



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • FEBRUARY 13, 2024

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 10, 2024 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 THE OCEANPORT PLANNING BOARD

Adopting Amended

Rules & Regulations of the Board

February 13, 2024

WHEREAS, the duties, function and responsibilities of the Borough of Oceanport Planning/Zoning Combined Board (hereinafter referred to as the "Board") are created by Statute and controlled by the Municipal Land Use Law, Chapter 291, Laws of N.J. 1975 as compiled in N.J.S.A. 40-55-1 et. seq.; and

WHEREAS, N.J.S.A. 40:55D-8a provides that the Board shall make and adopt rules for the administration of its functions, powers and duties; and

WHEREAS, N.J.S.A. 40:55D-10b provides the Board shall make and adopt rules for the orderly conducting of any hearing before the Board; and

WHEREAS, the Board has reviewed its Rules and Regulations dated April 22, 2009 and adopted by Resolution PR-09-05 and determined there is a need for revisions and updates for consistency with current statutes, ordinances and practices; and

WHEREAS, the Board is of the opinion that the attached *amended* Rules and Regulations are consistent with the Municipal Land Use Law and all applicable Borough Ordinances with respect to Municipal Land Use.

NOW, THEREFORE, BE IT RESOLVED, by the Planning/Zoning Combined Board of the Borough of Oceanport, that the Board adopts the amended Rules and Regulations dated February 13, 2024 for the administration of its functions, powers and duties and the conducting of any hearings before the Board.

BE IT FURTHER RESOLVED, that attached Rules and Regulations shall control the administration of the functions, powers, duties and the conducting of any hearings before the Board until such time as they are amended, which may be amended from time to time.

BE IT FURTHER RESOLVED, that the Secretary of the Board shall furnish a copy thereof to any person who requests a copy and charge a reasonable fee for such copy as determined by applicable ordinance.

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Secretary of the Board be forwarded to the Board Engineer, Board Attorney, Borough Clerk and Borough Administrator.

VII. Approval of Minutes

1. Minutes of Oct 11, 2022 7:00 PM
2. Minutes of Nov 28, 2023 7:00 PM
3. Minutes of Jun 27, 2023 7:00 PM
4. Minutes of Jan 23, 2024 7:00 PM

VIII. Old Business

1. PB2020-21.1 Somerst/Parkers Creek
Block 110.15, Lot 1

Proposed changes to approved roof-top terrace floor plan on the 22 town homes.

IX. New Business

1. PB2023-16 Kiernan, Paul
Block 19, Lot 14.02
30 Pocahontas Avenue

Proposed rear wooden deck attached to rear of residence seeking variance relief for
- Rear yard setback, 25' required, 27.9' existing, 10.9' is proposed

X. 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.

XI. Adjournment

As there was no further business, the meeting was adjourned at 8:23 pm on a motion by _____ which was seconded by _____ and _____ approved by _____ the _____ Board.

Respectfully

submitted,

Jeanne
Board Secretary

Smith



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

RESOLUTION - PB (ID # 3112)

Meeting: 02/13/24 07:00 PM
Department: Mayor & Council
Category: PB Resolutions
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3112

RESOLUTION OF THE OCEANPORT PLANNING BOARD Adopting Amended Rules & Regulations of the Board February 13, 2024

WHEREAS, the duties, function and responsibilities of the Borough of Oceanport Planning/Zoning Combined Board (hereinafter referred to as the "Board") are created by Statute and controlled by the Municipal Land Use Law, Chapter 291, Laws of N.J. 1975 as compiled in N.J.S.A. 40-55-1 et. seq.; and

WHEREAS, N.J.S.A. 40:55D-8a provides that the Board shall make and adopt rules for the administration of its functions, powers and duties; and

WHEREAS, N.J.S.A. 40:55D-10b provides the Board shall make and adopt rules for the orderly conducting of any hearing before the Board; and

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BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Secretary of the Board be forwarded to the Board Engineer, Board Attorney, Borough Clerk and Borough Administrator.



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 3079)

Meeting: 02/13/24 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3079

PB2020-21.1 Somerst/Parkers Creek

Block 110.15, Lot 1

Proposed changes to approved roof-top terrace floor plan on the 22 town homes.

HISTORY:

01/09/24 Planning/Zoning Board

Parker's Creek Development

Signal Ave

Block 110.15, Lot 1

EXHIBITS:

A-1

A-2

01/23/24 Planning/Zoning Board

Block 110.15, Lot 1

Proposed changes to elevations/architectural features for waterfront units

Exhibits

A-1 Proposed Elevations, 2 Sheets, dated 3-30-2023, prepared by Pulte Group.

A-2 Elevation Comparison, 14 Sheets, dated 10-21-2021, prepared by Pulte Group

A-3 Architectural Plans prepared by Pulte Group dated September 9, 2022

A-3

A-4

A-5

A-6

A-7

**SOMERSET PULTE LODGING JV, LLC
101 Crawfords Corner Road
Holmdel, New Jersey 07733**

January 18, 2024

VIA EMAIL

Borough of Oceanport
Attn: Jeanne Smith
Clerk and Zoning Official
910 Oceanport Way
Oceanport, NJ 07757

Re: Parkers Creek
Block 110.15, Lot 1, Oceanport, NJ
Planning Board Amended Application – Revision to Roof Terrace

Dear Ms. Smith:

Pursuant to our telephone conversation today with Kevin Kennedy, Esq., I am submitting additional information regarding the application to revise the Roof Terrace Architecture on the twenty-two (22) water-front townhouses located on Driftwood Circle. This information will confirm that the Oceanport Construction Department has approved the Construction Plans and that Certificates of Occupancy have been issued for 67 townhouses to date, with another 25 under construction. I have also enclosed information to describe the elevations as well as information specific to the rooftop terrace changes that the Applicant is requesting. Enclosed please find the following items:

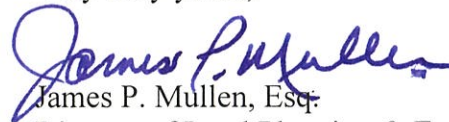
1. One (1) copy of the four (4) cover sheets for the Approved Architectural Plans, which have all been stamped "Borough of Oceanport Building Department Subcode Plan Review Release" with final Approval dates as follows:
 - a. Frankton 6/20/22
 - b. Jetwood 7/17/22
 - c. Fairwood 6/17/22
 - d. Jayton 6/20/22
2. Four (4) copies of Certificates of Occupancy, one for each model referenced above as follows:
 - a. Fairwood issued 10/24/23
 - b. Jayton issued 10/20/23
 - c. Jetwood issued 11/14/23
 - d. Frankton issued 9/28/23

3. One (1) copy of the Architectural Plans prepared by PulteGroup entitled "NEC – Parkers Creek Jayton Way, Waterfront Plans & Elevations (22 sheets)
4. One (1) copy of the 14' x 20' Classic Vinyl Pergola Plans prepared by Myer Hill Consulting dated 7/31/23. (one sheet)
5. Parkers Creek Waterfront Elevations - Color scheme - Material & Manufacturer Specifications.

The roof revision only affects the twenty-two (22) townhouses located on Driftwood Circle adjacent to the Parkers Creek. The height of the improvements on the roof did not change from the approved version. There are no variances requested. I understand that you will schedule this matter to be heard before the Board at its January 23, 2024 meeting since you received this information prior to 5:00pm on January 18, 2024. At that time I will present at least two (2) witnesses who will testify to the information that has been provided in this supplemental submission.

Thank you. Please contact me at (908) 848-2032 or jim.mullen@pultegroup.com with questions.

Very truly yours,



James P. Mullen, Esq.
Director of Land Planning & Entitlements

Enclosures

cc: Kevin Kennedy, Esq (via email w/encl)
Corey Wescoe
Rodney Walsh
Jeff Trahey
Jacquelyn Schaffler, AIA



Oceanport Borough
910 Oceanport Way
Oceanport, NJ 07757

Date Issued 11/14/2023
Control Number 00372-23
Permit Number 2300203
Permit Issue Date 6/19/2023
Certificate Number 2300203

Certificate

Construction Code Division
(Certificate of Occupancy)

Identification

Work Site Location: 7 SUNSET ROAD BUILDING 13 - JETWOOD Block: 110.15 Lot: 1.063 Qual:
MODEL OCEANPORT, NJ 07757

Owner in Fee: SOMERSET PULTE LODGING JV LLC

Owner Address: 101 CRAWFORDS CORNER ROAD HOLMDEL NJ 07733

Telephone: (908) 456-1074

Contractor: PULTE HOMES OF NJ

Address: 101 CRAWFORDS CORNER ROAD HOLMDEL NJ 07733

Telephone: 908 456 1074 Fax: 908 552 2451 Federal Emp. Number: 383566768

License Number or Builders Registration Number:

Home Warranty Number: PROF. WARRSNTY SER. CORP. Type of Warranty Plan: ☐ State ☒ Private

Use Group: R-5 Construction Classification:

Maximum Live Load: Maximum Occupancy Load:

Description of Work/Use: TOWNHOUSE - NEW TOWNHOME, BUILDING 13, JETWOOD

Certificate Comments: OWNER: SELDEN T. RUSSELL

☒ Certificate of Occupancy

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☐ Certificate of Approval

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

☐ Certificate of Continued Occupancy

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

☐ Temporary Certificate of Compliance

The following conditions must be met no later than or the owner will be subject to fine or order to vacate:
This certificate has an expiration date of:
Conditions to be met:

☐ Certificate of Clearance - Lead Abatement 5:17

This serves notice that based on written certification, lead abatement was performed as per NJACS:17 to the following extent.

- ☐ Total removal of lead-based paint hazards in scope of work
☐ Partial or limited time period (years); see file

☐ Certificate of Clearance - Asbestos Abatement

This serves notice that based on written certification, asbestos abatement was performed to the following extent.

- ☐ Total removal of asbestos hazards in scope of work
☐ Partial or limited time period (years); see file

☐ Certificate of Compliance

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until

☐ Temporary Certificate of Occupancy

The following conditions must be met no later than:
or the owner will be subject to fine or order to vacate:
This certificate has an expiration date of:
Conditions to be met:

Construction Official

Date Printed: 11/21/2023

U.C.C. F260 (rev. 08/05)

Fee: \$325.00

Check Number: 0085314274

Collected By: Jessica Fornarotto

Page 1



Oceanport Borough
910 Oceanport Way
Oceanport, NJ 07757

Date Issued 9/28/2023
Control Number 00116-23
Permit Number 2300089
Permit Issue Date 3/22/2023
Certificate Number 2300089

Certificate
Construction Code Division
(Certificate of Occupancy)

Identification

Work Site Location: 14 DRIFTWOOD CIRCLE-BLDG. Block: 110.15 Lot: 1.042 Qual:
9-FRANKTON OCEANPORT, NJ 07757

Owner In Fee: SOMERSET PULTE LODGING JV LLC

Owner Address: 101 CRAWFORDS CORNER ROAD HOLMDEL NJ 07733

Telephone: 908 456 1074

Contractor PULTE HOMES OF NJ

Address 101 CRAWFORDS CORNER ROAD HOLMDEL NJ 07733

Telephone: 908 456 1074 Fax: 908 552 2451 Federal Emp. Number: 383566768

License Number or Builders Registration Number:

Home Warranty Number: Professional warranty service Type of Warranty Plan: ☒ State ☐ Private

Use Group: R-5 Construction Classification:

Maximum Live Load: Maximum Occupancy Load:

Description of Work/Use: NEW SINGLE FAMILY DWELLING, TOWNHOUSE - NEW TOWNHOUSE -
14 DRIFTWOOD CIRCLE, BLDG.9, FRANKTON

Certificate Comments: Owner: Kevin Cowan

☒ **Certificate of Occupancy**

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☐ **Certificate of Approval**

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

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This certificate has an expiration date of:
Conditions to be met:



Oceanport Borough
910 Oceanport Way
Oceanport, NJ 07757

Date Issued 10/20/2023
Control Number 00253-23
Permit Number 2300168
Permit Issue Date 5/23/2023
Certificate Number 2300168

Certificate

Construction Code Division
(Certificate of Occupancy)

Identification

Work Site Location: 27 SIGNAL AVENUE JAYTON MODEL, BLDG 7 OCEANPORT, NJ 07757 Block: 110.15 Lot: 1.032 Qual:
Owner in Fee: SOMERSET PULTE LODGING JV LLC
Owner Address: 101 CRAWFORDS CORNER ROAD HOLMDEL NJ 07733
Telephone: (908) 456-1074
Contractor: PULTE HOMES OF NJ
Address: 101 CRAWFORDS CORNER ROAD HOLMDEL NJ 07733
Telephone: 908 456 1074 Fax: 908 552 2451 Federal Emp. Number: 383566768
License Number or Builders Registration Number:
Home Warranty Number: 20202516 Type of Warranty Plan: ☒ State ☐ Private
Use Group: R-5 Construction Classification:
Maximum Live Load: Maximum Occupancy Load:
Description of Work/Use: NEW SINGLE FAMILY DWELLING - NEW TOWNHOME BLDG 7, JAYTON

Certificate Comments: OWNER: Maryam Banafiti

☒ Certificate of Occupancy

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☐ Certificate of Approval

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

☐ Certificate of Continued Occupancy

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

☐ Temporary Certificate of Compliance

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Conditions to be met:

☐ Certificate of Clearance - Lead Abatement 5:17

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- ☐ Partial or limited time period (years); see file

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☐ Temporary Certificate of Occupancy

The following conditions must be met no later than: or the owner will be subject to fine or order to vacate: This certificate has an expiration date of:

Conditions to be met:

Construction Official

Date Printed: 10/23/2023

U.C.C. F260 (rev. 08/05)

Fee: \$373.00

Check Number: 0085314158

Collected By: Jessica Fornarotto

Page 1



Oceanport Borough
910 Oceanport Way
Oceanport, NJ 07757

Date Issued 10/24/2023
Control Number 00315-23
Permit Number 2300169
Permit Issue Date 5/23/2023
Certificate Number 2300169

Certificate

Construction Code Division
(Certificate of Occupancy)

Identification

Work Site Location: 29 SIGNAL AVENUE BLDG 7, FAIRWOOD Block: 110.15 Lot: 1.033 Qual: OCEANPORT, NJ 07757
Owner in Fee: SOMERSET PULTE LODGING JV LLC
Owner Address: 101 CRAWFORDS CORNER ROAD HOLMDEL NJ 07733
Telephone: (908) 456-1074
Contractor: PULTE HOMES OF NJ
Address: 101 CRAWFORDS CORNER ROAD HOLMDEL NJ 07733
Telephone: 908 456 1074 Fax: 908 552 2451 Federal Emp. Number: 383566768
License Number or Builders Registration Number:

Home Warranty Number: 20202517 Type of Warranty Plan: ☒ State ☐ Private

Use Group: R-5 Construction Classification:

Maximum Live Load: Maximum Occupancy Load:

Description of Work/Use: NEW SINGLE FAMILY DWELLING, TOWNHOUSE - NEW TOWNHOME, BLDG 7, FAIRWOOD

Certificate Comments: OWNER :MATT CHAVLOVICH

☒ Certificate of Occupancy

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☐ Certificate of Approval

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☐ Temporary Certificate of Occupancy

The following conditions must be met no later than: or the owner will be subject to fine or order to vacate:
This certificate has an expiration date of:
Conditions to be met:

Fee: \$354.00
Check Number: 0085314159
Collected By: Jessica Fornarotto

Construction Official
Date Printed: 10/24/2023

U.C.C. F260 (rev. 08/05)

Page 1

A. FABRICATION AND ASSEMBLY

1. UNLESS OTHERWISE NOTED, BUILDING MATERIALS SPECIFIED ON THIS DRAWING ARE SUPPLIED BY AMISH COUNTRY GAZEBOS.
2. WOOD MEMBERS ARE PRECUT PRIOR TO SHIPPING AND SOME BUILDING ELEMENTS MAY BE PRE-ASSEMBLED.
3. BUILDING MATERIALS (LUMBER, FASTENERS, HARDWARE, ASSEMBLIES) ARE SHIPPED AS A COMPLETE PACKAGE TO THE JOBSITE FOR FINAL ASSEMBLY.

B. BUILDING CODES AND STANDARDS

1. THE 2021 INTERNATIONAL RESIDENTIAL CODE NEW JERSEY EDITION, INCLUDING ALL CODES AND SPECIFICATIONS REFERENCED WITHIN, SHALL APPLY TO THE DESIGN, CONSTRUCTION AND QUALITY CONTROL OF ALL WORK PERFORMED ON THE PROJECT
2. ADDITIONAL DESIGN STANDARDS FOR MATERIALS SHALL BE FOUND IN THE APPROPRIATE SECTIONS THAT FOLLOW.

C. DESIGN LOADS

- | | |
|--------------------------------|----------|
| 1. ROOF DEAD LOAD | 4 PSF |
| 2. ROOF LIVE LOAD | 20 PSF |
| 3. SNOW LOAD | |
| a. Pg (GROUND SNOW) | 20 PSF |
| b. Is (SNOW IMPORTANCE FACTOR) | 1.0 |
| c. Ce (EXPOSURE FACTOR) | 1.0 |
| d. Ct (THERMAL FACTOR) | 1.2 |
| e. Pf (FLAT ROOF SNOW LOAD) | 16.8 PSF |
| 4. WIND LOADS | |
| a. WIND SPEED (Vult) | 120 MPH |
| b. RISK CATEGORY | II |
| c. EXPOSURE CATEGORY | C |

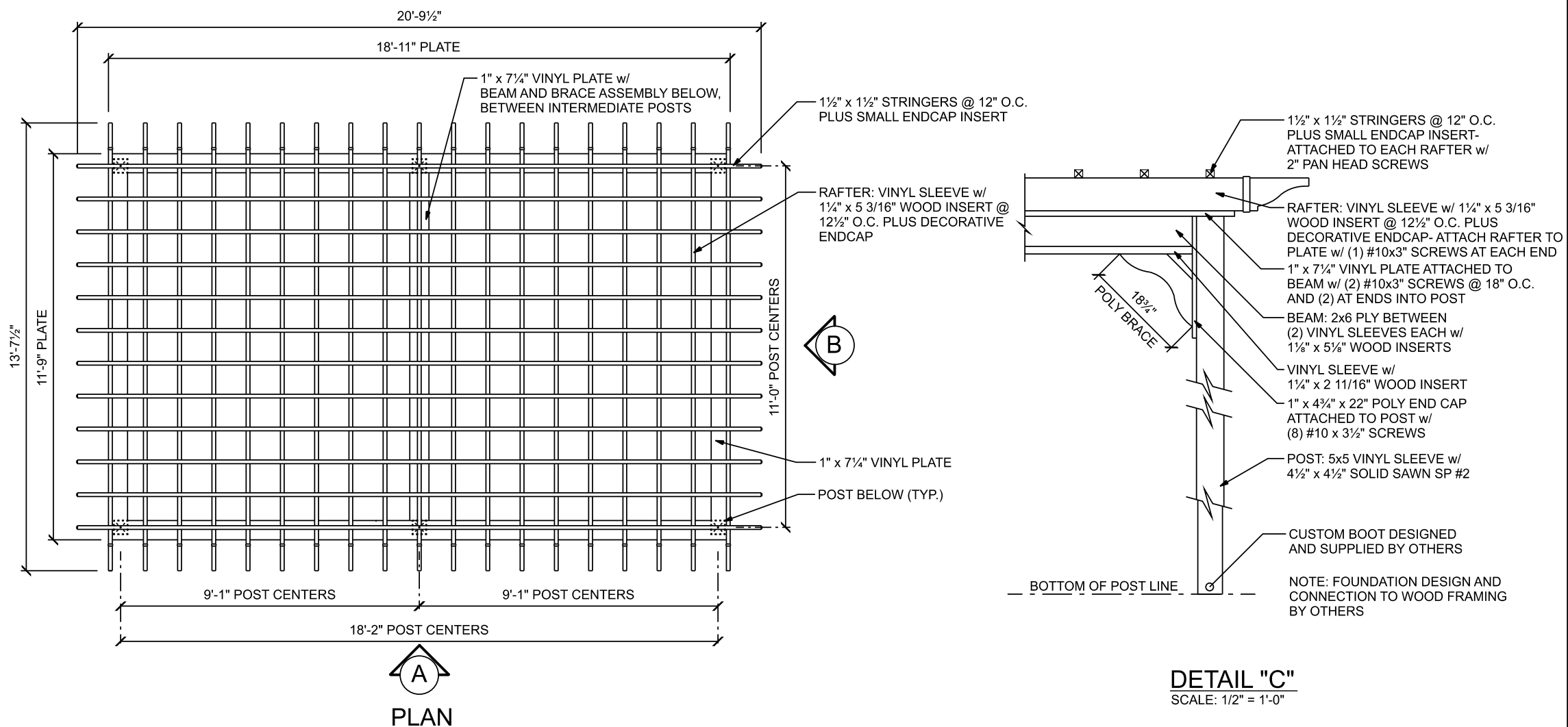
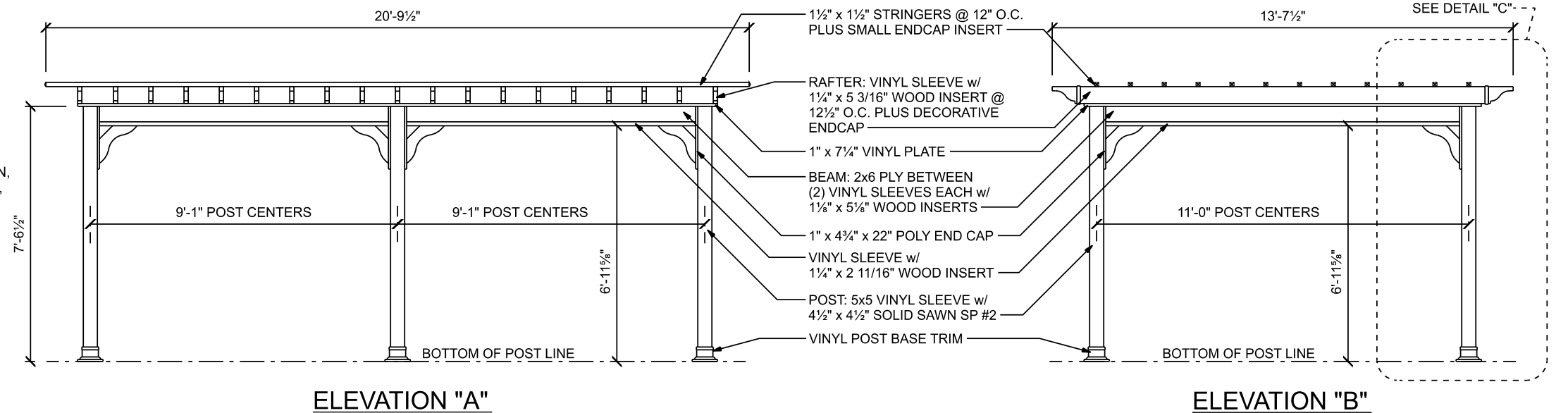
D. FOUNDATION BY OTHERS

1. FOUNDATION DESIGNER SHALL ENSURE THE FOUNDATION PROVIDES ADEQUATE EMBEDMENT AND CONCRETE BREAK OUT STRENGTH.
2. FOUNDATION DESIGNED BY OTHERS FOR LOADS SHOWN IN THE TABLE BELOW:

Load Type	Maximum Post Reactions (lbs) - ASD			
	Wind (0.6W)	Roof Live	Snow	Dead
Lateral	110	--	--	--
Vertical	480	900	190	260
Uplift (Net)	290	--	--	--

E. WOOD

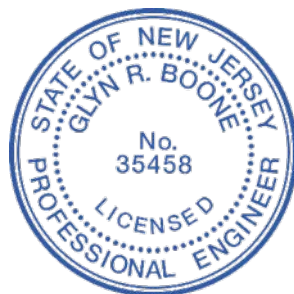
1. DIMENSION LUMBER DESIGNED IN ACCORDANCE WITH 2018 NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION (NDS) AND SUPPLEMENT.
2. UNLESS NOTED OTHERWISE, DIMENSION LUMBER SHALL BE:
 - a. #1 SOUTHERN PINE
 - b. SURFACED FOR IMPROVED APPEARANCE AS FOLLOWS:
 - 2X4: 1-3/8" X 3-3/8"; 2X6: 1-3/8" X 5-1/4"; 2X8: 1-3/8" X 7"; 2X10: 1-3/8" X 9"
3. UNLESS NOTED OTHERWISE, POSTS SHALL BE:
 - a. SOLID SAWN: 4-1/2" X 4-1/2" SOUTHERN PINE #2
4. UNLESS NOTED OTHERWISE, LUMBER AND POSTS SHALL BE PRESSURE TREATED AS FOLLOWS:
 - a. LUMBER SHALL BE TREATED WITH WATERBORNE PRESERVATIVES IN ACCORDANCE WITH AWPA STANDARD U1 TO THE REQUIREMENTS OF USE CATEGORY 3B (UC3B) OR GREATER.
 - b. ALL TREATED LUMBER SHALL BE KILN DRIED TO 19% MAXIMUM MOISTURE CONTENT.



PLAN

DETAIL "C"
SCALE: 1/2" = 1'-0"

SEAL



PLOT DATE Monday, July 31, 2023

MYERHILL
CONSULTING

Glyn R. Boone, P.E.
Myer Hill Enterprises LLC
444 Myer Ter • Leola, PA 17540
NJ PE# 35458 - NJ COA# 24GA28306600

AMISH COUNTRY GAZEBOS
340 HOSTETTER ROAD
MANHEIM, PA 17545
1-800-700-1777

SITE LOCATION:

20 BARTON AVENUE
OCEANPORT, NJ 07703
MONMOUTH COUNTY
ACG ORDER # 23-8323

14' x 20' CLASSIC VINYL PERGOLA

DATE	7/31/2023	SCALE	1/4" = 1'-0" U.N.O.
REVISIONS		P.N.	15 - 21
		SHEET NO.	1 OF 1



Planning/Zoning Combined Board

PO Box 370
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 3078)

9.1

Meeting: 02/13/24 07:00 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Kelle Burrough
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3078

PB2023-16 Kiernan, Paul

Block 19, Lot 14.02

30 Pocahontas Avenue

Proposed rear wooden deck attached to rear of residence seeking variance relief for

- Rear yard setback, 25' required, 27.9' existing, 10.9' is proposed

101 Crawfords Corner Road
Suite 3400
Holmdel, New Jersey 07733
Main: 877 627 3772



January 24, 2024

VIA EMAIL

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

30 Pocahontas Avenue – Bulk Variance
Block 19, Lot 14.02
Application No. PB2023-16
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0354

Dear Board Members,

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

- Plan entitled “Plot Plan,” prepared by William E. Fitzgerald, last revised October 3, 2023, consisting of one (1) sheet.
- Plans entitled “Proposed New Residence for PJ & Rebecca Kiernan,” prepared by Brian. Fitzgerald, last revised September 19, 2023, consisting of four (4) sheets.
- Plan entitled “Foundation Location Survey” prepared by Insite Surveying, last revised September 12, 2023, consisting of one (1) sheet.

The subject property is a 12,000 SF (0.28-acre) parcel on the south side of Pocahontas Avenue approximately 420 feet east of Port Au Peck Avenue. The parcel is located in the R-3 Residential Zone. The lot currently has a 2 story dwelling under construction, driveway, and concrete walkway. The Applicant proposes a 26' x 17' deck off the rear of the dwelling.

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. Rear Yard Setback, Principal Structure – the current dwelling that is under construction provides a rear yard setback of 27.9 feet and complies to the minimum requirement of 25 feet. The proposed deck will provide a setback of 10.9 feet.

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. A signed and sealed copy of the boundary and topographic survey referenced in General Note # 2 shall be provided to the Board Secretary.

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

Sincerely,

Colliers Engineering & Design
(DBA Maser Consulting)



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

WHW/

cc: Paul Kiernan, Applicant (via email)
William E. Fitzgerald, PE (via email)
Kevin Kennedy, Esq. (via email)

R:\Projects\IM-P\Opp\OPP0354\Correspondence\OUT\240124_whw_30_pocahontas_ave_review#1.docx



Oceanport Borough
ZONING DEPARTMENT
910 OCEANPORT WAY
OCEANPORT, NJ 07757
(732) 222-0641
JSMITH@OCEANPORTBORO.COM



Application Date: 10/11/2023
Application Number: ZA-23-0181.1
Permit Number: _____
Project Number: _____
Fee: \$100

Denial of Application

Date: 10/11/2023

To: PAUL KIERNAN

CC: [REDACTED]

RE: 30 POCAHONTAS AVE
BLOCK: 19 LOT: 14.02 QUAL: ZONE: R-3

DEAR PAUL KIERNAN ,

Add a deck to a home currently being built

THIS APPLICATION IS FOR 30 POCOHANTAS AVE NOT 35 WYANDOTTE. The system will not let me enter the correct address.., Payment and Plan ACKNOWLEDGEMENT: Paul kiernan , Online PAYMENTS Now Being Accepted: Paul kiernan

Your request is hereby denied based upon the following requirements:

Proposed deck off rear of house as shown on plan entitled "Plot Plan Proposed Residence" prepared by William E. Fitzgerald, PE/PP dated March 10, 2023, last revised 10-03-2023, is NOT COMPLIANT pursuant with 390-Schedule II which requires a 25' rear yard setback and 10.9' is proposed. A variance for rear yard setback is required from the Planning Board.

ACTION:

1. Submit an application to the Planning Board for variance relief. Contact the Planning Board Secretary to request application documents at jsmith@oceanportboro.com

Sincerely,

JEANNE SMITH, ZONING OFFICER

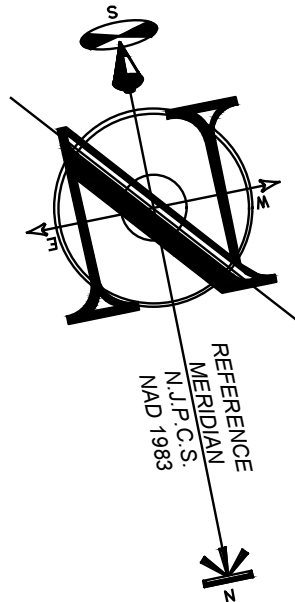
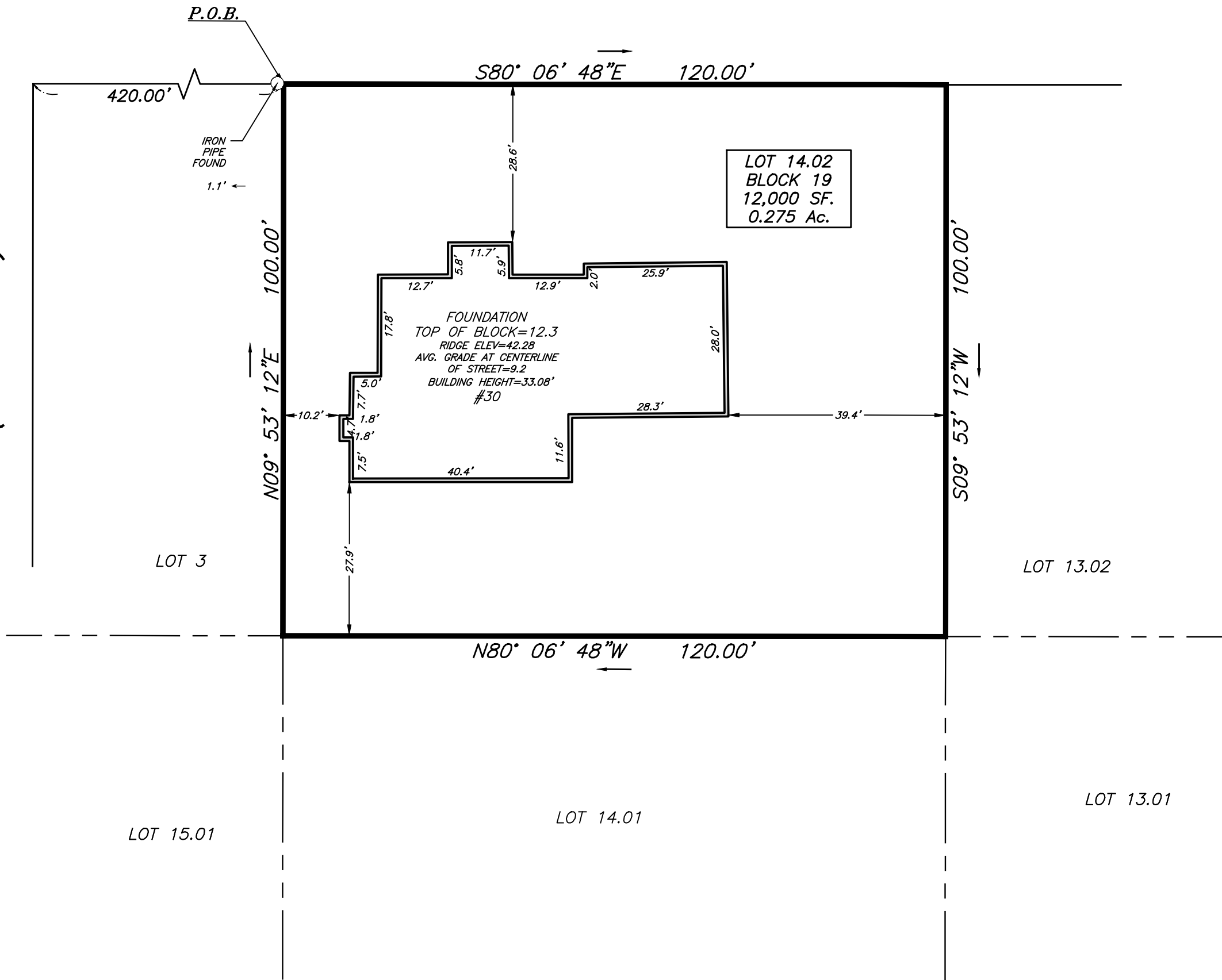
File: S:\Jobs\104-01 - Paul Kiernan\23-01104-01 - 30 Pocahontas Avenue_Oceanport, NJ\23-01104-01.dwg - FND.dwg, ---> 18/24 SURVEY Copyright 2023, InSite Surveying, LLC. All Rights Reserved.



SCALE : 1" = 20'

LEGEND

EXISTING	
	BOUNDARY LINE
	CONTOUR LINE
	SPOT ELEVATION
	BUILDING
	WALL
	GAS
	WATER
	INLET
	STORM
	SANITARY MAIN
	OVERHEAD WIRE
	ELECTRIC
	TELEPHONE
	UTILITY POLE
	HYDRANT
	SIGN POST
	FENCE
	LIGHT FIXTURE
	TEST PIT LOCATION
	GRADE FLOW ARROW
	SWALE CENTER LINE



THIS PLAN IS FOR FRAMING PURPOSES ONLY.

SURVEY NOTES:
THIS IS TO CERTIFY THAT THIS SURVEY IS ACCURATE, AND THAT THIS DRAWING IS A TRUE REPRESENTATION OF ACTUAL CONDITIONS EXISTING ON THE PROPERTY, EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE.

A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003 C. 14 (C45-8-36.3) AND N.J.A.C. 13-40 - 5.1(D).

THIS SURVEY HAS NOT DETERMINED THE PRESENCE/ABSENCE OF WETLANDS AT THE SITE

SUBJECT PROPERTY IS LOCATED IN FEMA PRELIMINARY FLOOD ZONE X PER FLOOD HAZARD DATA DATED 1-30-15. SUBJECT PROPERTY IS LOCATED IN FEMA EFFECTIVE FLOOD ZONE X, X 'SHADED', PER FLOOD HAZARD DATA DATED 6-20-2018.

ENGINEERING MAP REFERENCES:
A MAP ENTITLED, "PLOT PLAN P.J. & REBECCA KIERNAN, APPLICATION FOR CONSTRUCTION PERMITS, BLOCK 19, LOT 14.02 - 30 POCAHONTAS AVENUE, BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY" BY WILLIAM E. FITZGERALD DATED N/A

A MAP ENTITLED, "KSHAW CONSTRUCTION CO. WYANDOTTE AVENUE SUBDIVISION, BLOCK 19, LOT 14, 35 WYANDOTTE AVENUE, OCEANPORT BOROUGH, MONMOUTH COUNTY, NJ." BY INSITE ENGINEERING, LLC., DATED 5/20/22 AND LAST REVISED 12/01/22

ARCHITECTURAL MAP REFERENCES:
A MAP ENTITLED, "PROPOSED NEW RESIDENCE FOR PJ & REBECCA KIERNAN, 30 POCAHONTAS AVE. OCEANPORT, NJ 07757" BY BRIAN FITZGERALD ARCH + DESIGN, DATED 03/09/23

DEED REFERENCES:
DB 9634 PG 9566

PROJECT NAME:
**FOUNDATION
LOCATION SURVEY**
OF
BLOCK 19, LOT 14.02
30 POCAHAOTUS

SITUATED IN:
**BOROUGH OF OCEANPORT
MONMOUTH COUNTY
NEW JERSEY**

PREPARED FOR:
PAUL KIERNAN



InSite Surveying, LLC
CERTIFICATE OF AUTHORIZATION:
24GA28290100
1955 ROUTE 34, SUITE 1A, WALL, NJ 07719
732-531-7100 (Ph) 732-531-7344 (Fax)
InSite@InSiteSurveying.net
www.InSiteSurveying.net

CALL BEFORE YOU DIG!
NJ ONE CALL.....800-272-1000
(at least 3 days prior to excavation)

ELECTRIC	RED
GAS/OIL	YELLOW
COMMUNICATION / TV	ORANGE
WATER	BLUE
SEWER	GREEN
TEMP. SURVEY MARKINGS	MAGENTA
PROPOSED EXCAVATION	WHITE

REVISIONS

Rev.#	Date	Comment
1	09/12/23	COMMENTS
0	06/19/23	INITIAL RELEASE

SCALE: 1"=20'	DRAWN BY: MGB
FIELD DATE: 06/16/23	CHECKED BY: JH
JOB #: 23-S1104-01	

CERTIFICATION

CAUTION: IF THIS DOCUMENT DOES NOT CONTAIN THE SIGNATURE AND RAISED SEAL OF THE PROFESSIONAL, IT IS NOT AN ORIGINAL AND MAY HAVE BEEN ALTERED

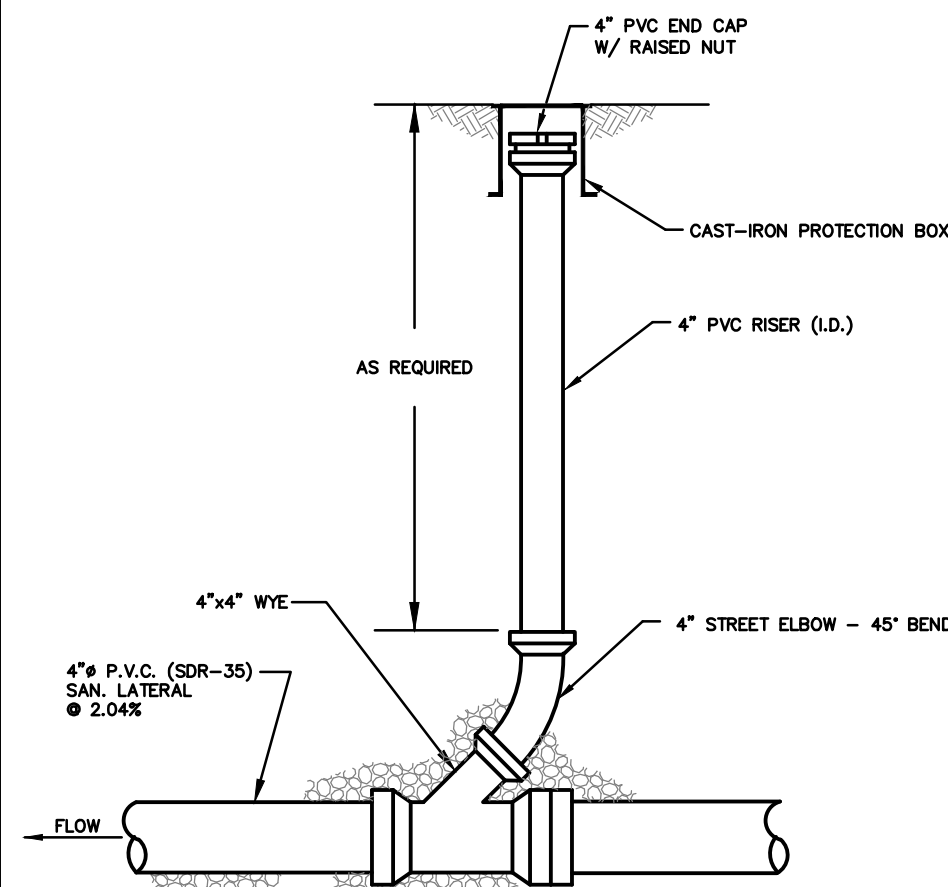
JUSTIN J. HEDGES, P.L.S., C.F.S.
PROFESSIONAL LAND SURVEYOR
NJ LIC. NO. GS43362
CERTIFIED FLOODPLAIN
SURVEYOR NJ LIC. NO. NJ-044

SHEET NO:
1 of 1

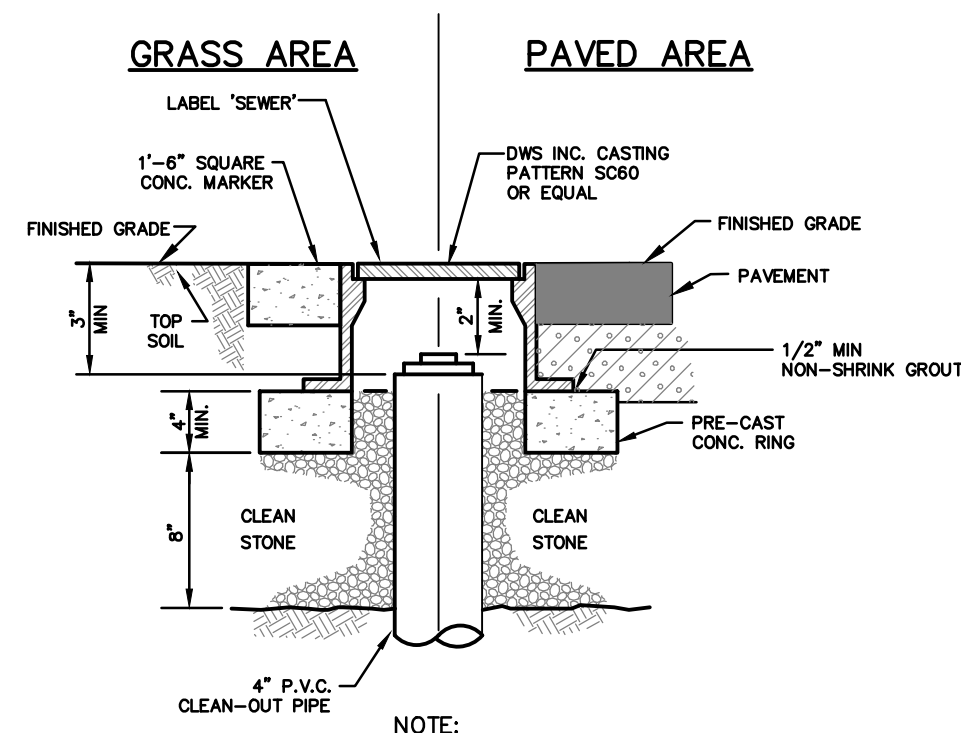
LOCATIONS OF UTILITIES AND UNDERGROUND INSTALLATIONS, IF DEPICTED HEREON, ARE APPROXIMATE AND INCOMPLETE AND ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. CONTRACTOR SHALL ACCURATELY LOCATE AND MARK OUT ALL SUCH FEATURES PRIOR TO COMMENCING SITE CLEARING, EXCAVATION AND/OR IMPROVEMENT CONSTRUCTION.

DEWATERING

NOTE: IF DEWATERING OF CONSTRUCTION AREAS BECOMES NECESSARY, A SUMP PIT SHALL BE CONSTRUCTED IN ACCORDANCE WITH DETAIL 14-2 OF THE "STANDARDS FOR EROSION AND SEDIMENT CONTROL IN NEW JERSEY" AT THE LOCATION OF THE DEWATERING PUMP AND DISCHARGE SHALL BE PUMPED INTO SEDIMENT CONTROL BAGS COMPRISED OF DOUBLE CHAIN-STITCHED, HEAVY, NON-WOVEN Linq® FILTER CLOTH AS MANUFACTURED BY N&S RENTALS, 19600 FREDERICK ROAD, GERMANTOWN, MD 20876 - INFO AVAILABLE AT (<http://www.nrentals.com/sedcontrolbags.asp>)



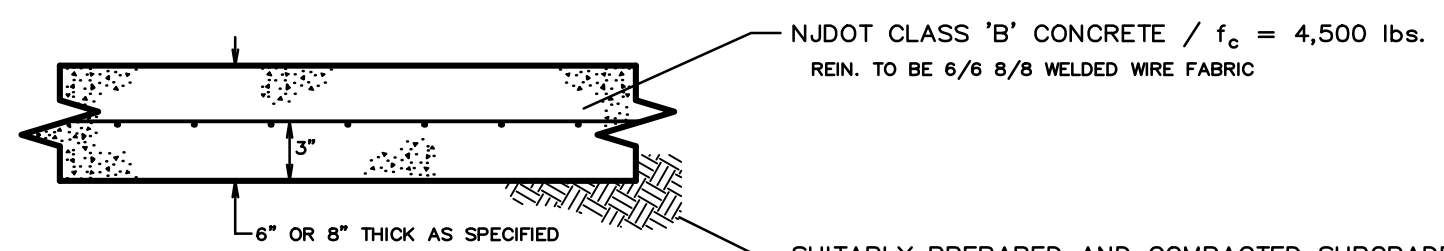
SANITARY CLEANOUT DETAIL
N.T.S.



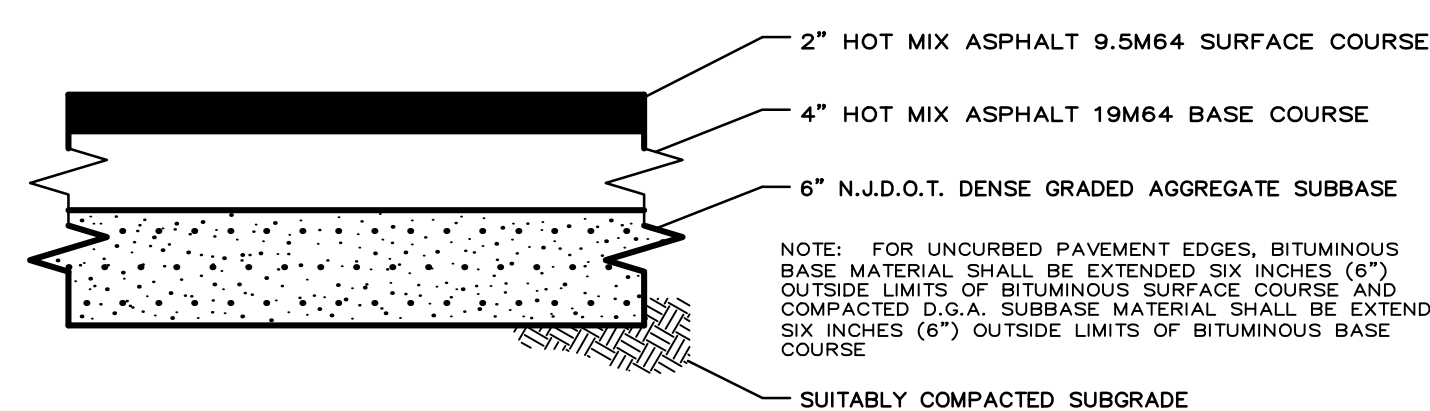
CLEAN-OUT PROTECTION BOX DETAIL
N.T.S.

CONSTRUCTION NOTES

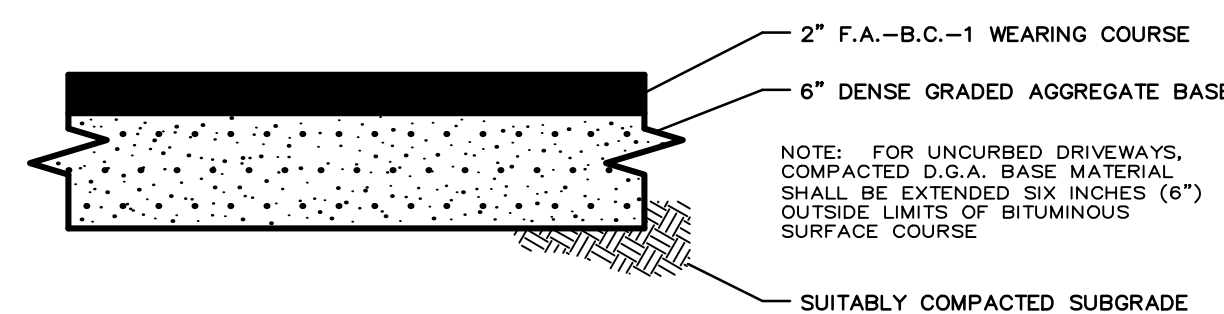
- EXISTING UTILITY AND UNDERGROUND INSTALLATION LOCATIONS SHOWN HEREON ARE APPROXIMATE AND SHALL BE ACCURATELY ESTABLISHED IN THE FIELD BY THE DEVELOPER AND/OR CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
- WHEREVER A SECTION OF EXISTING ROADWAY PAVEMENT IS TO BE REMOVED FOR ANY REASON, ITS PERIMETER SHALL BE CUT CLEANLY THROUGH TO THE SUBGRADE TO PROVIDE A NEAT LINEAR EDGE FOR SUBSEQUENT PAVEMENT REPAIR.
- ALL MATERIALS, METHODS AND WORKMANSHIP UTILIZED FOR IMPROVEMENT CONSTRUCTION SHALL BE IN STRICT CONFORMANCE WITH REQUIREMENTS OF THE "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, 1983" OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND SUBSECTIONS 331-8 THROUGH 331-12 OF THE OCEANPORT BOROUGH MUNICIPAL ORDINANCES.
- TREES AND OTHER NATURAL FEATURES TO BE PROTECTED DURING CONSTRUCTION SHALL BE SET OFF BY SNOW FENCING PRIOR TO INITIAL DISTURBANCE OF THE SITE.
- PURSUANT TO THE NEW JERSEY "UNDERGROUND FACILITY PROTECTION ACT" ANY/ALL PARTIES PERFORMING EXCAVATION UPON THE TRACT SHALL PARTICIPATE IN, AND COMPLY WITH, REQUIREMENTS OF THE ONE-CALL DAMAGE PRE-VENTION SYSTEM ESTABLISHED UNDER N.J.S.A. 48:2-73 et seq. (REF: <https://www.nj-1call.org/resources/nj-law/>)



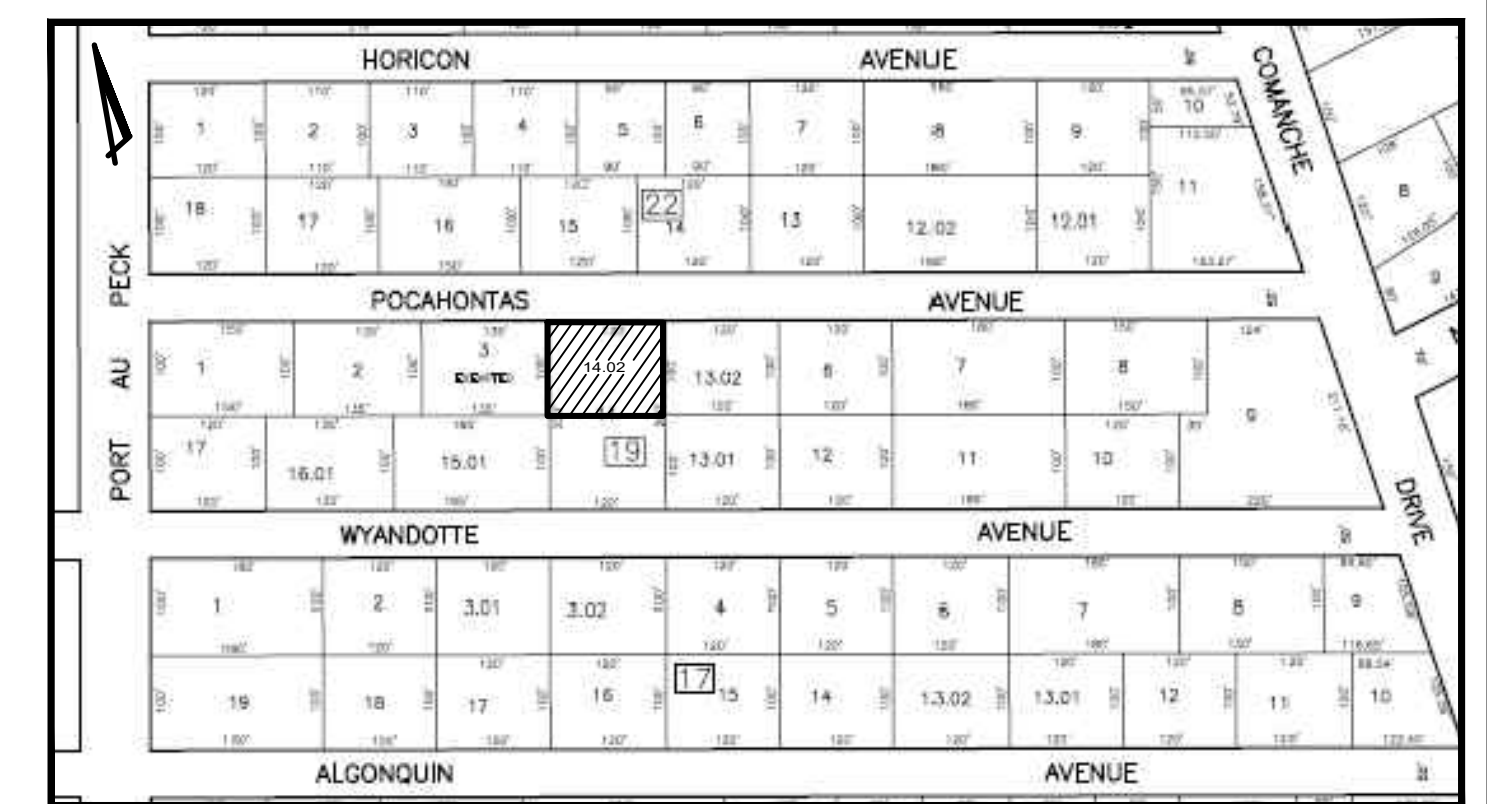
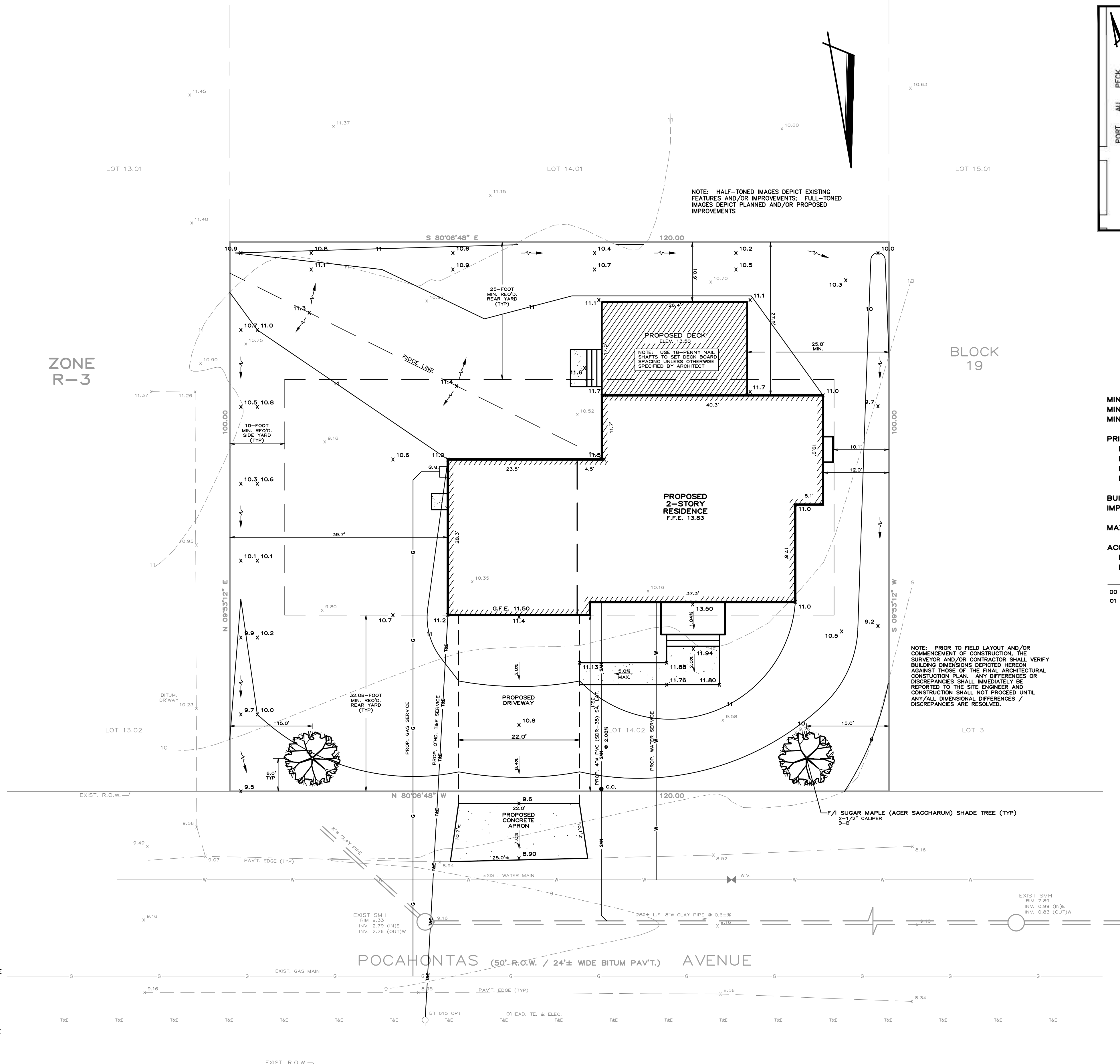
DETAIL: CONCRETE APRON SLAB



DETAIL: BITUMINOUS ROADWAY PAVEMENT



DETAIL: BITUMINOUS DRIVEWAY PAVEMENT



TAX MAP LOCATION PLAN
APPROX. SCALE: 1" = 400'

ZONING INFORMATION TABLE

CRITERION	ZONE R-3 REQ'M'T.	PROPOSED
MIN. LOT AREA	12,000 S.F.	12,000 S.F.
MIN. LOT DEPTH	100 FEET	100 FEET
MIN. LOT WIDTH	120 FEET	120 FEET
PRINCIPAL BUILDING YARD REQ'M'TS.		
MIN. FRONT YARD SETBACK	32.08 FEET ⁰⁰	32.1± FEET
MIN. TOT. OF SIDE YARD SETB'KS	25 FEET	49.8± FEET
MIN. ONE SIDE YARD SETBACK	10 FEET	10.1± FEET
MIN. REAR YARD SETBACK	25 FEET	27.9± FEET
BUILDING COVERAGE	25% / 3,000 S.F.	19.1±% / 2,293± S.F.
IMPERVIOUS COVERAGE	37% / 4,440 S.F.	26.7±% / 3,200± S.F. ⁰¹
MAX. [BUILDING] HEIGHT	2½ STYS. / 35 FEET	2½ STYS. / 32.2± FEET
ACCESS. BUILDING YARD REQ'M'TS.		
MIN. SIDE YARD SETBACK	10 FEET	N/A
MIN. REAR YARD SETBACK	5 FEET	N/A

00 - PER SUBDIVISION PLAT REFERENCE / GENERAL NOTE 2
01 - PER ORDINANCE DEFINITION OF "DECK". A DECK IS NOT CALCULATED AS IMPERVIOUS SURFACE FOR THE PURPOSES OF CALCULATING LOT COVERAGE REQUIREMENTS.

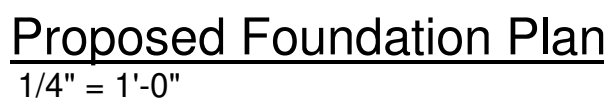
GENERAL NOTES

- THIS PROPERTY IS THE NORTHERLY HALF OF TAX LOT 14, BLOCK 19, AS DEPICTED UPON SHEET NO. 28 OF THE 2017 TAX MAP OF OCEANPORT BOROUGH (SEE TAX MAP LOCATION PLAN).
- BOUNDARY AND TOPOGRAPHIC INFORMATION DEPICTED HEREON IS BASED UPON A PLAN SHEET 2 OF 2 SHEETS ENTITLED "WYANDOTTE AVENUE SUBDIVISION" PREPARED BY JUSTIN J HEDGES, PLS, FOR K SHAW CONSTRUCTION DATED 05-20-22 AND REVISED THROUGH 12-01-22.
- TOPOGRAPHIC DATUM IS NAVD 1988.
- OWNERS /APPLICANTS: P.J. & REBECCA KIERNAN
301 VILLA DRIVE
LONG BRANCH, NJ, 07740
- LOT 14.02 HAS A GROSS AREA OF 12,000± S.F. (0.275± AC.), IS LOCATED ENTIRELY WITHIN THE 'R-3' SINGLE FAMILY RESIDENTIAL MUNICIPAL LAND USE ZONE AND IS PRESENTLY UNDEVELOPED.
- PURSUANT TO F.E.M.A. PANEL 34025C0184H EFFECTIVE 6/15/2022 THE SUBJECT PROPERTY IS LOCATED WITHIN THE "AREA OF MINIMAL FLOOD HAZARD, ZONE 'X'".
- APPLICANT'S DEVELOPMENT PROPOSAL IS TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE WITH APURTENANT IMPROVEMENTS IN CONFORMANCE WITH ZONING REQUIREMENTS OF THE BOROUGH.
- EXISTING POCAHONTAS AVENUE UTILITY SERVICES TO THE LOT TO BE UTILIZED AS APPROVED BY SERVICING UTILITY COMPANIES. NEW SERVICE CONNECTIONS TO THE PROPOSED RESIDENCE SHALL BE CONSTRUCTED.



GRAPHIC SCALE

03	10-03-23	ADD REAR YARD DECK
02	04-06-23	REVS PER MUN. ENGR REVIEW OF 04-06-23
01	03-22-23	RE-ISSUE FOR F.S.C.D. SUBMISSION
REVISION NO.	REVISION DATE	DESCRIPTION OF REVISION
PLOT PLAN		
PROPOSED RESIDENCE		
P.J. & REBECCA KIERNAN		
APPLICATION FOR CONSTRUCTION PERMITS		
BLOCK 19, LOT 14.02 - 30 POCAHONTAS AVENUE - ZONE R-3 - TAX MAP SHT. #11		
BOROUGH OF WEST OCEANPORT MONMOUTH COUNTY, NEW JERSEY		
William E. Fitzgerald		
Civil Engineers - Land Use Planners - Construction Managers		
P.O. BOX 550 WEST LONG BRANCH, N.J. 07764 TELE: (732) 859-3481		
DATE: 03-10-23 SCALE: 1"=10'		
DRAWN: CHKD.: W.E.F.		
FILE: PJK		
DWG: PP		
SHEET: 1		

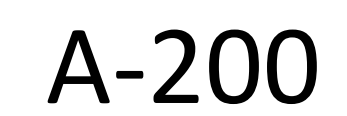


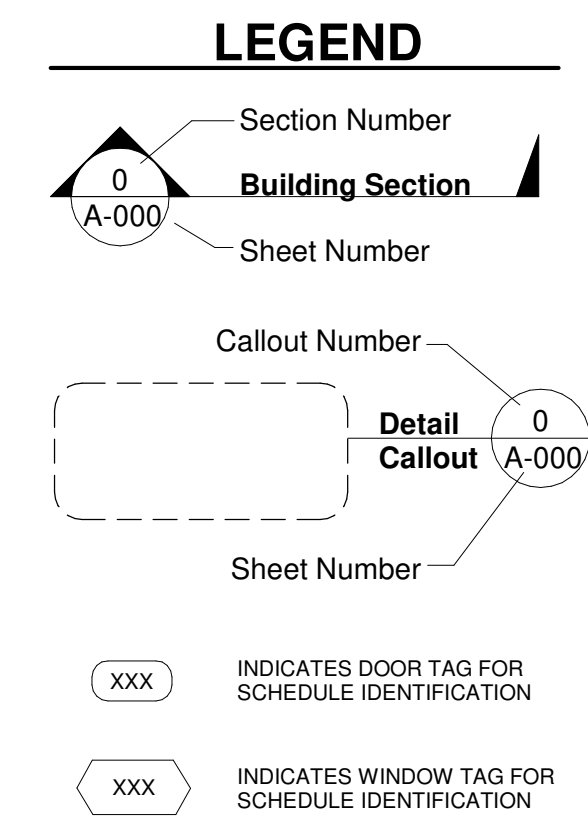


Proposed Rear Elevation
1/4" = 1'-0"

Front & Rear Elevations

Project number	2023-04
Submission Date	03/09/23
Sheet Issue Date	09/19/23
Drawn by	BPF
Checked by	BPF





Brian Fitzgerald R.A., NCARB, A.I.A., LEED AP
NJ Lic. # 21A0205680041
NCARB Cert. # 88189
East Main Street
Oceanport, NJ 07757
P: (732) 859-4968
Brian@bfarchdesign.com

Proposed New Residence For

PJ & Rebecca
Kiernan

30 Pocahontas Ave.
Oceanport, NJ 07757

Block: 19

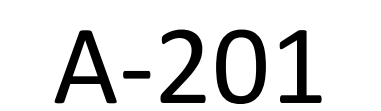
Lot: 14.02

These drawings and specifications are issued as instruments of the architect's service for use solely with respect to this project. These drawings and specifications shall not be used by the owner or by others on other projects, for additions to this project, or for completion of this project by others, without the agreement of the architect.

[illegible]

Side Elevations

Project number	2023-04
Submission Date	03/09/23
Sheet Issue Date	09/19/23
Drawn by	BPF
Checked by	BPF



Scale	$1/4" = 1'-0"$
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