



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • MARCH 23, 2021

Regular

REMOTE/VIRTUAL

7:00 PM

Clement V. Sommers Municipal Building, 910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order

II. Board Policy

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

III. Open Public Meetings Statement

This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 22, 2021 of this virtual/ remote meeting and its location, date and time to the Asbury Park Press, Star Ledger and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site. This meeting is also being broadcast on the Borough's Local Public Access Channel, Verizon FiOS Channel 28. Members of the general public can register for meetings from the Borough website at www.oceanportboro.com by scrolling to the bottom of the homepage and clicking "REGISTER for Planning Board Virtual Meetings". Registering allows the general public to view and participate in meetings on their computers, smart phones and tablets. Once registered, members of the general public will be muted upon entry to a meeting. Registration allows a member of the general public to participate during the public portions of a meeting by using one of the following options:

- (a) Use the Raise Your Hand Feature in the Go-to-Webinar toolbox to be acknowledged for an opportunity to speak. Once recognized and advised to speak, members of the general public may need to unmute themselves to participate in the meeting.
- (b) call the Borough's Public Comments Line at (732)-272-8337. The Public Comments Line is only answered during the livestream broadcast of a meeting when the Chairman has opened the meeting to the public. A caller to the Public Comments Line must provide his or her name and address in order to participate in a meeting. Once this information is provided, callers will either be admitted to speak at the meeting immediately or they will be called back by the Board Secretary at the appropriate or designated time so that they can speak. Speakers participating through the Public Comments Line will be placed on speaker and all comments made will be part of the digital record of the meeting. The instructions for Public Participation in the Borough's meetings are also available on the Borough's website at www.oceanportboro.com.

IV. Flag Salute

V. Roll Call

VI. Board Business

1. Approval of Minutes - March 9, 2021
2. Approval of Minutes - Oct 13, 2020
3. Approval of Minutes - Sep 22, 2020
4. Administrative Request - 282 E. Main Street
5. Report of Pending Applications

VII. Old Business

1. Resolution of Approval, PB2020-33, Torregrossa
2. Resolution of Approval - PB2020-34, Kohler
3. Resolution of Approval - PB2020-32, Rosenbloom/OShaughnessy
4. PB2020-29 Oport Partners LLC
675 Oceanport Way
Block 110.15, Lot 1
Block 110.16, Lot 1
Preliminary & Final Site Plan

VIII. Petitions from the Public

IX. Adjournment



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB 21-10

7.1

Meeting: 03/23/21 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 1994

Resolution of Approval, PB2020-33, Torregrossa

03/23/2021

DRAFT

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
 APPROVAL OF THE APPLICATION OF ANDREW TORREGROSSA
 95 ALGONQUIN AVENUE, BLOCK 18, LOT 12
 APPROVED MARCH 9, 2021
 MEMORIALIZED MARCH 23, 2021**

INTRODUCTION

WHEREAS, Andrew Torregrossa has made Application to the Oceanport Planning Board for the property designated as Block 18, Lot 12, commonly known as 95 Algonquin Avenue, Oceanport, New Jersey, within the Borough's R-3 Zone, for the following approval: Bulk Variance Relief associated with a request to construct a new detached garage and addition:

PUBLIC HEARING

WHEREAS, the Board held a remote Public Hearing on March 9, 2021, 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 August 27, 2012, consisting of 1 sheet, introduced into Evidence as A-2;*
- *Floor Plans, prepared by Jeremiah J. Regan, AIA, last revised September 21, 2020, consisting of 2 sheets,, introduced into Evidence as A-3;*
- *Maser Consulting Review Memorandum, dated January 12, 2021, introduced into Evidence as A-4;*

- *Illustrated Rendering of the proposal, prepared by Jeremiah J. Regan, AIA, dated December 20, 2020, introduced into Evidence as A-5;*
- *Affidavit of Service; and*
- *Affidavit of Publication.*

WITNESSES

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

- Andrew Torregrossa, Applicant, appearing Pro Se;
- Jeremiah J. Regan, Architect;

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 and his Representatives revealed the following:

- The Applicant is the owner of the subject property.
- The Applicant has owned the subject property for approximately 10 years.
- There is an existing single-family home at the site.
- The Applicant lives at the site as his primary residence.
- There was an attached garage at the site, but the same was previously converted to a playroom.
- Currently, there is no garage at the site.
- There is no basement at the site.
- As a result of the fact that there is no basement, and no garage, storage space is rather limited.
- There is a need for a garage at the site.

- The Applicant is in need of a garage for the storage of a vehicle, as well as other standard garage purposes.
- The need for a garage, for storage purposes, is more pronounced due to the fact that there is no basement at the site.
- As such, the Applicant is proposing to construct an attached garage/ addition.
- Details pertaining to the proposed garage addition include the following:

Use:	Garage and mud room
Location:	Side yard area, northwest corner of the property, per plans
No. of Bays:	2
Size:	900 SF
Height:	19 ft.
Details	Attached
Living Space?:	The garage and loft area above will not be utilized as living space.

- The Applicant anticipates having the construction work completed in the near future.
- The Applicant will be utilizing licensed Contractors in connection with the construction process.

VARIANCES

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

LOT COVERAGE: Maximum 25% permitted for a principal structure; whereas 29.92% proposed.

IMPERVIOUS COVERAGE: Maximum 37% allowed; whereas 39.5% proposed.

PUBLIC COMMENTS

WHEREAS, there were no public comments, questions, 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 95 Algonquin Avenue, Oceanport, New Jersey, within the Borough's R-3 Zone.
3. The site contains an existing single-family dwelling and shed, which is a permitted use in the zone. (The shed is to be removed.)
4. The Applicant proposes the following:
 - Construction of a new attached garage / addition (mud room addition).
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:
 - There is a need for a garage at the site.
 - The Garage approved herein will have a loft area. Though the loft area will be insulated, heated, and serviced by electricity, the said loft area will not be utilized as living space.
 - The existing home has an approximate height of 24 Ft.
 - The garage addition approved herein will have an approximate height of 19 ft.
 - The garage addition approved herein will be noticeably smaller (in terms of height) than the existing home.

- The addition approved herein will architecturally and aesthetically match the existing structure.
- The garage addition approved herein will have some architectural features, such as dormers, which will be aesthetically pleasing, and which will further minimize any adverse impacts associated with the relief granted herein.
- Per the testimony and evidence presented, there are no adverse grading/drainage issues associated with the non-conforming coverages approved herein.
- The testimony indicated that there is, or will be, sufficient landscaping at the site, which should help minimize any disturbance associated with the non-conforming accessory structure setback.
- Per the testimony and evidence presented, there is a need for a garage at the site, particularly in that there is no basement.
- The height of the garage (19 ft.) will be compatible with other garages in the neighborhood.
- Per the testimony and evidence presented, the new garage will not be utilized as living space.
- Currently, there is an existing shed located on the site, in a non-conforming location. As a condition of the within approval, the non-conforming shed will be removed.
- The garage approved herein and loft area above will not have water / sewer service and thus, occupancy of the same is not a viable option.
- The proposed garage is a permitted accessory use in the Zone.
- Additionally, notwithstanding the Variances, the Board notes that the location of the proposed garage is practical, appropriate, and aesthetically pleasing.
- The proposed garage will be attractive, aesthetically pleasing, and upscale, in accordance with Prevailing Community Standards.
- The size of the garage addition approved herein is appropriate.
- 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 construction of the proposed garage/addition in the specified location, represents sound planning (subject to the conditions contained herein).
- Per the testimony and evidence presented, the construction of the proposed garage will likely enhance the overall value of the subject property.
- Approval of the within Application will not materially intensify the existing, and to-be-continued, single-family nature of the home/site.
- The garage/addition approved herein represents an appropriate balance between the competing needs / desires to a) construct a modern / functional garage and b) comply, or more closely comply, with some of the Prevailing / Bulk Requirements.
- The subject lot is an appropriate site for a single-family home and garage/addition.
- Single-family and garage use at the site is consistent with the Borough's Master Plan.
- Single-family and garage use at the site is consistent with the character of the neighborhood.
- Approval of the within Application will allow a brand new / upgraded accessory structure to be built at the site.
- Subject to the conditions contained herein, the new garage approved herein will satisfy all Prevailing / updated Building Code Regulations, Construction Code Regulations, and Flood Regulations.
- There are essentially no other practical / viable locations (on the site) for the garage / addition to be located, but for that which is proposed by the Applicant.
- The new garage / addition approved herein will not overpower or overwhelm the site or the neighborhood.
- Per the testimony and evidence presented, other development options were reviewed and considered, but the same were not practical / feasible.
- The Plans approved herein are reasonable, given the site constraints, and given the Applicant's need to construct a garage.
- The proposed location for the Applicant's new garage / addition is logical and practical.

- Subject to the conditions contained herein, the new garage / addition approved herein will not have any significant detrimental impact on adjoining property owners.
- Approval of the subject Application will not appreciably intensify the historic single-family use at the Site. Consequently, the Board is of the collective opinion that the requested relief can be granted without impairing the intent or purposes of the Borough Zoning Plan / scheme.
- Subject to the conditions contained herein, approval of the within Application should help improve the overall appearance of the area.
- 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.
- The architectural design of the new garage/addition will not be inconsistent with the architectural character of other new additions / garages in the area.
- Sufficiently detailed Plans were submitted.
- Subject to the conditions contained herein, the location of the proposed garage / addition 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 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 garage and loft area above shall not be utilized as living space.
- c. There shall be no water / sewer service to the garage / loft area.
- d. In the event the value of the improvements exceed 50% of the assessed value, then, in that event, the Applicant shall comply with Prevailing FEMA Regulations relative to elevation requirements, etc.
- e. The Plans shall be revised so as to portray and confirm the following:
 - The elimination of the shed; and
 - Confirmation that there shall be a platform for the utilities.
- f. Grading / drainage / gutter / leader details shall be reviewed and approved by the Board Engineer.
- 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 the terms and conditions of the Maser Consulting Review Memorandum, dated January 12, 2021 (A-4).
- j. The Applicant shall comply with all Prevailing FEMA / Flood Regulations.
- k. The Applicant shall not allow/permit any adverse light spill-over associated with the new garage.
- l. Unless otherwise waived by the Board Engineer, the Applicant shall submit Grading / Drainage Plans (for the review and approval of the Board

Engineer), so as to confirm that the same will have no adverse impact on the site or the surrounding properties.

- m. The construction shall be strictly limited to the Plans which are referenced herein, and which are incorporated herein at length. Additionally, the construction shall comply with Prevailing Provisions of the Uniform Construction Code.
- n. The 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.
- o. 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.
- p. The Applicant shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.

SUMMARY OF VARIANCE RELIEF GRANTED

- 1. Lot Coverage: 25% allowed;
29.92% approved.
- 2. Impervious Coverage: 37%
Allowed; whereas 39.5% 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 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 development.

PR-21-10

03-23-21

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on March 9, 2021 on roll call that evening by the following vote:

Offered by: _____

Seconded by: _____

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

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

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

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of March 23, 2021.

Jeanne Smith, Secretary

KEK/dmp

Z:\KevinKennedyLaw\Municipal\Oceanport Planning Board\Torregrossa (detached garage - mud room addition)\Resolution.docx



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB 21-11

7.2

Meeting: 03/23/21 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 1993

Resolution of Approval - PB2020-34, Kohler

03/23/2021

DRAFT

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
APPROVAL OF THE APPLICATION OF ARNO KOHLER
78 IROQUOIS AVENUE
OCEANPORT, NEW JERSEY
BLOCK 8, LOT 11.02
APPLICATION NO.:
APPROVAL DATE: MARCH 9, 2021
MEMORIALIZATION DATE: MARCH 23, 2021**

Introduction

WHEREAS, Arno Kohler has made Application to the Oceanport Planning Board for the property designated as Block 8, Lot 11.02, commonly known as 78 Iroquois 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 Hearing

WHEREAS, the Board held a remote Public Hearing on March 9, 2021, 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;*
- *5 Photographs of the subject property, collectively introduced into Evidence as A-2;*
- *Pool Grading Plan, prepared by Midstate Engineering, Inc., last revised November 3, 2020, consisting of 1 sheet, introduced into Evidence as A-3;*
- *Survey of property, prepared by Kurtz Consulting Engineers, dated Janu 26, 1994, consisting of 1 sheet, introduced into Evidence A-4;*

- *Maser Consulting Review Memorandum, dated February 11, 2021, introduced into Evidence as A-5;*
- *Affidavit of Service;*
- *Affidavit of Publication.*

Witnesses

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

- Arno Kohler, 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 Applicants is the owner of the subject property.
- The Applicant has owned the subject property since approximately 1994.
- 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 16 ft. x approximately 28 ft.
Location:	South-west 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 north-eastern end of the pool.

Patio Detail:	The patio will consist of an approximate 771 square foot paver area surrounding the pool.
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- The Applicant anticipates having the pool installed in the very near future.

Variance Relief

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

*IMPERVIOUS COVERAGE: Maximum 37% allowed:
whereas 43.48% 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 78 Iroquois 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 is aware that the Applicant's backyard area is quite sloped. The Board is also aware that, per the testimony and evidence presented, there is a catch basin in the Applicant's backyard, which collects water from a number of properties in the area.
- Per the testimony presented, water from the area is collected in the existing catch basin – and approval of the within Application will not change the same.
- Per the testimony and evidence presented, given the nature of the soil at the site (which does not allow for percolation), the impact associated with the Impervious Coverage relief will be minimal.
- Per the testimony presented in evidence, the nature of the very resistant soil at the site will allow the within relief to be granted, without causing substantial detriment to the public good.
- Given the nature of the subject soil at the site, there will be no adverse impact associated with the non-conforming Impervious Coverage granted herein.
- The nature of the soil at the subject site will minimize any adverse impact otherwise associated with the relief granted herein.
- Per the testimony and evidence presented, there are 5 existing pools and 1 hot tub 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.
- 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:	32.34%
Proposed impervious coverage:	44.48%

- 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.
- 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.
- 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.

- The proposed pool will be attractive, aesthetically pleasing, and upscale, in accordance with prevailing community standards.
- The Board notes that 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).

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 Applicant shall comply with the terms and conditions of the Maser Consulting Review Memorandum, dated 2/11/21 (A-5).
- d. There shall be no adverse drainage impact on the adjoining properties.
- e. In accordance with the Board Engineer Review Memorandum, the Applicant shall submit a signed / sealed Survey.
- f. The Applicant shall plant 11 arborvitaes on the north side of the pool (between the driveway and the pool).
- g. 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.
- h. 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.)
- i. The Applicant shall ensure that the location / elevation of the pool equipment shall comply with prevailing construction department regulations (regarding base flood elevation).
- j. 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.
- k. 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.

- l. 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.
- m. 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.
- n. 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 43.48% 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.

PR-21-11

03-23-21

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on March 9, 2021 on roll call that evening by the following vote:

Offered by: _____

Seconded by: _____

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Widdis	()	()	()	()	()
Whitson	()	()	()	()	()
Davis	()	()	()	()	()
Tvrdik	()	()	()	()	()
Foster	()	()	()	()	()
Kleiberg	()	()	()	()	()
Kahle	()	()	()	()	()
Savarese	()	()	()	()	()
Cooper	()	()	()	()	()
Dailey (Alt. 1)	()	()	()	()	()
Rue (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
Widdis	()	()	()	()	()
Whitson	()	()	()	()	()
Davis	()	()	()	()	()
Tvrdik	()	()	()	()	()
Foster	()	()	()	()	()
Kleiberg	()	()	()	()	()
Kahle	()	()	()	()	()
Savarese	()	()	()	()	()
Cooper	()	()	()	()	()
Dailey (Alt. 1)	()	()	()	()	()
Rue (Alt. 2)	()	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of March 23, 2021.

Jeanne Smith, Secretary



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB 21-12

7.3

Meeting: 03/23/21 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 1995

Resolution of Approval - PB2020-32, Rosenbloom/OShaughnessy

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
APPROVAL OF THE APPLICATION OF ROSENBLOOM / O'SHAUGHNESSY
47 TECUMSEH AVENUE / BLOCK 8, LOT 26
APPROVAL DATE: MARCH 9, 2021
MEMORIALIZED: MARCH 23, 2021**

INTRODUCTION

WHEREAS, John and Felicia O'Shaughnessy, as Assignees from Matthew Rosenbloom, have made Application to the Oceanport Planning Board for the property designated as Block 8, Lot 26, commonly known as 47 Tecumseh Avenue, Oceanport, NJ, within the Borough's R-3 Zone, for the following approval: Bulk Variance associated with an Application to retroactively legitimize certain improvements to an existing single-family home; and

PUBLIC HEARINGS

WHEREAS, the Board held Remote Public Hearings on December 16, 2020, January 26, 2021, and March 9, 2021. 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;*
- *Zoning Officer Denial Letter, dated June 22, 2020, introduced into Evidence as A-2;*
- *Survey of property, prepared by Thomas P. Santry, dated December 19, 2020, introduced into Evidence as A-3;*

- *Survey, prepared by Kee Engineering, dated September 19, 2020, introduced into Evidence as A-4;*
- *Revised Plot Plan, prepared by Kee Engineering, introduced into Evidence as A-5;*
- *Revised Plot Plan, prepared by Kee Engineering (with details portraying conditions which existed at the time of the Rosenbloom purchase), introduced into Evidence as A-6;*
- *Assignment of Application (Matthew Rosenbloom to John and Felicia O'Shaughnessy), introduced into Evidence as A-7;*
- *Communication from the Assignees, to the Planning Board, dated February 23, 2021, introduced into Evidence as A-8;*
- *Survey, prepared by Kee engineering, last revised February 22, 2021, introduced into Evidence as A-9;*
- *Affidavit of Service; and*
- *Affidavit of Publication*

WITNESSES

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

- Matthew Rosenbloom, initial Applicant (Assignor), appearing pro se;
- John O'Shaughnessy, new / secondary Applicant (Assignee), appearing pro se;
- Felicia O'Shaughnessy, new / secondary Applicant (Assignee), appearing pro se;

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

TESTIMONY AND OTHER EVIDENCE PRESENTED ON BEHALF OF APPLICANTS

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

- Matthew Rosenbloom (initial Applicant / Assignor) purchased the subject property in or about 2014.
- At the time of the Rosenbloom purchase, the site had a non-conforming impervious coverage of approximately 50.3%.
- When Mr. Rosenbloom purchased the property, there was an old deck at the site, which was in a compromised condition. For instance, the deck was rotted, the structural integrity of the same was compromised, water pooled under / around the same, and there were animals / rodents which inhabited the area beneath the deck.
- In or about 2015 / 2016, the Applicant (Mr. Rosenbloom) secured a contractor to remove the compromised deck and to install a stone patio. (The patio was roughly the same size as the deck which was removed). (A grill was installed as well.)
- Mr. Rosenbloom believed that the contractor had secured the necessary permits / approvals associated with the 2015 / 2016 deck removal / patio installation work.
- However, upon further review, development permits / approvals were not obtained.
- The deck removal / patio installation project proved to be quite beneficial for the Applicant.
- Mr. Rosenbloom testified that the benefits associated with the deck removal / patio installation project resulted in aesthetic improvements, functional improvements, and grading / drainage improvements.
- Mr. Rosenbloom signed a contract to sell the subject property to John and Felicia O'Shaughnessy.
- In conjunction with the closing process, Mr. Rosenbloom ordered a Certificate of Occupancy inspection.
- The Certificate of Occupancy revealed that the deck replacement / patio installation project was completed without municipal approval / oversight / permits.

- The Certificate of Occupancy also revealed that the aforesaid improvements increased the impervious coverage at the site to a non-conforming impervious coverage of approximately 57%.
- The said situation prevented the issuance of an unconditional Certificate of Occupancy, which threatened the sale of the property.
- Representatives of the Borough of Oceanport issued a temporary Certificate of Occupancy (so as to allow the transfer of title to lawfully take place).
- The temporary / conditional Certificate of Occupancy was conditioned upon the Applicants securing Planning Board approval to retroactively legitimize the unauthorized development (or otherwise reduce the overall impervious coverage at the site to its pre-disturbed condition).
- The Rosenbloom to O'Shaughnessy closing occurred in or about July of 2020.
- The Applicants are now seeking approval to retroactively legitimize the installation of the stone patio at the site, and other improvements, with its non-conforming impervious coverage.

VARIANCE

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

*IMPERVIOUS COVERAGE: Maximum 37% allowed;
whereas 50.3% proposed.*

PUBLIC COMMENTS

WHEREAS, there were no public comments, questions, statements, and / or objections issued in connection with the subject Application.

FINDINGS OF FACT

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Oceanport, 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 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 47 Tecumseh Avenue, Oceanport, NJ, within the Borough's R-3 Zone.
3. There is an existing single-family home at the site.
4. Such single-family use is a permitted use in the subject zone.
5. There is a rather extensive procedural history associated with the within matter – and the same is set forth, in detail, in the “testimony” of the within Resolution.
6. As referenced herein, during the ownership of Mr. Rosenbloom, certain unauthorized improvements were effectuated (including the removal of a deck, the installation of a patio, and the installation of a grill).
7. The aforesaid improvements required permits (which were not obtained) and Variance relief (which was not obtained).
8. The Applicants are now seeking approval to retroactively legitimize work which was previously completed at the site (without any permits / approvals).
9. The Oceanport Planning Board is statutorily authorized to grant the request of relief and therefore, the matter is properly before the said entity.
10. With regard to the Application, and the requested relief, the Board notes the following:
 - The Borough’s prevailing regulations require Applicants to secure permits / approvals for certain types of work performed at any site.

- It is incumbent upon every property owner to obtain necessary permits, when the same are necessary.
- The permitting process, and inspections associated therewith, allow for appropriate municipal oversight of work for which municipal oversight is, in fact, required.
- There are health and safety factors underlying the need for appropriate municipal review and municipal issuance of permits.
- In conjunction with the permitting process, municipal zoning officials are also provided with an opportunity to confirm that the proposed improvements comply with the Borough's prevailing Use & Bulk Zoning Requirements.
- The permitting process also facilitates the ability of the municipality to appropriately tax / assess properties in a fair and equitable fashion.
- Permits were necessary for the removal of the deck / installation of the patio / installation of the grill, and the same should have been obtained.
- The Applicant / Assignor indicated that he believed the contractors had obtained the necessary permits / approvals.
- The Board acknowledges the Applicant / Assignor's representations in the said regard.
- The Oceanport Planning Board is not a penal institution, and the Planning Board is not authorized to issue / levy any violations / fines.
- The Oceanport Planning Board is authorized to grant Variance relief when compelling and legally sufficient reasons are submitted for the same.
- In the within situation, the Board has analyzed the Application in the context of the Variance relief requested, and the applicable standards associated therewith.
- The first Public Hearing on the matter occurred on December 16, 2020.
- At the first Public Meeting, Board Members expressed concerns regarding the excess impervious coverage (approximately 57%). Some Board Members were particularly concerned in that the maximum allowable impervious coverage at the site is 37%, and thus, the Applicant was proposing a 20% differential.

- While Mr. Rosenbloom (the initial Applicant) wanted the Board to retroactively legitimize the 57% impervious coverage amount, Board Members wanted the Applicant to undertake actions to try to reduce the overall impervious coverage.
- Board Members suggested a number of potential items which could be addressed so as to reduce the overall impervious coverage. For instance, there was a discussion regarding the possibility of relocating the driveway, removing some of the pathways, removing some of the existing concrete, the possibility of reducing the impervious coverage to 50.3% (i.e., the testified coverage before the unauthorized work was completed), etc..
- At the December 16, 2020 Hearing, the Applicant / Assignor did not appear too motivated to reduce coverage or to otherwise entertain suggestions / requests from the Board Members to reduce the overall impervious coverage.
- The Board representatives again suggested that the Assignor become more creative and that he more seriously consider further action so as to reduce the excessive impervious coverage.
- Citing financial hardship and complications associated with the post-closing process, etc., the initial Applicant / Assignor did not appear inclined to entertain any serious modifications.
- The Board members note that there was no professional testimony submitted in connection with the testimony presented at the first Public Hearing.
- A number of Board Members did not believe that sufficient lay testimony had been presented to justify the excessive 57% impervious coverage Variance relief.
- As such, the Board Members were prepared to vote on the matter.
- On the verge of the Board vote, as aforesaid, the initial Applicant / Assignor ultimately requested an opportunity to further review the situation so as to attempt to reduce the impervious coverage.
- With the consent of the Applicant / Assignor, the Public Hearing was adjourned until January 26, 2021.
- Several changes were proposed, and the Board Members reviewed / discussed the proposed changes at the continued Hearing of January 26, 2021.
- After further review / discussion of the proposed amendments, Board Members were still concerned that the changes were not significant, and that while there was a reduction in overall

impervious coverage at the site, the same was not sufficiently significant.

- The Board Members were concerned that the overall impervious coverage at the site was still excessive, and that sufficient professional / lay testimony was not presented to justify the same.
- The Board Members were also concerned that good-faith efforts were not really undertaken (with regard to the attempts to further reduce the impervious coverage).
- Board members remained concerned about the adverse environmental impacts associated with the excessive impervious coverage, as well as the corresponding lack of professional testimony associated therewith.
- Board Members remained concerned that despite suggestions / requests to have the impervious coverage reduced to 50.3% (i.e., the non-conforming coverage amount which existed prior to the installation of the unauthorized improvements), the same were not seriously entertained.
- Though the Board representatives again suggested the need for further good-faith efforts to reduce the overall impervious coverage at the site, the Assignor suggested that he was not in a position to offer any further amendments because he was no longer the owner of the subject property.
- Board Members expressed frustration over what was perceived, by some, to be a lack of good-faith efforts to meaningfully reduce the overall impervious coverage at the site.
- The Application was again adjourned so that further revisions could be considered.
- The Board Members further cautioned Mr. Rosenbloom to have the new homeowners attend the next meeting, so that meaningful on-the-record discussions could take place, and so that definitive decisions / actions could be discussed / agreed upon.
- The Application was subsequently assigned from Matthew Rosenbloom to John and Felicia O'Shaughnessy (the Assignees). (The written assignment was submitted into the record as evidence).
- Mr. and Mrs. O'Shaughnessy appeared at the March 9, 2021 continued Public Hearing.
- Mr. and Mrs. O'Shaughnessy testified that they were the new owners of the property, and they were excited to start their new life in the Borough of Oceanport.

- The Board representatives sincerely welcomed Mr. and Mrs. O'Shaughnessy to the Oceanport community, and expressed regret that the introduction had to take place in the context of a formal Planning Board Meeting.
- The Board Members acknowledged that Mr. and Mrs. O'Shaughnessy were not in any way responsible for the situation at hand.
- Mr. and Mrs. O'Shaughnessy (Assignees) testified, in good-faith, as to their good-faith desire to appropriately address all outstanding issues so that an unconditional Certificate of Occupancy could be issued.
- The Board Members still had concerns regarding the excess impervious coverage, and the Assignees were encouraged, on the record, to consider further impervious coverage reductions.
- After a good-faith discussion, Mr. and Mrs. O'Shaughnessy agreed to reduce the impervious coverage to 50.3% (i.e., the same coverage amount which existed prior to the completion of the unauthorized work.)
- The said reduction in impervious coverage will be reviewed / certified by Borough officials.
- The Board Members appreciated the good-faith efforts and actions of Mr. and Mrs. O'Shaughnessy.
- The aforesaid reduction in the impervious coverage amount at the site will be reduced to the level which existing prior to the installation of the unauthorized improvements.
- The reduced impervious coverage, as referenced above, rendered the Application acceptable.
- The Board notes that there was an extraordinary amount of time which was spent over three Public Hearings on the matter.
- While the Board regrets the inconvenience, cost, and frustration incurred by Mr. and Mrs. O'Shaughnessy, the Board Members furthermore recognize the adverse impact associated with excess impervious coverage on any property, and the Borough as a whole.
- The Board Members recognize that the reduction in impervious coverage, as referenced above, will result in the issuance of an unconditional Certificate of Occupancy, and that the same will further allow the new homeowners to appropriately move on.

- 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 satisfies the Statutory Requirements of N.J.S.A. 40:55D-70(c) (Bulk Variances).

For the above reasons, and for the other reasons set forth in the public hearing process, 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 process, the Board Members requested, and the Applicants have agreed, to comply with the following conditions:

- a. The Applicants shall comply with all terms, conditions, promises, and representations made at or during the Public Hearing Process.
- b. The Applicants shall comply with the terms and conditions of any Board Engineer Review Memorandum.
- c. The Applicants shall cause the Plans and / or Application to be revised so as to portray and confirm the following:
 - Confirmation that pervious / permeable rocks shall be placed onsite, in lieu of the to-be-removed pathways.
 - Confirmation that the impervious coverage at the site shall not exceed 50.3%.
- d. Borough officials shall confirm the said / revised impervious coverage calculations.
- e. The Applicants shall obtain any and all permits for the fireplace / gas grill.
- f. The plan revisions and / or removal of excess impervious coverage, as aforesaid, shall be completed on or before **June 30, 2021**, or any agreed upon extension.

- g. The Applicants shall comply with all Prevailing Building / Construction Code Requirements.
- h. The Applicants shall comply with all on-site construction regulations as required by the Borough of Oceanport and any other Agency having jurisdiction over the matter.
- i. The Applicants shall obtain any applicable permits/approvals as may be required by the Borough of Oceanport - including, but not limited to the following:
 - Building Permit
 - Plumbing Permit
 - Electric Permit
- j. The construction shall be strictly limited to the plans which are referenced herein, and which are incorporated herein at length. Additionally, the construction shall comply with prevailing provisions of the Uniform Construction Code and Applicable provisions of the Building Code.
- k. The Applicants shall comply with all terms and conditions of the review memoranda, if any, issued by the Board Engineer, Borough Engineer, Construction Office, the Municipal Project Assistant, the Department of Public Works, the Bureau of Fire Prevention and Investigation, and/or other agents of the Borough.
- l. The Applicants shall obtain any and all approvals (or Letters of No Interest) from applicable outside agencies - including, but not limited to, the Department of Environmental Protection, the Monmouth County Planning Board, and the Freehold Soil Conservation District.
- m. The Applicants shall, in conjunction with appropriate Borough Ordinances, pay all appropriate/required fees and taxes.
- n. If required by the Board/Borough Engineer, the Applicants shall submit appropriate performance guarantees in favor of the Borough of Oceanport.

SUMMARY OF VARIANCE RELIEF GRANTED

The Board herein has granted Impervious Coverage Relief. Specifically, a maximum 37% impervious coverage is allowed; whereas 50.3% impervious coverage has been approved herein.

BE IT FURTHER RESOLVED, that all representations made under oath by the Applicants and/or their agents shall be deemed conditions of the approval granted herein, and any mis-

representations or actions by the Applicants contrary to the representations made before the Board shall be deemed a violation of the within approval.

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

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

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

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on March 9, 2021 on roll call that evening by the following vote:

Offered by: _____

Seconded by: _____

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Widdis	()	()	()	()	()
Whitson	()	()	()	()	()
Davis	()	()	()	()	()
Tvrdik	()	()	()	()	()
Foster	()	()	()	()	()
Kleiberg	()	()	()	()	()
Kahle	()	()	()	()	()
Savarese	()	()	()	()	()
Cooper	()	()	()	()	()
Dailey (Alt. 1)	()	()	()	()	()
Rue (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
Widdis	()	()	()	()	()
Whitson	()	()	()	()	()
Davis	()	()	()	()	()
Tvrdik	()	()	()	()	()
Foster	()	()	()	()	()
Kleiberg	()	()	()	()	()
Kahle	()	()	()	()	()
Savarese	()	()	()	()	()
Cooper	()	()	()	()	()
Dailey (Alt. 1)	()	()	()	()	()
Rue (Alt. 2)	()	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of March 23, 2021.

Jeanne Smith, Secretary



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 1863)

Meeting: 03/23/21 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 1863

PB2020-29 Oport Partners LLC

675 Oceanport Way
Block 110.15, Lot 1
Block 110.16, Lot 1
Preliminary & Final Site Plan

HISTORY:

02/09/21 Planning/Zoning Board

675 Oceanport Way

Block 110.15, Lot 1

Block 110.16, Lot 1

Fort Monmouth Commissary Parcel

EXHIBITS:

A-1 Oceanport Planning Board Land Use Development Application

A-2 "Boundary and Topographic Survey Map of Property Known as Parking & Commissary PX Parcel - Front Monmouth" prepared by John T. Luts, PLS, dated January 23, 2020, revised through July 22, 2020, consisting of one (1) sheet;

A-3 Site Plans entitled "Preliminary and Final Plat - Major Site Plan for Oport Partners, LLC Phase:1 Commissary Parking, Lot 1 in Block 110.15 & Lot 1 in Block 110.16, Borough of Oceanport, Monmouth County, New Jersey" prepared by James A. Kennedy, PE, dated August 31, 2020, revised on October 01, 2020, consisting of (7) sheets;

A-4 Architectural Plans entitled "FT. Monmouth Commissary Core/Shell, 1007 Alexander Ave., Oceanport, NJ" prepared by Cybul Cybul Wilhelm Architects, AIA, dated August 6, 2020, consisting six (6) sheets.

A-5 Traffic Impact Analysis Report prepared by John H. Rea, PE and Scott T. Kennel, of McDonough & Rea Associates, Inc. Traffic and Transportation Consulting, dated October 5, 2020;

A-6 Freehold Soil Conservation District Certification Letter, dated November 5, 2020;

A-7 Monmouth County Planning Board Approval Letter, dated November 9, 2020;

A-8 MCR Application Review, dated November 18, 2020;

A-9 Stormwater Management Compliance Statement, dated August 31, 2020;

A-10 Natural Resource Inventory, prepared by Phillips Preiss Grygiel LLC, dated May 2015.

A-11 Correspondence requesting waiver of Environmental Impact Statement, prepared by John A. Giunco, dated December 21, 2020

A-12 MCR Application Review - Preliminary Major Site Plan, Prepared by FMERA, dated December 21, 2020;

A-13 Flood Hazard Area Verification Approval, prepared by Keith P. Stampfel, PE, dated May 12, 2020;

A-14 ENGenuity Infrastructure Review Letter dated January 28, 2021

A-15 Aerial Exhibit prepared by Kennedy Consulting Engineers, LLC, dated February 9, 2021

- A-16 Illustrated Rendering of Building
- A-17 Illustrated Rendering of Future Building Styles
- A-18 Site Plan Rendering, 1 Sheet, prepared by Kennedy Consulting Engineering LLC, dated February 9, 2021
- A-19 Conceptual Site Plan of Phase II, prepared by Kennedy Consulting Engineering, LLC, undated



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

OCPB-R0020
January 28, 2021
Via email and US Mail

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

RE: Preliminary and Final Major Site Plan – Engineering Review #1
Applicant: Oport Partners, LLC: Application No. PB2020-29
Building No. 1007; Intersection of Alexander Avenue and Murphy Drive
Oceanport, NJ Block 110.15, Lot 1 & Block 110.16, Lot 1

Dear Ms. Smith:

Our office has received the following information in support of the above referenced application for Preliminary and Final Major Site Plan, with bulk variance approval:

- Survey entitled “Boundary and Topographic Survey Map of Property Known as Parking & Commissary PX Parcel – Front Monmouth” prepared by John T. Luts, PLS, dated January 23, 2020, revised through July 22, 2020, consisting of one (1) sheet;
- Site Plans entitled “Preliminary and Final Plat – Major Site Plan for Oport Partners, LLC Phase:1 Commissary Parking, Lot 1 in Block 110.15 & Lot 1 in Block 110.16, Borough of Oceanport, Monmouth County, New Jersey” prepared by James A. Kennedy, PE, dated August 31, 2020 and revised on October 01, 2020, consisting of seven (7) sheets;
- Architectural Plans entitled “FT. Monmouth Commissary Core/Shell, 1007 Alexander Ave., Oceanport, NJ” prepared by Cybul Cybul Wilhelm Architects, AIA, dated August 6, 2020, consisting six (6) sheets.
- Traffic Impact Analysis Report prepared by John H. Rea, PE and Scott T. Kennel, of McDonough & Rea Associates, Inc. Traffic and Transportation Consulting, dated October 5, 2020;
- Freehold Soil Conservation District Certification Letter, dated November 5, 2020;
- Monmouth County Planning Board Approval Letter, dated November 9, 2020;
- Oceanport Planning Board Land Use Development Application;
- MCR Application Review, dated November 18, 2020;
- Stormwater Management Compliance Statement, dated August 31, 2020;
- Natural Resource Inventory, prepared by Phillips Preiss Grygiel LLC, dated May 2015.
- Correspondence requesting waiver of Environmental Impact Statement, prepared by John A. Giunco, dated December 21, 2020
- MCR Application Review – Preliminary Major Site Plan, Prepared by FMERA, dated December 21, 2020;
- Flood Hazard Area Verification Approval, prepared by Keith P. Stampfel, PE, dated May 12, 2020;

In accordance with the Board authorization, we have reviewed this application for Preliminary and Final Major Site Plan approval, with bulk variances and offer the following comments:

Attn: Jeanne Smith, Planning Board Secretary
 Re: Preliminary and final Major Site Plan – Engineering Review #1
 Applicant: Oport Partners, LLC ; Application No. PB2020-29
 Building No. 1007; Intersection of Alexander Avenue and Murphy Drive
 Oceanport, NJ Block 110.15, Lot 1 & Block 110.16, Lot 1

1. Project Description

The subject property is a 11.288 acre parcel located within District A of the Fort Monmouth Reuse and Redevelopment Plan. The property consists of the commissary, PX parcel, and parking parcel; Block 110.16, Lot 1. With this application, the Applicant is proposing the repurposing of the existing commissary building on the grounds of Fort Monmouth. The existing building contains approximately 51,190 SF and will be utilized for food distribution/processing/manufacturing and packaging. The property has frontage along Murphy Drive (also known as Oceanport Way) and Alexander Avenue.

The Reuse Plan as well as the Reuse Plan amendment #2 contemplate the renovation and reuse of the commissary as a retail and/or community center and the demolition of the PX-Complex.

2. Planning & Zoning Compliance

- 2.1 The subject property is located within District A. The commissary building must be adaptively reused. The following uses are permitted for the adaptive reuse of the commissary building:

Craft Production facility

Food Service -Related establishments

Food service -Research and Development.

- 2.2 The Applicant's attorney had submitted a waiver request from checklist item §390-10.B(9)(a) Environmental Impact Statement, dated December 21, 2020. The Applicant submitted the Natural Resource Inventory for the Former Fort Monmouth Properties, prepared by Phillips Preiss Grygiel, LLC dated May 15. The Applicant also notes that the FMERA's Environmental Staff Advisory Committee reviewed the project and the MCR review contains no environmental objections. Waiver of this Checklist item is required.

- 2.3 The table below summarizes the bulk measures and zone requirements for the site:

Table 1 Education / Mixed -Use Neighbor			
Description	Required/Permitted	Existing	Proposed
Minimum Lot Area	N/A	11.288 AC	11.288 AC
Minimum Street Setback	20-30 FT	21.8 FT	21.8 FT
Minimum Side Setback	15 FT	30.7 FT	30.7 FT
Minimum Rear Setback	25 FT	N/A	N/A
Maximum Building Height- (Adaptive Reuse)	N/A	31.4 FT	31.4 FT
Maximum Lot Coverage (Principal Building)	75%	85.9%	85.9% (V)
Floor Area Ratio	0.3	0.199	0.199

(EC) – Existing Condition, (V) – Variance Required

Attn: Jeanne Smith, Planning Board Secretary
 Re: Preliminary and final Major Site Plan – Engineering Review #1
 Applicant: Oport Partners, LLC ; Application No. PB2020-29
 Building No. 1007; Intersection of Alexander Avenue and Murphy Drive
 Oceanport, NJ Block 110.15, Lot 1 & Block 110.16, Lot 1

3. Bulk Variances

Bulk Variance relief is required for the following:

- a. NJAC 19:31C-3.5(f) and the Reuse Plan Amendment #15 permits lot coverage up to 75% of the land area to be impervious, whereas the proposed development has 85.9% impervious coverage. Therefore, a variance is required for excessive ground coverage. This is a proposed nonconformity to remain in phase I. However, per the Applicant's agreement with FMERA (letter dated 12/21/20) the Applicant must rectify this variance in Phase II. The Applicant should testify regarding same.

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

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 specific piece of property of the structures lawfully existing thereon.
- c) An extraordinary and exceptional situation uniquely affecting a specific piece of property of the structures lawfully existing thereon.

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 variances being requested.

4. Design Waivers:

The Oceanport Planning Board when acting upon site plan applications, shall have the power to grant exceptions from the requirements listed in NJAC19:31C-3.10 through 3.14 as may be reasonable and within the general purpose of this chapter of the Reuse Plan if:

- The literal enforcement of one or more rules on this subchapter is impractical; or
- The literal enforcement of one or more of the rules in this subchapter will exact undue hardship because of peculiar conditions pertaining to the land in question.

- 4.1 According to NJAC19:31C-3.10(j)(3), The maximum height of freestanding lights shall not exceed the height of the principal building, or 18 feet, whichever is less. The Applicant is proposing light poles with a mounting height of 20 feet. A design waiver is requested by the Applicant.

Attn: Jeanne Smith, Planning Board Secretary
Re: Preliminary and final Major Site Plan – Engineering Review #1
Applicant: Oport Partners, LLC ; Application No. PB2020-29
Building No. 1007; Intersection of Alexander Avenue and Murphy Drive
Oceanport, NJ Block 110.15, Lot 1 & Block 110.16, Lot 1

- 4.2 Pursuant to NJAC19:31C-3.10(j)(4), the maximum illumination at the property line shall be 0.1 footcandle. Lighting levels exceed 1.6 FC along Alexander Avenue. Whereas, northern portions of the parking lot have lighting levels of 0.4 FC. A design waiver should be requested by the Applicant or comply with the standard. The Applicant should discuss the timing of the Phase II improvements when they propose to upgrade these lighting levels and whether the Phase I site will be operational and also clarify the hours of operation for workers.
- 4.3 Pursuant to NJAC19:31C-3.10(j)(5), the minimum light intensity in a given area can be no less than 0.5. Whereas the northern portion of the parking lot has a lighting intensity of 0.4 FC. The Applicant should request a design waiver or comply with the standard.
- 4.4 According to NJAC19:31C-3.10(d)(3); where natural foliage is not sufficient to provide year-round screening of any utility apparatus appearing above the surface of the ground, other than utility poles, the Applicant shall provide sufficient live screening to conceal such apparatus year-round. The Applicant is proposing an above ground heated enclosure for the proposed water service. A year-round screening buffer should be provided around the utility enclosure. A design waiver should be requested by the Applicant or comply with the required standard.
- 4.5 According to NJAC19:31C-3.15(c)(2)(i)(1); Surface parking areas should be set back from street-facing lot lines, as well as from interior or rear lot lines shared with adjacent uses, at least five feet if one double-loaded bay of parking is provided, or at least 10 feet if a deeper parking area is provided. Whereas, the proposed development provides parking with a 0-foot setback from the property line. A design waiver is requested by the Applicant.
- 4.6 According to NJAC19:31C-3.15(c)(2)(i)(2)(v); Walkways between parking bays: Where more than 50 spaces are provided in any surface parking area, or where any parking spaces are located more than 125 feet from the primary building entrance, pedestrian walkway(s) should be provided through the parking lot, running parallel to bays of parking. The walkways should have a minimum clear walking area of five feet wide and should be sited to provide convenient, direct, and safe pedestrian access to the building. Whereas, no pedestrian accessways are provided in the 236-stall parking lot. A design waiver should be requested by the Applicant or comply with the standard.
- 4.7 From NJAC19:31C-3.15(c)(2)(i)(2); iv. For all non-residential buildings, a secure indoor bicycle storage room should be provided; Whereas, no bicycle racks have been provided in a secure indoor storage room. The FEMRA MCR review letter dated 12/21/20 supports the granting of a design an exception to this standard, as long as the Applicant agrees to provided outdoor bicycle racks during the Phase II improvements, with a requirement of one 1 bicycle space for each 10-15 parking spaces provided.

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5. Traffic

- 5.1 The Applicant shall provide testimony for the proposed use and potential impacts. The Traffic Report states that the development in the Phase I build condition will do so at a level of service 'B' for both AM and PM peak period hours from Oceanport Way to County Route 537. The Applicant should clarify the level of service of the existing roadway in the no-build condition for review and comparison.
- 5.2 It appears that concrete barriers are proposed in the Phase II parking area to restrict access during Phase I construction. However, there are two entrances to the Phase II parking area without concrete barriers proposed. The Applicant should address restricting full vehicular access to the existing parking lot.
- 5.3 Sight triangles should be shown at all intersections, of streets and driveways.
- 5.4 The trip generation portion of the traffic report indicates that half the building (25,595 SF) will be used as food service preparation and the remaining half (25,595 SF) will be used for general light industrial use. However, industrial uses are not permitted within District A. Clarification is requested regarding using light industrial versus using food service preparation for the proposed trip generation of the entire 53,700 SF commissary building.
- 5.5 The Phase I parking lot appears to encroach into Lot 5 and access also appears to be proposed through Lot 5. The Applicant has provided an easement that show some lots were consolidated, but does address the access. The Applicant should clarify the limits of the consolidation.
- 5.6 The Applicant should clarify if an easement covers the parking on lots 5 and 26 since it appears that the parking will act as one lot.

6. Pedestrian Circulation

- 6.1 The Applicant should clarify the accessible path from the ADA parking spaces to the building. It appears there is only depressed curb along the loading area of the commissary building. The Applicant shall provide barrier free ADA access from the parking spaces to the building access.
- 6.2 During our field investigation of the subject property, a white, vinyl fence gate that separates the front of the building and the side loading area was left ajar. There is a 4 ft. drop-off on the opposite side of the fence. The plans should address this hazard.
- 6.3 The Applicant should provide testimony regarding the anticipated pedestrian traffic to the site and proposed use. We recommend proposed sidewalk be provided along the Murphy Drive frontage and connect to the Fort Monmouth road network. If this is proposed in Phase II then the Applicant should clarify the timing.

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6.4 Many of the pedestrian improvements are proposed to be deferred to Phase II. The Applicant should clarify timing of the Phase II improvements.

6.5 The proposed aboveground heated enclosed water service appears to conflict with the existing sidewalk access, please address.

7. Grading

7.1 For the proposed ADA ramps a flat (2% maximum slope in all directions) 4'x 4' clear turning space is required at the top of all ramps and parking stalls should be 2% as well. The Applicant shall provide grades at the tops of all ramps and for all ADA Parking spaces to confirm this can be achieved.

8. Lighting

8.1 There is light spillage onto the adjacent lot in the northeast corner of the property Lot 5. This is the lot where access is proposed to the parking lot.

8.2 There are no lighting levels for the auxiliary parking lot along the northern side of the commissary building. The Applicant shall clarify the use of the auxiliary parking to the north and confirm the lighting levels.

8.3 There are no lighting levels provided in the loading area to the east of the commissary building. The Applicant shall clarify the use of the loading zone and provide existing lighting levels. Specifically, because loading typical occurs during off hours.

9. Landscaping

9.1 Upon completion of a site visit, it was observed that a number of trees that were proposed to remain have been removed. The plans should be updated to indicate trees that have been previously removed.

9.2 Landscape plan should indicate, explicitly, the location where proposed trees are being planted. This should include a callout on the plans.

9.3 We recommend that a planting buffer is provided around the proposed water heater enclosure.

10. Environmental

10.1 As the proposed use is food service related the Applicant shall clarify if a Phase I environmental impact assessment was conducted for the existing Commissary building and parcel.

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- 10.2 Regarding endangered and threatened species, there was an active osprey (*Pandion haliaetus*) found on a FMERA owned utility pole located at the intersection of Anson Avenue and Murphy Drive. The nest was dismantled by a qualified voltage electrician on October 28, 2020 under the authority granted by Depredation Control Permit No. DC2020052, which was issued by the NJDEP on March 24, 2020. The Applicant should testify regarding same.

11. Stormwater Management

- 11.1 The project as proposed will not result in one acre or more of soil disturbance or increase impervious surfaces by ¼ acre or more. Therefore, the development is not considered a major development under the stormwater management regulations N.J.A.C. 7:8.
- 11.2 The Applicant proposes to use the existing, FMERA owned stormwater collection system. The Applicant shall clarify if any existing stormwater components, pipe, inlets, and appurtenances were televised and are structurally deficient or need replacement. Specifically, any pipes located underneath the parking area.
- 11.3 The Applicant proposes to maintain the existing stormwater patterns and proposes no increases in runoff, as there is no site layout, grading or impervious coverage changes proposed during the Phase I improvements. Stormwater runoff generated on-site will continue to be directed to the existing drainage system, which discharges to Husky Brook.
- 11.4 The site plan shows incomplete storm water system within project limits. We recommend that the plan is revised to show the full extent of the underground stormwater pipes, or the Applicant should testify regarding same.

12. Sanitary Sewer & Water

- 12.1 The Applicant should provide the location of the proposed water shut off gate valves and fire gate valves at the proposed connection to the water main on Anson Avenue.
- 12.2 The Applicant should specify if the existing water service will be abandoned at the building or at the water main. It appears there are two (2) fire hydrants connected to the old water service lines. The Applicant should clarify if these hydrants are to remain.
- 12.3 The Applicant should provide a utility easements with Lot 5 for the proposed water service connections.
- 12.4 The Applicant should clarify the timing of the water service installation by others.

13. General Comments

The Applicant should be prepared to discuss the following issues with the Board:

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- 13.1 The Applicant defers paving the parking lot until Phase II. The lot is in disrepair and requires resurfacing. The Applicant should testify regarding the timing of the Phase II improvements.
- 13.2 The Applicant should provide curb and sidewalk construction details on the plan for review.
- 13.3 The Applicant should specify the limits of concrete curb and sidewalk removal/replacement on the plans.
- 13.4 The existing parking area, curb islands, and portions of concrete sidewalk were observed to be in poor condition. It is recommended that repairs are made to address the ADA compliancy including ADA stalls at 2% and the ADA accessible route to the building.
- 13.5 The Applicant shall indicate the location of the proposed refuse area and provide testimony regarding same.
- 13.6 The Applicant shall indicate the proposed location and provide testimony regarding the location of the refuse area for the Phase I improvements.
- 13.7 The Applicant shall provide construction details for the asphalt pavement repair.
- 13.8 From NJAC19:31C-3.8(d), FMERA recommends the Applicant consider providing solar panels as a means of augmenting its project. The Applicant should discuss this recommendation with the Board.
- 13.9 The boundary between Lot 5 and adjacent Lot 26 should be clarified on the plans, so it can be determined if access or utility easements are required on lot 26.

14. Outside Approvals

- 14.1 This application may be subject to the following outside agency approvals:
 - a) Freehold Soil Conservation District. Applicant provided certification letter, dated November 5, 2020;
 - b) Monmouth County Planning Board. Applicant provided Site Plan Exemption Letter, dated November 9, 2020;
 - c) Oceanport Fire Official;
 - d) Oceanport Environmental Commission;

All other outside agency approvals as may be required. The Applicant shall address the Board regarding the status of all outside agency approvals for the project. In addition, copies of all outside agency approvals shall be forwarded to the Borough.

OCPB-R0020

January 28, 2021

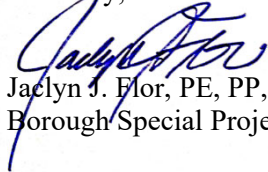
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The right is reserved to present additional comments pending the receipt of revised plans and/or the testimony of the Applicant before the Board.

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

Sincerely,



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

cc: John A. Guinco, Giordano, Halleran, and Ciesla, Applicant's Attorney
James A. Kennedy, PE, Applicant's Engineer
Denholtz Custom Homes, Applicant



March 01, 2020

John A. Giunco
Giordano, Halleran & Ciesla, P.C
125 Half Mile Road, Suite 300
Red Bank, NJ 07701

Re: MCR Application Review-Preliminary Major Site Plan
District A - Phase -I
Oceanport Education/Mixed-Use Neighborhood District
Block: 110.14 Lot 4
Oceanport, New Jersey

Dear Mr. Giunco:

The Fort Monmouth Economic Revitalization Authority ("**FMERA**") previously issued a Mandatory Conceptual Review ("**MCR**") letter dated December 31, 2020 (the "**MCR Review Letter**") for the above-referenced project proposed by OPort Partners, LLC ("**Applicant**"). We understand that the project is currently pending before the Borough of Oceanport Planning Board for preliminary and final major site plan approval.

The Applicant has subsequently provided FMERA with the following supplemental information:

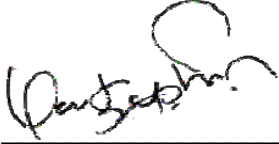
A. Items received on March 1, 2021:

1. Applicant's Email dated March 1, 2021.
2. Site Plans prepared by Kennedy Consulting Engineers, LLC, dated August 31, 2020, last revised February 15, 2021; containing: Title Sheet, Layout Plan, Grading and Utility Plan, Lighting and Landscaping Plan, Soil Erosion and Sediment Control Plan, Soil Erosion Control Details and Construction Details.

In accordance with N.J.A.C.19:31C-3.20 (c) (9), FMERA has reviewed this supplemental submission and finds that the proposed revisions to the site plans, lot area and related calculations do not necessitate additional or supplemental MCR review. FMERA finds that the proposed revisions to the site plans were made to address the lot consolidations that occurred after the Applicant obtained title to the land from FMERA, which were anticipated but not yet completed at the time that Applicant applied for its original MCR approval. Accordingly, the revised site plans do not materially or negatively alter the assumptions on which the MCR Review Letter was based. All of the findings, conclusions and recommendations contained in the MCR Review Letter remain applicable.

Sincerely,

MCR SUPPLEMENTAL LETTER PREPARED BY:

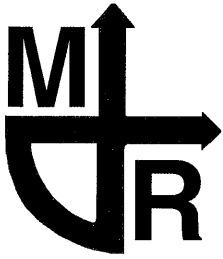


Upendra Sapkota, PP, AICP, LEED AP
Senior Officer- Planning & Development

MCR AUTHORIZED BY:



Bruce Steadman, Executive Director



McDonough & Rea Associates, Inc.

Traffic and Transportation Consulting

Kevin P. McDonough (1953-1994)
 John H. Rea, P.E.
 Jay S. Troutman, Jr., P.E.
 Scott T. Kennel

*Revised March 9, 2021
 January 27, 2021*

Steve Lidster, Director of Development
 Denholtz Associates
 116 Chestnut Street, Suite 102
 Red Bank, NJ 07701

Re: Fort Monmouth Property-Phases I, II & III-Baseline
 Borough of Oceanport, Monmouth County
 MRA File No. 20-189

Dear Mr. Lidster:

As requested, McDonough & Rea Associates (MRA) has prepared a revised *Traffic Impact Analysis* for plans to redevelop certain areas within the confines of *Fort Monmouth* in the Borough of Oceanport, Monmouth County, New Jersey. Specifically, plans have been prepared consistent with *Amendment #15* to the *Fort Monmouth Reuse and Redevelopment Plan*. The area is commonly referred to as the *Warehouse District* (north parcel) and *Commissary and Post Office* (south parcel) as shown on *Figure 1*, a *Site Location Map* in the *Appendix*.

Initially, the property will be accessed from Monmouth County Route 537 via Todd Avenue (which will soon be renamed Oceanport Way) and Oceanport Way. Access to Main Street in Oceanport is also possible via local roadways (Anson Avenue).

THE PROPOSAL

The proposal for the warehouse district and commissary/post office area is as follows:

➤ Warehouse District (north parcel) – 3 flex space buildings as follows

- Building A – 31,370 SF
- Building B – 20,584 SF
- Building C – 20,584 SF

Primary access to the 3 flex space buildings in the north parcel will be via driveways to Oceanport Way.

Please reply to:

- ☒ 1431 Lakewood Road, Suite C, Manasquan, NJ 08736 • (732) 528-7076 • Fax (732) 528-6673
☐ 105 Elm Street, Lower Level, Westfield, NJ 07090 • (908) 789-7180 • Fax (908) 789-7181



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March 9, 2021

➤ Commissary/Post Office (south parcel)

- Commissary (food service related/light industrial/warehouse) – 56,427 SF
- Building D – 32,501 SF
- Building E (Office) - 32,501 SF
- Building F (Office) – 72,790 SF

Access to the south parcel will be from Todd Avenue, Oceanport Way and Alexander Avenue which runs along the south boundary of the property.

SCOPE OF STUDY

In order to prepare a thorough *Traffic Impact Analysis* for the project, MRA conducted the following tasks:

1. Made field visits to the site to establish existing roadway and traffic conditions in the area.
2. Conducted peak hour traffic counts at the following intersections:
 - CR 537/Oceanport Way
 - CR 537/Todd Avenue (*aka* Oceanport Way)
 - CR 537/Oceanport Avenue
3. Prepared estimates of traffic to be generated by the various uses based on the latest edition (*10th Edition*) of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*.
4. Prepared estimates of future traffic volume demand for the design year of the project (2025) after consideration of other projects approved or under construction in the immediate area of *Fort Monmouth*.
5. Conducted level of service capacity analyses at the CR 537 intersections with Todd Avenue and Oceanport Way and CR 537/Oceanport Avenue, in accordance with procedures established by the *Highway Capacity Manual*.

The following report sets forth the database accumulated and the conclusions reached with respect to redevelopment of the warehouse and commissary/post office parcels.



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EXISTING CONDITIONS

The subject properties are located within an area of *Fort Monmouth*, south of CR 537 and generally bounded by Todd Avenue to the west and Oceanport Way to the east. Alexander Avenue runs along the south boundary of the property and provides access to Main Street via Anson Avenue.

CR 537 extends in an east/west direction through *Fort Monmouth* from a signalized intersection at Route 35 to the west to a signalized intersection at Oceanport Avenue to the east. It generally provides for 1 travel lane in each direction.

Oceanport Way and Todd Avenue intersect CR 537 at unsignalized 4-way intersections with the north leg of Oceanport Way serving as access to the *Russel Hall* area of *Fort Monmouth* and the north leg of Todd Avenue being Malterer Avenue.

EXISTING TRAFFIC VOLUMES

Traffic volume data was collected by MRA by conducting manual turning movement counts at CR 537/Oceanport Way and CR 537/Todd Avenue. Traffic counts at CR 537/Oceanport Avenue were previously conducted in 2019 for other projects in the area. *Figure 2* in the *Appendix* illustrates existing peak hour traffic flow at these locations.

TRIP GENERATION/DISTRIBUTION

Estimates of traffic to be generated by the uses within the north and south parcels were made after consulting the 10th Edition of the ITE *Trip Generation Manual*. *Table I* illustrates anticipated trip generation from the north parcel and *Table II* illustrates anticipated traffic generation from the south parcel. *Table III* illustrates trip generation for the 56,427 SF commissary building assuming it is used for food service, research and development.



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March 9, 2021

TABLE I
TRIP GENERATION-NORTH PARCEL

<u>USE</u>	<u>AM PSH</u>			<u>PM PSH</u>		
	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
31,370 SF Warehouse	22	7	29	9	23	32
20,584 SF Warehouse	22	6	28	8	22	30
20,584 SF Warehouse	22	6	28	8	22	30
Totals	66	19	85	25	67	92

TABLE II
TRIP GENERATION-SOUTH PARCEL

<u>USE</u>	<u>AM PSH</u>			<u>PM PSH</u>		
	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
Buildings D&E-65,002 SF	76	12	88	12	64	76
Building F-72,790 SF	82	13	95	14	70	84
Totals	158	25	183	26	134	160

TABLE III
TRIP GENERATION-56,427 SF COMMISSARY BUILDING-PHASE I (ITE LUC 760)
(ASSUMING ALL FOOD SERVICE USE)

<u>AM PSH</u>			<u>PM PSH</u>		
<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
18	6	24	4	24	28

With respect to the distribution of site generated traffic, access to higher order roadways was considered. Traffic was distributed as follows:

- 15 percent to/from Main Street via Anson Avenue
- 60 percent to/from CR 537 West
- 25 percent to/from CR 537 East

Figures 3, 4 and 5 in the Appendix illustrate anticipated site generated traffic volumes from the north parcel (Figure 3), south parcel (Figure 4) and a composite of both the north and south parcels (Figure 5).



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ANALYSIS OF FUTURE TRAFFIC

A design year of 2025 was assumed for full *build* out of the project. As previously indicated, there are numerous other properties within this area of *Fort Monmouth* that have either received approvals for development projects or are under construction, etc. These include the following:

- The *Allison Hall* redevelopment project.
- The *New Jersey City University* project.
- The *Fort Monmouth* lodging tract parcel.
- *The Barker Circle* project
- The *Oceanport Municipal Complex*.
- Redevelopment of the *Fort Monmouth Bowling Center*.
- Redevelopment of the *Fort Monmouth Athletic Center* (indoor gym).

The latest *Traffic Impact Study* prepared within *Fort Monmouth* was prepared by Langan Engineering for the *Fort Monmouth* lodging tract parcel and is dated July 15, 2020. MRA also has prepared a *Traffic Impact Study* for the *Allison Hall* project in 2020. The traffic volumes utilized in the Langan study included traffic from the other development parcels mentioned in the area; therefore, this study and the MRA *Allison Hall* study were used as a basis for future traffic analysis purposes. *Figure 6* in the *Appendix* shows baseline 2021 traffic volumes developed from the manual turning movement counts conducted by MRA and the projected traffic volumes from the Langan *Traffic Study* and *Allison Hall* study. Volumes have been rounded to the nearest multiple of 5.

Baseline 2021 traffic volumes were then expanded to *no-build* 2025 conditions after consulting the New Jersey Department of Transportation's (NJDOT) *Background Traffic Growth Rate* data for the area. Specifically, a growth rate of 1.25 percent per year was utilized to expand baseline 2021 volumes to no-build 2025 volumes which are shown on *Figure 7* in the *Appendix*. Site generated and distributed traffic volumes were then surcharged onto no-build volumes and are shown on *Figure 8* in the *Appendix*.

Traffic engineers calculate levels of service of unsignalized and signalized intersections which relate to the quality of traffic flow. Level of service is a measure of average control delay. Average control delay is the time lost due to deceleration and the amount of time from when a vehicle is stopped for a traffic control device (or at the end of the queue) to when the vehicle departs the intersection. Delay is a relative quantity of driver discomfort, frustration, fuel consumption, and loss in travel time.



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Levels of service range from “A” to “F,” with “A” being the highest, or best attainable level of service. Level of service “E” with average control delays of not more than 50 seconds per vehicle at an unsignalized intersection or 80 seconds per vehicle at a signalized intersection indicates near to or at capacity conditions and is generally considered the limit of acceptable level of service and delay.

Full definitions of levels of service for unsignalized and signalized intersections as well as level of service summaries are included in the *Appendix*. The intersections studied by this report were analyzed according to the procedures set forth in the *Highway Capacity Manual 2010*, using the *McTrans Highway Capacity Software (HCS)*, release 7.8.5.

CR 537 AT OCEANPORT AVENUE

At the signalized CR 537 and Oceanport Avenue intersection, findings were that this intersection would operate at an acceptable level of service “B” for the *no-build* and *build* conditions for both the AM peak street hour and PM peak street hour for the 2025 design year. Therefore, this intersection will operate within acceptable traffic engineering parameters.

CR 537 AT TODD AVENUE/OCEANPORT WAY EAST

At this unsignalized intersection, findings were that traffic movements entering or crossing CR 537 will do so at level of service “D” or better during both the AM and PM peak street hours for the 2025 design year. Most movements will operate at level of service “C”. Therefore, this intersection will operate within acceptable traffic engineering parameters.

CR 537/OCEANPORT WAY WEST

At this unsignalized intersection, findings were that traffic entering or crossing CR 537 will do so at level of service “D” or better during both the AM and PM peak street hours. Most movements will operate at level of service “C” or better. Therefore, this intersection will operate within acceptable traffic engineering parameters.

MAIN STREET/ANSON AVENUE

At this unsignalized intersection, findings were that traffic entering Main Street from Anson Avenue will do so at level of service “C” for both the AM and PM peak street hours for the 2025 design year *build* condition. Therefore, this intersection will operate within acceptable traffic engineering parameters.

**McDonough & Rea Associates, Inc.*****Traffic and Transportation Consulting***

1431 Lakewood Road, Suite C, Manasquan, NJ 08736 • (732) 528-7076 • Fax (732) 528-6673
105 Elm Street, Lower Level, Westfield, NJ 07090 • (908) 789-7180 • Fax (908) 789-7181

Steve Lidster, Director of Development

-7-

March 9, 2021

CONCLUSIONS

It is concluded, based on this analysis, that plans to redevelop the warehouse district and commissary/post office properties within the confines of *Fort Monmouth* can be approved and operate compatibly with future traffic conditions in the area. Levels of service at all studied intersections including the signalized intersection of CR 537/Oceanport Avenue will operate well within accepted traffic engineering parameters.

If you have any questions regarding this information, please do not hesitate to contact us.

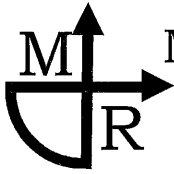
Very truly yours,

John H. Rea, PE
Principal

Scott T. Kennel
Sr. Associate

cc: Steve Denholtz
John Giunco, Esq.
Jim Kennedy, PE

APPENDIX



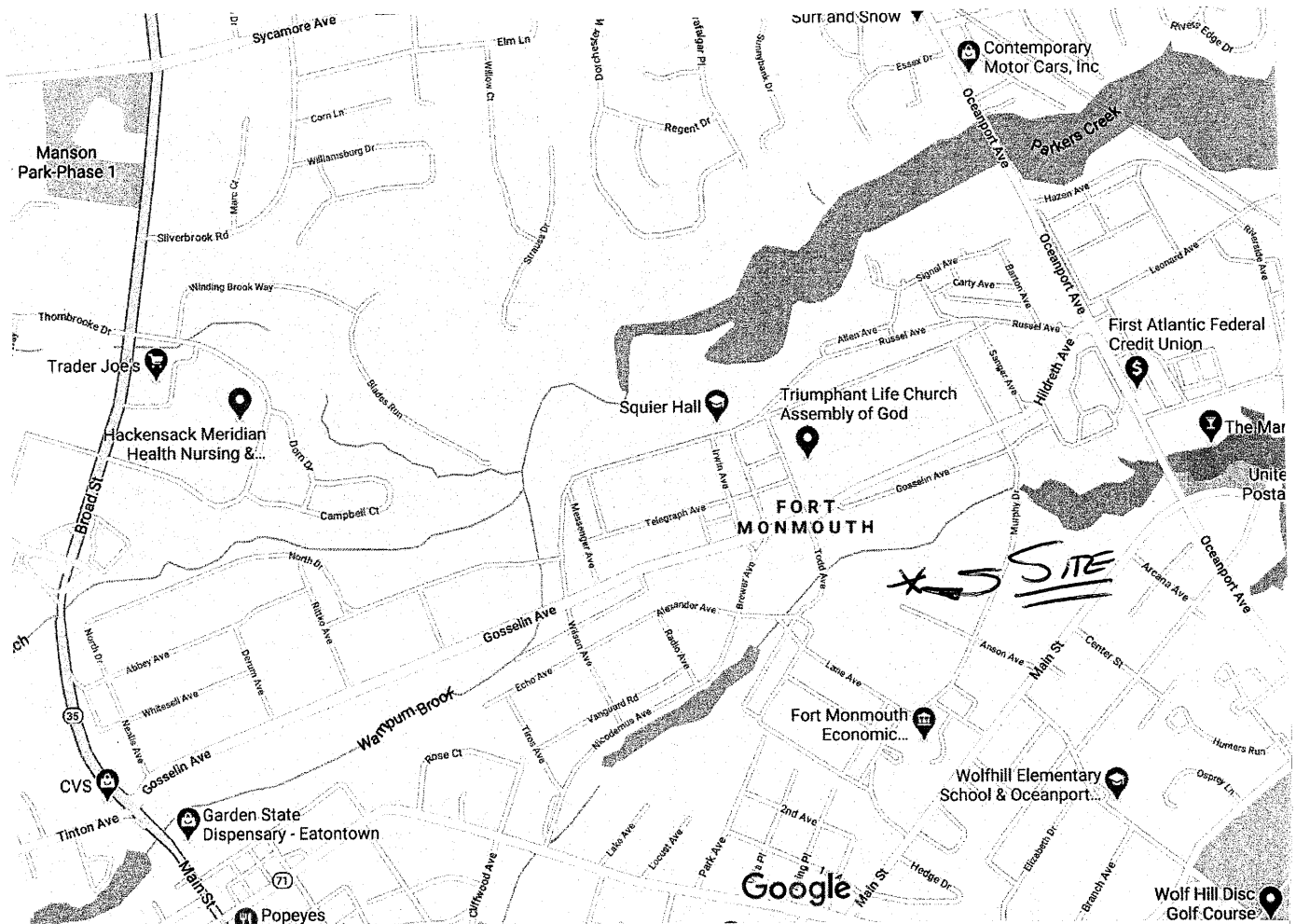
McDONOUGH & REA ASSOCIATES

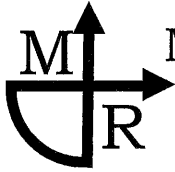
TRAFFIC AND TRANSPORTATION CONSULTING

FIGURE 1

JOB NO.
20-189DATE:
JAN 2021

SUBJECT:

BASELINE - PHASE II, NORTH & SOUTH PARCELS
SITE LOCATION MAP



McDONOUGH & REA ASSOCIATES

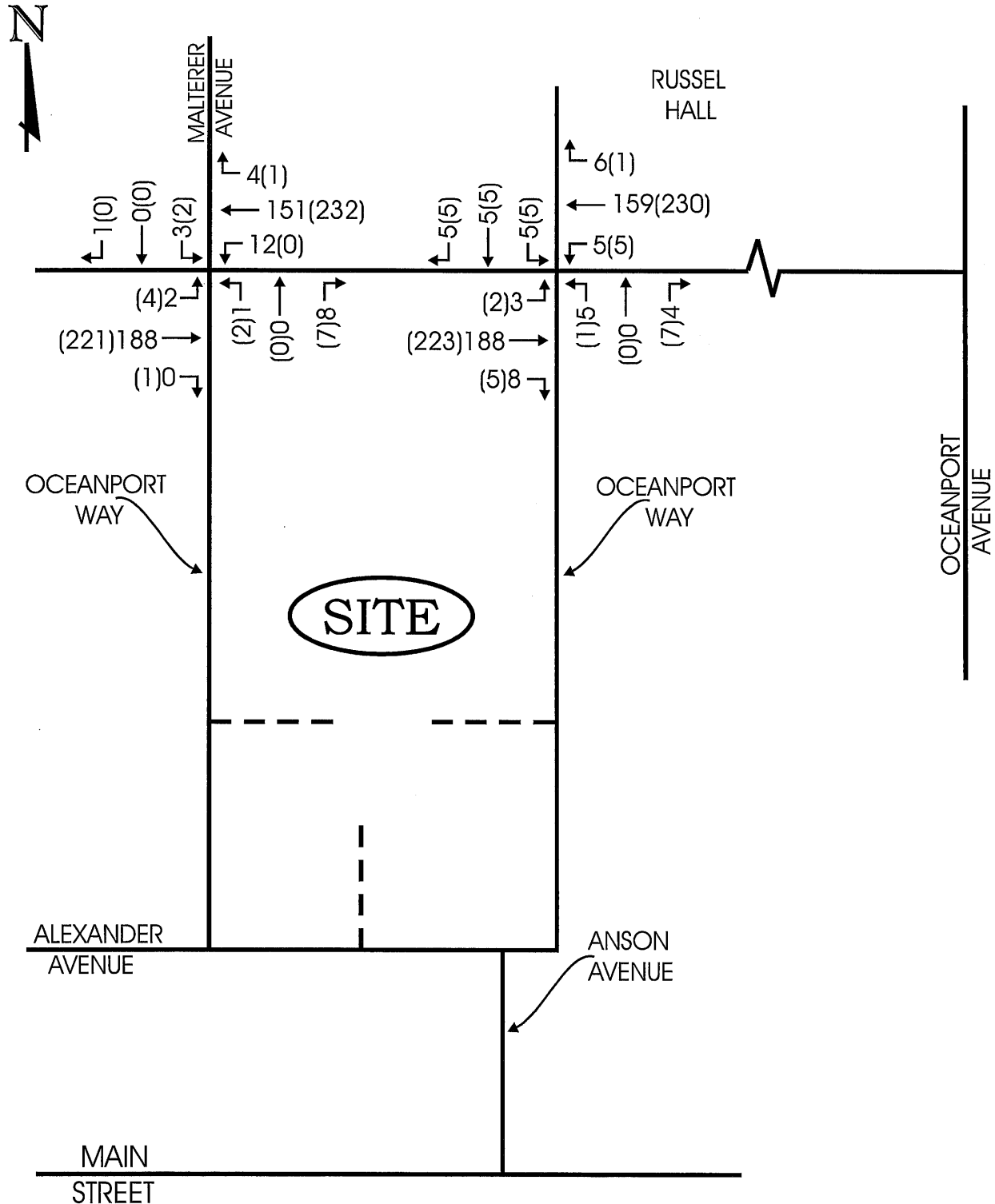
TRAFFIC AND TRANSPORTATION CONSULTING

FIGURE 2

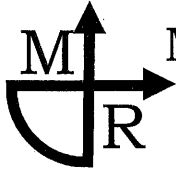
JOB NO.
20-189DATE:
MAR 2021

SUBJECT:

BASELINE - FORT MONMOUTH EXISTING AM PSH(PM PSH) TRAFFIC VOLUMES



LEGEND: ← AM PSH(PM PSH)



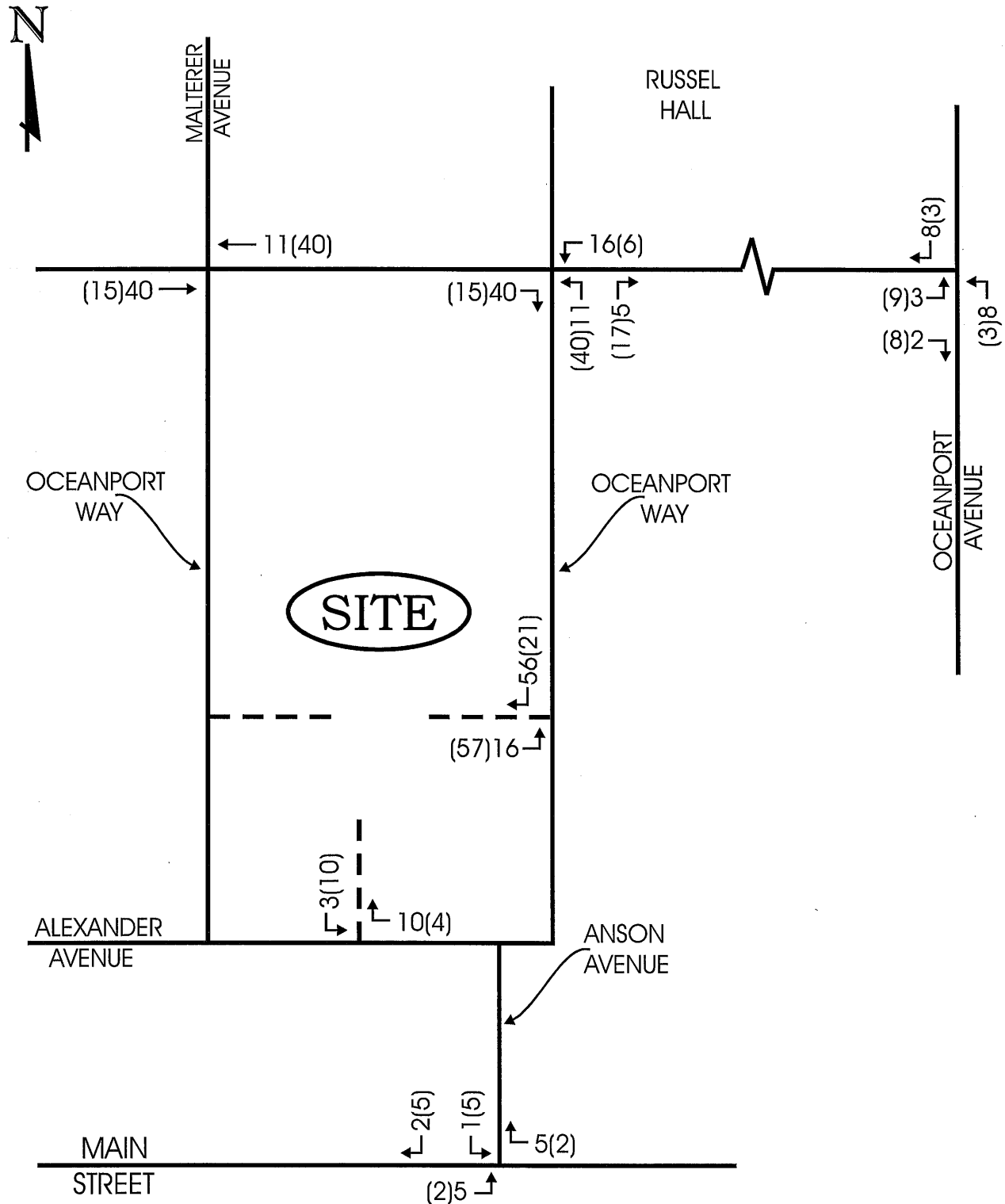
McDONOUGH & REA ASSOCIATES

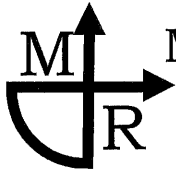
TRAFFIC AND TRANSPORTATION CONSULTING

FIGURE 3

JOB NO.
20-189DATE:
MAR 2021

SUBJECT:

BASELINE PHASES II & III - FORT MONMOUTH
SITE TRAFFIC VOLUMES - NORTH PARCEL (W.H. DISTRICT)



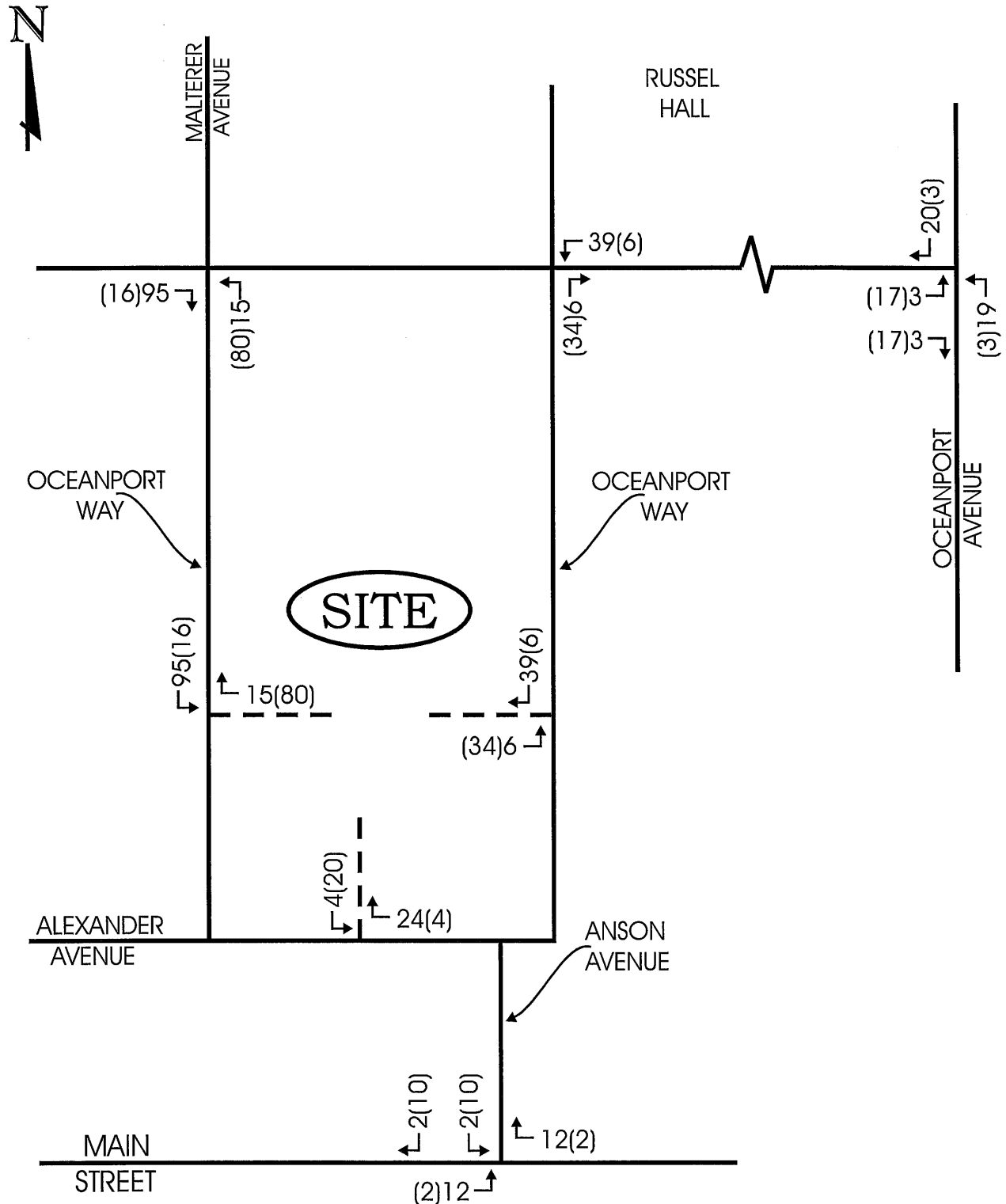
McDONOUGH & REA ASSOCIATES

TRAFFIC AND TRANSPORTATION CONSULTING

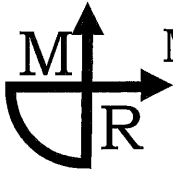
FIGURE 4

JOB NO.
20-189DATE:
MAR 2021

SUBJECT:

BASELINE PHASES II & III - FORT MONMOUTH
SITE TRAFFIC VOLUMES - SOUTH PARCEL

LEGEND: ← AM PSH(PM PSH)



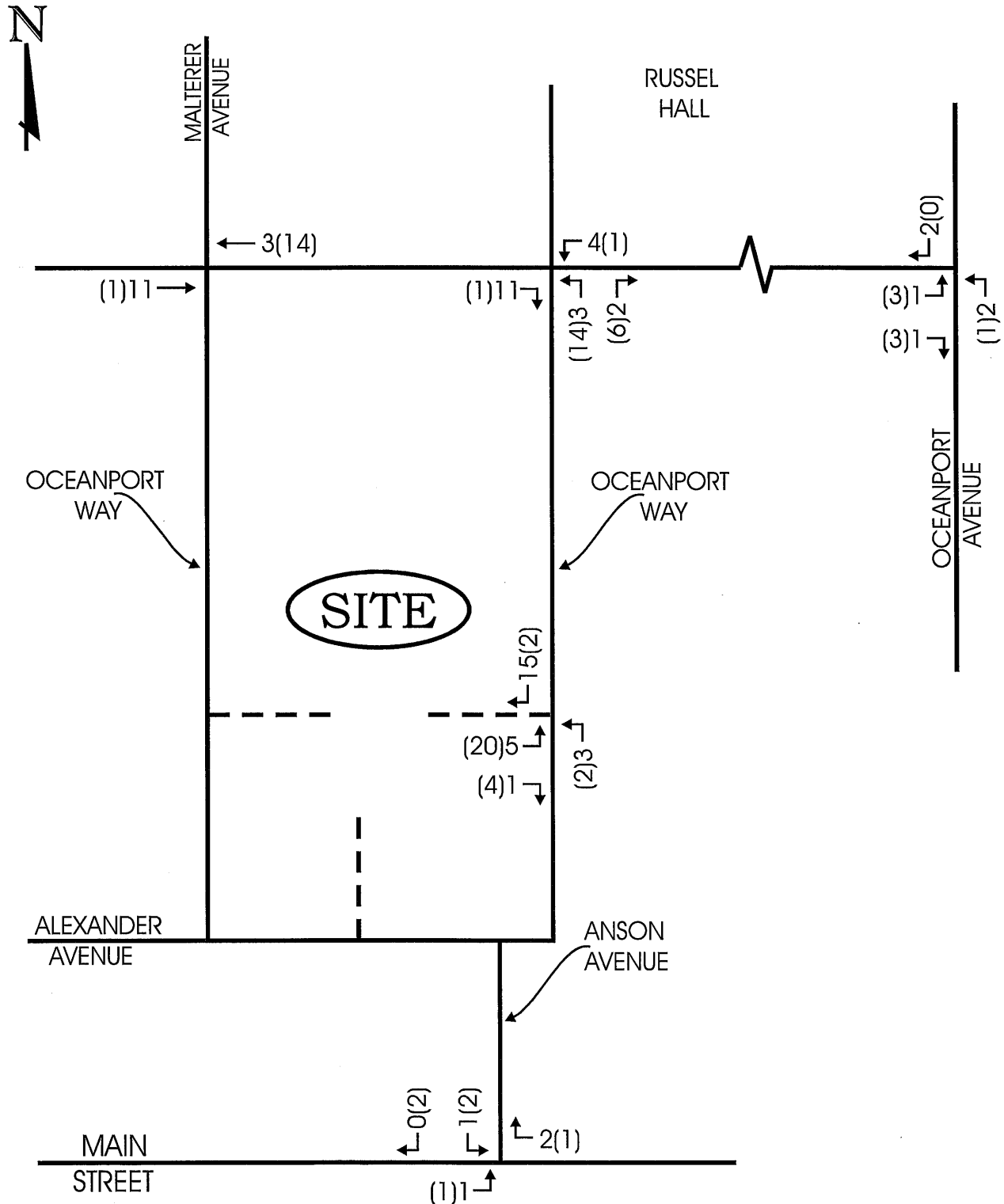
McDONOUGH & REA ASSOCIATES

TRAFFIC AND TRANSPORTATION CONSULTING

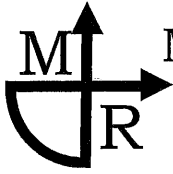
FIGURE 5

JOB NO.
20-189DATE:
MAR 2021

SUBJECT:

BASELINE PHASE I - FORT MONMOUTH
SITE TRAFFIC VOLUMES: COMMISSARY - FOOD SERVICE

LEGEND: ← AM PSH(PM PSH)



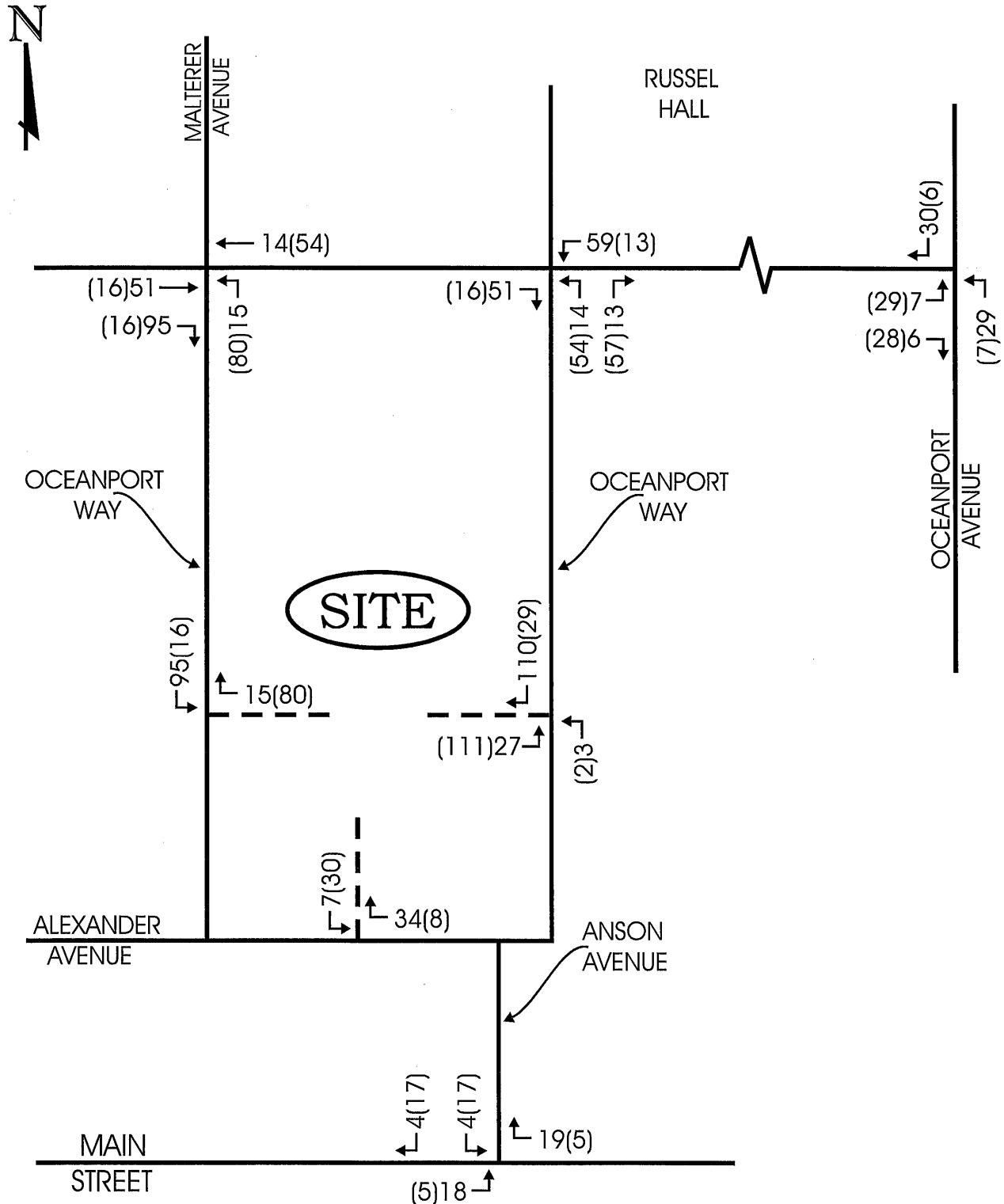
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TRAFFIC AND TRANSPORTATION CONSULTING

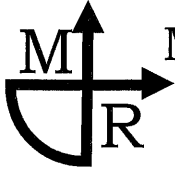
FIGURE 6

JOB NO.
20-189DATE:
MAR 2021

SUBJECT: BASELINE - FORT MONMOUTH
TRIP GENERATED TRAFFIC VOLUMES - PHASES I, II & III COMPOSITE



LEGEND: ← AM PSH(PM PSH)



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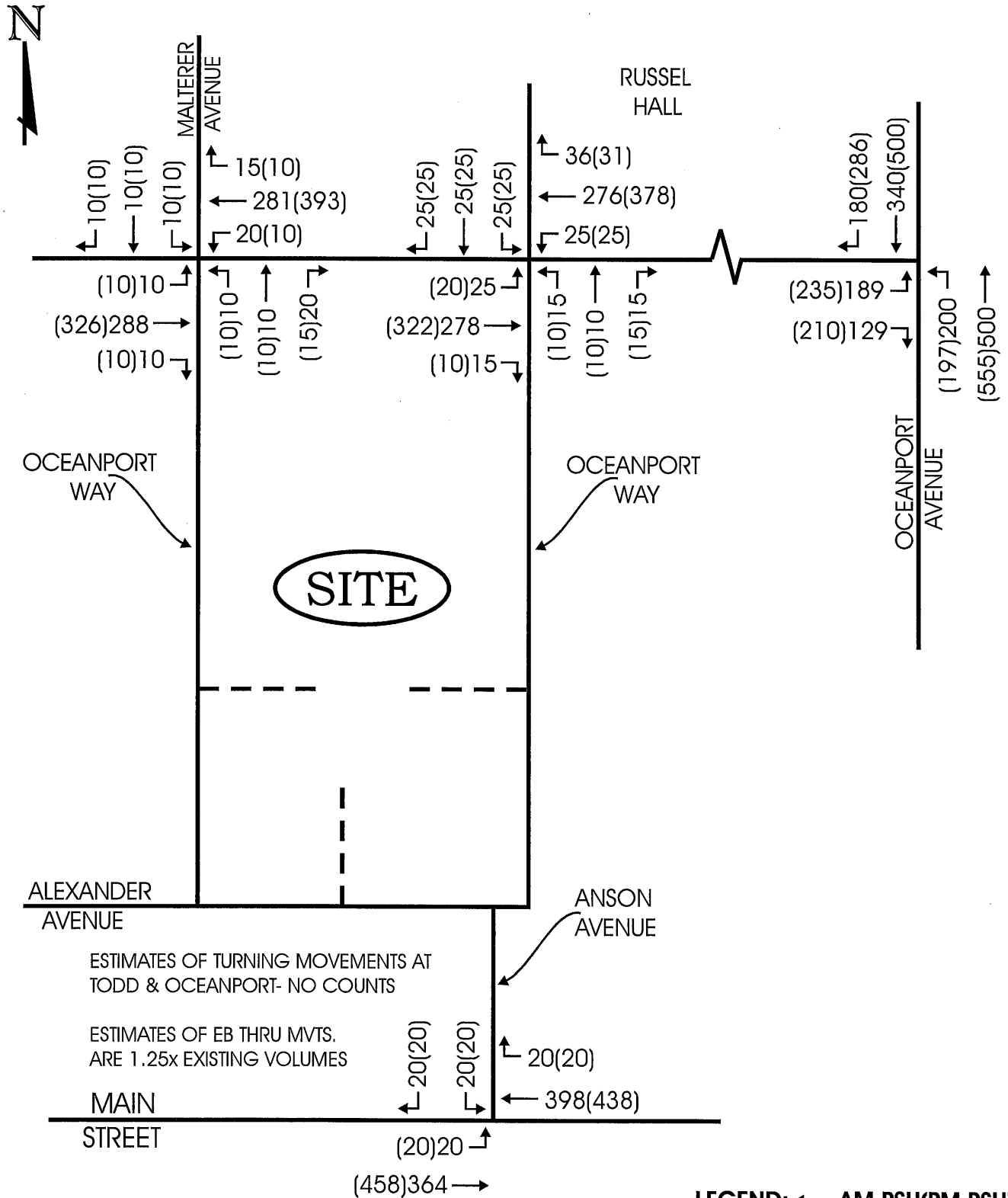
TRAFFIC AND TRANSPORTATION CONSULTING

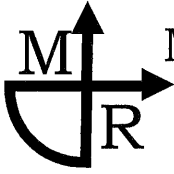
FIGURE 7

JOB NO.
20-189DATE:
MAR 2021

SUBJECT:

BASELINE - FORT MONMOUTH 2025 NO - BUILD TRAFFIC VOLUMES





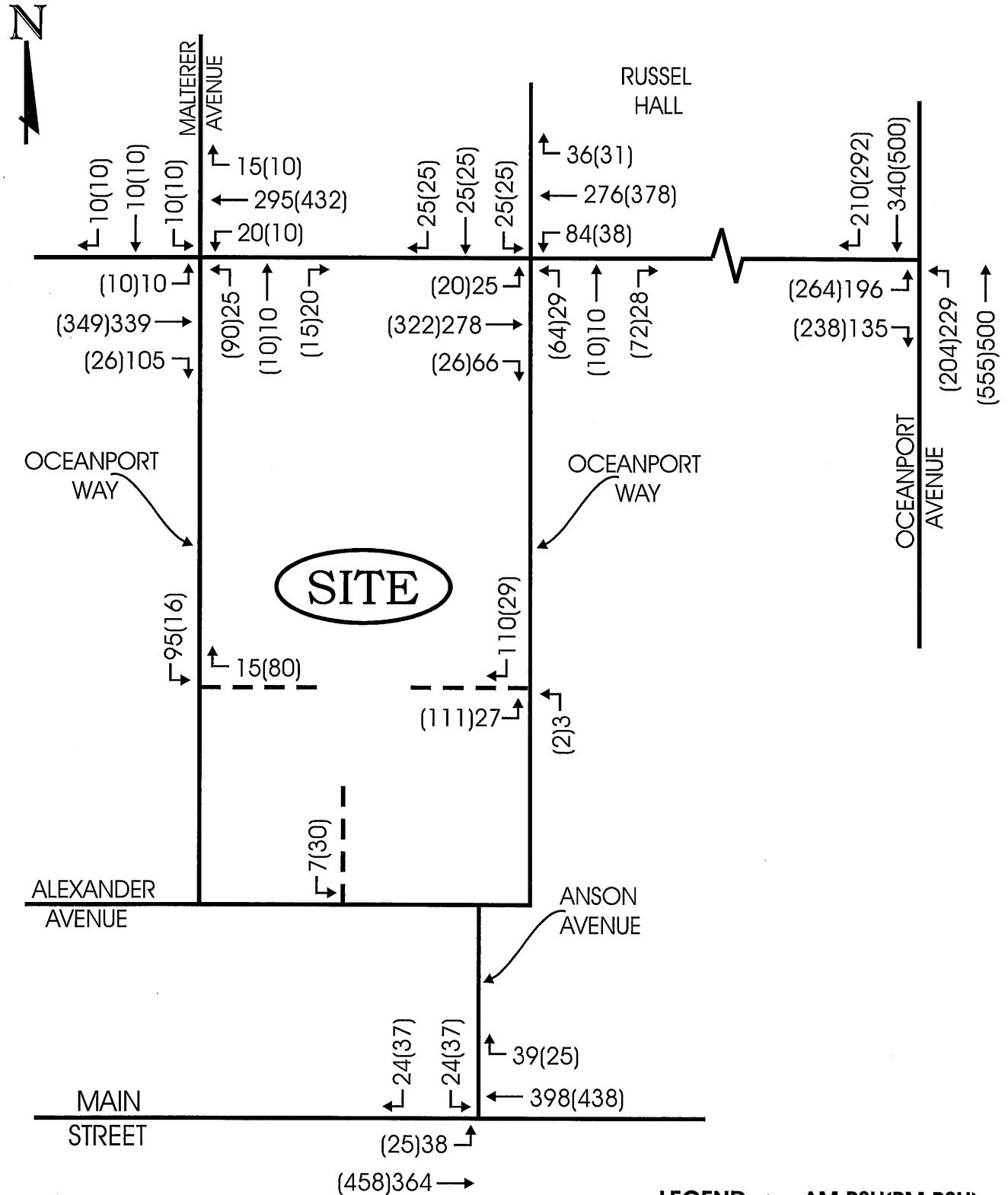
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TRAFFIC AND TRANSPORTATION CONSULTING

FIGURE 8

JOB NO.
20-189DATE:
MAR 2021

SUBJECT:

BASELINE - FORT MONMOUTH
2025 BUILD TRAFFIC VOLUMES

LEGEND: ← AM PSH(PM PSH)

[illegible]

ITE Land Use: 710, General Office Building									
Size of Development:									
72,790 SF									
10th									
<u>Time Period</u>	<u>Average Rate</u>	<u>Studies</u>	<u>Avg. Size</u>	<u>R²</u>	<u>Trips</u>	<u>Equation</u>		<u>Trips</u>	<u>Split</u>
Weekday Daily	9.74	66	171	0.83	709.0	$\ln(T) =$	$\ln(x) + 2.500$	779.7	50 50
AM Peak Street Hour	1.16	35	117	0.85	84.4	$T =$	$(x) + 26.490$	94.9	86 14
PM Peak Street Hour	1.15	32	114	0.88	83.7	$\ln(T) =$	$\ln(x) + 0.360$	84.2	16 84
AM Peak Hour of Generator	1.47	228	209	0.84	107.0	$\ln(T) =$	$\ln(x) + 1.060$	125.6	88 12
PM Peak Hour of Generator	1.42	243	205	0.82	103.4	$T =$	$1.100 (x) + 65.390$	145.5	18 82
Saturday Daily	2.21	5	94	NG	160.9	Not Given		N/A	50 50
Saturday Peak Hour of Generator	0.53	3	82	NG	38.6	Not Given		N/A	54 46
Sunday Daily	0.70	5	94	NG	51.0	Not Given		N/A	50 50
Sunday Peak Hour of Generator	0.21	3	82	NG	15.3	Not Given		N/A	58 42

[illegible]

**LEVEL OF SERVICE
FOR
SIGNALIZED INTERSECTIONS¹**

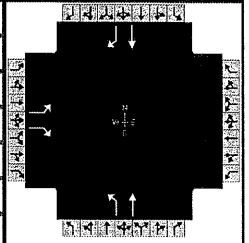
<u>Level of Service</u>	<u>Description</u>	<u>Control (Signal) Delay Per Vehicle (Seconds)</u>
A	Very short delay, good progression; most vehicles do not stop at intersection.	≤ 10.0
B	Generally good progression and/or short cycle length; more vehicles stop at intersection than at Level of Service "A."	> 10.0 and ≤ 20.0
C	Fair progression and/or longer cycle length; significant number of vehicles stop at intersection, though many still pass through without stopping.	> 20.0 and ≤ 35.0
D	Congestion becomes noticeable; longer delays from unfavorable progression, long cycle lengths, or high volume/capacity ratios; many vehicles stop at intersection.	> 35.0 and ≤ 55.0
E	Considered to be the <u>limit of acceptable delay</u> ; indicative of poor progression, long cycle lengths, or high volume/capacity ratios; frequent individual cycles failures.	> 55.0 and ≤ 80.0
F	Often an indication of over-saturation (i.e., arrival flow exceeds capacity); also caused by poor progression and long cycles lengths; capacity is not necessarily exceeded under this level of service.	> 80.0

¹ Transportation Research Board, Highway Capacity Manual 2010, National Research Council, Washington, DC, 2010.

HCS7 Signalized Intersection Results Summary

7.4.e

General Information				Intersection Information		
Agency	MRA			Duration, h	0.250	
Analyst	STK	Analysis Date		Area Type	Other	
Jurisdiction		Time Period	PM	PHF	0.90	
Urban Street	OCEANPORT AVE	Analysis Year	2025 NO-BUILD	Analysis Period	1> 7:00	
Intersection	RT 537	File Name	20-189PNB-5.xus			
Project Description	20-189PNB-5					



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h	235		210				197	555			500	286

Signal Information													
Cycle, s	90.0	Reference Phase	2										
Offset, s	0	Reference Point	End										
Uncoordinated	No	Simult. Gap E/W	On	Green	7.0	48.0	22.0	0.0	0.0	0.0			
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	3.0	3.0	3.0	0.0	0.0	0.0			
				Red	0.0	2.0	2.0	0.0	0.0	0.0			

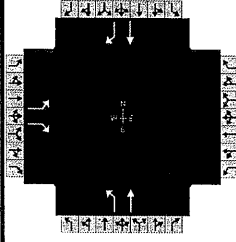
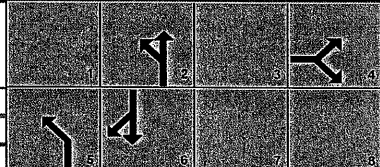
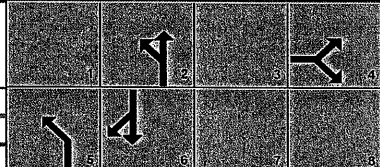
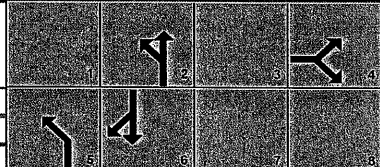
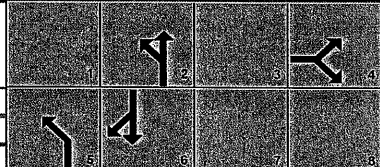
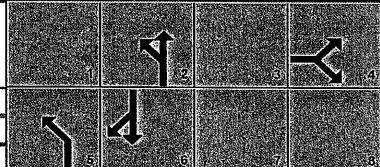
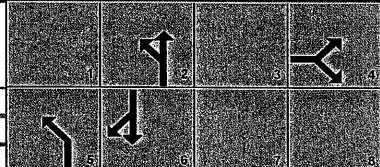
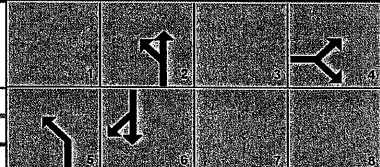
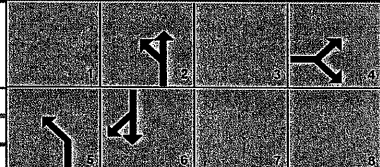
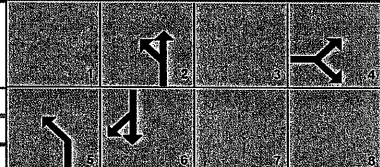
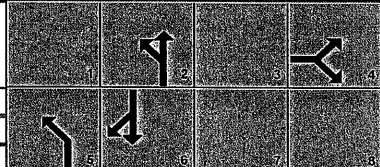
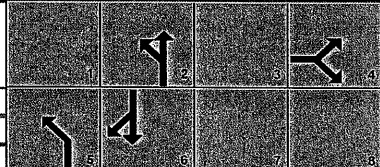
Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		4			5	2		6
Case Number		9.0			1.0	4.0		7.3
Phase Duration, s		27.0			10.0	63.0		53.0
Change Period, (Y+R _c), s		5.0			3.0	5.0		5.0
Max Allow Headway (MAH), s		2.9			2.7	0.0		0.0
Queue Clearance Time (g _s), s		13.7			6.6			
Green Extension Time (g _e), s		0.6			0.0	0.0		0.0
Phase Call Probability		1.00			1.00			
Max Out Probability		0.03			1.00			

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	7		14				5	2		6	16	
Adjusted Flow Rate (v), veh/h	261		233				219	617		556	318	
Adjusted Saturation Flow Rate (s), veh/h/ln	1781		1585				1781	1870		1870	1585	
Queue Service Time (g _s), s	11.7		11.7				4.6	15.7		17.7	10.5	
Cycle Queue Clearance Time (g _c), s	11.7		11.7				4.6	15.7		17.7	10.5	
Green Ratio (g/C)	0.24		0.24				0.63	0.64		0.53	0.53	
Capacity (c), veh/h	435		387				505	1205		998	845	
Volume-to-Capacity Ratio (X)	0.600		0.602				0.433	0.512		0.557	0.376	
Back of Queue (Q), ft/ln (50 th percentile)	142.6		129.7				46.2	142.4		182.4	91.7	
Back of Queue (Q), veh/ln (50 th percentile)	5.6		5.1				1.8	5.6		7.2	3.6	
Queue Storage Ratio (RQ) (50 th percentile)	0.00		0.00				0.00	0.00		0.00	0.00	
Uniform Delay (d ₁), s/veh	30.1		30.1				9.8	8.5		13.9	12.3	
Incremental Delay (d ₂), s/veh	6.0		6.8				2.7	1.6		2.2	1.3	
Initial Queue Delay (d ₃), s/veh	0.0		0.0				0.0	0.0		0.0	0.0	
Control Delay (d), s/veh	36.1		36.9				12.5	10.0		16.2	13.5	
Level of Service (LOS)	D		D				B	B		B	B	
Approach Delay, s/veh / LOS	36.5		D	0.0			10.7	B		15.2	B	
Intersection Delay, s/veh / LOS	18.3						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

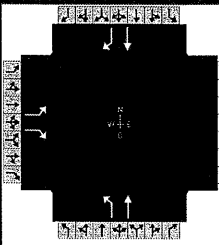
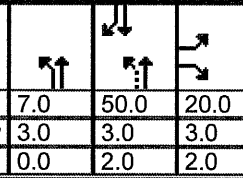
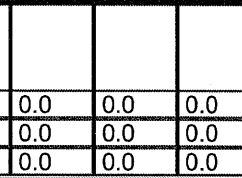
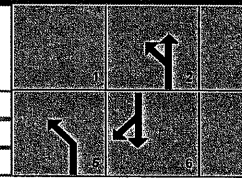
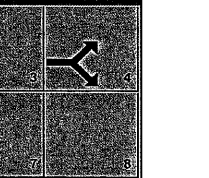
HCS7 Signalized Intersection Results Summary

7.4.e

General Information						Intersection Information									
Agency		MRA				Duration, h		0.250							
Analyst		STK		Analysis Date		Area Type		Other							
Jurisdiction				Time Period		PM		PHF		0.90					
Urban Street		OCEANPORT AVE		Analysis Year		2025 BUILD		Analysis Period		1> 7:00					
Intersection		RT 537		File Name		20-189PFB-5.xus									
Project Description		20-189PFB-5													
Demand Information				EB			WB			NB			SB		
Approach Movement				L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h				264		238				204	555			500	292
Signal Information															
Cycle, s	90.0	Reference Phase	2												
Offset, s	0	Reference Point	End												
Uncoordinated	No	Simult. Gap E/W	On												
Force Mode	Fixed	Simult. Gap N/S	On												
				Green	7.0	48.0	22.0	0.0	0.0	0.0					
				Yellow	3.0	3.0	3.0	0.0	0.0	0.0					
				Red	0.0	2.0	2.0	0.0	0.0	0.0					
Timer Results				EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT				
Assigned Phase					4			5	2		6				
Case Number					9.0			1.0	4.0		7.3				
Phase Duration, s					27.0			10.0	63.0		53.0				
Change Period, (Y+R c), s					5.0			3.0	5.0		5.0				
Max Allow Headway (MAH), s					2.9			2.7	0.0		0.0				
Queue Clearance Time (g s), s					15.6			6.8							
Green Extension Time (g e), s					0.6			0.0	0.0		0.0				
Phase Call Probability					1.00			1.00							
Max Out Probability					0.12			1.00							
Movement Group Results				EB			WB			NB			SB		
Approach Movement				L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement				7		14				5	2		6	16	
Adjusted Flow Rate (v), veh/h				293		264				227	617		556	324	
Adjusted Saturation Flow Rate (s), veh/h/ln				1781		1585				1781	1870		1870	1585	
Queue Service Time (g s), s				13.4		13.6				4.8	15.7		17.7	10.8	
Cycle Queue Clearance Time (g c), s				13.4		13.6				4.8	15.7		17.7	10.8	
Green Ratio (g/C)				0.24		0.24				0.63	0.64		0.53	0.53	
Capacity (c), veh/h				435		387				505	1205		998	845	
Volume-to-Capacity Ratio (X)				0.674		0.683				0.449	0.512		0.557	0.384	
Back of Queue (Q), ft/ln (50 th percentile)				167.4		154.5				48.3	142.4		182.4	94.2	
Back of Queue (Q), veh/ln (50 th percentile)				6.6		6.1				1.9	5.6		7.2	3.7	
Queue Storage Ratio (RQ) (50 th percentile)				0.00		0.00				0.00	0.00		0.00	0.00	
Uniform Delay (d 1), s/veh				30.8		30.8				9.9	8.5		13.9	12.3	
Incremental Delay (d 2), s/veh				8.1		9.4				2.9	1.6		2.2	1.3	
Initial Queue Delay (d 3), s/veh				0.0		0.0				0.0	0.0		0.0	0.0	
Control Delay (d), s/veh				38.8		40.2				12.7	10.0		16.2	13.6	
Level of Service (LOS)				D		D				B	B		B	B	
Approach Delay, s/veh / LOS				39.5	D		0.0			10.8	B		15.2	B	
Intersection Delay, s/veh / LOS				19.5						B					
Multimodal Results				EB			WB			NB			SB		
Pedestrian LOS Score / LOS															
Bicycle LOS Score / LOS															

HCS7 Signalized Intersection Results Summary

7.4.e

General Information						Intersection Information											
Agency		MRA				Duration, h		0.250									
Analyst		STK		Analysis Date		Area Type		Other									
Jurisdiction				Time Period		AM		PHF		0.90							
Urban Street		OCEANPORT AVE		Analysis Year		2025 NO-BUILD		Analysis Period		1> 7:00							
Intersection		RT 537		File Name		20-189ANB-5.xus											
Project Description		20-189ANB-5															
Demand Information						EB			WB			NB			SB		
Approach Movement						L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h						189		129				200	500			340	180
Signal Information																	
Cycle, s	90.0	Reference Phase	2														
Offset, s	0	Reference Point	End														
Uncoordinated	No	Simult. Gap E/W	On														
Force Mode	Fixed	Simult. Gap N/S	On														
Green	7.0	50.0	20.0	0.0	0.0	0.0	0.0										
Yellow	3.0	3.0	3.0	0.0	0.0	0.0	0.0										
Red	0.0	2.0	2.0	0.0	0.0	0.0	0.0										
Timer Results						EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT				
Assigned Phase							4			5	2		6				
Case Number							9.0			1.0	4.0		7.3				
Phase Duration, s							25.0			10.0	65.0		55.0				
Change Period, (Y+R c), s							5.0			3.0	5.0		5.0				
Max Allow Headway (MAH), s							2.9			2.7	0.0		0.0				
Queue Clearance Time (g s), s							11.4			6.4							
Green Extension Time (g e), s							0.4			0.0	0.0		0.0				
Phase Call Probability							1.00			1.00							
Max Out Probability							0.01			1.00							
Movement Group Results						EB			WB			NB			SB		
Approach Movement						L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement						7		14				5	2			6	16
Adjusted Flow Rate (v), veh/h						210		143				222	556			378	200
Adjusted Saturation Flow Rate (s), veh/h/ln						1781		1585				1781	1870			1870	1585
Queue Service Time (g s), s						9.4		7.0				4.4	12.7			10.1	5.8
Cycle Queue Clearance Time (g c), s						9.4		7.0				4.4	12.7			10.1	5.8
Green Ratio (g/C)						0.22		0.22				0.66	0.67			0.56	0.56
Capacity (c), veh/h						396		352				664	1247			1039	881
Volume-to-Capacity Ratio (X)						0.531		0.407				0.335	0.446			0.364	0.227
Back of Queue (Q), ft/ln (50 th percentile)						114		74.8				39.9	110.1			100.5	48.7
Back of Queue (Q), veh/ln (50 th percentile)						4.5		2.9				1.6	4.3			4.0	1.9
Queue Storage Ratio (RQ) (50 th percentile)						0.00		0.00				0.00	0.00			0.00	0.00
Uniform Delay (d 1), s/veh						30.9		29.9				7.1	7.1			11.1	10.2
Incremental Delay (d 2), s/veh						5.0		3.5				1.4	1.2			1.0	0.6
Initial Queue Delay (d 3), s/veh						0.0		0.0				0.0	0.0			0.0	0.0
Control Delay (d), s/veh						35.9		33.4				8.5	8.3			12.1	10.8
Level of Service (LOS)						D		C				A	A			B	B
Approach Delay, s/veh / LOS						34.9		C	0.0			8.3	A		11.7		B
Intersection Delay, s/veh / LOS						14.9						B					
Multimodal Results						EB			WB			NB			SB		
Pedestrian LOS Score / LOS																	
Bicycle LOS Score / LOS																	

HCS7 Signalized Intersection Results Summary

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General Information						Intersection Information									
Agency		MRA				Duration, h		0.250							
Analyst		STK		Analysis Date		Area Type		Other							
Jurisdiction				Time Period		AM		PHF		0.90					
Urban Street		OCEANPORT AVE		Analysis Year		2025 BUILD		Analysis Period		1> 7:00					
Intersection		RT 537		File Name		20-189AFB-5.xus									
Project Description		20-189AFB-5													
Demand Information				EB			WB			NB			SB		
Approach Movement				L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h				196		135				229	500			340	210
Signal Information															
Cycle, s	90.0	Reference Phase	2												
Offset, s	0	Reference Point	End												
Uncoordinated	No	Simult. Gap E/W	On												
Force Mode	Fixed	Simult. Gap N/S	On												
				Green	7.0	50.0	20.0	0.0	0.0	0.0					
				Yellow	3.0	3.0	3.0	0.0	0.0	0.0					
				Red	0.0	2.0	2.0	0.0	0.0	0.0					
Timer Results				EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT				
Assigned Phase					4			5	2		6				
Case Number					9.0			1.0	4.0		7.3				
Phase Duration, s					25.0			10.0	65.0		55.0				
Change Period, (Y+R c), s					5.0			3.0	5.0		5.0				
Max Allow Headway (MAH), s					2.9			2.7	0.0		0.0				
Queue Clearance Time (g s), s					11.8			7.2							
Green Extension Time (g e), s					0.4			0.0	0.0		0.0				
Phase Call Probability					1.00			1.00							
Max Out Probability					0.01			1.00							
Movement Group Results				EB			WB			NB			SB		
Approach Movement				L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement				7		14				5	2			6	16
Adjusted Flow Rate (v), veh/h				218		150				254	556			378	233
Adjusted Saturation Flow Rate (s), veh/h/ln				1781		1585				1781	1870			1870	1585
Queue Service Time (g s), s				9.8		7.3				5.2	12.7			10.1	6.9
Cycle Queue Clearance Time (g c), s				9.8		7.3				5.2	12.7			10.1	6.9
Green Ratio (g/C)				0.22		0.22				0.66	0.67			0.56	0.56
Capacity (c), veh/h				396		352				664	1247			1039	881
Volume-to-Capacity Ratio (X)				0.550		0.426				0.383	0.446			0.364	0.265
Back of Queue (Q), ft/ln (50 th percentile)				119.5		78.9				47.2	110.1			100.5	58.4
Back of Queue (Q), veh/ln (50 th percentile)				4.7		3.1				1.9	4.3			4.0	2.3
Queue Storage Ratio (RQ) (50 th percentile)				0.00		0.00				0.00	0.00			0.00	0.00
Uniform Delay (d 1), s/veh				31.0		30.1				7.3	7.1			11.1	10.4
Incremental Delay (d 2), s/veh				5.4		3.7				1.7	1.2			1.0	0.7
Initial Queue Delay (d 3), s/veh				0.0		0.0				0.0	0.0			0.0	0.0
Control Delay (d), s/veh				36.4		33.8				9.0	8.3			12.1	11.2
Level of Service (LOS)				D		C				A	A			B	B
Approach Delay, s/veh / LOS				35.4	D		0.0			8.5	A		11.8		B
Intersection Delay, s/veh / LOS				15.1					B						
Multimodal Results				EB			WB			NB			SB		
Pedestrian LOS Score / LOS															
Bicycle LOS Score / LOS															

**LEVEL OF SERVICE CRITERIA
FOR
TWO-WAY STOP-CONTROLLED INTERSECTIONS¹**

<u>Level of Service</u>	<u>Average Control Delay</u>
A	≤ 10.0 Seconds Per Vehicle
B	> 10.0 and ≤ 15.0 Seconds Per Vehicle
C	> 15.0 and ≤ 25.0 Seconds Per Vehicle
D	> 25.0 and ≤ 35.0 Seconds Per Vehicle
E	> 35.0 and ≤ 50.0 Seconds Per Vehicle
F	> 50.0 Seconds Per Vehicle

¹ Transportation Research Board, Highway Capacity Manual 2010, National Research Council, Washington, DC, 2010.

HCS7 Two-Way Stop-Control Report

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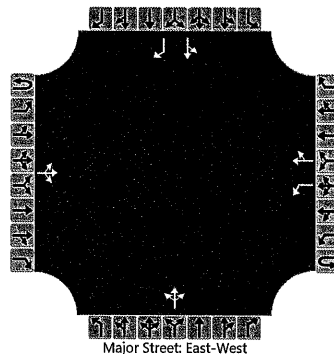
General Information

Analyst	STK
Agency/Co.	MRA
Date Performed	3/10/21
Analysis Year	2025
Time Analyzed	AM
Intersection Orientation	East-West
Project Description	20-189ANB-1 noBUILD

Site Information

Intersection	CR 537 & OCEANP WAY EAST
Jurisdiction	
East/West Street	CR 537
North/South Street	OCEANPORT WAY EAST
Peak Hour Factor	0.90
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	1	1	0		0	1	0		0	1	1
Configuration			LTR			L		TR			LTR			LT		R
Volume (veh/h)		25	278	15		25	276	36		15	10	15		25	25	25
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized													No			
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.13				4.13				7.13	6.53	6.23		7.13	6.53	6.23
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.23				2.23				3.53	4.03	3.33		3.53	4.03	3.33

Delay, Queue Length, and Level of Service

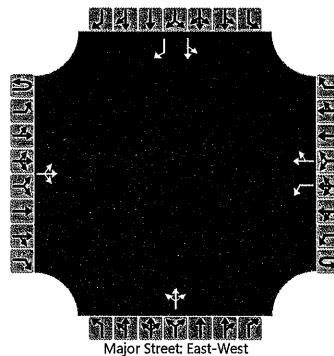
Flow Rate, v (veh/h)		28				28					44				56		28
Capacity, c (veh/h)		1207				1229					367				290		712
v/c Ratio		0.02				0.02					0.12				0.19		0.04
95% Queue Length, Q ₉₅ (veh)		0.1				0.1					0.4				0.7		0.1
Control Delay (s/veh)		8.1				8.0					16.2				20.4		10.3
Level of Service (LOS)		A				A					C				C		B
Approach Delay (s/veh)	0.8				0.6				16.2				17.0				
Approach LOS									C				C				

HCS7 Two-Way Stop-Control Report

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General Information		Site Information	
Analyst	STK	Intersection	CR 537 & OCEANP WAY EAST
Agency/Co.	MRA	Jurisdiction	
Date Performed	3/10/21	East/West Street	CR 537
Analysis Year	2025	North/South Street	OCEANPORT WAY EAST
Time Analyzed	AM	Peak Hour Factor	0.90
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	20-189AFB-1 BUILD		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	1	1	0		0	1	0		0	1	1
Configuration			LTR			L		TR			LTR			LT		R
Volume (veh/h)		25	278	66		84	276	36		29	10	28		25	25	25
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized													No			
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.13				4.13				7.13	6.53	6.23		7.13	6.53	6.23
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.23				2.23				3.53	4.03	3.33		3.53	4.03	3.33

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		28				93					74			56		28
Capacity, c (veh/h)		1207				1171					289			207		712
v/c Ratio		0.02				0.08					0.26			0.27		0.04
95% Queue Length, Q ₉₅ (veh)		0.1				0.3					1.0			1.0		0.1
Control Delay (s/veh)		8.1				8.3					21.7			28.7		10.3
Level of Service (LOS)		A				A					C			D		B
Approach Delay (s/veh)	0.8				1.8				21.7				22.5			
Approach LOS									C				C			

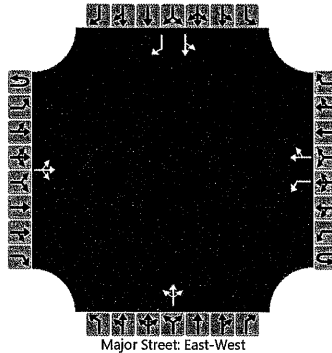
HCS7 Two-Way Stop-Control Report

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General Information

Analyst	STK	Intersection	CR 537 & OCEANP WAY EAST
Agency/Co.	MRA	Jurisdiction	
Date Performed	3/10/21	East/West Street	CR 537
Analysis Year	2025	North/South Street	OCEANPORT WAY EAST
Time Analyzed	PM	Peak Hour Factor	0.90
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	20-189PNB-1 NO-BUILD		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	1	1	0		0	1	0		0	1	1
Configuration			LTR			L		TR			LTR			LT		R
Volume (veh/h)		20	322	10		25	378	31		10	10	15		25	25	25
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized													No			
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.13				4.13				7.13	6.53	6.23		7.13	6.53	6.23
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.23				2.23				3.53	4.03	3.33		3.53	4.03	3.33

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		22				28					39			56		28
Capacity, c (veh/h)		1101				1184					322			230		617
v/c Ratio		0.02				0.02					0.12			0.24		0.05
95% Queue Length, Q ₉₅ (veh)		0.1				0.1					0.4			0.9		0.1
Control Delay (s/veh)		8.3				8.1					17.7			25.6		11.1
Level of Service (LOS)		A				A					C			D		B
Approach Delay (s/veh)	0.7				0.5				17.7				20.8			
Approach LOS									C				C			

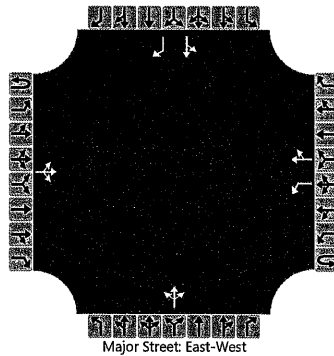
HCS7 Two-Way Stop-Control Report

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General Information

Analyst	STK	Intersection	CR 537 & OCEANP WAY EAST
Agency/Co.	MRA	Jurisdiction	
Date Performed	3/10/21	East/West Street	CR 537
Analysis Year	2025	North/South Street	OCEANPORT WAY EAST
Time Analyzed	PM	Peak Hour Factor	0.90
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	20-189PFB-1 BUILD		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	1	1	0		0	1	0		0	1	1
Configuration			LTR			L		TR			LTR			LT		R
Volume (veh/h)		20	322	26		38	378	31		64	10	72		25	25	25
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized													No			
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.13				4.13				7.13	6.53	6.23		7.13	6.53	6.23
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.23				2.23				3.53	4.03	3.33		3.53	4.03	3.33

Delay, Queue Length, and Level of Service

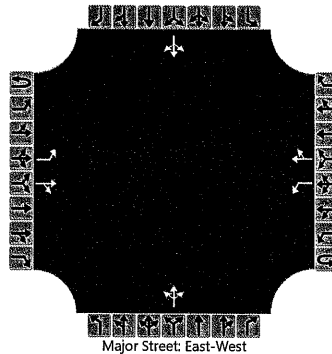
Flow Rate, v (veh/h)		22				42					162			56		28
Capacity, c (veh/h)		1101				1166					305			184		617
v/c Ratio		0.02				0.04					0.53			0.30		0.05
95% Queue Length, Q ₉₅ (veh)		0.1				0.1					2.9			1.2		0.1
Control Delay (s/veh)		8.3				8.2					29.5			32.9		11.1
Level of Service (LOS)		A				A					D			D		B
Approach Delay (s/veh)	0.7				0.7				29.5				25.6			
Approach LOS									D				D			

HCS7 Two-Way Stop-Control Report

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General Information		Site Information	
Analyst	STK	Intersection	CR 537 & OCEANP WAY WEST
Agency/Co.	MRA	Jurisdiction	
Date Performed	3/10/2021	East/West Street	CR 537
Analysis Year	2025	North/South Street	OCEANPORT WAY WEST-MATLER
Time Analyzed	AM	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	20-189ANB-2 NOBUILD		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	1	0	0	1	1	0		0	1	0		0	1	0
Configuration		L		TR		L		TR			LTR				LTR	
Volume (veh/h)		10	288	10		20	281	15		10	10	20		10	10	10
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.13				4.13				7.13	6.53	6.23		7.13	6.53	6.23
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.23				2.23				3.53	4.03	3.33		3.53	4.03	3.33

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		11				21					42				32	
Capacity, c (veh/h)		1243				1241					473				421	
v/c Ratio		0.01				0.02					0.09				0.08	
95% Queue Length, Q ₉₅ (veh)		0.0				0.1					0.3				0.2	
Control Delay (s/veh)		7.9				8.0					13.3				14.2	
Level of Service (LOS)		A				A					B				B	
Approach Delay (s/veh)	0.3				0.5				13.3				14.2			
Approach LOS									B				B			

HCS7 Two-Way Stop-Control Report

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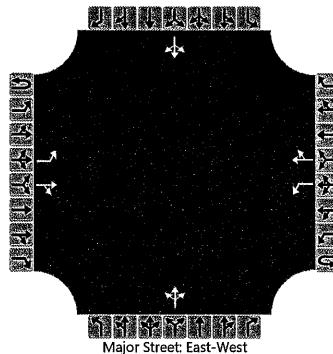
General Information

Analyst	STK
Agency/Co.	MRA
Date Performed	3/10/2021
Analysis Year	2025
Time Analyzed	AM
Intersection Orientation	East-West
Project Description	20-189AFB-2 BUILD

Site Information

Intersection	CR 537 & OCEANP WAY WEST
Jurisdiction	
East/West Street	CR 537
North/South Street	OCEANPORT WAY WEST-MATLER
Peak Hour Factor	0.95
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	1	0	0	1	1	0		0	1	0		0	1	0
Configuration		L		TR		L		TR			LTR				LTR	
Volume (veh/h)		10	339	105		20	295	15		25	10	20		10	10	10
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.13				4.13				7.13	6.53	6.23		7.13	6.53	6.23
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.23				2.23				3.53	4.03	3.33		3.53	4.03	3.33

Delay, Queue Length, and Level of Service

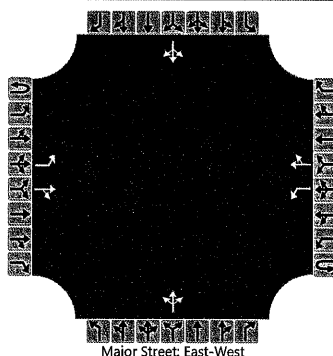
Flow Rate, v (veh/h)		11				21					58				32	
Capacity, c (veh/h)		1228				1089					360				353	
v/c Ratio		0.01				0.02					0.16				0.09	
95% Queue Length, Q ₉₅ (veh)		0.0				0.1					0.6				0.3	
Control Delay (s/veh)		8.0				8.4					16.9				16.2	
Level of Service (LOS)		A				A					C				C	
Approach Delay (s/veh)	0.2				0.5				16.9				16.2			
Approach LOS									C				C			

HCS7 Two-Way Stop-Control Report

7.4.e

General Information		Site Information	
Analyst	STK	Intersection	CR 537 & OCEANP WAY WEST
Agency/Co.	MRA	Jurisdiction	
Date Performed	3/10/2021	East/West Street	CR 537
Analysis Year	2025	North/South Street	OCEANPORT WAY WEST-MATLER
Time Analyzed	PM	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	20-189PNB-2 NOBUILD		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	1	0	0	1	1	0		0	1	0		0	1	0
Configuration		L		TR		L		TR			LTR				LTR	
Volume (veh/h)		10	326	10		10	393	10		10	10	15		10	10	10
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.13				4.13				7.13	6.53	6.23		7.13	6.53	6.23
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.23				2.23				3.53	4.03	3.33		3.53	4.03	3.33

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		11				11					37				32	
Capacity, c (veh/h)		1130				1200					386				352	
v/c Ratio		0.01				0.01					0.10				0.09	
95% Queue Length, Q ₉₅ (veh)		0.0				0.0					0.3				0.3	
Control Delay (s/veh)		8.2				8.0					15.3				16.2	
Level of Service (LOS)		A				A					C				C	
Approach Delay (s/veh)	0.2				0.2				15.3				16.2			
Approach LOS									C				C			

HCS7 Two-Way Stop-Control Report

7.4.e

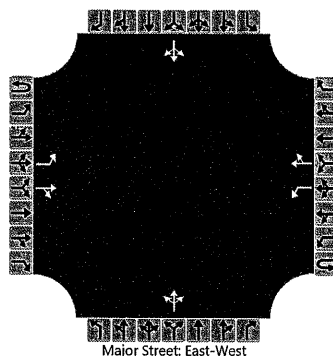
General Information

Analyst	STK
Agency/Co.	MRA
Date Performed	3/10/2021
Analysis Year	2025
Time Analyzed	PM
Intersection Orientation	East-West
Project Description	20-189PFB-2 BUILD

Site Information

Intersection	CR 537 & OCEANP WAY WEST
Jurisdiction	
East/West Street	CR 537
North/South Street	OCEANPORT WAY WEST-MATLER
Peak Hour Factor	0.95
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	1	0	0	1	1	0		0	1	0		0	1	0
Configuration		L		TR		L		TR			LTR				LTR	
Volume (veh/h)		10	349	26		10	393	10		90	10	15		10	10	10
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.1	6.5	6.2		7.1	6.5	6.2
Critical Headway (sec)		4.13				4.13				7.13	6.53	6.23		7.13	6.53	6.23
Base Follow-Up Headway (sec)		2.2				2.2				3.5	4.0	3.3		3.5	4.0	3.3
Follow-Up Headway (sec)		2.23				2.23				3.53	4.03	3.33		3.53	4.03	3.33

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		11				11					121				32	
Capacity, c (veh/h)		1130				1158					287				337	
v/c Ratio		0.01				0.01					0.42				0.09	
95% Queue Length, Q ₉₅ (veh)		0.0				0.0					2.0				0.3	
Control Delay (s/veh)		8.2				8.1					26.3				16.8	
Level of Service (LOS)		A				A					D				C	
Approach Delay (s/veh)	0.2				0.2				26.3				16.8			
Approach LOS									D				C			

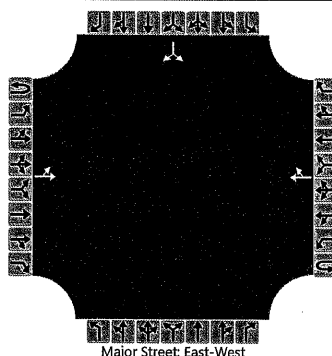
HCS7 Two-Way Stop-Control Report

7.4.e

General Information

Analyst	STK	Intersection	MAIN & ANSON
Agency/Co.	MRA	Jurisdiction	
Date Performed	3/10/2021	East/West Street	MAIN
Analysis Year	2025	North/South Street	ANSON
Time Analyzed	AM	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	20-189ANB-3NO-BUILD		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	0	0		0	1	0
Configuration		LT						TR							LR	
Volume (veh/h)		20	364				398	20						20		20
Percent Heavy Vehicles (%)		3												3		3
Proportion Time Blocked																
Percent Grade (%)													0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1												7.1		6.2
Critical Headway (sec)		4.13												6.43		6.23
Base Follow-Up Headway (sec)		2.2												3.5		3.3
Follow-Up Headway (sec)		2.23												3.53		3.33

Delay, Queue Length, and Level of Service

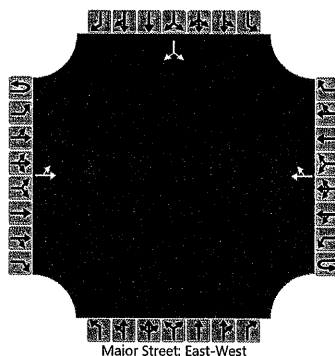
Flow Rate, v (veh/h)		21													42	
Capacity, c (veh/h)		1115													423	
v/c Ratio		0.02													0.10	
95% Queue Length, Q ₉₅ (veh)		0.1													0.3	
Control Delay (s/veh)		8.3													14.5	
Level of Service (LOS)		A													B	
Approach Delay (s/veh)	0.6												14.5			
Approach LOS													B			

HCS™ Two-Way Stop-Control Report

7.4.e

General Information		Site Information	
Analyst	STK	Intersection	MAIN & ANSON
Agency/Co.	MRA	Jurisdiction	
Date Performed	3/10/2021	East/West Street	MAIN
Analysis Year	2025	North/South Street	ANSON
Time Analyzed	AM	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	20-189AFB-3 BUILD		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	0	0		0	1	0
Configuration		LT						TR							LR	
Volume (veh/h)		38	364				398	39						24		24
Percent Heavy Vehicles (%)		3												3		3
Proportion Time Blocked																
Percent Grade (%)													0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1												7.1		6.2
Critical Headway (sec)		4.13												6.43		6.23
Base Follow-Up Headway (sec)		2.2												3.5		3.3
Follow-Up Headway (sec)		2.23												3.53		3.33

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		40													51	
Capacity, c (veh/h)		1096													396	
v/c Ratio		0.04													0.13	
95% Queue Length, Q ₉₅ (veh)		0.1													0.4	
Control Delay (s/veh)		8.4													15.4	
Level of Service (LOS)		A													C	
Approach Delay (s/veh)	1.1												15.4			
Approach LOS													C			

HCS7 Two-Way Stop-Control Report

7.4.e

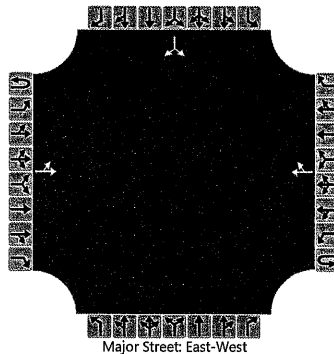
General Information

Analyst	STK
Agency/Co.	MRA
Date Performed	3/10/2021
Analysis Year	2025
Time Analyzed	PM
Intersection Orientation	East-West
Project Description	20-189PNB-3NO-BUILD

Site Information

Intersection	MAIN & ANSON
Jurisdiction	
East/West Street	MAIN
North/South Street	ANSON
Peak Hour Factor	0.95
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	0	0		0	1	0
Configuration		LT						TR							LR	
Volume (veh/h)		20	458				438	20						20		20
Percent Heavy Vehicles (%)		3												3		3
Proportion Time Blocked																
Percent Grade (%)													0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1												7.1		6.2
Critical Headway (sec)		4.13												6.43		6.23
Base Follow-Up Headway (sec)		2.2												3.5		3.3
Follow-Up Headway (sec)		2.23												3.53		3.33

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		21													42	
Capacity, c (veh/h)		1075													364	
v/c Ratio		0.02													0.12	
95% Queue Length, Q ₉₅ (veh)		0.1													0.4	
Control Delay (s/veh)		8.4													16.2	
Level of Service (LOS)		A													C	
Approach Delay (s/veh)	0.6												16.2			
Approach LOS													C			

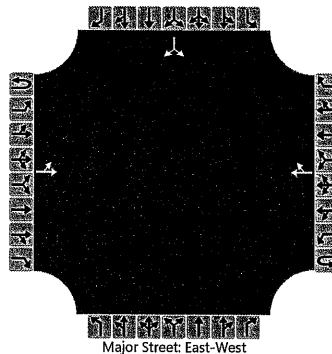
HCS7 Two-Way Stop-Control Report

7.4.e

General Information

Analyst	STK	Intersection	MAIN & ANSON
Agency/Co.	MRA	Jurisdiction	
Date Performed	3/10/2021	East/West Street	MAIN
Analysis Year	2025	North/South Street	ANSON
Time Analyzed	PM	Peak Hour Factor	0.95
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	20-189PFB-3BUILD		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	0	0		0	1	0
Configuration		LT						TR							LR	
Volume (veh/h)		25	458				438	25						37		37
Percent Heavy Vehicles (%)		3												3		3
Proportion Time Blocked																
Percent Grade (%)													0			
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1												7.1		6.2
Critical Headway (sec)		4.13												6.43		6.23
Base Follow-Up Headway (sec)		2.2												3.5		3.3
Follow-Up Headway (sec)		2.23												3.53		3.33

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		26													78	
Capacity, c (veh/h)		1070													357	
v/c Ratio		0.02													0.22	
95% Queue Length, Q ₉₅ (veh)		0.1													0.8	
Control Delay (s/veh)		8.4													17.9	
Level of Service (LOS)		A													C	
Approach Delay (s/veh)	0.7												17.9			
Approach LOS													C			



Kennedy Consulting Engineers, LLC
 211 Maple Avenue
 Red Bank, New Jersey 07701
 Phone: 732.212.9393 • Fax: 732.212.9399

STORMWATER MANAGEMENT COMPLIANCE STATEMENT

OPORT PARTNERS, LLC

LOT 1 IN BLOCK 110.15 & LOT 1 IN BLOCK 110.16

BOROUGH OCEANPORT, MONMOUTH COUNTY, NEW JERSEY

The subject property is located at the intersections of Murphy Drive and Alexander Avenue in the Fort Monmouth Redevelopment Area. The property is comprised of approximately 11.3 acres. Stormwater runoff generated on the site flows to the existing drainage systems which ultimately discharge to Husky Brook.

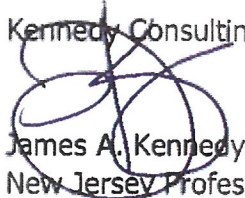
The site is currently developed with six (6) buildings with associated parking, pedestrian, and landscaped areas. Five (5) building will remain unoccupied during Phase I of the project. The remaining building, known as the commissary, will be reused with food service-related tenants. The goal of Phase I is to rehabilitate and occupy the existing commissary building and repair and restripe a portion of the associated parking area. Phase II will address the full redevelopment of approximately 26 acres in the vicinity of the commissary. The commissary building shall remain during Phase II.

No changes to the site layout, grading or impervious coverage are proposed during Phase I. As such, no changes to stormwater runoff are anticipated. Runoff generated on the site will continue to be directed to the existing drainage systems which discharge to Husky Brook.

FMERA's Land Use Ordinance defines "major development" as the as the disturbance of one or more acres of land. Since the proposed disturbance is less than one acre, the proposed project does not constitute a "major development" for stormwater management purposes.

Given that no changes to stormwater runoff are proposed and that the project is not considered a "major development" for stormwater management purposes, no adverse impacts to the surrounding properties are anticipated as a result of the proposed improvements.

Kennedy Consulting Engineers, LLC.


 James A. Kennedy, PE
 New Jersey Professional Engineer License No. 41275

August 31, 2020

ACCESS, UTILITY AND ROADWAY EASEMENT AGREEMENT

THIS ACCESS, UTILITY AND ROADWAY EASEMENT AGREEMENT is made and entered into as of the ____ day of October, 2020 by and between Jersey Central Power & Light Company, (hereinafter referred to as "Grantor") and Oport Partners LLC, its successors and assigns (collectively hereinafter referred to as "Grantee").

WHEREAS, Grantor is claiming title by virtue of an instrument recorded in the Monmouth County Clerk's Office in Deed Book 4597, at Page 917, and is the owner of a parcel of land known as Lot 5 in Block 110 on the municipal tax map of the Borough of Oceanport, County of Monmouth, State of New Jersey ("Grantor Property"); and

WHEREAS, Grantee is the owner of certain property identified as Lot 1 in Block 110.13 and Lot 1 in Block 110.14 on the municipal tax map of the Borough of Oceanport, County of Monmouth, State of New Jersey (collectively hereinafter referred to as the "OPORT Parcels").

WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, said Grantor does hereby grant and convey unto the said Grantee, together with Grantee's successors and assigns, the following:

A nonexclusive perpetual easement, for Grantee to construct, improve and thereafter use in perpetuity for roadway, underground utility and landscape purposes, over, upon, under, in and through the Grantor Parcel for the benefit of the OPORT Parcels as more particularly shown on the drawings attached hereto and made a part hereof as Exhibit "A."

WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, said Grantor does hereby grant and convey unto the said Grantee, together with Grantee's successors and assigns, the following:

A nonexclusive perpetual easement, to construct, improve and thereafter use for roadway, underground utility and landscape purposes, over, upon, under, in and through the Grantor Parcel as more particularly shown on the drawings attached hereto and made a part hereof as Exhibit "A."

Grantor and its agents, successors, assigns, licensees and invitees reserve the right to use said roadway improvements in common with Grantee provided, however, such use shall not interfere with Grantee's use thereof and provided further that any maintenance or repair to improvements installed by Grantee required as a result of Grantor's use thereof shall be at Grantor's expense.

Grantee has paid or agrees to pay for the repair of any damage to Grantor Parcel as the result of the original construction of said roadway or underground utility improvements and further agrees that any maintenance or repair of said roadway or utility improvements required as a result of Grantee's use thereof shall be at Grantee's expense.

For purposes of this agreement, Grantee may, at its discretion, maintain or repair said roadway and underground utility improvements, but Grantee does not have the obligation to do routine maintenance of said underground utility improvements or the roadway, such as snow removal, gate maintenance, culvert maintenance, drainage alteration, leveling of the roadway, or stone replacement. Anything to the contrary herein notwithstanding, Grantee agrees that any landscaped areas will be maintained at a height not to exceed three (3) feet above grade.

Grantor shall have no obligation to maintain roadways, underground utility improvements or other improvements to be built by Grantee on lands as shown in Exhibit A.

Grantor, for itself, its heirs, successors and assigns, covenant that it is the true and lawful owner of said lands and it has the full right and power to grant and convey said easement as herein provided.

IN WITNESS WHEREOF, the parties hereunto agree to the terms as set forth in this Agreement and set his/her/their hand as of the date first above written.

JERSEY CENTRAL POWER & LIGHT COMPANY

By: _____

William R. Beach

Its: Director, Real Estate for FirstEnergy Service Company
on behalf of Jersey Central Power & Light Company

STATE OF OHIO)
Portage) SS:
COUNTY OF ~~SUMMIT~~)

On this 8th day of October 2020, before me a Notary Public the undersigned officer, personally appeared William R. Beach, who acknowledged himself to be the Director of Real Estate for FirstEnergy Service Company on behalf of Jersey Central Power & Light Company, a New Jersey corporation, and that he as such Director being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Director.

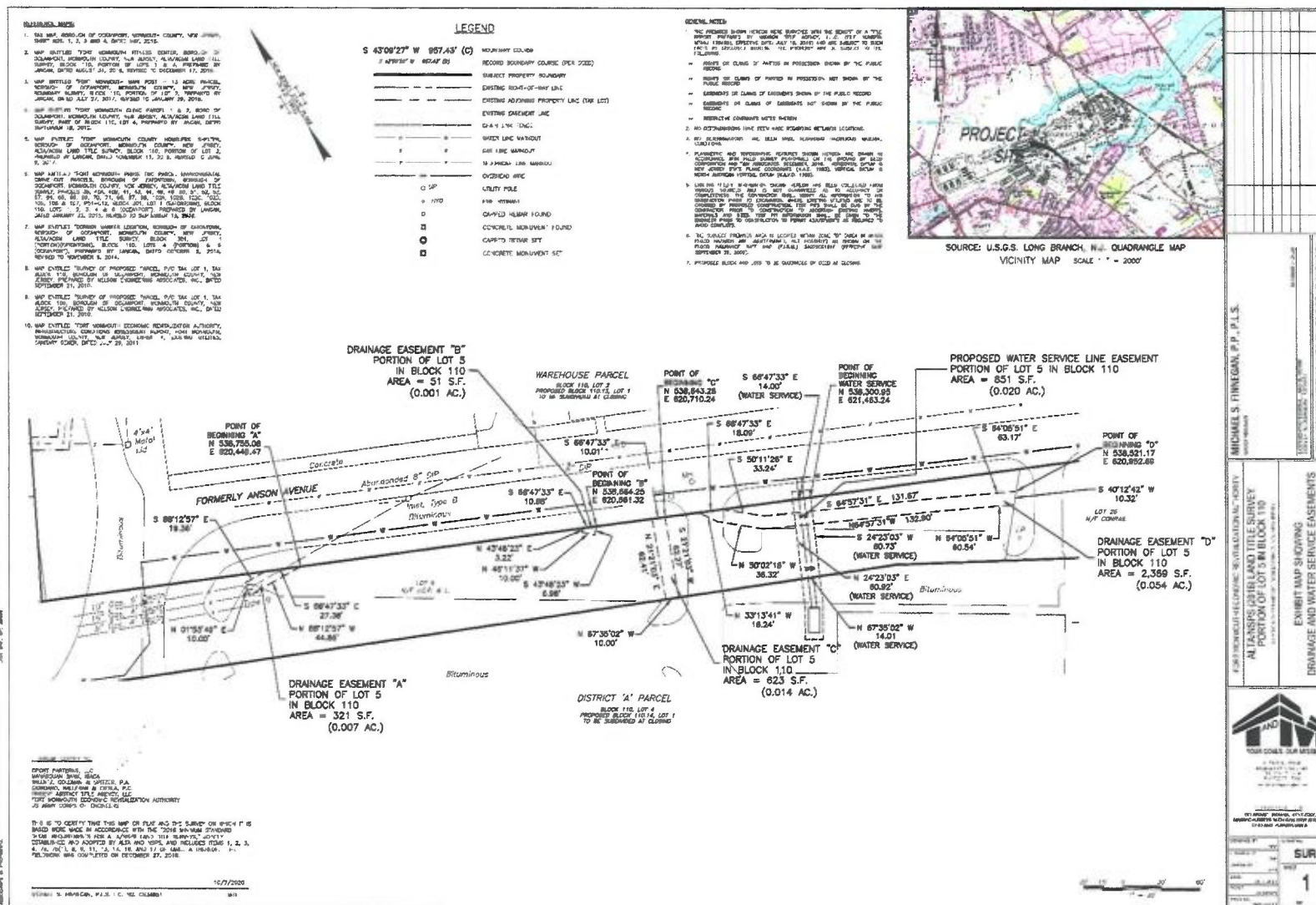
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Agatha Westbrook Smithers
NOTARY

Prepared by:
Jersey Central Power & Light Company



EXHIBIT A



Environmental Impact Statement

March 10, 2021

Prepared by Giordano, Halleran & Ciesla, P.C.
Attorneys for Oport Partners, LLC
Preliminary and Final Major Site Plan Application
Borough of Oceanport Planning Board
Block 110.14, Lot 1

I. Plan and Description of Development

Oport Partners, LLC (“Applicant”) has submitted an application (“Application”) to the Borough of Oceanport Planning Board (“Board”) for preliminary and final major site plan approval with associated bulk “c” variance relief and waiver relief regarding property (“Property”) located within the Borough of Oceanport section of the former Fort Monmouth property, commonly referred to as “Parcel A.” The Property is located southwest of the intersection of Oceanport Way (formerly known as Murphy Drive) and Anson Avenue, and is identified as Block 110.14, Lot 1 on the tax map of the Borough of Oceanport.

The Property is approximately 17.283 acres in area, is located within District A of the Fort Monmouth Reuse and Redevelopment Plan and is subject to Reuse Plan Amendment #15 prepared by the Fort Monmouth Economic Revitalization Authority dated August, 2020. The Property is currently developed with ten (10) buildings with associated parking, pedestrian and landscaped areas.

As set forth in the Application documents, nine (9) of the buildings will remain unoccupied and the remaining building (commonly known as the Commissary) will be reused for permitted uses under Reuse Plan Amendment #15 including, but not limited to, craft production facilities, food service uses for research and development, and other food services uses including, but not limited to, food distribution, processing, manufacturing and processing.

In addition to the adaptive reuse of the Commissary building, the Application proposes Phase I of the development of the Property, which consists of the restoration of an existing parking area to serve the existing Commissary building, and to make other improvements to water utilities, lighting and landscaping on the Property. The proposed site plans are entitled “Preliminary and Final Plat – Major Site Plan” prepared by Kennedy Consulting Engineers, LLC, last revised February 15, 2021, consisting of eight (8) sheets. A reproduction of the cover page is below:

II. Inventory of Existing Environmental Conditions

As part of the Mandatory Conceptual Review process, FMERA’s Environmental Advisory Committee (“ESAC”) reviewed the proposed site plan and found no environmental issues that need to be addressed at this time. The ESAC’s Senior Environmental Officer

prepared an inventory of existing environmental conditions as part of his review of the proposed application. For your review and consideration, attached are the following exhibits:

- 1) Memorandum from Kara Kopach, Deputy Executive Director, FMERA dated December 14, 2020 regarding Environmental Impact Statement Requirement.
- 2) Minutes of ESAC meeting dated October 5, 2020.
- 3) ESAC MCR Report prepared by Joseph Fallon, FMERA Senior Environmental Officer.

III. Assessment of the Anticipated Impact of the Project

As the proposed Application involves only the adaptive reuse of the existing Commissary building and limited site improvements needed to accomplish such reuse, the Applicant submits that the project will have no anticipated impact on the Property's existing environmental conditions.

Docs #4948382-v1



MEMORANDUM

To: OPort Partners, LLC

From: Kara Kopach
Deputy Executive Director, FMERA

Date: December 14, 2020

Re: Environmental Impact Statement Requirement

Per the Fort Monmouth Economic Revitalization Authority's (FMERA) Land Use Rules & Regulations (Land Use Rules), FMERA's Environmental Advisory Committee (ESAC) serves as the exclusive environmental commission for all land use matters and approvals within Fort Monmouth.

An environmental impact statement is not a requirement of FMERA's Mandatory Conceptual Review (MCR). Per FMERA's Land Use Rules and as a part of FMERA's MCR process, the ESAC is provided a copy of each application. The ESAC reviews all environmental impacts to the site and ultimately approves or disapproves the developer's site plan. The ESAC committee reviewed plans for District A – Phase I project and finding no additional environmental issues to be addressed, approved the plan on October 5th, 2020. This approval is noted in FMERA's MCR letter dated November 18th, 2020.

Please refer to the following attachments that further detail the MCR process as it relates to environmental review and site plan approval. With ESAC serving as the exclusive environmental commission overseeing all approvals within Fort Monmouth, no further environmental review is required.

Attachments: p/o Fort Monmouth Economic Revitalization Authority Land Use Rules & Regulations 19:31C-3.20 (e): *Site plan and subdivision applications; mandatory conceptual review*

p/o Fort Monmouth Economic Revitalization Authority Statute C.52:27I-27 *Appointment of committees.*

ESAC MCR Report prepared by Joe Fallon, FMERA Senior Environmental Officer

ESAC Meeting Minutes October 5th, 2020

Per FMERA's statute, the Authority's Environmental Staff Advisory Committee shall be the exclusive environmental commission for all land use matters and approvals within the Fort Monmouth Project Area, therefore, a public meeting is required for all Mandatory Conceptual Reviews, or MCRs.

The Public portion of the meeting was called to order at 4:35p.m.

1. The following environmental requirements were identified in the MCR for the Commissary Phase 1 Parcel:
 - A Soil Erosion and Sediment Control Plan will need to be submitted due to the disturbance of more than 5,000 square feet of soil. Disturbance of 5,000 square feet or more of soil triggers a requirement to submit a Soil Erosion & Sediment Control Plan to the Freehold Soil Conservation District for approval. Work may not commence until such time as the Freehold Soil Conservation District certifies the Soil Erosion & Sediment Control Plan as approved.
 - The developer proposes to make use of the existing, FMERA-owned stormwater collection system. Under this proposal, FMERA is required to maintain the stormwater collection system found outside of the boundaries of the Commissary, Warehouses, and Post Office parcels.
 - The developer should assess whether a CAFRA permit is required based upon the proposed uses of the Commissary building.
 - The developer should evaluate the need to perform a Flood Hazard Assessment.

The public portion of the meeting was closed at 4:48p.m.

MANDATORY CONCEPTUAL REVIEW

Parcel: Commissary Parcel, Building 1007

Developer: OPORT Partners, LLC

Project Description: The developer proposes to renovate the Commissary (building 1007) and establish food processing facilities that may include a ghost kitchen, a shared kitchen, a kitchen incubator, a restaurant, a café, a catering kitchen, a food processing-packaging service, a culinary school/event space and/or a microbrewery. The Commissary building's footprint is not being expanded, either horizontally or vertically, under the phase 1 redevelopment plan. The phase 1 plan also calls for a portion of the parking lot located on the westside of the Commissary to be repaired and upgraded. Several islands (curbed areas with grass) found in the parking lot will be removed and paved over. The elimination of these islands accounts for a majority of the planned soil disturbance.

1. **Soil Disturbance:** The project as proposed will disturb more than 5,000 square feet of soil. Disturbance of 5,000 square feet or more of soil triggers a requirement to submit a "Soil Erosion & Sediment Control Plan" to the Freehold Soil Conservation District for approval. Work may not commence until such time as the Freehold Soil Conservation District certifies the Soil Erosion & Sediment Control Plan as approved.
2. **Soil Disturbance of One Acre or More:** The project as proposed will not disturb one acre or more of soil or increase impervious surfaces by a ¼ acre or more. As a result, the requirement to secure an "Authorization to Discharge 5G3 Construction Activity Stormwater General Permit" is not triggered.
3. **Stormwater Management:** The developer proposes to make use of the existing, FMERA owned stormwater collection system. Under this proposal, the FMERA is required to maintain the stormwater collection system found outside of the boundaries of the Commissary, Warehouses, and Post Office parcels.
4. **Water Bodies:** There are no water bodies found on the Commissary Hall parcel. Husky Brook Creek, a tidal water body, is located approximately 600 feet north of the parcel boundary.
5. **Riparian Zone:** There are no riparian zones found on the Commissary parcel.
6. **Wetlands & Associated Wetland Buffer Zones:** There are no coastal or freshwater wetlands found on the Commissary parcel to include any associated transition zones.

7. **Coastal Area Facilities Review Act (CAFRA):** The developer should assess whether or not a CAFRA permit is required based upon the proposed uses of the Commissary building.
8. **Flood Hazard Assessment:** The developer should evaluate the need to perform a flood hazard assessment in accordance with the provisions of N.J.A.C. 7:13 et seq.
9. **Endangered & Threatened Wildlife or Vegetation Species Habitats:** As originally reported, there was an active osprey (*Pandion haliaetus*) nest found on a FMERA owned utility pole located at the intersection of Anson Avenue (also referred to as Razor Avenue) and Murphy Drive. The nest was located at the northwest corner of the intersection. The nest was located more than 300 feet from the Commissary's loading dock area and approximately 500 feet from the proposed parking lot renovation work.

Referenced nest was dismantled by a qualified high voltage electrician on October 28, 2020 under the authority granted by Depredation Control Permit No. DC2020052 which was issued by the NJDEP on March 24, 2020. On or before February 28, 2021, the FMERA, by means of a qualified contractor, will install a deterrent device on the subject utility pole which is designed to prevent further nesting activities at said location. It should be noted the installation of nest deterrent devices are not always 100% successful.

An active bald eagle (*Haliaeetus leucocephalus*) nest located on the Monmouth County Highway District property is more than 2,500 feet from the Commissary parcel. The highway department's operation is quite robust and to date said operations have not negatively impacted the nesting bald eagles. It is the opinion of the undersigned that work proposed at the Commissary parcel will not negatively impact the nesting bald eagles.

10. **Critical Wildlife Habitats:** There are no critical wildlife habitats found on the Commissary parcel.
11. **Historic & Archaeological Resources:** There are no historical or archaeological covenants associated with the Commissary parcel.

Prepared By: Joe Fallon
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