



YOUR GOALS. OUR MISSION.

KNPB-R1920

October 12, 2023  
Via Email and Regular Mail

Desiree Hynes, Planning Board Secretary  
Borough of Keansburg  
29 Church Street  
Keansburg, NJ 07734

**Re: New Single-Family Dwelling/ Bulk Variance Requests  
33 Myrtle Avenue  
Block 87, Lot 5  
Single Family Residential (R-5) Zone  
First Engineering Review**

Dear Ms. Hynes:

As requested, we have reviewed the above referenced application to construct a new elevated two and a half (2 ½) story, 3-bedroom, single-family dwelling located at 33 Myrtle Avenue. The applicant has submitted the following documents in support of this application:

1. Planning Board of Adjustment Site Plan Application Packet, dated July 5, 2023.
2. Zoning Denial, issued by Kathy Burgess, Assistant Zoning Officer dated March 14, 2023.
3. Assessment of Taxes dated July 17, 2023.
4. Certification of Taxes dated July 17, 2023
5. Property Owner List (200-foot).
6. Plot Plan, prepared by MCH Engineering, Inc., dated May 18, 2023, consisting of one (1) sheet.
7. Survey of property, prepared by Lakeland Surveying, dated October 17, 2022, consisting of two (2) sheets.
8. Architectural Plans, prepared by Jason Piest Architect, LLC, dated February 16, 2023, consisting of two (2) sheets.

#### **A. Project Description**

The subject property, also known as 33 Myrtle Avenue, is located within the Single-Family Residential Development (R-5) Zoning District. The existing lot is an interior lot with road frontage along Myrtle Avenue and is surrounded by residential lots.

The applicant is seeking approval to construct a new elevated two and a half (2 ½) story, 3-bedroom, single family dwelling with associated elevated decks, walkways, driveway, and garage on the existing lot. The property is located in the “AE” Flood Zone, with a flood elevation of 11 feet.

#### **B. Bulk Requirements**

In accordance with Section 22-5.5 of the Ordinance existing/proposed bulk deficiencies are noted as follows:



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	DESCRIPTION	REQUIRED	EXISTING	PROPOSED
1	Minimum Lot Area	5,000 SF	2,500 <sup>(E)</sup>	2,500 SF <sup>(V)</sup>
2	Minimum Lot Frontage	50'	25' <sup>(E)</sup>	25' <sup>(V)</sup>
3	Minimum Front Yard Setback*	25'	3' <sup>(E)</sup>	14.2' <sup>(V)</sup>
4	Minimum Side Yard Setback	7.5'	2.5' <sup>(E)</sup>	1.5' <sup>(V)</sup>
5	Minimum Side Yard Setback - Total	15'	8.5' <sup>(E)</sup>	4.5' <sup>(V)</sup>
6	Minimum Read Yard Setback*	25'	41.0'	21.6' <sup>(V)</sup>
7	Minimum Lot Circle	35' or 42'	10' <sup>(E)(C)</sup>	10' <sup>(V)(C)</sup>
8	Min. Gross Residential Ground Floor Area	600 SF	591 SF <sup>(E)</sup>	694 SF <sup>(C)</sup>
9	Maximum Lot Coverage – Principal Bldg.	25%	24%	28% <sup>(V)</sup>
10	Maximum Lot Coverage –All	50%	24%	43%
11	Maximum Building Height	2 ½ Stories (35')	1 Story (15.6')	2 ½ Stories (34')
12	Minimum Improved Off-Street Parking**	2	0 <sup>(E)</sup>	1 <sup>*(W)</sup>

- (E) – Existing Nonconformity
- (C) – Calculated
- (W) – Waiver
- (V) – Variance
- NA – Not Applicable
- NS – Not Specified, the applicant shall confirm this dimension

\*Section 22-9.3 of the Ordinance requires a total of two (2) Off-Street Parking Spaces for the subject development. Section 22-9.3.a.5 states “ A one-car garage and driveway combination shall count as 2 off-street parking spaces, provided the driveway measures a minimum of thirty (30’) feet in length between the face of the garage door and the sidewalk or thirty five (35’) to the curblin. Two-car garage and driveway combination shall count as 4.0 off-street parking spaces, provided the minimum width of the driveway is twenty (20’) feet and its minimum length is as specified above for a one-car garage.”

1. The applicant is proposing a one-car garage with a twenty-five (25’) foot long driveway. Therefore, a driveway waiver will be required.

**C. Variances Required**

In order to approve this application, the Board would have to grant variances for the bulk conditions and pre-existing non-conformities noted in the chart above, as well as variances per the below Sections of the Ordinance regarding construction of non-compliant structures, as listed below:

1. **Section 22-5.2.c** – “No building or structure shall hereafter be erected and no existing building or structure shall be moved, altered, added to or enlarged, nor shall any land or building or portion of a building or structure to be used, designed, or arranged to be used for any purpose unless in conformity with all of the regulations herein specified for the district in which it is located.” **The applicant proposes to construct a new 2 ½ story single-family dwelling.**
2. **Section 22-7.3.c** – “No nonconforming use may be expanded.” **The applicant proposes to construct a new 2 ½ story single-family dwelling.**



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3. **Section 22-7.3.e** – *"Restoration of a nonconforming building or structure – any nonconforming structure that has been more than partially destroyed must be rebuilt in conformity with the current zoning regulations."* **The applicant proposes to construct a new 2 ½ story single-family dwelling.**

#### D. General Comments

1. It should be noted that this property is located within the "AE" flood zone with a Base Flood Elevation (BFE) of 11 feet. The applicant notes a proposed finished floor elevation of 14.3' feet. This shall be confirmed. Additionally, it is recommended that the applicant provide an Elevation Certificate for the subject property.

We defer further review to the Flood Plain Administrator and Construction Official for any applicable building requirements accordingly.

2. The project site is located in the Coastal Area Facilities Review Act (CAFRA) Zone. The applicant shall comply with any applicable NJDEP requirements. We defer further review to NJDEP.
3. The Building Department should review the architectural plans for ADA compliance.
4. The applicant shall provide testimony regarding the suitability of existing utility connections and/or additional utility connections or improvements necessitated by the subject application. All proposed utility improvements shall be shown on the plans including proper trench restoration.

Based on current NJDEP lead service line (LSL) regulations, the applicant shall install a new water service connection to the new dwelling.

5. The applicant shall confirm if there will be any adverse drainage impacts to the adjacent properties as a result of the proposed improvements.
6. The applicant shall provide testimony regarding the location of the proposed electric meter. JCPL requires the meter to be located at or above the BFE 11'.
7. The following construction details shall be provided and comply with the standards of the Borough Ordinance:
  - a. Driveway
  - b. Depressed curb
  - c. Utility connections
  - d. Utility trench repair
8. A note shall be added to the plans indicating that all improvements are to be ADA compliant, where applicable.



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9. The applicant should be aware that construction of habitable space below the base flood elevation could subject this space to inundation by floodwaters. This construction could also have an impact on the applicant's future flood insurance premiums. The applicant should clarify any/all uses of ground floor area.
10. If approved the applicant will be required to post all performance guarantees and inspection escrow as stipulated in the Development Regulations.

We reserve the opportunity to further review and comment on this application and all pertinent documentation, pursuant to testimony presented at the public hearing. If you have any questions or require additional information, please call.

Very truly yours,

T & M ASSOCIATES

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ROBERT F. YURO, P.E., C.M.E.  
BOROUGH OF KEANSBURG  
PLANNING BOARD OF ADJUSTMENT ENGINEER

RFY:HNS

cc: Kevin Kennedy, Esq., Board Attorney (kennedylaw(@verizon.net)  
Ed Striedl, Zoning Officer, (ed.striedl(@keansburg-nj.us)  
David A. Wellington, Applicant  
Mathew C. Hockenbury, Applicant's Engineer  
Jason Peist, Applicant's Architect