

KNPB-R7020

August 4, 2026
Via Email

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

Re: Minor Subdivision & Construct Single-Family Dwelling with Bulk Variances
Mr. Kevin Budge
0 Bayview Avenue
Block 18, Lots 8 & 25
Second Engineering Review

Dear Ms. Bittle:

As requested, we have reviewed the above referenced application to subdivide the existing double-frontage lots with frontages on Seaview Avenue to the north and Bayview Avenue to the south and construct a new elevated three (3) story, 3-bedroom, single-family dwelling on the new lot fronting Bayview Avenue. The lot fronting Seaview Avenue currently contains a 1.5-story single family dwelling and it is proposed to remain. The applicant/owner, Mr. Kevin Budge, has submitted the following documents in support of this application:

1. Plan entitled "Minor Subdivision for Kevin Budge, Lots 8 & 25, Block 18, Borough of Keansburg, Monmouth County, N.J.", prepared by Ronald L. Trinidad, L.S., of R and T Land Surveying, dated May 14, 2026, unrevised and consisting of one (1) sheet.
2. **Plan entitled "Proposed New Single-Family House – Bayview Ave., Keansburg, Lot 25, Block 18", prepared by Catherine Franco, A.I.A., of Catherine Franco Architect, dated June 16, 2025, last revised July 1, 2026, consisting of two (2) sheets.**
3. Variance Plan for Kevin Budge, Block 18, Lot 25, prepared by Ronald Trinidad, P.L.S., of R and T Land Surveying, dated January 6, 2025, consisting of one (1) sheet.
4. Planning Board of Adjustment Site Plan Application dated April 10, 2026.
5. Copy of Resolution of Dismissal Without Prejudice adopted by the Keansburg Planning Board of Adjustment on February 9, 2026.

A. Project Description

The subject property is double-frontage lots located within the Residential Redevelopment (R-5A) Zoning District with frontages on Seaview Avenue to the north and Bayview Avenue to the south. Currently, the property contains a 1.5-story single family dwelling on the lot fronting Seaview Avenue and a wooden shed, a concrete pad, stockade and chain link fences along the side property lines on the lot fronting Bayview Avenue. The property is bounded by residential dwellings to the east and west and is located in the "AE" Flood Zone, with a Base Flood Elevation (BFE) of 11.0 feet.

The applicant proposes to subdivide the existing back-to-back lots, also known as Block 18, Lots 8 and 25, into two (2) new Lots 8.01 and 25.01. and construct a new elevated three (3) story, 3-bedroom, single-family dwelling is also proposed to be constructed on new Lot 25.01 fronting Bayview Avenue., while the existing 1.5-story single family dwelling on new Lot 8.01 fronting Seaview Avenue is proposed to remain.



It should be noted that last year, the Keansburg Planning Board of Adjustment officially dismissed an Application, without prejudice for this property to construct a single-family home, after it was determined that Block 18, Lot 25 may have merged under the Doctrine of Merger with the adjacent Lot 8, also owned by the Applicant, thereby requiring a formal Subdivision before any approvals could be issued.

Please note that the Applicant's Architect has provided an updated plan depicting the rear yard setback measured from the proposed rear deck resulting in a rear yard variance for the principal dwelling on Lot 25.01. Our report has been updated accordingly.

B. Bulk Requirements

In accordance with Section 22-5.6 of the Ordinance, the existing bulk requirements and proposed required dimensions and deficiencies for the proposed minor subdivision are noted as follows:

	DESCRIPTION	REQUIRED	EXISTING LOTS 8 & 25	PROPOSED LOT 8.01	PROPOSED LOT 25.01
1	Minimum Lot Area	5,000 SF	5,000 SF	2,500 SF ^(V)	2,500 SF ^(V)
2	Minimum Lot Frontage	50'	50'	25' ^(V)	25' ^(V)
3	Minimum Front Yard Setback	25'	10.1' ^(E)	10.1' ^(V)	25.0'
4	Minimum Side Yard Setback – <i>One</i>	7.5'	0.3' ^(E)	0.3' ^(V)	4.5' ^(V)
5	Minimum Side Yard Setback – <i>Two</i>	15'	4.5' ^(E)	4.5' ^(V)	9.0' ^(V)
6	Minimum Rear Yard Setback	25'	126'	26'	~~25'~~ 15' ^(V)
6	Minimum Lot Shape Diameter	42'	10' ^(E)	10' ^(V)	10' ^(V)
7	Min. Gross Residential GFA	1.5 Story - 700 SF 2 Story - 600 SF	1,168 SF N/A	1,168 SF N/A	N/A 784 SF
8	Maximum Building Coverage	25%	26% ^(E)	48% ^(V)	31.3% ^(V)
9	Maximum Lot Coverage	50%	33.7%	61.9% ^(V)	42.3%
10	Maximum Building Height	2 ½ Stories (35')	1 ½ Stories (<35')	1 ½ Stories (<35')	3 Stories ^(V) (<35')
11	Minimum Off-Street Parking*	2	0 ^(E)	0 ^(V)	2

(E) – Existing Nonconformity

(V) – Variance

NA – Not Applicable

*Exhibit 1, (Subsection 22-9.3) of the Ordinance requires a total of two (2) Off-Street Parking Spaces for each proposed 3-bedroom residential dwelling unit. Specifically, 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 curbline. 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.”*

The driveway for the proposed dwelling on new Lot 25.01 is twenty-five (25') feet long from the face of the garage door to the sidewalk and has a width of eleven (11') feet. We note the driveway can accommodate one (1) additional off-street parking space with a parking variance in addition to the two (2) spaces provided on the ground floor garage.



However. We note that no off-street parking spaces are provided for the existing dwelling on new Lot 8.01. The applicant should provide testimony to confirm how off-street parking requirements will be achieved for new Lot 8.01 in the event of unavailable on-street parking.

C. Dimensional “c” Variance Considerations

Upon hearing testimony and input from the public (if any), the Board should evaluate the positive and negative criteria set forth below to determine whether the Applicant has met its burden of proof for a “c(1)” or “c(2)” variance 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 of the Ordinance states that 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 subdivide the property into two (2) new undersized lots construct a new 3-story, single-family dwelling on the subject property which does not meet all of the bulk regulations of the R-5A Zoning District.**
2. Section 22-5-2.e of the Ordinance states that no yard or lot existing at the time of passage of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Chapter shall meet the minimum requirements established by this Chapter. **The applicant proposes to subdivide the property into two (2) new undersized lots which does not meet all of the bulk regulations of the R-5A Zoning District.**
3. Section 22-7.3.a of the Ordinance states that no nonconforming lot shall be further reduced in size. **The applicant proposes to subdivide the property into two (2) new undersized lots which does not meet the bulk regulations of the R-5A Zoning District.**
4. Positive Criteria for “c(1)” Hardship Variance

The finding of a “c(1)” hardship would address the following:

- a. *by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or*
- b. *by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or*
- c. *by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structure lawfully existing thereon, or the strict application of any regulations...would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property.*

It should be noted that the finding of the hardship must be for the specific property in question (i.e., it must be unique to the area). Note also that a hardship variance cannot be granted by a self-created hardship or personal hardship of the applicant.

5. Positive Criteria for “c(2)” flexible variance

The finding of a “c(2)” flexible variance to permit relief from zoning regulations where an alternative proposal results in improved planning would address the following:



- a. *The purposes of the MLUL would be advanced by the deviation, and*
- b. *The benefits of the deviation from the zoning ordinance requirements would substantially outweigh any detriment.*

The finding of the benefits must be for the specific property in question—it must be unique to the area. The zoning benefits resulting from permitting the deviation(s) must be for the community and not merely for the private purposes of the owner. It has been held that the zoning benefits resulting from permitting the deviation(s) are not restricted to those directly obtained from permitting the deviation(s) at issue; the benefits of permitting the deviation can be considered in light of benefits resulting from the entire development proposed. Notwithstanding the above, the Board should consider only those purposes of zoning that are actually implicated by the variance relief sought.

6. The Municipal Land Use Law (NJSA 40:55D-70) requires the applicant to satisfy *both* components of the negative criteria:
 - a. *The proposal will not create a “substantial detriment to the public good”; and*
 - b. *The proposal will not create a “substantial detriment to the zone plan and zoning ordinance.”*

D. Design Waivers

1. Section 22-8.5.b of the Ordinance requires a landscape plan to be prepared by a certified landscape architect and submitted with each subdivision or site plan application. The applicant shall provide the required landscape plan, or a design waiver shall be required. **Not addressed.**

E. Technical Engineering Review

1. The numbering of the General Notes on the Minor Subdivision is out of sequence. Revise the plan accordingly. **Not addressed.**
2. The license No. of the Surveyor under Notes #8 and the surveyor's signature block to the left of the title block are not consistent with the Surveyor's license No. shown in the title block. The plan shall be revised for consistency. **Not addressed.**
3. Provide a copy of the outbound survey by R and T Surveying referenced in Note #8. **Not addressed.**
4. A note on the subdivision indicates that it will be filed by deed or map. If it is to be filed by deed, copies of the deeds and associated metes and bounds descriptions should be submitted to our office and the Board attorney for review and approval. If the subdivision is to be filed by map, the plat must be in conformance with the Map Filing Law. **Not addressed.**
5. The applicant's surveyor is directed to correspond with the Borough Tax Assessor's office for approval/confirmation of the proposed lot numbering system shown on the Minor Subdivision to assure that there is no conflict with Assessor's tax parcel data base numbering system. A copy of the approval shall be provided to our office. **Not addressed.**
6. Classification as a minor subdivision shall expire one hundred ninety (190) days from the date of approval unless within such period a plat in conformity with such approval and the provisions of the Map Filing Law, P.L. 1960, c. 141 (N.J.S.A. 46:23-9.9 et seq.), or a deed clearly describing the minor subdivision is filed by the developer with the County Recording Officer, the Borough Engineer, and the Borough Tax Assessor. Any such plat or deed accepted



for such filing shall have been signed by the Chairman and Secretary of the Board. In reviewing the application for a minor subdivision, the Board shall be permitted to accept a plat not in conformity with the Map Filing Act, P.L. 1960, c. 141 (N.J.S.A. 46:23-9.9 et seq.), provided that, if the developer chooses to file the minor subdivision as provided herein by plat rather than deed, such plat shall conform with the provisions of said act.

7. It appears that no off-street parking spaces are provided for the existing dwelling on new Lot 8.01. The applicant should provide testimony regarding compliance with off-street parking requirements for the existing dwelling on new Lot 8.01 in the event on-street parking is not available. **Not addressed. The Applicant's Architect indicates that testimony will be provided.**
8. The rear yard setbacks shown on the Site Plan (26'-0") and the Survey (25') to the left of the Site Plan are incorrect. Same shall be measured from the proposed rear deck. It appears a variance is required. The applicant shall revise the plans accordingly. **Partially addressed. The minor subdivision plan shall also be revised to show the rear deck and the associated rear yard setback.**
9. Verify/clarify the discrepancy in the side yard setbacks shown on the Site Plan (4'-6") and the Survey (4'-0") to the left of the Site Plan. The applicant shall revise the plans for consistency. **Addressed.**
10. Verify/clarify the discrepancy in the widths of the proposed driveways shown on the Site Plan (11' wide) and the Survey (15' wide scaled) to the left of the Site Plan. The applicant shall revise the plans for consistency. **Not addressed.**
11. The applicant shall revise the plan to indicate the surface type of the proposed driveway. A construction detail shall also be provided. **Not addressed.**
12. The applicant shall revise the plan to clearly depict the limits of new curb and sidewalk. The applicant is advised that any existing curb and sidewalk along the frontages of the property in a state of disrepair shall be replaced as directed by the Borough Engineer. A note to that effect shall be added to the plan. **Not addressed.**
13. The plan shall be revised to depict the location of the associated AC unit for the new residential dwelling. In accordance with Section 22-8.4.a.6, electrical and mechanical equipment shall be screened from the public view, within and from the outside of the development, by a fence, wall or mature landscape materials, compatible with the exterior design of building within the development. **Not addressed.**
14. The architectural elevation plan shall be revised to depict the dimensions of the front building overhang and the roof projections. **Addressed.**
15. The architectural elevation plan shall be revised to measure the height of the building from the lot grade to roof peak. Currently, it is measured from the Base Flood Elevation (BFE) of 11.0 feet to the roof peak. **Addressed.**
16. The site plan shall be revised to depict the roof downspouts and the discharge locations. We recommend all gutters be pitched from back to front of the dwelling via downspouts installed at both sides of the dwelling and piped to discharge via pop-up emitters within grass areas in the front yard towards the right-of-way of Bayview Avenue. **Addressed.**



17. The proposed development 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 quantity, quality and recharge requirements of a major development.
18. The applicant shall revise the Site Plan to depict all proposed utility improvements for the single-family dwelling such as water, gas, electric, and sanitary service connections, as well as any proposed drainage improvements. **Not addressed.**
19. The applicant shall revise the Site Plan to include proposed spot elevations at the corners of the building and property corners to demonstrate surface runoff from the property will not be directed towards the adjoining properties. All surface runoff from the property shall be directed towards the right-of-way of Bayview Avenue. **Not addressed.**
20. The Site Plan shall be revised to include a roadway pavement repair detail and limits for the proposed utility service connections associated with the project. A road opening permit is required from the Construction Department. **Not addressed.**
21. The property is located within the "AE" flood zone with a Base Flood Elevation (BFE) of 11.0 feet. We note the first floor is proposed at elevation 16.0 feet which is 5.0 feet above the Base Flood Elevation (BFE) and the ground garage floor is proposed at elevation 6.0 feet which is 5.0 feet below the Base Flood Elevation (BFE) and is equipped with enclosure openings allowing for the entry and exit of floodwaters. We defer further review to the Flood Plain Administrator and Construction Official for any applicable building requirements that may be required.
22. The project site is located in the Coastal Area Facilities Review Act (CAFRA) Zone. We note the project is not located within 150 feet of the mean high water line of any tidal waters or the landward limit of a beach or dune; therefore, a CAFRA permit is not required. We defer further review to NJDEP.
23. Due to the deficient side yard setback, the proposed dwelling will be constructed in close proximity with the structures on adjoining lots. As such, a Residential Fire Sprinkler System 13D is recommended to be provided to reduce the speed of a fire from quickly spreading to the adjacent properties as indicated in the Borough of Keansburg Fire Official Letter dated October 14, 2022 and is also attached to this letter. **Addressed. A note on the revised Architectural Plan indicates that residential sprinklers will be installed and shop drawing submitted for approval.**
24. JCPL requires the meter to be located at or above the BFE 11'. The Architectural Plan and Site Plan do not indicate the proposed location of the electric meter for the proposed dwelling. The plan shall be revised accordingly. **Addressed.**
25. The applicant should be advised that lead water services are prohibited in the Borough. The proposed water service connection shall be constructed with non-lead material. A note to that effect shall be provided on the plan. **Not addressed.**
26. The applicant should be aware that construction of habitable space below the base flood elevation could subject this space to inundation by floodwaters which will have an impact on



the applicant's future flood insurance premiums. The Architectural Plan depicts the entirety of the ground floor area as garage spaces. The applicant shall confirm same during testimony.

27. The following construction details shall be provided and comply with the standards of the Borough Ordinance: **Not addressed.**

- a. Driveway detail
- b. Roadway pavement repair detail and limits showing dimensions.
- c. Concrete curb and sidewalk details

28. 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


LUCCE ZAMOR
PROJECT MANAGER


FRANCIS W. MULLAN, P.E., C.M.E.
BOROUGH OF KEANSBURG
PLANNING BOARD OF ADJUSTMENT ENGINEER

FWM:LZ

cc: Kevin Kennedy, Esq., Board Attorney, kennedylaw@verizon.net
Kathy Burgess, Zoning Officer, kathy.burgess@keansburg-nj.us
Kevin Budge, Applicant/Owner, kkbdg8063@aol.com
Catherine Franco, A.I.A., Applicant's Architect, cfarchitectcf@gmail.com
Ronald Trinidad, P.L.S., Applicant's Surveyor
Luce Zamor, Borough Engineer's Office

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