



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • SEPTEMBER 28, 2021

Regular

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order

II. Board Policy

- It is Board Policy that no application will be opened after 9:30 P.M.
- No new testimony will be taken after 10:00 P.M., except at the discretion of the Board.

III. Open Public Meetings Statement

This meeting complies with the Open Public Meetings Act by adequate and electronic notification on June 29, 2021 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

IV. Flag Salute

V. Roll Call

VI. Board Business

1. Report of Pending Applications

VII. Approval of Minutes

1. Planning/Zoning Board - Regular - Sep 14, 2021 7:00 PM

VIII. Old Business

1. Resolution of Approval - Gomes, 38 Morris Place
2. PB2021-12 Carpentino, Robert
4 Haskell Way
Block 121.02, Lot 2
Bulk Variance for Installation of new patio
CARRIED from September 14, 2021

IX. New Business

1. PB2020-29.1 PHASE II Warehouse Parcel - Oport Partners LLC
801/803/811 Oceanport Way
Block 110.13, Lot 1
Preliminary & Final Site Plan

X. Petitions from the Public

XI. Adjournment

**BOROUGH OF OCEANPORT****PLANNING/ZONING BOARD****MINUTES • SEPTEMBER 14, 2021****Regular****Clement V. Sommers Municipal Building****7:00 PM****910 Oceanport Way, Oceanport, NJ 07757**

- I. **Call to Order:** Chairman Widdis called the meeting to order at 7:00 p.m.
- II. **Board Policy:** Chairman Widdis advised the public of the below Board policies: •It is Board Policy that no application will be opened after 9:30 P.M. •No new testimony will be taken after 10:00 P.M., except at the discretion of the Board.
- III. **Open Public Meetings Statement:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on June 29, 2021 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- IV. **Flag Salute:** Chairman Widdis led attendees and Board members in the flag salute.
- V. **Roll Call:**

Attendee Name	Title	Status	Arrived
Christopher Widdis	Chairman	Present	
James Whitson	Vice Chairman	Present	
Patty Cooper	Mayor's Designee	Late	7:54 PM
Thomas Tvrdik	Class III	Late	7:07 PM
Joseph Foster	Environmental Committee Liaison	Present	
John (Jack) Kahle	Class IV	Absent	
Michael Savarese	Class IV	Absent	
Robert Kleiberg	Class IV	Present	
Darren Davis	Class IV	Present	
Michael Dailey	Alternate I	Absent	
Jeanne Smith	Board Secretary	Present	
Kevin Kennedy	Board Attorney	Present	
William White	Board Engineer/Planner	Present	

VI. Board Business:**1. Report of Pending Applications**

Ms. Smith advised of upcoming applications for the September 28th and October meetings including 38 Morris Place, 66 Shrewsbury Ave, Warehouse Parcel and Barker's Circle on the Fort.

2. Referral from Governing Body - Review for Consistency with Master Plan - Ordinance #1039

Ms. Smith briefed the Board on the purpose of the ordinance and the Board's role; the ordinance does not substantially change any zone, bulk requirement but provides clarification and instruction for completing an established process for certificates of non-conformity. Board members discussed and agreed it was administrative in nature and was found consistent with the Master Plan.

Councilman Tvrdik entered the meeting at 7:07 PM

3. PR-21-27 Resolution for Determination of Consistency with Master Plan - Ordinance #1044

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Whitson, Vice Chairman
SECONDER:	Joseph Foster, Environmental Committee Liaison
AYES:	Widdis, Whitson, Foster, Kleiberg, Davis
ABSENT:	Cooper, Tvrdik, Kahle, Savarese, Dailey

Ms. Smith next presented an administrative item to the Board seeking clarification concerning the new ordinance and the added language for expiration of variances. Two inquiries received in the past week that have variance approvals – 1997 and 2002. The question is whether those variances are still valid in light of the ordinance change. Chairman Widdis asked Mr. Kennedy for his thoughts. Mr. Kennedy commented that proceeding further, resolutions will have added language to identify the expiration terms; also

to consider are the changes in laws, any change in health & safety, stormwater regulations, etc. that may have been approvable back then but wouldn't be improved today; existing neighbors weren't necessarily the same as the ones notified for the original approval. Discussion ensued on the specifics of the two sites at present, the purpose of the expiration language added by the new ordinance and that the intent was to be sure that approvals didn't outdate important new regulations. Consensus by the Board was that prior approvals beyond two years be considered expired and would need to return to the Board. Mr. Kennedy advised that he would work with Ms. Smith to develop policy language. Chairman Widdis asked that it be circulated to the Board for review. The language would be incorporated into the standard resolution language.

VII. Approval of Minutes:

1. Planning/Zoning Board - Regular - Aug 10, 2021 7:00 PM

RESULT:	ACCEPTED [5 TO 0]
MOVER:	James Whitson, Vice Chairman
SECONDER:	Robert Kleiberg, Class IV
AYES:	Whitson, Tvrdik, Foster, Kleiberg, Davis
ABSENT:	Cooper, Kahle, Savarese, Dailey
INELIGIBLE:	Widdis

2. Planning/Zoning Board - Regular - Dec 22, 2020 7:30 PM

RESULT:	TABLED [UNANIMOUS]
MOVER:	Christopher Widdis, Chairman
SECONDER:	James Whitson, Vice Chairman
AYES:	Widdis, Whitson, Tvrdik, Foster, Kleiberg, Davis
ABSENT:	Cooper, Kahle, Savarese, Dailey

VIII. New Business:

1. PB2021-12 Carpentino, Robert

4 Haskell Way
Block 121.02, Lot 2
Bulk variance(s) for installation of new patio

EXHIBITS

- A-1 Land Development Application
- A-2 Zoning Denial Letter
- A-3 Plan entitled "Location Survey," 1 Sheet, prepared by Land Control Services, LLC, dated September 1, 2020
- A-4 Plans entitled "Carpenito Residence", 1 Sheet, prepared by Michael Savarese Associates, last revised August 9, 2021
- A-5 Photograph of Site
- A-6 Colliers Engineering & Design Review letter, dated August 19, 2021
- A-7 Series of Three Photographs of Rear Yard

Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice and provided the public with options to participate. While waiting for the public, Mr. White was sworn in. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4, A-5, A-6. As there were no objections to the notice Mr. Kennedy advised he and the Secretary had reviewed and found the notice to be in order.

Rosa Carpenito, Owner/Applicant, was sworn in and described for the Board her application to extend her backyard patio that needs a variance. She takes care of her grandson who has temper tantrums when he walks on the grass so she wanted to extend it. She approached the President of the association who advised that a fence permit and an electrical permit for the hot tub and stay within the setbacks. She worked with her landscape contractor and didn't know she needed permits for that.

Dale Loing, 91 Belmar Blvd, Farmingdale, Applicant Contractor, was sworn in and described the existing 10'x10' concrete slab looking to expand to 13' x 44' paver patio; does not impede water flow – there is an existing swale on one side and storm drain on the other side with the setback on the western side being more than 10'; lot coverage is under for impervious.

Mr. White asked if the 13'x44' included the retaining wall and was told yes, and also the slab for the jacuzzi.

Mr. Davis commented looking at the Site Plan that none of the coverages matched up to the numbers and doesn't seem to include jacuzzi. Mr. Loing answered that the jacuzzi was located on top of the 13'x44' and was not in additional.

Questions were asked about the plans and the calculations referenced on the plan did not appear correct.

Mr. White stated he scaled off the building and it looks like its 14'x44' for a total of 1616 total.

Mr. Davis commented that the letter submitted states that the project won't affect the swale and was he an engineer that could certify that and was told no.

Mr. White commented that the site is single family residential and exempt from stormwater requirements and being familiar with the site doesn't believe the proposed improvements would block the flow as the swale was right along the retaining wall. Mr. White added that the reason project was before the Board was because the approval for the Jockey Club development in 2005, prohibited accessory structures (a hot tub proposed) and limited projections to 10' from the dwelling (patio 14' beyond structure).

Chairman Widdis asked the Board if they were comfortable with proceeding with Board members wanting confirmation that the numbers were correct on the plan and they would need to come back. Mr. Loing asked which numbers were being referred to and was told length and width of patio. Chairman Widdis asked Mr. White if it impacted lot coverage. Mr. White pointed out that the additional amounted to 10-20 s.f. that he didn't believe would impact significantly on coverage.

Chairman Widdis commented that the plans should also be updated to show the lot coverage. There was additional discussion on what should be shown on the plans.

Mr. Loing asked if it would suffice if they moved it in including the wall to 13'. Mr. White quick calculation estimated it at 43.4%. There was discussion amongst some of the Board as to whether to proceed and subject it to submittal of updated plan.

Mr. Whitson commented he would like to know the number is right. Councilman Tvrdek agreed.

Chairman Widdis advised the Applicant that it would be best if they would return with updated plans. Mr. Kennedy added that the Board was looking to assist so that when it gets to the construction department if the numbers are wrong the Applicant wouldn't need to come back.

The Applicant agreed that the plans could be revised in time to return for the next meeting and asked to be carried.

Motion to Carry Application to September 28, 2021 with no further notice required

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Whitson, Vice Chairman
SECONDER:	Thomas Tvrdek, Class III
AYES:	Widdis, Whitson, Tvrdek, Foster, Kleiberg, Davis
ABSENT:	Cooper, Kahle, Savarese, Dailey

2. PB2021-15 Gomes, Bryan

38 Morris Place

Block 61, Lot 13

Bulk variance(s) for construction of new home

EXHIBITS:

A-1 Land Development Application

A-2 Plans entitled "Boundary and Topographic Survey," prepared by Insite Surveying, LLC, last revised December 12, 2020, (1) sheet.

A-3 Plans entitled "Plot Plan," 4 Sheets, prepared by Insite Engineering, LLC, last revised June 4, 2021

A-4 Plans entitled "38 Morris Place, Residential Alteration," 7 Sheets, prepared by Monmouth Ocean Design Experts, last revised June 8, 2021.

A-5 Colliers Engineering & Design Review letter dated August 6, 2021

Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice and provided the public with options to participate. While waiting for the public to respond, Mr. White was sworn in. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4, A-5. As there were no objections to the notice Mr. Kennedy advised he and the Secretary had reviewed and found the notice to be in order.

Bryan Gomes and Rose Parker, Owner/Applicants, were sworn in.

Councilman Tvrdek disclosed that his grandparents lived within the 200' of the site but did not feel there was a conflict.

Ms. Parker described the application to the Board for a single family home that was 3-stories tall because they are required to raise as it is in a flood zone and the existing home was built more or less than a 100 years ago. They are seeking four variances for minimum lot width of 90' where 120' required – a pre-existing condition before they purchased the lot which was subdivided as a flag lot; there are 2 residential structures neighboring so they can't purchase additional land to comply; maximum building height of 35' with 35.838' proposed which they worked on with the design architects on how to provide more than 2 bedrooms for their family and future children and the architect advised that any lower would make the house unsightly; minimum front set back 26.64' proposed where 30' required

which is because they are reusing the existing foundation to qualify for the construction loan and the lot is also restricted by a sewer easement; average front setback of 108 where 26.68 proposed – they are unable to move it back further due to the sewer easement. The project also includes a proposed pool that meets the regulations that they plan to construct in the future. It's location is limited due to the lot's restrictions.

Chairman Widdis asked the Applicant to discuss the sewer easement and the width of that.

Ms. Smith advised that Ms. Cooper entered the meeting at 7:54 PM

Ms. Parker testified that the sewer easement runs through the property beginning along the water and then cuts through the length of the property; does not encroach on the front square near the street where the house would be located. They had environmental studies done with InSite Engineering to be sure they could build there before they purchased it.

Mr. Whitson asked Mr. White if there was any concern for the pool due to the water table. Mr. White commented that it was more a construction issue. Mr. Foster commented that there could be a problem with a pool and referenced another local site but as long as they've looked at it already. There was discussion about the size of the pool and the coverage.

Ms. Parker and Mr. Gomes testified as to the house details, dimensions, floor areas.

Chairman Widdis asked for questions from Mr. White and the Board.

Mr. White reviewed the variances being sought with 3 of the variances being existing and not curable; the 4th variance for height could be cured by reducing the ceiling height on one of the floors down from 10'.

Mr. Davis commented on the requirements for 3-stories and fire rating and if the applicant were to reduce it they would eliminate the need for fire sprinkler system.

Ms. Parker responded that she had spoken with her professionals and they could adjust the ceiling heights in order to bring the height under and eliminate the variance. There was additional discussion regarding the floor height of the garage and its impacts on the # of stories.

Mr. White's last comment was to increase the size of the drainage pipe to an 8" minimum around the pool. The Applicant stated they were fine with those changes.

Mr. Kleiberg asked questions about fence around pool.

Mr. Foster asked about the height of the house and its reference to the crown of the road and the existing foundation. Ms. Parker advised that since they were revising the plans to reduce the height to comply and would clarify that.

Councilman Tvrdik commented that the pool equipment not shown on the plan be installed compliant and elevated for the flood zone and welcomed them to the neighborhood.

PUBLIC: Chairman Widdis opened the hearing to questions from the public of this witness.

Malsert Liebler, 36 Morris Place, asked questions about the drainage for the pool and expressed concern for stormwater runoff onto her yard; existing drain line along common property line and point of discharge that flowed at rear of house and could the drain size be increased or additional inlets for heavy rains as it doesn't handle the existing drainage. Ms. Parker responded that they spoke with their engineer about the drainage. Mr. White commented that another inlet could be up near the driveway for a total of 3 inlets on that side of the property and the water to be piped out the back of the lot. A grading plan is required prior to any permits issued.

Mr. Davis suggested Belgian block along the driveway and use it to direct water flow to the inlet. Ms. Parker responded that they do plan to do a drainage system that addresses that.

Ms. Liebler asked about the discharge pipe on the property that was suggested to discharge deeper back onto the property – expressed concern of overflow as its adjacent to her property. Mr. White advised that it would stop at the sewer easement and didn't involve a sump pump or anything powered, its called a sump condition so no need for concern of failure of electrical.

Ms. Liebler asked was there a plan for landscaping. Mr. Gomes answered that they haven't addressed it yet depending on the pool and what the town requires. Ms. Liebler asked does the town require a certain percentage of landscaping. Mr. White answered no, there was no requirement.

Ken Koenig, 40 Morris Place, neighbor on other side, said he was happy to see someone move in and build something there. He asked questions about the drainage as the subject property was same height as his and if there was any fill put in it would come onto his property. The natural drainage across his rear yard is to the back corner which doesn't drain due to flatness and what could be done. Mr. White reviewed the spot grades on the plan and it appears to create a small swale there. Mr. Koenig expressed concern that if the swale doesn't continue all the way to the river then the flooding has no where to go. Mr. White advised that its restricted by the wetlands buffer area and the Applicant has done something to address it but again, are limited.

Mr. Koenig asked that it be watched that the land not be raised more than there now so it doesn't affect his property.

Mr. Whitson commented that they can request the Applicant to make it better but they can't compel them to do things they can't do.

Mr. Davis reiterated that he thought the board should ask the Applicant if willing to install the Belgian block along driveway and direct the water flow to the inlet – or a curb of some sort. Mr. Davis stated his concern with the existing drainage on the other side and that something should be required to address that.

Mr. Koenig clarified that he's not looking for the Applicant to *fix* the problem, just not make it worse.

As there was no one else from the public, Chairman Widdis closed that portion of the meeting.

Mr. Davis asked if the Applicant and the Board were agreeable to some type of curbing – Board said yes.

Mr. Davis also asked if the Applicant would consider landscape buffering of the pool which the Applicant agreed to.

Councilman Tvrdik asked for clarification the Applicant has agreed to change the height and eliminate that variance and was told yes.

PUBLIC: Chairman Widdis opened the hearing to comments from the public on the application.

Ms. Liebler commented that they are excited to see the project come to the neighborhood and everyone wants to help and just better to address everything before building starts.

As there was no one else from the public, Chairman Widdis closed that portion of the meeting.

Mr. Davis made a motion to approve the application based on elimination of the height variance, buffering on both sides of the property with trees, upsize the system to an enlarged outlet and add another drain, separate outlet for downspouts and install surface drain to handle excess from the pool and add Belgian or concrete curb along driveway to direct water runoff to drain in corner and drainage installed prior to pool construction.

Motion to Approve with Conditions

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Darren Davis, Class IV
SECONDER:	Patty Cooper, Mayor's Designee
AYES:	Widdis, Whitson, Cooper, Tvrdik, Foster, Kleiberg, Davis
ABSENT:	Kahle, Savarese, Dailey

IX. Executive Session: At 8:47 PM Councilman Tvrdik made a motion to adopt the resolution to enter Executive Session which was seconded by Mr. Whitson and received the following roll call.

1. PR-21-26 Resolution authorizing an Executive Session for Potential Litigation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Tvrdik, Class III
SECONDER:	James Whitson, Vice Chairman
AYES:	Widdis, Whitson, Cooper, Tvrdik, Foster, Kleiberg, Davis
ABSENT:	Kahle, Savarese, Dailey

At 9:02 pm, the Board returned from Executive Session and the regular meeting was reopened on a motion by Councilman Tvrdik and seconded by Ms. Cooper and approved by the Board.

X. Old Business:

1. PB2020-01 Sempkowski, Anthony
74 Cayuga Ave
Block 27, Lot 9
CARRIED from August 10, 2021

Mr. Kennedy advised of communication from the Attorney and ultimately a letter of withdrawal with the intent to re-apply in 45 days.

Motion to Accept withdrawal of Application by Applicant

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Whitson, Vice Chairman
SECONDER:	Joseph Foster, Environmental Committee Liaison
AYES:	Widdis, Whitson, Cooper, Tvrdik, Foster, Kleiberg, Davis
ABSENT:	Kahle, Savarese, Dailey

2. PR-21-28 Resolution dismissing without prejudice Sempkowski application – As the resolution was not distributed in advance, Mr. Kennedy read the resolution in full. Mr. Whitson asked that language be added concerning the electrical. Mr. Davis requested that language include the HVAC equipment

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Whitson, Vice Chairman
SECONDER:	Robert Kleiberg, Class IV
AYES:	Widdis, Whitson, Cooper, Tvrdek, Foster, Kleiberg, Davis
ABSENT:	Kahle, Savarese, Dailey

Councilman Tvrdek recused himself from the next matter and exited the meeting at 9:11 PM

3. PR-21-25 Resolution of Approval - Tvrdek, Thomas

As the Resolution had been previously provided to the Board, Mr. Kennedy summarized the resolution and conditions. Mr. Kleiberg made a motion to approve the Resolution, which was seconded by Mr. Whitson and received the below roll call:

RESULT:	ADOPTED [5 TO 0]
MOVER:	Robert Kleiberg, Class IV
SECONDER:	James Whitson, Vice Chairman
AYES:	Whitson, Cooper, Foster, Kleiberg, Davis
ABSENT:	Kahle, Savarese, Dailey, Tvrdek
INELIGIBLE:	Widdis

XI. Petitions from the Public: Chairman Widdis opened the meeting to Petitions from the Public. As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

XII. Adjournment: As there was no further business, the meeting was adjourned at 9:14 pm on a motion by Ms. Cooper which was seconded by Mr. Davis and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB (ID # 2181)

8.1

Meeting: 09/28/21 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2181

Resolution of Approval - Gomes, 38 Morris Place

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
APPROVAL OF THE APPLICATION OF BRYAN GOMES / ROSA PARKER
38 MORRIS PLACE, BLOCK 61, LOT 13
APPLICATION NO.: 2021-15
APPROVAL DATE: SEPTEMBER 14, 2021
MEMORIALIZATION DATE: SEPTEMBER 28, 2021**

INTRODUCTION

WHEREAS, Bryan Gomes and Rosa Parker have made Application to the Oceanport Planning Board for the property designated as Block 61, Lot 13, commonly known as 38 Morris Place, Oceanport, New Jersey, within the Borough's R-3 Zone, for the following approval: Bulk Variance Relief associated with a request to effectuate the following:

- Demolition of an existing single-family structure; and
- Construction of a new single-family home.

PUBLIC HEARING

WHEREAS, the Board held a Public Hearing on September 14, 2021, Applicants having filed proper Proof of Service and Publication in accordance with Statutory and Ordinance Requirements; and

EVIDENCE / EXHIBITS

WHEREAS, at the said Hearing, the Board reviewed, considered, and analyzed the following:

- *Oceanport Planning Board Development Application, introduced into Evidence as A-1;*
- *Boundary and Topographic Survey, prepared by InSite Surveying, LLC, last revised December 12, 2020, consisting of 1 sheet, introduced into Evidence as A-2;*

- *Plot Plan, prepared by InSite Surveying, LLC, last revised June 4, 2021, consisting of 4 sheets, introduced into Evidence as A-3;*
- *Residential Alteration Plans, prepared by Monmouth Ocean Design Experts, last revised June 8, 2021, consisting of 7 sheets, introduced into Evidence as A-4;*
- *Review Memorandum from Colliers Engineering & Design, dated August 6, 2021, introduced into Evidence as A-5;*
- *Affidavit of Service; and*
- *Affidavit of Publication.*

WITNESSES

WHEREAS, sworn testimony in support of the Application was presented by the following:

- Bryan Gomes, Applicant, appearing pro se;
- Rosa Parker, Applicant, appearing pro se;

WHEREAS, William H.R. White, III, P.E., P.P., CME, the Board Engineer, was also sworn with regard to any testimony and information he would provide in connection with the subject Application; and

TESTIMONY AND OTHER EVIDENCE PRESENTED ON BEHALF OF THE APPLICANTS

WHEREAS, testimony and other evidence presented by the Applicants revealed the following:

- The Applicants are the owners of the subject property.
- The Applicants have owned the subject property for approximately 6 months.
- There is an existing single-family home at the site.
- Upon information and belief, the existing structure is approximately 100 years old.
- The existing structure was not built for the needs of a modern family.
- The existing structure is rundown, compromised, and vacant / unoccupied.

- The existing structure was not elevated in accordance with Prevailing FEMA Regulations, as evidenced by the flood damage which exists at the site.
- The appearance of the existing structure constitutes an “eye-sore.”
- The Applicants propose the following:
 - Demolition of an existing single-family structure; and
 - Construction of a new single-family home.
- Per the Requirements of the Applicants’ Lender, the new home will be built within the existing foundation. That is, the Applicants will be utilizing the existing foundation for the new home. (Prior to purchasing the property, the Applicants had the existing foundation examined so as to confirm that the existing foundation can support the load of the proposed new home.)
- Upon completion of the demolition and construction process, the proposed home will include the following:

Ground Floor

Garage
Storage Area

First Floor

Living Room
Kitchen
Laundry Room
Bathroom
Bedroom
Bedroom / Office
Entry Foyer

Second Floor

Master Bedroom
Bedroom
Bathroom

- The Applicants may also install an inground pool as well. However, the Applicants are not sure as to when or if the pool will be installed. (There are no known Variances associated with the installation of the pool, as the same will comply with Prevailing Zoning Regulations.)

- The Applicants anticipate living at the site once the new home is completed.
- The Applicants anticipate having the home completed in the very near future.
- The Applicants will be utilizing licensed contractors in connection with the demolition / construction process.

VARIANCE

WHEREAS, the Application as submitted, and as modified, requires approval for the following Variance:

LOT WIDTH: 120 ft. required; whereas 90.73 ft. exists, which is an existing condition;

FRONT YARD SETBACK: 30 ft. required; whereas 26.64 ft. proposed;

AVERAGE FRONT YARD SETBACK: 108.8 ft. required; whereas 26.64 ft. proposed;

PUBLIC COMMENTS

WHEREAS, sworn public comments, concerns, questions, and / or statements were made by the following:

- Malsert Liebler;
- Ken Koenig;

FINDINGS OF FACT

NOW, THEREFORE, BE IT RESOLVED, by the members of the Oceanport Planning Board, after having considered the aforementioned Application, plans, evidence, and testimony, that the Application is hereby **granted / approved with conditions**.

In support of its decision, the Oceanport Planning Board makes the following Findings of Fact and Conclusions of Law:

1. The Oceanport Planning Board has proper jurisdiction to hear the within matter.

2. The subject property is located at 38 Morris Place, Oceanport, New Jersey, within the Borough's R-3 Zone.
3. The site contains an existing single-family dwelling, which is a permitted use in the zone.
4. The Applicants propose the following:
 - Demolition of the existing single-family structure; and
 - Construction of a new single-family home.
5. Such a proposal requires Bulk Variance Approval.
6. The Oceanport Planning Board is statutorily authorized to grant the requested relief and therefore, the matter is properly before the said entity.
7. With regard to the Application, and the requested relief, the Board notes the following:
 - Single-family use is a permitted use in the Zone.
 - The existing home at the site is rundown, weathered, compromised, aesthetically challenged, flood damaged, and unoccupied.
 - The aesthetically challenged nature of the existing structure does not advance the interests of the neighborhood.
 - The rundown nature of the structure detrimentally affects the subject property, the neighborhood, and the Borough of Oceanport as a whole.
 - The rundown nature of the existing structure essentially compromises the vibrancy of the neighborhood.
 - The Board recognizes that some Board Members, some Members of the Public, and the Applicants themselves refer to the existing structure as a "eye-sore."
 - Approval of the within Application will result in the demolition of the existing compromised structure, and the replacement of the same with a brand-new Code-compliant single-family home.
 - As such, approval of the within Application will dramatically improve the overall appearance of the property.
 - The Board Members and Members of the Public welcome the aesthetic improvements associated with the within approval.

- Approval of the within Application will aesthetically benefit the property, the neighborhood, and the community as a whole.
- Upon completion of the new home approved herein, the Applicants anticipate living at the site.
- The Board appreciates the Applicants' commitment to the property and, by extension, the Borough of Oceanport.
- The existing home does not satisfy Prevailing Flood / FEMA Regulations.
- For instance, the existing home is not elevated.
- The existing home previously suffered damage as a result of flooding.
- The existing structure needs to be replaced with a flood-compliant structure.
- The new home approved herein will comply with Prevailing FEMA / Flood Regulations. For instance, the home will be appropriately elevated. Moreover, other flood mitigation improvements (such as garage / storage area venting, etc.) will be implemented as well. Moreover, as a condition of the within approval, the Applicants will sign a Deed Restriction, confirming that the ground floor is to be utilized for parking, storage, and building access only. That is, the aforesaid Deed Restriction will confirm that the ground floor is not to be utilized as habitable living space, in accordance with Prevailing Flood Regulations.
- All of the aforesaid flood improvements will be beneficial for the property, the neighborhood, and the community as a whole.
- The new home will be elevated in accordance with Prevailing Flood Regulations.
- There is a legitimate Borough interest in approving Applications which minimize the likelihood of any potential damage from flooding, title surges, and the like.
- One of the purposes of the Municipal Land Use Law encourages the approval of Applications which protect residents from flooding and / or tidal surges – and the Board finds that approval of the within Application will, in fact, promote such a purpose.
- Upon information and belief, the existing structure is approximately 100 years old – and, as such, the same was just not built for the needs of a modern family.

- Per the testimony and evidence presented, given the old / challenged / worn / compromised / flood damaged nature of the existing structure, demolition is more appropriate than mere renovation.
- While the Board Members and the Public universally endorsed appropriate residential development at the site, there was a concern about any adverse potential drainage impacts associated with the proposed development.
- There was an extensive discussion regarding the grading / drainage details associated with the proposal, and the impact any such development would have on the subject property and the surrounding properties.
- As a result of the aforesaid extensive discussion on grading and drainage issues, as a condition of the within approval, the drainage lines will be increased, the drainage pipe size will be increased, the number of inlets on the property will be increased, the water discharge route will be improved, curbing will be added to more easily facilitate / direct appropriate run-off, and roof run-off will be eliminated. The aforesaid drainage improvements significantly improved the overall merits of the Application.
- The grading / drainage concerns which were expressed during the Public Hearing should be addressed, and will be addressed, in conjunction with the within approval.
- The within approval is contingent upon the aforesaid grading / drainage improvements being effectuated, subject to the further review and approval of the Board Engineer.
- Based upon the testimony and evidence presented during the Public Hearing process, and subject to the expressed conditions contained herein, the Board finds that approval of the within Application will not contribute to any adverse drainage impacts on the adjoining properties.
- The subject property is not shaped like a traditional rectangle or square. Rather, the subject property is shaped like a flag lot.
- The flag lot shape / nature of the lot complicates the ability of the Applicants to satisfy all Prevailing Zoning Requirements, including the Lot Width and the average Front Setback Requirements.
- There is an existing single-family home located at the site.
- The new home improved herein will be in the same general location as the existing home, as the new home will utilize the existing foundation.
- Per the testimony and evidence presented, the Applicants arranged for the existing foundation to be examined so as to confirm that the same

can safely and sufficiently accommodate the load of the new home approved herein.

- The Application as presented requires a Front Setback Variance. Specifically, 30 ft. is required; whereas 26.64 ft. is proposed. The Board recognizes that the said setback is an existing condition, which will be mirrored / mimicked herein with the new home.
- Given the fact that the Applicants will be utilizing the same foundation which exists today, the Board is satisfied that the Front Yard Setback Variance can be granted without causing substantial detriment to the public good.
- Traditionally, in the context of a demolition and a “clean slate”, the Board would typically require the Applicants to comply, or more closely comply, with the Prevailing Front Yard Setback Requirements. However, as referenced, the Board recognizes that the Applicants will be utilizing the same foundation which exists today (which has a non-compliant Front Setback).
- The Board recognizes that, under the circumstances, it is neither reasonable, practical, nor efficient to require the Applicants to relocate the existing foundation.
- Initially, the Applicants requested a Height Variance. Specifically, a maximum 35 ft. height is allowed; whereas the Applicants were initially proposing a height of 35.83 ft. Respectfully, some of the Board Members did not feel that sufficient reasons existed for such a height Variance to be granted.
- Additionally, Board Members expressed concern that such a non-conforming height, and a non-conforming number of stories would trigger the need for the Applicants to incorporate very expensive fire prevention / sprinkler measures into the new home.
- After further discussion of the Height Standards, concerns associated with the Applicants’ ability to satisfy Prevailing Legal Standards, and potential fire-proofing costs associated with a non-compliant structure, the Applicant’s agreed to revise the Plans so as to eliminate the request for a Height Variance.
- A conforming height is more appropriate for the new house which will be located on the subject property.
- A conforming height for the new home will minimize any potentially adverse impact on adjacent properties.
- The existing lot has a non-conforming lot width (90.73 ft. exists; whereas 120 ft. otherwise required) – and approval of the within Application will merely allow the said condition to continue to exist.

- The newly constructed home approved herein will be compatible with other homes in the neighborhood (in terms of size, design, location, height, and architectural features).
- The location for the proposed pool will comply with all prevailing Zoning requirements as well.
- The proposed single-family home is a permitted use in the Zone.
- The proposed new home will have the same general footprint as the existing home.
- Additionally, notwithstanding the lot width non-conformity, the Board notes that the location of the proposed new home is practical, appropriate, and aesthetically pleasing.
- The home approved herein (as modified) will have a complying height – as no Height Variance is granted.
- The proposed single-family home will be attractive, aesthetically pleasing, and upscale, in accordance with Prevailing Community Standards.
- Approval of the within Application will enhance / improve the quality of life for the Applicants.
- Subject to the conditions contained herein, the construction of the proposed home in the specified location, represents sound planning.
- Per the testimony and evidence presented, the construction of the proposed home will enhance the value of the subject property.
- Approval of the within Application will not materially intensify the existing, and to-be-continued, single-family nature of the home/site.
- The home approved herein represents an appropriate balance between the competing needs / desires to a) construct a modern / functional home and b) comply, or more closely comply, with some of the Prevailing Lot/Bulk Requirements.
- The subject lot is an appropriate site for a single-family home.
- Per the testimony of the Applicant' representatives, demolition of the existing structure is more appropriate/practical than just mere renovation.
- Per the testimony and evidence presented, the existing home is old, and outdated – and is simply not built / designed to accommodate the needs of a modern family. The home approved herein is, in fact, designed for the needs of a modern family.

- Continued single-family use at the site is consistent with the Borough's Master Plan.
- Continued single-family use at the site is consistent with the character of the neighborhood.
- Approval of the within Application will allow a brand new / upgraded structure to be built at the site.
- The new home approved herein will satisfy all prevailing/updated Building Code Regulations, Construction Code Regulations, and Flood regulations.
- There are essentially no other practical/viable locations (on the site) for the home to be located, but for that which is proposed by the Applicant (particularly in the context of the utilization of the existing foundation).
- Subject to the conditions contained herein, the new home will not overpower or overwhelm the site or the neighborhood.
- Per the testimony and evidence presented, other development options were reviewed and considered, but the same were not practical / feasible.
- The Plans approved herein are reasonable, given the site constraints and given the Applicant's need to construct a new, modern, flood-compliant home.
- The proposed location for the Applicants' new home is logical and practical.
- Subject to the conditions contained herein, the new home approved herein will not have any significant detrimental impact on adjoining property owners.
- Approval of the subject Application will not appreciably intensify the historic single-family use at the Site. Consequently, the Board is of the collective opinion that the requested relief can be granted without impairing the intent or purposes of the Borough Zoning Plan / scheme.
- Subject to the conditions contained herein, approval of the within Application will significantly improve the overall appearance of the area.
- Additionally, the architectural/aesthetic benefits associated with the proposal outweigh the detriments associated with the Applicants' inability to comply with all of the specified Bulk Zoning Standards.
- The architectural design of the new home will not be inconsistent with the architectural character of other new single-family homes in the area, on similarly situated lots.

- Sufficiently detailed Plans were submitted.
- Subject to the conditions contained herein, the location of the proposed home will minimize, to the greatest extent possible, any disturbance to the neighboring properties.
- The Board notes that the subject Lot currently is non-conforming in terms of Lot Width. As referenced, the Board notes that the said condition is an existing condition, which is not being exacerbated as a result of the within approval.
- Subject to the conditions set forth herein, the benefits associated with approving the within Application outweigh any detriments associated therewith.
- Subject to the conditions contained herein, approval of the within Application will have no known detrimental impact on adjoining property owners and thus, the Application can be granted without causing substantial detriment to the public good.
- Approval of the within Application will promote various purposes of the Municipal Land Use Law; specifically, the same will provide a desirable visual environment through creative development techniques.
- The Application as presented satisfied the statutory requirements of N.J.S.A. 40:55D-70(C) (Bulk Variance).

Based upon the above, and subject to the conditions contained herein, the Board is of the unanimous opinion that the requested relief can be granted without causing substantial detriment to the public good.

CONDITIONS

During the course of the Hearing, the Board has requested, and the Applicants have agreed, to comply with the following conditions:

- a. The Applicants shall comply with all commitments, promises, and representations made at or during the Public Hearing process.
- b. The Applicants shall comply with all Prevailing Affordable Housing Rules, Regulations, Directives, and Contributions, as required by the State of New Jersey, COAH, the Borough of Oceanport, the Court System, and any other Agency with jurisdiction over the matter.

- c. The Applicants shall obtain any applicable permits/approvals as may be required by the Borough of Oceanport - including, but not limited to, the following:
- Building Permit
 - Plumbing Permit
 - Electric Permit
 - Fire Permit
- d. The Applicants shall comply with the terms and conditions of the Colliers Engineering & Design Review Memorandum, dated August 16, 2021 (A-5).
- e. The Applicants shall comply with all Prevailing FEMA / Flood Regulations.
- f. The Applicants shall cause the Plans to be revised so as to portray and confirm the following:
- i. The inclusion of a note confirming the proposed / conforming building height (as measured from the crown of the road, per Prevailing Borough Regulations);
 - ii. The inclusion of a note confirming that pool compliant fencing shall be installed and maintained, if the pool is ever installed;
 - iii. The inclusion of a note confirming that the pool and equipment shall be appropriately screened, so as to minimize any adverse impact to the neighbors;
 - iv. The inclusion of a note confirming that there shall be no adverse spillover of light onto adjoining properties (to be reviewed and improved by the Board Engineer);
 - v. The inclusion of a note confirming that the proposed building shall have a conforming building height (as no Height Variance is granted);
 - vi. The inclusion of a note confirming that the Applicants shall not interfere with the existing Sewer Easement;
 - vii. The inclusion of a note confirming the total square footage of the home;
 - viii. Confirmation that the size of the drainage pipe shall be increased per the requirements of the Board Engineer – and the details of which shall be reviewed and approved by the Board Engineer;
 - ix. Confirmation that the Applicants shall install an additional inlet in the driveway, with a belgium block or concrete type of curb, so that there will be a total of 3 inlets on the property

(the details for the same shall be reviewed and approved by the Board Engineer);

- x. Confirmation that the curb, as referenced above, shall be placed along the driveway, to the corner of the driveway, which shall lead into the catch basin (the details for the same shall be reviewed and approved by the Board Engineer);
 - xi. Confirmation that the Applicants shall install an 8" drainage pipe, (the details for the same shall be reviewed and approved by the Board Engineer);
 - xii. Confirmation that the roof leaders shall be piped away from the neighboring properties as much as possible (the details for the same shall be reviewed and approved by the Board Engineer);
 - xiii. Confirmation that there shall be an additional slot drain along the side of the pool, and further confirmation that the same shall be directed to the inlet (the details for the same shall be reviewed and approved by the Board Engineer);
 - xiv. Confirmation that the Applicants shall improve the surface drainage for the right side of the proposed pool (the details for the same shall be reviewed and approved by the Board Engineer);
 - xv. Confirmation that the drainage improvements shall be installed prior to the installation of any pool; ?????
 - xvi. Confirmation that additional landscaping / trees shall be planted along the sides of the property, so as to improve the overall buffering at the site. (The details for the same shall be reviewed and approved by the Board Engineer);
 - xvii. Confirmation that the garage and storage areas shall be vented independently, in a manner approved by the Board Engineer; and
 - xviii. Confirmation that the home shall be elevated, in accordance with the Prevailing FEMA / Flood Regulations.
- g. The Grading / Drainage Plans (showing the additional drain) shall be submitted to, and reviewed / approved by the Board Engineer before the issuance of any Building Permit.
 - h. The Applicants shall prepare a Deed Restriction confirming that the use of the ground floor shall be limited to parking, storage, and building access. Furthermore, the ground floor shall not be utilized as habitable living space. The said Deed Restriction, once approved by the Board Attorney, shall be

recorded in the Office of the Monmouth County Clerk – and proof of the same shall be submitted to the Board Secretary.

- i. The landscaping shall be perpetually replaced / maintained / replanted, as necessary, so as to perpetually maintain the buffer between the subject property and the neighboring properties.
- j. The within approval shall be voided, unless the Applicants obtain a Building Permit within 24-months of the adoption of the within Resolution, or any approved extension. (NOTE: Because the proposed pool complies with Prevailing Zoning Regulations and there are no Variances associated therewith, the aforesaid 24-month limitation does not apply to the installation of the pool).
- k. Unless otherwise waived by the Board Engineer, the Applicants shall submit Grading / Drainage Plans (for the review and approval of the Board Engineer), so as to confirm that the same will have no adverse impact on the site or the surrounding properties.
- l. The Applicants shall obtain any and all necessary demolition permits as may be required.
- m. The construction shall be strictly limited to the Plans which are referenced herein, and which are incorporated herein at length. Additionally, the construction shall comply with Prevailing Provisions of the Uniform Construction Code.
- n. The Applicants shall comply with all terms and conditions of the Review Memoranda, if any, issued by the Board Engineer, Borough Engineer, Construction Office, the Municipal Project Assistant, the Department of Public Works, the Bureau of Fire Prevention and Investigation, and/or other agents of the Borough.
- o. The Applicants shall obtain any and all approvals (or Letters of No Interest) from applicable outside agencies - including, but not limited to, the Department of Environmental Protection, the Monmouth County Planning Board, and the Freehold Soil Conservation District. Additionally, to the extent the application materially changes as a result of any of the aforesaid outside approvals, then, in that event, the Applicants shall be required to return to the Board for further review / relief.
- p. The Applicants shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.

BE IT FURTHER RESOLVED, that all representations made under oath by the Applicants and / or their agents shall be deemed conditions of the approval granted herein, and any misrepresentations or actions by the Applicants contrary to the representations made before the Board shall be deemed a violation of the within approval.

BE IT FURTHER RESOLVED, that the Application is granted only in conjunction with the conditions noted above - and but for the existence of the same, the within Application would not be approved.

BE IT FURTHER RESOLVED, that the granting of the within Application is expressly made subject to and dependent upon the Applicants' compliance with all other appropriate Rules, Regulations, and / or Ordinances of the Borough of Oceanport, County of Monmouth, and State of New Jersey.

BE IT FURTHER RESOLVED, that the action of the Board in approving the within Application shall not relieve the Applicants of responsibility for any damage caused by the subject project, nor does the Planning Board of the Borough of Oceanport, the Borough of Oceanport, or their agents / representatives accept any responsibility for the structural design of the proposed improvements, or for any damage which may be caused by the development.

SUMMARY OF GRANTED VARIANCE RELIEF

LOT WIDTH: 120 ft. required; whereas 90.73 ft. approved, which is an existing condition;

FRONT YARD SETBACK: 30 ft. required; whereas 26.64 ft. approved;

AVERAGE FRONT YARD SETBACK: 108.8 ft. required; whereas 26.64 ft. approved;

PR-21-29

09-28-21

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on September 14, 2021 on roll call that evening by the following vote:

Offered by: _____

Seconded by: _____

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Widdis	()	()	()	()	()
Whitson	()	()	()	()	()
Davis	()	()	()	()	()
Tvrdik	()	()	()	()	()
Foster	()	()	()	()	()
Kleiberg	()	()	()	()	()
Kahle	()	()	()	()	()
Savarese	()	()	()	()	()
Cooper	()	()	()	()	()
Dailey (Alt. 1)	()	()	()	()	()

This resolution was offered by _____, seconded by _____, and adopted on roll call by the following vote:

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Widdis	()	()	()	()	()
Whitson	()	()	()	()	()
Davis	()	()	()	()	()
Tvrdik	()	()	()	()	()
Foster	()	()	()	()	()
Kleiberg	()	()	()	()	()
Kahle	()	()	()	()	()
Savarese	()	()	()	()	()
Cooper	()	()	()	()	()
Dailey (Alt. 1)	()	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of _____, 2021.

Jeanne Smith, Secretary



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2090)

Meeting: 09/28/21 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2090

PB2021-12 Carpentino, Robert

4 Haskell Way
Block 121.02, Lot 2
Bulk Variance for Installation of new patio
CARRIED from September 14, 2021

HISTORY:

09/14/21 Planning/Zoning Board

EXHIBITS

A-1 Land Development Application

A-2 Zoning Denial Letter

A-3 Plan entitled "Location Survey," 1 Sheet, prepared by Land Control Services, LLC, dated September 1, 2020

A-4 Plans entitled "Carpenito Residence", 1 Sheet, prepared by Michael Savarese Associates, last revised August 9, 2021

A-5 Photograph of Site

A-6 Colliers Engineering & Design Review letter, dated August 19, 2021

A-7 Series of Three Photographs of Rear Yard

331 Newman Springs Road
Suite 203
Red Bank New Jersey 07701
Main: 877 627 3772



August 19, 2021

VIA EMAIL

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
910 Oceanport Way
P. O. Box 370
Oceanport, NJ 07757

4 Haskell Way
Block 121.02, Lot 2
Application No. PB2021-15
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0298

Dear Board Members,

Our office has received the following information in support of the above-referenced Application:

- Plan entitled "Location Survey," prepared by Land Control Services, LLC, dated September 1, 2020, consisting of one (1) sheet.
- Plans entitled "Carpenito Residence" prepared by Michael Savarese Associates, last revised August 9, 2021, consisting of one (1) sheet.

The subject property is an 8,284 SF (0.19-acre) parcel located in the RMO Residential Zone within the Jockey Club. The property is the south side of the roadway approximately 100 feet from Iselin Lane. The Applicant proposes to enlarge the rear patio and install a hot tub. The subdivision that was approved by the Board with a Resolution dated May 12, 2004.

Based on our review, we recommend that the Application be deemed complete and scheduled for the next available public hearing. The Applicant shall provide proof of public notification as required for this Application. A planning and engineering review of the Application is included below.

A. Variances/Design Waivers

We offer the following comments for the Board's consideration:

1. Bulk variances are required for the following:
 - a. Resolution Condition #19 prohibited sheds or accessory structures on the individual lots. The Applicant is proposing an 80" x 80" hot tub in the rear yard.

- b. Resolution Condition #22 permitted decks to project up to 10 feet from the dwellings. The Applicant proposes the raised patio to 14 feet beyond the structure.

The Municipal Land Use Law permits the granting of a hardship variance under either of two following situations (C.40:55D-70c):

1. **Hardship c(1) - Physical Constraints** – Hardship variances may be granted if the strict application of the ordinance would impose peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer based upon the existence of the following conditions:
 - a. Exceptional narrowness, shallowness or shape of a specific piece of property;
 - b. Exceptional topographic conditions or physical features uniquely affecting a piece of property; and,
 - c. An extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
2. **Flexible “c” or c(2) - Benefits Outweighing Detriments** - A variance may be granted where the purpose of the Municipal Land Use Law would be advanced by the proposed deviation and the benefits of the deviation would substantially outweigh any detriment.

The Applicant shall provide testimony in support of the variance being requested and/or identified.

B. General Comments

1. The Applicant shall describe the existing drainage pattern, especially the west side yard and the impacts of the raised terrace on proposed runoff conditions.
2. The Applicant shall clarify if any outdoor lighting will be provided.

Should you have any questions regarding this matter, please do not hesitate to contact me directly.

Sincerely,

Colliers Engineering & Design

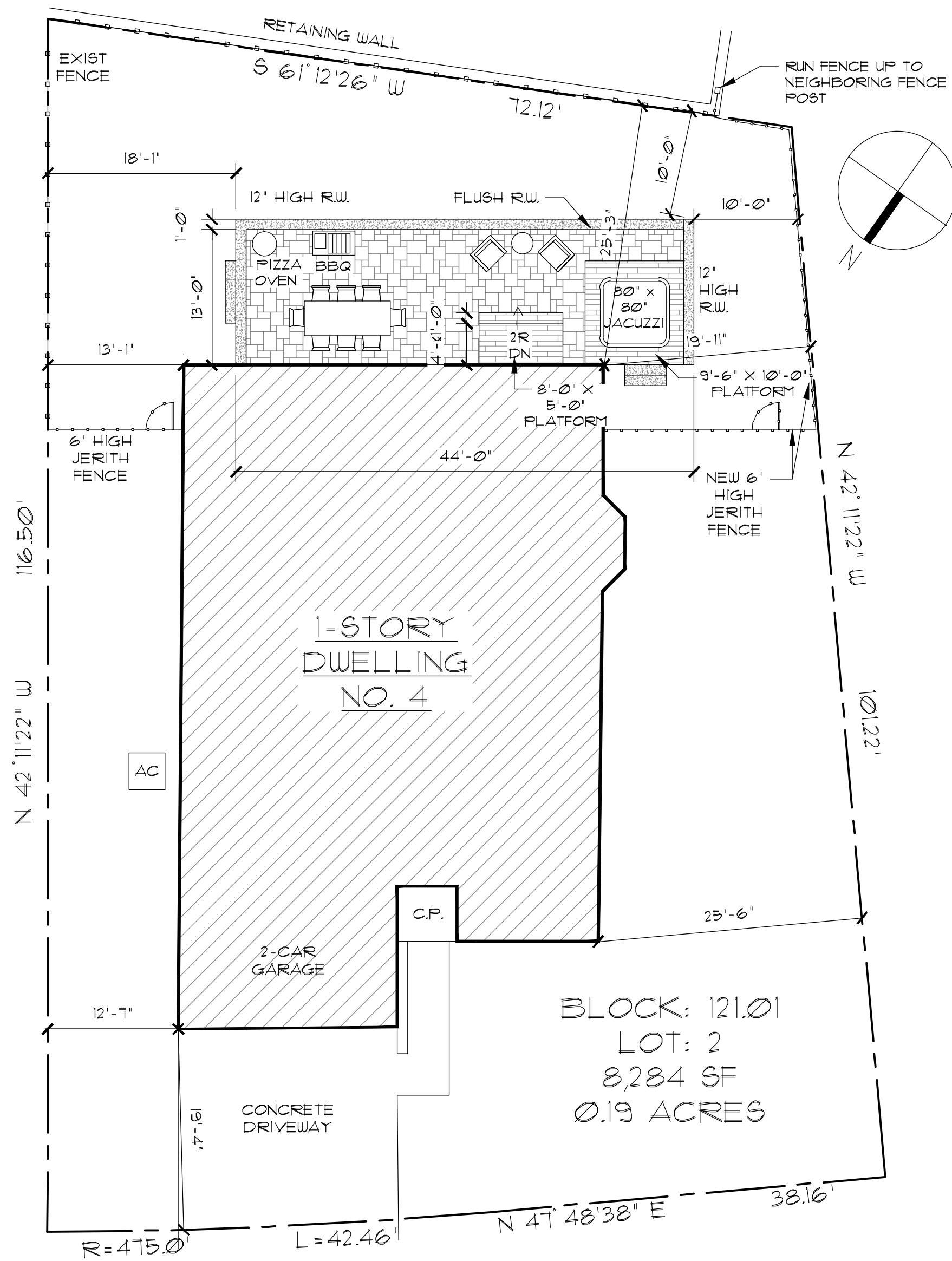


William H.R. White, III, PE, PP, CME, CFM, CPWM
 Planning Board Engineer and Planner

WHW/dmm

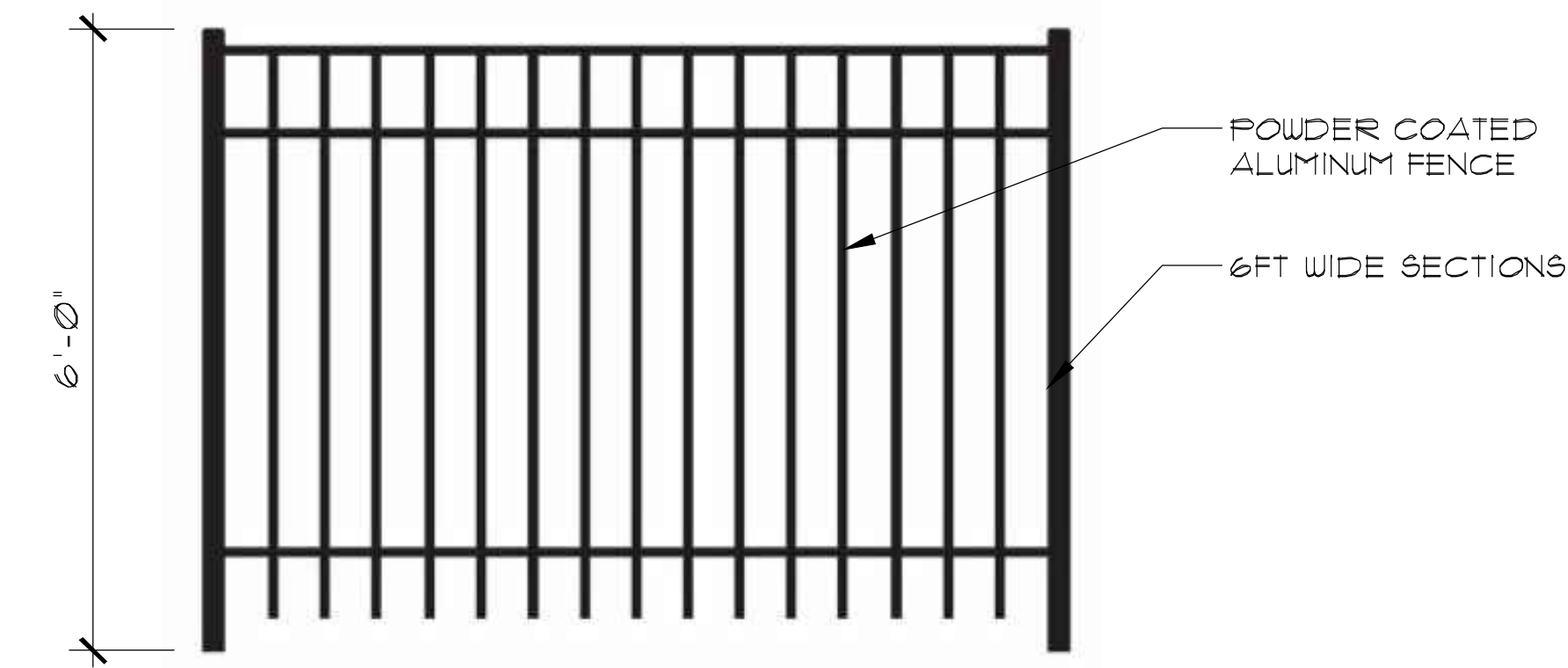
cc: Robert Carpenito, Applicant (via email)

r:\projects\m-p\opp\opp0298\correspondence\out\210819_whw_4_haskell_way_review#1.docx



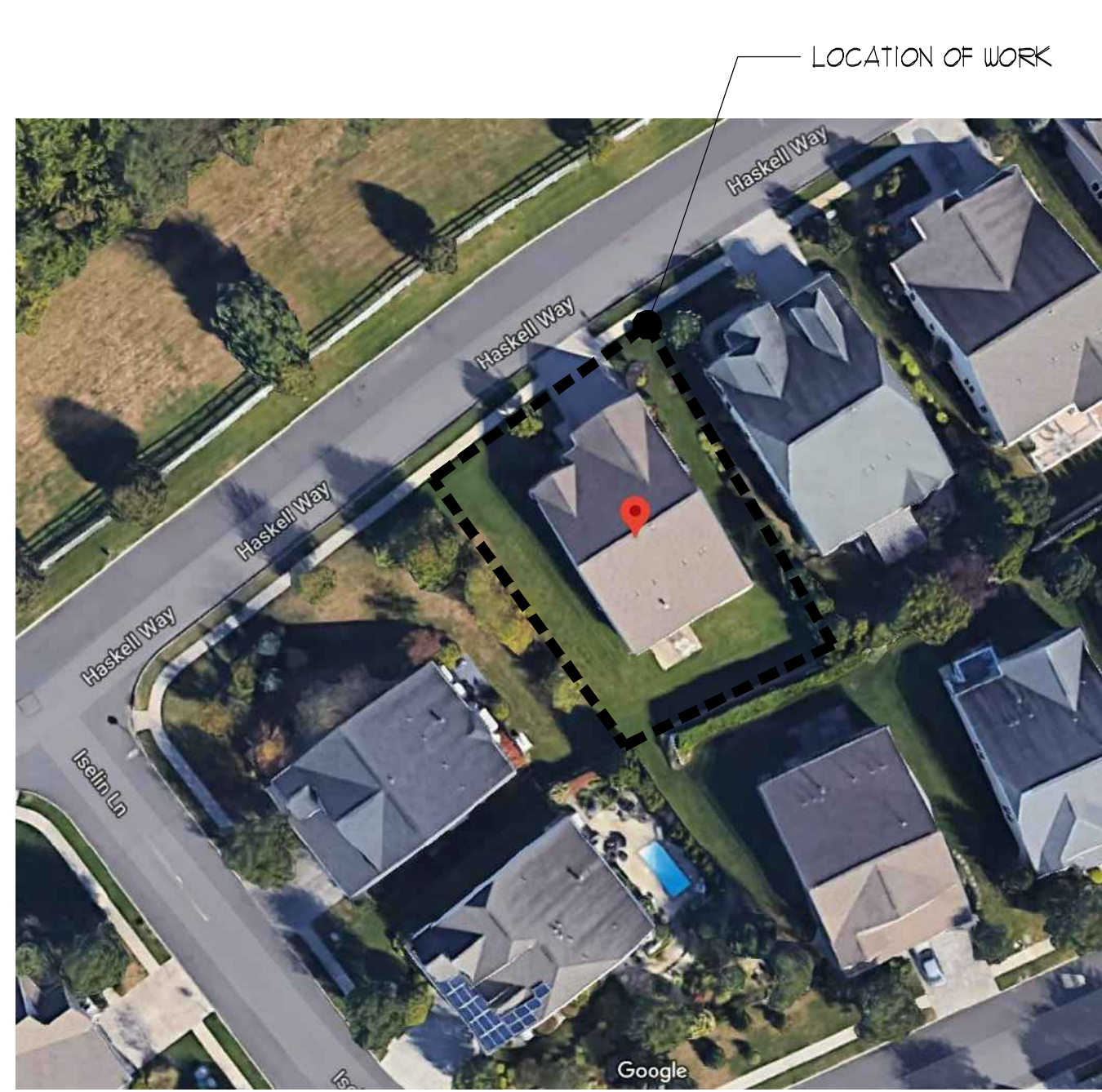
1 SITE PLAN (50' ROW)
SCALE: 1" = 10'-0"

SITE PLAN BY:
LAND CONTROL SERVICES, LLC
SURVEYING & MAPPING
620 WARDELL ST
LONG BRANCH, NEW JERSEY
JAMES B. GODDARD, PLS
LICENSE #: 31588
DATE: 09/01/2020
P: (732) 229-1628 /
E: LANDCONTROL1@GMAIL.COM



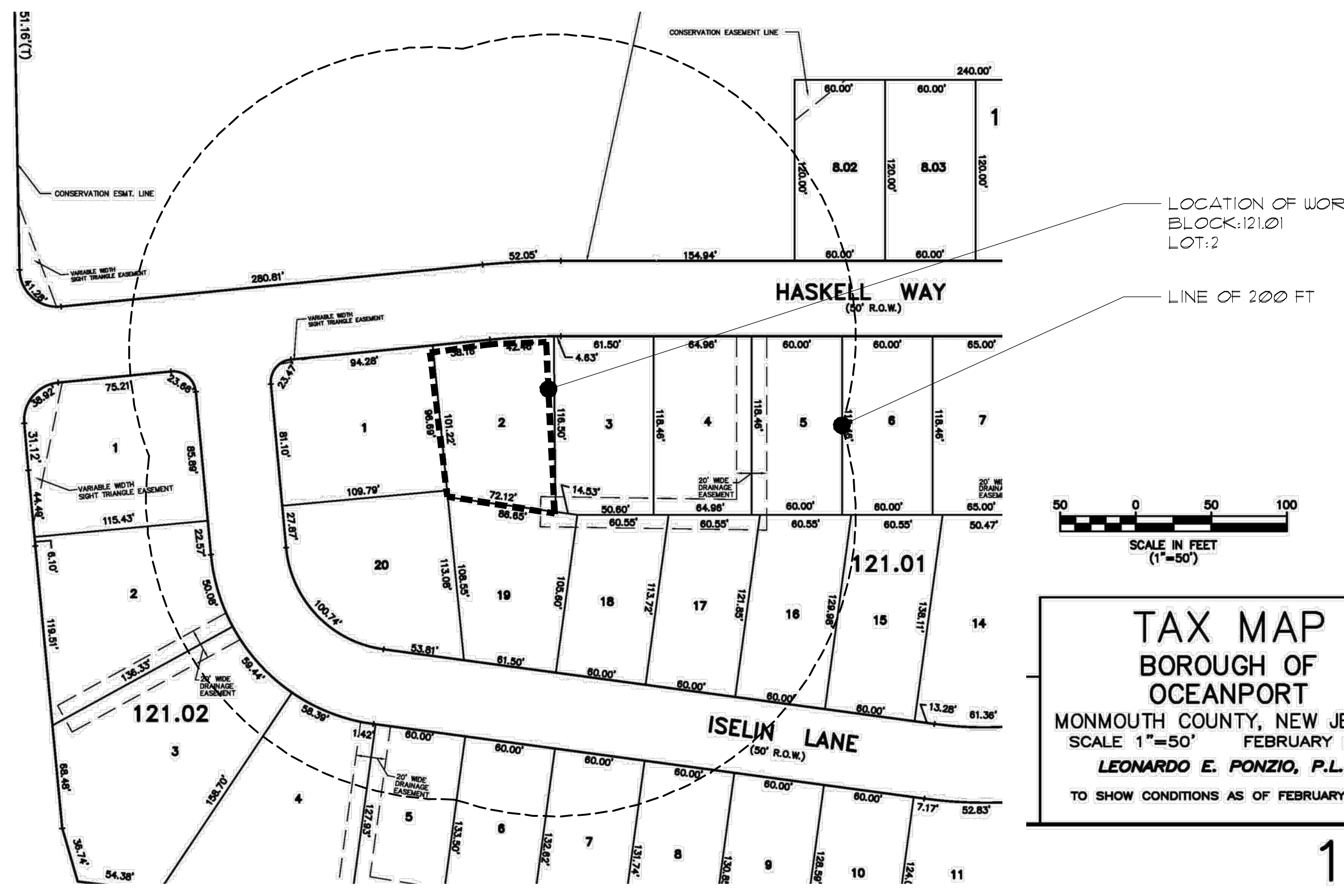
4 JERITH FENCE REFERENCE
N.T.S.

CARPENITO RESIDENCE



2 AERIAL VIEW
N.T.S.

OCEANPORT AVENUE A.K.A. (C.R. 11)
(110' R.O.W.)



3 TAX MAP
N.T.S.

ZONING & CONSTRUCTION DATA				
BLOCK 121.01	DESIGN GROUP	R-5	DESIGN LOADS: (SHALL MEET OR EXCEED THE REQUIRED OF SECTION R301.1)	
LOT 2	CONSTRUCTION CLASS	TYPE VB	FLOORS: 40 PSF LIVE LOAD 10 PSF DEAD LOAD	
ZONE RMO	CLIMATE ZONE	110 ML/HR	ROOF: 30 PSF LIVE LOAD 10 PSF DEAD LOAD	
	WIND ZONE			
	REQUIRED	EXISTING	PROPOSED	
MIN. LOT AREA		8,284 SF	NO CHANGE	
MIN. LOT FRONTAGE		80.62'	NO CHANGE	
MIN. LOT DEPTH		101.22'	NO CHANGE	
PRINCIPAL BUILDING				
MIN. FRONT YARD		19'-4"	NO CHANGE	
MIN. REAR YARD		25'-3"	NO CHANGE	
MIN. SIDE YARD		12'-1"	NO CHANGE	
MIN. BOTH SIDE YARDS		30' (2 STORIES)	NO CHANGE	
MAX. BUILDING HEIGHT	30 FT	N/A	NO CHANGE	
MAX. % LOT COVERAGE	25%	29.2% ** (2,422 SF / 8,284 SF = 29.2%)	NO CHANGE	
IMPERVIOUS LOT COVERAGE	45%	36.6% (3,032 SF / 8,284 SF = 36.6%)	42.6% (3,529 SF / 8,284 SF = 42.6%)	
NOTES:				
*** INDICATES PRE-EXISTING NONCONFORMING CONDITION				
[Pattern] INDICATES PROPOSED AND APPROVED NONCONFORMING CONDITION				

LOT COVERAGE (ALL STRUCTURES) CALCULATION		
	EXISTING	NEW
HOUSE	2,392 SF	2,392 SF
DRIVEWAY/CONC WALK/PORCH	493 SF	493 SF
CONCRETE PATIO	135 SF (TO BE REMOVED)	0 SF
AC UNIT	12 SF	12 SF
CONCRETE STEPS	0 SF	16 SF
PROPOSED RETAINING WALL	N/A	10 SF
PROPOSED REAR TERRACE	N/A	546 SF
TOTAL	3,032 SF / 8,284 SF = 36.6%	3,529 SF / 8,284 SF = 42.6%

BUILDING COVERAGE		
	EXISTING	NEW
HOUSE	2,392 SF	NO CHANGE
COVERED PORCH	30 SF	NO CHANGE
TOTAL	2,422 SF / 8,284 SF = 29.2%	NO CHANGE

OWNER & ADDRESS REPORT						
OCEANPORT			200 FOOT LIST BLOCK 121.01 LOT 2		06/23/21 Page 1 of 2	
BLOCK	LOT	QUAL	CLAS	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
121	8.01		1	JOSEPH & LINDA HODGES ASSOCIATION 405 CANDLEWOOD COMMONS HOBOKEN, NJ 07031	HASKELL WAY	
121	8.02		2	BOACHE, LINDA 1 HASKELL WAY OCEANPORT, NJ 07757	1 HASKELL WAY	
121.01	1		2	HAROSCH/172, KARL & DONNA 7 ISELIN LANE OCEANPORT, NJ 07757	1 ISELIN LANE	
121.01	3		2	LANDUYT, JUDITH K 6 HASKELL WAY OCEANPORT, NJ 07757	6 HASKELL WAY	
121.01	4		2	CZAJKOWSKI, JOHN D & ANNA 10 HASKELL WAY OCEANPORT, NJ 07757	8 HASKELL WAY	
121.01	5		2	UNION STREET PARTNERS, LLC 10 HASKELL WAY OCEANPORT, NJ 07757	10 HASKELL WAY	
121.01	6		2	TALLAMORE, ANNE P. 12 HASKELL WAY OCEANPORT, NJ 07757	12 HASKELL WAY	
121.01	15		2	NEWELL, WILLIAM E & SUSAN 15 ISELIN LANE OCEANPORT, NJ 07757	15 ISELIN LN	
121.01	16		2	HANMELL, EDWARD & BARBARA 17 ISELIN LN OCEANPORT, NJ 07757	11 ISELIN LN	
121.01	17		2	JORDAN, PAULA & BRODERICK, JENNIFER 9 ISELIN LN OCEANPORT, NJ 07757	9 ISELIN LN	
121.01	18		2	SHIRKINS, CALORES M. 9 ISELIN LANE OCEANPORT, NJ 07757	7 ISELIN LN	
121.01	19		2	BAWINGTON, THOMAS V & MARY P 5 ISELIN LANE OCEANPORT, NJ 07757	5 ISELIN LN	
121.01	20		2	CHURCH, JENNIFER 5 ISELIN LN OCEANPORT, NJ 07757	3 ISELIN LN	
121.02	1		2	GERMEL, WILLIAM A & JILL H 2 ISELIN LN OCEANPORT, NJ 07757	2 ISELIN LN	
121.02	2		2	HGF HOLDING 4 ISELIN LANE OCEANPORT, NJ 07757	4 ISELIN LN	
121.02	3		2	ZIMMERMAN, SAM D & JEANNE M 6 ISELIN LANE OCEANPORT, NJ 07757	6 ISELIN LN	
121.02	4		2	FLASCHICK, JEFFREY M & JACQUELINE 8 ISELIN LN OCEANPORT, NJ 07757	8 ISELIN LN	
121.02	5		2	CARLSON, ERIC R & ELIZABETH K 10 ISELIN LANE OCEANPORT, NJ 07757	10 ISELIN LN	
121.02	6		2	BERGMAN, PETER & ADELE 12 ISELIN LANE OCEANPORT, NJ 07757	12 ISELIN LN	

5 200 FT LIST
N.T.S.

OWNER & ADDRESS REPORT						
OCEANPORT			200 FOOT LIST BLOCK 121.01 LOT 2		06/23/21 Page 2 of 2	
BLOCK	LOT	QUAL	CLAS	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
121.02	7		2	SHERRY, STEVEN & LOAN 14 ISELIN LN OCEANPORT, NJ 07757	14 ISELIN LN	
121.02	8		2	GLASSBOROUGH, DOUGLAS A & LORETTA V 16 ISELIN LN OCEANPORT, NJ 07757	16 ISELIN LN	

APPROVAL

PLANNING BOARD SECRETARY	DATE
PLANNING BOARD CHAIRPERSON	DATE
ENGINEER	DATE

SK-1



MICHAEL SAVARESE ASSOCIATES

34 SYCAMORE AVENUE, UNIT 1E LITTLE SILVER, NJ 07739 (732) 530-1424
114 WEST 26TH STREET, 6TH FLOOR NEW YORK, NY 10001 (646) 957-6031

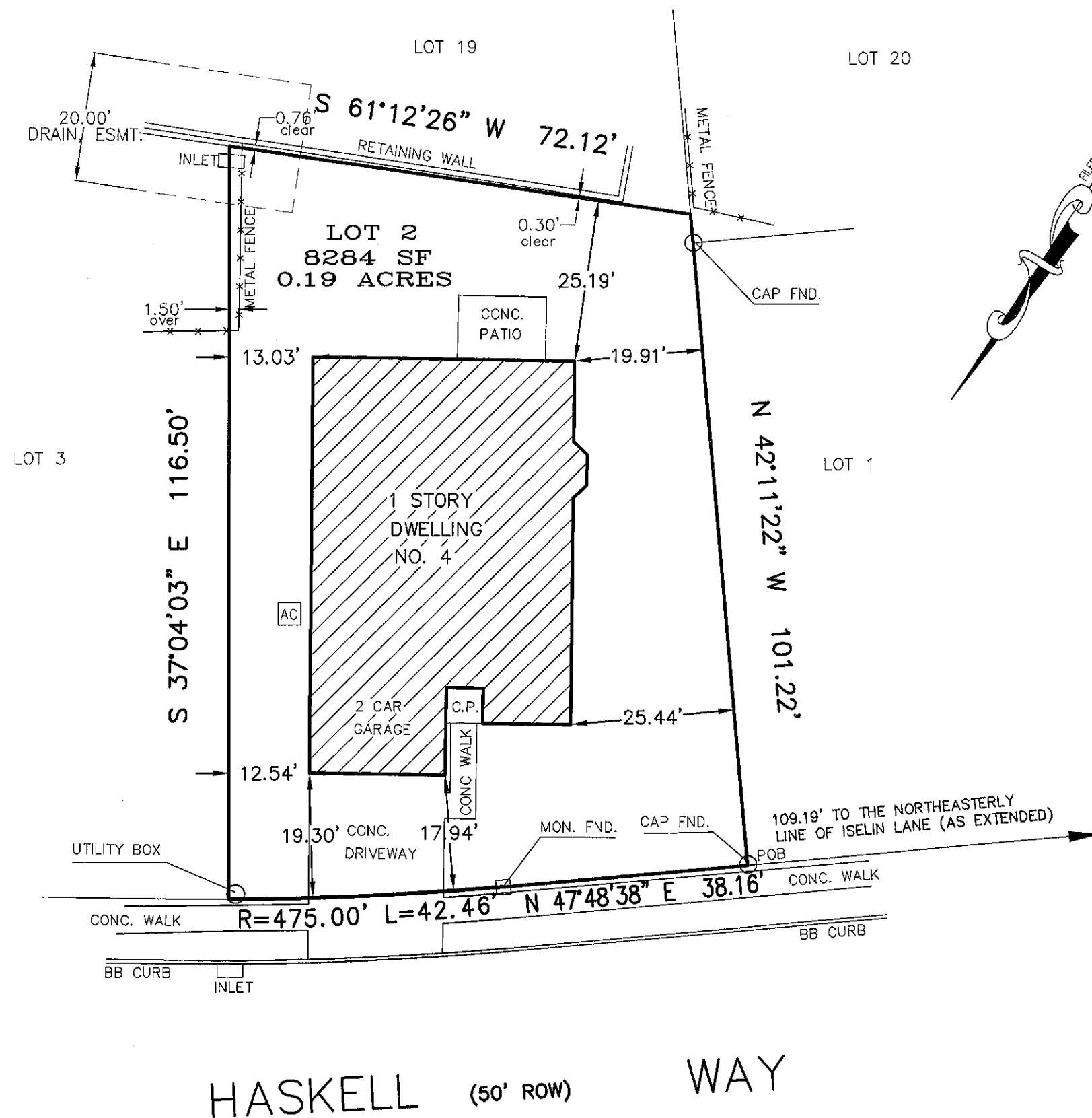
ISSUE:
20116 - CLIENT REVIEW
210312 - PRELIMINARY REAR TERRACE
210728 - ADDED EXISTING SETBACKS
210805 - REV PER 200' LIST
210915 - REV PER 9-14-21 P.B. MTG

SEAL:
MICHAEL SAVARESE
N.J. LIC. #17043
N.Y. LIC. #20632
MICHELLE DEL VECCHIO
N.J. LIC. #18468

PROJECT INFORMATION:
4 HASKELL WAY
OCEANPORT, N.J. 07757
DATE: 11/16/2020
SCALE: AS SHOWN
PROJECT NUMBER:

PAGE:
1 OF 1
Packet Pg. 28

BLOCK 121.01

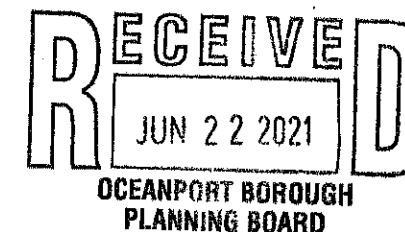


NOTES:

1. THE PROPERTY IS KNOWN AS LOT 2 IN BLOCK 121.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF OCEANPORT AND ON A MAP ENTITLED "FINAL PLAT JOCKEY CLUB" SAID MAP WAS FILED IN THE OFFICE OF THE MONMOUTH COUNTY CLERK ON 09-21-2007 AS MAP NUMBER 305-22.
2. THIS SURVEY IS SUBJECT TO ANY EASEMENTS OF RECORD AND OTHER PERTINENT FACTS WHICH MAY BE DISCLOSED BY A TITLE SEARCH, UNDERGROUND STRUCTURES NOT LOCATED.
3. OFFSET DIMENSIONS FROM STRUCTURE TO THE PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED FOR ESTABLISHING PROPERTY LINES.

CERTIFIED TO:

ROBERT A. CARPENITO



LOCATION SURVEY PREPARED FOR "CARPENITO" LOT 2 OF BLOCK 121.01 SITUATED IN BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY			
	LAND CONTROL SERVICES, LLC SURVEYING & MAPPING 620 WARDELL STREET LONG BRANCH, NEW JERSEY 07740 (732) 229-7628 landcontrol1@gmail.com	DATE	09/01/2020
		SCALE	1" = 20'
		DRAWN	CWK
JAMES B. GODDARD, PLS LICENSE NO. 37588 		CHECKED	JBG
		FILE NO.	2056
		SHEET	1 OF 1





Oceanport Borough
ZONING DEPARTMENT
315 EAST MAIN STREET
OCEANPORT, NJ 07757
(732) 222-0641

Application Date:	5/11/2021
Application Number:	ZA-21-0119
Permit Number:	
Project Number:	
Fee:	\$45

Denial of Application

Date: 6/7/2021

To: ROBERT CARPENITO
NJ

CC: APP TELE: [REDACTED]
APP EMAIL: [REDACTED]

RE: 4 HASKELL WAY
BLOCK: 121.01 LOT: 2 QUAL: ZONE:

DEAR ROBERT CARPENITO,

As per final site plan approval and Resolution dated 5/12/04, condition #19 "No sheds or accessory structures will be permitted on the individual lots once created". Condition # 22 "The homes may have the decks but may not project more than 10' from the rear of the set back of the house".

No impervious coverage allowances given on the final site plan approval to determine compliance.

Your request is hereby denied based upon the following requirements:

Sincerely,

JOHN JOHNSON, ZONING OFFICER



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2180)

9.1

Meeting: 09/28/21 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2180

PB2020-29.1 PHASE II Warehouse Parcel - Oport Partners LLC

801/803/811 Oceanport Way
Block 110.13, Lot 1
Preliminary & Final Site Plan



ENGenuity Infrastructure™
2 Bridge Avenue, Suite 323, Red Bank, NJ 07701
732.741.3176 | engenuitynj.com

OCPB-R0030

July 21, 2021

Via email

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
315 East Main Street
Oceanport, NJ 07757

RE: Applicant: Denholtz Partners, LLC (Phase II)
Intersection of Oceanport Way (formerly Murphy Dr.) and Anson Ave.
Oceanport, NJ Block 110.13, Lot 1
Second Completeness Review

Dear Ms. Smith:

As per your request, I have reviewed the above-referenced application in accordance with the Fort Monmouth Reuse and Redevelopment Plan. The documents reviewed in conjunction with this application include:

- Survey entitled “Topographical Survey Map of Property Known as Lot 1, Block 110.13 (Warehouse Parcel)” prepared by John T. Luts, PLS, dated November 18, 2020, revised through January 18, 2021, consisting of one (1) sheet;
- Site Plans entitled “Preliminary and Final Plat – Major Site Plan; Phase II: Lot 1 in Block 110.13, Borough of Oceanport, Monmouth County, New Jersey” prepared by James A. Kennedy, PE, dated February 15, 2021, consisting of eight (8) sheets;
- Architectural Plans entitled “Preliminary First Floor Plan, Proposed Flex Building A” prepared by Rotwein and Blake Associates, dated January 22, 2021, last revised on March 12, 2021, consisting two (2) sheets.
- Architectural Plans entitled “Preliminary First Floor Plan, Proposed Flex Building B” prepared by Rotwein and Blake Associates, dated January 22, 2021, last revised on March 12, 2021, consisting two (2) sheets.
- Architectural Plans entitled “Preliminary Building C - First Floor Plan, Proposed Flex Building C” prepared by Rotwein and Blake Associates, dated January 22, 2021, last revised on March 12, 2021, consisting two (2) sheets.
- Landscape plan entitled “Oceanport New Jersey Phase II Landscape Plans” prepared by Thomas B. Bauer, LA of Melillo, Bauer, and Carman Landscape Architecture, dated March 12, 2021.
- Traffic Impact Analysis Report prepared by John H. Rea, PE and Scott T. Kennel, of McDonough & Rea Associates, Inc. Traffic and Transportation Consulting, dated January 27, 2021, revised March 9, 2021.
- Stormwater Management Report prepared by James Kennedy, PE of Kennedy Consulting Engineers, LLC dated January 25, 2021, revised February 15, 2021.
- Report of Geotechnical Investigation entitled “Proposed Commercial Redevelopment Todd Avenue and Alexander Avenue Block 110, Lots 2 & 4 Oceanport, Monmouth County, New Jersey” prepared by Whitestone Associates, Inc., dated August 14, 2020.
- Oceanport Planning Board Land Use Development Application

OCPB-R0030

July 21, 2021

Page 2 of 2

Attn: Jeanne Smith, Planning Board Secretary
Re: Applicant: Denholtz Partners, LLC (Phase II)
Intersection of Oceanport Way (formerly Murphy Dr.) and Anson Ave.
Oceanport, NJ Block 110.13, Lot 1
Second Completeness Review

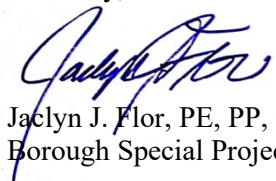
- Environmental Impact Statement entitled “Environmental Impact Statement for Baseline Block 110.13, Lot 1 and Block 110.14 Lot 1 Borough of Oceanport, Monmouth County, NJ” prepared by EcolSciences, Inc., dated April 15, 2021.
- Mandatory Conceptual Review entitled “Phase II Warehouse Final MCR” prepared by Upendra Sapkota, PP, AICP, LEED AP, dated June 3, 2021. Superseded.
- Mandatory Conceptual Review entitled “MCR Application Review – Preliminary Major Site Plan Warehouse Parcel” prepared by Upendra Sapkota, PP, AICP, LEED AP, dated July 15, 2021.
- Stormwater Facility Manual entitled “Stormwater Facility Operation & Maintenance Manual” prepared by Kennedy Consulting Engineers, LLC dated May 12, 2021, revised May 18, 2021.

The subject property is within District A of the Fort Monmouth Reuse and Redevelopment Plan. With this application, the Applicant is proposing the demolition of existing structures and the construction of three (3) commercial buildings, improvements to associated parking areas, pedestrian circulation, grading, and utilities on the grounds of Fort Monmouth. The property is located on Oceanport Way (formerly Murphy Dr.) and will be accessed from Monmouth County Route 537 which is north of the subject property.

Based on our review of the above documents, we recommend that the application be deemed **COMPLETE**, and may be scheduled for the next available hearing.

If you have any questions with regard to the above matter, please do not hesitate to call.

Sincerely,



Jaclyn J. Flor, PE, PP, CME
 Borough Special Projects Engineer

Enclosure

JJF/JPO

cc: John A. Guinco, Giordano, Halleran, and Ciesla, Applicant's Attorney