



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • APRIL 26, 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. Capital Presentation

1. PB2022-10 Borough of Oceanport
Maria Gatta Park Improvement Project - Phase II (Turf Field Installation)

VII. Board Business

1. Report of Pending Applications

VIII. Old Business

1. PR-22-15 Resolution of Approval - 73 Monmouth Blvd
2. PR-22-16 Resolution of Approval - 23 Ithaca Ave
3. PR-22-17 Resolution of Approval - 199 Comanche Drive

IX. New Business

1. PB2022-06 Tennenbaum, Kent & Celia
Block 24, Lot 9
174 Comanche Drive
Proposed 6' and solid fence where 4' and 50% open is permitted in front yard
2. PB2022-11 Ranieri, Domenick
82 Tecumseh Ave
Block 7, Lot 15
Construction of deck, above ground pool, patio, shed and fence seeking bulk variance relief for:
 - Accessory structures in second front yard: pool and shed
 - 6' fence in second front yard where 4' and 50% open is permitted

X. Petitions from the Public

XI. Adjournment

**Planning/Zoning Combined Board**

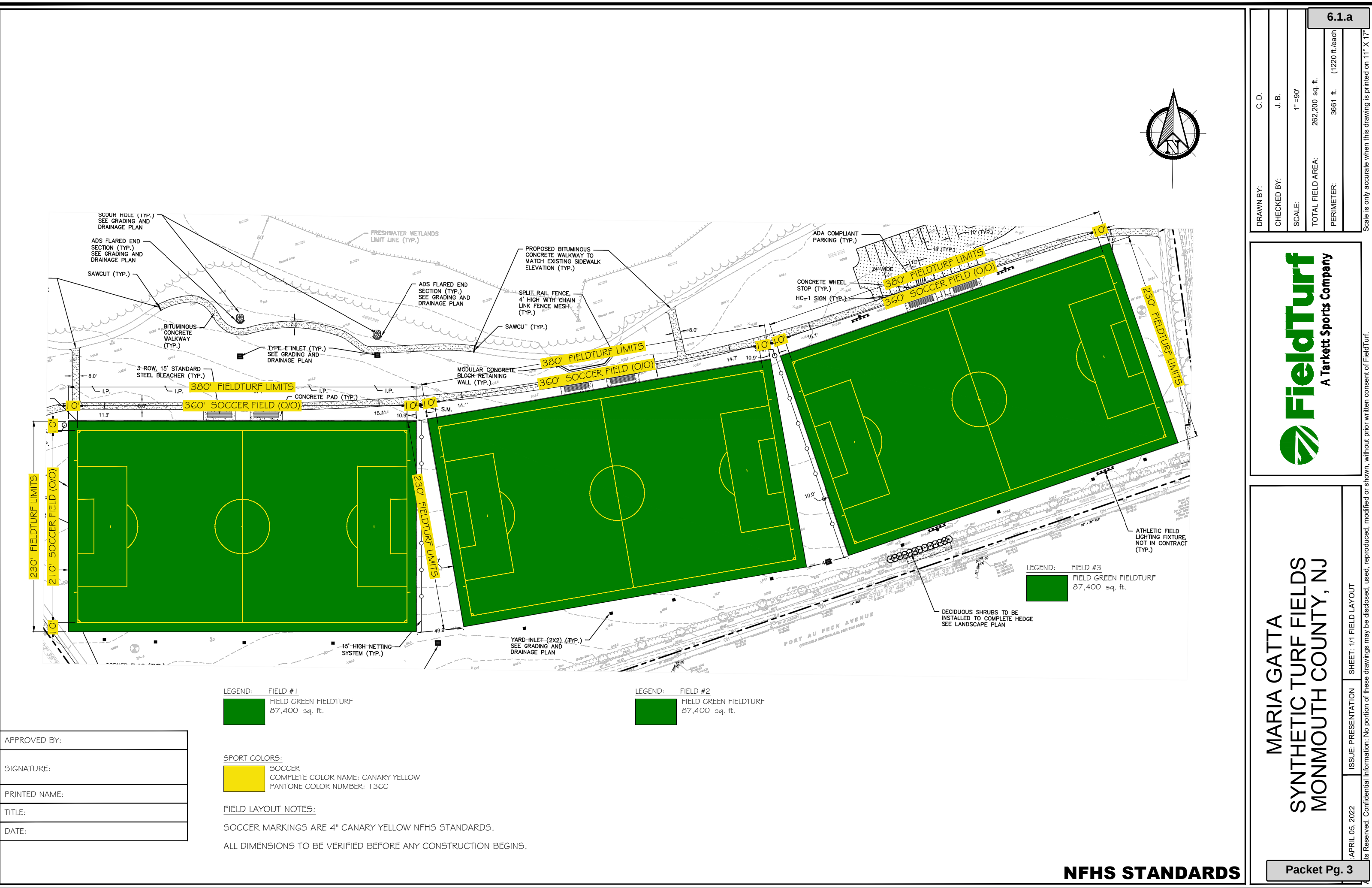
PO Box 370
Oceanport, NJ 07757

SCHEDULED**PLANNING BOARD APPLICATION (ID # 2388)**

Meeting: 04/26/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2388

PB2022-10 Borough of Oceanport

Maria Gatta Park Improvement Project - Phase II (Turf Field Installation)



APPROVED BY:
SIGNATURE:
PRINTED NAME:
TITLE:
DATE:

LEGEND: FIELD #1
FIELD GREEN FIELDTURF
87,400 sq. ft.

SPORT COLORS:
SOCCER
COMPLETE COLOR NAME: CANARY YELLOW
PANTONE COLOR NUMBER: 136C

FIELD LAYOUT NOTES:
SOCCER MARKINGS ARE 4" CANARY YELLOW NFHS STANDARDS.
ALL DIMENSIONS TO BE VERIFIED BEFORE ANY CONSTRUCTION BEGINS.

LEGEND: FIELD #2
FIELD GREEN FIELDTURF
87,400 sq. ft.

LEGEND: FIELD #3
FIELD GREEN FIELDTURF
87,400 sq. ft.

MARIA GATTA
SYNTHETIC TURF FIELDS
MONMOUTH COUNTY, NJ

APRIL 05, 2022

ISSUE: PRESENTATION

SHEET: 1/1 FIELD LAYOUT

Packet Pg. 3

FieldTurf
A Tarkett Sports Company

DRAWN BY: C. D.

CHECKED BY: J. B.

SCALE: 1" = 90'

TOTAL FIELD AREA: 262,200 sq. ft.

PERIMETER: 3661 ft. (1220 ft./each)

6.1.a

Scale is only accurate when this drawing is printed on 11" X 17"



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB 22-15

8.1

Meeting: 04/26/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2382

Resolution of Approval - 73 Monmouth Blvd

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
APPROVAL OF THE APPLICATION OF GALVAO INVESTMENTS, LLC
73 MONMOUTH BOULEVARD, BLOCK 13, LOT 24
APPROVED MARCH 22, 2022
MEMORIALIZED APRIL 26, 2022**

INTRODUCTION

WHEREAS, Agents of Galvao Investments, LLC have made Application to the Oceanport Planning Board for the property designated as Block 13, Lot 24, commonly known as 73 Monmouth Boulevard, Oceanport, New Jersey, within the Borough's R-3 Zone, for the following approval: Bulk Variances associated with a request to retroactively legitimize a prior unauthorized installation of impervious coverage at the site; and

PUBLIC HEARINGS

WHEREAS, the Board held Public Hearings on February 8, 2022 and March 22, 2022, Applicant having filed proper Proof of Service and Publication in accordance with Statutory and Ordinance Requirements; and

EVIDENCE / EXHIBITS

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

- *Oceanport Planning Board Development Application, introduced into Evidence as A-1;*
- *Survey of property, prepared by Charles Surmonte, P.E., P.L.S., dated April 23, 2021, consisting of 1 sheet, introduced into Evidence as A-2;*
- *Architectural Plan, prepared by Parallel Architectural Group, last revised May 4, 2021, consisting of 1 sheet, introduced into Evidence as A-3;*
- *Colliers Engineering & Design Review Letter, dated October 26, 2021, introduced into Evidence as A-4;*
- *Alterations / Plans, prepared by Parallel Architectural Group, last revised February 24, 2022, consisting of 1 sheet, introduced into Evidence as A-5;*
- *Colliers Engineering & Design Review Letter #2, dated March 4, 2022, introduced into Evidence as A-6;*

- *Plans prepared by Parallel Architectural Group, dated April 16, 2021, last revised March 10, 2022, introduced into Evidence as A-7;*
- *Colored Version of Exhibit A-7, introduced into Evidence as A-8;*
- *Certification of Board Member Darren Davis, confirming that he listened to the tape of, or otherwise reviewed the transcript of, the February 8, 2021 Board Meeting, introduced into Evidence as B-1;*
- *Affidavit of Service;*
- *Affidavit of Publication.*

WITNESSES

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

- Geraldo Silva, Managing Member of Galvao Investments, LLC;
- Rejane Franco, Certified Interpreter for Geraldo Silva;
- Antonio Scalise, Architect;
- Paul Edinger, Esq., appearing;

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

WHEREAS, testimony and other evidence presented by the Applicant's Representatives revealed the following:

- The Applicant herein is Galvao Investments, LLC, a Limited Liability Company of the State of New Jersey.
- The Applicant is the Owner of the subject property.
- The Applicant has owned the subject property since approximately 2020.
- There is an existing single-family home at the site.
- The existing single-family home has 5-bedrooms and 2-bathrooms.
- The existing home is currently leased to a tenant.
- The site initially (prior to work by the Applicant) had an Impervious Coverage of about 42%.

- In order to create more on-site parking space, the Applicant's representatives recently performed work at the site – including, the following:
 - Conversion of an existing blacktop driveway to stone;
 - Expansion of the existing driveway; and
 - Placement of stone in front of, behind, and on the side of, the existing residence;
- Some of the aforesaid work was performed, in part, so as to attempt to facilitate the ease with which vehicles can enter / exit the driveway.
- The Applicant did not obtain any Permits or Zoning Approvals for the above-referenced work.
- The aforesaid work did require Permits and Approvals.
- The Applicant's representatives are now attempting to retroactively legitimize the installation of the aforesaid impervious improvements.

VARIANCES

WHEREAS, the Application as presented and modified requires approval for the following

Variances:

DRIVEWAY SETBACK: 5 ft. required; whereas 0 ft. proposed (for a portion of the driveway);

IMPERVIOUS COVERAGE: Maximum 37% allowed; whereas not to exceed 43% proposed;

PUBLIC COMMENTS

WHEREAS, no members of the public expressed any questions, comments, statements, or objections in connection 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 73 Monmouth Boulevard, Oceanport, New Jersey, within the Borough's R-3 Zone.
3. The subject property contains 7,500 SF (0.0172 acres).
4. The subject parcel is located on the north side of Monmouth Boulevard, approximately 450 ft. east of the intersection with Port Au Peck Avenue.
5. The subject property currently contains a single-family home, an asphalt driveway, and other site improvements.
6. The Applicant is attempting to retroactively legitimize impervious coverage improvements previously installed at the site (without permits / approvals).
7. The details pertaining to the aforesaid unauthorized impervious installation is set forth herein, and the details were discussed, at length, during the Public Hearing process.
8. The request to retroactively legitimize the aforesaid installation of the impervious improvements requires Bulk Variance relief.
9. The Oceanport Planning Board is statutorily authorized to grant the requested relief, and therefore, the matter is properly before the said entity.
10. With regard to the Application, and requested relief, the Board notes the following:
 - Single-family use is a permitted use in the R-3 Zone.
 - The Applicant herein performed some unauthorized work at the site, without obtaining any approvals or permits. Specifically, the Applicant arranged for the following work to be completed:
 - a. Conversion of an existing blacktop driveway to stone;
 - b. Expansion of the existing driveway; and
 - c. Placement of stone in front of, behind of, and at the side of the existing residence.

- The Board recognizes that per Prevailing Borough Ordinance / Interpretation, stone placed in a driveway is impervious. However, stone placed in the front yard, rear yard, or side yard is considered pervious, as long as the same is not exposed to vehicular traffic.
- Contrary to Prevailing Municipal / Zoning Regulations, the Applicant arranged for unauthorized Impervious material to be installed at the site, without obtaining any Permits or Zoning Approval. The said impervious installation exceeded otherwise allowable impervious coverage at the site.
- Pursuant to Prevailing Zoning Regulations, no individual / entity is permitted to install improvements, absent compliance with Prevailing Zoning Regulations.
- Pursuant to Prevailing Municipal Regulations, no work is to be performed at any site, in the absence of appropriate Permits being issued.
- With the unauthorized installation of the impervious improvements, as referenced above, there was an excessive amount of impervious lot coverage at the site.
- With the unauthorized installation of the impervious improvements, as referenced above, the overall aesthetic appeal of the property has been compromised.
- With the unauthorized installation of the impervious improvements, as referenced above, the Applicant's entire backyard area could, essentially, be utilized as a large parking area (which, per borough interpretation counts as impervious coverage).
- With the unauthorized installation of the impervious improvements, as referenced above, other areas of the property, including the front yard area, the rear yard area and the side yard areas could be inappropriately utilized for parking purposes (which, per borough interpretation counts as impervious coverage).
- The unauthorized installation of the impervious improvements, as referenced above, could facilitate the ability of the existing structure to be improperly utilized / occupied as a 2-family home, in violation of the Prevailing Zoning Regulations.
- With the unauthorized installation of the impervious improvements, as referenced above, much of the former yard area at the site (front yard area, rear yard area, and side yard area) could be improperly utilized for parking purposes.
- The excess impervious lot coverage resulting from the Applicant's unauthorized improvements does not represent a better overall zoning alternative for the Borough of Oceanport.
- The unauthorized installation of the impervious improvements, as referenced above (to the point that the coverage approximates 63%, when a maximum of 37% is otherwise allowed) does not represent good planning.

- The unauthorized installation of the impervious improvements, as referenced above, compromises the interests of the neighboring property owners.
- The unauthorized installation of the impervious improvements, as referenced above, does not result in a safe, efficient, or aesthetically pleasing site.
- The unauthorized installation of the impervious improvements, as referenced above, does not generate, or otherwise promote, safe transportation routes at and around the site.
- The unauthorized completion of the impervious improvements, as referenced above, results in an impervious coverage of 63% - far in excess of the maximum 37% otherwise allowed under the Ordinance.
- There was no factual or legal basis presented to justify an excessive impervious coverage of 63%.
- There was no lay testimony or professional testimony presented to justify 63% impervious coverage for the property.
- The unauthorized installation of impervious improvements, as referenced above, results in an impervious coverage of 63%, which will create, or otherwise potentially contribute to, drainage issues for the subject site and surrounding property owners.
- The unauthorized improvements, as referenced above, result in the property looking like a large functional parking lot.
- While the unauthorized impervious coverage improvements may have been preferred by the Applicant and the existing Tenant, there is no beneficial aspect of the work which promotes the interests of the site, the neighborhood, or the community as a whole.
- As a result of the aforesaid unauthorized installation of impervious material at the site, in violation of the Zoning Ordinances, Agents of the Municipality contacted the Applicant's representatives and indicated that the situation needed to be corrected / legitimized.
- Under the circumstances, it was appropriate for the Applicant's representatives to be required to appear before the Oceanport Planning Board in an attempt to retroactively legitimize (and / or cure / correct / reduce) some of the unauthorized improvements, and detrimental impacts associated therewith.
- Against the aforesaid backdrop, the Applicant appeared before the Planning Board in an attempt to obtain approval to retroactively legitimize what was installed improperly (and without permits).
- The Application as initially presented requested an Impervious Coverage of 63% (whereas a 37% maximum is otherwise allowed in the R-3 Zone).
- Some Board Members were very concerned about such an excessive Impervious Coverage amount.

- Some Board Members were concerned about the detrimental impact associated with such excess Impervious Coverage.
- Some Board Members were also concerned about any potential negative precedential effects which could be created as a result of retroactively legitimizing a 63% Impervious Coverage calculation.
- Some Board Members were also concerned about the potential unauthorized expansion of the driveway.
- Some Board Members were concerned about the unauthorized placement of an excessive amount of Impervious Coverage in the front of the home, in the rear of the home, and on the side of the home.
- Some Board Members were concerned about the placement of stone, and the amount of stone, placed on the site (including in the front of the home, the rear of the home, and the side of the home).
- Some Board Members expressed concern that with the unauthorized impervious improvements, there would be too many vehicles parked on the site (not in keeping with what is required / necessary / allowed in a single-family setting).
- Some Board Members were concerned that the aforesaid unauthorized impervious improvements would facilitate the process by which the subject property / subject home could, improperly, be utilized / occupied as a non-permitted 2-family home.
- Some Board Members were concerned that with so many potential vehicles on the site (which could be accommodated by the Applicant's unauthorized impervious improvements), the property would not have the look or feel of a permitted single-family home.
- Per the Prevailing Zoning Regulations, the Borough's R-3 Zone (where the subject property is located) only allows single-family use.
- Some Board Members were of the belief that a 63% Impervious Coverage calculation was far too excessive.
- Some Board Members were of the opinion that a 63% Impervious Coverage would not promote the interests of the site, the neighborhood, or the community as a whole.
- Some Board Members were concerned that through the unauthorized actions of the Applicant's representatives, as aforesaid, the entire backyard at the site was covered with stone and would / could become, essentially, a large parking lot.
- Some Board Members were concerned about the expanded walkways which even encroached onto property not owned by the Applicant.

- Some Board Members were concerned that with the unauthorized improvements, the turnaround area in the driveway was not particularly safe.
- Some Board Members were concerned that the unauthorized installation of Impervious Coverage at the site did not promote the public health and safety.
- One purpose of the Municipal Land Use Law suggests the need to approve Applications which promote safe transportation routes, etc. Given the referenced concerns associated with the unauthorized improvements, some Board Members did not believe that the Applicant's proposal, as initially submitted, advanced such a purpose.
- As a result of the aforesaid coverage issues, the Board Members did not seem inclined to approve a 63% Impervious Coverage calculation for the site.
- At the conclusion of the February 8, 2022 meeting, the Applicant and its representatives were, essentially, encouraged to more formally consider the Board's referenced concerns.
- Consequently, with the consent of the Applicant's representatives, the Public Hearing was adjourned to March 22, 2022, so that the Applicant's representatives could consider incorporating certain revisions to the plans.
- Revised plans were submitted.
- The revised plans reflected changes which included, but were not necessarily limited to, the following:
 - There was a significant reduction in the impervious coverage, so that the said amount did not exceed 43%;
 - There was a reduction in the patio / deck size;
 - There was a reduction in the overall amount of gravel / stone at the site (which otherwise was placed in the rear yard area);
 - There was a placement of additional lawn area / gravel at the site; and
 - The elimination of previously existing concrete slabs on the property.
- Subject to the conditions contained herein, the aforesaid plan revisions addressed many of the overall Board concerns associated with the initially submitted Application.
- In the words of one Board Member, the aforesaid plan changes made the overall proposal "100% better" than what was initially submitted (and which existed as a result of the Applicant's unauthorized work).
- The plan revisions, as aforesaid, coupled with the significant reduction in the overall impervious coverage at the site, and further coupled with the other

conditions set forth herein, significantly improved the overall acceptability of the subject proposal.

- The plan revisions as aforesaid, coupled with the significant reduction in the overall impervious coverage at the site, and coupled with the other conditions contained herein, significantly minimized any potentially adverse impact the proposal would have on the site, the neighborhood, and the community as a whole.
- The aforesaid plan revisions, coupled with other conditions set forth herein, resulted in an overall impervious coverage at the site not exceeding 43%, which is, essentially, the same general amount of impervious coverage which existed before the unauthorized improvements were effectuated.
- The Board Members appreciate the efforts of the Applicant's representatives to address the Board concerns.
- The aforesaid plan revisions, coupled with the conditions set forth herein, will result in an asphalt driveway area near the street (as opposed to loose stone driveway) – and the same will have a beneficial aesthetic / practical / functional effect on the property.
- Subject to the conditions set forth herein, the Board finds that the impervious coverage calculation (not to exceed 43%) can be granted without causing substantial detriment to the public good.
- The Board recognizes that the current driveway setback at the property is 0 ft. (for a portion of the existing driveway)(whereas 5 ft. is otherwise required). The Board notes that the said condition is an existing condition, which will not be exacerbated as a result of the within approval.
- Subject to the conditions contained herein, approval of the within Application will not materially intensify the existing, and to-be-continued, single-family nature of the home / site.
- The subject lot is an appropriate site for a single-family home.
- Continued single-family use at the site is consistent with the Borough's Master Plan.
- Continued single-family use at the site is consistent with the character of the neighborhood.
- Subject to the conditions contained herein, the impervious improvements retroactively legitimized herein will not have any significant detrimental impact on adjoining property owners.
- Approval of the subject Application will not appreciably intensify the historic single-family use at the Site. Consequently, the Board is of the collective opinion that the requested relief can be granted without impairing the intent or purposes of the Borough Zoning Plan / scheme.

- Additionally, the architectural / aesthetic benefits associated with the proposal outweigh the detriments associated with the Applicant's inability to comply with all of the specified Bulk Zoning Standards.
- Sufficiently detailed Plans were submitted.
- Subject to the conditions contained herein, the location / impact of the impervious installations (as amended) 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, 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 Hearings, the Board has requested, and the Applicant's representatives have 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 & Design Review Letter, dated October 26, 2021 (A-4).
- c. The subject property shall only be used / occupied as a single-family home.
- d. The Applicant's representatives shall revise the plans so as to portray and confirm the following:
 - An impervious coverage calculation not exceeding 43%;
 - Confirmation that the gravel has been eliminated from the rear of the site (and steppingstones included) so as to increase the overall

impervious coverage calculation at the site to an amount not to exceed 43%;

- The inclusion of a landscaping bed to be located on the western / front left and right side of the property (the details of which shall be approved by the Board Engineer);
 - The elimination of the existing 2 ft. X 2 ft. concrete slab;
 - Confirmation that there shall be a hard surface driveway at the site, from the curb-cut to the paver corridor;
 - Confirmation that a landscape buffer shall be placed along the Western property line;
 - Confirmation that a steppingstone walkway shall be placed in the rear of the property;
 - Confirmation that the existing driveway shall be converted from gravel to hard surface;
 - Confirmation that the total width of the existing driveway shall be reduced from 20 ft. to 18 ft.;
 - Confirmation that the existing railroad ties shall be removed from the site.
 - The inclusion of a note confirming that there shall be no parking on the grass / lawn areas at the site;
 - The inclusion of a note confirming that there shall be no parking on the southeastern side of the home;
 - The inclusion of a note confirming that the Applicant shall perpetually maintain the landscaping bed and the landscaping at the site (so as to perpetually ensure that there shall be minimal adverse aesthetic impact otherwise associated with the non-conforming proposal).
- e. The Impervious Coverage retroactively legitimized herein shall not be increased in size / scope / intensity, absent further formal approval of the Planning Board.
- f. The Applicant shall perpetually maintain, replace, and replant landscaping at the site (so that the existing buffering continues to remain (so as to perpetually minimize any adverse impacts associated with the non-conforming aspects of the site.
- g. The Applicant shall comply with all prevailing Affordable Housing Rules, Regulations, Directives, and Contributions, as required by the State of New Jersey, COAH, the Borough of Oceanport, the Court System, and any other Agency with jurisdiction over the matter.

- h. 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
- i. The Applicant shall comply with all Prevailing / applicable FEMA / Flood Regulations.
- j. The construction / installation shall be strictly limited to the Plans which are referenced herein, and which are incorporated herein at length. Additionally, the construction shall comply with Prevailing Provisions of the Uniform Construction Code.
- k. 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.
- l. 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. Additionally, to the extent the application materially changes as a result of any of the aforesaid outside approvals, then, in that event, the Applicants shall be required to return to the Board for further review / relief.
- m. 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 and / or its agents shall be deemed conditions of the approval granted herein, and any mis-representations or actions by the Applicant's representatives 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 / existing improvements, or for any damage which may be caused by the development / improvements.

SUMMARY OF GRANTED VARIANCE RELIEF

DRIVEWAY SETBACK: 5 ft. required; whereas 0 ft. approved (for a portion of the driveway); and

IMPERVIOUS COVERAGE: Maximum 37% allowed; whereas not to exceed 43% approved;

PR-22-15

04-26-22

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on March 22, 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 _____.

Jeanne Smith, Secretary

KEK/dmp

Z:\KevinKennedyLaw\Municipal\Oceanport Planning Board\Galvao Investments, LLC (retroactively legitimize impervious coverage)\Resolution.docx



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB 22-16

8.2

Meeting: 04/26/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2400

Resolution of Approval - 23 Ithaca Ave

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
APPROVAL OF THE APPLICATION OF EDWARD DALTON
23 ITHACA AVENUE, BLOCK 29, LOT 12
APPROVED MARCH 22, 2022
MEMORIALIZED APRIL 26, 2022**

Introduction

WHEREAS, Edward Dalton has made Application to the Oceanport Planning Board for the property designated as Block 29, Lot 12, commonly known as 23 Ithaca 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 at the site.

Public Hearings

WHEREAS, the Board held a Public Hearing on March 22, 2022 and April 12, 2022, Applicant 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:

- *Planning Board Application, introduced into Evidence as A-1;*
- *Survey of property, prepared by Charles Surmonte, P.E., P.L.S., dated June 23, 2021, consisting of 1 sheet, introduced into Evidence as A-2;*
- *Pool Variance Plan, prepared by R.C. Burdick, P.E., P.P., P.C., dated November 16, 2021, consisting of 1 sheet, introduced into Evidence as A-3;*
- *Colliers Engineering & Design Review Memorandum, dated February 22, 2022, introduced into Evidence A-4;*
- *Pool Variance Plan, prepared by R. C. Burdick, PE, PP, PC, last revised March 24, 2022, consisting of 1 sheet, introduced into evidence as A-5;*

- *Communication from William H.R. White, III, PE, PP, dated April 8, 2022, introduced into evidence as A-6;*
- *Affidavit of Service;*
- *Affidavit of Publication.*

Witnesses

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

- Edward Dalton, 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

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

- The Applicant is the owner of the subject property.
- The Applicant has owned the subject property since approximately June of 2021.
- There is an existing single-family home on the site.
- The Applicant lives at the site.
- The Applicant proposes to install a pool at the site.
- Details pertaining to the proposed pool include the following:

Type of Pool:	In-ground Pool
Size of Pool:	Approximately 17 ft. x approximately 33 ft.
Location:	Northeast portion of property (per plans)
Pool Equipment:	Standard pool equipment, including a pump, filter, and heater.
Pool Equipment Location:	The pool equipment will be located at the northeastern portion of the property (per Plans).

Patio Detail:	The patio will consist of a paver area surrounding the pool.
Pool Depth:	6 ft.
Diving Board?:	There will be no diving board.

- The Applicant anticipates having the pool installed in the very near future.

Variance Relief

WHEREAS, the Application as submitted and amended requires approval for the following

Variance:

*IMPERVIOUS COVERAGE: Maximum 37% allowed:
49.8% proposed.*

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 23 Ithaca Avenue, Oceanport, New Jersey, within the Borough's R-3 Zone.
3. The site contains an existing single-family dwelling, which is a permitted use in the zone.
4. The Applicant is proposing to install a pool at the site.

5. Such a proposal requires Bulk Variance Approval.

6. The Oceanport Planning Board is statutorily authorized to grant the requested relief and therefore, the matter is properly before the said entity.

7. With regard to the Application, and the requested relief, the Board notes the following:

- The existing single-family home is a permitted use in the Zone.
- The proposed pool is a permitted accessory use in the zone.
- As indicated, the Application requires approval for an Impervious Coverage Variance.
- The Board is sensitive to Impervious Coverage relief, and the rigorous Variance standards associated therewith. Moreover, the Board has reviewed the requested relief in accordance with Prevailing Variance Standards.
- The Board Members were concerned about Impervious Coverage-related issues associated with the proposal. Some Board Members were not comfortable with approving a Lot Coverage Variance of 51.5%, as initially proposed (particularly when the maximum allowable Lot Coverage in the Zone is 37%). The Board Members reviewed and discussed a number of potential revisions which could be effectuated so that the overall Lot Coverage could be reduced. Some of the aforesaid ideas included, but were not limited to, the following:
 - A potential reduction in the size of the pool;
 - The removal of concrete at the site, and the replacement of the same with stones;
 - The reduction in the size of the patio surrounding the pool;
or
 - The removal of the existing patio, etc.

After further review and discussion, the Applicant agreed that he would reduce the Lot Coverage. The Board Members left it to the discretion of the Applicant to determine how best to reduce the Lot Coverage (to an amount not exceeding 50%), and the meeting was adjourned/carried for such purposes.

- In conjunction with the above point, the revised Plans were submitted to, and publicly reviewed by, the Board at the April 12, 2022 meeting.

- The revised plans reflected an impervious coverage of 49.8%, in accordance with the aforesaid Board request/recommendation.
- Additionally, during the Public Hearing, the Applicant testified that he has no existing issues with existing drainage patterns at the site. Moreover, the Applicant testified that there is an existing recharge system at the site (as the Applicant was told the same by the former Owner). The existence of such a recharge system should further help justify the granting of the requested Coverage relief.
- Per the testimony and evidence presented, there are other existing pools in the immediate neighborhood and thus, the installation of a pool at the site will be consistent with the character of development in the area.
- The Applicant considered a number of potential host locations for the pool, and the proposed location is the most appropriate / desirable.
- The pool complies with all Prevailing Setback Requirements.
- As referenced, the Application as presented requires approval for an Impervious Coverage Variance. The relevant calculations in the said regard include the following:

Maximum allowable impervious coverage	37%
Existing impervious coverage:	42%
Proposed impervious coverage:	49.8%

- The Applicant testified that the existing drainage system / pattern at the site works quite well – thereby providing further justification for the required variance relief.
- The Applicant provided sufficient testimony in support of the Application and the requested relief.
- Subject to the conditions set forth herein, the grading and drainage testimony / plans / information presented satisfied the technical concerns of the Board Engineer.
- 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 set forth herein, the subject 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 associated with the placement of the pool in the desired location.
- The pool will be shielded by shrubbery and / or fencing, further ensuring that the proposed installation will not have an adverse impact on adjacent property owners.
- The pool will be appropriately shielded with landscaping/fencing.
- Additionally, notwithstanding the Impervious Variance relief, the Board notes that the location of the proposed pool/patio is practical, appropriate, and aesthetically pleasing.
- Moreover, in conjunction with the above point, and as is standard, the Applicant agreed that as a conditional of approval, he hold the Oceanport Planning Board, the Borough of Oceanport, and their respective agents, representatives, employees, and professionals harmless from and against any and all liabilities associated with the proposal.
- The proposed pool will be attractive, aesthetically pleasing, and upscale, in accordance with prevailing community standards.
- The Board notes that, per the conditions contained herein, the proposed pool will not be readily seen from the public road.
- 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 Applicant.
- The to-be installed pool is specifically designed for residential use.
- Approval of the within Application will not intensify the existing and to-be-continued single-family nature of the home/site.
- Sufficiently detailed Plans were submitted.
- Subject to the conditions contained herein, the location of the pool 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 relief.

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

Conditions

During the course of the Hearing, the Board has requested, and the 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 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
- c. The grading and drainage details shall be reviewed and approved by the Board Engineer.
- d. The Applicant shall cause the Plans to be revised so as to portray and confirm the following:
 - That, if necessary, the Impervious Coverage at the site shall not exceed 49.8%;
 - The inclusion of buffering and landscaping at the site so as to minimize any adverse impacts associated with the proposal (the details of which shall be reviewed and approved by the Board Engineer);

- Confirmation that, per the testimony presented, a recharge system is present at the site.
- e. The pool lighting shall comply with Prevailing Municipal Requirements.
 - f. The Applicant shall perpetually maintain, replace, replant, landscaping at the site so as to perpetually minimize any adverse impact otherwise associated with the non-conforming proposal approved herein.
 - g. Per the on-the-record discussion at the Public Hearing, the Applicant shall release, defend, and hold the Borough of Oceanport, the Oceanport Planning Board, and their agents, representatives, employees, and professions harmless from and against any and all damages / liabilities / losses associated with the within proposal – including the placement, use, installation, maintenance, and / or replacement of any improvements authorized herein.
 - h. The Applicant shall comply with the terms and conditions of the Colliers Engineering & Design Review Memorandum, dated 2/22/22 (A-4) and the communication from William HR White, dated 4-8-22 (A-6).
 - i. There shall be no adverse drainage impact on the adjoining properties.
 - j. 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.
 - k. 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.)
 - l. The Applicant shall ensure that the location / elevation of the pool equipment shall comply with Prevailing Construction Department Regulations (regarding base flood elevation).
 - m. The Applicant shall ensure that lighting associated with the proposed improvement does not adversely spill over on to adjacent properties. Additionally, there shall be no overhead lighting associated with the pool. (The Applicant shall also only have downward lighting associated with the pool.)
 - n. The 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.
 - o. 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.

- p. 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.
- q. The Applicant shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.

Summary of Variance Relief Granted

The Board herein has granted an Impervious Coverage Variance:

Maximum 37% allowed; whereas 49.8%% approved.

BE IT FURTHER RESOLVED, that all representations made under oath by the Applicant and/or his agents shall be deemed conditions of the approval granted herein, and any misrepresentations 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 Applicants of responsibility for any damage caused by the subject project, nor does the Planning Board of the Borough of Oceanport, the Borough of Oceanport, or their agents/representatives accept any responsibility for the structural design of the proposed improvements, or for any damage which may be caused by the installation.

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on March 22, 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 April 26, 2022.

Jeanne Smith, Secretary



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB 22-17

8.3

Meeting: 04/26/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2401

Resolution of Approval - 199 Comanche Drive

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
APPROVAL OF THE APPLICATION OF 199 COMANCHE, LLC
199 COMANCHE DRIVE, BLOCK 40, LOT 13
APPROVED APRIL 12, 2022
MEMORIALIZED APRIL 26, 2022**

Introduction

WHEREAS, Agents of 199 Comanche, LLC have made Application to the Oceanport Planning Board for the property designated as Block 40, Lot 13, commonly known as 199 Comanche Drive, Oceanport, New Jersey, within the Borough's R-3 Zone, for the following approval: Bulk Variance Relief associated with a request to effectuate the following:

- Demolition of an existing garage;
- Installation of a pool;
- Construction of a new garage, with storage area;

Public Hearing

WHEREAS, the Board held a Public Hearing on April 12, 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:

- *Planning Board Application, introduced into Evidence as A-1;*
- *Variance Plan, prepared by Winters Design, LLC, last revised November 16, 2021, consisting of 1 sheet, introduced into Evidence as A-2;*
- *Boundary and Topographic Survey, prepared by InSite Surveying, last revised August 12, 2021, consisting of 1 sheet, introduced into Evidence as A-3;*

- *Plot Plan, prepared by InSite Surveying, last revised November 1, 2021, consisting of 1 sheet, introduced into Evidence A-4;*
- *Colliers Engineering & Design Review Memorandum, dated February 16, 2022, introduced into Evidence as A-5;*
- *Illustrated Plot Plan, prepared by InSite Engineering, dated September 17, 2021, consisting of 1 sheet, introduced into Evidence as A-6;*
- *Aerial Exhibit of Plot Plan, prepared by InSite Engineering, dated September 17, 2021, consisting of 1 sheet, introduced into Evidence as A-7;*
- *Photo Exhibit of surrounding properties, prepared by InSite Engineering, dated April 12, 2022, consisting of 1 sheet, introduced into Evidence as A-8;*
- *Affidavit of Service;*
- *Affidavit of Publication.*

Witnesses

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

- Christopher Bednarski, P.E.;
- JoAnn P. Montero, Architect;
- Maeve E. Desmond, P.P.;
- Jennifer Krimko, Esq., appearing;

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's representatives revealed the following:

- The Applicant is the owner of the subject property.
- There is an existing single-family home on the property, with a detached garage.
- Details pertaining to the existing garage include the following:

Size:	@20 ft by @30 ft
Location:	Front yard area
Number of stories:	1
Height:	13.4 ft
Number of bays:	Per Plans

- The Applicant's representatives propose to effectuate the following:

- Demolition of an existing garage;
- Installation of a pool;
- Construction of a new garage, with storage area;

- Details pertaining to the proposed pool include the following:

Type of pool:	In-ground pool
Size of pool:	Approximately 12 ft. X approximately 30 ft.
Location:	Center of property (per Plans)
Pool equipment:	Standard pool equipment, including a pump, filter, and heater.
Pool equipment location:	Per Plans.
Patio details:	There will be a patio surrounding the pool, per the plans.
Pool depth:	Per Plans
Pool features:	The pool will include a spa / hot tub.
Anticipated pool installation date:	The Applicant's representatives installing the new pool as soon as possible.

- Details pertaining to the proposed garage include the following:

Use:	Garage use / storage use
Size of garage:	@21 ft by @ 43.92 ft
Number of stories:	1
Height:	15 ft
Number of bays:	3
Location onsite:	In the front yard of the property, setback 70 ft. from Comanche Drive (per Plans)
Utility service?:	The garage will have electrical service. However, there will be no plumbing service to the garage, no heating service to the garage, and no sewer service to the garage.

Habitable living space ?:	The garage will not be used as habitable living space.
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Variance Relief

WHEREAS, the Application as submitted and amended requires approval for the following

Variance:

IMPERVIOUS COVERAGE: Maximum 37% permitted: whereas 39.96% proposed.

ACCESSORY STRUCTURE (GARAGE) LOCATION: Pursuant to the Prevailing Zoning Regulations, an Accessory Structure is not permitted in a front yard area. However, in the within situation, the Applicant is proposing to place the garage in a front yard area, setback 70 ft. from Comanche Drive.

SIDE YARD SETBACK FOR AN ACCESSORY STRUCTURE (Garage): 10 ft. required, whereas 2 ft. proposed from the northern side yard;

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 199 Comanche Drive, Oceanport, New Jersey, within the Borough's R-3 Zone.

3. The subject property contains 18,450 SF (0.424 acres), and the subject property is located on the east side of Comanche Drive, opposite the intersection with Ithaca Avenue.

4. The site contains an existing single-family dwelling, which is a permitted use in the zone.

5. The Applicant's representative propose to effectuate the following:

- Demolition of an existing garage;
- Installation of a pool;
- Construction of a new garage, with storage area;

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 existing single-family home is a permitted use in the Zone.
- The proposed pool is a permitted accessory use in the Zone.
- The proposed garage is a permitted accessory use in the Zone.
- As indicated, the Application requires approval for an Impervious Coverage Variance.
- The Board is sensitive to Impervious Coverage relief, and the rigorous Variance standards associated therewith. Moreover, the Board has reviewed the requested relief in accordance with Prevailing Variance Standards.
- Per the testimony and evidence presented, there are other existing pools / garages in the immediate neighborhood and thus, the installation of a pool / garage at the site will be consistent with the character of development in the area.
- The Applicant considered a number of potential host locations for the pool / garage, and the proposed location is the most appropriate / desirable.
- The pool complies with all Prevailing Setback Requirements.

- As referenced, the Application as presented requires approval for an Impervious Coverage Variance. The relevant calculations in the said regard include the following:

Maximum allowable impervious coverage	37%
Existing impervious coverage:	40.6%
Proposed impervious coverage:	39.96%

- Because of the removal of a section of the existing driveway, approval of the within application will actually reduce the overall impervious coverage at the site from a non-conforming 40.6% to a non-conforming 39.96%.
- Though the aforesaid reduction in overall impervious coverage is minimal, the Board does appreciate the reduction.
- Although the impervious coverage is non-conforming, approval of the application will not increase the overall impervious coverage amount.
- The Board acknowledges that there is an existing detached garage at the site, which is also located in a non-conforming front yard area/location.
- The existing garage is located in a front yard area, approximately 95 ft off of Comanche Drive.
- Per the testimony and evidence presented, there is a need to replace the existing garage.
- Per the testimony and evidence presented, there is a need for a garage and storage area at the site.
- The new garage approved herein will be located in the same front yard area where the current garage is located.
- The new replacement garage approved herein will be located in the same general location as the currently existing garage.
- The proposed garage will be located @70 ft from Comanche Drive.
- The subject lot is a long and narrow lot, measuring approximately 365.5 ft long by 50 ft wide.
- The existing home is setback a long distance (@266.1 ft) from the Comanche Drive Right-of-Way. That is, the existing dwelling is situated at the extreme rear of the lot, near the Shrewsbury River.
- Given the nature/location of the existing home on the long and narrow lot, most to-be-constructed garages would, by municipal definition, have to be located in a front yard area.

- The Board recognizes that it is not practical/feasible to relocate the existing home so that the Garage could be located in a conforming side or rear yard area (so as to avoid the need for a variance.)
- The apparent reason the prevailing ordinance prohibits the construction of a garage in a front yard area is to minimize any adverse aesthetic impacts for the neighboring property owners and the community as a whole.
- In the within situation, there will be a significant amount of substantial trees/landscaping planted along the Comanche Drive property line, which should minimize any adverse impact on the neighboring property owners and the community at large.
- Given the significant amount of trees to be planted along the front property line, the proposed garage will not be readily visible from the public street.
- As a condition of the within approval, no equipment, vehicles, or other personal property shall be stored in the front yard area, between the front of the proposed garage and Comanche Drive. The said condition shall further minimize any potentially adverse impacts otherwise associated with the non-conforming garage location approved herein.
- Per the testimony and evidence presented, there are a number of other sheds/garages located in front yard areas (in the immediate vicinity) and, as such, approval of the within application will not compromise the spirit and intent of the existing development/neighborhood scheme.
- The pool equipment will be sufficiently landscaped and shielded as well, further minimizing any potentially adverse impacts otherwise associated with the proposal.
- The Applicant testified that the existing drainage system / pattern at the site works quite well – thereby providing further justification for the required variance relief.
- The Applicant provided sufficient testimony in support of the Application and the requested relief.
- Subject to the conditions set forth herein, the grading and drainage testimony / plans / information presented satisfied the technical concerns of the Board Engineer.
- 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 set forth herein, the subject 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 setback location / garage setback location approved herein.
- Per the testimony and evidence presented, the installation of the pool / garage approved herein will not compromise the health and safety of the occupants.
- There will be no adverse lighting associated with the placement of the pool in the desired location.
- The pool will be shielded by shrubbery and / or fencing, further ensuring that the proposed installation will not have an adverse impact on adjacent property owners.
- The pool will be appropriately shielded with landscaping/fencing.
- Additionally, notwithstanding the Impervious Variance relief, the Board notes that the location of the proposed pool / patio / garage is practical, appropriate, and aesthetically pleasing.
- Moreover, in conjunction with the above point, and as is standard, the Applicant agreed that as a conditional of approval, it would hold the Oceanport Planning Board, the Borough of Oceanport, and their respective agents, representatives, employees, and professionals harmless from and against any and all liabilities associated with the proposal.
- The proposed pool / garage will be attractive, aesthetically pleasing, and upscale, in accordance with Prevailing Community Standards.
- The Board notes that, per the conditions contained herein, the proposed pool will not be readily seen from the public road.
- 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 Applicant.
- The to-be installed pool / garage 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.
- Sufficiently detailed Plans were submitted.
- Subject to the conditions contained herein, the location of the pool / garage 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 relief.

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

Conditions

During the course of the Hearing, the Board has requested, and the 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 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
 - Demolition Permit
- c. Unless waived by the Board Engineer, the grading and drainage details shall be reviewed and approved by the Board Engineer.
- d. The Applicant's representatives shall cause the Plans to be revised so as to portray and confirm the following:
 - The inclusion of a note confirming that the garage shall have electrical service only. That is, there shall be no water

service, plumbing service, or sewer service, etc. to the garage, absent further / formal approval of the Oceanport Planning Board.

- Confirmation that the garage shall be setback at least 2 ft. from the northern property line.
- Confirmation that the garage shall be utilized as a garage and storage space only. That is, the garage shall not be utilized for living / occupancy purposes..
- Confirmation that the pool equipment shall be screened by evergreen landscaping.
- Confirmation that the garage roof gutters shall not overhang the northern property line, and that the same shall connect to the existing underground drainage inlet to the street.
- The inclusion of a note confirming that there shall be no storage of equipment, cars, or other personal property in the front yard area, between the front of the garage (west side) and Comanche Drive.
- Confirmation that the driveway shall be edged and maintained so as to ensure that all stones are contained a minimum of 5 ft. off of the southern setback.
- Confirmation that the Applicant shall install a new driveway apron, per Prevailing Ordinance Requirements.
- Confirmation that the Applicant shall plant and maintain landscaping (at the front) (west side) of the property (at Comanche Drive), as referenced on the Plans.
- Confirmation that the proposed pool fencing shall be installed, and that the same shall comply with Prevailing Borough Ordinance Requirements / Construction Code Requirements.
- Confirmation that the base flood elevation of the pool equipment shall be at 12.4 ft., or greater (not 10 ft., as set forth in the report).
- Confirmation that the pool equipment shall be landscaped and screened so that the same is not visible by the neighboring property owners.
- Confirmation that proposed roof gutters shall be installed on the new garage, and connected to the existing underground drainage inlet which runs to the street, as demonstrated on the plans.

- e. The Applicant's representatives shall sign and record a Deed Restriction confirming the following:
 - i. Confirmation that there shall be no utility service to the garage, except electrical service.
 - ii. Confirmation that the garage shall only be utilized for garage purposes and storage purposes.
 - iii. Confirmation that the garage shall not be utilized for living purposes or occupancy/habitable purposes.

The said Deed Restriction shall be reviewed and approved as to form by the Board Attorney. Upon approval from the Board Attorney, the Deed Restriction shall be recorded in the Office of the Monmouth County Clerk – and proof of recording shall be presented to the Board Secretary.

- f. The pool lighting shall comply with Prevailing Municipal Requirements.
- g. The Applicant shall perpetually maintain, replace, and replant landscaping at the site so as to perpetually minimize any adverse impact otherwise associated with the non-conforming proposal approved herein.
- h. Per the on-the-record discussion at the Public Hearing, the Applicant shall release, defend, and hold the Borough of Oceanport, the Oceanport Planning Board, and their agents, representatives, employees, and professions harmless from and against any and all damages / liabilities / losses associated with the within proposal – including the placement, use, installation, maintenance, and / or replacement of any improvements authorized herein.
- i. The Applicant shall comply with the terms and conditions of the Colliers Engineering & Design Review Memorandum, dated 2/16/22 (A-5).
- j. There shall be no adverse drainage impact on the adjoining properties.
- k. 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.
- l. 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.)
- m. The Applicant shall ensure that the location / elevation of the pool equipment shall comply with Prevailing Construction Department Regulations (regarding base flood elevation).
- n. The Applicant shall ensure that lighting associated with the proposed improvement does not adversely spill over on to adjacent properties.

Additionally, there shall be no overhead lighting associated with the pool. (The Applicant shall also only have downward lighting associated with the pool.)

- o. The 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.
- p. 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.
- q. 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.
- r. The Applicant shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.

Summary of Variance Relief Granted

IMPERVIOUS COVERAGE: Maximum 37% allowed: whereas 39.96% approved.

GARAGE LOCATION: The Board has approved the construction of a garage in a front yard area.

SIDE YARD SETBACK FOR AN ACCESSORY STRUCTURE: 10 ft. required; whereas 2 ft. approved (from the northern side yard).

BE IT FURTHER RESOLVED, that all representations made under oath by the Applicant's Representatives and / or its agents 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 / development / demolition.

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on April 12, 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 April 26, 2022.

Jeanne Smith, Secretary

KEK/dmp

Z:\KevinKennedyLaw\Municipal\Oceanport Planning Board\199 Comanche, LLC (demo garage-install pool and garage)\Resolution.docx



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2354)

9.1

Meeting: 04/26/22 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

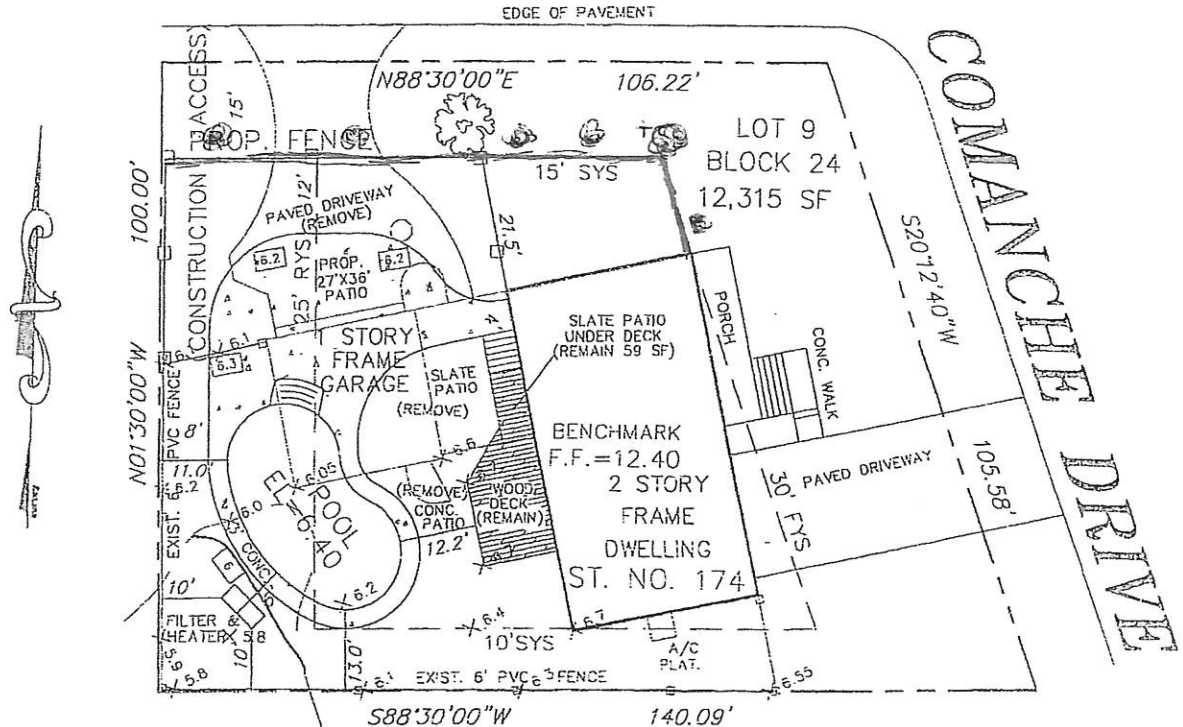
174 Comanche Drive

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

MOHICAN AVENUE

50' R.O.W.

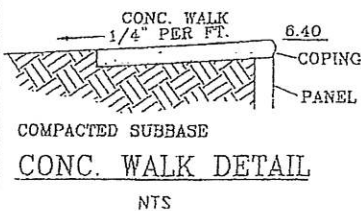
@plantings



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 (NAVD1983)

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

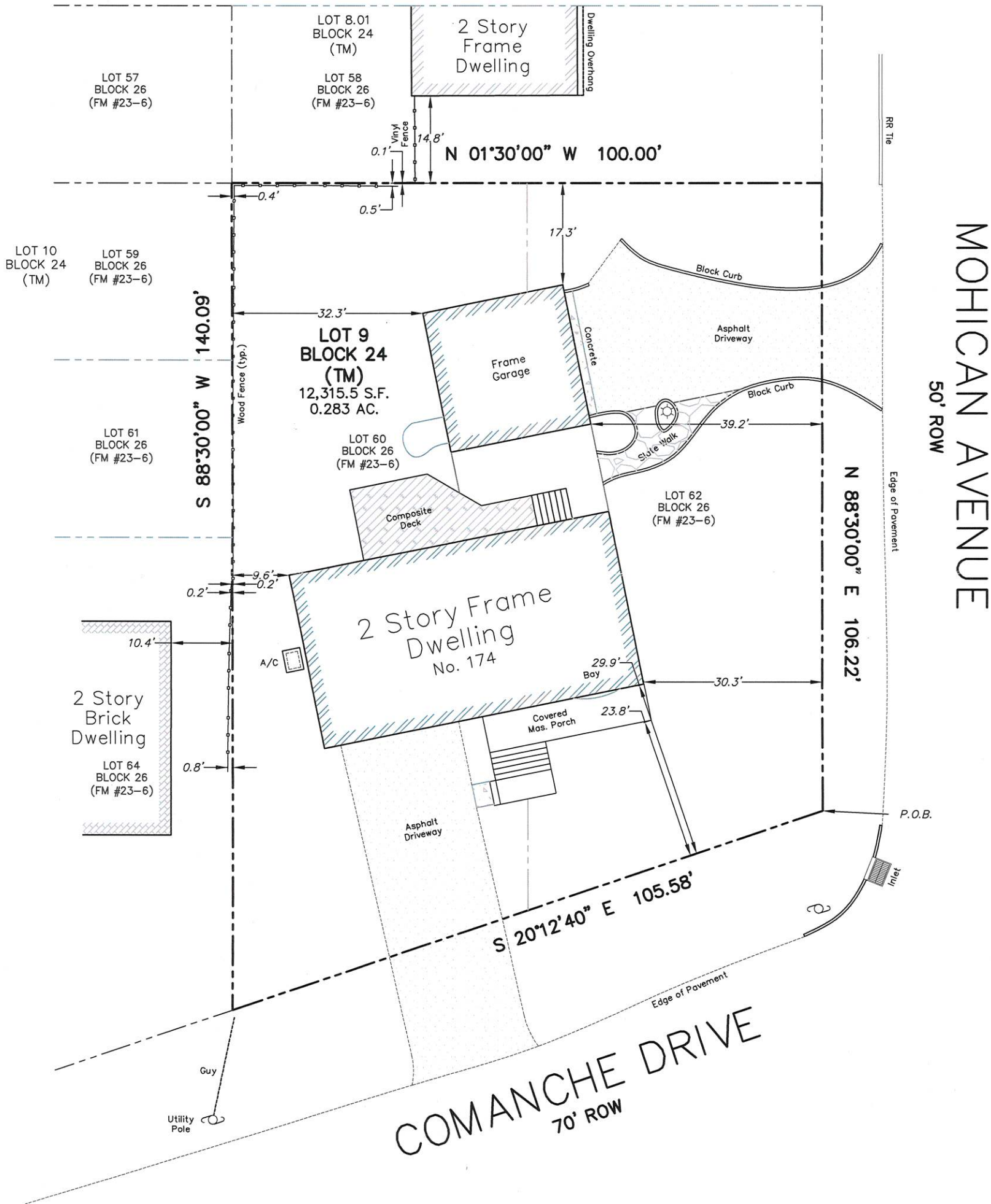
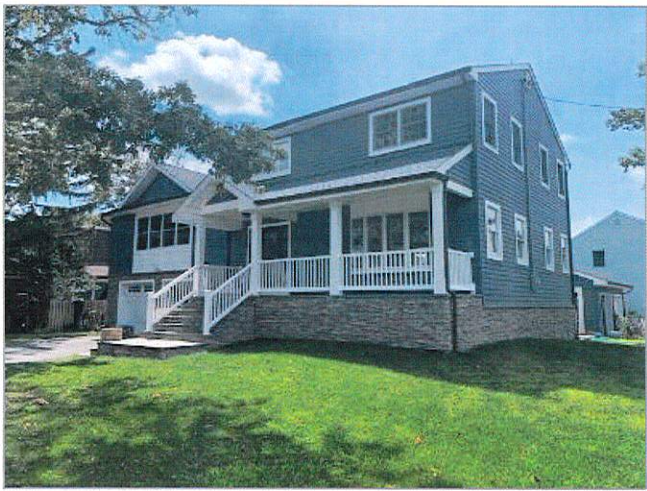
1466 ROUTE 88 W. SUITE B2
BRICK, NEW JERSEY, 08724
PHONE (732) 458-0003 FAX (732) 458-1103

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

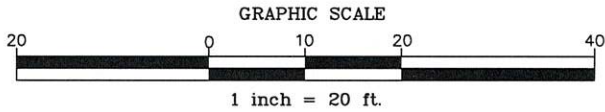


KNOWN AND DESIGNATED as Lots 60 and 62 Block 26 as shown on a certain map entitled, "Perfecting and Amended Map of Property known as -Port Au Peck-, Monmouth Co., NJ" filed in the Monmouth County Clerk's Office on November 11, 1920 as Map No. 23-6.

This survey references:
Deed Book 8937 Page 8081
Deed Book 8691 Page 4711 (Lot 4)
Deed Book 4016 Page 324 (Lot 6)
Deed Book 9305 Page 3998 (Lot 8.01)
Monmouth County Filed Map No. 23-5
Monmouth County Filed Map No. 23-6
Monmouth County Filed Map No. 208-14

Notes:
Field Survey Performed on 03/03/2020
Subject to documents of record
Survey performed without the benefit of a complete title search and subject to municipal restrictions, easements of record and other facts that a title search may disclose.

This survey certified to:
Kent Tennenbaum and Celia Tennenbaum
Madison Title Agency, LLC
CATIC Title Insurance Company



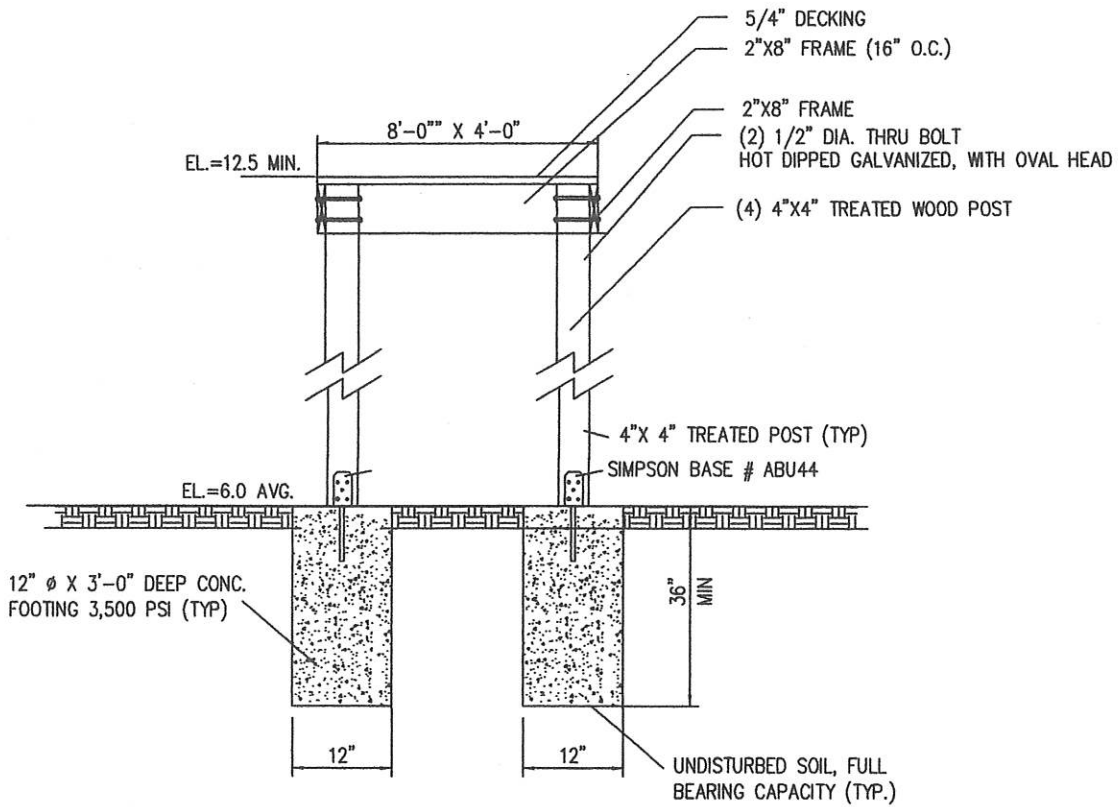
I declare that this plan is based on actual field survey performed by Lakeland Surveying, Inc., under my direct supervision, in accordance with N.J.A.C. 13:40-5.1 and to the best of my professional knowledge, information and belief, correctly represents the conditions found on the date of the field survey, except such easements, if any, below the surface of the lands not visible. This declaration is given solely to the above named parties for this transaction only and is not transferrable. Survey is valid only if print has original raised seal of the undersigned professional.

SURVEY UPDATE Tax Lot 9 - Block 24 174 Comanche Drive, Borough of Oceanport Monmouth County, New Jersey				PROJECT NUMBER 200472	Lakeland Surveying Certificate of Authorization #24GA28090000 4 West Main Street Rockaway NJ Ph: (973) 625-5670 Fx: (973) 625-4121 www.LakelandSurveying.com	Marc J. Cifone PROFESSIONAL LAND SURVEYOR	Jeffrey S. Grunn PROFESSIONAL LAND SURVEYOR
FIELD: WCB	DWN BY: CMB	CHECKED: JSG	DATE: 08/24/2020	REFERENCE NUMBER -		Marc J. Cifone N.J. P.L.S. LIC. No. 24CS04132900 Jeffrey S. Grunn N.J. P.L.S. LIC. No. 24CS04132900	

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.

9.1.c



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

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



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2389)

9.2

Meeting: 04/26/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2389

PB2022-11 Ranieri, Domenick

82 Tecumseh Ave

Block 7, Lot 15

Construction of deck, above ground pool, patio, shed and fence seeking bulk variance relief for:

- Accessory structures in second front yard: pool and shed
- 6' fence in second front yard where 4' and 50% open is permitted

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



April 12, 2022

VIA EMAIL

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
910 Oceanport Way
Oceanport, New Jersey 07757

82 Tecumseh Avenue
Block 15, Lot 7
#PB2022-11
Bulk Variances
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0320

Dear Board Members,

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

- Plan entitled "Survey of Property", prepared by Charles Surmonte, PE & PLS, dated September 17, 2017 and consisting of one (1) sheet.
- An undated hand marked-up copy of the Plan entitled "Survey of Property", prepared by Charles Surmonte, PE & PLS, dated September 17, 2017 and consisting of one (1) sheet.

The subject property is situated in the R-3 – Residential Single-Family Zone District and contains approximately 0.38 acres on the south east of the intersection of Tecumseh Avenue and Shrewsbury Avenue. The Applicant proposes to construct an above-ground pool, associated decking and rear yard patio.

Based on our review of the Application, we recommend that the Application be deemed **COMPLETE** and scheduled for the next available hearing. A planning and engineering review of the Application is provided below.

Variances/Design Waivers

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

1. Bulk variances are required for the following:

- a. Minimum Front Yard Setback, Principal Structure: 30' required, 18' proposed from the deck to Shrewsbury Avenue.
- b. In accordance with Ordinance Section 390-17.C, no accessory structures are permitted in the front yard. The Applicant is proposing a 10' x 12' shed with a 17' setback and an above-ground pool 35' from the Shrewsbury Avenue property line.
- c. Ordinance 390-25A requires fences located in the front yard to be no higher than 4' and less than 50% solid. The Applicant proposes a 6' high vinyl fence that is more than 50% solid.

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.

General Comments

- 1. The Applicant should clarify the proposed heights of the two-tiered deck. It appears that at least a portion of the deck will be more than 30" above grade and require a guard/handrail.
- 2. Our office recommends that the fencing along Shrewsbury Avenue be set back at least 5' so that plantings of various heights and species can be planted between the fence and property line without encroaching into the County right of way.

3. The Applicant shall clarify what utilities will be provided to the shed and if any outdoor lighting is proposed.
4. The pool fencing and gates shall comply with Ordinance 390-31H.
5. It is recommended that the Applicant bring a detail of the proposed 6' vinyl fence to the hearing.
6. The Applicant shall clarify if any regrading of the property is proposed. Should regrading be proposed our office recommends the submission of an acceptable grading plan as a condition of approval.

We reserve the opportunity to further review and comment on this Application and all pertinent documentation pursuant to testimony presented at the public hearing.

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

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

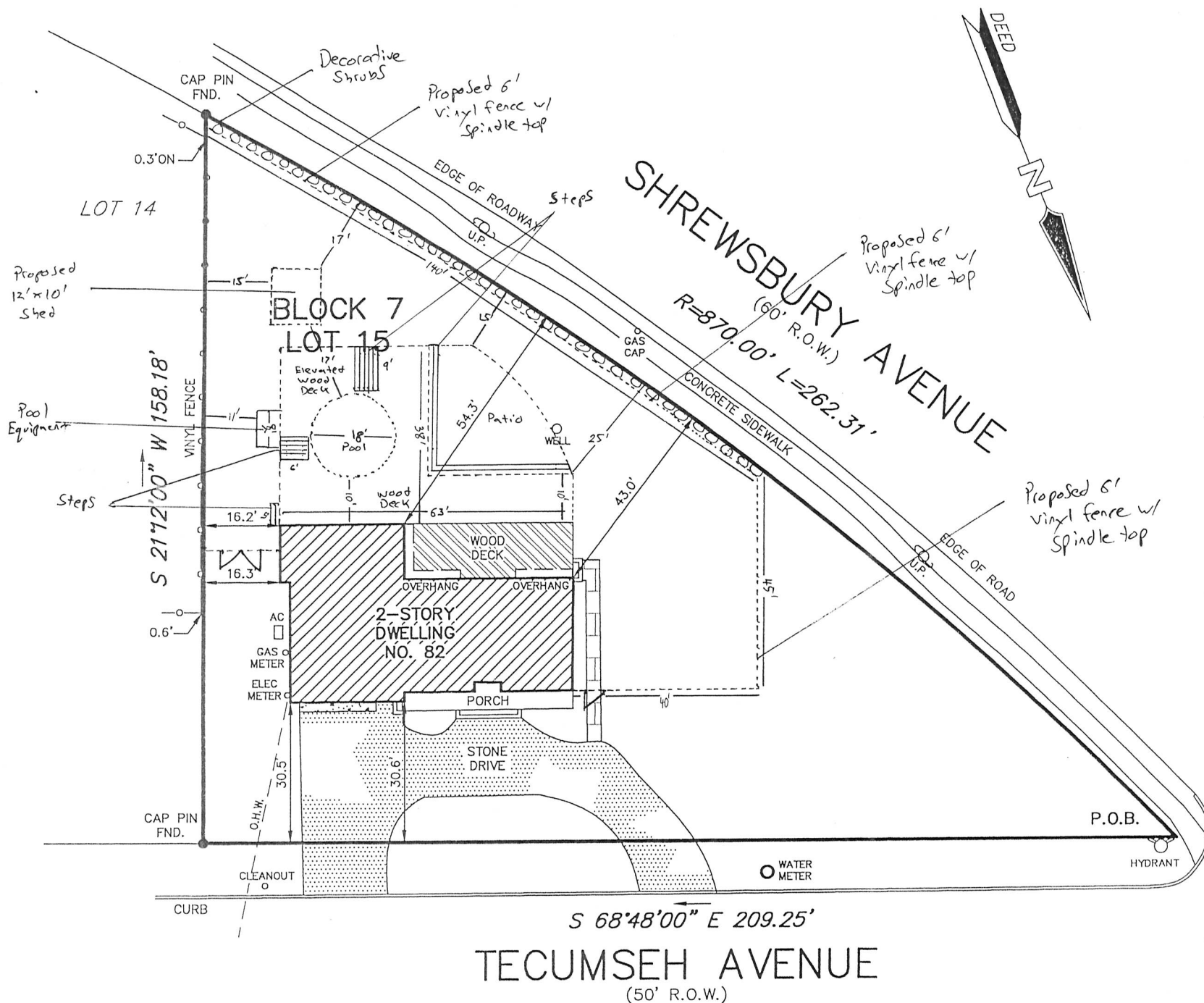


William H.R. White, III, PE, PP, CME, CFM, CPWM
Planning Board Engineer and Planner

WHW/dmm

cc: Kevin Kennedy, Esq. (via email)
Domenic Ranieri, Applicant (via email)

r:\projects\m-p\opp\opp0320\correspondence\out\220412_whw_smith_82_tecumseh.docx



THIS SURVEY IS CERTIFIED TO:

- DOMENIC RANIERI, married
- FIDELITY NATIONAL TITLE INSURANCE COMPANY
- FOUNDATION TITLE, LLC (315-50721)
- HOMEBRIDGE FINANCIAL SERVICES, INC.,
Its Successors And/Or Assigns As Their Interest May Appear
- PETER B. GRIMM, ESQUIRE
- ANSELL GRIMM & AARON, P.C.

DEED REFERENCE:

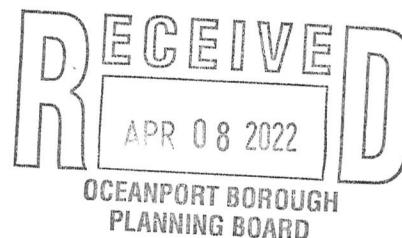
DEED BOOK 5417, PAGE 747 et seq.

DEED DESCRIPTION:

BEING KNOWN AND DESIGNATED AS LOTS 119, 120, 121, 122, 123, 124, 125 & 126 IN BLOCK 7 AS SHOWN ON A MAP ENTITLED, "PERFECTED AND AMENDED MAP OF PROPERTY KNOWN AS PORTAUPECK, MONMOUTH CO., N.J.," WHICH MAP WAS FILED IN THE MONMOUTH COUNTY CLERK'S OFFICE ON NOVEMBER 11, 1920 AS CASE No. 23-6.

NOTES:

1. ALSO KNOWN AS LOT 15 IN BLOCK 7 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY, SHEET No. 10.
2. UNDERGROUND UTILITIES NOT LOCATED BY THIS SURVEY.



SURVEY OF PROPERTY

82 TECUMSEH AVENUE
LOT 15 BLOCK 7

BOROUGH OF OCEANPORT

MONMOUTH COUNTY

NEW JERSEY

Charles Surmonte P.E. & P.L.S.
New Jersey Professional Engineer and Land Surveyor
License No. 35885

301 Main Street, 2nd Floor
Allenhurst, New Jersey, 07711
Phone 732-660-0606
Fax 732-660-0404

NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS, ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY.

THIS SURVEY IS SUBJECT TO CONDITIONS WHICH MIGHT BE DISCLOSED BY AN ACCURATE TITLE SEARCH.

OFFSETS AS SHOWN HEREON ARE NOT TO BE USED TO ESTABLISH PROPERTY LINES.

PROJECT No.

17-1037

DATE:

08-17-17

SCALE:

1"=30'

SHEET:

1 OF 1



