:35PM was made and carried.

The next scheduled Planning Board Meeting will be Thursday, September 25, 2025.