



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • MAY 10, 2022

Regular

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order

II. Open Public Meetings Statement - This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 20, 2022 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.

III. Flag Salute

IV. 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.

V. Roll Call

VI. Board Business

1. Report of Pending Applications
2. Mayor & Council Referral - Fort Monmouth Plan Amendment #18
3. Referral from Governing Body - Land Development Ordinance Amendment
Proposed ordinance amending the Borough's Land Use Development Ordinance: The proposed ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the Borough of Oceanport, County of Monmouth, State of New Jersey.

VII. Approval of Minutes

1. Planning/Zoning Board - Regular - Mar 22, 2022 7:00 PM

VIII. Old Business

1. PB2022-06 Tennenbaum, Kent & Celia
Block 24, Lot 9
174 Comanche Drive
Applicant has requested the application be withdrawn without prejudice, 5/3/2022
Proposed 6' and solid fence where 4' and 50% open is permitted in front yard
2. **PR-22-18** Resolution of Dismissal - Tennenbaum, Kent & Celia
3. **PR-22-19** Resolution of Approval - 82 Tecumseh Ave

IX. New Business

1. PB2022-08 Molina, Bruno
Block 12, Lot 13
144 Monmouth Blvd.
Proposed installation of in-ground pool and patio seeking relief for impervious coverage of 47.4% where 37% permitted and proposed 6' setback from the attached deck to the pool does not comply with the 10' required setback.

X. Petitions from the Public

XI. Adjournment



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

CORRESPONDENCE (ID # 2404)

6.2

Meeting: 05/10/22 07:00 PM
Department: Planning/Zoning Board
Category: Referral to Planning Board
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2404

Mayor & Council Referral - Fort Monmouth Plan Amendment #18



April 4, 2022

Honorable John F. Coffey
Borough of Oceanport
Oceanport Municipal Building
910 Oceanport Way
Oceanport, NJ 07757

Re: Plan Amendment #18 Permitting Alternative Development Scenario in Oceanport

Dear Mayor Coffey:

Attached for the Oceanport governing body's review and comment is the Draft Proposed Plan Amendment #18 permitting alternative development scenario in Oceanport to the Fort Monmouth Reuse and Redevelopment Plan. It is being delivered to you, for the Oceanport governing body, in one (1) regular mail hard copy and (1) email copy for internal distribution to the members of the Oceanport governing body and its professionals. The law requires and allows a 45-day review period for each Borough to receive and prepare comments to FMERA, related to any amendment to the Reuse Plan.

Pursuant to N.J.S.A. 52:27I-35, this transmittal of the Draft Proposed Plan Amendment #16 permitting alternative development scenario in Oceanport to the Fort Monmouth Reuse and Redevelopment Plan by the Authority to the Oceanport governing body constitutes the start of the mandatory 45-day review period on April 4, 2022. Pursuant to N.J.S.A. 52:27I-35, a report from the Oceanport governing body containing its comments concerning the proposed plan amendment is due back to the Authority no later than 4:00p.m. on Wednesday, May 18, 2022. Please email your comments to Regina McGrade at rmcgrade@njeda.com or via regular mail at P.O. Box 267, Oceanport, N.J. 07757.

Sincerely,

Bruce Steadman

Bruce Steadman
Executive Director

Fort Monmouth Economic Revitalization Authority (FMERA)

PO Box 267 Oceanport, NJ 07757

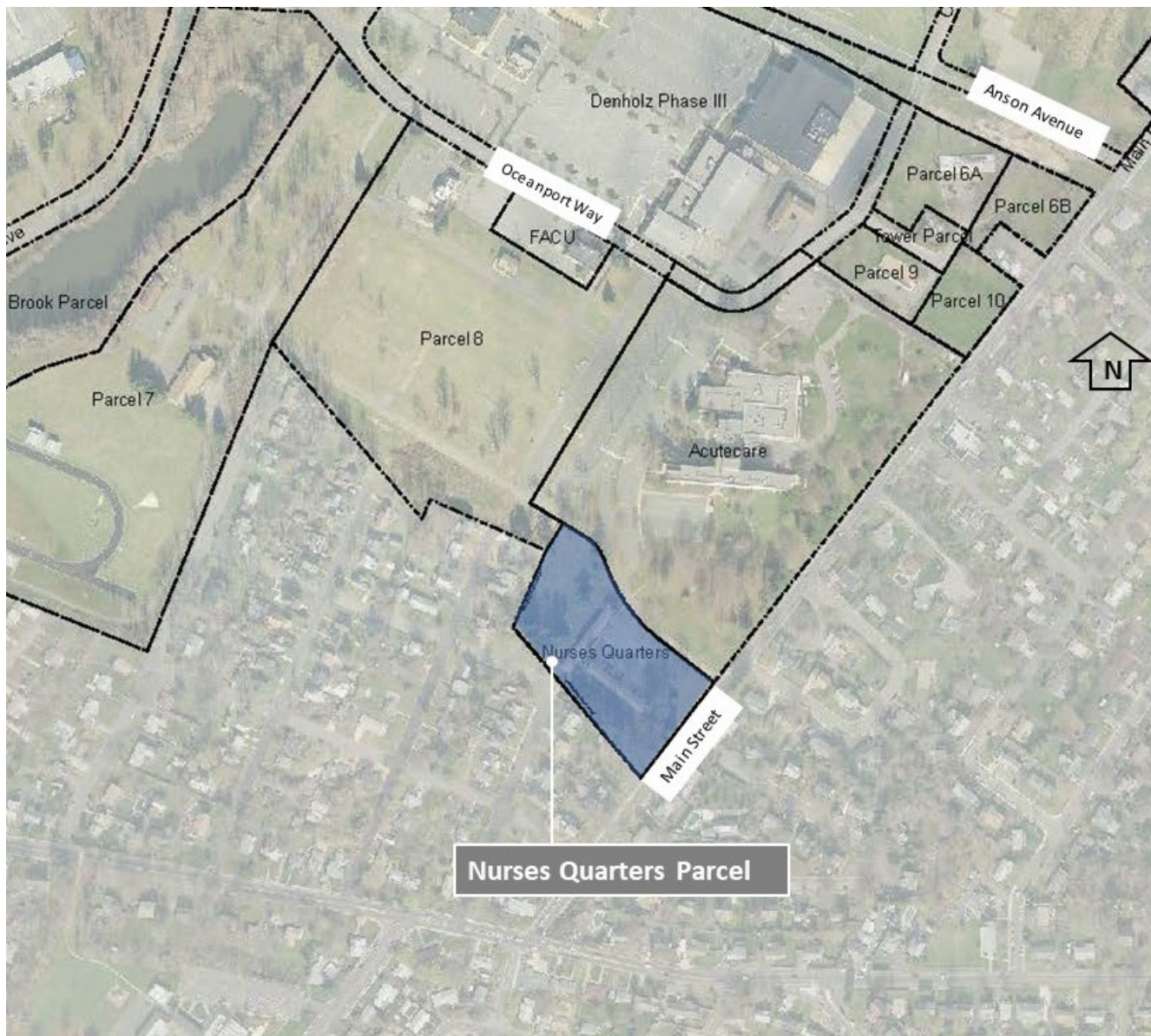
(732) 720-6350

www.fortmonmouthnj.com



Amendment #18 to the Fort Monmouth Reuse and Redevelopment Plan

April 2022



Fort Monmouth Economic Revitalization Authority

Amendment #18 to the
Fort Monmouth Reuse and Redevelopment Plan

Prepared by:

Upendra Sapkota, PP, AICP, LEED AP
 New Jersey Professional License #8200
 Senior Officer- Planning and Development
The Fort Monmouth Economic Revitalization Authority

Fort Monmouth Reuse and Redevelopment Plan, adopted: October 2008

Amendments to the Fort Monmouth Reuse and Redevelopment Plan

- Amendment #1:** Parcel E in Tinton Falls, adopted May 2012
- Amendment #2:** Patterson Clinic in Oceanport, adopted December 2012
- Amendment #3:** Several parcels in Tinton Falls, adopted November 2015
- Amendment #4:** Russel Hall and Dance Hall in Oceanport, adopted January 2016
- Amendment #5:** Pistol Range in Tinton Falls, adopted May 2016
- Amendment #6:** Two parcels in Oceanport, adopted July 2016
- Amendment #7:** Fitness Center in Oceanport, adopted August 2016
- Amendment #9:** Eatontown Barracks and DPW in Eatontown, adopted December 2018
- Amendment #10:** Suneagles Golf Course in Eatontown, adopted May 2018
- Amendment #11:** Allison Hall in Oceanport, adopted December 2018
- Amendment #12:** Myer Center in Tinton Falls, adopted January 2019
- Amendment #13:** Squier Hall in Oceanport, adopted April 2019
- Amendment #14:** Lodging Area in Oceanport, adopted May 2019
- Amendment #15:** Commissary & Warehouse area in Oceanport, adopted August 2020
- Amendment #16:** Barker Circle parcel in Oceanport, adopted December 2020
- Amendment #17:** Howard Commons-Water Tower parcel in Eatontown, adopted April 2021

ACKNOWLEDGEMENTS

Fort Monmouth Economic Revitalization Authority (FMERA) Board

Vacant – Chairman & Public Member, Fort Monmouth Economic Revitalization Authority
Stephen Gallo – Public Member
Lillian Burry – Monmouth County Board of County Commissioners
Jay Coffey – Mayor of Oceanport
Anthony Talerico, Jr. – Mayor of Eatontown
Vito Perillo – Mayor of Tinton Falls
Kevin A. Quinn – NJEDA Board Chairman
Robert Asaro-Angelo – Commissioner, NJ Department of Labor & Workforce Development
Noreen Giblin – Governor's Representative
Diane Gutierrez Scaccetti – Commissioner, NJ Department of Transportation
Shawn Latourette – Commissioner, NJ Department of Environmental Protection
Sheila Oliver – Commissioner, New Jersey Department of Community Affairs

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I. Introduction

The Fort Monmouth Reuse and Redevelopment Plan (“the Reuse Plan”) was adopted by the Fort Monmouth Economic Revitalization Planning Authority (“FMERPA”) Board on October 15, 2008. Subsequently, the Reuse Plan has been amended seventeen times since its first adoption to address the changing development climate.

To further support redevelopment opportunities and economic vitality within the Fort area, pursuant to P.L.2010, c. 10 (N.J.S.A. 52:271-18 et. seq.), the Fort Monmouth Economic Revitalization Authority (“FMERA”) is considering amending the Reuse Plan to revise development standards (bulk standards) and provide the option for an alternative development scenario on the following parcels that are located in the former Fort Monmouth property in the Borough of Oceanport, New Jersey (“Oceanport Reuse Area”) as shown on Exhibit A.

1. The Nurses Quarters Parcel

The Nurses Quarters Parcel is an approximately 3.75-acre parcel of land containing two residential buildings totaling twenty-four (24) one- and two-bedroom units totaling 18,665 gsf known as the former Nurses Quarters (aka Buildings 1077 & 1078), at Main Street and Stephenson Avenue in the Oceanport Reuse Area of the Fort. Constructed in 1962, the Property was used as apartments for Army nurses and is located just west of the former Patterson Army Hospital in Oceanport and includes laundry and storage facilities, lawn areas, and off-street parking.

The Reuse Plan contemplates the reuse of Buildings 1077 & 1078 as mixed-income apartments. This amendment further contemplates the development of new townhomes in such a way that it creates a compact pedestrian-friendly environment along Main Street allowing the development of more flexible and usable open spaces in the western section of the parcel.

This amendment, referred to as “Amendment #18,” does not purport to delete any provisions of the Reuse Plan but rather supplements the Plan by proposing alternative development scenarios for the parcels in the Fort area as shown on Exhibit B. Under N.J.A.C. 19:31C-3.19(a)(1), principal land uses permitted in the *Reuse Plan* are specifically permitted under the Land Use Rules. Thus, Amendment #18 is incorporated into the Land Use Rules for the Reuse Area in a manner similar to an “overlay zone,” whereby an alternative set of requirements are superimposed on the area allowing for alternative land use scenarios to be realized. With regard to the alternative land use scenario, the overlay zoning provides alternative opportunities for development that do not apply unless the land is developed in accordance with the purposes for which the overlay zoning is adopted.

Amendment #18 is consistent with the planning objectives and principles articulated in the Reuse Plan and is necessary to fulfill the Authority’s main objectives – specifically job creation, economic development, and leveraging existing Fort assets.

This is the tenth amendment to the *Reuse Plan* for the Oceanport Reuse Area. Amendment #2 permitted the reuse of the Patterson Army Health Clinic as a medical clinic. Amendment #4 allowed for

office/research uses in Russel Hall (Building 286) and permitted the Dance Hall (Building 552) to be reused for commercial/retail uses including outdoor dining accessory uses and provided for the maintenance of Van Kirk Park as open space. Amendment #6 allowed for a 13-acre parcel in the southern section of the Oceanport Reuse Area to be reused by the Borough of Oceanport and a 3-acre parcel to be developed as a County emergency homeless shelter. The *Reuse Plan* contemplated these government/civic/institutional uses within the Oceanport Reuse Area but had originally envisioned them in other locations. Amendment #6 also allowed Building 288 to be used for office and/or open space. Amendment #7 allowed for Building 114 (the Fitness Center) to be reused as a privately- operated commercial recreation facility. Amendment #11 allowed for a variety of commercial and office uses on the Allison Hall parcel including a boutique hotel and transferred the residential units contemplated under the Reuse Plan for the Allison Hall parcel to the nearby Lodging parcel. Amendment #13 to the *Reuse Plan* permitted the reuse of the Building 283 (Squier Hall) for higher education classrooms and higher education ancillary uses – as defined in the amendment - and permitted the demolition of Buildings 291 and 295. Reuse Plan Amendment #14 permitted the demolition of Buildings 360, 361, 362, 363, 364, and 365 and the reuse of Buildings 270 and 271 for affordable housing on the Lodging Parcel. Additionally, Plan Amendment #14 permitted the construction of 144 market-rate townhomes and development of at least a ±50-foot-wide waterfront esplanade along Parkers Creek including a 12-foot-wide walkway designed in a complimentary coordinated style to the adjacent Allison Hall riverfront promenade. Reuse Plan Amendment #15 permitted an alternative development scenario on the Warehouse District Parcel and District A (a merger of the Commissary and PX Complex, Parking Lot and the Post Office Area) parcels located in the Oceanport Reuse Area. Reuse Plan Amendment #16 permitted the reuse of Building 206 for business lofts with a childcare center as an accessory use, Building 282 for craft production facilities and art and cultural retail uses and Building 275 for art and cultural retail uses with office uses as an accessory use. Amendment #16 also permitted the adaptive reuse of Buildings 205, 287, 207 and 208 for 75 residential units.

The Fort Monmouth *Reuse and Redevelopment Plan* involved years of careful consideration and study as well as an extensive effort to draw input from residents, the three host municipalities and the County, State and Federal government. As such, this amendment does not change the underlying Plan envisioned for the Oceanport Reuse Area. Instead, it provides land use options that afford FMERA with the necessary flexibility to respond to changed circumstances in a manner that does not compromise the overall *Reuse Plan* goals and objectives.

The following chapter describes the nature and scope of the amendment, while succeeding chapters discuss its relationship to the elements, objectives and planning principles of the *Reuse Plan*, as well as to FMERA's directive, and to relevant State, County, and Municipal planning objectives.

II. Goals and Objectives

The primary goal of this Amendment is to further sustainable economic development of the Fort Monmouth area by encouraging a mix of futuristic uses with greater economic viability. The amendment also aims to promote sustainable and resilient development strategies. Some of the key plan goals and policy objectives are outlined below:

- a. Encourage reinvestment and redevelopments within the Fort Monmouth area.
- b. Ensure the availability of market-rate and affordable housing alternatives for all income levels as envisioned by the Reuse Plan.
- c. Address some of the limitations of FMERA's current land use rules and development standards and revise those standards to provide desired flexibility for current & future redevelopment projects.
- d. Enhance economic viability and livability of the area through improved pedestrian connectivity and walkability.
- e. Establish appropriate land use rules for to support adaptive reuse of the Fort's existing buildings and infrastructures.

III. Scope of the *Reuse Plan* Amendment

The Fort Monmouth properties in Oceanport Reuse Area total approximately 419 acres and are bounded generally by New Jersey Transit's North Jersey Coast Line, Main Street and Oceanport Creek to the south, Parkers Creek to the north, and the former Fort properties in Eatontown to the west. The *Reuse Plan* envisions redevelopment of the Oceanport Reuse area for approximately 1.75 million square feet of non-residential space and 720 residential units. Such development would include a high-tech/green industry cluster, education/medical campus, a neighborhood center, a boutique hotel and spa, and expansive green space including the historic Parade Ground.

This amendment maintains the development concepts and plans articulated in the *Reuse Plan* but further permits alternative development scenarios on the Nurses Quarters Parcel located in the Oceanport Reuse Area as shown in Exhibit A. The details of the amendment to the land use plan and alternative development scenario contemplated in this amendment are provided below.

1. The Nurses Quarters Parcel

The Reuse Plan contemplates the reuse of Buildings 1077 & 1078 as mixed-income apartments. Under the Land Use Rules, the Nurses Quarters Parcel is included in the Oceanport Education/Mixed-Use Neighborhood Development District, which permits low-and medium-density residential, mixed-use, retail, office/research, institutional/civic, and open space/recreational uses.

The proposed amendment would permit the following on the Nurses Quarters parcel.

1.1 Permitted Uses

- i. Residential Use - including multi-family dwelling units and town homes.

1.2 Bulk Regulations

- a. Density: A total of thirty-four (34) residential units which includes the reuse of twenty-four (24) one and two-bedroom residential units and ten (10) three-bedroom residential units will be permitted.

- b. Building Height¹: New residential buildings shall not exceed three (3) stories or forty (40) feet in height.
- c. Street Facing Building Setback:
 - i. The building setback on Stephenson Avenue shall be a minimum of fifteen (15) feet from the property line.
 - ii. The building setback on Main Street shall be a minimum of fifteen (15) feet from the property line.
 - iii. Covered patios, walkways, steps and landscaping will be permitted within the setback area.
- d. Except for the standard set forth above under subsection 1.2 (a) – (c) all other bulk standard set forth in the FMERA Land Use Rules shall be applicable for the Nurses Quarters Parcel.

1.3 Additional Requirements

- a. The new townhomes shall have frontage on Main Street and no parking or driveway is permitted between new townhomes and Main Street.
- b. One (1) access driveway to the site from Main Street will be permitted.
- c. A minimum five (5) foot-wide sidewalk shall be installed along Main Street.

1.4 Signage:

The following requirement will be applicable to the Nurses Quarters Parcel.

- a. **Ground Signs:**
 - i. One (1) ground sign shall be permitted on the Nurses Quarters Parcel.
 - ii. The maximum sign area shall not be more than forty (40) square feet.
 - iii. The maximum sign height shall not be more than seven (7) feet above grade.
 - iv. FMERA Land Use Rules 19:31C-3.9(d) shall be applicable for all other requirements related ground signs.

1.5 Green infrastructure and low impact development:

This amendment encourages the use of following green infrastructure measures.

- a. Permeable pavers
- b. Electric vehicle charging stations
- c. Rain gardens & bio-retention basins
- d. Native plants and vegetations

¹ As defined under FMERA Land Use Rules 19:31C-3.2 Building height shall mean the vertical distance as measured from the mean or average finished grade of the building to the highest point of the roof of the building but not including rooftop appurtenances. If the mean or average finished grade is three feet or more above existing grade, then the measurement shall be taken from the existing grade.

V. Relationship to Elements, Objectives and Principles of the *Reuse Plan* and FMERA Directive

a. Relationship to Reuse and Redevelopment Plan and its Elements

In considering the impacts of the Reuse Plan amendment, the following *Reuse Plan* elements were considered: land use and circulation, infrastructure, environmental issues, historic preservation, and community impacts. The relationship between the amendment and these Plan elements are described below.

1. Land Use and Circulation

Total Non-Residential Square Footage Yield

The Nurses Quarters Parcel: This amendment neither contemplates nor permits any non-residential uses on the Nurses Quarters Parcel.

Total Residential Square Footage Yield

Total residential units on the Oceanport Reuse Area will remain 720 units as was contemplated in the *Reuse Plan* and subsequent amendments to the Oceanport Reuse Area.

The Nurses Quarters Parcel:

The Reuse Plan calls for adaptive reuse of Building 1077 and Building 1078 for twenty-four (24) one- and two-bedroom residential units and an additional ten (10) three-bedroom townhomes in the parcel. Thirty-four (34) residential units will be permitted in the parcel as a result of the proposed development.

Compatibility with Surrounding Land Uses

The uses contemplated in this amendment are compatible with the surrounding land uses anticipated in the *Reuse Plan* and subsequent amendments. This amendment promotes a *diverse* range of *housing* types in the Nurses Quarters Parcel. In addition to providing housing opportunities to the local residents and as a result of the proposed amendment, the housing development in the Nurses Quarters Parcel will also provide housing opportunities to employees of Beacon of Life Pace Program and future end-users of the Commissary campus redevelopment area as it is in close proximity to these locations. Thus, the proposed amendment will also promote a live-work environment within the Fort area.

Circulation

This amendment does not propose any changes to the roadway network system for the Nurses Quarters parcel, as such the proposed amendment is consistent with the “Transportation Circulation Improvement Goals” established in the *Reuse Plan*. This amendment also does not adversely impact any of the “Transportation Circulation Improvement Goals” established in the *Reuse Plan*. All the planned streets, pedestrian, and transit plans would not be affected by the proposed amendment.

2. Open Space

This amendment does not impact any active recreation or open space contemplated in the *Reuse Plan*. In the Nurses Quarters Parcel, existing buildings will be adaptively reused, and new townhomes would be aligned along Main Street which will allow the creation of an adequate open space in the parcel for some passive recreational opportunities.

3. Sustainability

This amendment would not preclude incorporation of any of the sustainability measures outlined in the *Reuse Plan*. Specifically, the reuse of the Buildings 1077 & 1078 would further the *Reuse Plan*'s green building sustainability goal to maximize the adaptive reuse of existing buildings and infrastructure.

4. Infrastructure

As indicated in the *Reuse Plan*, impacts on the existing gas, electric, water, wastewater and telephone utilities servicing Fort Monmouth will have to be evaluated at site plan review for a specific project. This assessment is unaffected by the amendment.

5. Traffic

This amendment permits the adaptive reuse of Buildings 1077 & 1078 for twenty-four (24) residential one- and two-bedroom units and an additional ten (10) three-bedroom townhomes in the parcel. As such, a small increase in the number of trips is anticipated from the Nurses Quarters as a result of additional residential units. However, such a small increase is unlikely to create any detrimental impact on the traffic & circulation in the area and will not generate significant additional traffic other than what has already been anticipated in the *Reuse Plan*.

Therefore, the existing road network system as contemplated in the *Reuse Plan* is expected to accommodate any additional traffic generated from the Nurses Quarters Parcel. A detailed traffic analysis would be prepared as part of any site plan review related to the reuse and/or development of these parcels. Any necessary traffic mitigation would be addressed at that time.

6. Environmental Issues

The Nurses Quarters parcel is located in the CAFRA zone and could trigger a CAFRA permitting action. Any environmentally constrained areas within the land area associated with this amendment would be preserved and protected accordingly.

7. Historic Preservation

None of the buildings in the Nurses Quarters parcel affected by the proposed amendment are listed in State or National Registers of Historic Places. Therefore, this amendment will not impact historic resources required for preservation according to the Programmatic Agreement between the SHPO and FMERA.

8. Community Impacts and Affordable Housing

As noted in the *Reuse Plan*, the host communities, including Oceanport, rely on taxation for the largest portion of their municipal revenues. The Fort's closure and the resulting loss of the Fort's workforce is expected to result in a larger share of the tax burden falling to residential property owners. The potential offered by this amendment to increase tax revenues would lessen the burden on local residents.

This amendment permits up to thirty-four (34) residential units for the Nurses Quarters Parcel of which seven (7) units will be affordable units which will count towards the Borough of Oceanport fair share obligation. Therefore, this amendment will have more positive social and economic impacts in the community.

b. Relationship to Objectives and Principles of the *Reuse Plan*

This amendment would fulfill the objectives and planning principles outlined in the *Reuse Plan*. Those planning objectives articulated in the *Reuse Plan* include the following:

1. Be consistent with State, County, and Municipal planning policies.
This amendment is consistent with State, County, and Municipal planning policies, as set forth in the ensuing chapter.
2. Focus on business retention and attraction, job replacement, and employee training.
This amendment does not preclude business retention and attraction, job replacement, and employee training. It will create construction jobs and a residential development of this scale also involves some permanent job creation. This amendment would provide increased flexibility to aid FMERA in its efforts to attract new residents and businesses that wish to relocate to Fort Monmouth.
3. Be founded on market and economic analysis.
This amendment responds to the marketplace by permitting an alternative development scenario designed to attract diverse residents to the Oceanport Reuse Area.
4. Leverage Fort assets (people, infrastructure, location).
This amendment affords FMERA with an opportunity to leverage existing assets through the Reuse of Buildings 1077 and 1079 in the Nurses Quarters parcel to attract new residential uses that generate much-needed diverse housing opportunities and tax revenues.
5. Be a green community model.
The adaptive reuse of the buildings in the Nurses Quarters Parcel with surrounding redevelopments further the sustainability goals set forth in the Reuse Plan. The amendment encourages the creation of open space in close proximity to thirty-four (34) residential units and provide recreational opportunities the residents.

This amendment further advances a number of key planning principles from which the overall concepts in the *Reuse Plan* were devised:

- Principle #1: Decreasing Density West to East & Creating Mixed-Use Live/Work/Leisure Centers.* This amendment contemplates a mix of residential uses in existing and new buildings in a manner that promotes these planning principles.
- Principle #2: Link centers & increase mobility with connected transit infrastructure serving the region and the Fort.* This amendment does not preclude the potential to create an extensive system of bikeways, pedestrian trails and sidewalks as envisioned in the *Reuse Plan*. *The amendment requires a 5-foot-wide sidewalk on Main Street to promote walkability and pedestrian connectivity.*
- Principle #3: Enhance auto mobility and redevelopment capacity with targeted roadway infrastructure improvements.* This amendment does not preclude the enhancement of auto mobility and redevelopment capacity with targeted roadway infrastructure improvements as set forth in the *Reuse Plan*.
- Principle #4: Combine open space, habitat, and water resources to establish a continuous Blue – Green belt.* This amendment does not preclude the creation of an open space network consisting of environmentally sensitive areas, including wetlands, watercourses, and habitats. The amendment promotes green infrastructure and other low impact development strategies that will further improve the natural environment of the Fort area.
- Principle #5: Utilize the Blue – Green belt as an armature for enhanced bicycle and pedestrian mobility throughout the Fort.* This amendment would not preclude the development of the bike path or trails envisioned as part of the *Reuse Plan*.
- Principle #6: Remove Fort boundaries & extend existing land uses to reconnect the Fort to the communities.* This proposed amendment encourages a well-connected campus within the proposed development area as well as creates opportunities to build strong connection between the local community and the Fort Area both physically and economically. Further, this amendment would not preclude any gates into the Fort, nor inhibit public access to the Fort's amenities.
- Principle #7: Leverage existing Fort Monmouth assets (People, Buildings, Technology, and Infrastructure).* This amendment affords FMERA with an opportunity to leverage existing assets of the Oceanport Reuse Area, i.e., reuse and new construction of the residential units in the Nurses Quarters parcel that would create a diverse housing opportunity for local residents and generate tax revenues. The amendment would not involve the removal of any buildings identified in the *Reuse Plan* as being required for preservation.

In summary, this amendment is consistent with the *Reuse Plan* elements, objectives and planning principles.

a. Relationship to FMERA Directive

To implement the *Fort Monmouth Reuse and Redevelopment Plan*, the New Jersey State legislature empowered the Fort Monmouth Economic Revitalization Authority (FMERA) to adopt any modifications or amendments to the *Reuse Plan* and adopt development and design guidelines and land use regulations to implement the plan. Pursuant to P.L.2010, c. 10 (N.J.S.A. 52:27I-18 et. seq.), FMERA's purpose is the following:

to oversee, administer, and implement the [Reuse Plan] as provided in this act, in a manner that will promote, develop, encourage, and maintain employment, commerce, economic development, and the public welfare; to conserve the natural resources of the State; to provide housing, including housing to address identified needs related to homelessness; and to advance the general prosperity and economic welfare of the people in the host municipalities, the county, and the entire State by cooperating and acting in conjunction with other organizations, public and private, to promote and advance the economic use of the facilities located at Fort Monmouth.

The *Reuse Plan* amendment would advance both FMERA's stated purpose and the public welfare, by promoting, developing, encouraging and maintaining employment and economic development, and it would advance the public welfare by furthering the adaptive reuse of an existing facility and roadway network at the Fort.

b. Relationship to FMERA's Land Use Rules

This amendment creates alternative development scenario and creates an overlay zone superseding some provisions of FMERA's Land Use Rules. In all situations where zoning issues and bulk standards are not specifically addressed herein, the FMERA's Land Use Rules, however, shall remain in effect.

VI. Relationship to State, County and Municipal Planning Objectives

a. State Development and Redevelopment Plan (SDRP)

On March 1, 2001, the State Planning Commission readopted the State Development and Redevelopment Plan (SDRP). In the SDRP, the Oceanport Reuse Area is classified as Planning Area 1, Metropolitan Planning Area (PA-1). The SDRP defines Metropolitan Planning Areas as areas that "provide for much of the state's future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities." The amendment is well-reconciled with the guiding policies and policy objectives of

the adopted SDRP for the Planning Area 1, Metropolitan Planning Area.

Consistent with the goals for the PA-1, this amendment promotes the type of redevelopment needed to transform this area of the Oceanport Reuse Area, into a vibrant, mixed- use community with compact development that will ensure efficient utilization of scarce land resources while also carefully protecting the character of surrounding communities. Also, in accordance with the objectives for PA-1, the amendment allows for redevelopment in a location well served by existing transportation networks, which is consistent with the plans for the Oceanport Reuse Area.

b. Monmouth County Open Space Plan

The Monmouth County Open Space Plan, adopted by the Monmouth County Planning Board in August 2006 as an element of the Monmouth County Growth Management Guide, specifically advocates the acquisition of a portion of the Fort Monmouth property as a new County park site. To fulfill this acquisition, Monmouth County filed a Notice of Interest for park and recreation lands within Fort Monmouth. The County subsequently filed an application to the National Park Service's Federal Lands to Park Program for a Public Benefit Conveyance, which was endorsed by the three host municipalities of Eatontown, Oceanport and Tinton Falls. This amendment is not inconsistent with the County's goals for open space in the Oceanport Reuse Area.

c. Fort to Village Plan: A Vision for Oceanport's Fort Monmouth

Although the development of the former Fort properties in Oceanport will be governed by the land use regulations and design guidelines adopted by FMERA, as a point of information, the former Fort properties in Oceanport are included within the "master plan" for Fort Monmouth, i.e., the *Reuse and Redevelopment Plan*. However, a vision for the redevelopment of the fort is provided in ***Fort to Village Plan: A Vision for Oceanport's Fort Monmouth***. This document was incorporated as an amendment to the Master Plan which was adopted by the Oceanport Planning Board on April 23, 2008.

The Fort to Village Plan calls for the area surrounding the Patterson Medical Center Area, presently Beacon of Life Pace Program, an adult care facility area, to be zoned for mixed-use medical office park uses, schools, and residential uses to allow townhouses. The Nurses Quarter Parcel is in close proximity to the Beacon of Life Pace Program - adult care facility area. The amendment permits residential opportunities to support surrounding land uses which is generally consistent with the uses contemplated for the area in the Fort to Village Plan.

d. Oceanport Zoning

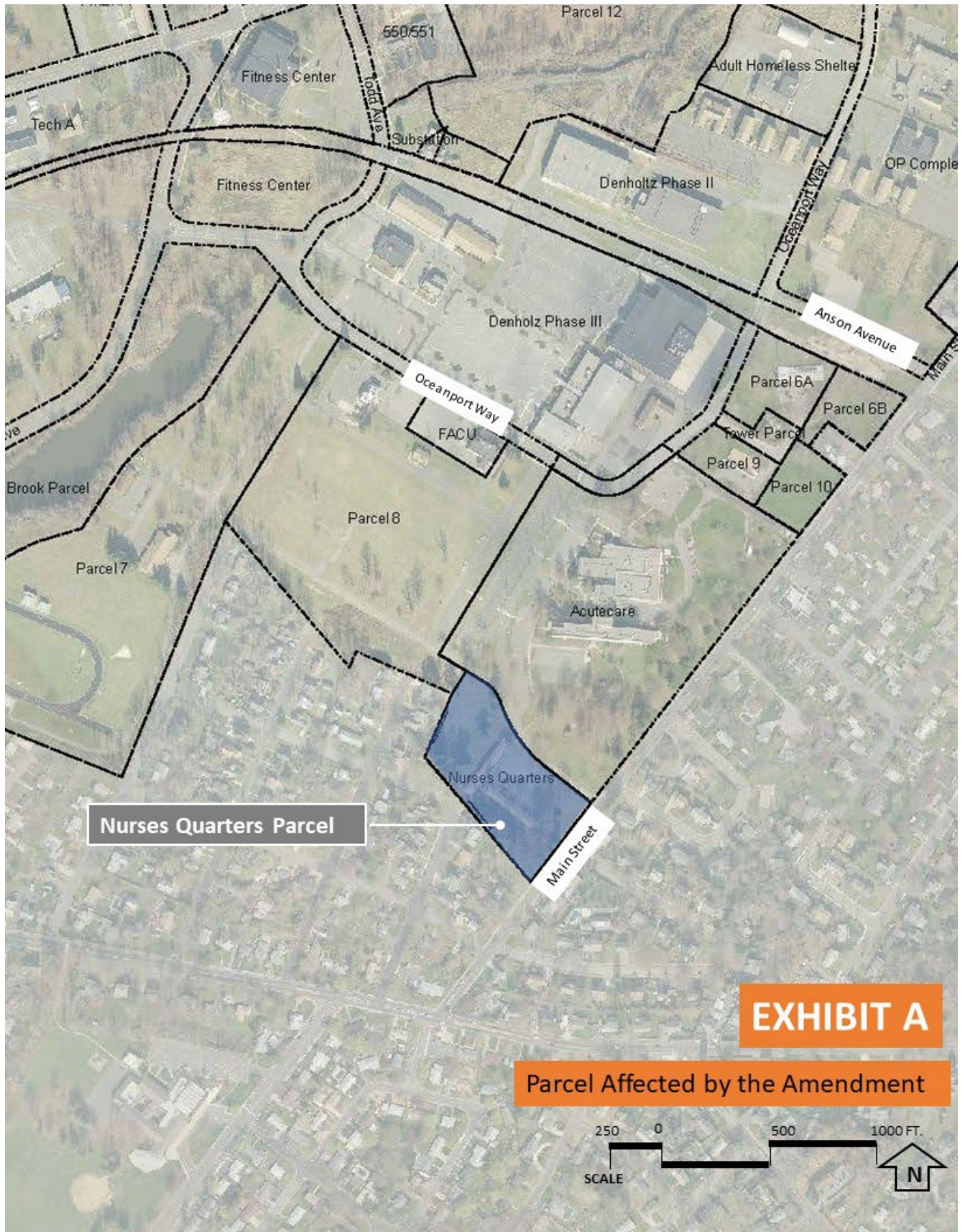
The area affected by the proposed amendment lies within the Borough's R-1: Single-Family Residential District under the municipality's current zone plan. This designation permits single-family detached dwellings, parks and playgrounds, municipal buildings, libraries and public schools. The minimum lot size is 30,000 square feet, the maximum height is two stories, or thirty-five feet and the maximum density is 1.5 dwelling units per acre. The *Reuse Plan* and Land Use Rules, however, supersedes the Oceanport Zoning.

VI. Conclusion

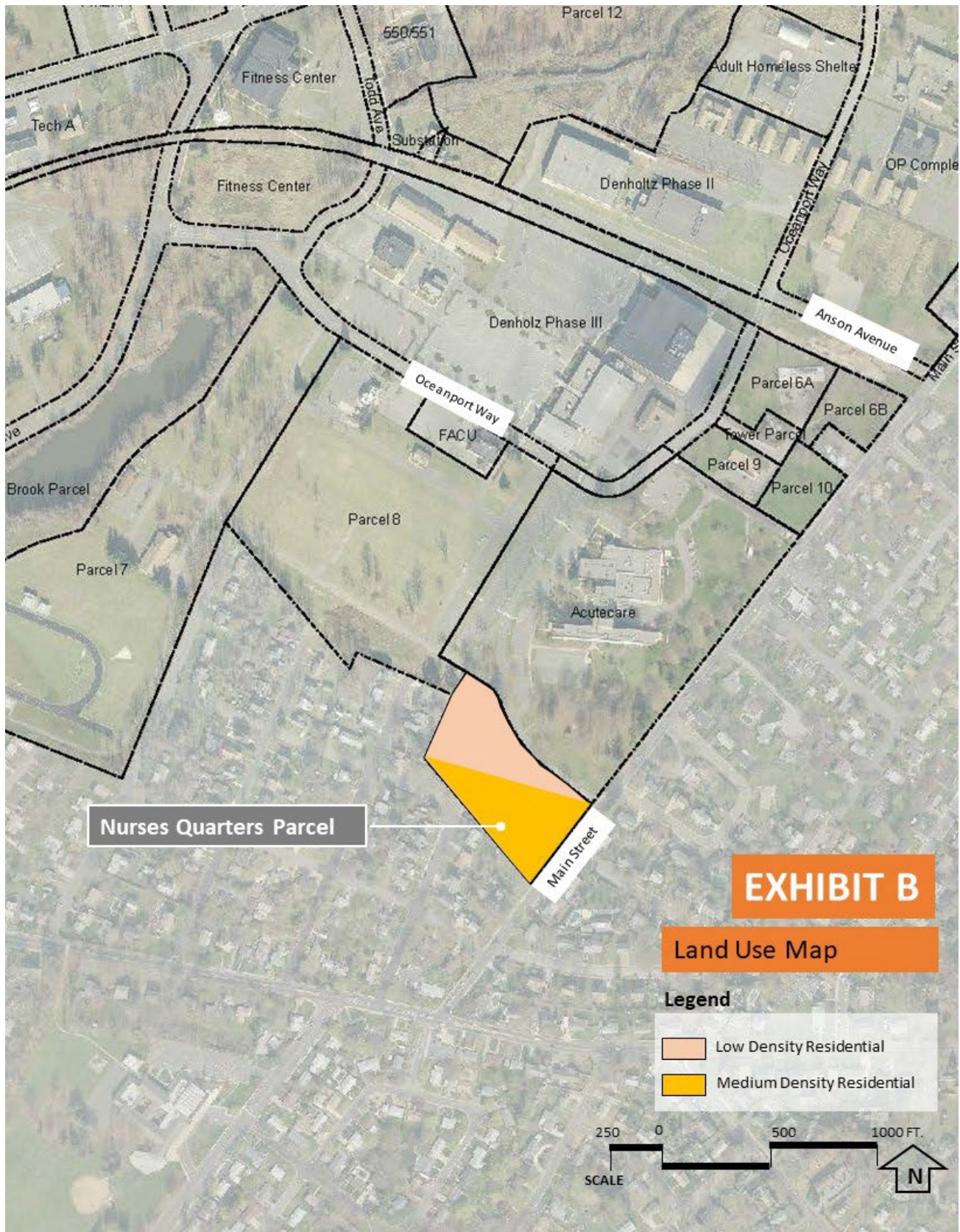
The subject amendment, referred to as Amendment #18 to the Fort Monmouth Reuse and Redevelopment Plan, maintains the land use concepts and plans articulated in the Reuse Plan. However, the amendment permits alternative development scenarios for the Oceanport Reuse Area.

This amendment is consistent with the objectives and principles in the Reuse Plan, as well as State, County and Municipal planning objectives. Furthermore, the amendment advances the public welfare, particularly with regard to promoting, developing, encouraging and maintaining employment. The amendment provides flexibility for FMERA to more effectively attract potential residential and non-residential uses to the Oceanport Reuse Area, thereby enabling it to fulfill its statutory mandate to create new jobs, regenerate the local tax base and advance the general prosperity and welfare of the people most impacted by the Fort's closure.

Exhibit A



Land Use Map





Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

CORRESPONDENCE (ID # 2403)

Meeting: 05/10/22 07:00 PM
Department: Planning/Zoning Board
Category: Referral to Planning Board
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2403

Referral from Governing Body - Land Development Ordinance Amendment

Proposed ordinance amending the Borough's Land Use Development Ordinance:

The proposed ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the Borough of Oceanport, County of Monmouth, State of New Jersey.

N.J.S.A. 40:55D-26. Referral powers

Referral powers. a. Prior to the adoption of a development regulation, revision, or amendment thereto, the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate. The governing body, when considering the adoption of a development regulation, revision or amendment thereto, shall review the report of the planning board and may disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following such recommendation. Failure of the planning board to transmit its report within the 35-day period provided herein shall relieve the governing body from the requirements of this subsection in regard to the proposed development regulation, revision or amendment thereto referred to the planning board. Nothing in this section shall be construed as diminishing the application of the provisions of section 23 of P.L. 1975, c. 291 (C. 40:55D-32) to any official map or an amendment or revision thereto or of subsection a. of section 49 of P.L. 1975, c. 291 (C. 40:55D-62) to any zoning ordinance or any amendment or revision thereto.

ORDINANCE #1051**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING THE BOROUGH'S LAND DEVELOPMENT ORDINANCE TO AUTHORIZE AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES**

This Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH.

WHEREAS, supporting the transition to electric vehicles contributes to the Borough of Oceanport's commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the Borough of Oceanport encourages increased installation of EVSE and Make Ready parking spaces; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, adoption of this ordinance will support the Master Plan of the Borough of Oceanport adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goals of the Master Plan as well as the land use, circulation, and other elements of the Master Plan; and

WHEREAS, in order to comply with the EV Law (P.L. 2019, c. 362) the Borough of Oceanport is amending the Borough's Land Development Ordinance to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey as follows:

FIRST: ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT**A. Purpose**

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.

4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

B. Definitions

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station." **{Note: Definition is directly from legislation and cannot be changed.}**

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.). **{Note: Definition is directly from legislation and cannot be changed.}**

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

C. Approvals and Permits

{Note: Section C. of the model ordinance is mandatory and may not be altered.}

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.

2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The Zoning Officer and Borough Engineer shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of the Borough of Oceanport's land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
 - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:
 - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
 - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
 - c. a one-time written correction notice is not issued by the Zoning Officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces

{Note: Section D of the model ordinance is mandatory and may not be altered.}

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
 - a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and

- c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
 - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
- a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
 - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
 - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
 - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
 - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
 - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above
 - h. Notwithstanding the provisions of Section E above, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

E. Minimum Parking Requirements

{Note: Section E of the model ordinance is mandatory and may not be altered. }

- 1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to ***{Section number for Parking Requirements}*** _____.
- 2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
- 3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
- 4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

{Note: Municipalities may deviate from the reasonable standards set forth in Section F to address installation, sightline, and setback requirements or other health- and safety-related specifications for EVSE and Make-Ready parking spaces. Nothing in this section of the ordinance shall be deemed to authorize a municipality to require site plan review by a municipal agency solely for the installation of EVSE or Make-Ready parking spaces.}

- 1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional

service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.

2. Installation:

- a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
- b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
- c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

3. EVSE Parking:

- a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE. **{Note: The use of time limits is optional and shall be determined by the owner.}**
- b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- c. Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of the Borough's Code. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.

{Note: Municipalities may establish alternative penalties than those listed above by ordinance.}

{Note: Municipality may put the locations of the publicly-accessible, municipally-owned EVSE parking spaces in this ordinance and the fees associated with charging/parking at those spaces. See Section 6. below for Usage Fees.}

- d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.

4. Safety

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with the Borough of Oceanport's ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.

- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the Borough of Oceanport shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitting at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.
- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - 2) Usage fees and parking fees, if applicable; and
 - 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees

- a. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

SECOND: SEVERABILITY

If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

THIRD: REPEAL OF PRIOR ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

FOURTH: EFFECTIVE DATE

This ordinance shall take effect after final passage and publication as provided by law.

APPROVED ON FIRST READING

DATED: March 17, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: May 19, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2354)

Meeting: 05/10/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2354

PB2022-06 Tennenbaum, Kent & Celia

Block 24, Lot 9

174 Comanche Drive

Applicant has requested the application be withdrawn without prejudice, 5/3/2022

Proposed 6' and solid fence where 4' and 50% open is permitted in front yard

HISTORY:

04/26/22 Planning/Zoning Board

Block 24, Lot 9

174 Comanche Drive

Proposed 6' and solid fence where 4' and 50% open is permitted in front yard

EXHIBITS:

- A-1 Land Development Application
- A-2 Pool Grading Plan prepared by MidState Engineering with Hand Notations for Proposed Fence & Landscaping
- A-3 Survey Update prepared by Lakeland Surveying, dated 08/24/2020
- A-4 Platform Detail

From: [Kent Tennenbaum](#)
To: [Jeanne Smith](#)
Subject: Fwd: Re Variance
Date: Tuesday, May 3, 2022 11:10:00 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:

From: Kent Tennenbaum <kenttennenbaum1@gmail.com>
Date: May 3, 2022 at 10:59:06 AM EDT
To: jsmith@oceanportboro.comlu
Subject: Re Variance

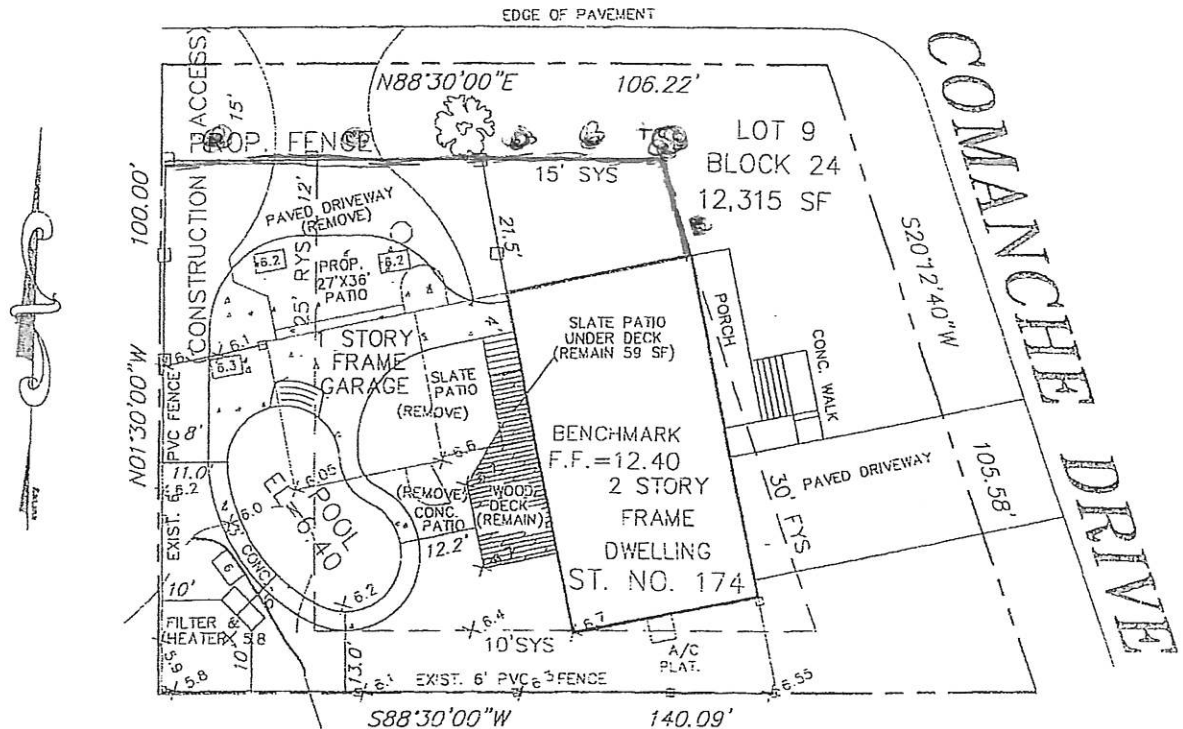
Please accept this email as official notification that we wish to request to
withdrawal the application without prejudice
Thank you
Kent Tennenbaum

Sent from my iPhone

MOHICAN AVENUE

50' R.O.W.

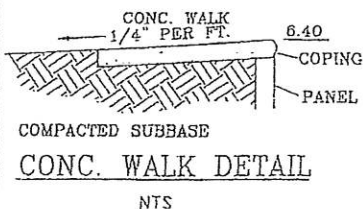
@ planting



PROPOSED 18' X 36' KIDNEY POOL WITH 3' CONC. WALK & PATIO

COVERAGE TABLE

DWELLING	1659 SF
GARAGE	582 SF
PORCH	170 SF
SIDE DRIVEWAY	968 SF
FRONT DRIVEWAY	714 SF
FRONT WALK	106 SF
REAR PATIOS	367 SF



LOT AREA = 12,315 SF

BUILDING IMP. COV.	= 2411 SF = 19.6%
EXIST. SURFACE COV.	= 2173 SF = 17.6%
EXIST. IMP. COVERAGE	= 4584 SF = 37.2%
REMOVE GARAGE. COV.	= -582 SF = -4.7%
REMOVE DRIVE & PATIO COV.	= -1294 SF = -10.5%
PROP. POOL & CONC. COV.	= 1810 SF = 14.7%
TOTAL IMP. COVERAGE	= 4518 SF = 36.7%

NOTES:

PROPERTY OF TENNENBAUM KNOWN AS
BLOCK 24 LOT 9 AS SHOWN ON THE TAX MAP
FOR THE BORO OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY

MAP REFERENCE: SURVEY BY OTHERS DATED 3/1/20
BM ELEVATION OF 12.40 FINISHED FLOOR (NAVD1988)

TEMPORARY ACCESS ALONG THE WEST SIDE OF THE HOUSE AS SHOWN.

PROPOSED CONCRETE WALK & PATIO, 4" THICK AS SHOWN (3000 PSI)

BACKWASH DISCHARGE TO STREET

ALL DAMAGED CURBING AND APRON WILL BE REPLACED
IN ACCORDANCE WITH BORO STANDARDS

PROPERTY TO BE RESTORED AND ALL DISTURBED AREAS TO BE
SEEDED OR SODDED WITHIN 10 DAYS AFTER FINAL GRADING

POOL GRADING PLAN

LOT 2.01 BLOCK 7
BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

THE CANNON GROUP, P.C

1466 ROUTE 88 W. SUITE B2
BRICK, NEW JERSEY, 08724
PHONE (732) 458-0003 FAX (732) 458-1103

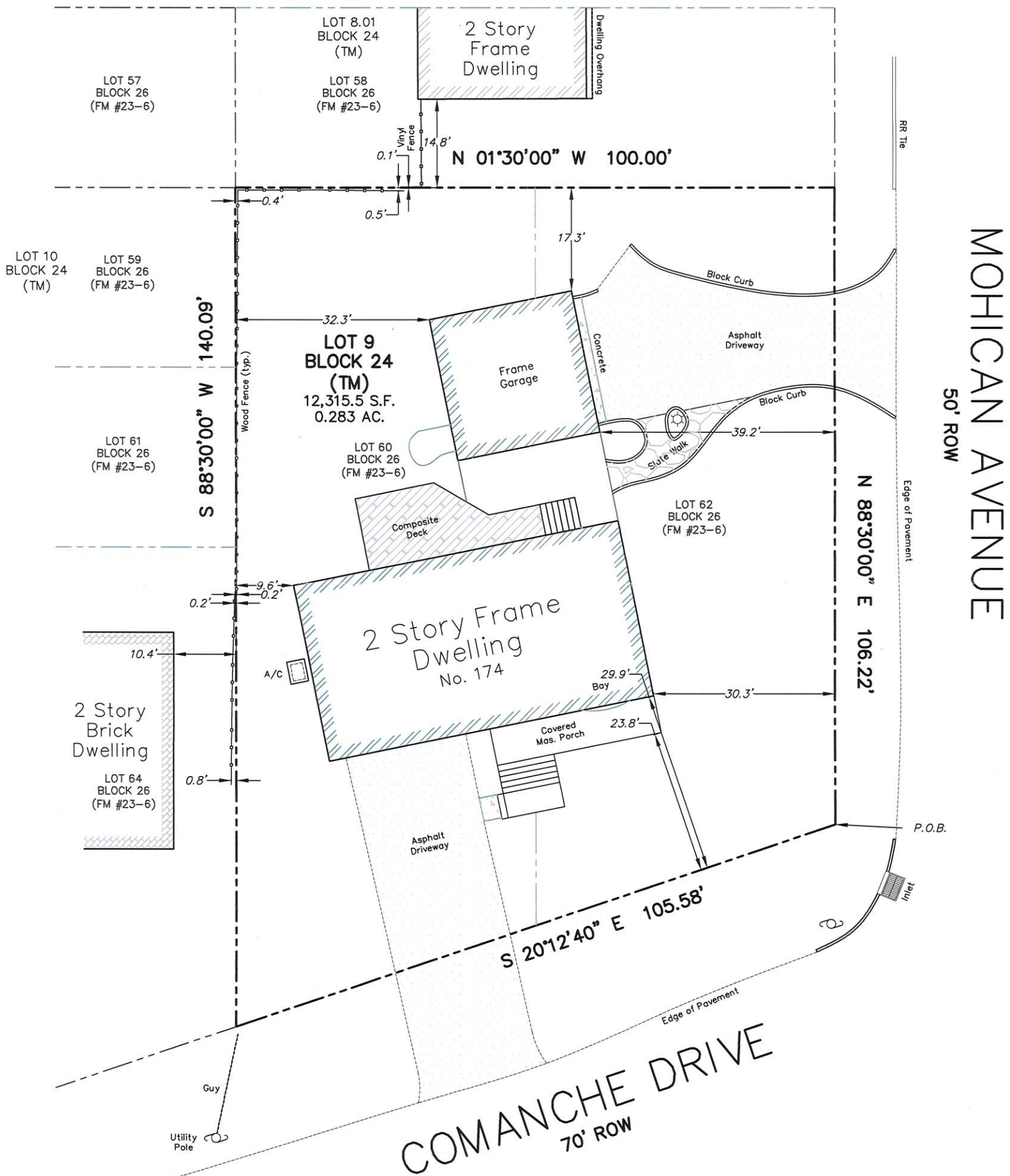
MICHAEL T. CANNON

PROF. ENGINEER & LAND SURVEYOR N.J. LIC. #34891

REVISION

CHK	MTC
DRN BY	MTC
DATE	5/19/21
SCALE	1"=20'
JOB #	21141
DWG	REVPOOL
SHEET	1 OF 1

DEED

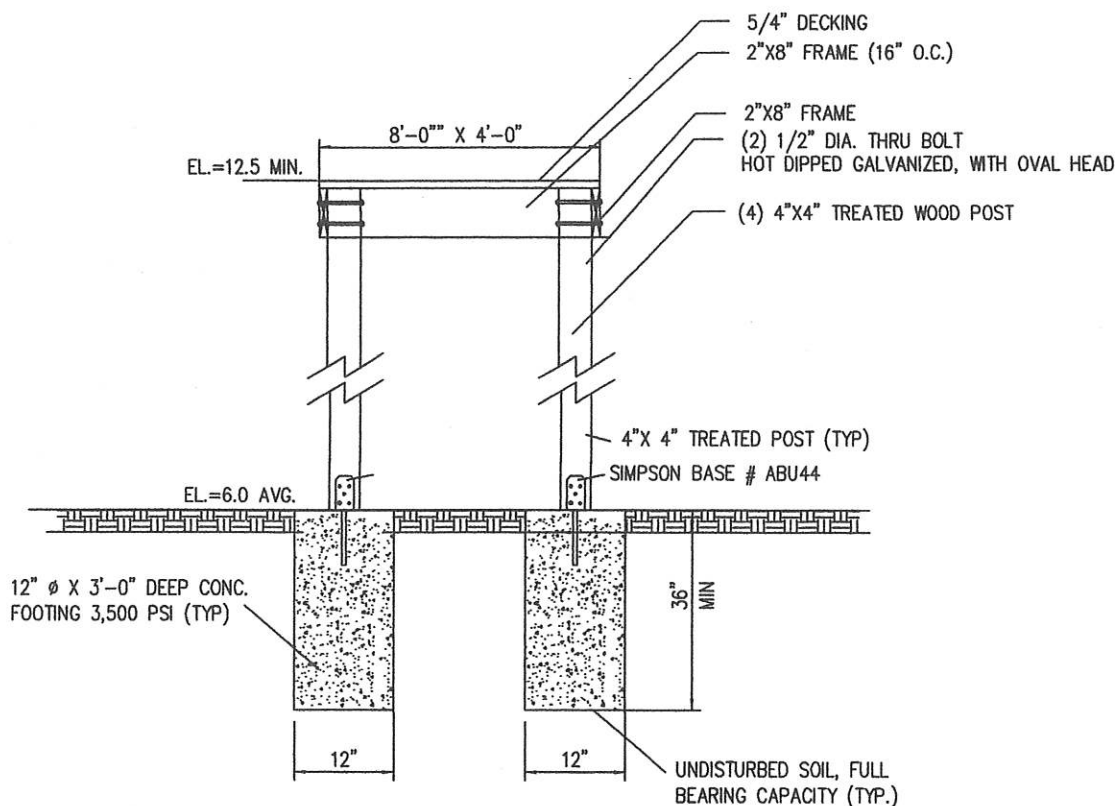


SURVEY UPDATE Tax Lot 9 - Block 24 174 Comanche Drive, Borough of Oceanport Monmouth County, New Jersey				<u>PROJECT NUMBER</u> 200472	Lakeland Surveying Certificate of Authorization #24GA28090000	Marc J. Cifone PROFESSIONAL LAND SURVEYOR	Jeffrey S. Grunn PROFESSIONAL LAND SURVEYOR
<u>REFERENCE NUMBER</u> -				4 West Main Street Rockaway NJ Ph: (973) 625-5670 Fx: (973) 625-4121 www.LakelandSurveying.com		Marc J. Cifone N.J. P.L.S. LIC. No. 240S04132900 Jeffrey S. Grunn N.J. P.L.S. LIC. No. 240S04132900	Packet Pg. 20

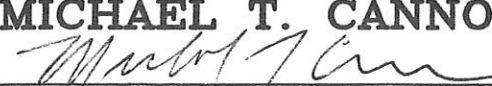
CONSTRUCTION NOTES:

1. ALL WOOD MEMBERS SHALL BE TREATED "ACQ OR EQUIVALENT".
2. ALL BOLTS AND METAL FASTENERS SHALL BE GALVINIZED.
3. SONOTUBES FOR CONCRETE PIERS TO BE BRACED PER MFG. SPECIFICATION TO ENSURE PLUMB INSTALLATION.

8.1.d



PROPERTY IN FLOOD ZONE AE 10 PER FIRM 34025C0184G
DATED 6/20/18

PLATFORM DETAIL LOT 2.01 BLOCK 7 BOROUGH OG OCEANPORT MONMOUTH COUNTY, NEW JERSEY		REVISION	
		3/23/22PLATHT	
THE CANNON GROUP, P.C 1466 ROUTE 88 W. SUITE B2 BRICK, NEW JERSEY, 08724 PHONE (732) 458-0003 FAX (732) 458-1103 MICHAEL T. CANNON  PROF. ENGINEER & LAND SURVEYOR N.J. LIC. #34891		CHK: MTC	
		DRN BY MTC	
		DATE 12/15/21	
		SCALE NONE	
		JOB # 21141	
		DWG # PLATDET	
		SHEET 1 OF 1	



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB 22-18

Meeting: 05/10/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2409

8.2

**RESOLUTION OF DISMISSAL WITHOUT PREJUDICE
OCEANPORT PLANNING BOARD
KENT & CELIA TENNENBAUM
174 COMANCHE DRIVE, OCEANPORT, NJ,
BLOCK 24, LOT 9
DISMISSAL DATE: MAY 10, 2022
MEMORIALIZATION DATE: MAY 10, 2022**

WHEREAS, Kent and Celia Tennenbaum previously submitted a Development Application to the Borough of Oceanport; and

WHEREAS, the said Application was submitted with respect to the property located at 174 Comanche Drive, Oceanport, NJ, and more formally identified as Block 24, Lot 9; and

WHEREAS, the Application materials were submitted in connection with the Applicant's request to obtain Bulk Variance Approval associated with a request to install a 6' solid fence in front yard where 4' and 50% open is permitted; and

WHEREAS, a Hearing was held on April 26, 2022; and

WHEREAS, at the time of the said Hearing, members of the public and Board Members expressed concerns for the extent of relief being sought and impacts on the adjacent neighbors and character of the neighborhood; and

WHEREAS, as a result, the Applicant requested to carry the application to the May 24, 2022 meeting date in order to consider plan revisions to address Board comments and public questions; and

WHEREAS, the Applicant subsequently has submitted in writing notice withdrawing said application,

NOW, THEREFORE, BE IT RESOLVED, by the members of the Oceanport Planning Board as follows:

1. That the Kent & Celia Tennenbaum Application (with respect to the 174 Comanche Drive, Oceanport, NJ property) is hereby **dismissed, without prejudice**.
2. That the Applicant shall cause all outstanding escrow charges (and other appropriate charges associated with the Planning Board Application) to be satisfied, in full.
3. That when and if appropriate, the Planning Board Secretary is authorized to advise the Borough's Finance Office that any replenished / remaining escrow can be returned to the Applicant.
4. That the Board Secretary, Board Attorney, and Zoning Officer are hereby authorized to take all reasonable actions necessary to effectuate the intentions of the within Resolution.
5. That the within Resolution shall take effect immediately.

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on May 10, 2022 on roll call that evening by the following vote:

Offered by: _____

Seconded by: _____

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Whitson	()	()	()	()	()
Kahle	()	()	()	()	()
Cooper	()	()	()	()	()
Foster	()	()	()	()	()
Tvrdik	()	()	()	()	()
Widdis, C.	()	()	()	()	()
Kleiberg	()	()	()	()	()
Davis	()	()	()	()	()
Dailey	()	()	()	()	()
Widdis, L. (Alt. #1)	()	()	()	()	()
Vacant (Alt. #2)	()	()	()	()	()

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

Whitson	()	()	()	()	()
Kahle	()	()	()	()	()
Cooper	()	()	()	()	()
Foster	()	()	()	()	()
Tvrdik	()	()	()	()	()
Widdis, C.	()	()	()	()	()
Kleiberg	()	()	()	()	()
Davis	()	()	()	()	()
Dailey	()	()	()	()	()
Widdis, L. (Alt. #1)	()	()	()	()	()
Vacant (Alt. #2)	()	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of May 10, 2022.

Jeanne Smith, Secretary



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB 22-19

8.3

Meeting: 05/10/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2405

PR-22- Resolution of Approval - 82 Tecumseh Ave

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
APPROVAL OF THE APPLICATION OF DOMENIC RANIERI
82 TECUMSEH AVENUE, BLOCK 15, LOT 7
APPROVED APRIL 26, 2022
MEMORIALIZED MAY 10, 2022**

INTRODUCTION

WHEREAS, Domenic Ranieri has made Application to the Oceanport Planning Board for the property designated as Block 15, Lot 7, commonly known as 82 Tecumseh Avenue, Oceanport, New Jersey, within the Borough's R-3 Zone, for the following approval: Bulk Variance Relief associated with a request to install a pool, deck, rear yard patio, shed, and fence at the site; and

PUBLIC HEARING

WHEREAS, the Board held a Public Hearing on April 26, 2022, Applicant's representatives 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:

- *Development Application, introduced into Evidence as A-1;*
- *Survey of property, prepared by Charles Surmonte, P.E., P.L.S., dated September 17, 2017, with hand-written notations set forth thereon, introduced into Evidence as A-2;*
- *Undated and marked-up copy of the Survey, prepared by Charles Surmonte, P.E., P.L.S., dated September 17, 2017, introduced into Evidence as A-3;*
- *Illustrated Renderings, consisting of 2 sheets, collectively introduced into Evidence as A-4;*

PR-22-19

05-10-22

- *Colliers Engineering & Design Review Memorandum, dated April 12, 2022, introduced into Evidence as A-5;*
- *A series of photographs / renderings of what the proposed finished product (pool) will look like, introduced into Evidence as A-6;*
- *Affidavit of Service; and*
- *Affidavit of Publication.*

WITNESSES

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

- Dominic Ranieri, 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 APPLICANT'S

REPRESENTATIVES

WHEREAS, testimony and other evidence presented by the Applicant and / or his representatives revealed the following:

- The Applicant herein is the Owner of the subject property.
- The Applicant has owned the subject property for approximately 5 years.
- There is an existing single-family home at the site.
- The Applicant lives at the site.
- The Applicant proposes to install a pool, deck, rear yard patio, shed, and fence at the site.
- Details pertaining to the proposed pool include the following:

Type of pool:	Above ground Pool
Size of pool:	18 ft. in diameter (per Plans)
Shape of pool:	Round
Location of pool:	Southern side of property (per Plans)

Pool Depth:	Approximately 52 inches
Pool Equipment:	Standard pool equipment, including a pump / filter.
Pool Equipment Location:	The pool equipment will be located on the eastern side of the property (per Plans).
Surrounding surface details:	There will be an elevated wood deck surrounding the pool (per Plans).
Anticipated pool installation date:	The Applicant anticipates having the pool installed in the very near future.

- Details pertaining to the proposed deck include the following:

Size:	Per Plans
Location:	Surrounding the pool (per Plans)
Material:	Wood

- Details pertaining to the proposed shed include the following:

Size of shed:	12 ft. X 10 ft.
Location:	Southern portion of property (off of Shrewsbury Avenue) (per Plans)
Purpose:	Storage of material

- Details pertaining to the proposed patio include the following:

Size:	Per Plans
Location:	Western portion of property (per Plans)
Materials:	Per Plans

- Details pertaining to the proposed fence include the following:

Type of fence:	Per Plans
Location:	Per Plans
Maximum fence height:	6 ft.

- The Applicant anticipates having the pool, deck, patio, shed and fence installed in the very near future.

VARIANCES

WHEREAS, the Application as amended requires approval for the following Variances:

FRONT YARD SETBACK: Under the Prevailing Regulations, a 30 ft. Front Yard Setback is required; whereas an 18 ft. setback is proposed from the deck to Shrewsbury Avenue;

ACCESSORY STRUCTURE (POOL) LOCATION: The Prevailing Ordinance does not permit an Accessory Structure (such as an above ground pool) to be located in a front yard area; whereas, in the within situation, the proposed above ground pool is located in a front yard area, 35 ft. from the Shrewsbury Avenue property line;

ACCESSORY STRUCTURE (SHED) LOCATION: The Prevailing Zoning Ordinance does not permit an Accessory Structure (such as a shed), to be located in a front yard area; whereas, in the within situation, the proposed shed is located in a front yard area, 17 ft. off of Shrewsbury Avenue;

FENCE DETAILS: The Prevailing Zoning Ordinance requires front yard fences to be no higher than 4 ft. and less than 50% solid. In the within situation, the Applicant proposes a 6 ft. high vinyl fence which is more than 50% solid (with the top 1ft. having an open type of design).

PUBLIC COMMENTS

WHEREAS, there were no public comments, questions, statements or objections associated with the subject Application;

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 82 Tecumseh Avenue, Oceanport, New Jersey, within the Borough's R-3 Zone.
3. The subject property contains approximately 0.38 acres, and the property is located to the southeast of the intersection of Tecumseh Avenue and Shrewsbury Avenue.

4. A single family home currently exists at the site.
5. The Applicant herein is requesting permission to install a pool, deck, patio, shed and fence at the site.
6. Such a proposal requires Bulk Variance Approval.
7. The Oceanport Planning Board is statutorily authorized to grant the requested relief and therefore, the matter is properly before the said entity.
8. With regard to the Application, and the requested relief, the Board notes the following:
 - The subject property has 2 technical front yard areas – i.e. 1 front yard area off of Shrewsbury Avenue and 1 front yard area off of Tecumseh Court.
 - The Applicant is proposing to install a pool, deck, rear yard patio, shed and fence.
 - Though the area of the subject property off of Shrewsbury Avenue is a technical front yard area, the same is the Applicant's functional rear yard area.
 - As indicated, the subject Lot has frontages on 2 streets.
 - The said situation results in the property having 2 technical front yard areas.
 - The fact that the property has 2 front yard areas compromises the ability of the Applicant to reasonably satisfy the Borough's Prevailing Pool Location Requirements.
 - The Board notes that the subject property is not shaped like a traditional square or rectangle. Rather, the subject property is shaped like a triangle.
 - The triangular nature of the subject property also complicates the ability of the Applicant to satisfy all Prevailing Zoning Regulations.
 - Under the circumstances, the said situation constitutes a hardship within the meaning of the New Jersey Municipal Land Use Law.
 - The unique features of the land, as aforesaid, compromise the ability of the Applicant to reasonably satisfy the Prevailing Zoning requirements.

- The Prevailing Municipal Zoning Regulations do not permit a pool to be located in a front yard area – whereas, in the within situation, the proposed pool is located in a technical front yard area.
- Presumably, the Municipal Regulations do not permit a pool to be located in a front yard area, as there is a legitimate municipal interest in attempting, when appropriate, to shield personal swimming / sun-bathing activity from public view.
- If the subject Lot were a traditional Lot, with 1 front yard area, 1 rear yard area, and 2 side yard areas, some of the requested Variance relief would not be necessary / appropriate.
- However, given the unique nature of the Lot, the fact that the same is surrounded by a public street on 2 sides, and given the triangular nature of the same, there is a need for Variance relief.
- The location of the pool / shed as proposed, is in a technical front yard area, but, in reality, the same will be placed in the functional / practical/more private area of the subject property.
- The location of the pool / shed as proposed, is offset so that the homeowner can still have a functional and useable outdoor / yard area.
- As indicated, an accessory structure (pool) in a front yard area should be appropriately shielded so as to minimize any adverse visual, noise, or functional impacts. In the within situation, the pool, or will be so shielded.
- In the within situation, the Applicant's representatives have agreed to place trees / landscaping along the property line (where the pool will be located). The said landscaping / trees shall serve as a visual / noise / aesthetic buffer. Moreover, the said plantings shall minimize any adverse impact associated with the within approval.
- In conjunction with the above point, as a condition of the within approval, the said landscaping shall be perpetually maintained / replaced / planted, as necessary, so that the visual / noise / aesthetic buffer always exists.
- The proposed host location for the pool / shed is logical and functional.
- The Board is aware that other similarly situated pools have been constructed in other technical front yard areas in other similarly situated properties.
- There are no health and safety concerns associated with the Variance relief granted herein.
- The single-family home is a permitted use in the Zone.

- The proposed pool / shed is a permitted accessory use in the zone.
- The Applicant considered a number of potential host locations for the pool, deck, patio, shed and fence, and the proposed locations approved herein are most appropriate / desirable for the subject site.
- The proposed host location of the pool / deck is near the existing home and near the utility hook-ups, etc., further justifying the appropriateness of the proposed host location.
- The pool complies with most Prevailing Setback Requirements.
- The Application as presented requires a Variance for a Front Yard Setback. Specifically, a 30 ft. Setback is required, whereas there is only an 18 ft. Front Yard Setback off of Shrewsbury Avenue (for the deck). The Board recognizes that the said Variance is a direct function / result of the 2 front yard areas on the property.
- As referenced, the justification which exists for the placement of the pool in the front yard area also exists with respect to the shed located in the same front yard area (off of Shrewsbury Avenue).
- The Applicant's representatives also essentially indicated that the deck size was designed to fill in the physical void between the home and the pool.
- The Application as presented also requires a Variance for the height of the fence. Specifically, a 4 ft. fence height is allowed; whereas the Applicant proposes a 6 ft. high fence.
- The Board is aware that given the 2 public roadways which surround the property, and the triangular nature of the property, there is a need for increased privacy (particularly in light of the proposed pool to be installed).
- The Board finds that the 6 ft. high fence approved herein will provide more privacy (than a 4 ft. fence).
- Per the testimony and evidence presented, given the location of the property, the proximity to the school, the amount of foot traffic in the area, and the triangular nature of the property, many individuals routinely cut-thru the property, which simultaneously invades the Applicant's privacy and the same also raises security concerns.
- As a result of the above, and per the testimony and evidence presented, the installation of a fence, as proposed, will minimize / prevent the amount of unauthorized foot traffic in the vicinity of the Applicant's home.

- Per the testimony and evidence presented, the installation of the fence, as proposed, will also help improve the overall safety for the occupants.
- The Board also recognizes that with the installation of the pool, and for other factors, there is a need for increased privacy security – and that the 6 ft. high fence approved herein will, in fact, provide such additional security.
- The Board also recognizes that the 6 ft. fence approved herein will aesthetically improve the overall appearance of the property.
- Per the testimony and evidence presented, the 6 ft. high fence approved herein will not compromise any Sight Triangle Easements at or around the property.
- Per the testimony and evidence presented, the 6 ft. high fence approved herein will not compromise public safety.
- Per the testimony and evidence presented, the 6 ft. high fence approved herein will not compromise the line of sight of any drivers or pedestrians.
- Per the testimony and evidence presented, the 6 ft. high fence approved herein will not violate any Prevailing Building / Construction Code Requirements.
- For the reasons set forth above, and otherwise discussed during the Public Hearing process, a majority of the Board has determined that the Variance for the Fence Height can be granted without causing substantial detriment to the public good.
- The Applicant provided extensive and compelling testimony in support of the Application, and the requested relief.
- Subject to the conditions set forth herein, the grading and drainage testimony / plans presented satisfied the technical concerns of the Board.
- Per the testimony and evidence presented and subject to the conditions contained herein, there will be no adverse drainage impacts associated with the within approval.
- Subject to the conditions contained herein, the Applicant's site can accommodate the Applicant's proposal.
- Per the testimony and evidence presented, there are no adverse health / safety / construction issues associated with the pool setbacks / location approved herein.

- Per the testimony and evidence presented, the installation of the pool approved herein will not compromise the health and safety of the occupants.
- There will be no adverse lighting or spill-over lighting associated with the placement of the pool / deck in the designated location.
- The pool will be shielded by shrubbery and/or fencing, etc. further ensuring that the proposed pool installation will not have an adverse impact on adjacent property owners.
- The pool will be appropriately shielded with landscaping / fencing.
- Subject to conditions contained herein, the location of the pool / deck will minimize, to the greatest extent possible, any disturbance to the neighboring property owners.
- Additionally, notwithstanding the Variance relief, the Board notes that the location of the proposed pool / deck is practical, appropriate, safe, functional, and aesthetically pleasing.
- The proposed pool / deck / fence will be attractive, aesthetically pleasing, and upscale, in accordance with Prevailing Community Standards.
- The Board notes that given the screening / buffering, the proposed pool / deck will not be readily seen from the public roads.
- The Board finds that the subject Lot can, in fact, physically accommodate the Applicants' proposal.
- The Board notes that there were no public objections in connection with the subject Application.
- Approval of the within Application will enhance/improve the quality of life for the owner.
- Subject to the conditions contained herein, the installation of the pool / deck / fence in the specified location, represents sound planning.
- The to-be installed above-ground pool is specifically designed for residential use.
- Approval of the within Application will not materially intensify the existing and to-be-continued single-family nature of the home/site.
- There is a rather intense discussion regarding the non-conforming fence – and the necessity for the non-compliant nature of the same. Some Board representatives were of the opinion that the fence was just too non-conforming, and that a smaller fence could sufficiently provide

the necessary privacy and security. Some Board representatives were of the opinion that the 6 ft. fence, as initially proposed, was appropriate; while other Board Members were of the opinion that a 6 ft. fence was not appropriate for the site. After debate and discussion, a majority of the Board has determined that a 6 ft. fence, was appropriate (with the top 1 ft. having an open design).

- A majority of the Board has determined that the proposed 6 ft. fence would sufficiently protect and promote the Applicant's privacy / security concerns, while not causing any substantial detriment to the public good.
- The non-unanimous nature of the within approval reflects the civil and good faith debate / discussion which ensued relative to the relief sought.
- Sufficiently detailed Plans were submitted.
- Subject to the conditions contained herein, the location of the pool / deck / fence will minimize, to the greatest extent possible, any disturbance to the neighboring properties.
- 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, a majority of the Board is of the 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 Applicant has agreed, to comply with the following conditions:

- a. The Applicant shall comply with all commitments, promises, and representations made at or during the Public Hearing process.
- b. The Applicant shall comply with the terms and conditions of the Colliers Engineering and Design Review Memorandum, dated April 12, 2022. (A-5)
- c. The Applicant shall cause the Plans to be revised so as to portray and confirm the following:
 - Confirmation that the fence has been relocated so that the same is 3 ft. off of the Shrewsbury Avenue property line (for the length of the Shrewsbury Avenue portion of the fence).
 - Confirmation that the fence shall be 6 ft. all around, with the top 1 ft. having an open type of design).
 - Confirmation that landscaping shall be placed along the fence (on the Applicant's property) (the details of which shall be approved by the Board Engineer).
 - Confirmation that any lighting at the site (associated with the pool) shall be downward lighting.
 - Confirmation that the deck shall have code-compliant railings.
 - Confirmation that the Applicant shall arrange for plantings (perhaps green giants) to be placed all along the Shrewsbury Avenue and Tecumseh Avenue frontages of the property (the details of which shall be approved by the Board Engineer).
 - Confirmation that there shall be no interference with any sight triangle easements.
 - Confirmation that the distance between the deck / rail and the pool shall comply with Prevailing Building / Construction Code Requirements.
- d. The Applicant shall perpetually maintain, replace, and replant landscaping at the site as necessary.
- e. There shall be no light spillover onto the adjacent properties.
- f. The Applicant 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

- g. There shall be no adverse drainage impact on the adjoining properties.
- h. The Applicant shall comply with any Prevailing Affordable Housing Rules, Regulations, Directives, Contributions as may be required by the State of New Jersey, the Borough of Oceanport, C.O.A.H., the Court System, and any other Agency having jurisdiction over the matter.
- i. The Applicant shall arrange for the pool to be fenced in accordance with Prevailing Building / Construction Code Requirements (including, but not limited to, gate modifications, fence location, etc.)
- j. The Applicant shall ensure that the location / elevation of the pool equipment shall comply with Prevailing Construction Department Regulations (regarding base flood elevation).
- k. The Applicant shall ensure that lighting associated with the proposed improvement does not adversely spill over on to adjacent properties.
- l. The construction / installation shall be strictly limited to the Plans which are referenced herein, and which are incorporated herein at length. Additionally, the installation shall comply with Prevailing Provisions of the Uniform Construction Code.
- m. The Applicant 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.
- n. The Applicant 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.
- o. The Applicant 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 Applicant shall be deemed conditions of the approval granted herein, and any mis-representations or actions by the Applicant 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 Applicant's 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 Applicant 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 installation.

SUMMARY OF VARIANCES GRANTED

FRONT YARD SETBACK: Under the Prevailing Regulations, a 30 ft. Front Yard Setback is required; whereas an 18 ft. setback is approved (from the deck to Shrewsbury Avenue);

ACCESSORY STRUCTURE (POOL) LOCATION: The Prevailing Ordinance does not permit an Accessory Structure (such as an above ground pool) to be located in a front yard area; whereas, in the within situation, the Board has approved the installation of an above ground pool in a front yard area, 35 ft. from the Shrewsbury Avenue property line;

ACCESSORY STRUCTURE (SHED) LOCATION: The Prevailing Zoning Ordinance does not permit an Accessory Structure (such as a shed), to be located in a front yard area; whereas, in the within situation, the proposed shed is located in a front yard area, 17 ft. off of Shrewsbury Avenue;

FENCE DETAILS: The Prevailing Zoning Ordinance requires front yard fences to be no higher than 4 ft. and less than 50% solid. In the within situation, the Board has approved the installation of a 6 ft. high vinyl fence which is more than 50% solid (with the top 1 ft. having an open design).

PR-22-19

05-10-22

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on April 26, 2022 on roll call that evening by the following vote:

Offered by: _____

Seconded by: _____

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Whitson	()	()	()	()	()
Kahle	()	()	()	()	()
Cooper	()	()	()	()	()
Foster	()	()	()	()	()
Tvrdik	()	()	()	()	()
Widdis, C.	()	()	()	()	()
Kleiberg	()	()	()	()	()
Davis	()	()	()	()	()
Dailey	()	()	()	()	()
Widdis, L. (Alt. #1)	()	()	()	()	()
Vacant (Alt. #2)	()	()	()	()	()

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

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Whitson	()	()	()	()	()
Kahle	()	()	()	()	()
Cooper	()	()	()	()	()
Foster	()	()	()	()	()
Tvrdik	()	()	()	()	()
Widdis, C.	()	()	()	()	()
Kleiberg	()	()	()	()	()
Davis	()	()	()	()	()
Dailey	()	()	()	()	()
Widdis, L. (Alt. #1)	()	()	()	()	()
Vacant (Alt. #2)	()	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of May 10, 2022.

Jeanne Smith, Secretary

KEK/dmp
Z:\KevinKennedyLaw\Municipal\Oceanport Planning Board\Ranieri (pool deck patio shed fence)\Resolution.docx

**Planning/Zoning Combined Board**

PO Box 370
Oceanport, NJ 07757

SCHEDULED**PLANNING BOARD APPLICATION (ID # 2368)**

Meeting: 05/10/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2368

PB2022-08 Molina, Bruno

Block 12, Lot 13
144 Monmouth Blvd.

Proposed installation of in-ground pool and patio seeking relief for impervious coverage of 47.4% where 37% permitted and proposed 6' setback from the attached deck to the pool does not comply with the 10' required setback.

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



April 14, 2022

VIA EMAIL

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

144 Monmouth Boulevard – Bulk Variances
Block 12, Lot 13
Application No. PB2022-08
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0321

Dear Board Members,

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

- Plans entitled "Proposed Swimming Pool Topography Plan," prepared by Martin G. Miller, III, Professional Engineer & land Surveyor, dated October 20, 2021, consisting of three (3) sheets.
- Plans entitled "Plan of Survey" prepared by Leeper Land Group, LLC, dated September 23, 2021, consisting of one (1) sheet.
- Oceanport Planning Board Land Use Development Application dated March 9, 2022 consisting of five (5) pages.

The subject property is a 18,750 SF (0.43-acre) parcel located in the R-3 Residential Zone. The property is located on the south side of Monmouth Boulevard approximately 1,250 west of Port Au Peck Avenue. An existing single-family dwelling is presently located on the lot along with a paved driveway, walkways, basketball court, shed, rear deck and patio. The Applicant proposes to install an inground pool and associated patio.

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. Pools shall be located no less than 10 feet from the side or rear of the residence on a building lot, nor shall such pool be located less than 10 feet from any property line. The proposed pool is located 6 feet from the rear deck.
 - b. Impervious Coverage: The Applicant proposes 47.4% impervious coverage where only 37% is permitted in the R-3 Zone.

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 of 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 property is located in a Flood Hazard Area. All pool equipment must be located at elevation 12.4 or higher.
2. The basketball court encroaches into Lot 26. The Applicant shall clarify who owns the fencing along the southern and eastern property lines.

Project No. OPP-0321
April 14, 2022
Page 3 | 3



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

Sincerely,

Colliers Engineering & Design

A handwritten signature in blue ink, appearing to read "W.H. White, III".

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

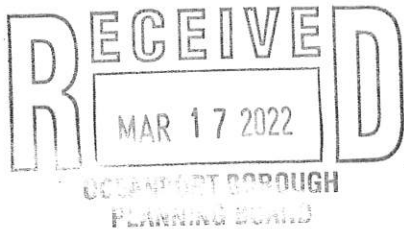
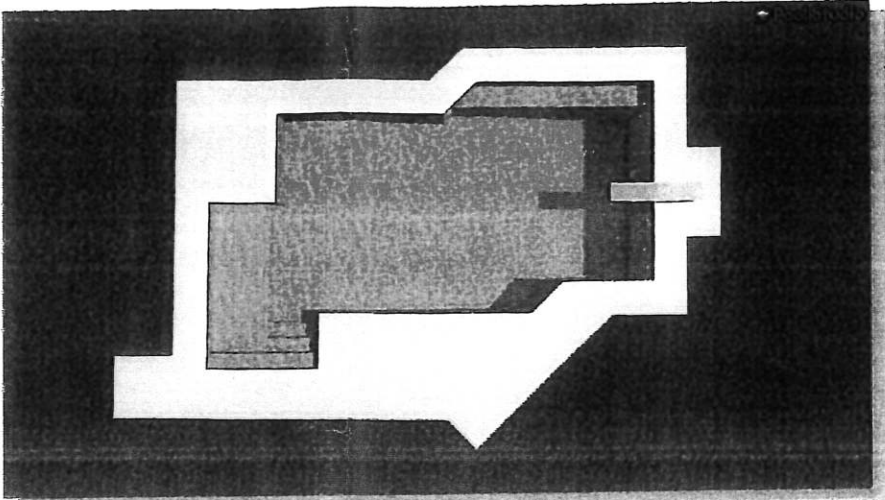
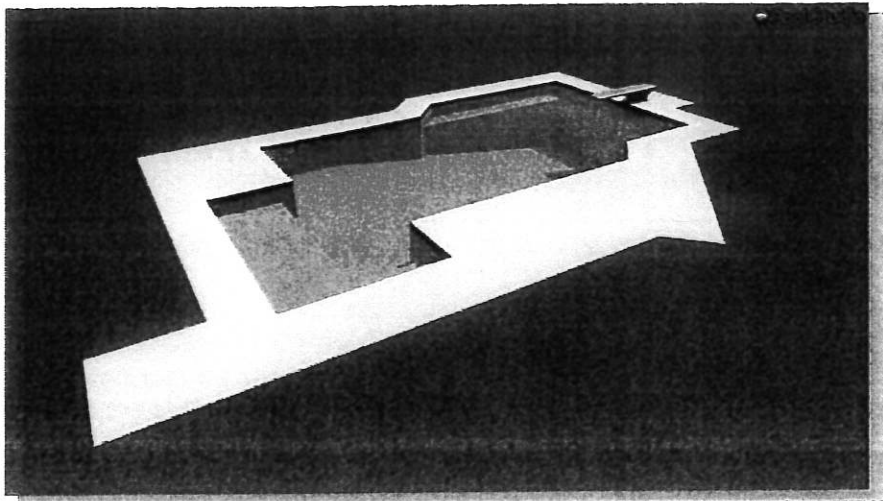
WHW/dmm

cc: Bruno Molino (via email)

r:\projects\m-p\opp\opp0321\correspondence\out\220414_whw_144_monmouth_review#1.docx

MOLINO RESIDENCE

144 MONMOUTH BLVD
TOWNSHIP OF OCEANPORT, NJ 07757



NOTE:
HOMEOWNER WILL HOLD POOLTOWN, INC. HARMLESS FOR ANY DAMAGES ARISING FROM INACCURACIES IN THE ORIGINAL SURVEY. HOMEOWNER WILL ASSUME ALL RESPONSIBLY FOR CURING ANY INACCURACIES.

ANY DEVIATION FROM THIS PLAN, REQUESTED OR PERFORMED BY HOMEOWNER IS SOLELY THE HOMEOWNER'S RESPONSIBILITY AND COST.

THIS PLAN MAY SHOW ITEMS NOT SPECIFICALLY INCLUDED IN THE CONTRACT BETWEEN POOLTOWN, INC. AND THE HOMEOWNER. EXAMPLES OF SUCH ITEMS INCLUDE, BUT ARE NOT LIMITED TO, RETAINING WALLS, FENCING, DRAINAGE SYSTEMS, MOVING UNDERGROUND UTILITIES, GRADING, AND ADDITIONAL FILL. THESE ITEMS AND OTHER ITEMS SHOWN HERE, BUT NOT INCLUDED IN THE CONTRACT, ARE THE RESPONSIBILITY OF THE HOMEOWNER.

- GENERAL NOTES:
1. THIS POOL TOPOGRAPHIC PLAN IS NOT AND SHALL NOT BE CONSTRUCTED TO BE A BOUNDARY SURVEY PREPARED BY A LICENSED LAND SURVEYOR.
 2. THE CONTRACTOR TO VERIFY THE LOCATION OF ALL PUBLIC UTILITIES PRIOR TO TO THE START OF CONSTRUCTION. UTILITIES SHOWN ARE PER VISUAL OBSERVATION OF PHYSICAL FEATURES AND/OR EXISTING MARK-OUTS AND LOCATION ARE APPROXIMATE. THE POOL CONTRACTOR IS NOT RESPONSIBLE FOR THE PRESENCE OF UNDERGROUND UTILITIES OR STRUCTURES IF THEY ARE NOT VISIBLE OR OR OTHERWISE DISCLOSED BY ANY OF THE ABOVE DATA. THE POOL CONTRACTOR SHALL UTILIZE THE SERVICE OF "CALL DIG" (1-800-272-1000) TO ACCURATELY LOCATE UTILITIES.
 3. THE POOL IS TO BE SECURED BY MINIMUM 4' FENCE WITH SELF-LATCHING AND CLOSING GATES BY THE PROPERTY OWNER. EXISTING AND PROPOSED FENCE AND ALL OTHER CONSTRUCTION SHALL COMPLY WITH NJ IRC 2018 SECTION R326.1 WITH AMENDMENTS TO THE ISPSC. ALL FENCES USED TO SECURE THE POOL SHALL BE OWNED BY THE PROPERTY OWNER UNLESS EXPRESS WRITTEN WAVIER IS PROVIDED BY THE CITY/TOWN/TOWNSHIP/VILLAGE. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER AND THEIR FENCE CONTRACTOR TO ENSURE THE FENCE COMPLIES WITH ALL REQUIREMENTS.
 4. ALL ELECTRICAL EQUIPMENT MUST COMPLY WITH AND BE LOCATED IN COMPLIANCE WITH THE NATIONAL ELECTRICAL CODE.
 5. THE CONTRACTOR SHALL PROTECT ALL EXISTING STRUCTURES FROM DAMAGE AND/OR FAILURE BY ACCEPTABLE METHODS, AS MAY BE REQUIRED BY OSHA OR OTHER REGULATORY AGENCIES.
 6. THE POOL CONTRACTOR AND PROPERTY OWNER SHALL VERIFY THE POOL LAYOUT AND ALL DIMENSIONS PRIOR TO CONSTRUCTION.
 7. THE PROPERTY OWNER IS RESPONSIBLE FOR ANY NECESSARY ENVIRONMENTAL PERMITS.
 8. BY USE OF THIS POOL TOPOGRAPHIC PLAN FOR THE PURPOSE OF OBTAINING A PERMIT TO CONSTRUCT, THE PROPERTY OWNER AND POOL COMPANY AGREE TO THE PROPOSED POOL LOCATION, CONCRETE, OPERATING EQUIPMENT AND GRADING ASSOCIATED WITH THE PROPOSED SWIMMING POOL. ANY DEVIATION FROM THAT WHICH IS SHOWN ON THIS POOL TOPOGRAPHIC PLAN SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER FOR COMPLIANCE WITH ALL REGULATORY REQUIREMENTS.
 9. WHEN A SLIT FENCE IS REQUIRED, ALL DISTURBED AREAS SHALL BE STABILIZED WITH SEED OR LANDSCAPING. THE SILT FENCE SHALL BE INSTALLED PRIOR TO ANY EXCAVATION.
 10. EXISTING FENCING, IF ANY, SHALL NOT BE UTILIZED TO LOCATE THE PROPOSED POOL.
 11. MINIMUM 1% AND MAXIMUM 4:1 GRADING TO BE PROVIDED IN AREAS OF POOL CONSTRUCTION.
 12. THIS POOL TOPOGRAPHIC PLAN IS TO BE UTILIZED ONLY FOR THE CONSTRUCTION OF AN IN-GROUND SWIMMING POOL.
 13. THERE WILL BE NO DEVIATION FROM THIS TOPOGRAPHIC PLAN WITH OUT APPROVAL, IN WRITING, FROM THE CITY/TOWN/TOWNSHIP/VILLAGE/BOROUGH ENGINEER.

 POOL TOWN, INC. 5500 Rt 9 HOWELL, NJ 07731 TEL: 800.882.0162 FAX: 732.354.1815 www.PoolTownNJ.com		MOLINO RESIDENCE BLOCK 12, LOT 13 OCEANPORT TOWNSHIP, NEW JERSEY 07757		COVER SHEET		Date 10/20/21
						Scale AS NOTED
		MARTIN G. MILLER III PROFESSIONAL ENGINEER & LAND SURVEYOR 267A GLEN ROAD MONROE, NJ 08831 PHONE: (732) 580.7689 martingmiller111@gmail.com		 MARTIN G. MILLER III NJ PROF. ENGR. & LAND SURVEYOR NJ LICENSE NO. 20363		Project 2210818
						Sheet 1 OF 3
No.	Date	Revision/Issue				

COVERAGE CALCULATIONS
TOTAL LOT AREA

18,750 SQ. FT. = 100%

EXISTING:

DWELLING	2,760 SQ. FT.
FRONT PORCH & WALK	511 SQ. FT.
DRIVEWAY	2,128 SQ. FT.
REAR PATIO AREAS	383 SQ. FT.
BASKETBALL COURT	1,283 SQ. FT.
SHED AND PATIO	165 SQ. FT.

SUB-TOTAL EXISTING IMPERVIOUS
LOT COVERAGE

7,230 SQ. FT. = 38.5%

PROPOSED:

POOL PATIO	904 SQ. FT.
POOL WATER	745 SQ. FT.

SUB-TOTAL PROPOSED IMPERVIOUS
LOT COVERAGE

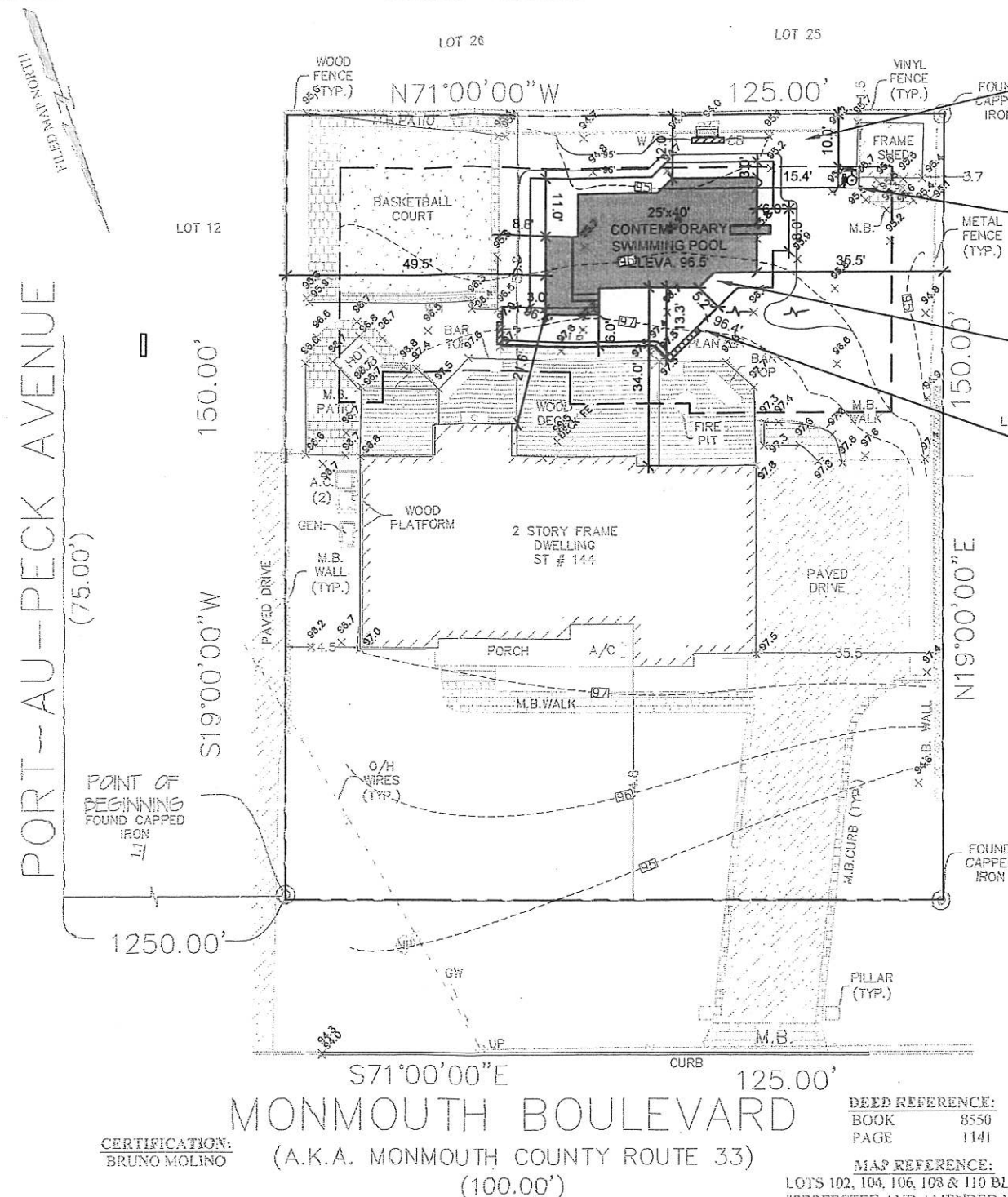
1,649 SQ. FT. = 8.8%

TOTAL IMPERVIOUS
LOT COVERAGE

8,879 SQ. FT. = 47.4%

TOTAL MAXIMUM IMPERVIOUS
LOT COVERAGE

6,937.5 SQ. FT. = 37%
*needs variance



TOPOGRAPHY PLAN
1" = 30'

LEGEND

- x70.6 EXISTING POINT GRADE
- x70.6 NEW POINT GRADE
- FLOW / PITCH
- EXISTING TOPO LINE
- NEW TOPO LINE
- PROPERTY LINE
- SET BACK LINE
- CENTERLINE OF POOL
- NEW FENCE LINE
- EXISTING FENCE LINE
- POOL FILTER LOCATION

POOL FILTER LOCATION APPROX.
±18.3' FROM WATER LINE

(NOTE: NOT ALL SYMBOLS REQUIRED TO BE SHOWN ON LAYOUT PLAN)

HOMEOWNER'S APPROVAL OF PLAN

I HAVE READ, UNDERSTAND AND APPROVE THIS TOPOGRAPHICAL PLAN.
THIS PLAN WILL BE SUBMITTED IN ORDER TO OBTAIN PERMIT APPROVALS. UPON SIGNING THIS PLAN,
NO FURTHER CHANGES IN THE PLAN CAN BE MADE

HOMEOWNERS SIGNATURE _____ DATE _____

NOTE:

POOL TOPOGRAPHIC PLAN BASED ON LOCATION SURVEY BY DAREN C. LEEPER, NJPLS #GS43340
DATED 09/23/2021 AND TOPOGRAPHY BY DAREN C. LEEPER, NJPLS #GS43340 DATED 08/27/2021 AND
PROVIDED BY THE HOMEOWNER TO POOLTOWN, INC.

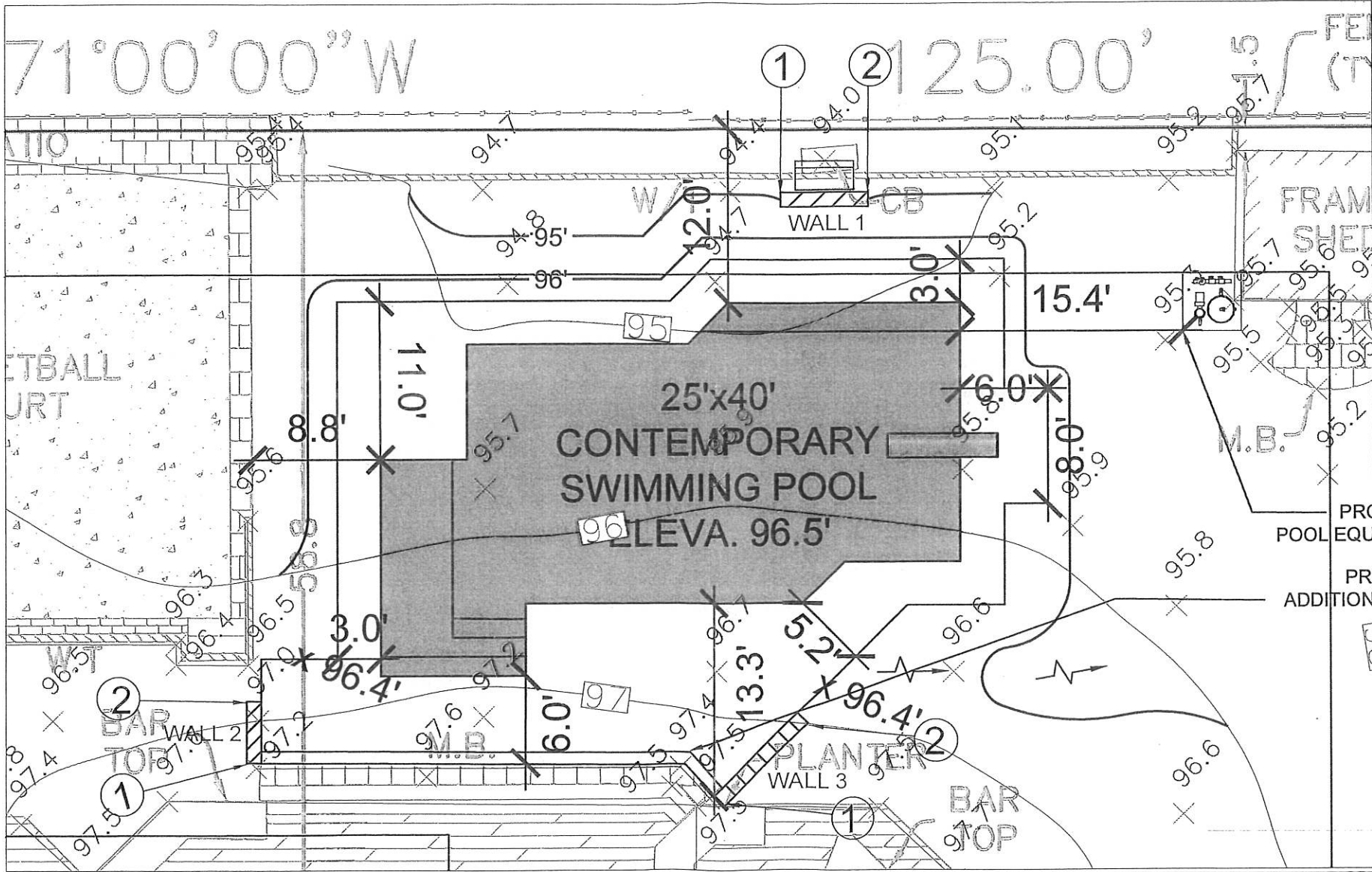
 POOL TOWN, INC. 5500 Rt 9 HOWELL, NJ 07731 TEL: 800.882.0152 FAX: 732.364.1815 www.PoolTownNJ.com	MOLINO RESIDENCE BLOCK 12, LOT 13 OCEANPORT TOWNSHIP, NEW JERSEY 07757	PROPOSED SWIMMING POOL TOPOGRAPHY PLAN	Date 10/20/21
	MARTIN G. MILLER III PROFESSIONAL ENGINEER & LAND SURVEYOR 267A GLEN ROAD, MONROE, NJ 08831 PHONE: (732) 580.7689 martinmiller111@gmail.com	MARTIN G. MILLER III NJ PROF. ENGR. & LAND SURVEYOR NJ LICENSE NO. 20363	Project 2210818
No. Date	Revision/Issue	Sheet 2 OF 3	Packet Pg. 64

WALL 1		
	1	2
T.W.	95.0	95.0
B.W.	94.0	94.0

WALL 2		
	1	2
T.W.	97.5	97.5
B.W.	96.4	96.4

WALL 3		
	1	2
T.W.	97.5	97.5
B.W.	96.4	96.4

WALL DETAIL 1" = 10'



A detailed cross-sectional diagram of a Versa-Lok square foot modular concrete unit wall. The wall is composed of several stacked square foot units. The top unit is shown with a cap unit adhered to its top surface using concrete adhesive. The wall is built on a granular leveling pad, which is 6 inches thick minimum. The base of the wall is in contact with undisturbed soil. The interior of the wall is filled with impervious fill, 12 inches deep. The exterior of the wall is also filled with impervious fill, 12 inches deep. A drainage aggregate, 12 inches thick minimum, is located behind the wall. A 4-inch diameter drain pipe outlet is shown at the end of the wall or at 40-foot centers maximum. The diagram includes labels for the cap unit, adhesive, Versa-Lok units, impervious fill, drainage aggregate, drain pipe outlet, granular leveling pad, and undisturbed soil.

CAP UNIT ADHERES TO TOP UNIT W/ VERSA-LOK CONCRETE ADHESIVE

IMPERVIOUS FILL 12" DEEP

VERS-LOK SQUARE FOOT MODULAR CONCRETE UNITS

DRAINAGE AGGREGATE 12" THICK MIN.

4" DIA. DRAIN PIPE OUTLET @ END OF WALL OR @ 40' CENTERS MAX.

IMPERVIOUS FILL

UNDISTURBED SOIL

GRANULAR LEVELING PAD 6" THICK MIN.

TYPICAL SECTION--UNREINFORCED RETAINING WALL
SQUARE FOOT UNIT
SCALE: NONE

LEGEND

- | | |
|---|----------------------|
| x 70.6 | EXISTING POINT GRADE |
| x 70.6 | NEW POINT GRADE |
|  | FLOW / PITCH |
|  | EXISTING TOPO LINE |
|  | NEW TOPO LINE |
| ---- | PROPERTY LINE |
| --- | SET BACK LINE |
| - - - | CENTERLINE OF POOL |
| ○-○ | NEW FENCE LINE |
| □-□ | EXISTING FENCE LINE |
|  | POOL FILTER LOCATION |

POOL FILTER LOCATION APPROX.
FROM WATER LINE

(NOTE: NOT ALL SYMBOLS REQUIRED TO BE SHOWN ON LAYOUT PLAN)

HOMEOWNER'S APPROVAL OF PLAN

I HAVE READ, UNDERSTAND AND APPROVE THIS TOPOGRAPHICAL PLAN.
THIS PLAN WILL BE SUBMITTED IN ORDER TO OBTAIN PERMIT APPROVALS. UPON SIGNING THIS PLAN,
NO FURTHER CHANGES IN THE PLAN CAN BE MADE

HOMEOWNERS SIGNATURE _____ DATE _____



POOL TOWN, INC. | 5500 Rt 9 | HOWELL, NJ 07731
TEL: 800.882.0152 | FAX: 732.364.1815
www.PoolTownNJ.com

MOLINO RESIDENCE
BLOCK 12, LOT 13
OCEANPORT TOWNSHIP,
NEW JERSEY 07757

MARTIN G. MILLER III

PROFESSIONAL ENGINEER & LAND
SURVEYOR
267A GLEN ROAD,
MONROE, NJ 08831
PHONE: (732) 580.7689
martingmiller111@gmail.com

PROPOSED SWIMMING POOL TOPOGRAPHY PLAN

Date
10/20/21

Scale
AS NOTED

Project
2210818

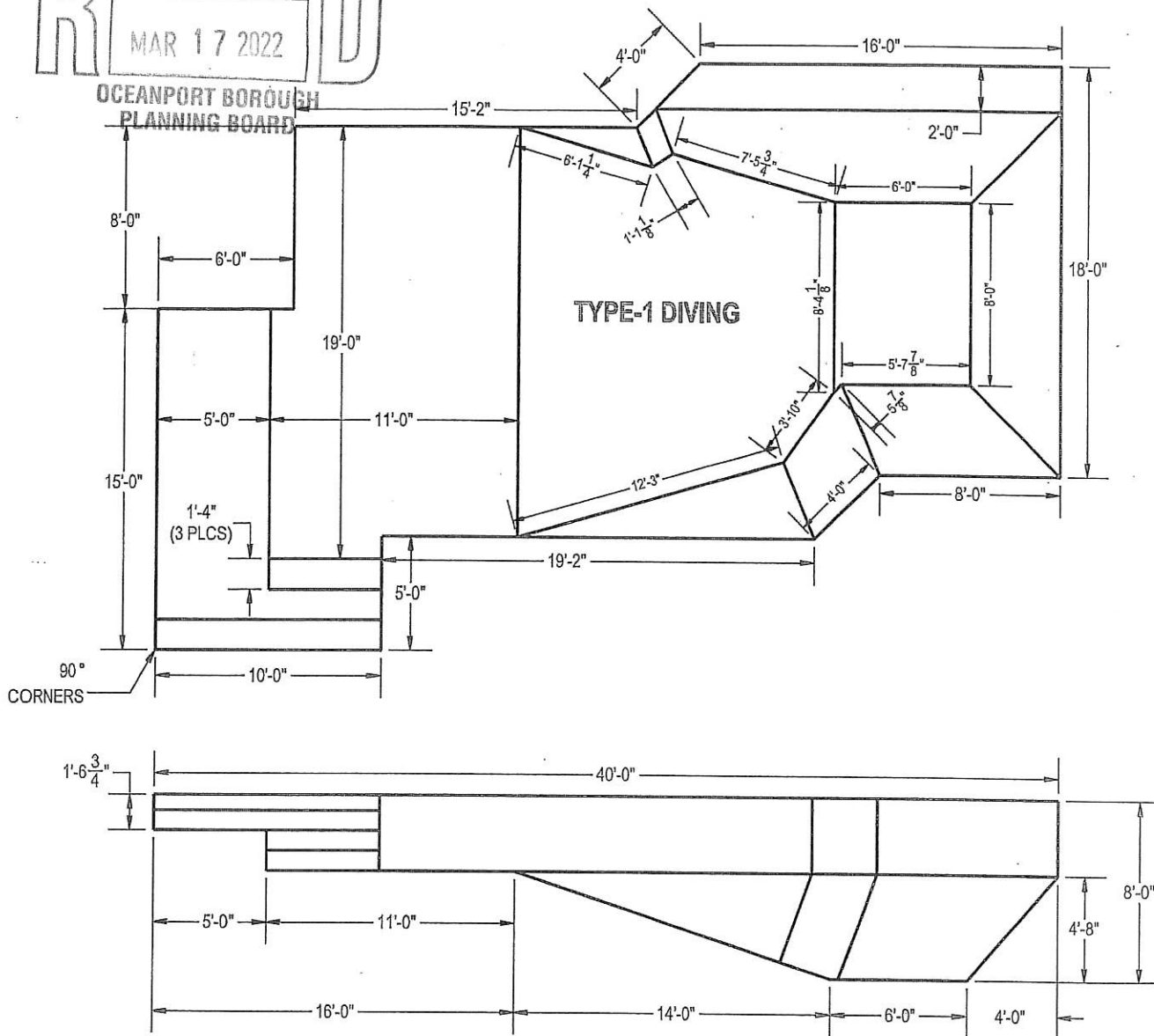
Sheet

3 OF 3

Packet Pg. 65

RECEIVED
MAR 17 2022

OCEANPORT BOROUGH
PLANNING BOARD



All construction shall comply with the 2018 International Residential Code (New Jersey Edition), ANSI/APSP 1-7

Contemporary

Shop Drawing

Date:

09/01/21

25' x 40' – Cont. Bench – Type I, Diving

Scale:

N.T.S

Hydra Pool No. 00038514

Job No.:

Inventory

Martin G. Miller III

Martin G. Miller III

Professional Engineering & Land Surveyor

N.J. Professional Engineer &

Sheet:

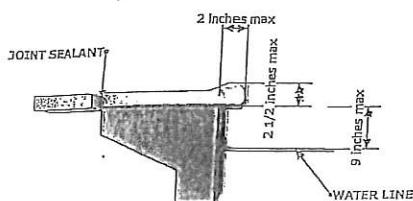
1 OF 1

267A Glen Road, Monroe, NJ 08831

Land Surveyor Lic. # 20363

Phone: (732) 580-7689 martingmiller111@gmail.com

HANDHOLD/COPING REQUIREMENTS





PORT-AU-PECK AVENUE

(75.00')

POINT OF
BEGINNING
FOUND CAPPED
IRON

1250.00'

RECEIVED
MAR 17 2022

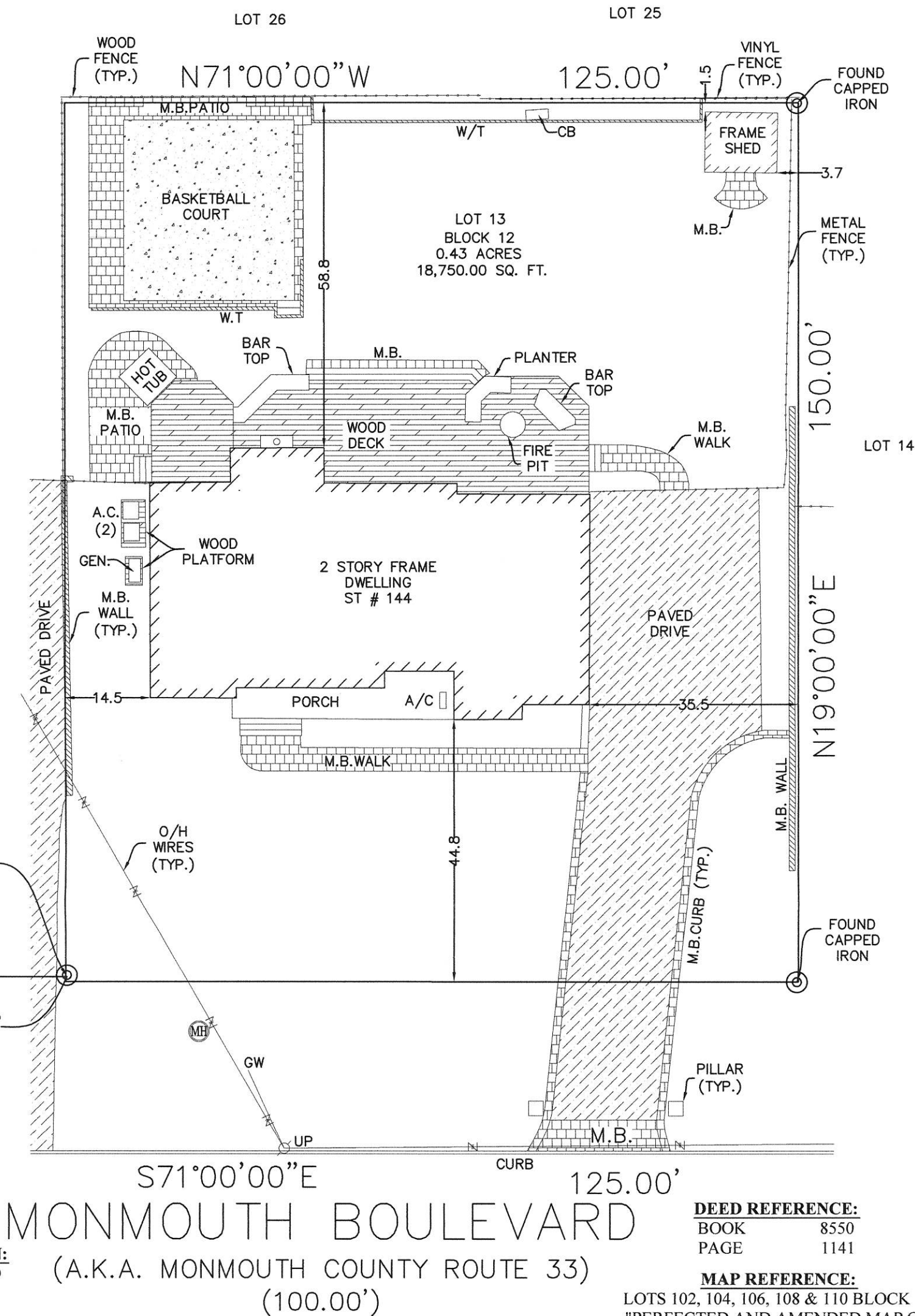
OCEANPORT BOROUGH
PLANNING BOARD

CERTIFICATION:
BRUNO MOLINO

NOTE:

1. IF THIS SURVEY DOES NOT REFERENCE A TITLE COMPANY WITH A TITLE NUMBER IN THE CERTIFICATION THAN THIS SURVEY IS SUBJECT TO THE FINDINGS OF A COMPLETE TITLE SEARCH NOT PROVIDED FOR THIS SURVEY
2. THIS SURVEY MAKES NO CLAIMS OF RIPARIAN RIGHTS OR A TIDELAND CLAIM
3. SURVEY MAY BE SUBJECT TO WETLANDS AND WETLAND BUFFERS
4. ONLY VISIBLE UTILITIES WERE LOCATED ON THIS SURVEY, THE LOCATION OF UNDERGROUND UTILITIES AND SEWERS HAVE NOT BEEN LOCATED AND ARE NOT REPRESENTED ON THIS SURVEY
5. CALL BEFORE YOU DIG 811 SHOULD BE CALLED BEFORE THE PLANNING OR COMMENCEMENT OF ANY CONSTRUCTION WORK
6. SURVEY MAY BE SUBJECT TO POSSIBLE WRITTEN, NECESSITY AND PRESCRIPTION EASEMENTS
7. THE USE OF THIS PLAN FOR A "SURVEY AFFIDAVIT" IS NOT PERMISSIBLE AND SAID USE WILL DEEM THIS PLAN INVALID
8. THE USE OF THIS SURVEY FOR ANY INDIVIDUAL WHO IS NOT LISTED IN THE "CERTIFICATION" IS NOT PERMISSIBLE AND SAID USE WILL DEEM THIS PLAN INVALID

NOTE: WAIVER OF SETTING CORNER MARKERS OBTAINED FROM THE ULTIMATE USER PURSUANT TO THE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS REGULATION, N.J.A.C. 13:40-5.2



MONMOUTH BOULEVARD
(A.K.A. MONMOUTH COUNTY ROUTE 33)
(100.00')

DEED REFERENCE:
BOOK 8550
PAGE 1141

MAP REFERENCE:
LOTS 102, 104, 106, 108 & 110 BLOCK 13
"PERFECTED AND AMENDED MAP OF
PROPERTY KNOWN AS PORTAUPECK"
FILED DATE: 11-11-1920
CASE NUMBER: 23-6

Leeper Land Group, LLC

Professional Land Surveyors
767 Brunswick Pike
Lambertville N.J. 08530

LLG

p. 609 571 3955
f. 609 571 9490
www.leepergroup.com

CERTIFICATE OF AUTHORIZATION 24GA28232100

Revision Date By

Scale: Date: Drawn By: Job Number:

1" = 30' 09-23-2021 G.S. 21-2024A

PLAN OF SURVEY
TAX LOT 13 BLOCK 12
144 MONMOUTH BOULEVARD
BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY

Daren C. Leeper 09-23-2021
DAREN C. LEEPER DATE
N.J. Professional Land Surveyor GS 43340