



YOUR GOALS. OUR MISSION.

KNPB-R1660

January 7, 2025  
*Via Email*

MacKenzie Bittle, Planning Board Secretary  
Borough of Keansburg  
29 Church Street  
Keansburg, NJ 07734

**Re: 1 Carr Urban Renewal, LLC  
Amended Preliminary and Final Major Site Plan  
1 Carr Avenue (Carr Avenue Corridor Redevelopment Area)  
Block 10, Lots 3 – 7  
First Engineering Review for Amended Site Plan (45 to 48 units)**

Dear Board Members:

As requested, our office has reviewed the above referenced application for preliminary and final major site plan approval. The applicant submitted the following documents in support of this application:

1. Submission Letter & Project Narrative prepared by Meryl A. G. Gonchar of Sills, Cummis & Gross dated November 18, 2024.
2. Site Plan Application Package, unsigned, undated and unnotarized.
3. Amended Preliminary and Final Major Site Plan prepared by Joseph Mele, P.E., P.L.S., of MidAtlantic Engineering Partners, LLC, dated February 4, 2022, last revised October 25, 2024, consisting of eleven (11) sheets.
4. Architectural Floor Plans & Elevations prepared by Barton Partners Urban Design & Architecture, dated October 25, 2024, consisting of ten (10) sheets.
5. 200-Foot Property Owners List, prepared by Gerald Briscione, C.T.A., of the Borough of Keansburg, dated October 21, 2024.
6. Certification of Taxes, prepared by Thomas P. Cusick, C.T.C., of the Borough of Keansburg, dated November 18, 2024.

**A. Project Description**

The 20,000 square foot (0.46 acre) tract consists of multiple lots and is currently vacant. The site is located within the Carr Avenue Corridor Redevelopment Area, with frontage along Carr Avenue to the east, Beachway Avenue to the north and Bay Avenue to the south. The applicant was previously granted preliminary and final major site plan approval to demolish the existing structures on the property and construct a five-story mixed-use building consisting of 45 residential units on floors 2 thru 5 and 5,231 square feet of commercial/retail space on the ground-floor, along with associated site improvements, including on-site parking, off-site parking at 288 Beachway Avenue Parking Lot, landscaping, lighting and utilities. As part of the previous approval the applicant has demolished all structures and has started the excavation for the building's footings and foundation.



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The Applicant now seeks amended preliminary and final major site plan approval to modify the building to add 3 additional residential units to increase the total residential unit count from 45 units to 48 units. The 3 additional units will be achieved by modifying the previously approved 4th floor “loft” units into two levels of “flats” on the 4th and 5th floors. The applicant also proposes to raise the first floor, garage, and storefront window elevations by approximately 12 inches to mitigate any impacts from potential occasional localized / low-level flooding. Internal steps and ramps at each retail door and the main lobby entry have been incorporated into the design to ensure ADA accessibility. Lastly, the applicant proposes to relocate the main resident amenity / fitness space from the 4<sup>th</sup> floor to the 2<sup>nd</sup> floor with a two-bedroom unit in its place. It appears the combination of on-site, off-street, and off-site parking spaces remain unchanged.

**B. Consistency with the Master Plan, Zone Plan and Redevelopment Plan**

1. The Redevelopment Plan for the subject property was adopted on July 21, 2021. The proposed development is consistent with the goals and objectives of the Redevelopment Plan.
2. The 2015 Master Plan Reexamination Report: The planning policy related to revitalization of the Borough’s commercial corridors was revised to reference Carr Avenue and Beachway Avenue, as follows: “The Borough should work toward improving and enhancing the visual appearance of commercial corridors in the Borough (Main Street, Church Street, Carr Avenue, Beachway Avenue, and Route 36) by establishing standards to guide development. Additionally, municipal actions to stimulate revitalization through streetscape improvements and incentives for private sector participation should be emphasized.” The Redevelopment Plan was developed in accordance with this recommendation of the 2015 Master Plan Reexamination Report.

**C. Bulk Requirements**

1. In accordance with the Redevelopment Plan existing/proposed bulk deficiencies are noted as follows:

	<b>STANDARD</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>APPROVED SITE PLAN</b>	<b>AMENDED SITE PLAN</b>
1	Minimum Lot Area	15,000 SF	20,000 SF	20,000 SF	20,000 SF
2	Minimum Lot Width	NA	200’	200’	200’
3	Minimum Lot Depth	NA	100’	100’	100’
4	Minimum Front Yard Setback from Property Line <sup>1</sup> – Along Carr Avenue	5’	9.8’	8.1’	7.9’
5	Minimum Front Yard Setback from Property Line <sup>1</sup> – Streets Intersecting Carr Avenue and Raritan Avenue	3’	9.8’	5’	3.1’
6	Maximum Front Yard Setback from Property Line <sup>1</sup> – Along Carr Avenue	10’	10.1’	11.1’ <sup>(v)</sup>	<b>10.8’<sup>(v)</sup></b>



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7	Maximum Front Yard Setback from Property Line <sup>1</sup> – <i>Streets Intersecting Carr Avenue and Raritan Avenue</i>	10'	100.8'	6'	5.8'
8	Minimum Front Yard Setback from Curb Line – <i>Along Carr Avenue</i>	15'	17.6'	16.1'	21.9'
9	Minimum Front Yard Setback from Curb Line – <i>Streets Intersecting Carr Avenue and Raritan Avenue</i>	7'	14.3'	9.5'	7.9'
10	Maximum Front Yard Setback from Curb Line – <i>Along Carr Avenue</i>	20'	18.2'	19.3'	<b>24.8'</b> <sup>(V)</sup>
11	Maximum Front Yard Setback from Curb Line – <i>Streets Intersecting Carr Avenue and Raritan Avenue</i>	15'	106.2'	10.7'	11.1'
12	Minimum Rear Yard Setback – <i>for one third of Building Façade</i>	5'	0' <sup>(E)</sup>	10.9'	10.7'
13	Minimum Rear Yard Setback – <i>for Remainder of First Floor</i>	10'	NA	12.9'	10.7'
14	Minimum Side Yard Setback from Property Line <sup>1</sup> – <i>Carr Avenue Lots</i>	0'	NA	NA	NA
15	Minimum Side Yard Setback from Property Line <sup>1</sup> – <i>Streets Intersecting Carr Avenue and Raritan Avenue</i>	5'	NA	NA	NA
16	Maximum Side Yard Setback from Property Line <sup>1</sup> – <i>Carr Avenue Lots</i>	10'	NA	NA	NA
17	Maximum Side Yard Setback from Property Line <sup>1</sup> – <i>Streets Intersecting Carr Avenue and Raritan Avenue</i>	10'	NA	NA	NA
18	Maximum Number of Stories	5 Stories	2 Stories	5 Stories	5 Stories
19	Maximum Building Height <sup>2</sup>	68'	27'	68'	68'
20	Maximum Impervious Coverage	95%	100% <sup>(E)</sup>	94.9%	94.9%
21	Minimum Open Space <sup>3</sup>	10%	18.7%	12.8%	12.8%
22	Maximum Number of Residential Units – <i>Total for Redevelopment Area</i>	430 Units	0 Units	45 Units	48 Units
23	Number of On-Site Parking Spaces	58 Spaces	0 Spaces	<b>28 Spaces*</b> <sup>(V)</sup>	<b>28 Spaces*</b> <sup>(V)</sup>
24	Minimum Number of Electric Vehicle Spaces	9 Spaces	0 Spaces	<b>6 Spaces</b>	10 Spaces
25	Number of On-Site Bicycle Parking Spaces	19 Spaces	NA	19 Spaces	20 Spaces

1 – Setback is measured from building façade and any front, side, or rear lot line, measured perpendicular to such lot lines at the point where the building is closest to such lot lines. Balconies are permitted to encroach minimum setback by 5 feet per the approved Redevelopment Plan.



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2 – Building height is measured from the average grade to the peak of pitched or vaulted roof, or the parapet of a flat roof.

3 – The minimum open space requirement can be satisfied in the form of public or private gathering spaces, courtyards, roof-top gardens, accessible and functional balconies, as well as landscaped areas at street level.

(E) – Existing Nonconformity

(V) – Variance

(NA) – Not Applicable

\*An additional 7 parking spaces are proposed off-site within Carr Avenue, and another 19 parking spaces are proposed off-site at the 288 Beachway Avenue Parking Lot, yielding a total of 54 parking spaces proposed.

2. The applicant requires various bulk “C” variances based on Section C.1 Development Table above. To be entitled to “c” variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A. 40: 55D-70c for the bulk variances:
  - a. Positive Criteria. The applicant must prove either a hardship in developing the site in conformance to the zone standards due to exceptional narrowness, shallowness, or shape of the property; or due to exceptional topographic conditions or physical features uniquely affecting the property; or due to an extraordinary and exceptional situation affecting the property or its lawful existing structures. Alternatively, the applicant may satisfy the positive criteria by demonstrating that the variance relief will promote a public purpose as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D-2) and thereby provide improved community planning that benefits the public and the benefits of the variance substantially outweigh any detriment.
  - b. Negative Criteria. The applicant must also show that the bulk variances can be granted without substantial detriment to the public good or substantially impairing the intent and purpose of the zone plan. This requires consideration of the impact of the proposed variances on surrounding properties and a determination as to whether or not the variance would cause such damage to the character of the neighborhood or community as to constitute a substantial detriment to the public good.

If the applicant’s attorney or professionals have any questions or issues regarding the variances and design exception listed above, we recommend that they contact the Board’s attorney and professionals prior to the public hearing on this matter so any such questions and issues can be addressed or resolved before the Planning Board reviews this application.



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#### D. VariANCES Required

In order to approve this application, the Board would have to grant variances for the bulk conditions 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 14-6.2.b** – *“For non-residential construction, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor elevated to or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one (1) foot OR be floodproofed so that below the base flood level plus one foot, or advisory base flood elevation plus one foot, (whichever is more restrictive) the structure is watertight with walls substantially impermeable to the passage of water”* The applicant proposes to construct a new building below the BFE without clearly identifying proposed flood proofing measures. The applicant shall provide testimony confirming what, if any, flood proofing measures are proposed for the mixed-use building.

In addition, the following variances were previously approved as part of the Resolution Granting Preliminary and Final Major Site Plan Approval and Bulk Variance/Waiver/Exception Approval dated May 9, 2022:

1. **R.D.A Section 5.4.3** – The applicant was previously granted a variance for no proposed street tree plantings along Bay Avenue and Beachway Avenue, whereas street trees with a minimum 3-inch caliper and planted no more than 30 feet on center are required along the front façade of any building.
2. **Section 22-7.25a(1)** – *“Walls and fences which are open fences as defined in this Chapter located in a front yard or within 25 feet of a roadway or within 50 feet of any river, lagoon, or other body of water shall not exceed 48 inches in height.”* The applicant was previously approved to construct a wall with a height of 8 feet to prevent pedestrians from cutting through the space between the proposed building and the existing adjoining building.
3. **Section 22.7.5** – *“Unless more stringent regulations are provided by other provisions of this Chapter, at the intersection of two or more streets, no hedge, fence, screening strip or wall higher than 30 inches above curb level, nor any obstruction to vision, other than a post not exceeding one foot in diameter, shall be permitted on any lot within the triangular area formed by two intersection street lines bounding said lot, or the projection of such lines, and by a line connecting a point, on each line located 25 feet from the intersection of the street lines.”* The application was previously permitted a sight triangle of less than the required 25 feet at the intersection of Carr Avenue and Beachway Avenue, as well as Bay and Carr Avenues.



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**E. Site Requirements & Layout**

1. The tract in question is approximately 20,000 square feet (0.46 acres) in size consisting of multiple lots and is vacant. The applicant was previously granted preliminary and final major site plan approval to demolish the existing structures on the property and construct a five-story mixed-use building consisting of 45 residential units and 6,021 square feet of ground-floor retail space. The Applicant now seeks amended preliminary and final major site plan approval to modify the building to add 3 additional residential units to increase the total residential unit count from 45 units to 48 units and 5,231 square feet of ground-floor retail space. The applicant shall provide an overview of the amended site plan relative to the previously approved site plan.
2. The site circulation includes one (1) driveway entrance allowing ingress and egress with two-way circulation through the parking area.
3. For the mixed-use building use, Section 5.5.1 of the Redevelopment Plan requires one (1) off-street parking spaces per residential unit and one (1) off-street parking space per 500 square feet of retail space. The following is a summary of the required off-street parking spaces\*.

Residential Units:	1 space per unit @ 48 units	48 spaces
Retail:	1 space per 500 sf @ 5,231 sf	<u>10.46 spaces</u>

Total Required Spaces: 59 spaces

*Total Required Spaces post 10% Reduction: 54 spaces*

\*Pursuant to N.J.A.C. 40:55D-66.20, a reduction to the required off-street parking spaces by at most 10% may be made, provided that at least 15% of the required off-street parking spaces be electric vehicle spaces.

In order to be eligible for the maximum 10% reduction in required off-street parking spaces, the applicant requires 15% of the 59 off-street parking spaces required be electric vehicle spaces. **Therefore, nine (9) electric vehicle ready off-street parking spaces are required, whereas nine (9) spaces have been provided.** The plans comply at this time.

**A total of 54 off-street parking spaces are required,** whereas 28 off-street parking spaces are proposed. The applicant proposes an additional seven (7) on-street parking spaces along Carr Avenue, and 19 off-site parking spaces at the 288 Beachway Avenue Parking Lot, **yielding a total of 54 parking spaces.** The plans comply at this time.

The applicant shall provide testimony on the anticipated parking demand and adequacy of the proposed number of parking spaces. Specifically, the following shall be noted, and the applicant shall provide testimony on such:



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- a. Metered parking exists along Carr Avenue, no overnight parking is permitted along Carr Avenue, and No Parking signs exist along Beachway Avenue. The applicant shall confirm whether the off-street parking along Carr Avenue will be metered or reserved.
4. For the mixed-use building use, Section 5.5.2 of the Redevelopment Plan requires 0.35 bicycle spaces per residential unit, and 0.2 bicycle spaces per 500 square feet of retail space. The following is a summary of the required off-street bicycle spaces:

Residential Units:	0.35 space per unit @ 48 units	16.8 spaces
Retail:	0.20 space per 500 sf @ 5,231 sf	<u>2.1 spaces</u>

Total Required Spaces: 19 spaces

A total of **19 bicycle spaces are required**, whereas **20 bicycle spaces are proposed**. The plans comply at this time.

5. Table 208.2 of the 2010 ADA standards indicates that two (2) ADA accessible parking spaces are to be provided when there are between 26 and 50 parking spaces, whereas two (2) ADA accessible parking spaces are provided.
6. The Redevelopment Plan's residential parking requirement requires that one (1) space per unit be provided on-site. If this is not attainable than the applicant is permitted to utilize off-site parking to satisfy this requirement.

There are currently four (4) development applications within the Redevelopment Area that have been submitted to the Planning Board of Adjustment. These applications propose a total of 138 residential units, thereby requiring **138 on-site parking** spaces. **Two hundred thirteen (213) on-site/off-site** parking spaces are proposed including the forty-nine (49) space parking lot located at 288 Beachway Avenue.

**The applicant shall provide testimony confirming that the Redevelopment Plan's residential parking requirements of one (1) space per unit is on track to be met between all applications.**

7. Section 22-9.3.C.3 of the Ordinance requires access aisles be a minimum of 24 feet wide, whereas 22 feet is proposed. The applicant has requested a design waiver. We have no objection to the granting of a design waiver.
8. The plans shall be revised to indicate the height of the freestanding wall at the northwest corner of the proposed building. A detail of same must be provided on the plans.
9. The applicant shall provide testimony on truck loading areas required as part of the proposed improvements. All loading areas shall be clearly indicated on the plans.



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10. The applicant shall provide testimony on whether the on-site parking spaces will be assigned to the tenants of the mixed-use building, and whether residential parking spaces will be assigned to specific apartments. Should the parking be restricted to residents only we recommend signage be posted at the parking area entry ways to deter thru traffic of non-residents.
11. We recommend the entire width of Beachway Avenue from the western property line through the Carr Avenue intersection be milled and paved to meet the improvements associated with the Board Application for 2 Carr Avenue.

**F. Traffic Impact**

1. The applicant has not provided a traffic impact report. Though this is an existing site, the property has been vacant for an extended period of time and does not currently see any daily traffic. The applicant's engineer shall provide testimony on the proposed traffic to be generated, circulation around the site, and whether any additional signage or pavement markings are necessary.
2. The applicant shall provide testimony on traffic impacts associated with the increased on-street parking anticipated for this development.
3. The applicant shall provide testimony as to the frequency and type of trucks that will access the entire site including those providing deliveries and garbage collection.
4. The applicant shall provide testimony on the trash and recyclables to be generated with the proposed use, along with the process, times, and frequency of refuse pickup and location of any dumpsters.
5. We defer to the Borough Fire Official for review of the application with respect to emergency vehicle access and maneuvering, as well as, traffic lane markings.

**G. Stormwater Management**

1. The proposed area of disturbance will not disturb an area exceeding 1 acre, nor will it create more than a quarter acre of new impervious surfaces. Therefore, the project is not considered a "major development" as defined by NJAC. 7:8, and is not subject to the NJDEP Stormwater Management requirements. Additionally, the following shall be noted:
  - a. The subject property is located within the Metropolitan Planning Area (P1) under the State Plan Policy Map and, therefore, the groundwater recharge requirements are not applicable in accordance with N.J.A.C. 7:8-5.4(b)2.
  - b. The development does not propose to increase the impervious coverage by a quarter acre and therefore is not required to meet runoff quality requirements per N.J.A.C. 7:8-5.5.





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- c. The subject property is located within a tidal flood hazard area and is ultimately discharged directly into the Sandy Hook Bay; therefore, the stormwater quantity requirements are not applicable in accordance with N.J.A.C. 7:8-5.6(b)4.
2. The applicant has graded the property to generally follow the existing drainage patterns, drain towards the existing roadways, and will construct minimal drainage infrastructure as part of this application. The applicant shall provide testimony on whether there will be any adverse drainage impacts to the adjacent properties as a result of the proposed improvements.
3. The applicant shall confirm the discharge and tie-in locations of all roof leaders drain to the storm piping system. All roof leader locations and/or downspout discharge locations shall be shown on the plans.
4. The plans shall be revised to indicate Inlet CB-2 as a Doghouse Type Inlet. A detail of same shall also be provided on the plans.
5. The applicant shall confirm that the existing drainage network within Bay Avenue and Carr Avenue has adequate capacity for the stormwater runoff generated by the 25-year storm event inclusive of all proposed development at this time within Blocks 10 and 11. Any necessary upgrades to the drainage infrastructure shall be coordinated with the Borough Engineer.

#### **H. Utilities**

1. 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, specifically within Carr Avenue and Beachway Avenue.
2. The applicant proposes to tie into the existing sanitary sewer line within Carr Avenue via a saddle connection. These lines shall be televised, and inspection reports shall be provided, to confirm that the existing piping and structures are clean and in sufficient condition.
3. The applicant shall provide testimony on the proposed fire service water line size, location, and any fire hydrant connections and locations. We defer to the Borough Fire Official for review.
4. The applicant's engineer shall provide a calculation of the projected sanitary sewer flow for the site. A Treatment Works Approval (TWA Permit) will be required if the projected flow is greater than 8,000 gallons per day. The applicant shall also be aware that a sanitary sewer connection fee must be paid prior to issuance of a Certificate of Occupancy for any building.
5. Water and Sanitary Sewer Demand for the proposed mixed-use building shall be determined in accordance with N.J.A.C. 7:10-12.6 and N.J.A.C. 7:14A-23 respectively. The applicant shall



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provide testimony on the capacity of the available utilities. In addition, the applicant shall submit an engineer's report indicating available sanitary sewer capacity for the existing line in Carr Avenue.

6. Based on discussions with the water department and the proposed redevelopment along Carr Avenue, the applicant shall replace the existing eight (8") inch water main within Carr Avenue between Beachway Avenue and Bay Avenue. The applicant shall also provide water demand calculations to determine if the existing eight (8") inch water main shall be increased to a ten (10") inch water main.

#### **I. Landscaping and Lighting**

1. The applicant shall provide testimony and colored renderings of the overall Carr Avenue Streetscape that was endorsed by the Borough Council, so the board understands the final streetscape and Redevelopment vision.
2. Section 5.4.3 of the Redevelopment Plan requires that street trees have a minimum 3-inch caliper and planted no more than 30 feet on center along the front façade of any building, whereas no street trees are proposed along Bay Avenue and Beachway Avenue. The plans shall be revised, or variances will be required. **We note variance relief was granted for the previously approved plan.**
3. Section 22-8.5.d.1 of the Ordinance requires street trees on both sides of all streets, whereas no street trees are proposed along Bay Avenue and Beachway Avenue. The plans shall be revised, or a design waiver will be required. **We note design waiver relief was granted for the previously approved plan.**
4. All outdoor lighting during non-operating hours of the business on site, not necessary for safety and security purposes, shall be reduced, activated by motion-sensor devices, or turned off. The applicant shall provide testimony on the proposed lights and hours of operation. It is recommended they be placed on a timer.

#### **J. General Comments**

1. It should be noted that this property is located within the "Coastal AE" flood zone with a Base Flood Elevation (BFE) of 11 feet. The plans indicate the first residential floor at elevation 18.75 feet and the retail floor elevation at 4.75 feet. Additionally, it is recommended that the applicant obtain a new Elevation Certificate for the subject property.

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



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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 applicant shall provide testimony on any proposed signage. All signage shall be indicated on the plans and comply with Section 5.4.4 of the Redevelopment Plan.
4. The site currently consists of numerous individual lots. The applicant shall provide testimony on whether the lots will be consolidated into one lot.
5. The Building Department should review the architectural plans for ADA compliance.
6. The applicant is proposing an elevator within the mixed-use building. An operations and maintenance manual with local repair services information shall be provided to the building manager.
7. A note shall be added to the plans stating that any/all existing curb, sidewalk, roadway, and other objects either in poor condition or damaged by construction should be repaired and/or replaced to the satisfaction of the Borough Engineer.
8. The applicant shall provide testimony on any proposed AC or generator units and their location.
9. The applicant shall provide testimony regarding the need for a transformer for the project. If require, the location shall be shown on the plan.
10. Testimony shall be provided regarding the proposed commercial uses. The applicant shall be prepared to discuss the following:
  - a. Security and access
  - b. Hours of operation
  - c. Number of employees (total and maximum per shift)
  - d. Type of goods to be sold
11. The applicant should be aware that construction of usable 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.
12. If approved the applicant will be required to post all performance guarantees and inspection escrow as stipulated in the Development Regulations.
13. This application may be subject, but not limited, to the following outside agency approvals or letters of no jurisdiction:
  - a. Bayshore Regional Sewerage Authority



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- b. Borough Fire Official
- c. Borough Water and Sewer Department
- d. Freehold Soil Conservation District
- e. Monmouth County Planning Board
- f. New Jersey Department of Environmental Protection

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 regarding this matter, please do not hesitate to contact our office.

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:STF:LZ

cc: Kevin Kennedy, Esq., Board Attorney (kennedylaw(@verizon.net )  
Kathy Burgess, Zoning Officer (kathy.burgess(@keansburg-nj.us)  
Greg Votta, Applicant (greg@sackman.com)  
Meryl Gonchar, Applicant's attorney