



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • MARCH 22, 2022

Regular

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order

II. Open Public Meetings Statement

This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 20, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

III. Flag Salute

IV. Board Policy

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

V. Roll Call

VI. Board Business

1. Report of Pending Applications
2. Resolution of Approval - Barker's Circle

VII. Approval of Minutes

1. Planning/Zoning Board - Regular - Feb 22, 2022 7:00 PM
2. Planning/Zoning Board - Regular - Mar 8, 2022 7:00 PM

VIII. New Business

1. PB2022-03 Dalton, Edward
23 Ithaca Avenue
Block 29, Lot 12
Proposed installation of in-ground pool seeking relief for:
Maximum Impervious Coverage - 37% permitted; 42.0% existing; 51.5% proposed
2. PB2022-05 DeLuca, Joseph
Block 34, lot 2
38 Oneida Avenue
Proposed construction of in-ground pool seeking relief for:
Maximum impervious coverage, 37% permitted, 49.5% proposed

IX. Old Business

1. Resolution of Approval - 72 Bridgewaters Drive
2. Resolution of Approval - 47 Seneca Place
3. PB2021-09- Galvao Investments, LLC
73 Monmouth Blvd.
Block 13, Lot 24
Variances requested:
Driveway setback of 5' from property line required, 0' setback exists

Maximum Impervious Coverage - 37% permitted, 63% proposed

DFD waived

CARRIED from February 8, 2022

4. PB2021-11 Richard Veltri

9 Pocano Avenue

Block 39 Lots 6,7

Minor Subdivision with Variances (Lot Line Adjustment)

DFD 3/31/2022

CARRIED from February 22, 2022

X. Petitions from the Public

XI. Adjournment



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB (ID # 2346)

6.2

Meeting: 03/22/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2346

Resolution of Approval - Barker's Circle

Resolution prepared by:
Marc A. Leckstein, Esquire
Leckstein & Leckstein, LLC
463 Prospect Avenue
Little Silver, NJ 07739

**RESOLUTION GRANTING APPLICATION
FOR PRELIMINARY & MAJOR SITE PLAN APPROVAL
WITH SUBDIVISION AND DESIGN WAIVER RELIEF**

**PLANNING/ZONING COMBINED BOARD
BOROUGH OF OCEANPORT**

APPLICATION # PB2021-16

BARKER'S CIRCLE PARTNERSHIP, LLC

**BLOCK 110, PORTION OF LOT 1
NEW BLOCK 110.20, LOT 1 - 2000 AVENUE OF MEMORIES
NEW BLOCK 110.21, LOT 1 - 2200 AVENUE OF MEMORIES
NEW BLOCK 110.22, LOT 1 - 100 BARKER'S CIRCLE
NEW BLOCK 110.23, LOT 1 - 200-500 BARKER'S CIRCLE**

WHEREAS, Barker's Circle Partnership, LLC has applied to the Planning/Zoning Combined Board of the Borough of Oceanport for Preliminary & Major Site Plan Approval with subdivision and variance relief in order to be able to renovate and adaptively reuse all seven buildings located on the parcel of property currently known as Block 110, Portion of Lot 1 on the official tax map of the Borough of Oceanport, which upon approval would be subdivided into New Block 110.20, Lot 1 - 2000 Avenue of Memories, New Block 110.21, Lot 1 - 2200 Avenue of Memories, New Block 110.22, Lot 1 - 100 Barker's Circle and New Block 110.23, Lot 1 - 200-500 Barker's Circle, so as to be able to develop 75 residential units, 31,390 square feet of office space, 6,511 square feet of theater/study/art gallery space, and 6,325 square feet of retail/flex space; and

WHEREAS, the applicant has provided notice to all property owners within two hundred feet and has caused notice to be published regarding said application in accordance with *N.J.S.A. 40:55D-1* et seq., this Board gaining jurisdiction thereunder; and

WHEREAS, public hearings were held in the within matter at regularly scheduled meetings of the Planning/Zoning Combined Board held on November 16, 2021 and January 25, 2022 during which all parties having an interest in the application were heard; and

WHEREAS, the Board having carefully considered the evidence and exhibits presented by the applicants;

NOW THEREFORE, be it Resolved by the Planning/Zoning Combined Board of the Borough of Oceanport that the following findings of facts and conclusions are made:

1. Throughout the course of the proceedings, the applicant was represented by E. Carlton Kromer, Esquire of the Kromer Law Firm, LLC which has offices located at 3321 Doris Avenue, Building B, Suite 1, Ocean Township, New Jersey 07311.
2. The property which is the subject of this application is a +/- 19.5 acre parcel located in the Fort Monmouth Horseneck Center District as well as the Historic District and is officially designated as Block 110, Portion of Lot 1 on the official tax map of the Borough of Oceanport. Upon approval of this application, the applicant would seek to subdivide its property as follows:

- Proposed New Block 110.20, Lot 1 -2000 Avenue of Memories
- Proposed New Block 110.21, Lot 1 -2200 Avenue of Memories
- Proposed New Block 110.22, Lot 1 -100 Barker’s Circle
- Proposed New Block 110.23, Lot 1 -200-500 Barker’s Circle
3. The subject parcel is bordered by Oceanport Avenue to the east, Oceanport Creek to the south, Hildreth Avenue to the north, and Oceanport Way to the west.
4. The parcel is proposed to be developed in accordance with the zoning approved by the Fort Monmouth Economic Revitalization Authority (FMERA) by way of a letter dated June 25, 2021 as well as pursuant to the Reuse Plan and overlay zoning approved in Amendment # 6 and Amendment # 16 as following:
 - Buildings 206 and 208 are approved for residential and/or office/research development uses;
 - Building 282, the former Fire House, is approved for retail or office/research & development uses;
 - Relocation of 26 residential units from the Ocean Municipal Complex parcel to Buildings 206 and 208;
 - Reuse of Building 206 for business lofts with childcare centers as an accessory use;
 - Building 282 for craft production facilities and art and cultural retail uses;
 - Reuse of Building 275 for art and cultural retail uses with office uses as an accessory use.
5. The applicant is seeking approval to redevelop the existing buildings located upon the parcel so as to provide the following, all of which comply with the approved uses noted within the previous paragraph:

Building #	Proposed Use
205 (proposed Block 110.23, Lot 1)	21 Residential Condominium Units
206 (proposed Block 110.22, Lot 1)	Office Space (31,390 square feet)
207 (proposed Block 110.23, Lot 1)	21 Residential Condominium Units
208 (proposed Block 110.23, Lot 1)	18 Residential Condominium Units
275 (proposed Block 110.20, Lot 1)	Theater/Study/Art Gallery (6,511 square feet)
282 (proposed Block 110.21, Lot 1)	Restaurant Space (6,325 square feet)
287 (proposed Block 110.23, Lot 1)	15 Residential Condominium Units

6. The architectural elements of each of the existing buildings will be preserved.
7. With respect to Building # 275, which was historically known as Kaplan Hall, the breakdown of the arts related uses proposed therein would be as follows:

Proposed Use	Seating	Approx. Square Footage
Arts Café (First Floor)	70 seats	3,639 sq ft +/-
Arts Gallery/Flex Space/Studios (1st Floor)	N/A	2,063 sq ft +/-
Office Space (Second Floor)	N/A	809 sq ft +/-

8. The proposed restaurant which will be located within Building 282, historically known as the Firehouse, will have 150 seats.
9. As indicated above, Building 206, will consist of 31,390 square feet of office space. Although childcare centers are permitted as an accessory use to this office space, none is being proposed as part of this application.
10. A total of 75 residential condominium units are being proposed across Buildings 205, 207, 208 and 287, of which fifteen (15) will be developed as affordable units. The breakdown of affordable units within these four (4) buildings will be as follows:

Building #	Number of Units Overall	Number of Affordable Units
205	21 residential units	6 affordable units
207	21 residential units	3 affordable units
208	15 residential units	2 affordable units
287	15 residential units	4 affordable units
Totals =	75 residential units	15 affordable units

11. All of the fifteen (15) affordable housing units will consist of two (2) bedroom units which is in compliance with the Borough’s approved Fair Share Housing Plan. This fact was confirmed during the public hearings by the Board’s Planner, Kendra Lelie, P.P., A.I.C.P., L.L.A., of T&M Associates who testified under oath.
12. The sixty (60) non-affordable housing units will be made up as follows:

Building #	1 Bedroom Units	2 Bedroom Units	3 Bedroom Units
205	3	6	6
207	1	11	3
208	1	12	3
287	3	8	4
Totals	8	37	15

13. As an additional amenity for the residential units, the applicant will also be providing a half mile walking trail along with a dog park.
14. The application has been designed in such a fashion that there is no variance relief required for this approval. The application does require three (3) design waivers however. These design waivers consist of the following:
- (A) The applicant proposes to provide a 24' wide access aisle in the parking lots, whereas NJAC 19:31C-3,19(c)3viii requires a minimum width of 25' two-way traffic.
- (B) The proposed lighting is not compliant with the requirements of NJAC 19:31C-3.10(j)(4) wherein a maximum lighting intensity of 0.1 foot-candles is permitted at the property lines. Proposed lighting levels along Oceanport Avenue, Oceanport Way and Hildreth Avenue reach a maximum of 0.5 fc.

- (C) N.J.A.C. 19:31-3.15(e)(1)(iv) requires all non-residential buildings to provide indoor bicycle racks. Indoor bicycle storage is not being provided for the non-residential buildings.
15. With respect to the aforementioned parking aisle design waiver, the Board’s Engineer, William H.R. White, III, P.E., P.P., C.M.E., C.F.M., C.P.W.M. of Colliers Engineering and Design, who was placed under oath, testified that he had no objection to the proposed access aisle deviation. He believed what was being proposed would operate correctly.
16. With respect to the aforementioned lighting design waiver, the applicant stipulated as a condition of approval that the foot candles provided would be sufficient but not disruptive to any tenant on the site or occupant of any adjacent properties. Dark skies type of lighting would be utilized. This would also be a condition of approval.
17. With respect to the aforementioned indoor bicycle rack design waiver, the applicant did propose to provide nine (9) outdoor bicycle racks throughout the development. Seven (7) of these bicycle racks would be located for each building. The remaining two (2) of these racks would be placed near public amenities. The exact locations of these bicycle racks, which would need to be shown on the site plan, would be subject to the review and approval of the Board’s Engineer and Planner. This would be a condition of approval.
18. The Board’s professionals had no objection to any of the design waivers being requested.
19. As previously noted, there is no variance relief required by this application. With respect to parking requirements, the applicant is providing more than sufficient parking to accommodate all of the uses being proposed. This will be accomplished by way of a shared parking easement which will be discussed later in this Resolution.
- The parking spaces being provided by the applicant are as follows:

Type of Use	Parking Spaces Required	Parking Spaces Provided
Non-Residential	211 spaces	242 spaces
Residential	150 spaces	215 spaces

20. The applicant is also proposing to install thirty-seven (37) electric vehicle (EV) charging stations throughout the development. The exact location of these stations will be subject to the review and approval of the Board’s Engineer and Planner and added to the final site plan, but will be broken up as follows:

EV Spaces For Buildings	Number of EV Stations
Residential Buildings (#’s 205, 207, 208 & 287)	27
Office Building (# 206)	4
Theater/Study/Art Gallery (# 275)	4
Restaurant (# 282)	2

21. As a condition of approval, it was agreed that the EV Charging Stations would be installed and made operational as part of the initial construction of the project.
22. In support of the over all application, the following was offered into evidence on behalf of the applicant:¹

Exhibit A-1: Land Development Application to the Board

Exhibit A-2: “Boundary and Topographic Survey” prepared by Morgan Engineering & Surveying, last revised May 13, 2020 (consisting of two (2) sheets)

Exhibit A-3: “Preliminary & Final Major Site & Subdivision Plan” prepared by Morgan Engineering & Surveying, last revised July 20, 2021 (consisting of 19 sheets)

Exhibit A-4: Architectural Plans entitled “Fort Monmouth Barker Circle” prepared by Monmouth Ocean Design Experts, LLC, last revised July 19, 2021 (consisting of 27 sheets)

Exhibit A-5: “Stormwater Management Report” prepared by Morgan Engineering & Surveying, dated June 22, 2021

Exhibit A-6: “Stormwater Management Operations and Maintenance Manual” prepared by Morgan Engineering & Surveying, dated June 22, 2021

Exhibit A-7: “Environmental Impact Statement” prepared by Environmental Management Group, Inc., dated October 2021

Exhibit A-8: Traffic Letter Report prepared by McDonough & Rea Associates, dated October 19, 2020

Exhibit A-9: Mandatory Conceptual Review Letter dated June 25, 2021

Exhibit A-10: Aerial Exhibit of Property dated November 16, 2021

Exhibit A-11: Architectural Rendering prepared by Mode Architects, dated November 16, 2021 (consisting of 7 sheets)

Exhibit A-12: Revised “Preliminary & Final Major Site & Subdivision Plan”, prepared by Morgan Engineering & Surveying, last revised December 29, 2021 (consisting of 22 sheets)

Exhibit A-13: Revised Parking Analysis Letter Report prepared by McDonough & Rea Associates, dated December 30, 2021

Exhibit A-14: “Preliminary & Final Major Site & Subdivision Plan, Shared Parking Exhibit” prepared by Morgan Engineering & Surveying dated November 24, 2021 (consisting of 1 sheet)

Exhibit A-15: Colorized Site Plan Rendering dated January 25, 2022

¹ During the course of the application, Exhibits A-14 and A-17 were withdrawn from consideration as the idea of the shared parking plan described therein was not going to be followed. See discussion to follow on the shared parking agreement. However, said plans remain relevant for the purpose of detailing which areas of the total project area would be subject to the control and responsibility of the condominium association, said areas being highlighted on those documents in “blue”.

Exhibit A-16: Interior Residential Renderings dated January 13, 2022

(consisting of 8 renderings)

Exhibit A-17: Shared Parking Exhibit, last revised November 12, 2020

Exhibit A-18: Residential Floor Plans, prepared by Mode Architects, last revised July 19, 2021 (consisting of 4 sheets)

23. In addition to the exhibits submitted on behalf of the applicant, the Board also marked into evidence its own exhibit as follows:

Exhibit B-1: Engineering Review letter dated October 22, 2021 as authored by Board Engineer William H.R. White, III, P.E., P.P., C.M.E., C.F.M., C.P.W.M. of Colliers Engineering and Design

Exhibit B-2: Planning Review letter dated October 25, 2021 as authored by Board Planner Kendra Lelie, P.P., A.I.C.P., L.L.A., of T&M Associates

Exhibit B-3: Engineering Review letter dated January 21, 2022 as authored by Board Engineer William H.R. White, III, P.E., P.P., C.M.E., C.F.M., C.P.W.M. of Colliers Engineering and Design

24. As noted earlier in this Resolution, both Mr. White and Ms. Lelie were present during the public hearings and therefore acknowledged the contents of their respective memorandums while under oath.
25. In support of the application, the applicant presented testimony from its principal, Fuller “Tripp” H. Brooks.
26. Mr. Brooks provided the Board with an overview of the project. He focused primarily upon Exhibit A-10, an aerial of the subject site, which he indicated he had prepared himself. His testimony throughout the public hearings was consistent with the description of the project as described earlier in this resolution.
27. The Board also heard testimony from the applicant’s architect, Daniel Condatore, A.A. of Mode Architects during the public hearing held on November 16, 2021. During the January 25, 2021 hearing Mr. Condatore was not present and his company was instead represented by two officials from his company, Jason Hanrahan, a partner of the firm and Courynn Waryn, a project coordinator. Neither Mr. Hanrahan or Ms. Waryn were licensed architects and they did not attempt to testify as such.
28. The architectural testimony in the hearing focused primarily on **Exhibits A-4, A-11, A-16 and A-18** to establish what the residential buildings and units would look like.
29. It was explained that from an architectural perspective that the applicant would be cleaning up and restoring buildings that were constructed from the 1920s through 1940s in order to give them new utility.
30. It was noted by Board Members that the submitted site plans referred to the residential units as being “apartments”. It was agreed, as a condition of approval, that all plans would be revised to make clear that the units were “condominiums”.

31. Notable improvements to the existing residential buildings would be the installation of an elevator system, ADA ramps and the fact that each condominium unit would be ADA adaptable. The latter fact would be a condition of approval. Additionally, as a condition of approval, it was agreed that the vertical sides of the ADA ramps and their railings would match the building design so as to ensure aesthetic symmetry. Detailed plans for the handicapped ramps would be supplied to the Board's Engineer for his review and approval.
32. Referring to the architectural plans, Board Members noted that there was 4th floor attic space available. Mr. Condatore indicated that this space would be absorbed into the 3rd floor units as loft space.
33. In order to deal with concerns of Board Members as to the aforementioned "loft space" being transformed into additional bedroom space, the applicant agreed to the following conditions of approval which would be incorporated into the Condominium Association Governing Documents as well as within the Deeds of each Condominium Unit:
 - (A) The loft area may not be utilized as an extra bedroom
 - (B) Closets may not be constructed within the loft area
34. In order to deal with concerns of Board Members as to whether the residents of the condominium units would have adequate storage in their units, the applicant agreed to the following conditions of approval which would be incorporated into the Condominium Association Governing Documents, which would need to be reviewed and approved by the Board's attorney:
 - (A) Storage Areas will be supplied for each unit owner in the basement of the buildings
 - (B) The basements will be installed with a pumping system and back up generators in order to keep them dry
35. In order to deal with concerns of Board Members as to the maintaining the aesthetics and proper quality of life of the proposed Condominium Association community, the applicant agreed to the following conditions of approval which would be incorporated into the Condominium Association Governing Documents:
 - (A) Storage will not be allowed on the balconies of the condominium units
 - (B) Condominium Unit balconies will be limited to two (2) chairs and tables
 - (C) Garbage Maintenance must be outlined in the governing documents
 - (D) The ability to lease within the community would be limited to 20% of the condominium units
 - (E) Any leases to rent a unit must be for a minimum of at least one full year
 - (F) A fab system would be installed and maintained in order to allow access to the residential building by unit owners

36. Beyond the architectural issues associated with the project, the applicant also presented testimony from its site engineer, Matthew Wilder, P.E. of Morgan Engineering.
37. He explained that all of the condominium units would be provided with an upgrade to their existing HVAC systems. Each unit would have their own duct work and generators.
38. Mr. Wilder also made clear that all exterior mechanicals throughout the development would be served by electric, they would not be gas powered. It was agreed, as a condition of approval, that all mechanicals would be elevated and fully conforming with all code requirements.
39. It was noted that the black metal trash receptacles will be utilized throughout the project area and will be placed within designated enclosure areas which were to be shown on the final plans. Said enclosures would be properly shielded from public view. As previously noted, the condominium documents would, as a condition of approval, specifically dictate how garbage was to be handled by the unit owners. The specifics of the enclosure shielding would be subject to the review and approval of the Board's Engineer and Planner.
40. Private haulers would be used to handle trash removal from the entire project area, including the non-residential buildings. None of the approved development would be handled by public trash collection. This would also be a condition of approval.
41. With respect to the dog park which would be installed as part of the condominium amenities, it was agreed, as a condition of approval, that a five (5) foot high black chain link fence would be installed to surround the area. Said fence would, as a condition of approval, need to be maintained by the condominium association with said requirement being included within the association's governing documents.
42. With respect to parking, Mr. Wilder noted that all of the condominium buildings would be within 400 feet of parking spaces. As a condition of approval, one (1) parking space would be designated for each residential unit and appropriate signage would be installed to make this fact clear. This requirement would need to be included within the condominium association governing documents.
43. As previously indicated in this resolution, there is more than adequate parking available for the entire project area. In order to ensure this remains true, all of the newly subdivided lots would be required to enter into a shared parking easement with one another. Other than the aforesaid designated parking spaces for the condominium units, all remaining parking spaces in the approved development would be available for parking by anyone wishing to park there. A copy of said easement would need to be reviewed and approved by the Board's Attorney, its Engineer and Planner.

44. It was recognized that as a result of the shared parking easement that would be created, all roads would need be kept clear by the respective property owners. It was explained by the applicant that the Condominium Association would be responsible for such maintenance as part of its upkeep of all common areas. Such language, as a condition of approval, would need to be incorporated into both the aforesaid parking easements documents as well as within the condominium association governing documents.
45. In response to concerns raised by Board Members as to individuals parking across Oceanport Avenue and then trying to cross that busy street in order to reach the development, the applicant agreed to install a fence all along the frontage of the property and internally along Hildreth Avenue up to around Building # 205. This would be a condition of approval. It was noted however, by the applicant's environmental consultant, Peter Ritchings, who appeared and testified under oath, that there are easements in existence along the agreed upon fence line area. Accordingly, if the fence could not be continued at a certain points due to pre-existing legal reasons, this would be acceptable. Additionally, the applicant would be permitted to install a self locking gate within the fence line if it so desired. The eventual fence line installed, along with the type of fence utilized, would be subject to the review and approval of the Board's Engineer and Planner. Said fence would need to be maintained by the condominium association and such a requirement would be, as a condition of approval, included within the condominium association governing documents.
46. It was also brought to the Board's attention that there would be a common drainage system utilized throughout the development, the maintenance responsibility for which would fall to the condominium association with financial contributions being made by the other three (3) property owners. Such an arrangement would need to be memorialized within an overall drainage easement. This document would be subject to the review and approval of the Board's attorney and engineer.
47. Finally, Mr. Wilder noted that originally the applicant had required a variance due to the lack of providing a loading area to the proposed office use to be located within Building 206. It was noted that the plans had been revised so that a loading area was now included, thereby negating the need for that variance relief.
48. It was Mr. Wilder's overall conclusion that the proposed site plan had been properly designed and would function as intended.
49. The final witness to testify on behalf of the applicant was its traffic engineer, John Rea, P.E.

50. Mr. Rea primarily focused upon his parking analysis report which was marked into evidence as **Exhibit A-13**. It was his opinion that that proposed roadway network could safely handle whatever traffic would be coming to the project site.
51. Mr. Rea did take issue with paragraph F(4) of the Board Engineer's Review Letter of January 21, 2022 (**Exhibit B-3**), which after noting that the applicant was only providing one main point of access to the site off Hildreth Avenue, recommended that a second access point from Oceanport Avenue opposite Riverside Avenue be considered. It was Mr. Rea's opinion that such an access point would actually create a dangerous situation as it would lead to exactly the type of crossover traffic which the Board had earlier indicated concerns about (See Paragraph 45 of this Resolution above) and would also necessitate access over a New Jersey Department of Environmental Protection (NJDEP) delineated wetlands area. He did not believe the NJDEP would allow this to occur. After some discussion, it was agreed Paragraph F(4) of the Board Engineer's Review Letter would not be a requirement of approval.
52. With the exception of the aforesaid Paragraph F(4), the applicant did agree, as a condition of approval, to comply with all of the comments contained within the review letters of the Board's professionals.
53. In response to overall safety concerns throughout the project area, it was agreed as a condition of approval that the entire area would be made subject to Title 39 authority. Appropriate documents would be executed to ensure this right.
54. No one else testified on behalf of the applicant.
55. The following members of the public did speak with respect to the application:
 - (A) Matt Zieniewicz of 1215 Turf Drive, Oceanport
 - (B) Luis Fernandes of 42 Riverside Avenue, OceanportTheir concerns initially revolved around gaining assurances the proposed residential units would be condominium rather than apartment units. They also sought assurances that the common areas of the project area would be properly maintained, which they would be as a result of obligations which would be enshrined within the association's governing documents.
56. The Board's own professionals, its engineer William H.R. White, III, P.E., P.P., C.M.E., C.F.M., C.P.W.M. and its planner, Kendra Lelie, P.P., A.I.C.P., L.L.A., indicated that their respective offices had no objections to the application from either an engineering or planning perspective as long as the comments raised within their review letters were addressed.
57. In considering the subject application, the Board finds that it agrees with the testimony of both the applicants' experts and its own professionals that the proposed site plan will function as designed. There has been no evidence or testimony presented that would tend to establish the site plan would cause a detriment to anyone.

58. With respect to the requested design waivers, the Board again finds that based upon the testimony and evidence received such can be granted without causing a detriment to anyone. There is no reason to believe allowing a 24' wide access aisle (rather than 25' wide), a candle footprint of 0.5 (rather than 0.1), or outdoor bicycle racks (rather than indoor) will harm anyone. In fact, these changes can be easily absorbed into the development without issue. Accordingly, the three (3) design waivers can be granted.
59. For the above stated reasons, the Board cannot conceive of any reason why the requested site plan approval cannot or should not be granted.
60. The Board finds that once completed, and provided all conditions of approval are adhered to, the applicant's project will serve to better the entire Oceanport community in that it will have brought life back to an area of the former Fort Monmouth which is currently in dire need of revitalization.
61. Based upon all of the above, the Board finds that the application should now be granted in its entirety.

NOW THEREFORE, be it further resolved by the Planning/Zoning Combined Board of the Borough of Oceanport, that the application of Barker's Circle Partnership, LLC , may be granted subject to the following conditions:

1. The proposed site plan must be in conformance with the all of the exhibits marked into evidence subject to the revisions noted below.
2. Subject to the applicant utilizing dark skies type of lighting throughout the project. All foot candle levels utilized must be provide sufficient lighting without being disruptive to any tenant on the site or occupant of any adjacent properties.
3. Subject to the applicant providing nine (9) outdoor bicycle racks throughout the development. Seven (7) of these bicycle racks shall be allocated amongst the respective buildings with the remaining two (2) of these racks being placed near the public amenities. The exact locations of these bicycle racks, which shall be shown on a revised final site plan, will be subject to the review and approval of the Board's Engineer and Planner.
4. Subject to the EV Charging Stations referenced in Paragraph 20 of this Resolution being installed and made operational as part of the initial construction of the project. Said EV charging stations must be shown on a revised site plan with exact locations being subject to the review and approval of the Board's Engineer and Planner.
5. Subject to the site plan being revised so as to eliminate all references to the residential units being "apartments" and instead have them referred to as "condominiums".
6. Subject to all of the condominium units being ADA adaptable.
7. Subject to detailed plans for the ADA ramps and their railings being submitted to the Board Engineer for review and approval so as to ensure they correctly designed and also match the aesthetics of the buildings.

8. Subject to the following conditions which shall be included within the condominium association documents. Said documents must be reviewed and approved by the Board's Attorney, Engineer and Planner:
- (A) The loft area within the 3rd floor units may not be utilized as an extra bedroom
 - (B) Closets may not be constructed within the loft area
 - (C) Storage Areas will be supplied for each unit owner in the basement of the buildings
 - (D) The basements will be installed with a pumping system and back up generators in order to keep them dry
 - (E) Storage will not be allowed on the balconies of the condominium units
 - (F) Condominium Unit balconies will be limited to two (2) chairs and tables
 - (G) Garbage Maintenance must be outlined in the governing documents
 - (H) The ability to lease within the community shall be limited to 20% of the condominium units
 - (I) Any leases to rent a unit must be for a minimum of at least one full year
 - (J) A fab system shall be installed and maintained in order to allow access to the residential building by unit owners
9. Subject to mechanicals being elevated and fully conforming with all code requirements.
10. Subject to the utilization of black metal trash receptacles located within designated enclosure areas to be shown on the final plans. Said enclosures shall be properly shielded from public view. The enclosures and their shielding shall be subject to the review and approval of the Board's Engineer and Planner.
11. Subject to all trash collection in the development being handled by private haulers.
12. Subject to a five (5) foot high black chain link fence being installed around the dog park area. Said fence must be maintained by the condominium association with said requirement being included within the association's governing documents.
13. Subject to one (1) parking space be designated for each residential condominium unit and appropriate signage being installed to make this fact clear. This requirement shall be included within the condominium association governing documents.
14. Subject to a shared parking easement being entered into which will cover all of the newly created lots. Said easement must contain provisions detailing how the streets and all common areas will be maintained, as well as the fact that other than the designated spaces referenced in Condition 13 above, all established parking spaces shall be available for anyone to park therein. Said parking requirements shall also be recited within the Condominium Association's governing documents. The Easement document must be reviewed and approved by the Board's Attorney and Engineer prior to its recording with the County Clerk's office.

15. Subject to the installation of a fence all along the Oceanport Avenue frontage of the property and internally along Hildreth Avenue up to around Building # 205 unless otherwise prevented by an existing easement of record. If an easement is claimed to prevent installation of a portion of this fence, such shall be disclosed to the Board's attorney for his review and approval. The applicant shall be permitted to install a self locking gate within the fence line if it so desired. The eventual fence line installed, along with the type of fence utilized, shall be subject to the review and approval of the Board's Engineer and Planner. Said fence shall need to be maintained by the condominium association and the requirement for same included within the condominium association governing documents.
16. Subject to compliance with the review letters authored by the Board's Professionals with the exception of Paragraph F(4) of **Exhibit B-3**.
17. Subject to the applicant executing the documents necessary to grant Title 39 authority over the entire project area.
18. Subject to all representations made by the applicant during the course of the application.
19. This application is granted only in conjunction with the conditions noted herein and but for the existence of the same, the within application would not be approved.
20. Subject to any and all other approvals as may be required by the Borough, prior to the issuance of any permits.
21. Subject to adherence to any applicable affordable housing ordinances of the Borough.
22. Subject to the payment of any fees, escrows and taxes as may be due to the Borough, prior to the issuance of any permits.
23. This approval shall be deemed void by abandonment if building permits are not issued within one year of the date hereof.
24. The action of the Board in approving this application shall not relieve the applicant of responsibility for any damage caused by this project, nor does the Board or its reviewing professionals and agencies accept any responsibility for the structural design of the proposed improvements or for any damage that may be caused by the development.
25. The applicant must publish adequate notice of this Resolution in the official newspaper of the Borough of Oceanport at its sole cost, within ten days, and provide proof of publication to the Board Secretary within thirty days.

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on January 25, 2022 on roll call that evening by the following vote:

Offered by: _____
Seconded by: _____

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

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

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

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of March 22, 2022.

Jeanne Smith, Secretary

**BOROUGH OF OCEANPORT****PLANNING/ZONING BOARD****MINUTES • MARCH 8, 2022****Regular****Clement V. Sommers Municipal Building****7:00 PM****910 Oceanport Way, Oceanport, NJ 07757**

- I. **Call to Order:** Chairman Whitson called the meeting to order at 7:00 PM
- II. **Open Public Meetings Statement:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 20, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- III. **Flag Salute:** Chairman Whitson led attendees and members of the Board in the flag salute.
- IV. **Board Policy:** Chairman Whitson advised of the following Board policies: It is Board Policy that no application will be opened after 10:00 P.M.; no new testimony will be taken after 10:30 P.M., except at the discretion of the Board.
- V. **Roll Call:**

Attendee Name	Title	Status	Arrived
James Whitson	Chairman	Present	
John (Jack) Kahle	Vice Chairman	Present	
Patty Cooper	Mayor's Designee	Present	
Thomas Tvrdik	Class III	Late	7:20 PM
Joseph Foster	Environmental Commission Liaison	Present	
Christopher Widdis	Class IV	Absent	
Robert Kleiberg	Class IV	Absent	
Darren Davis	Class IV	Present	
Michael Dailey	Class IV	Present	
Leslie B. Widdis	Alternate I	Present	
Jeanne Smith	Board Secretary	Present	
Kevin Kennedy	Board Attorney	Present	
William White	Board Engineer/Planner	Present	

- VI. **Board Business:**
- Report of Pending Applications - Ms. Smith advised of application scheduled for March 22nd including 9 Pocano Ave, 73 Monmouth Blvd and 23 Ithaca.
 - Zoning Officer Notification - Somerset Lodging Site Plan - Ms. Smith asked the Board to review the notice and forward her any concerns to bring to the Zoning Officer's attention.
 - NJ DEP Stormwater Training Video Asking the Right Questions in Stormwater Review - Ms. Smith advised that newer members needed to watch the video - a mandatory requirement from the State. She asked that all members watch and send certification for same - she will send link out by email.
- VII. **Old Business:**
- Mr. Kahle asked questions regarding the curb cut along Myrtle Ave for the Balmer Court subdivision. Mr. White advised that the site was still covered by a bond but that particular item was on a county road and would be under their jurisdiction. Ms. Cooper commented that the developer was approved to finish the landscaping at end. No, it would not delay the fence being installed.
- Resolution of Approval - Datre, 16 Balmer Ct – As the resolution had been previously provided to the Board, Mr. Kennedy summarized the resolution and conditions. Mr. Kahle made a motion to approve the Resolution, which was seconded by Mr. Davis and received the below roll call.

RESULT:	ADOPTED [5 TO 0]
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Darren Davis, Class IV
AYES:	Whitson, Kahle, Cooper, Davis, Widdis
ABSENT:	Tvrdik, Widdis, Kleiberg
INELIGIBLE:	Foster, Dailey

2. PR-22-9 : Resolution of Approval - Arce, 49 Sagamore Ave - As the Resolution had been previously provided to the Board, Mr. Kennedy summarized the resolution and conditions. Mr. Kennedy added that Mr. Davis noted that in the hearing it was stated that there was no need for full set of engineering drawings for the recharge system. With that amendment, Mr. Foster made a motion to approve the Resolution as amended, which was seconded by Ms. Widdis and received the below roll call

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Joseph Foster, Environmental Commission Liaison
SECONDER:	Leslie B. Widdis, Alternate I
AYES:	Whitson, Kahle, Cooper, Foster, Davis, Dailey, Widdis L.
ABSENT:	Tvrdik, Widdis C, Kleiberg

3. PB2021-09- Galvao Investments, LLC - Applicant is seeking to adjourn hearing to March 22, 2022 as additional time is needed to submit revised plans and comply with requirement for public inspection 10-days prior to the hearing.

Motion to Carry Application to March 22, 2022 with no additional notice

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Leslie B. Widdis, Alternate I
SECONDER:	Joseph Foster, Environmental Commission Liaison
AYES:	Whitson, Kahle, Cooper, Foster, Davis, Dailey, Widdis
ABSENT:	Tvrdik, Widdis, Kleiberg

VIII. New Business:

1. PB2021-24 Haney, Kevin

72 Bridgewaters Drive

Block 88, Lot 17.01

Bulk variance relief for accessory structure in secondary front yard:

-accessory structure not permitted in front yard-3.9' setback from roadway

EXHIBITS:

A-1 Land Development Application

A-2 "Survey of Property" prepared by Morgan Engineering, dated October 29, 2021

A-3 Colliers Engineering Review Letter dated February 2, 2022

A-4 Photographs of Property, 3 Sheets, undated

Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice, hearing no objections, stated that he and Ms. Smith had reviewed the notice and found it to be in order. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4.

The following persons were sworn in: William White, Board Engineer/Planner; Kevin Haney, Applicant – previous owner.

Kevin Haney testified that he currently lives at 10 Duty Drive, New Town Square, PA 19073; that he was the prior owner of the property which was sold to Jon Andrus on December 13th, had lived there for about 10 years. Ms. Smith confirmed that the current owner had executed the application granting consent for the application.

Mr. Haney submitted for the record a series of Photographs of the Property, consisting of 3 sheets (not dated) which were marked as Exhibit A-4.

Councilman Tvrdik entered the meeting at 7:20 PM.

Mr. Haney presented his application to legalize an existing pergola that admittedly should have been handled long ago, was constructed in 2013. Referring to Exhibit A-4, pointed out that the pergola is located behind a fence and is well screened especially in spring/summer. It requires a variance in order for the current owner to continue to use and benefit from it.

Chairman Whitson invited questions from Mr. White and the Board.

Mr. White asked questions regarding the lot being unique having frontages on 2 streets and was told yes, Bridgewaters and Relwof Drives with house facing on Bridgewaters, the pergola is in the front yard along Relwof which is considered a second front yard and should have a setback of 32.4' but currently has 3.9'.

Mr. White stated he drove by and that there was a substantial buffer and could not see from Relwof.

Ms. Cooper asked questions about why no permits were obtained.

Mr. Tvrdik commented that he knew the house and how it sits on Relwof Ave and stated that side of the yard is buffered nicely.

Mr. Foster asked questions about moving a shed too. Mr. Haney responded that there was no request to move the shed – only the pergola. Mr. White commented that his letter called it out as a shed instead of a pergola. It was discussed if the shed should be granted variance relief for its setbacks to avoid issues down the road.

Mr. Haney requested that the application be amended to add any variance relief needed for the shed which Mr. Kennedy advised could be done with the consent of the owner.

Mr. Kahle asked if the pergola presented any issues with lot coverage. Mr. White answered no, the pergola/pavers were installed before the ordinance change in 2013. Mr. White further advised that the issue was the structure not the coverage.

Jon Andrus, Owner of 72 Bridgewaters Drive, was sworn in.

Mr. Davis asked questions about the fence along Relwof and if variances were needed for it. The fence is 6' board on board, not 4' and 50% open.

Mr. Foster asked for Mr. Andrus to consent on the record to the application changes.

Mr. Tvrdik asked for the masonry wall to be included in the approval with no objection from Mr. White

Mr. Andrus and Mr. Haney asked questions about administrative items.

Mr. Kahle asked if there were any utilities out to the pergola and was told yes, electricity.

PUBLIC: Chairman Whitson opened the hearing to questions from the public of this witness. As there was no one from the public, Chairman Whitson closed that portion of the meeting.

Mr. Kennedy and Board members reviewed the amendments to include in the motion including rear and side yard setback for shed, retaining wall setback, 6' solid fence in front yard. Mr. Tvrdik asked how to handle the electric to the pergola if it wasn't permitted.

John Johnson, Construction/Zoning Officer, was sworn in and testified that the patio and outdoor kitchen were permitted but the pergola was installed without permits and until they obtain variance for the pergola they cannot apply for permits for electric to the pergola.

Motion to Approve Application As Amended with Conditions

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Patty Cooper, Mayor's Designee
SECONDER:	Thomas Tvrdik, Class III
AYES:	Whitson, Kahle, Cooper, Tvrdik, Foster, Davis, Dailey, Widdis
ABSENT:	Widdis, Kleiberg

2. PB2022-02 Green, Devin

47 Seneca Place

Block 55, Lot 6

Proposed 6' privacy fence does not comply with the 4' and 50% open allowed in front yards

EXHIBITS:

A-1 Land Development Application

A-2 Final As-Built Survey prepared by InSite Engineering, dated Oct. 16, 2021

A-3 Fence Detail Sketch dated Jan. 18, 2022

Mr. Kennedy asked if there was anyone from the public with a question as to the sufficiency of the notice, hearing no objections, stated that he and Ms. Smith had reviewed the notice and found it to be in order. Mr. Kennedy then described and marked Exhibits A-1, A-2, A-3, A-4.

The following persons were sworn in: William White, Board Engineer/Planner; Devin Green, Applicant/Owner.

Devin Green testified that his lot is a corner lot and he is seeking to install a 6' solid fence along the second front yard – he has a dog that is able to jump over 4' and they have a baby on the way.

Chairman Whitson invited questions from Mr. White and the Board.

Mr. Tvrdik asked if he planned to buffer the fence with landscaping. Mr. Green answered yes, with bushes along the side.

Mr. Foster asked what type of plants and was told not known.

Mr. Davis suggested green giants and hydrangeas for color.

PUBLIC: Chairman Whitson opened the hearing to questions and comments from the public of this witness. As there was no one from the public, Chairman Whitson closed that portion of the meeting.

Motion to Approve Application

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John (Jack) Kahle, Vice Chairman
SECONDER:	Joseph Foster, Environmental Commission Liaison
AYES:	Whitson, Kahle, Cooper, Tvrdik, Foster, Davis, Dailey, Widdis
ABSENT:	Widdis, Kleiberg

3. PB2022-03 Dalton, Edward - Chairman Whitson stated for the record that the notice was found deficient and the application was re-scheduled for the March 22, 2022 meeting with new notices to be served.

- IX. Petitions from the Public:** Chairman Whitson opened the meeting to Petitions from the Public. As no one else from the public wished to be heard, Chairman Whitson closed that portion of the meeting.
- X. Adjournment:** As there was no further business, the meeting was adjourned at 7:48 pm on a motion by Mr. Tvrdik which was seconded by Mrs. Cooper and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2314)

Meeting: 03/22/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2314

PB2022-03 Dalton, Edward

23 Ithaca Avenue

Block 29, Lot 12

Proposed installation of in-ground pool seeking relief for:

Maximum Impervious Coverage - 37% permitted; 42.0% existing; 51.5% proposed

HISTORY:

03/08/22 Planning/Zoning Board

Chairman Whitson stated for the record that the notice was found deficient and the application was re-scheduled for the March 22, 2022 meeting with new notices to be served.

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



February 22, 2022

VIA EMAIL

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

23 Ithaca Avenue – Bulk Variance
Block 29, Lot 12
Application No. PB2022-03
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0316

Dear Board Members,

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

- Plan entitled "Survey of Property," prepared by Charles Surmonte P.E. & P.L.S., dated June 23, 2021, consisting of one (1) sheet.
- Plan entitled "Pool Variance Plan," prepared by R.C. Burdick, P.E., P.P., P.C. dated November 16, 2021, consisting of one (1) sheet.

The subject property is a 15,000 SF (0.344-acre) parcel on the north side of Ithaca Avenue approximately 270 feet east of the intersection with Port au Peck Avenue. The subject is in the R-3 Residential Zone. The Applicant proposes to install a pool in the rear yard.

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

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

A. Variances/Design Waivers

1. Maximum Impervious Coverage – 37% permitted; 42.0% existing; 51.5% proposed. A Bulk Variance is required.

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

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

B. General Comments

1. The pool equipment shall be at or above elevation 10.0.
2. Pool fencing shall comply with the requirements of 390-30H.

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

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

Sincerely,

Colliers Engineering & Design

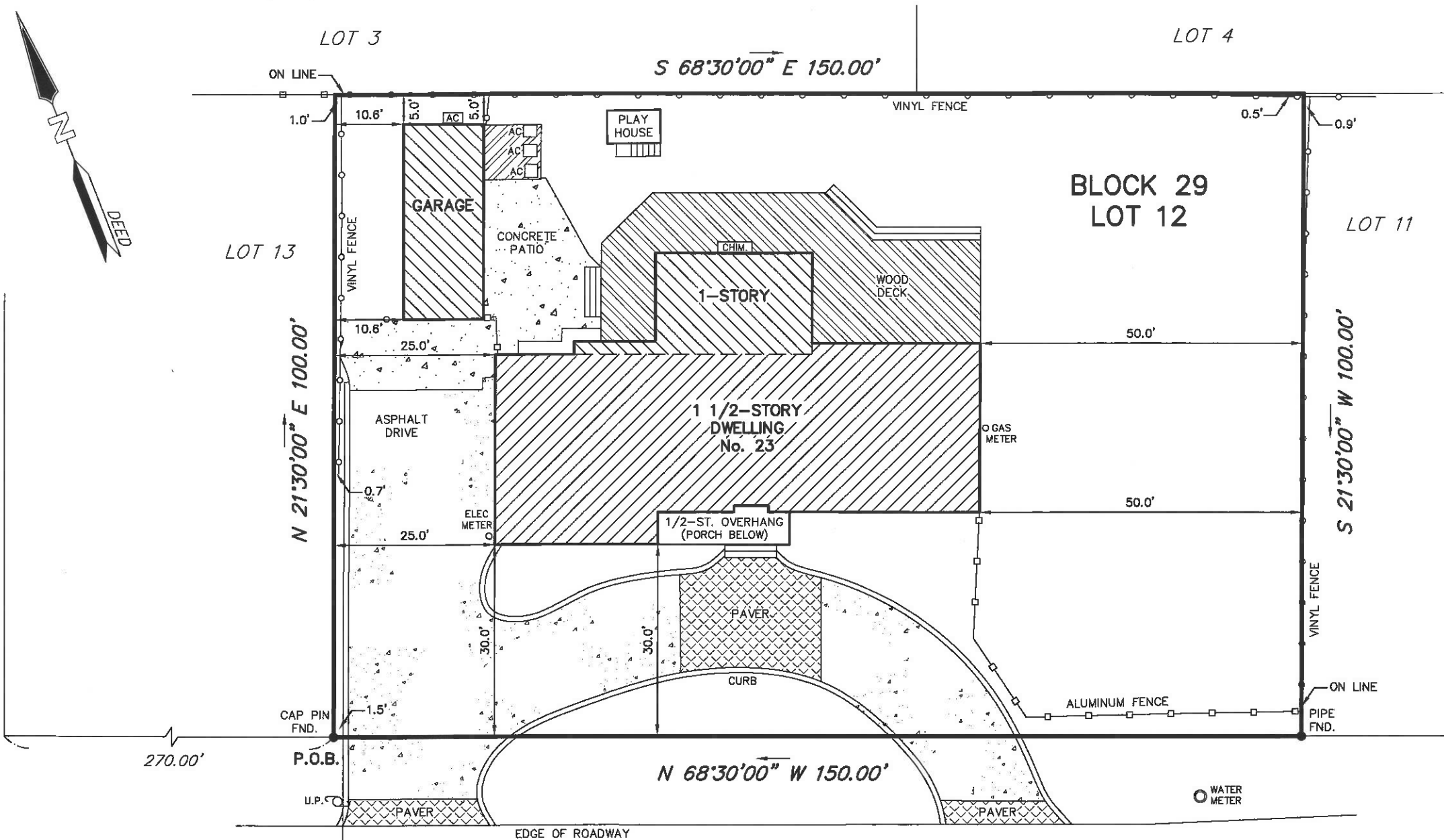


William H.R. White, III, PE, PP, CME, CFM, CPWM
 Planning Board Engineer and Planner

WHW/dmm

cc: Edward Dalton (via email)
 Kevin Kennedy, Esq. (via email)

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PORT-AU-PECK AVENUE
(75' R.O.W.)

THIS SURVEY IS CERTIFIED TO:

- LUCIA BANDUCI and EDWARD DALTON
- FIDELITY NATIONAL TITLE INSURANCE COMPANY
- FOUNDATION TITLE, LLC - EATONTOWN (315-175474)
- WELLS FARGO BANK N.A., Its Successors And/Or Assigns
- GELSON, D'APOLITO and CURTIS, LLC
- PAUL N., D'APOLITO, ESQUIRE

DEED DESCRIPTION:

KNOWN AND DESIGNATED AS LOTS 19, 21, 23, 25 & 27 IN BLOCK 29 AS SHOWN ON A MAP ENTITLED "PERFECTED AND AMENDED MAP OF PROPERTY KNOWN AS - PORTAUPECK - MONMOUTH CO., N.J." WHICH MAP WAS FILED IN THE MONMOUTH COUNTY CLERK'S OFFICE ON NOVEMBER 11, 1920 AS CASE No. 23-6.

NOTES:

1. ALSO KNOWN AS LOT 12 IN BLOCK 29 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY, SHEET No. 6.
2. UNDERGROUND UTILITIES NOT LOCATED BY THIS SURVEY.
3. A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, c.14 (N.J.S.A. 45:8-36.3) AND N.J.A.C. 13:40-5.1(d).

NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS, ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY. THIS SURVEY IS SUBJECT TO CONDITIONS WHICH MIGHT BE DISCLOSED BY AN ACCURATE TITLE SEARCH. OFFSETS AS SHOWN HEREON ARE NOT TO BE USED TO ESTABLISH PROPERTY LINES.

ITHACA AVENUE
(50' R.O.W.)

SURVEY OF PROPERTY

23 ITHACA AVENUE
LOT 12 BLOCK 29

BOROUGH OF OCEANPORT

MONMOUTH COUNTY

NEW JERSEY

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

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

PROJECT No.

21-725

DATE:

06-23-21

SCALE:

1"=20'

SHEET:

1 OF 1



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2338)

8.2

Meeting: 03/22/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2338

PB2022-05 DeLuca, Joseph

Block 34, lot 2
38 Oneida Avenue
Proposed construction of in-ground pool seeking relief for:
Maximum impervious coverage, 37% permitted, 49.5% proposed

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



March 11, 2022

VIA EMAIL

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

38 Oneida Avenue – Bulk Variances
Block 34, Lot 2
Application No. PB2022-05
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0317

Dear Board Members,

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

- Plans entitled “Pool Permit Plot Plan,” prepared by Morgan Engineering and Surveying, LLC, last revised, March 9, 2022, consisting of one (1) sheet.
- Plans entitled “Boundary and Partial Topographic Survey” prepared by Morgan Engineering and Surveying, LLC, dated December 6, 2021, consisting of one (1) sheet.

The subject property is a 12,000 SF (0.28-acre) located in the R-3 Residential Zone. The property is on the south side of Oneida Avenue, 120 feet west of Port Au Peck Avenue. The Applicant proposes to install a pool and appurtenances.

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

A. Variances/Design Waivers

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

1. Bulk variances are required for the following:
 - a. Impervious Coverage: The Applicant proposes 49.5% impervious coverage where only 37% is permitted in the R-3 Zone. The lot presently has 40.7% impervious coverage.

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

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

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

B. General Comments

1. The pop-up drain shall be located at the property line and not in the right of way.

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

Sincerely,

Colliers Engineering & Design

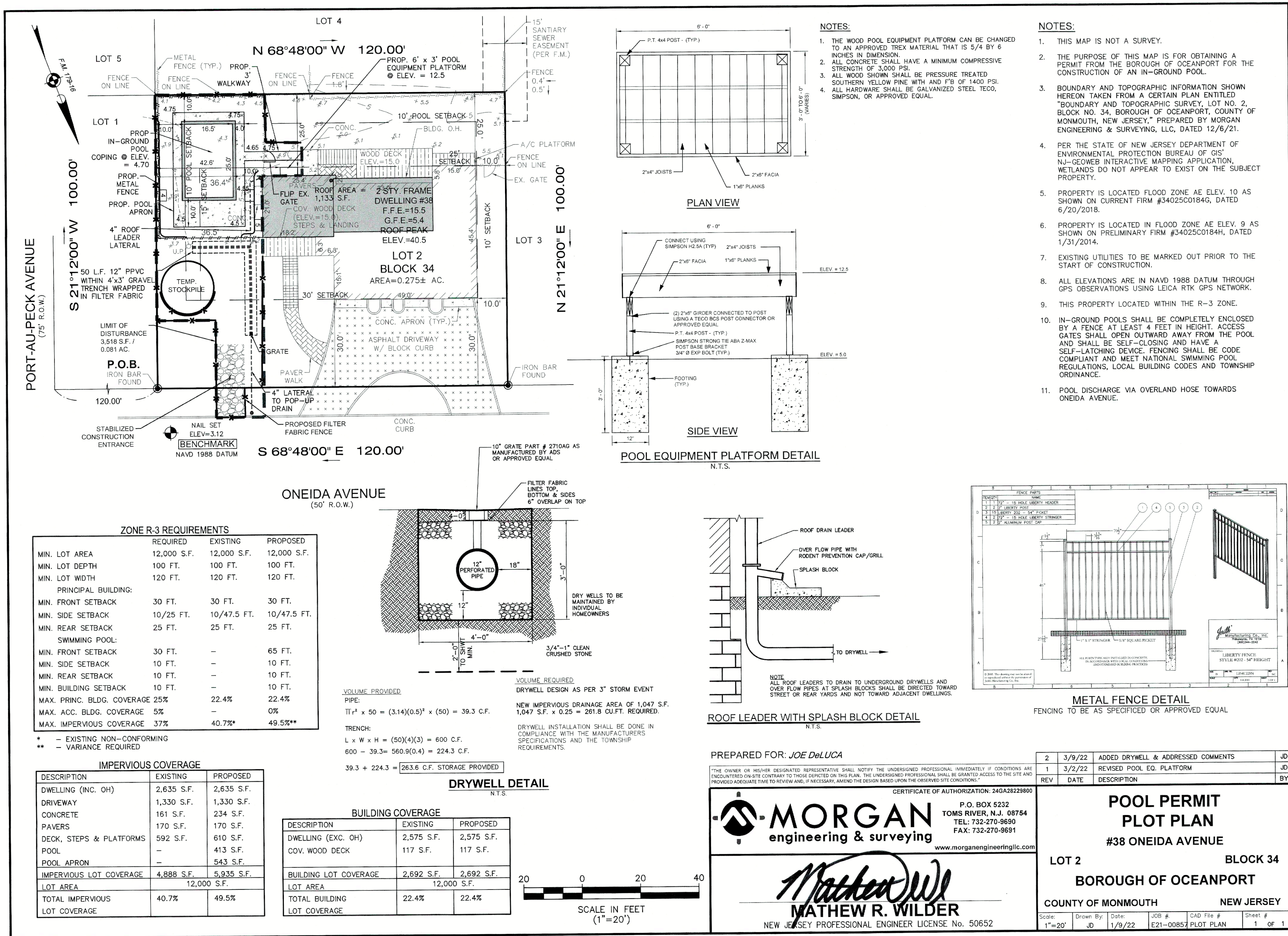


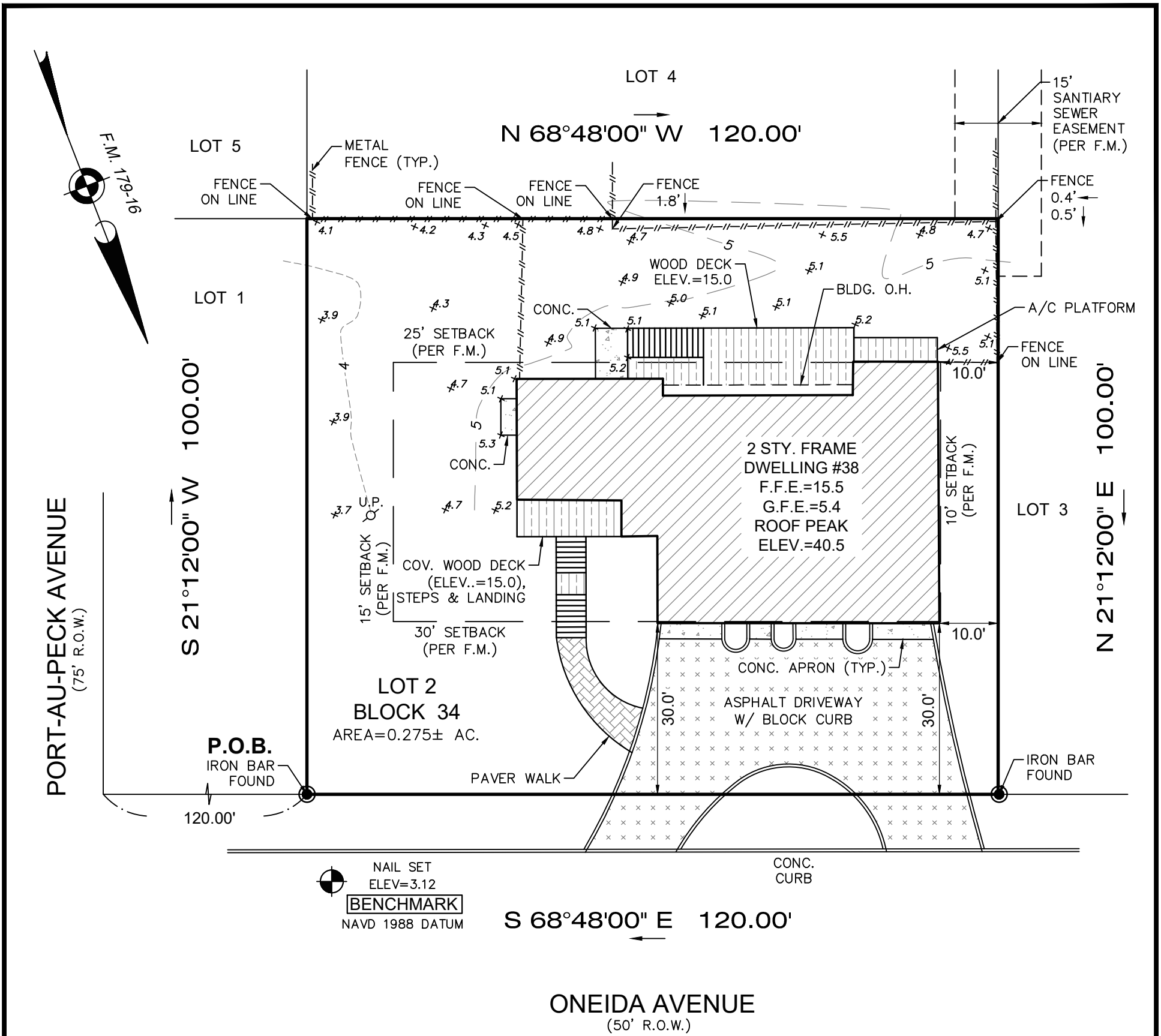
William H.R. White, III, PE, PP, CME, CFM, CPWM
 Planning Board Engineer and Planner

WHW/dmm

cc: Joseph DeLuca (via email)
 Kevin Kennedy, Esq. (via email)

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PREPARED FOR: *JOE DeLUCA*
NOTES:

- 1. PROPERTY IS LOCATED IN FLOOD ZONE AE ELEV. 10 AS SHOWN ON CURRENT FIRM #34029C0184G, DATED 6/20/2018.
- 2. PROPERTY IS LOCATED IN FLOOD ZONE AE ELEV. 9 AS SHOWN ON PRELIMINARY FIRM #34029C0184H, DATED 1/31/2014.
- 3. ALL ELEVATIONS ARE IN NAVD88 DATUM THROUGH GPS OBSERVATIONS USING LEICA RTK GPS NETWORK.

Filed Map Reference:	Filed Map Block:	Filed Map Lot:	Filing Date:	Filed Map No.
AMENDED SUBDIVISION OF PROPERTY FOR ALAN & KATHLEEN CHOKOV, BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NJ	34	2	7/9/1982	179-16

IMPORTANT NOTES, PLEASE REVIEW:

- I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE ON 12/6/21 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY BELOW GROUND ENCROACHMENTS, UTILITIES, SERVICES LINES OR STRUCTURES, WETLANDS, OR RIPARIAN RIGHTS. NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS. ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM A TITLE REPORT PROVIDED BY THE TITLE INSURER REFERENCED HEREON.
- BUILDING SETBACK LINES SHOWN HEREON ARE FROM RECORDED DEEDS AND FILED MAPS AND MAY NOT REFLECT CURRENT ZONING REQUIREMENTS.
- PROPERTY CORNERS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT. (N.J.A.C. 13:40-5.1(D))

DB OR-9429 PG 373



MORGAN

engineering & surveying

CERTIFICATE OF AUTHORIZATION: 24GA28229800

P.O. BOX 5232
TOMS RIVER, N.J. 08754
TEL: 732-270-9690
FAX: 732-270-9691
www.morganengineeringllc.com

BOUNDARY AND PARTIAL
TOPOGRAPHIC SURVEY

LOT 2BLOCK 34
BOROUGH OF OCEANPORT
COUNTY OF MONMOUTHNEW JERSEY

Scale:1"=20'

Drawn By:DVP

Date:12/6/21

JOB #.E21-00857

CAD File #TOPO

Sheet #1 OF 1


DAVID J. VON STEENBURG
PROFESSIONAL LAND SURVEYOR
N.J. LIC. No. 34500

March 10, 2022

Jeanne Smith
Borough of Oceanport
910 Oceanport Way
Oceanport, NJ 07757

Re: PB2022-05
38 Oneida Ave
Block 34, Lot 2

Dear Ms. Smith:

Enclosed please find the following revised materials regarding the above referenced project:

- ¹⁴ Six (6) copies of the Pool Permit Plot Plan prepared by Morgan Engineering dated January 9, 2022, revised March 9, 2022.

The above plans have been revised to address the review from March 7, 2022.

Review Comments

1. The plan does not provide walkways from the front yard and rear deck to the pool concrete apron, thus requiring one to walk across lawn. The applicant should consider providing stone walkways that are impervious.

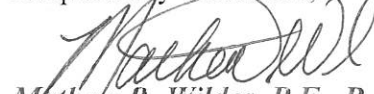
Response: Applicant to consider.

2. Additional spots grades are needed between the pool and dwelling to demonstrate positive drainage.

Response: Additional spot grades added.

If you have any questions or require any additional materials, please do not hesitate to contact this office.

Respectfully submitted,



Mathew R. Wilder, P.E., P.P., CFM, CME
Morgan Engineering, LLC
P.O. Box 5232
Toms River, NJ 08754
732.270.9690 office
mathew@MorganEngineeringLLC.com



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB (ID # 2369)

9.1

Meeting: 03/22/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2369

Resolution of Approval - 72 Bridgewaters Drive



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB (ID # 2370)

9.2

Meeting: 03/22/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2370

Resolution of Approval - 47 Seneca Place



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2051)

Meeting: 03/22/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2051

PB2021-09- Galvao Investments, LLC

73 Monmouth Blvd.

Block 13, Lot 24

Variances requested:

Driveway setback of 5' from property line required, 0' setback exists

Maximum Impervious Coverage - 37% permitted, 63% proposed

DFD waived

CARRIED from February 8, 2022

HISTORY:

02/08/22 Planning/Zoning Board

73 Monmouth Blvd

Block 13, Lot 24

Variances for driveway setback and maximum impervious coverage

EXHIBITS:

A-1 Land Development Application

A-2 Survey of Property," prepared by Charles Surmonte P.E. & P.L.S., dated April 23, 2021

A-3 Alterations to: 73 Monmouth Boulevard," 1 Sheet, prepared by Parallel Architectural Group, last revised May 4, 2021.

A-4 Colliers Engineering Review Letter, dated October 26, 2021

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



March 4, 2022

VIA EMAIL

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

73 Monmouth Boulevard – Bulk Variance
Block 13, Lot 24
Application No. PB2021-09.1
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0309

Dear Board Members,

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

- Plan entitled "Survey of Property," prepared by Charles Surmonte P.E. & P.L.S., dated April 23, 2021, consisting of one (1) sheet.
- Plan entitled "Alterations to: 73 Monmouth Boulevard," prepared by Parallel Architectural Group, last revised February 24, 2022, consisting of one (1) sheet.

The subject property is a 7,500 SF (0.0172-acre) parcel on the north side of Monmouth Boulevard approximately 450 feet east of the intersection with Port au Peck Avenue. The subject is in the R-3 Residential Zone. The Applicant proposes to legitimize the illegally installed impervious cover.

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

A. Variances/Design Waivers

1. Ordinance 390-26A requires driveways to provide a 5-foot setback from the side property lines, existing driveway provided 0' setback, thereby requiring a bulk variance.
2. Maximum Impervious Coverage – 37% permitted; 42% proposed. A Bulk Variance is required.

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

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

B. General Comments

1. The Applicant shall be required to provide a signed and sealed copy of survey to the Board Secretary.

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

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

Sincerely,

Colliers Engineering & Design



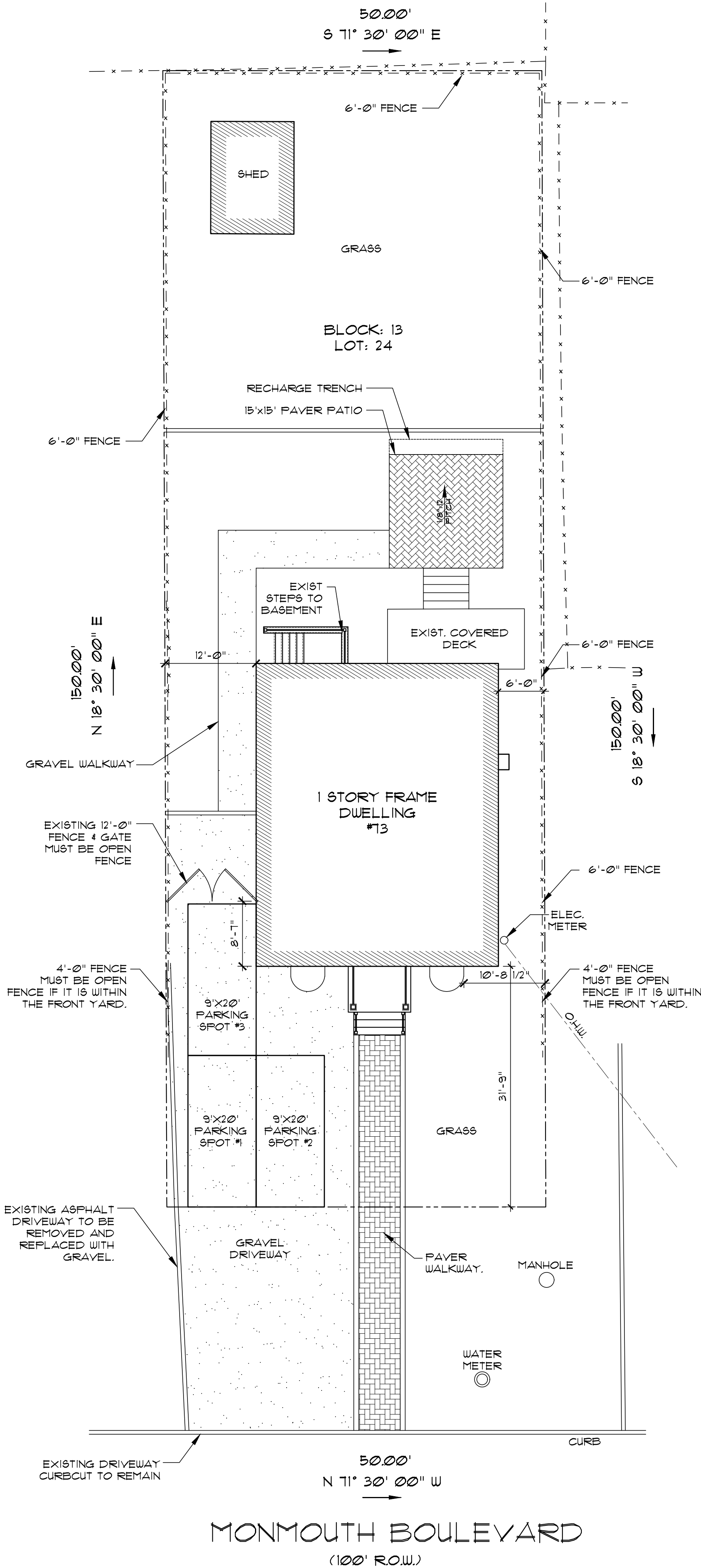
William H.R. White, III, PE, PP, CME, CFM, CPWM
 Planning Board Engineer and Planner

WHW/dmm

cc: Paul Edinger Esq. (via email)
 Kevin Kennedy, Esq. (via email)

r:\projects\m-p\opp\opp0309\correspondence\out\220304_whw_73_monmouth_blvd_review#2.docx

PORT-AU-PECK AVENUE
(75' ROW)



SCOPE OF WORK:
EXTERIOR IMPROVEMENTS.

ZONING REQUIREMENTS : R-3		BLOCK: 13		LOT: 24	
	REQUIRED	EXISTING	PROPOSED	CODE COMPLIANCE	
				Y	N
MIN. LOT AREA	12,000 S.F.	7,500 S.F.	NO CHANGE	●	EXISTING
MIN. LOT WIDTH	120'	50'	NO CHANGE	●	EXISTING
MIN. LOT DEPTH	100'	150'	NO CHANGE	●	EXISTING
MIN. PRINCIPAL FRONT YARD	30'	31'-9"	NO CHANGE	●	EXISTING
MIN. PRINCIPAL SIDE YARD	10' (ONE) 25' (BOTH)	6'-0"/12'-0" 18'-0" (BOTH)	NO CHANGE	●	EXISTING
MIN. PRINCIPAL REAR YARD	25'	78'-3"	NO CHANGE	●	EXISTING
PRINCIPAL BUILDING HT.	35'	N/A	NO CHANGE		
MAX. IMPERVIOUS COVERAGE	31%	42%	42%	●	PROPOSED
MAX. BUILDING COVERAGE	25%	23%	23%	●	EXISTING
AREAS		EXISTING	PROPOSED	TOTALS	
DWELLING FOOTPRINT		1,278 S.F.		1,278 S.F.	
FRONT COVERED PORCH		70 S.F.		70 S.F.	
WINDOW WELLS			26 S.F.	26 S.F.	
FRONT WALKWAY		79 S.F.	DEMO	154 S.F.	
GRAVEL DRIVEWAY		1,226 S.F.	DEMO	988 S.F.	
REAR WALKWAY		150 S.F.	DEMO		
REAR COVERED DECK		166 S.F.		166 S.F.	
BILCO DOOR		23 S.F.	DEMO		
BASEMENT STAIRS			48 S.F.	48 S.F.	
CHIMNEY		3 S.F.		3 S.F.	
SHED		163 S.F.		163 S.F.	
REAR PATIO			225 S.F.	225 S.F.	
TOTALS		3,158 S.F.		3,121 S.F.	

NOTE:
SITE PLAN BASED ON SURVEY BY:
CHARLES SURMONTE P.E. & P.L.S.
CHARLES SURMONTE
N.J. PROFESSIONAL LAND SURVEYOR
LICENSE #35885
301 MAIN STREET , 2ND FLOOR
ALLENHURST, NEW JERSEY, 07711
DATED: JANUARY 1, 2020
PROJECT No. 20-034

SITE PLAN LEGEND		
---	PROPERTY LINE	
----	WALL ABOVE	
- - - -	DEMO	
----	OVERHEAD WIRE	
----	SETBACK LINE	
- x - x - x -	FENCE LINE	
----	DRIVE/WALKS	
	BUILDING FOOTPRINT	
	CONCRETE	

Parallel
architectural group

494 Broadway, Suite 3
Long Branch, NJ 07740

V: 732.229.4400
F: 732.229.4488

www.ParallelGrp.com

ALTERATIONS TO:
73 MONMOUTH BLVD.
73 Monmouth Blvd.
Oceanport, NJ 07703
Block: - Lots: -

Anthony Scillone, AIA
NJ 010193
NY 031733-1
PA RA403935
Certificate of Authorization
#AC000553

Title:
SITE PLAN
ZONING
SCHEDULE

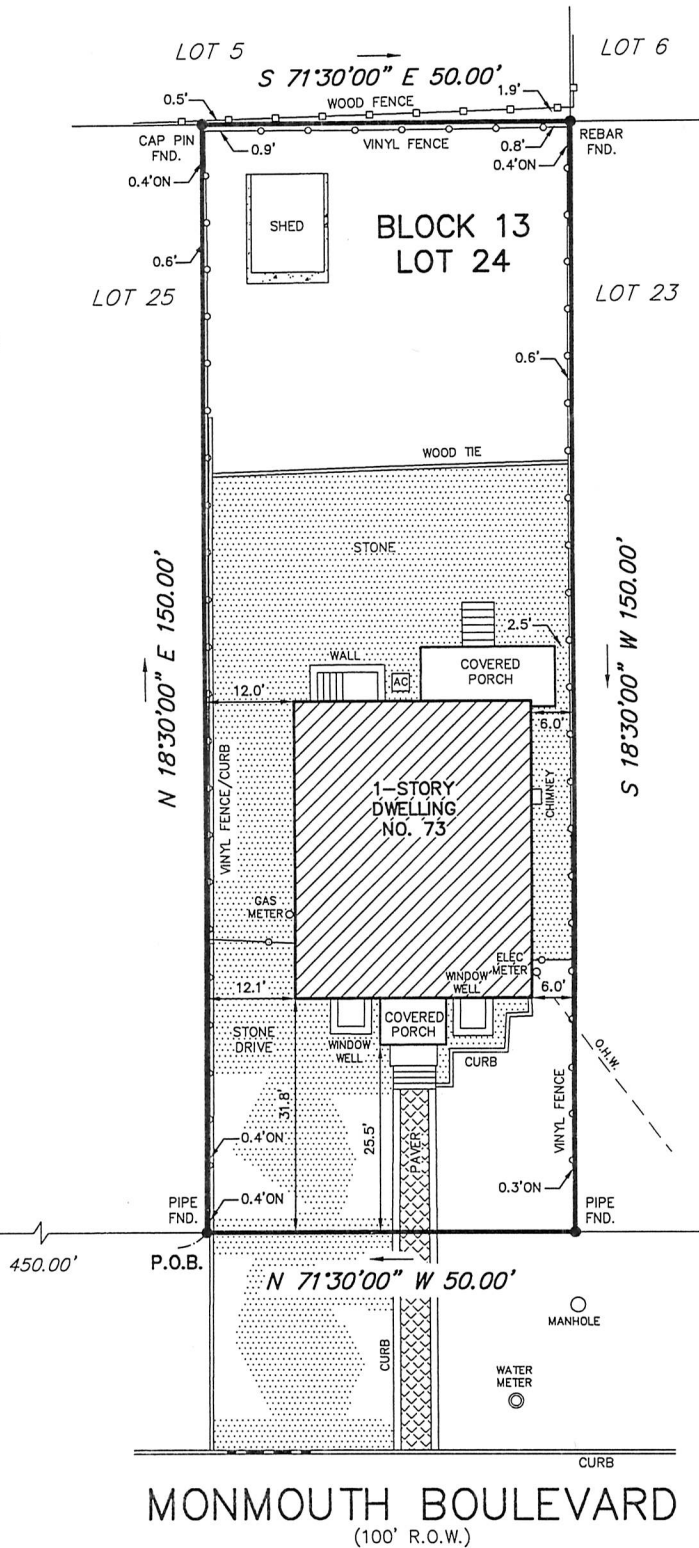
Comm. No. 1349.20.0026
Date: APRIL 16, 2021
Drawn By: NS
Checked By: AS
Scale: As Shown

Revisions		
No.	Date	Description
1	12/21	ZONING BOARD
2	2/22	ZONING BOARD
3	3/22	ZONING BOARD

73 MONMOUTH BLVD.
OCEANPORT, NJ

A = 002
1 OF 1

PORT-AU-PECK AVENUE
(75' R.O.W.)



SURVEY OF PROPERTY

73 MONMOUTH BOULEVARD
LOT 24 BLOCK 13

BOROUGH OF OCEANPORT

MONMOUTH COUNTY

NEW JERSEY

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

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

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

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

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

PROJECT No.

20-034

DATE

04-23-21

SCALE:

1"=20'

Packet Pg. 42

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



October 26, 2021

VIA EMAIL

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

73 Monmouth Boulevard – Bulk Variance
Block 13, Lot 24
Application No. PB2021-09.1
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0309

Dear Board Members,

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

- Plan entitled "Survey of Property," prepared by Charles Surmonte P.E. & P.L.S., dated April 23, 2021, consisting of one (1) sheet.
- Plan entitled "Alterations to: 73 Monmouth Boulevard," prepared by Parallel Architectural Group, last revised May 4, 2021, consisting of four (4) sheets.

The subject property is a 7,500 SF (0.0172-acre) parcel on the north side of Monmouth Boulevard approximately 450 feet east of the intersection with Port au Peck Avenue. The subject is in the R-3 Residential Zone. The Applicant proposes to renovate the existing structure and install a front porch.

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

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

A. Variances/Design Waivers

1. Ordinance 390-26A requires driveways to provide a 5-foot setback from the side property lines, existing driveway provided 0' setback, thereby requiring a bulk variance.
2. Maximum Impervious Coverage – 37% permitted; 63% proposed. A Bulk Variance is required.

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

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

B. General Comments

1. The Applicant shall be required to provide a signed and sealed copy of survey to the Board Secretary.
2. Based on historical photos, the driveway was expanded into the rear yard. The Applicant shall clarify what measures will be taken to assure that this will not occur in the future.

Project No. OPP-0309
October 26, 2021
Page 3 | 3



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

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

Sincerely,

Colliers Engineering & Design

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

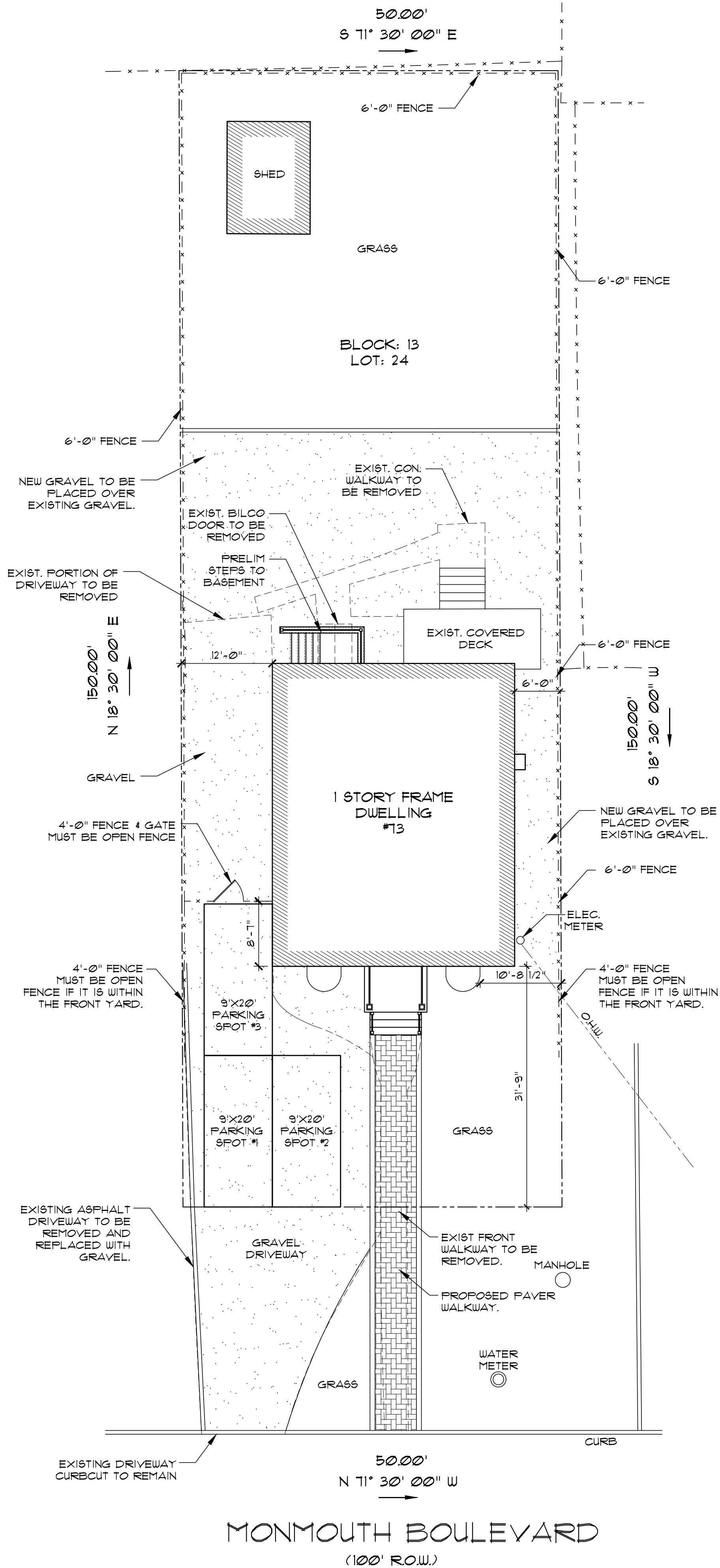
William H.R. White, III, PE, PP, CME, CFM, CPWM
Planning Board Engineer and Planner

WHW/dmm

cc: Paul Edinger Esq. (via email edingerlaw@msn.com)

r:\projects\m-p\opp\opp0309\correspondence\out\211026_whw_73_monmouth_blvd_review#1.docx

PORT-AU-PECK AVENUE
(75' ROW)



SCOPE OF WORK:
EXTERIOR IMPROVEMENTS.

ZONING REQUIREMENTS : R-3		BLOCK: 13		LOT: 24	
	REQUIRED	EXISTING	PROPOSED	CODE COMPLIANCE	
				Y	N
MIN. LOT AREA	12,000 S.F.	7,500 S.F.	NO CHANGE	●	EXISTING
MIN. LOT WIDTH	120'	50'	NO CHANGE	●	EXISTING
MIN. LOT DEPTH	100'	150'	NO CHANGE	●	EXISTING
MIN. PRINCIPAL FRONT YARD	30'	31'-9"	NO CHANGE	●	EXISTING
MIN. PRINCIPAL SIDE YARD	10' (ONE) 25' (BOTH)	6'-0"/12'-0" 18'-0" (BOTH)	NO CHANGE	●	EXISTING
MIN. PRINCIPAL REAR YARD	25'	78'-3"	NO CHANGE	●	EXISTING
PRINCIPAL BUILDING HT.	35'	N/A	NO CHANGE		
MAX. IMPERVIOUS COVERAGE	31%	42%	35%	●	PROPOSED
MAX. BUILDING COVERAGE	25%	23%	63%	●	PROPOSED
AREAS		EXISTING	PROPOSED	TOTALS	
DWELLING FOOTPRINT		1,278 S.F.		1,278 S.F.	
FRONT COVERED PORCH		70 S.F.		70 S.F.	
WINDOW WELLS			26 S.F.	26 S.F.	
FRONT WALKWAY		79 S.F.	DEMO	154 S.F.	
DRIVEWAY		1,226 S.F.	DEMO	882 S.F.	
REAR WALKWAY		150 S.F.	DEMO		
REAR COVERED DECK		166 S.F.		166 S.F.	
BILCO DOOR		23 S.F.	DEMO		
BASEMENT STAIRS			48 S.F.	48 S.F.	
CHIMNEY		3 S.F.		3 S.F.	
SHED		163 S.F.		163 S.F.	
REAR 4 SIDE GRAVEL			1,929 S.F.	1,929 S.F.	
TOTALS		3,158 S.F.		4,689 S.F.	

NOTE:
SITE PLAN BASED ON SURVEY BY:
CHARLES SURMONTE P.E. & P.L.S.
CHARLES SURMONTE
N.J. PROFESSIONAL LAND SURVEYOR
LICENSE #35885
301 MAIN STREET , 2ND FLOOR
ALLENHURST, NEW JERSEY, 07711
DATED: JANUARY 1, 2020
PROJECT No. 20-034

SITE PLAN LEGEND	
---	PROPERTY LINE
---	WALL ABOVE
---	DEMO
---	OVERHEAD WIRE
---	SETBACK LINE
- x - x - x -	FENCE LINE
---	DRIVE/WALKS
---	BUILDING FOOTPRINT
---	CONCRETE

Parallel
architectural group

494 Broadway, Suite 3
Long Branch, NJ 07740

V: 732.229.4400
F: 732.229.4488

www.ParallelGrp.com

ALTERATIONS TO:
73 MONMOUTH BLVD.
73 Monmouth Blvd.
Oceanport, NJ 07703
Block: - Lots: -

Antony Scilise, AIA
NJ 010133
NY 031733-1
PA RA403935
Certificate of Authorization
#AC000553

Title:
SITE PLAN
ZONING
SCHEDULE

Comm. No. 1349.20.0026
Date: APRIL 16, 2021
Drawn By: NS
Checked By: AS
Scale: As Shown

Revisions		
No.	Date	Description

73 MONMOUTH BLVD.
OCEANPORT, NJ

A = 002
1 OF 1



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 2089)

Meeting: 03/22/22 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 2089

9.4

PB2021-11 Richard Veltri

9 Pocano Avenue
Block 39 Lots 6,7
Minor Subdivision with Variances (Lot Line Adjustment)
DFD 3/31/2022
CARRIED from February 22, 2022

HISTORY:

12/14/21 Planning/Zoning Board

9 Pocano Ave
Block 39, Lots 6 & 7
Minor Subdivision with Variances (Lot Line Adjustment)

EXHIBITS

- A-1 Land Development Application
- A-2 Location Survey" prepared by Land Control Services, LLC dated March 1, 2016
- A-3 Minor Subdivision (Lot Line Adjustment)," prepared by Land Control Services, LLC., dated April 1, 2021, consisting of one (1) sheet
- A-4 Colliers Engineering Review Letter dated October 11, 2021

02/22/22 Planning/Zoning Board

9/9-A Pocano Ave
Block 39, Lots 6 & 7
Minor Subdivision - Lot Line Adjustment with Variances
CARRIED from December 14, 2021

DFD 03/31/22

Ms. Smith advised that the Applicant is seeking to adjourn hearing to March 22, 2022 as additional time is needed to submit revised plans and comply with requirement for public inspection 10-days prior to the hearing. As there were no objections, Mr. Kahle made a motion to carry the application which seconded by Ms. Cooper and unanimously approved by the Board members present.

NEW LOT 7.01
R-3 SINGLE FAMILY ZONE

	REQUIRED	EXISTING	PROPOSED	VARIANCE REQ.
MINIMUM LOT AREA	12,000 S.F.	7,934 S.F.	8,649 S.F.	YES
MINIMUM LOT WIDTH	120 FT	50 FT	50 FT	YES
MINIMUM LOT DEPTH	100 FT	149.44 FT	163.74 FT	NO
BUILDING SETBACKS				
FRONT YARD	30 FT	57.64 FT	71.95 FT	NO
SIDE YARD (BOTH)	10 (25)	6.30 FT (25.54 FT)	6.30 FT (25.54 FT)	YES
REAR YARD	25 FT	38.43 FT	38.43 FT	NO
BUILDING HEIGHT				
MAXIMUM PERMITTED	35 FT	26 FT	26 FT	NO
	2.5 STORIES	2 STORIES	2 STORIES	
LOT COVERAGE:				
PRINCIPAL BUILDINGS	37 %	38%	41%	YES
ACCESSORY STRUCTURES	5 %	4%	6.3%	YES
ACCESSORY STRUCTURES				
MINIMUM SETBACK (SIDE/REAR)	10 FT/5 FT	1.67 FT/3.59 FT	1.67 FT/3.59 FT	YES
MAXIMUM PERMITTED HEIGHT	15 FT	15 FT	15 FT	NO

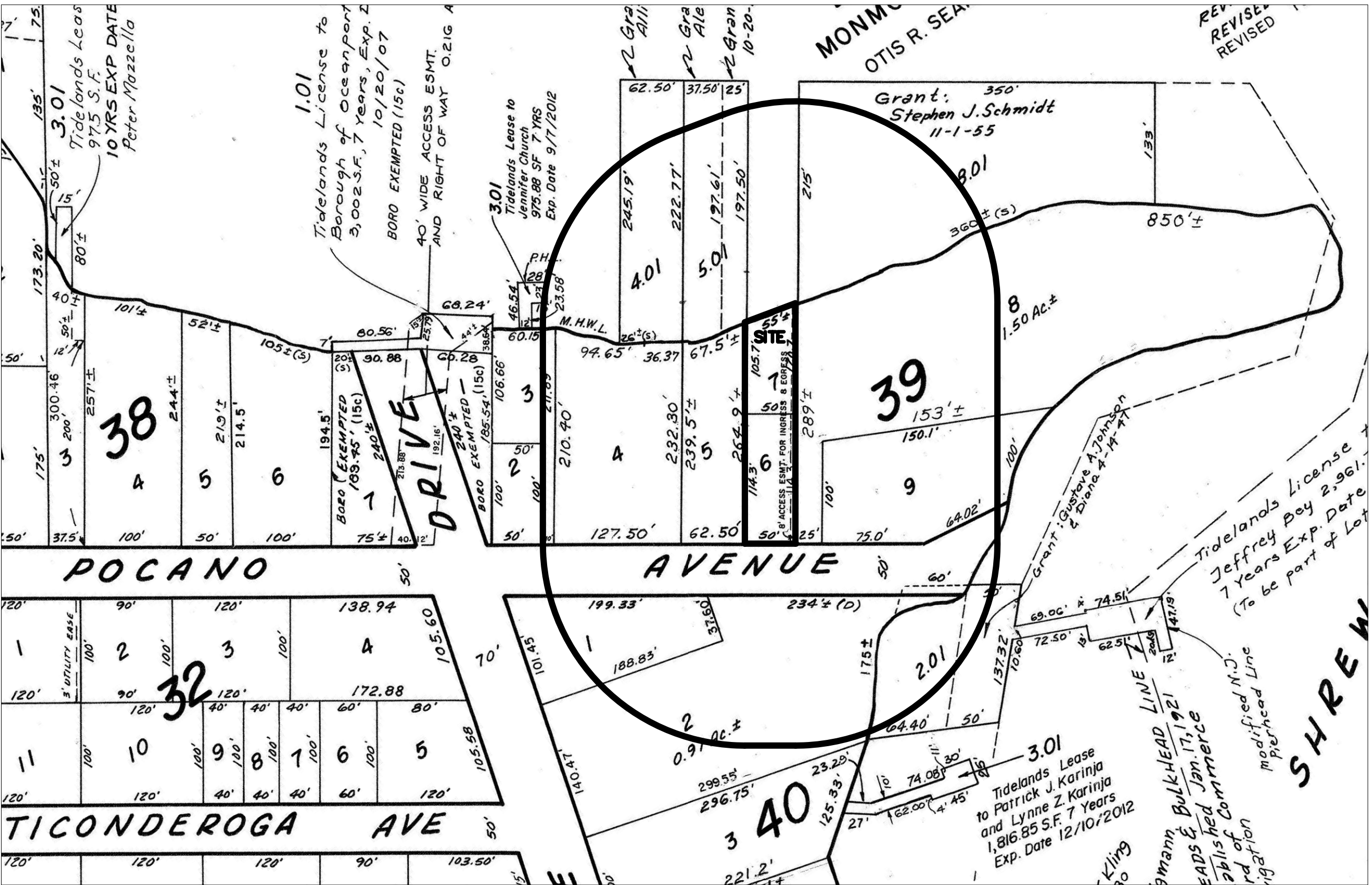
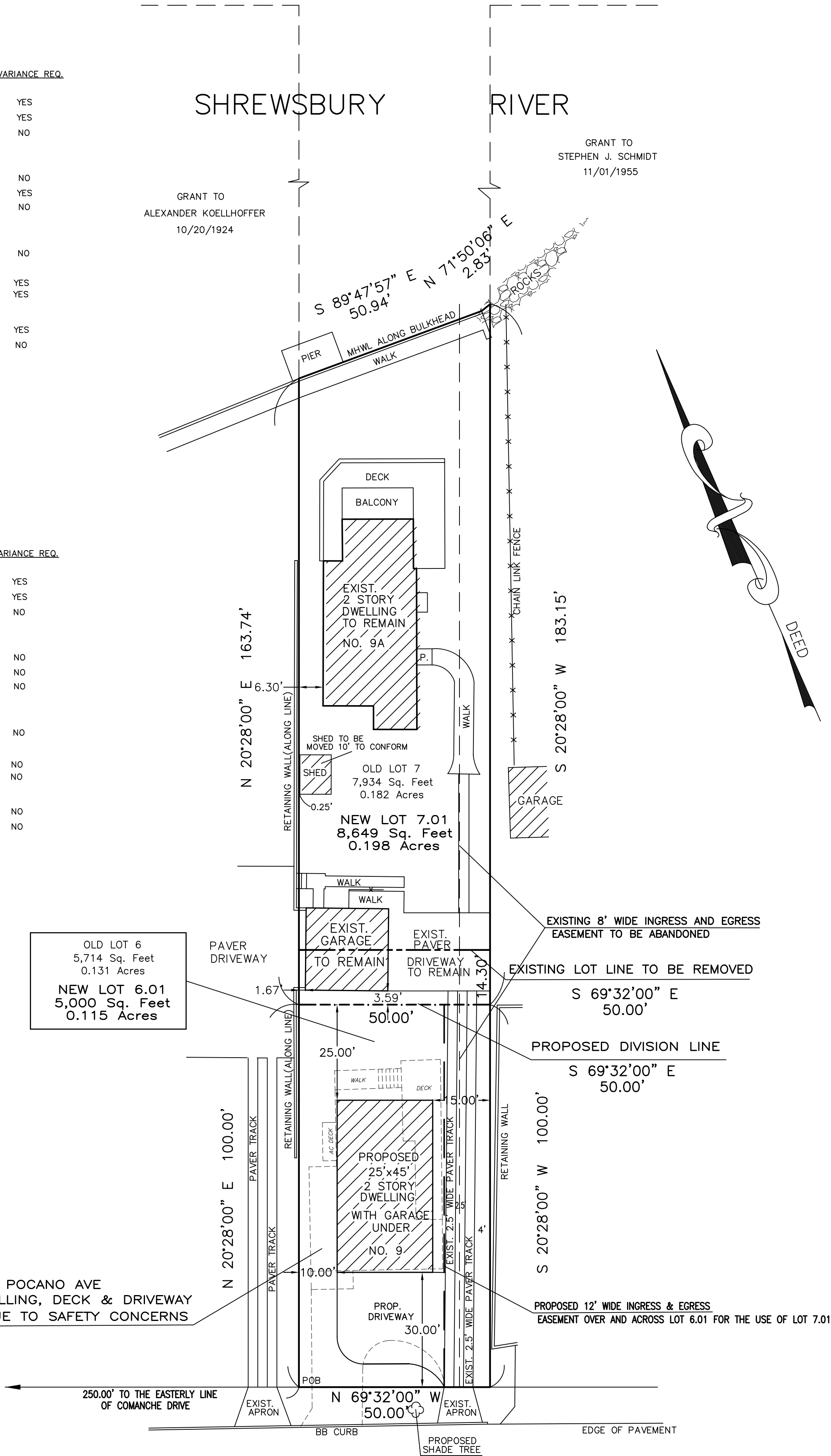
NEW LOT 6.01 (VACANT)
R-3 SINGLE FAMILY ZONE

	REQUIRED	EXISTING	PROPOSED	VARIANCE REQ.
MINIMUM LOT AREA	12,000 S.F.	5,714 S.F.	5,000 S.F.	YES
MINIMUM LOT WIDTH	120 FT	50 FT	50 FT	YES
MINIMUM LOT DEPTH	100 FT	114.3 FT	100 FT	NO
BUILDING SETBACKS				
FRONT YARD	30 FT	N/A	30 FT	NO
SIDE YARD (BOTH)	10 (25)	N/A	10 FT (25 FT)	NO
REAR YARD	25 FT	N/A	25 FT	NO
BUILDING HEIGHT				
MAXIMUM PERMITTED	35 FT	N/A	<35 FT	NO
	2.5 STORIES		2.5 STORIES	
LOT COVERAGE:				
PRINCIPAL BUILDINGS	37 %	N/A	<37%	NO
ACCESSORY STRUCTURES	5 %	N/A	<5%	NO
ACCESSORY STRUCTURES				
MINIMUM SETBACK (SIDE/REAR)	10/5	N/A	<10 FT/5 FT	NO
MAXIMUM PERMITTED HEIGHT	15 FT	N/A	<15 FT	NO

PROPERTY OWNERS WITHIN 200'
BLOCK # LOT # NAME & ADDRESS

39	2	BYRNES, MICHAEL P. & ANN M. 19 POCANO AVENUE OCEANPORT, NJ 07757
39	3	BOWES, OWEN T. & LINDA G. 21 POCANO AVENUE OCEANPORT, NJ 07757
39	4	DAVIS, DARREN K. 15 POCANO AVENUE OCEANPORT, NJ 07757
39	5	VELTRI, RICHARD & LISA 13 POCANO AVENUE OCEANPORT, NJ 07757
39	8	HUANG, KENNETH 3 POCANO AVENUE OCEANPORT, NJ 07757
39	9	MENDOZA, PIERRE & KATRINA 1 POCANO AVENUE OCEANPORT, NJ 07757
40	1	KUHN, RICHARD J. & SANDRA F. 15 BUNGALOW PLACE OCEANPORT, NJ 07757
40	2	BEY, JEFFREY & LINA MARIA 229 COMANCHE DRIVE OCEANPORT, NJ 07757
40	3	KARINJA, PATRICK J. & LYNNE Z. 301 WEST END AVENUE OCEANPORT, NJ 07757

9 POCANO AVE
FORMER DWELLING, DECK & DRIVEWAY
REMOVED DUE TO SAFETY CONCERNS



200' RADIUS & KEY MAP 1"=100'

NOTES:

- THE PROPERTY IS KNOWN AS LOTS 6 & 7 IN BLOCK 39 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF OCEANPORT.
- IT IS THE INTENTION OF THE OWNER TO MOVE THE EXISTING DIVISION LINE BETWEEN LOTS 6 & 7 TO THE SOUTH IN ORDER TO MAKE THE EXISTING SHARED GARAGE SOLELY ON LOT 7 AND PROPOSE A 12' WIDE INGRESS & EGRESS EASEMENT OVER AND ACROSS LOT 6.01 FOR THE USE OF LOT 7.01 AND ABANDON THE EXISTING 8' WIDE INGRESS & EGRESS EASEMENT OVER AND ACROSS BOTH LOTS FOR THE USE OF BOTH LOTS.
- ADDRESS OF NEW LOT 6.02, BLOCK 39 TO REMAIN 9A POCANO AVENUE.
- ADDRESS OF NEW LOT 6.01, BLOCK 39 TO REMAIN 9 POCANO AVENUE.
- THIS SUBDIVISION IS SUBJECT TO ANY EASEMENTS OF RECORD AND OTHER PERTINENT FACTS WHICH MAY BE DISCLOSED BY A TITLE SEARCH, UNDERGROUND STRUCTURES NOT LOCATED.
- OFFSET DIMENSIONS FROM STRUCTURE TO THE PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED FOR ESTABLISHING PROPERTY LINES.
- OUTBOUND INFORMATION SHOWN HEREON IS BASED ON A SURVEY PREPARED BY THIS FIRM DATED 03-1-16.
- ERROR OF CLOSURE EXCEEDS 1 PART IN 10,000.

THIS MAP HAS BEEN APPROVED AS A MINOR SUBDIVISION PLAN BY THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, LAND USE BOARD. ATTESTED BY:

PLANNING BOARD CHAIRMAN _____ DATE _____

PLANNING BOARD SECRETARY _____ DATE _____

PLANNING BOARD ENGINEER _____ DATE _____

I HEREBY CERTIFY THAT I AM THE RECORD TITLE HOLDER OF THE LANDS DELINEATED ON THIS MAP AND CONSENT TO THE FILING OF THIS MAP.

RICHARD VELTRI _____ DATE _____

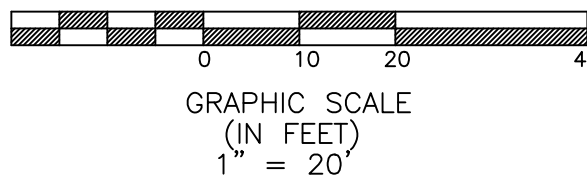
I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND FIND IT CONFORMS TO THE PROVISIONS OF THE "MAP FILING LAW" AND THE MUNICIPAL ORDINANCES AND REQUIREMENTS APPLICABLE THERETO.

MUNICIPAL ENGINEER _____ DATE _____

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP AND LAND SURVEY MEET THE BOARD SURVEY DETAIL REQUIREMENTS OF THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MAP HAS BEEN MADE UNDER MY SUPERVISION, AND COMPLIES WITH THE "MAP FILING LAW" AND THAT THE OUTBOUND CORNER MARKERS AS SHOWN HAVE BEEN FOUND, OR SET.

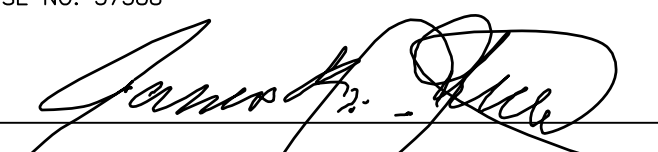
I FURTHER CERTIFY THAT THE MONUMENTS AS DESIGNATED AND SHOWN HAVE BEEN SET.

LICENSED PROFESSIONAL LAND SURVEYOR _____ DATE _____
NJ LICENSE NO 37588



2	AS PER MEMO DATED 12/21/21	02/15/22	CWK	JBG
1	AS PER LETTER DATED 10/11/21	12/14/21	CWK	JBG
NO.	REVISIONS	DATE	DRAWN	CHECKED

MINOR SUBDIVISION (LOT LINE ADJUSTMENT)
PREPARED FOR
"VELTRI"
LOTS 6 & 7 OF BLOCK 39
SITUATED IN
BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY

N W E S 	LAND CONTROL SERVICES, LLC SURVEYING & MAPPING 620 WARRELL STREET LONG BRANCH, NEW JERSEY 07740 (732) 229-7628 landcontrol1@gmail.com	DATE	04/01/2021
		SCALE	1" = 20'
		DRAWN	CWK
JAMES B. GODDARD, PLS LICENSE NO. 37588 		CHECKED	JBG
		FILE NO.	1655
		SHEET	1 OF 1