

## ORDINANCE #9-20

### ORDINANCE OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, ADOPTING THE HUDSON POINTE REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 120, LOTS 8 AND 9, AND BLOCK 130, LOTS 42, 48, 49, 50, 51 AND 52 ON THE TAX MAP OF THE BOROUGH

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (as amended, the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

**WHEREAS**, in accordance with the Redevelopment Law, on February 20, 2007 the Borough Council of the Borough (the “**Borough Council**”) adopted Resolution No. 105-07 designating the entire Borough as an area in need of rehabilitation; and

**WHEREAS**, on December 18, 2018 the Borough Council adopted Resolution No. 256-18 designating certain properties within the Borough as an area in need of redevelopment, including certain properties identified as Block 120, Lots 8 and 9 and Block 130, Lots 42, 48, 49, 50 and 51 on the tax maps of the Borough (together with Block 130, Lot 52, the “**Properties**”); and

**WHEREAS**, on June 18, 2019, the Borough Council adopted Resolution No. 205-19 which authorized the preparation of a Redevelopment Plan for the Properties; and

**WHEREAS**, on July 2, 2019, the Borough Council adopted Resolution No. 212-19 which authorized the Borough to retain Beacon Planning and Consulting Services, L.L.C. (the “**Planning Consultant**”) to prepare a redevelopment plan for the Properties; and

**WHEREAS**, the Planning Consultant prepared a proposed redevelopment plan for the Properties, entitled the *Hudson Pointe Redevelopment Plan* (the “**Draft Plan**”); and

**WHEREAS**, on June 16, 2020, the Borough Council adopted Resolution No. 186-20 which referred the Draft Plan to the Keyport Unified Planning Board (the “**Planning Board**”) pursuant to the Local Redevelopment and Housing Law for comment and to determine whether the Draft Plan was in conformance to the Borough’s Master Plan; and

**WHEREAS**, after testimony by the Planning Consultant and the Planning Board’s professionals, the Planning Board (i) found that the Draft Plan (hereinafter, the “**Redevelopment Plan**”) is consistent with the Borough’s Master Plan and (ii) recommended the adoption of the Redevelopment Plan (collectively, the “**Planning Board Findings**”); and

**WHEREAS**, on July 27, 2020, the Planning Board memorialized the Planning Board Findings and delivered same to the Mayor and Borough Council pursuant to *N.J.S.A. 40A:12A-7*; and

**WHEREAS**, upon review and in accordance with the Planning Board Findings, the Borough Council has determined to adopt the Redevelopment Plan, a copy of which is attached hereto as Exhibit A,

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and the Council of the Borough of Keyport as follows:

Section 1. The aforementioned recitals are incorporated herein as though set forth at length.

Section 2. The Redevelopment Plan as filed in the Office of the Borough Clerk, and attached hereto as Exhibit A, is hereby approved.

Section 3. The zoning map of the Borough of Keyport is hereby amended to incorporate the provisions of the Redevelopment Plan.

Section 4. In case any one or more of the provisions of this Ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance or the Redevelopment Plan, and this Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 5. This Ordinance shall take effect as provided by law.


Introduced: September 1, 2020

Public Hearing: September 15, 2020

Adopted: September 15, 2020



Michele Clark, RMC  
Borough Clerk  
Borough of Keyport



Collette J. Kennedy, Mayor  
Borough of Keyport

# Exhibit “A”



**BEACON PLANNING AND CONSULTING SERVICES, L.L.C.**

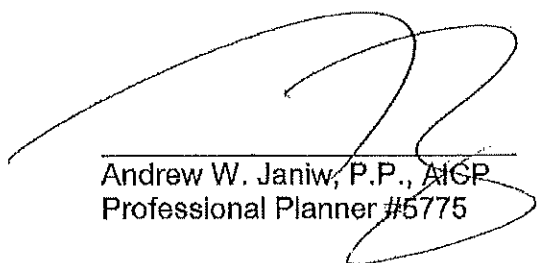
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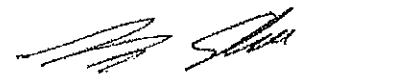
**HUDSON POINTE REDEVELOPMENT PLAN  
BOROUGH OF KEYPORT, NEW JERSEY**

Beacon File: A19186  
June 2020

The original copy of this report was signed and sealed in accordance with N.J.S.A. 45: 14A-12.



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#### **MEMBERS OF THE KEYPORT GOVERNING BODY**

Collette J. Kennedy, Mayor  
Joseph Sheridan, Council President  
Victoria Pacheco  
Matthew Goode  
Isaiah Cooper  
Dennis Fotopoulos  
Delia Sosa McDermott

#### **MEMBERS OF THE KEYPORT PLANNING BOARD**

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Matthew Goode, Councilmember Class III  
Mark Sessa, Chairman  
Roger Benedict, Vice Chairman  
Harry M. Aumack, II  
Roger Benedict  
Lori Ann Davidson  
Kenneth Howe  
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Joanne Royster, Alternate

#### **PLANNING BOARD CLERK**

Denise Nellis

#### **PLANNING BOARD PLANNER**

PETER VAN DEN KOOY  
CME ASSOCIATES

#### **PLANNING BOARD ATTORNEY**

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#### **PLANNING BOARD ENGINEER**

Trevor Taylor  
CME Associates

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APPENDIX	TITLE
1	Borough Council Resolution #105-07, dated February 20, 2007
2	Borough Council Resolution #256-18, dated December 18, 2018

## **1.0 INTRODUCTION**

### **1.1 Background**

The subject properties are located within the central northeast portion of the Borough proximate to the intersection of Maple Place and Manchester Avenue. Parcels governed by this plan consist of the following blocks and lots: Block 120, Lots 8 and 9, and Block 130, Lots 42, 48, 49, 50, 51 and 52. The Borough of Keyport was found to be, in its entirety, an "Area in Need of Rehabilitation" by the Borough Mayor and Council as memorialized by Resolution No. 105-07 adopted on February 20, 2007. Block 120, Lots 8 and 9, and Block 130, Lots 42, 48, 49, 50 and 51 were found to be an "Area in Need of Redevelopment" with condemnation by the Mayor and Borough Council as memorialized by Resolution No. 256-18 adopted December 18, 2018. Both resolutions were adopted pursuant to the requirements of New Jersey's Local Redevelopment and Housing Law (LRHL). Subsequently, the governing body directed the Planning Board to prepare a redevelopment plan for the area.

The resulting plan, which is comprised of this document, identifies the land uses that are suitable for the area. The plan is the product of an extensive review process that included an analysis of the local demographics, market conditions and project viability in conjunction with two community meetings soliciting the opinions of Keyport residents and immediate neighbors to the site. The plan sets forth area and bulk requirements to guide the redevelopment of the area in a manner which promotes the health, safety and welfare of the Keyport community. The redevelopment plan provides for a range of land uses that will encourage the redevelopment or rehabilitation of substandard properties located within this portion of the community. The resulting plan establishes a comprehensive, integrated approach to development that will result in an attractive and complementary use of the properties in the redevelopment district. The plan is designed to complement and implement the specific goals, objectives and policy statements set forth in the Borough Master Plan.



## **1.2 Statutory Basis for the Redevelopment Plan**

The Local Redevelopment and Housing Law (LRHL) sets forth the following criteria that must be addressed in a redevelopment plan:

- A. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, c.79 (C.40A:12A-5 or 40A:12A-14), as appropriate.

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- 1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- 2. Proposed land uses and building requirements in the project area.
- 3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.).
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such

replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
- 
- B. A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.
  - C. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended

shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.

- D. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.
- E. Prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan. This report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate. The governing body, when considering the adoption of a redevelopment plan or revision or amendment thereof, shall review the report of the planning board and may approve or disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following the recommendations. Failure of the planning board to transmit its report within the required 45 days shall relieve the governing body from the requirements of this subsection with regard to the pertinent proposed redevelopment

plan or revision or amendment thereof. Nothing in this subsection shall diminish the applicability of the provisions of subsection d. of this section with respect to any redevelopment plan or revision or amendment thereof.

- F. The governing body of a municipality may direct the planning board to prepare a redevelopment plan or an amendment or revision to a redevelopment plan for a designated redevelopment area. After completing the redevelopment plan, the planning board shall transmit the proposed plan to the governing body for its adoption. The governing body, when considering the proposed plan, may amend or revise any portion of the proposed redevelopment plan by an affirmative vote of the majority of its full authorized membership and shall record in its minutes the reasons for each amendment or revision. When a redevelopment plan or amendment to a redevelopment plan is referred to the governing body by the planning board under this subsection, the governing body shall be relieved of the referral requirements of subsection e. of this section.

### **1.3 Area Description**

The subject properties are located within the central northeast portion of the Borough proximate to the intersection of Maple Place and Manchester Avenue. Figure 1 shows the location of the redevelopment area within the Borough. For purposes of this Redevelopment Plan, Maple Place will be referenced as tracking in an east/west direction while Manchester Avenue will be referenced as tracking in a north/south direction. The study area consists of properties identified by the Borough Tax Assessor as Block 120, Lots 8 and 9, and Block 130, Lots 42, 48, 49, 50, 51 and 52. The properties are situated at the southwest corner of the Manchester Avenue and Maple Place intersection (Block 120, Lots 8 and 9), surround the eastern terminus of Maple Place (Block 130, Lots 48, 49,

50, 51 and 52) and front along 7<sup>th</sup> Street (Block 130, Lot 42). A total of 8 lots with an approximate area of 125,000 sq.ft. (inclusive of the two-family property at Block 130, Lot 42) make up the Subject Properties. Figure 2 shows the location of the redevelopment district. Figure 3 shows the existing zoning of the subject properties and the zoning surrounding the subject properties.

While the subject properties lie within a residential portion of the Borough of Keyport, New Jersey, existing improvements are not consistent with this neighborhood character. The subject parcels are improved with a variety of land uses, including: former industrial buildings (Block 130, Lots 48, 49, 50 and 51); paved, vacant lots (Block 120, Lots 8 and 9); a two-family home (Block 130, Lot 52); and a former access drive to the industrial uses (Block 130, Lot 42). The access drive was situated between two single-family homes.

The surrounding area exhibits a mature, residential development pattern primarily consisting of single-family homes with examples of multi-family noted in the surrounding area. Along the northern portion of the Subject Properties is the Henry Hudson trail.

The majority of the Subject Properties represent an industrial intrusion into a residential neighborhood of the community.

#### **1.4 Utility and Infrastructure**

Municipal water, sanitary sewer, storm water provisions, natural gas, electricity, and voice and data transmission facilities either serve or are available to serve the Subject Properties. Any and all redevelopment efforts must consider the capacity of these services to accommodate any and all proposed development at the Subject Properties.

- **Water:** The Borough of Keyport provides municipal water services to the entire Borough for domestic purposes and with water pressure for firefighting purposes.

- **Sanitary Sewerage:** The Borough maintains and operates a sewerage collection system serving the community.
- **Electricity:** Electrical power is provided to the Subject Properties by Jersey Central Power and Light.
- **Natural Gas.** New Jersey Natural Gas provides natural gas service to the Borough and the Subject Properties.
- **Voice and Data Transmission:** Optimum and Verizon services are available within the Borough.

### **1.5 Environmental Conditions**

Any and all redevelopment efforts must consider the environmental status of the Hudson Pointe Redevelopment Area. Potential environmental liabilities present within the Redevelopment Area must be identified and all planning and redevelopment/rehabilitation pursued pursuant to all applicable laws, statutes and pertinent rules.

### **1.6 Urban Enterprise Zone Status**

The parcels are not located within an Urban Enterprise Zone.

## 2.0 DESCRIPTION OF SITE AND FINDING OF NEED FOR REDEVELOPMENT AND REHABILITATION

Resolution No. 105-07: Resolution of the Mayor and Council of the Borough of Keyport Designating the Borough of Keyport as an "Area in Need of Rehabilitation," was adopted by the Borough Council on February 20, 2007. The resolution referenced a T&M Associates report dated December 1, 2006 that found: "A. At least half of the housing stock in the subject area is at least 50 years old, and B. At least half of the water and sewer infrastructure in the Borough is at least 50 years old and is in need of repair and maintenance."

All of the designated properties have been found to be an "Area in Need of Rehabilitation".

"Resolution #256-18 of the Borough of Keyport, in the County of Monmouth, New Jersey Designating Certain Properties within the Borough as a Condemnation Area in Need of Redevelopment Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 Et. Seq." was adopted on December 18, 2018. The findings of the Planning Board's preliminary investigation are summarized in a report entitled "Report Concerning the Determination of the Keyport Scattered Site Study Area as an Area in Need of Redevelopment, and more specifically, as a Condemnation Redevelopment Area" prepared by CME Associates and dated October 5, 2018 with revisions through December 3, 2018.

The following designated properties were incorporated into this resolution and are considered within this Redevelopment Plan:

Block	Lot	Statutory Criteria
130	42	C, H
	48	A, B, H
	49	A, B, H



	50	C, H
	51	C, H
120	8	C, H
	9	C, H

BPCS notes that, while Block 130, Lot 52 was not found to be an "Area in Need of Redevelopment," it was determined to be within an "Area in Need of Rehabilitation."

The designated properties are qualified under Criterion A, B, C, and H, the latter of which speaks to a land mass identified as an area where Smart Growth Planning Principles would apply. The following statutory criteria were cited together with a description of the condition evident as justification for inclusion of the property or properties for redevelopment:

**Criterion A:** The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

**Criterion B:** The discontinuance of the use of buildings previously used for commercial, manufacturing or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.

**Criterion C:** Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

**Criterion H:** The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

The preliminary investigations and subsequent Planning Board recommendations represented the first step of an extensive planning process. In turn, the governing body elected to proceed with the recommendation of the Planning Board, pursuant to Borough Resolutions #256-18 and #105-07. Subsequently, Beacon Planning was directed to prepare a redevelopment plan for the subject area. The statute governing this process allows a redevelopment plan to encompass the redevelopment and/or rehabilitation of some or all of the properties within the delineated area. The analysis highlighted the fact that the properties within the study areas are not utilized in a manner that allows the achievement of their full development potential, and thus does not enable them to contribute to the public health, safety, and general welfare of the community.

### **3.0 REDEVELOPMENT AREA REGULATIONS**

#### **3.1 Approach**

The planning approach outlined in this redevelopment plan is to create an enhanced opportunity for an infill, residential family district that advances the goals of Resolution #105-07 designating the Borough as a whole as an "Area In Need of Rehabilitation." A discussion of these goal is presented under section 5.1 Keyport Master Plan section of this Plan. The intent is to permit a variety of housing opportunities, including single-family, duplex, and multi-family building, along with associated amenities and on/off site improvements.

#### **3.2 Plan Interpretation**

Unless otherwise specified herein, the standards contained within the Hudson Pointe Redevelopment Plan shall regulate the land use, bulk requirements, sign regulations and design standards for the designated properties, and shall apply to any redevelopment or rehabilitation project designed to implement the Plan, whether by a Redeveloper or by private property owners. Where regulations of the Redevelopment Plan conflict with the Land Development Ordinance or Design Standards of the Borough, this Plan shall control. A new zoning district to accommodate the intended permitted land uses will be established and known as the Hudson Pointe Redevelopment District. This zoning district is not an overlay zone, but replaces the current zoning designation for the designated properties. Final adoption of this Redevelopment Plan by the Borough Council shall be considered an amendment to the Borough of Keyport Land Development Ordinance and Zoning Map. Unless otherwise defined herein, terms used in this plan shall have the same meaning ascribed to them in the Borough's Land Development Ordinance.

The continued use of existing properties made non-conforming by adoption of this Plan is permitted until the property is to be redevelopment or substantially rehabilitated. Thereafter, the provisions of this Plan shall apply. In the case

where a particular land use or site standard is not specifically addressed in this redevelopment plan, compliance with the Borough of Keyport's Zoning Ordinance and/or other applicable Borough codes or ordinances shall be required.

The flexibility of land uses within the overall zone district is essential to achieve the best design possible to integrate the Hudson Pointe Redevelopment Area with neighboring properties and to create a sustainable residential district. The local land development regulatory process will be administered by the Keyport Planning Board to ensure that the goals and objectives of the Redevelopment Plan are met.

### **3.3 Purpose and Intent**

It is the intent of this Redevelopment Plan to achieve the following goals and objectives for the Borough of Keyport:

- A. To redevelop underutilized, substandard buildings and properties into fully productive uses in a manner that is compatible with the character in the immediately surrounding area;
- B. To eliminate vacant, deteriorated and obsolete buildings and structures that affect the feasibility of amenable neighborhood physical change by advancing residential development (single-family, duplex, and multi-family);
- C. To provide for the improvement of the functional and physical layout of the redevelopment area for contemplated new and infill development, and the removal of impediments to land disposition;
- D. To provided land in parcels of sufficient size and configuration so as to permit comprehensive, economically sound redevelopment of the area;
- E. To serve as the guiding document for the Borough Council and Planning

Board for the designated properties;

- F. To create land use and building requirements specific to the designated properties that will promote the development of a variety of housing opportunities, including single family, duplex, two-family and multi-family housing.
- G. To foster the development of residential uses that will advance the revitalization of the designated properties by providing for an increase in the Borough's economic base;
- H. To promote the utilization of high-quality design standards in the construction of buildings and improvements;
- I. To identify and remediate potential brownfields issues relative to historical automotive and industrial uses and activities within the designated properties;
- J. To stimulate an appropriate level of development that provides public benefits to the Borough and does not overwhelm the Borough's infrastructure.

### **3.4 Design Concept**

A redevelopment concept plan has been prepared which forms the basis of the future development and redevelopment of the Hudson Pointe Redevelopment Plan. The Concept Plan is intended to provide general guidelines for the future redevelopment of the Subject Properties, focusing on: the integration of the buildings and uses with the surrounding neighborhood; the provision of adequate parking; parking design and vehicle circulation; pedestrian improvements and circulation; and future building scale and placement. The Concept Plan is meant to be representative in nature and not a fixed site plan. The plan should not limit or inhibit creativity, aesthetics or the fostering of alternate design concepts. Minor adjustments or revisions may be permissible

within the overall vision for the redevelopment of the tract as set forth in the Redevelopment Plan. (see Figure: 6)

### **3.5 Permitted Uses**

Due to specific attributes of sites within the Hudson Pointe Redevelopment District, six Sub-Districts are delineated within the plan area (see Figure: 4). For orientation purposes, Manchester Avenue will be referenced as tracking in a north/south direction while Maple Place will be referenced as tracking in an east/west direction. The portion of Block 130, Lot 50 along the Henry Hudson Trail will act as the northern perimeter of the District.

- Sub-District A: Multi-Family Sub-District: Block 130, Lots 51 and 52 and a portion of Lot 50 west of Block 130, Lot 52's northeast corner. For purposes of this Plan, the eastern lot line of Lot 52 will act as a divider of Lots 50 and 51 by extending north to the Henry Hudson Trail. Those portions of Lots 50 and 51 east of this line will be in the Multi-Family Sub-District while those portions west will be within Clubhouse Sub-District.
- Sub-District B: Duplex Sub-District: Block 130, Lots 48 and 49, and a portion of Lot 42. For purposes of this plan, the northern lot line of Block 130, Lot 43 will act as a divider of Lot 42 by extending east to through the site. The northern portion of Lot 42 will be within the Duplex Sub-District while the southern area will be within the Two-Family Sub-District.
- Sub-District C: Single-Family Sub-District: Block 120, Lots 8 and 9
- Sub-District D: Two-Family Sub-District: Block 130, a portion of Lot 42. For purposes of this plan, the northern lot line of Block 130, Lot 43 will act as a divider of Lot 42 by extending east to through the site. The northern portion of Lot 42 will be within the Duplex Sub-District while the southern area will be within the Two-Family Sub-District.
- Sub-District E: Clubhouse Sub-District: Block 130, a portion of Lot 50

northwest of Block 130, Lot 52's northeast corner

- Sub-District F: Maple Place Right-of-Way: This encompasses the portion of the Maple Place east of Manchester Avenue including the intersection with Manchester Avenue.

**A. Permitted principal uses in Multi-Family Sub-District.**

The Redevelopment Plan seeks to permit higher density residential development within the northeast portion of the overall area in order to provide an expanded range of residential uses within the community and to encourage redevelopment of this portion of the Subject Properties. Table 1 lists the permitted uses for this area.

**Table 1**  
**Permitted Principal Uses on**  
**Block 130, Lots 51 and 52 and a portion of Lot 50**  
**Multi-Family Sub-District**

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1. Multi-Family Buildings\*

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\* Defined per Keyport ordinances as: "a structure or building occupied or intended for occupancy as separate dwelling units for three (3) or more families with direct access from the outside or through a common hall and further provided with separate cooking, sleeping and bathroom facilities for the exclusive use of the occupants of each unit."

1. Permitted accessory uses. Permitted accessory uses in the Multi-Family Sub-District of the Redevelopment Plan may include off-street parking, fences and walls, exterior trash storage enclosures, signage, dog washing stations, electric vehicle charging stations, gazebos, and public open space and related elements which are commonly ancillary to principal permitted uses. Sheds and similar accessory structures are not permitted.
2. Driveways exclusively serving duplex units situated in Block 130, Lots 48, 49 and a portion of Lot 42 shall be permitted on Block 130, Lot 51.
3. Specific use standards. The following standards shall apply to applicable uses permitted in the Multi-Family Sub-District:

- a. A maximum of two multi-family buildings are permitted.
- b. Each multifamily building can contain no more than 24 residential units and both buildings combined shall not contain more than an aggregate of 48 total residential units.
- c. The unit mix for the 48 total dwelling units shall be as follows: no fewer than four (4) one-bedroom units and no more than forty-four (44) two-bedroom units. Three-bedroom units are not permitted.
- d. Each apartment will be provided a 5' x 5' x 8' storage space within the same building as the apartment.
- e. A secure package receiving and storage system shall be provided for the 48 apartments.
- f. Each apartment shall provide laundry facilities for the resident within the apartment. There shall be no common laundry facility.
- g. Controlled and secure access for the residential use shall be provided.
- h. Dwelling units shall contain a complete kitchen, toilet and bathing facilities, and not more than two bedrooms. Only one- and two- bedroom unit configurations are permitted.
- i. One-bedroom dwelling units shall have a floor area of at least 725 square feet and two-bedroom apartments shall have a floor area of at least 825 square feet.
- j. Off-street parking for multifamily dwelling units shall be provided in accordance with the New Jersey Site Improvements Standards (N.J.A.C. 5:21, as amended).



- k. The following accessory uses shall be permitted within a multi-family dwelling structure for the use of its residents: package storage, mail room, recreation rooms, personal storage lockers, and other similar accessory uses which are for the common benefit of all residents of the multi-family dwelling; and a leasing office, building manager or superintendent's office, including space for the storage of maintenance equipment may be provided within a principal multi-family building for the purpose of serving such building or community.

#### 4. Bulk Standards

**Table 2**  
**Multi-Family Sub-District**  
**Bulk Regulations**

**Applicable to: Block 130, Lots 51 and 52 and a portion of Lot 50**

<b>Zoning Standard</b>	<b>Multi-Family Requirement</b>
Minimum northern yard setback (feet) (Hudson Trail Side)	12'
Minimum eastern yard setback (feet)	25'
Minimum western yard setback (feet)	55
Minimum southern yard setback (feet)	100'
Minimum building separation (feet)	55'
Maximum building height (feet/stories) (Measured to parapet peak)	45'4

#### **B. Permitted principal uses in Duplex Sub-District.**

The Redevelopment Plan seeks to provide a transition from the higher density Multi-Family Sub-District to the surrounding residential single-family development pattern through the use of duplex homes. Table 3 lists the permitted uses for this area.

**Table 3**  
**Permitted Principal Uses on**  
**Block 130, Lots 48 and 49, and a portion of Lot 42**  
**Duplex Sub-District**

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1. Duplex Dwellings.\*

\*Duplex Dwellings shall be defined as "multi-family home that has two units in one building. Units shall be side-by-side. Duplex buildings will also have two separate entrances for each unit and at least one enclosed garage parking space for each unit. This means each tenant has their own entrance and garage."

1. Permitted accessory uses. Permitted accessory uses in the Duplex Sub-District may include off-street parking, attached residential garages, fences, gazebos, patios and rear elevated decks off the first floor (patios and decks shall not exceed 200 square feet in area and may only be situated along the rear elevation of the structure), upper story balconies not exceeding 5' in depth (upper story balconies shall be limited to the front and rear elevations of the structure), and related elements which are commonly ancillary to principal permitted uses. Sheds or similar accessory structures are not permitted.
2. Specific use standards. The following standards shall apply to applicable uses permitted in the Duplex Sub-District:
  - a. Duplex dwellings shall be oriented toward Manchester Avenue or interior circulation drives. Duplex units shall not be oriented toward Maple Place.
  - b. The area in front of the main entrance to the unit shall be considered the front yard. All other setbacks to interior roadways, including Maple Place, and parcel boundaries shall be considered side or rear yards.
  - c. The second and third floors of the structure may cantilever over the first floor.
  - d. Each unit shall contain no more than three bedrooms.

- e. Parking for at least two vehicles must be provided on site along the front elevation of each unit. This should include at least one enclosed garage space and one space in the driveway.

### 3. Bulk Standards

**Table 4**  
**Duplex Sub-District**  
**Bulk Regulations**  
**Applicable to: Block 130, Lots 48 and 49, and a portion of Lot 42**

Zoning Standard	Duplex Requirement
Minimum front yard setback (feet)*	20'
Minimum front yard setback (feet) to cantilevered upper floors	14'
Minimum side yard setback (feet)	4'
Minimum side yard setback (feet) (adjoining single family lots)	5'
Minimum side yard distance between duplex buildings (feet)	10'
Minimum rear yard distance between duplex buildings (feet)**	50
Minimum rear yard setback to property line (feet)	50'
Maximum building height (feet/stories) (to peak of roof)	38'/3

\*Setback measured to the first floor of the structure or to the projection of a covered stoop or stair and specifically excludes uncovered stoops or stairs accessing the home. Setback to uncovered stairs and stoops shall be 15'.

\*\*Excluding rear yard decks. Decks must be separated a minimum 35'.

### C. Permitted principal uses in Single-Family Sub-District.

The Redevelopment Plan seeks to retain the single-family development pattern of this block and provide appropriate transition from the duplex units.

Table 5 lists the permitted uses for this area.

**Table 5**  
**Permitted Principal Uses on**  
**Block 120, Lots 8 and 9**  
**Single-Family Sub-District**

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1. Single-Family Detached Dwellings.\*

\*Defined as per Keyport Ordinances: "A structure or building occupied or intended for occupancy as separate living quarters exclusively for one family or one household with direct access from the outside and further provided with separate cooking, sleeping, and bathroom facilities for the exclusive use of the occupancy of the unit."

1. Permitted accessory uses. Permitted accessory uses in the Single-Family Sub-District may include off-street parking, attached or detached residential garages, fences, patios not exceeding 300 sq.ft. in area, elevated decks off of the first floor not exceeding 300, sq.ft. in area, upper story balconies not exceeding 5' in depth, and related elements which are commonly ancillary to principal permitted uses. Sheds, inground or above ground pools and sports courts are not permitted.
2. Unless addressed in #1 above or in Table 6, the accessory use regulations set forth in Section 25:1-26 of the Borough Land Development Ordinance shall apply to accessory uses in the Single-Family Sub-District.
3. Specific use standards. The following standards shall apply to applicable uses permitted in the Single-Family Development Sub-District
  - a. Single-family dwellings shall be oriented with their front facades facing Manchester Avenue.
  - b. Frontage along Maple Place shall be considered a secondary front yard.
  - c. If subdivided from the remainder of the development and offered for sale without a completed dwelling, the Single-Family units will be subject to the Borough's RA zoning district standards.

#### 4. Bulk Standards

**Table 6**  
**Single-Family Sub-District**  
**Bulk Regulations\***  
**Applicable to: Block 120, Lots 8 and 9**

<b>Zoning Standard</b>	<b>Single Family Requirement</b>
Minimum lot area – single-family (square feet)	5,000
Minimum lot width (feet)	50'
Minimum front yard setback (feet)	25' to Manchester Avenue 12' to Maple Place
Minimum side yard setback (feet)	6'
Minimum combined side yard setback (feet)	16'
Minimum rear yard setback (feet)**	25'
Maximum Building Coverage (percent)***	40
Maximum impervious coverage (percent)***	60
Maximum building height (feet/stories)	35'/2.5
Minimum accessory structure setback (feet)	7.5'

\*Single-family homes may be subdivided from the overall development; therefore, individual lot areas are delineated.

\*\*The rear yard shall be considered the lot line opposite the parcel's frontage on Manchester Avenue.

\*\*\*Inclusive of accessory buildings and structures.

#### **D. Permitted principal uses in the Two-Family Sub-District.**

The Redevelopment Plan seeks to provide a transition from the higher density Multi-Family and Duplex Sub-Districts to the surrounding residential single-family development pattern through the use of a single two-family dwelling. Table 4 lists the permitted use for this sub-district.

**Table 7**  
**Permitted Principal Uses on**  
**Block 130, a portion of Lot 42**  
**Two-Family Sub-District**

##### **1. Two-Family Dwellings.\***

\*Defined per Keyport ordinances as: "a structure or building occupied or intended for occupancy as a separate living quarters for (2) separate families or two (2) separate households with direct access from the outside or through a common hall and further provide with separate cooking,

sleeping and bathroom facilities for the exclusive use of the occupants of each unit."

1. Permitted accessory uses. Permitted accessory uses in the Two-Family Sub-District may include off-street parking, attached or detached residential garages, fences, patios not exceeding 300 sq.ft. in area, decks off of the first floor not exceeding 300, sq.ft. in area, upper story balconies not exceeding 5' in depth and related elements which are commonly ancillary to principal permitted uses. Sheds, inground or above ground pools and sports courts are not permitted.
2. Use Regulations. Unless addressed in #1 above or in Table 10, the accessory use regulations set forth in Section 25:1-26 of the Borough Land Development Ordinance shall apply to accessory uses in the Two-Family Sub-District.
3. Bulk Standards

**Table 8**  
**Two-Family Sub-District**  
**Bulk Regulations\***  
**Applicable to: Block 130, a portion of Lot 42**

<b>Zoning Standard</b>	<b>Two-Family Requirement</b>
Minimum lot area -- two-family (square feet)	4,500
Minimum lot width (feet)	50'
Minimum front yard setback (feet)**	25'
Minimum side yard setback (feet)	5'
Minimum combined side yard setback (feet)	10'
Minimum rear yard setback (feet)	25'
Maximum building coverage (percent)	50
Maximum impervious coverage (percent)	65
Maximum building height (feet/stories)	35'/2.5
Minimum accessory structure setback (feet)	7.5'

\*Two-family homes may be subdivided from the development; therefore, individual lot areas are delineated.

\*\* Setback measured to the first floor of the structure or to the projection of a covered stoop or stair and specifically excludes uncovered stoops or stairs accessing the home,. Setback to uncovered stairs and stoops shall be 15'.

**E. Permitted principal uses in the Clubhouse Sub-District.**

The Redevelopment Plan seeks to provide a location for common recreation space for the Multi-Family and Duplex Sub-Districts only. Table 9 lists the permitted uses for this area.

**Table 9  
Permitted Principal Uses on  
Block 130, a portion of Lot 50  
Clubhouse Sub-District**

- |                             |
|-----------------------------|
| 1. Clubhouse.*              |
| 2. Patio/Gazebo             |
| 3. Gated and Fenced Dog Run |
| 4. Enclosed Courtyard       |

\*Defined as a communal amenity that can be used for a number of activities by the residents.

1. Permitted accessory uses. Permitted accessory uses in the Clubhouse Sub-District may include off-street parking, fences, pergolas, and related elements which are commonly ancillary to principal permitted uses.
2. Specific use standards. The following standards shall apply to applicable uses permitted in the mixed-use portion of the Clubhouse Sub-District:
  - a. Active outdoor recreation space or outdoor communal cooking facilities associated with the clubhouse are not permitted (i.e. grills, swimming pools, bocci courts, etc.).
  - b. A gazebo is permitted; however, it may not be situated adjoining a neighboring residential property.

**3. Bulk Standards**

**Table 10  
Clubhouse Sub-District  
Bulk Regulations  
Applicable to: Block 130, a portion of Lot 50**

Zoning Standard	Clubhouse Requirement
Minimum setback to residential properties (feet)	8'
Minimum setback to northern property line (feet)	2'

Minimum setback from Manchester Avenue (feet)	70'
Maximum building height (feet/stories)	30'2
Minimum gross square footage of clubhouse	2,800 sq.ft.

#### **F. Right of Way Improvements Standards in the Maple Place Sub-District**

1. The Redevelopment Plan seeks to provide an enhanced entrance to the Multi-Family and Duplex Sub-Districts that will also aid in visually buffering same. Specific standards.
  - a. Maple Place shall be improved as a boulevard configuration from Manchester Avenue eastward.
  - b. Striped parallel parking spaces shall be provided along either side of Maple Place. Dimensions for the parking spaces and cartway width shall be approved by the Keyport Borough Engineer's office.
  - c. The island shall be landscaped in such a manner as to not impeded pedestrian or motorist visibility.

#### **G. Overall Site Bulk Standards**

**Table 11**  
**Overall Hudson Pointe Redevelopment District**  
**Bulk Regulations**  
**Applicable to:**

**Block 130, Lots 42, 48, 49, 50 51 and 52 and Block 120, Lots 8 and 9**

<b>Zoning Standard</b>	<b>Requirements</b>
Minimum lot area (square feet)	105,000
Maximum Density:	48 Multi-Family Units 12 Duplex Units 2 Single-Family Homes 1 Two-Family Home
Maximum impervious coverage (percent)	72
Maximum Building Coverage (percent)	28



Minimum Parking Lot Setback to Any Lot Line (feet)	6'
Unless otherwise stipulated in bulk standards for a sub-district: Minimum Accessory Structure Setback to Any Lot Line (feet)	10'

### 3.6 Supplemental Regulations

#### A. General Regulations

In the event of any conflicts between the regulations set forth herein and any other Borough of Keyport development ordinances, the Hudson Point Avenue Redevelopment Plan regulations shall apply.

#### B. Distribution of Uses

Delineation on the site plan. The amount of open space and landscaped open space shall be calculated and identified on the site plan.

#### C. Prohibited Uses

All uses not expressly permitted in the various Sub-Districts are prohibited.

#### D. Signs

Signs may be provided consistent with the provisions of the Borough's Land Development Ordinance. All monument and identification signage must be identified at site plan application.

#### E. Non-Applicable Sections

The following sections of the Borough's Land Development Ordinance shall not apply within the Hudson Pointe Redevelopment Plan:

25:1 – 14.5: Limitation on number of principal dwelling

structures and accessory structures per lot.

F. Stormwater Management

Stormwater management facilities located in and serving development at the Subject Properties shall meet all applicable requirements established pursuant to any and all local and state regulations.

G. Street, Curbs and Sidewalks

Proposed right-of-way improvements shall meet the requirements set forth in the Borough's Land Development Ordinance and shall be consistent with the streetscape design and standards presently being implemented in other areas of the Borough.

H. Fencing

1. A 6' high opaque fence of durable materials shall be provided along adjoining property lines of all adjacent residentially zoned residential properties.

I. Parking

1. Parking for residential uses shall comply with the New Jersey Residential Site Improvement Standards.
2. Parking Lots
  - i. Grade level parking lots shall be permitted in the Multi-Family, Clubhouse and Duplex Development Sub-Districts.
  - ii. Grade level parking lots shall be a minimum of 6 feet from any property line.
  - iii. No parking lot parking spaces shall be located closer than 5 feet from a residential building. Parking provided in

driveways adjacent to single-family, two-family and duplex homes are exempt from this standard.

- iv. Each driveway leading to a garage shall be at least 20' in length measured between the garage door and the curb or between the garage door and a sidewalk, whichever distance is less, and 8' in width for a single car drive and 16' in width for a two-car drive.

J. Buffer Requirements

A landscaping buffer shall be provided between the site and all adjacent or adjoining residentially zoned properties. The buffer shall be reviewed and approved by the Borough engineer and the redevelopment planner.

K. Deviation Requests

The Planning Board may grant deviations from the bulk standards contained in this redevelopment plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting structures or physical conditions uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design standard or regulation adopted pursuant to the Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the development of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict application of the bulk standards of this Plan, and the benefits of the deviation would substantially outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair

the intent and purpose of the Hudson Pointe Redevelopment Plan. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide notice of such application in accordance with the requirements of N.J.S.A. 40:55D-12a-b.

Deviations from the uses permitted in the Redevelopment Sub-Districts shall be permitted only by means of an amendment to the Redevelopment Plan by the Borough Council, and only upon a finding that such deviation would be consistent with and in furtherance of the goals and objectives of this Plan.

### **3.7 Design Standards**

Fundamental to the redevelopment of the Subject Properties is the creation of a residential district that is cognizant of and responds to the needs of the surrounding residential neighborhoods. Visual and functional transition elements are essential. Off-street parking, clearly defined access from Maple Place, Manchester Avenue and Seventh Street, an architectural style that attractively integrates potential residential land uses, quality building materials, and an enticing streetscape are all key requirements of the Redevelopment Plan.

#### **Purpose**

- To set forth guidelines and standards that promote the creation of functional and attractive development that shall promote and give due consideration to the health, safety, general welfare, morals, order, efficiency, economy, maintenance of property values and character of the Borough of Keyport.
- To ensure that any development shall comply with the stated goals and objectives of the Hudson Pointe Redevelopment Plan.

- To provide guidelines and standards that shall be used by an applicant in preparing a redevelopment proposal, and the designated redevelopment entity in reviewing same.
- To minimize adverse impacts of flooding, drainage, erosion, vehicular traffic, pedestrian movement, parking, vibration, lighting and glare, noise, odor, solid waste disposal, litter, ventilation, vibration, crime and vandalism and inappropriate design and development.
- To ensure that any new development gives due consideration to the physical, visual and spatial characteristics of the existing and proposed streetscape, neighborhood and district in which such is located and the Borough generally, while providing sufficient opportunity for creativity in design.
- To ensure that the physical, visual and spatial characteristics of any proposed development will be consistent with and complement existing residential and commercial land uses in adjacent neighborhoods. The proposed development shall not be so markedly incongruous with the same characteristics of the existing or proposed streetscape, neighborhood and district in which such is located, and the Borough generally, so as to materially detract from the real property value of adjacent or nearby properties.

#### Site Standards

- *Building location.* Buildings shall be located to front towards and relate to a either public streets or interior circulation drives, both functionally and visually. Spatial relationships between buildings shall be geometrically logical and architecturally formal. All buildings shall be located in a manner that allows adequate safe access for fire and emergency vehicles.
- *Pedestrian Circulation.* A barrier-free walkway system shall be provided to

allow pedestrian access to each building from the Borough's sidewalk system. Such walkway system shall promote pedestrian activity both within the site itself and throughout the community by its integration with the Borough's sidewalk system. Walkways shall be separated from motor vehicle circulation to the greatest extent possible.

- *Lampposts.* The height, spacing, style, size, color and type of light source of such lamp posts shall be in accordance with generally accepted Borough streetscape standards or its functional and aesthetic equivalent. Lighting levels from such fixtures shall be in accordance with Borough standards.
- *Sidewalk type and streetscape details.* Sidewalks and all other streetscape improvements along adjacent public streets shall be completed in accordance with the Borough's design standards.
- *Private Open Space.* Private open space, designated for any residential uses, that is adjacent to or visible from public areas shall be demarcated with walls and/or fencing.

#### Architectural Design Standards

- *Massing.* New buildings shall be designed to be compatible with the scale, form, and proportion of adjacent existing development and adjacent redevelopment initiatives. Building wall offsets or exterior material variations shall be provided along any building wall measuring greater than 75 feet in length in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long wall. The total measurement of such offsets shall equal a minimum of 5 percent of the building wall length.
- *Continuity of treatment.* All sides of a building shall be architecturally designed so as to be compatible with regard to style, materials, colors and details.

- *Roof.* The type, shape, pitch, texture and color of a roof shall be considered as an integral part of the design of a building and shall be architecturally compatible with the style, materials, colors and details of such building.
- *Windows.* Fenestration shall be architecturally compatible with the style, materials, colors and details of a building.
- *Entrances.* All entrances to a building shall be defined and articulated by utilizing such elements as lintels, pediments, pilasters, columns, porticoes, overhangs, canopies, railings, balustrades and other such elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of such building.
- *Physical plant.* All air-conditioning units, HVAC systems, exhaust pipes or stacks and elevator housing for multi-family structures shall be shielded from view for a minimum distance of 500 feet from the site. Such shielding shall be accomplished by utilizing the walls or roof of the building or a penthouse-type screening device that shall be designed to be architecturally compatible with the style, materials, colors and details of such building. Any HVAC or device penetrations (such as PTAC sleeves and grills) or vents located along any façade shall be shielded from view with decorative metal grills. The design of the grills shall be presented to the Planning Board for approval at the time the redevelopment application is presented for review. Single-family homes, two-family homes, and duplex units may not locate any components of the HVAC system in the front or side yards.
- *Materials, colors, and details.* All materials, colors and details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with each other. A building designed of an architectural style that normally includes certain integral materials, colors and/or details shall have such incorporated into the design of such buildings. Brick veneer, thin-brick, EIFS and vinyl siding shall be prohibited on any multi-family building and along any street or parking area frontage of duplex, single-family

buildings, two-family buildings or the clubhouse. Architecturally interesting combinations of quality materials, such as brick, stone, metal panels, concrete board and glass, are encouraged.

- *Lighting.* Light fixtures attached to the exterior of a building shall be designed to be architecturally compatible with the style, materials, colors and details of such building and other lighting fixtures used on the site. Consideration shall also be given to the type of light source utilized and the light quality such sources produce. The type of light source used on buildings, signs, parking areas, pedestrian walkways and other areas of a site shall be the same or compatible.
- *Multiple buildings.* A development plan that contains more than one building or structure shall be unified through the use of architecturally compatible styles, materials, colors, details, awnings, signage, lighting fixtures and other design elements for all such buildings or structures.
- *Prohibited materials.* The use of bare aluminum or other bare metal materials or exposed non-decorative concrete block as exterior building materials shall be prohibited. Brick veneer, thin-brick, EIFS and vinyl siding shall be prohibited along any street front. The use of shapes, colors, and other characteristics that create a jarring disharmony shall be avoided.

#### Landscaping Design Guidelines

- *Landscaping.* The entire development shall be landscaped in accordance with a plan conceived as a complete pattern and style throughout the total site. All areas of the site not occupied by buildings and other improvements shall be planted with trees, shrubs, hedges, ground cover and perennials and annuals. Landscaping shall be provided to achieve the following:
  - Preservation and enhancement, to the greatest extent possible, of existing natural features on the site, including vegetation and land forms;



- Assistance in adapting a site to its proposed development;
- Mitigation and control of environmental and community impacts from a development;
- Creation of an attractive appearance for the development, as viewed from both within the site itself and the surrounding area;
- Definition of yard areas and other open space;
- Energy conservation and micro-climatic control;
- *Other site design elements.* The development plan shall incorporate landscaping with other functional and ornamental site design elements, where appropriate, such as the following:
  - Courtyards, plazas, alleys and similar public and semi-public open spaces;
  - Ground paving materials;
  - Paths and walkways;
  - Fences, walls and other screens;
  - Street and site furniture;
- *General standards.* The following general standards shall be used to prepare and review landscaping for any development plan.
  - Deciduous trees shall have a minimum caliper of two and one half inches at time of planting. Evergreen trees shall be a minimum of six (6) feet in height at time of planting. Low-growing evergreen shrubs shall be a minimum of two-and-one-half (2½) feet in height at time of planting. Size of other plantings shall depend on setting and type of plant material.

- Plantings shall be watered regularly and in a manner appropriate for the specific plant material throughout the first growing season. All landscaped areas shall be well maintained and kept free of all debris, rubbish, weeds, tall grass, other overgrown conditions and the storage of any equipment or materials.
  - The redeveloper shall be required to replace dead or dying plant material for a period of two years from the date of issuance of a final occupancy permit. If plant material is dead or dying during a planting season, it shall be replaced that same season. If plant material is dead or dying during a non-planting season, it shall be replaced as soon as is reasonably possible at the start of the next planting season.
- *Specific standards.* The following standards shall be used to prepare and review landscaping within the Hudson Pointe Development Districts:
  - The interior area of all parcels shall be landscaped to enhance the site's aesthetic appearance, provide visual relief from the monotonous appearance of buildings and parking areas, and to provide shading. In parking lots, landscaped areas shall be provided in protected planting islands or peninsulas within the perimeter of the parking lot and shall be placed so as not to obstruct the vision of pedestrians or motorists. Landscaping in the boulevard island shall not obstruct the vision of pedestrians or motorists.
  - Benches, trash receptacles, kiosks, bicycle racks and other street or site furniture shall be located on-tract, and shall be positioned and sized in accordance with the functional need of such. Selection of such furniture shall take into consideration issues of durability, maintenance and vandalism. All such furniture shall be architecturally compatible with the style, materials, colors and details of buildings on the site.

- Street trees shall be provided along all public streets within the Development Districts at a maximum distance of 40' on center unless constrained by site conditions. Street trees shall have at least a 2½" caliper at the time of planting.

### Exceptions

The design standards contained herein shall be used as the Borough's presumptive minimum requirements for development of the Subject Properties. However, these guidelines and standards are not intended to restrict creativity, and a potential redeveloper may request that the guidelines and standards be modified or waived. The Planning Board may grant a Redeveloper reasonable waivers or modifications from these design guidelines provided the Redeveloper demonstrates the following:

- The proposed design waiver or modification will not substantially impair the intent of the Hudson Pointe Redevelopment Plan;
- The proposed design waiver or modification is consistent with the Borough's normally acceptable engineering, planning and/or architectural practices;
- The proposed design waiver or modification will not have an adverse impact on the physical, visual or spatial characteristics of the overall development plan for the parcel or tract to be developed;
- The proposed design waiver or modification generally enhances the overall development plan for the tract;
- The proposed design waiver or modification will not have an adverse impact on the physical, visual or spatial characteristics of the existing streetscape and neighborhood in which such development is located;
- The proposed design waiver or modification generally enhances the streetscape of the Subject Properties and the surrounding neighborhood;

- The proposed design waiver or modification will not reduce the useful life or increase the cost of maintenance of the improvement to be modified or otherwise have an adverse impact on the long-term function of the development;
- The proposed design waiver or modification will not materially detract from the real property value of the development or adjacent or nearby properties;
- The proposed design waiver or modification will not present a substantial detriment to the health, safety and welfare.

#### **4.0 ACQUISITION AND RELOCATION**

##### **4.1 Properties to be acquired**

Properties may need to be acquired in order to implement the purposes of this redevelopment plan. Properties may be acquired for the following purposes:

- Redevelopment or rehabilitation of existing lots;
- Assembly of development parcels; and
- Alteration of lot lines.

While the acquisition of property is encouraged through private transaction between the owner and the redeveloper, this Redevelopment Plan authorizes the Borough to exercise its power of eminent domain in connection with the Subject Properties to acquire any and all property within the Area or to eliminate any restrictive covenants, easements or similar property interests that may obstruct or undermine the implementation of the Plan.

Only the properties identified in the following table may be acquired to enable this redevelopment plan:

Block	Lo t
130	42
130	48
130	49
130	50
130	51
120	8
120	9

Block 130, Lot 52 is specifically excluded from this list as it was not found to be an "Area in Need of Redevelopment with Condemnation".

#### **4.2 Relocation**

Implementation of the Redevelopment Plan will not result in the relocation of any residences or commercial uses within the Subject Properties.

## **5.0 RELATIONSHIP TO OTHER PLANS**

The LHRL requires a Redevelopment Plan to include a statement regarding any significant relationship that the redevelopment plan may have to contiguous municipalities, the County Master Plan, and the State Development and Redevelopment Plan. A review of the documents reveals that the proposed Redevelopment Plan is generally consistent with these various documents. In particular, it is noted that, while the Redevelopment Area is not adjacent to any adjoining municipality, the overall goals and objectives are generally consistent with the land use planning philosophies espoused in the master plans of contiguous communities.

### **5.1 Keyport Master Plan**

The 2017 Master Plan states (Pg. 13): "Keyport is a 'mature' community having limited available vacant and developable land. Most opportunities for new development in the Borough will be through redevelopment, rehabilitation, and adaptive re-use of existing buildings."

The Subject Properties are located in an area that is designated for light industrial and residential uses and proximate to residential neighborhoods. The light industrial land use category reflects the historic use of several of the subject properties. The 2017 Master Plan spoke of lessening the intensity of light industrial uses by expanded permitted uses to those with fewer impacts to neighboring residential uses so as to minimize their impact to same and to provide for adaptive reuse. It is the understanding of BPCS that these recommendations were made in light of a specific commercial use considering relocation to the community. This relocation failed to materialize and the industrial buildings at the Subject Property are currently vacant and falling into a state of disrepair.

The Master Plans speaks to preserving and protecting the residential neighborhoods of the community while supporting downtown commercial

establishments. The redevelopment plan achieves these goals by buffering the proposed higher density multi-family buildings from the surrounding single-family development pattern through the use of duplex units and single-family homes. The use of multi-family buildings diversifies the housing stock of the community and helps to bring density to support the downtown.

On February 20, 2007, Resolution No. 105-07: Resolution of the Mayor and Council of the Borough of Keyport Designating the Borough of Keyport as an "Area in Need of Rehabilitation," was adopted by the Borough Council. A Statement of Mayor and Council of the Borough of Keyport Accompanying Resolution No. 105-07 states: "A variety of housing opportunities within and near the downtown provides a critical mass of population that attracts services, businesses and jobs to the downtown." Specific goals within the Statement include:

- Improve the economic sustainability of Keyport's downtown by providing mixed-use development and infill residential development in underutilized locations proximate to the downtown to provide the critical mass needed by retailers to maintain an economically viable shopping district.
- Upgrade under-utilized and deteriorated sites and facilities in the commercial and light-industry districts utilizing residential redevelopment and mixed-use concepts. In these areas, harmony with adjacent residential areas is promoted with the intent of following the existing zone standards to the extent possible. Using professional planning principles, public input from residents of the neighborhood and surrounding community, plans are implemented. However, reasonable deviations are not be precluded.
- Enhance the residential districts of Keyport by supporting the conversion of non-conforming uses and by providing tax incentives to stimulate the rehabilitation of conforming residential uses;



- Recognizing an apparent public sentiment against high-density, multifamily residential developments (as evidenced by a 2006 non-binding referendum), preserve and protect the character of existing residential neighborhoods of the Borough by recognizing the existing residential density and building structural style, while allowing for reasonable increases in select areas to encourage the redevelopment of deteriorated, vacant or appreciable underutilized properties.

The goals, objectives and standards contained in this Redevelopment Plan are consistent with the Borough's Master Plan and the intent of the 'Area in Need of Rehabilitation' designation. The plan recommends a reasonable increase in density at an appropriate portion of the parcel in order to encourage the overall redevelopment of these deteriorated and vacant parcels.

## **5.2 Sewer and Water Service**

The redevelopment area is located within public water and sewer service areas.

## **5.3 Transportation and Public Transportation**

The Subject Properties are proximate to public transportation. Bus services is provided to South Amboy and its associated train station. The Hazlet and Aberdeen-Matawan train stations are also located within a mile of the Borough. Access to the regional highway network is readily available, including Routes 35 and 36 and the New Jersey Garden State Parkway, and connects the Subject Properties to the neighboring properties and State as a whole.

## **5.4 Relation to Master Plans of Adjacent Municipalities**

Municipalities bordering Keyport include Union Beach, Hazlet and Aberdeen in Monmouth County. The redevelopment area is not situated along the municipal boundary with any of these communities, and as such, its proposed residential

development is not anticipated to adversely impact these adjacent communities. Regional access to the Subject Properties is primarily from the New Jersey State Routes 36 and 35; therefore, the redevelopment of the area is not anticipated to have a significant adverse impact on roadways in neighboring communities.

## **5.5 Relation to Monmouth County Plan**

The 2016 Monmouth County Master Plan Goals and associated Objectives include:

- Encourage a range of housing options including types, sizes, styles and accommodations to meet the needs associated with various lifestyles, life-stages, abilities and occupations of residents while supporting economic sustainability within the region;
- Endorse the use of enhanced landscapes, streetscapes and design amenities that promote safe and secure neighborhoods as well as other attractive and appealing built environments that discourage aversion, crime and blight;
- Promote the redevelopment or reuse of environmentally degraded places such as brownfield and grayfield sites into safe, new uses and public amenities that promote healthy community design;
- Encourage municipalities to monitor the evolving housing market and consider the desirability of changing zoning to accommodate shifts in market demand;
- Support measures to improve communities in need of revitalization or restoration;
- Promote in-fill development and the adaptive reuse of substandard, underutilized, or abandoned structures that complement or improve

adjacent land uses and support or enhance neighborhood character resulting in healthier places to live, work, learn and recreate.

The proposed redevelopment of these vacant, former industrial and environmentally impacted parcels into a residential community with a variety of housing styles is not only consistent and compatible with the County Plan, but promotes the plan.

#### **5.6 Relation to State Development and Redevelopment Plan**

This Redevelopment Plan is designed to affirm the overall redevelopment concepts set forth in the State Development and Redevelopment Plan. Specifically, the State Development and Redevelopment Plan encourages development in older cities and in suburbs that have the necessary infrastructure to accommodate it, as well as in locations along existing transportation corridors. Keyport is located in a "Metropolitan Planning Area." That classification has the following characteristics: predominantly developed with little vacant land; aging infrastructure; recognize that redevelopment will be the predominant form of growth; and understands that certain municipal services and systems need to be regionalized. This Redevelopment Plan affirmatively addresses the State Plan's goal of promoting public and private investment/reinvestment in the Metropolitan Planning Areas.

In 2011, a draft State Strategic Plan was prepared as an update to the State Development and Redevelopment Plan. This update has not yet been officially adopted. Goals incorporated into the update include:

- Enhance opportunities for attraction and growth of industries of statewide and regional importance.
- Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that

region.

- Ensure that strategies for growth include preservation of our State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing the role they play in sustaining and improving the quality of life for New Jersey residents and attracting economic growth.
- The State Strategic Plan lists all areas that are located within the Metropolitan Planning Area (PA-1) of the State Development and Redevelopment Plan, as being within "priority growth investment areas" where public and private investment to support development and redevelopment should be encouraged and supported.

This redevelopment plan affirmatively addresses the goals of the draft State Strategic Plan.

## **6.0 AFFORDABLE HOUSING**

### **6.1 Inventory and Replacement of Affordable Housing**

The Subject Properties governed by this Redevelopment Plan contain no housing units previously identified as affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985, c.222 (C.52:27D-304). No deed restricted affordable units for which the Borough is eligible to receive affordable housing credits pursuant to the Fair Housing act and its implementing regulations, including Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et. Seq., will be removed as a result of implementation of this Redevelopment Plan. For that reason, the Borough is not required to plan for the provision of new or substantially rehabilitated affordable housing as a result of the implementation of this Redevelopment Plan.

Affordable housing units will not be required in conjunction with the implementation of the Redevelopment Plan.

## **7.0 ELECTRIC VEHICLE RECHARGE STATIONS**

The proposed development shall provide a total of at least two public electric recharge stations. These stalls shall be located in either the multi-family and/or duplex development Sub-Districts. The Developer may also work with the Borough to place the recharge stations along the Maple Place right-of-way east of its intersection with Manchester Avenue.

## **8.0 IMPLEMENTATION OF THE REDEVELOPMENT PLAN**

This section summarizes the implementation process for a successful redevelopment plan.

### **8.1 Phasing**

The project may be developed in phases. The phasing may include phased start and completion dates among the various land use components, as well as internal phasing schedules within sections.

### **8.2 Conditions in Redevelopment Agreement**

Any Redevelopment Agreement pertaining to the Hudson Point Redevelopment Area shall be contingent upon the following conditions, restrictions, and/or requirements.

1. The Redeveloper Agreement will incorporate the pertinent aspects of the selected developer's proposal and will address financial considerations, planning, phasing, development and such other issues as deemed appropriate and/or as required according to state law in order to implement the Redevelopment Plan.
2. The Redeveloper will be obligated to complete on-site improvements as approved, together with any specified off-site improvements, as may be required in accordance with the Redevelopment Plan.
3. Failure by the Redeveloper to adhere to any approved site plan and the associated time schedule shall constitute a condition of default under the Redevelopment Agreement.
4. The Redevelopment Entity reserves the right to terminate any Redeveloper Agreement with a Redeveloper in the event that such Redeveloper fails to perform its obligations on a timely basis or it suffers a substantial change in its financial conditions which in the sole,

reasonable judgment of the Redevelopment Entity is determined as being materially adverse.

5. The Redeveloper shall not be permitted to dispose of property until all required improvements are completed, unless the prior written consent of the Redevelopment Entity have been obtained; it being understood that such consent will not be granted under conditions that would promote speculation and fail to protect the interests of the Borough of Keyport.
6. The consent of the Redevelopment Entity shall be required prior to the disposition of all or any of the Redeveloper's interest in the Redevelopment Area. Such consent shall be effective upon the completion by the Redeveloper of all on and off-site improvements as may have been approved and required.
7. The Redevelopment Entity reserves the right to terminate any Redeveloper Agreement with any Redeveloper in which the ownership interests have changed by more than 20 percent in aggregate during the term of a Redeveloper Agreement unless such changes have been first approved by the Redevelopment Entity.
8. No covenant, agreement, lease, conveyance, or other instrument shall be effective or executed by the Redevelopment Entity or by purchasers or lessees from them, or by any successors in interest of such purchasers or lessees, by which land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex, or marital status.
9. The Redeveloper shall have the obligation to maintain all aspects of the built environment of the Hudson Pointe Redevelopment Area including buildings, parking areas, landscaping, streetscaping, sidewalks, curbing and traffic calming devices (but not the paved roadway unless disturbed by the Redeveloper), trash collection & receptacles, and all such issues



identified in the Borough Property Maintenance Code.

10. The Redeveloper shall pay to the Redevelopment Entity a fee for the purpose of defraying its costs incurred in connection with this Plan and the Redeveloper's project.

### **8.3 Development Review**

No application for development or redevelopment in the area may be filed with the Planning Board until such time as the applicant has applied for and received a designation as redeveloper from the Redevelopment Entity. Preliminary and Final Site Plans, with details sufficient to comply with the Municipal Land Use Law and the Borough's Land Use Ordinance, will be submitted for Planning Board review and approval for each development parcel, pursuant to N.J.S.A. 40:55D-1 et seq.

The Planning Board may require the developer to provide a bond or bonds of sufficient size and duration of guarantee the completion of the various phases of the project in compliance with the requirements of the Municipal Land Use Law and planning approvals.

The objectives, standards and requirements contained in this Redevelopment Plan, shall regulate development within the Redevelopment Area and take precedent over the Land Development Ordinance of the Borough of Keyport. For standards not specifically addressed within this Redevelopment Plan, the Land Development Ordinance shall apply. The regulations for the zone or zones permitting the most similar types of use or uses shall be applied. These requirements may be varied by the Planning Board pursuant to N.J.S.A. 40:55D-1 et seq.

#### **8.4 Duration of Redevelopment Plan**

During the period that this Redevelopment Plan is in effect, any party acting as a redeveloper (as defined in the LRHL) must obtain the approval of the Redevelopment Entity. The Redevelopment Plan shall remain in effect for 30 years following the date of its adoption. After that period the Borough's Land Use Ordinance will regulate development within the Redevelopment Area.

#### **8.5 Amending the Redevelopment Plan**

This Redevelopment Plan may be amended from time to time in compliance with the requirements of law.

**FIGURES 1 – 6**

Proposed  
75 Manchester Ave  
Redevelopment  
District

Borough of Keyport  
New Jersey

Figure 1:

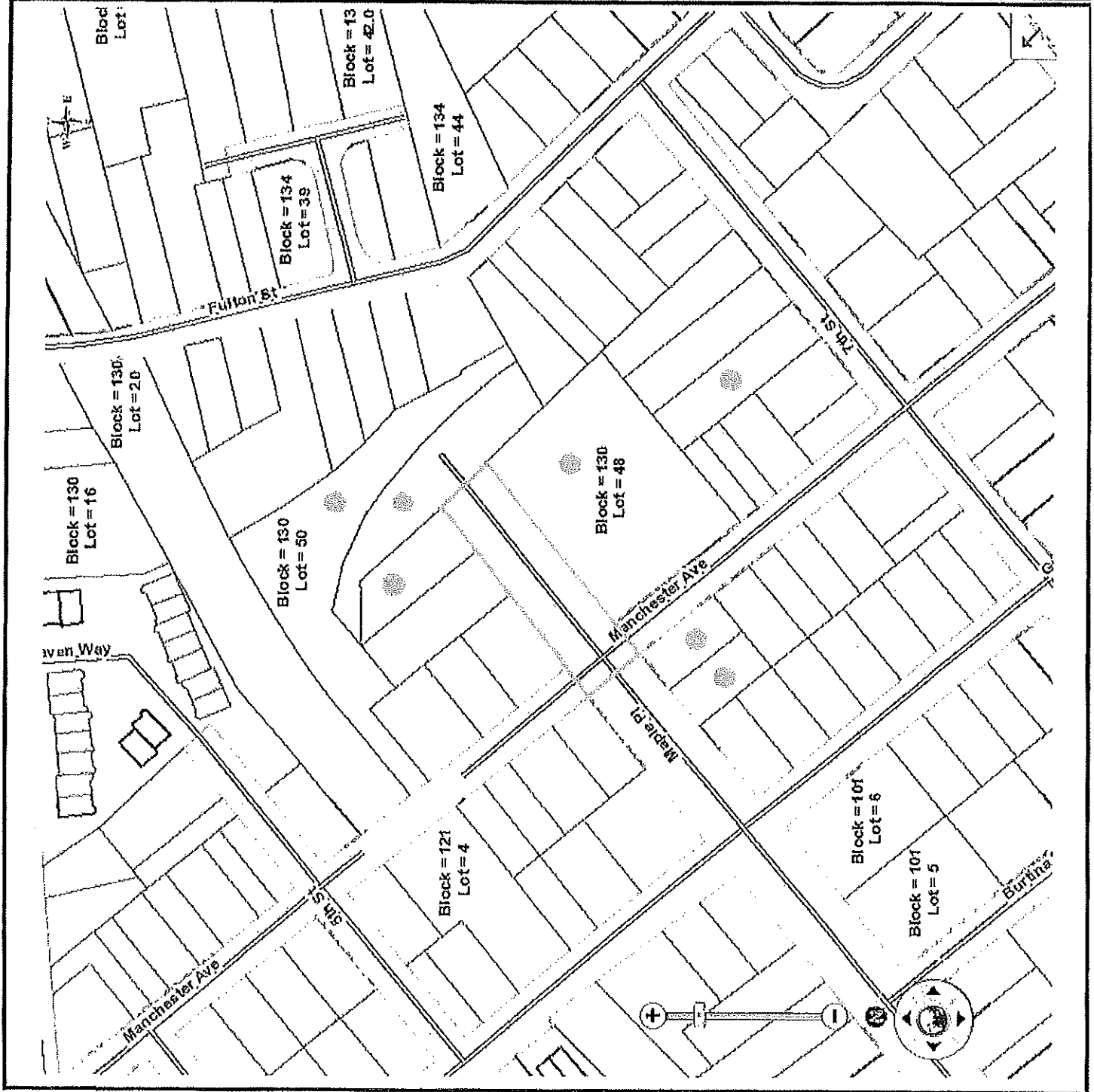
Location Map

Properties

● Subject to this  
Plan

Mapping obtained from  
NJ - GeoWeb (NJDEP)  
Aerials utilized date to 2015

Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Colts Neck, New Jersey 07722



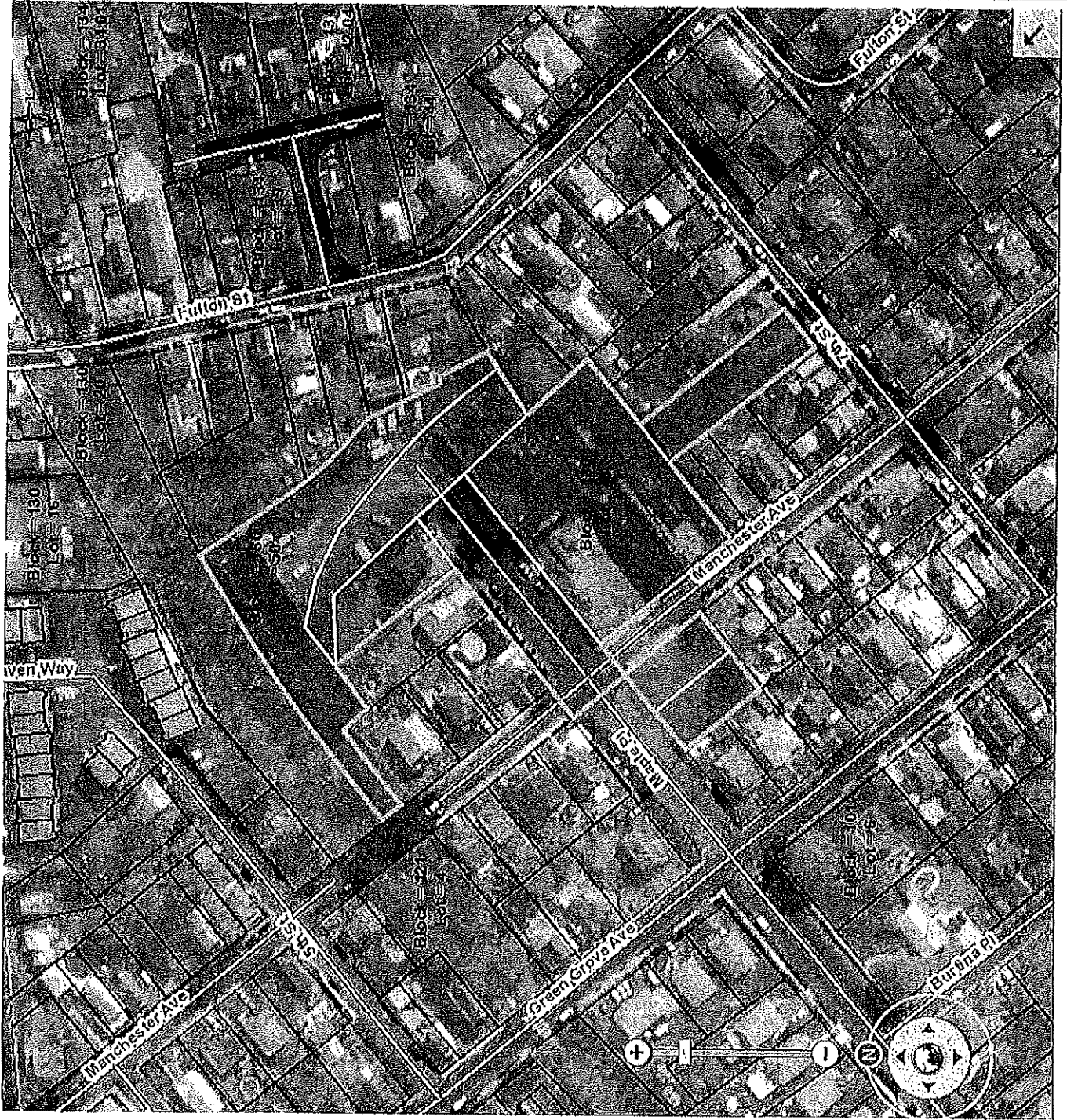
Proposed  
75 Manchester Ave  
Redevelopment  
District

Borough of Keyport  
New Jersey

Figure 2:  
Approximate  
Outbound of the  
Redevelopment  
District

Mapping obtained from  
NJ - GeoWeb (NJDEP)  
Aerials utilized date to 2015

Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Colts Neck, New Jersey 07722





**Proposed  
75 Manchester Ave  
Redevelopment  
District**

**Borough of Keyport  
New Jersey**

**Figure 3:**

**Existing Zoning  
Borough of Keyport  
Zoning Map**

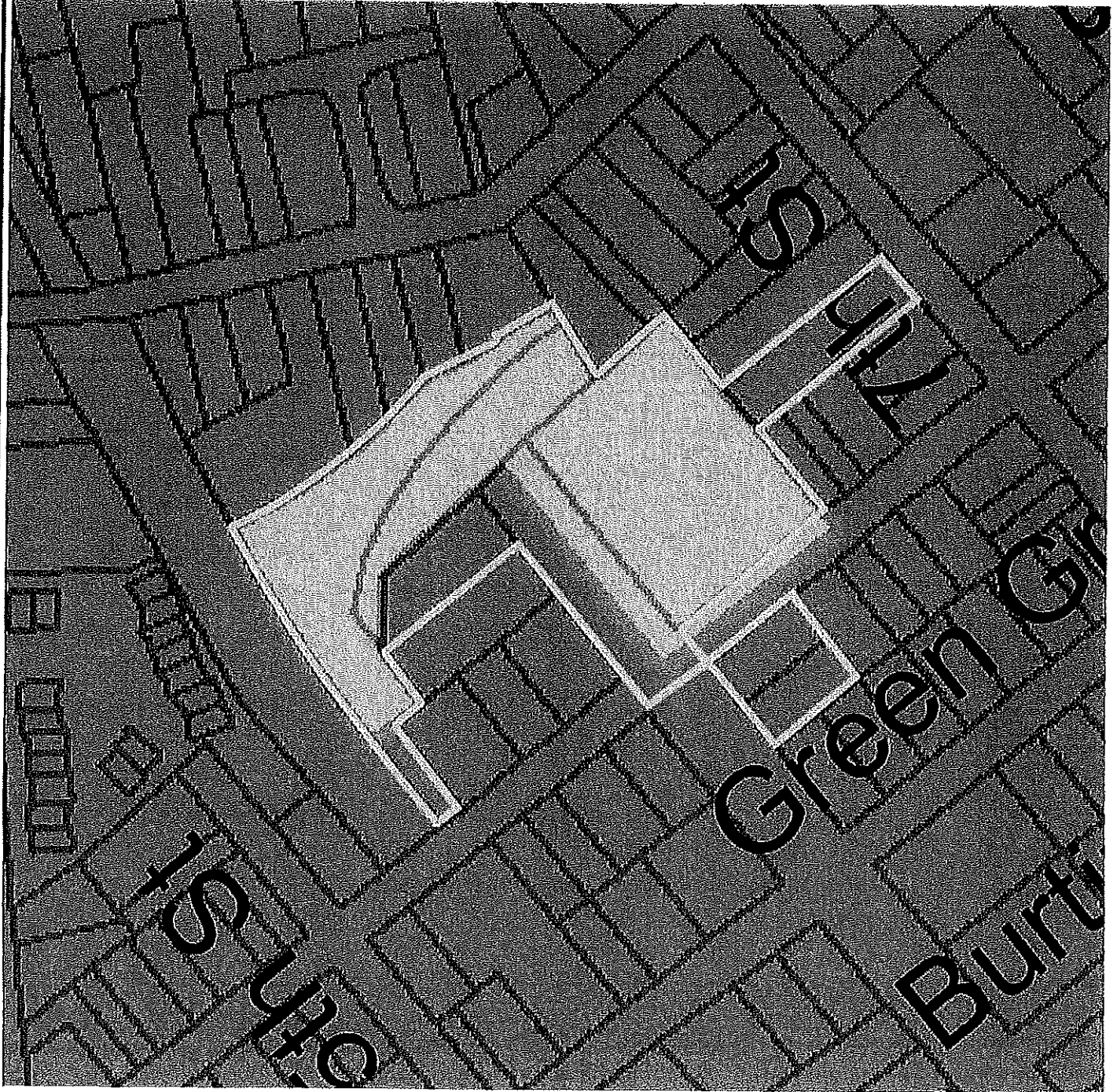
**Last Revised: 02/22/2018**



**Source: Borough of Carteret  
zoning map**

**Mapping obtained from  
NJ Office of GIS**

**Bescon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Colts Neck, New Jersey 07722**





**Proposed  
75 Manchester Ave  
Redevelopment  
District**

**Borough of Keyport  
New Jersey**

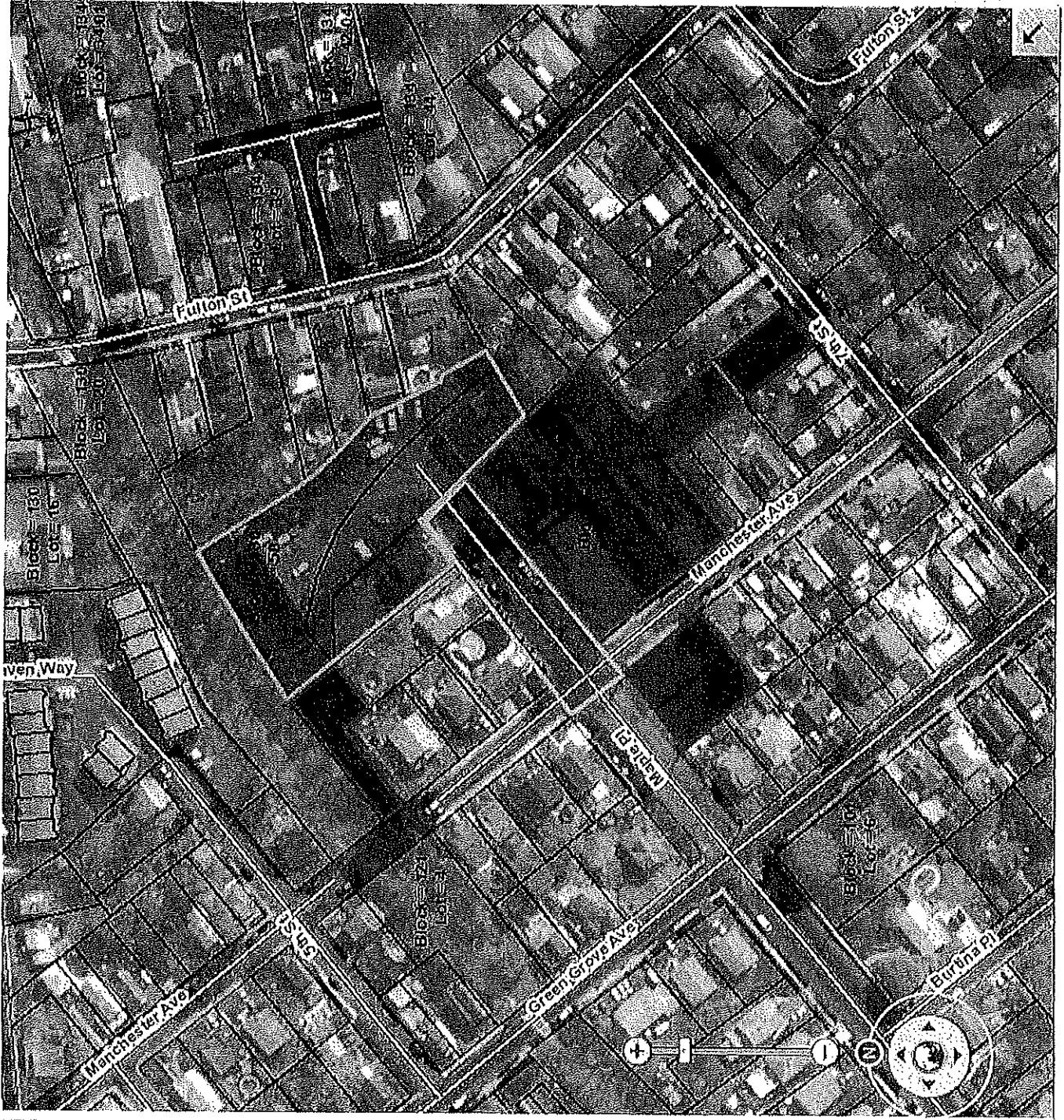
**Figure 5:**

**Proposed  
Redevelopment  
Sub - Districts**

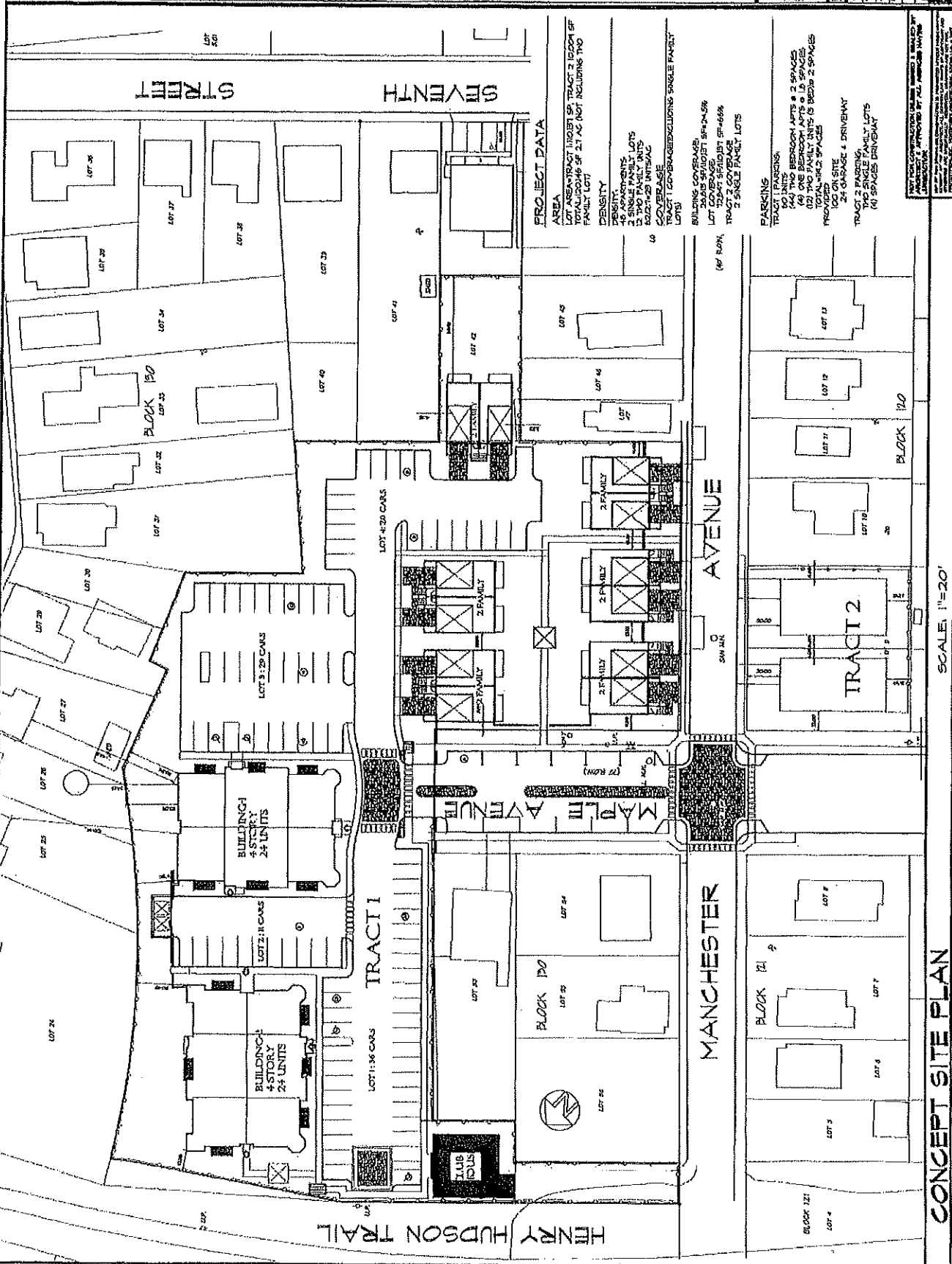
- Multi-Family
- Duplex
- Single Family
- Two-Family
- Clubhouse
- Maple Avenue

Mapping obtained from  
NJ - GeoWeb (NJDEP)  
Aerials utilized date to 2015

Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Colts Neck, New Jersey 07722







# CONCEPT SITE PLAN

**APPENDIX 1**

Borough Council Resolution #105-07, dated February 20, 2007

RESOLUTION NO. 105-07

RESOLUTION OF THE MAYOR AND COUNCIL OF  
THE BOROUGH OF KEYPORT DESIGNATING  
THE BOROUGH OF KEYPORT AS AN  
"AREA IN NEED OF REHABILITATION"

WHEREAS, the Local Redevelopment and Housing Law ("the LRHL"), N.J.S.A. 40A:12A-1 et seq., authorizes a municipality to encourage development and rehabilitation activities by designating the entire municipality, or any portion(s) thereof, as an "area in need of rehabilitation";

WHEREAS, such designation would allow the Borough to undertake a program of rehabilitation as provided for by the LRHL by adopting a comprehensive redevelopment plan for the Borough or, as is presently contemplated, redevelopment plans for specific areas therein, which plan(s) could include appropriate standards for new development;

WHEREAS, such designation would allow the Borough to exercise the powers set forth in the LRHL in furtherance of such redevelopment plan or plans, except that such designation would not grant the Borough the power of eminent domain over parcels within the area in need of rehabilitation;

WHEREAS, such designation would further allow the Borough to grant short-term property tax relief in the rehabilitation area pursuant to the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., as may appropriate;

WHEREAS, the Borough of Keyport engaged the services of planning consultant T&M Associates to assess whether the Borough may be designated as an "area in need of rehabilitation" pursuant to the criteria set forth in Section 14 of the Local Redevelopment and Housing Law ("the LRHL"), N.J.S.A. 40A:12A-14;

WHEREAS, T&M Associates has provided the Mayor and Council of the Borough of Keyport with a report dated December 1, 2006, that concludes the Borough is qualified to be and may be designated as an area in need of rehabilitation based upon the following findings:

- A. At least half of the housing stock in the subject area is at least 50 years old, and
- B. At least half of the water and sewer infrastructure in the Borough is at least 50 years old and is in need of repair and maintenance;

WHEREAS, a draft of this resolution was submitted to the Unified Planning Board of the Borough of Keyport for its review and recommendations, which recommendations have been received and duly considered by the Mayor and Council;

WHEREAS, based upon the age of the housing stock and the water/sewer infrastructure, and the statutory benefits of the proposed designation, the Borough believes that a program of rehabilitation may be expected to prevent further deterioration and will promote the overall

development of the community by encouraging revitalization and reinvestment throughout the Borough; and

WHEREAS, the Borough has developed such proposed resolution together with an accompanying statement that expresses the general vision and goals of the Mayor and Council for the presently contemplated rehabilitation process,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport as follows:

1. The above recitals are hereby incorporated by reference;
2. The Borough of Keyport is hereby determined to be an "area in need of rehabilitation" pursuant to N.J.S.A. 40A:12A-1 et seq.;
3. A certified copy of this resolution shall be forwarded the Commissioner of the New Jersey Department of Community Affairs for approval, upon whose approval this Resolution shall become effective;
4. This Resolution shall not supersede any prior designation of any property within the Borough as an "area in need of redevelopment" under the LRHL or similar statute; and
5. A copy of this resolution shall be forwarded to T&M Associates and the Borough of Keyport Tax Assessor.

Offered for adoption by BOLTE, second by HASSMILLER.

Roll Call Vote: Ayes: Sheridan, Hassmiller, Hill, Ortman, Walling, Bolte

Nays:

Abstain:

Absent:

I, Valerie T. Heilweil, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at their meeting on February 20, 2007.



Valerie T. Heilweil,  
Borough Clerk

**STATEMENT OF MAYOR AND COUNCIL  
OF THE BOROUGH OF KEYPORT  
ACCOMPANYING RESOLUTION NO. 105-07.**

In pursuing a rehabilitation process for all lands within the Municipal boundary, the Mayor and Council express the following vision and goals:

**VISION:**

The essence of Keyport is its ethnically and economically diverse population and the protective and supportive nature of their neighborhoods and commercial establishments. The downtown provides a unique sense of community for the residents.

Downtown Keyport is a vibrant commercial district and four-season activity hub nestled along the waterfront. The pedestrian scale and appearance of the buildings and landscape complement the traditional village setting and history. The mix of restaurants, shops, marinas and other water-related uses, recreational activities and businesses contributes to the enjoyment of the waterfront, providing an enjoyable atmosphere to all visitors while respecting and supporting the daily life of Keyport residents.

A variety of housing opportunities within and near the downtown provides a critical mass of population that attracts services, businesses and jobs to the downtown.

Targeted incentives to the extent required—such as tax abatements—create incentives for homeowners and buyers, businesses and developers to locate in, preserve and redevelop deteriorated properties in Keyport.

The redeveloped highway corridors—a highly visible defining feature of the Borough—display modern design standards that improve the visual appearance of these corridors and project a positive community image for Keyport.

Specific neighborhood plans result in the rehabilitation and redevelopment of existing vacant and underutilized properties. Community input in the early planning stages brings about public consensus in support of localized plans.

Properly planned development and redevelopment enhances the quality of life of all residents and maximizes the fiscal and social returns/benefits to the entire community.

**GOALS:**

- Encourage creative design techniques to increase open space and recreational uses throughout the Borough.
- Improve the economic sustainability of Keyport's downtown by providing mixed-use development and infill residential development in underutilized locations proximate to the downtown to provide the critical mass needed by retailers to maintain an economically viable shopping district.

- Strengthen commercial districts, especially the Front Street Business District, by encouraging a mix of uses that provide employment, retail opportunities, services and entertainment.
- Upgrade under-utilized and deteriorated sites and facilities in the commercial and light-industry districts utilizing residential redevelopment and mixed-use concepts. In these areas, harmony with adjacent residential areas is promoted with the intent of following the existing zone standards to the extent practicable. Using professional planning principles, public input from residents of the neighborhood and surrounding community, plans are implemented. However, reasonable deviations are not be precluded.
- Build significant commercial ratables in the Highway Commercial district by utilizing Borough owned property as a catalyst to assemble large commercial tracks with improved site circulation.
- Enhance the residential districts of Keyport by supporting the conversion of non-conforming uses and by providing tax incentives to stimulate the rehabilitation of conforming residential units.
- Recognizing an apparent public sentiment against high-density, multifamily residential developments (as evidenced by a 2006 non-binding referendum), preserve and protect the character of existing residential neighborhoods of the Borough by recognizing the existing residential density and building structural style, while allowing for reasonable increases in select areas to encourage the redevelopment of deteriorated, vacant or appreciably underutilized properties.
- Create redevelopment plans with appropriate input from residents of the neighborhood and the surrounding community.
- Optimize opportunities for access to and from the Borough's waterfront.
- Maximize views to the waterfront.
- Develop productive working relationships and partnerships among the various municipal, civic, business and citizen interests that respect the needs of these different stakeholders while working towards fulfilling the shared vision for the community.
- Recognize and reference historic features and traditions of Keyport in the rehabilitation and redevelopment of properties.
- Continue to improve the network of pedestrian and bicycle connections through and beyond the downtown that connect with the Henry Hudson trail and other community facilities of the Borough.
- Create attractive gateways at the principal entrances to the Borough through upgraded land uses, streetscape improvements and signage.



## **APPENDIX 2**

**Borough Council Resolution #256-18, dated December 18, 2018**

**RESOLUTION #256-18**

**OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH,  
NEW JERSEY DESIGNATING CERTAIN PROPERTIES WITHIN THE  
BOROUGH AS A CONDEMNATION AREA IN NEED OF  
REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT  
AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "**Redevelopment Law**") authorizes municipalities to determine whether certain parcels of land within their borders constitute a condemnation area in need of redevelopment, as further described therein; and

**WHEREAS**, on August 21, 2018, the Borough Council (the "**Council**") of the Borough of Keyport (the "**Borough**") adopted Resolution #180-18 authorizing and directing the Keyport Unified Planning Board (the "**Planning Board**") to investigate certain properties within the Borough and to recommend to the Council whether some or all of such properties should be designated as a "condemnation area in need of redevelopment" in accordance with the Redevelopment Law, N.J.S.A. 40A:12A-6; and

**WHEREAS**, in areas designated as a condemnation area in need of redevelopment, the Borough may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and

**WHEREAS**, in accordance with the Redevelopment Law, the Planning Board caused CME Associates (the "**Planner**") to conduct a preliminary investigation of the following properties (hereinafter referred to collectively as the "**Study Area**");

BLOCK	LOT	ADDRESS	BLOCK	LOT	ADDRESS
21.01	35	45 West Front Street	120	8	Maple Place
21.01	36	43 West Front Street	120	9	Maple Place
21.01	51.01	4 Broad Street	127	21	37 Myrtle
21.01	52	6 Broad Street	129	5	162 Second Street
22	24, 25	124 West Front Street	129	6	162 Second Street
39	29	96 West Front Street	130	10	135 Third Street
40	16	66 Main Street	130	42	7 <sup>th</sup> Street
60	6	108 Broad Street	130	48, 49	Manchester Avenue
60	16	140 Broad Street	130	50	Manchester Avenue



61	6	76 Broad Street	130	51	Manchester Avenue
63	3	119 Broad Street	134	2	39 Fulton Street
86	1	7 Hurley & Osborn	134	25	43 Fulton Street
99	13.01, 13.02 (formerly known as Lots 13, 14 and 15) <sup>1</sup>	22 Van Dorn Street	134	45, 46, 47	87 Fulton Street
100	1.01	18 Maple Place	134	45.01	89 Fulton Street
102	5	25-27 Brook Avenue	135	8	298 First Street
103	43, 44	343 Atlantic Street	138	11	333 First Street
110	24	105 Highway 35	138	16	45 Oak Street

**WHEREAS**, the Planner prepared a map of the Study Area and an investigation report entitled "Report Concerning the Determination of the Keyport Scattered Site Study Area as an Area in Need of Redevelopment, and More Specifically, as a Condemnation Redevelopment Area," dated October 5, 2018 (the "**Study**"); and

**WHEREAS**, on October 29, 2018, pursuant to the Redevelopment Law, the Planning Board held a duly noticed public hearing concerning the Study, an audio recording of which is on file with the office of the Planning Board (the "**Public Hearing**"), giving all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment the opportunity to be heard; and

**WHEREAS**, the Planning Board carried the property identified as Block 102, Lot 5 on the Official Tax Map of the Borough to the meeting of the Planning Board to be held on December 13, 2018 and directed the Planner to re-evaluate Block 102, Lot 5; and

**WHEREAS**, at the direction of the Planning Board, the Planner prepared a revised Study dated December 3, 2018 (the "**Revised Study**"); and

**WHEREAS**, the Planner concluded in the Revised Study and testified to the Planning Board that the Study Area, with the exception of Block 102, Lot 5, satisfies the criteria for redevelopment area designation set forth in the Redevelopment Law, and should be designated as a condemnation area in need of redevelopment; and

**WHEREAS**, the Planning Board concluded that certain properties within the Recommended Area met different or additional criteria than those criteria listed in the Study and Revised Study; and

<sup>1</sup> The properties formerly identified as Block 99, Lots 13, 14 and 15 were consolidated on or about September 26, 2018 and are now identified as Block 99, Lots 13.01 and 13.02.

**WHEREAS**, after the conclusion of all hearings described above, the Planning Board determined that a portion of the Study Area, described more particularly in Exhibit A, meets criteria set forth in *N.J.S.A. 40A:12A-5* for designation as a condemnation area in need of redevelopment (the "**Recommended Area**") and determined that it would recommend that the Borough Council so designate such Recommended Area; and

**WHEREAS**, on December 13, 2018, the Planning Board adopted a Resolution setting forth its findings and conclusions (the "**Planning Board Resolution**") and recommended in such Planning Board Resolution that the Council designate the Recommended Area as a condemnation area in need of redevelopment; and

**WHEREAS**, the Council agrees with and adopts the conclusions of the Planning Board that the Recommended Area satisfies the criteria for redevelopment area designation set forth in *N.J.S.A. 40A:12A-5* and the Council finds that such conclusions are supported by substantial evidence; and

**WHEREAS**, the Council now desires to designate the Recommended Area as a condemnation area in need of redevelopment, pursuant to *N.J.S.A. 40A:12A-6*.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length.

2. The properties identified as Block 21.01, Lot 52; Block 22, Lots 24 and 25; Block 39, Lot 29; Block 40, Lot 16; Block 60, Lot 6; Block 60, Lot 16; Block 61, Lot 6; Block 99, Lots 13.01 and 13.02 (formerly known as Block 99, Lots 13, 14 and 15); Block 103, Lots 43 and 44; Block 110, Lot 24; Block 120, Lots 8 and 9; Block 127, Lot 21; Block 129, Lots 5 and 6; Block 130, Lots 10, 42, 48, 49, 50 and 51; Block 134, Lots 2, 25, 45, 45.01, 46 and 47; Block 135, Lot 8; and Block 138, Lots 11 and 18 on the Official Tax Map of the Borough satisfy the criteria for redevelopment area designation pursuant to *N.J.S.A. 40A:12A-5*, as set forth in the Study and Revised Study, as modified by the Planning Board Resolution, and such properties are hereby designated as a condemnation area in need of redevelopment (the "**Redevelopment Area**").

3. In connection with the redevelopment of the Redevelopment Area, the Borough shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain.

4. This resolution shall take effect immediately.

**OFFERED: SHERIDAN**

**SECONDED: COOPER**

**AYES: SHERIDAN, KENNEDY, LAMBERSON, COOPER, GOODE**

**NAYS:**

**ABSENT: PACHECO**

I, Valerie T. Heilwell, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of December 18, 2018.



---

Valerie T. Heilwell, RMC  
Borough Clerk

**EXHIBIT A**  
**PROPERTIES WITHIN THE BOROUGH OF KEYPORT**  
**DESIGNATED AS A CONDEMNATION AREA IN NEED OF REDEVELOPMENT**

<b>BLOCK</b>	<b>LOT</b>	<b>ADDRESS</b>	<b>REDEVELOPMENT LAW CRITERIA</b>
21.01	52	6 Broad Street	E
22	24, 25	124 West Front Street	E
39	29	96 West Front Street	A, D, E, H
40	16	66 Main Street	A, H
60	6	108 Broad Street	A, D, H
60	16	140 Broad Street	D, H, E
61	6	76 Broad Street	A, B, D
99	13.01 (formerly known as Lots 13, 14 and 15)	22 Van Dorn Street	A, H
99	13.02 (formerly known as Lots 13, 14 and 15)	22 Van Dorn Street	E, H
103	43, 44	343 Atlantic Street	A, H
110	24	105 Highway 35	A, B, E
120	8	Maple Place	E, H
120	9	Maple Place	E, H
127	21	37 Myrtle	D, H, A
129	5	162 Second Street	A, B, D, H
129	6	162 Second Street	E, H
130	10	135 Third Street	A, H
130	42	7 <sup>th</sup> Street	E, H
130	48, 49	Manchester Avenue	A, B, H, D, E
130	50	Manchester Avenue	E, H
130	51	Manchester Avenue	C, H
134	2	39 Fulton Street	A, H
134	25	43 Fulton Street	A, H
134	45, 46, 47	87 Fulton Street	E, H
134	45.01	89 Fulton Street	E, H
135	8	298 First Street	A, H
138	11	333 First Street	A, D, H
138	16	45 Oak Street	A, E, H