

REEXAMINATION OF THE MASTER PLAN AND
LAND DEVELOPMENT ORDINANCE

BOROUGH OF KEYPORT
MONMOUTH COUNTY, NEW JERSEY

DRAFT

DECEMBER 3, 2001

PREPARED BY

SCHOOR DEPALMA, INC.

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PP #LI 05460/ AICP #14288

The original of this report was signed and sealed in accordance with NJSA 45-14-12.

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SCHOOR DEPALMA
Engineers and Design Professionals

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MEMORIALIZATION
#01-20
RESOLUTION OF THE PLANNING BOARD
BOROUGH OF KEYPORT
MONMOUTH COUNTY, NEW JERSEY
WITH RESPECT OT THE ADOPTION OF
THE RE-EXAMINATION REPORT OF
THE MASTER PLAN, AS REVISED

WHEREAS, the Planning Board of the Borough of Keyport is statutorily mandated to accomplish a review of the Master Plan and Land Development Ordinance of the Borough of Keyport, every six years, pursuant to the mandate set forth in the New Jersey Municipal Land Use Law; and,

WHEREAS, pursuant to the mandate set forth in the New Jersey Municipal Land Use Law, the Planning Board of the Borough of Keyport promulgated in 1997 a subcommittee of the Planning Board designated as the Master Plan Review Committee to hold meetings and deliberate with members of the public and constituent bodies and authorities with respect to the revision of Master Plan of the Borough of Keyport initially adopted as a result of a full complete Master Plan in 1965; and,

WHEREAS, the Planning Board of the Borough of Keyport, in the adherence to its statutory duties made revisions to the same Master Plan in 1978 and 1989; and,

WHEREAS, this Master Plan Subcommittee has met on regular Planning Board meeting dates and on special dates to review comments of the public, the development patterns of the Borough of Keyport, as well as adjacent communities, and the constantly changing flux of the law with respect to land

use, and has considered the changing environmental considerations and statutes as adopted by the State of New Jersey; and,

WHEREAS, after full, complete and total meetings between the Borough of Keyport Master Plan Subcommittee, professionals of the Planning Board, including the Borough Planner, Jason Greenspan, P.P. of the firm of Schoor & DePalma, counsel for the Board, and the Borough Engineer, John Kriskowski, P.E., as well as Department Heads of the Borough of Keyport; and,

WHEREAS, the Planning Board has presented a Master Plan Re-Examination Report dated December 3, 2001, prepared by Planning Board of Borough of Keyport, with the assistance of its professionals as named herein; and,

WHEREAS, the Master Plan Re-Examination Report dated December 3, 2001, incorporates and confirms the comments received by the Planning Board, as well as the Master Plan Subcommittee with respect to the statutory re-examination of the Master Plan by the Borough of Keyport; and,

WHEREAS, the Planning Board of the Borough of Keyport has accepted and adopted the Master Plan as referenced herein and approved same; and,

WHEREAS, the Planning Board, pursuant to its statutory obligation will conduct a public hearing with the Mayor and Council of the Borough of Keyport on December 10, 2001, at 7 p.m. at the Borough Hall of the Borough of Keyport, for the purpose of presentation of the Master Plan Re-Examination Report and to receive comments from the public, and from the Mayor and Council of the Borough of Keyport; and,

WHEREAS, the Planning Board has further made findings of fact that the proposed Master Plan Re-Examination is consistent with the planning development guidelines, the Cross-Acceptance Plan of New Jersey, the Monmouth County Planning Board determination with respect to the developmental patterns for the Borough of Keyport, and the Monmouth County Planning Board Master Plan; and further has found as a basis of fact that the development patterns envisioned and Master Plan changes that are reflected in the Re-Examination Report are consistent with current developmental patterns of adjacent municipalities and do not impact adversely on any adjacent municipalities nor do they impact on environmentally sensitive areas and preserve critical areas of environmental concerns; and further finds that the developmental patterns set forth herein are broadbased and encompass all developmental housing patterns pursuant to the mandate of the State of New Jersey; and,

WHEREAS, there has been notice of the hearing with the Mayor and Council published in a newspaper of general circulation ten days prior to the date of the hearing; and also further finds that the Clerks of the adjacent municipalities have been given notice of the proposed hearing date of the presentation of the plan by the Planning Board to the Mayor and Council; and,

WHEREAS, the public has had a full opportunity to be heard with respect to these matters and a verbatim record of all the proceedings made before the Planning Board; and,

WHEREAS, the Planning Board has concluded its review of the Master Plan Re-Examination as mandated by the statute and refers the matter to Mayor and Council of the Borough of Keyport for final adoption;

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Keyport that on the 3rd day of December 2001, that it herewith adopts the findings of fact, recommendations set forth, and Master Plan Re-Examination Report dated December 3, 2001, prepared by Schoor & DePalma Engineering and adopts same as the official Master Plan Re-Examination of the Borough of Keyport and recommends adoption of same by Mayor and Council; and,

BE IT FURTHER RESOLVED by the Planning Board of the Borough of Keyport that it herewith determines that the Master Plan Re-Examination is a current Re-Examination and recommendation regarding developmental patterns, as well as environmentally sensitive areas in need of protection and takes into consideration recreational concerns of the Borough of Keyport; and,

BE IT FURTHER RESOLVED that the Planning Board has found, as a matter of fact, that the Re-Examination Report meets the objectives of the Municipal Land Use Law, of the Monmouth County Planning Board; is consistent with the objectives of the Fair Housing Component Plan of the State of New Jersey as adopted by the Borough of Keyport; is sensitive to the assumptions, policies and objectives of the State Cross-Acceptance Plan, and takes particular regard with respect to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable

materials and changes in State, County, and Municipal policies and objectives;
and,

BE IT FURTHER RESOLVED that the Planning Board of Borough of Keyport herewith directs the Planning Board Secretary to communicate the within memorialization and resolution of the Planning Board's findings of facts and recommendations with the attached reports referenced herein to the Mayor and Council of the Borough of Keyport, the Monmouth County Planning Board, and to the Clerks of adjacent municipalities and directs that the within memorialization be published according to law.

MEMORIALIZED BY THE FOLLOWING VOTE:

MOVED BY: Mr. Kovacs

SECONDED BY: Mr. Palmisano

ROLL CALL VOTES: Councilman Pedersen, Messrs. DiGracla, Zwingraft,
Kovacs, Chairman Palmisano

AYES:

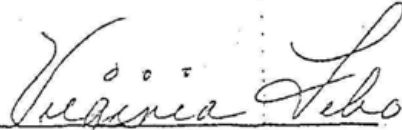
NAYS:

ABSENT: Mayor Graham, Messrs. Sappah, Lee, Sessa, McCann,
Walling

ABSTENTION:

NOT ELIGIBLE:

I hereby certify that the above resolution was passed by the Borough of Keyport at its regular meeting on the 3rd day December 2001.



Virginia Febo
Virginia Febo, Secretary
Borough of Keyport

Prepared by:

PASQUALE MENNA, ESQUIRE
PLANNING BOARD ATTORNEY

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INTRODUCTION

The Municipal Land Use Law (MLUL) requires every municipality in New Jersey that has adopted a master plan and land development regulations to periodically review and revise, if necessary, those documents every six years (N.J.S.A. 40:55D-89). The Borough of Keyport Planning Board is responsible for the preparation and adoption of a report at least once every six (6) years from the previous reexamination. The reexamination report must be adopted by resolution of the Planning Board, and forwarded to the Monmouth County Planning Board and the municipal clerk of each adjoining municipality. Keyport last adopted a Master Plan and Reexamination in May 1989. There have been no subsequent reexaminations.

The MLUL requires a reexamination report to address several issues relating to the growth and development of the Borough, including (N.J.S.A. 40:55D-89):

- a. *the major problems and objectives relating to land development in the Municipality at the time of such adoption, last revision or re-examination, if any;*
- b. *the extent to which such problems and objectives have been reduced or have increased subsequent to such date;*
- c. *the extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for such plan or regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, and changes in State, County and Municipal policies and objectives;*
- d. *the specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared; and*
- e. *the recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the Local Redevelopment and Housing Law, P.L. 1992, c. 79 (C.40A:12 A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*

This report has been prepared to meet statutory requirements specified in the MLUL. It represents an evaluation of the current Master Plan Elements and Land Development Ordinances, assesses the changes in land use policy since the last Reexamination Report and recommends any necessary amendments or additions.

1.0 PROBLEMS & OBJECTIVES AT TIME OF ADOPTION OF LAST REEXAMINATION REPORT

A Reexamination Report shall address the major problems and objectives relating to land development in the Municipality at the time of such adoption, last revision or re-examination, if any.

1989 Master Plan/Reexamination and 1965 Master Plan

The most recent Master Plan and Reexamination adopted by the Borough was completed in May 1989. Keyport's Master Plan consists of the following core elements:

1. Findings of Fact;
2. Goals and Objectives;
3. Land Use Plan and Community Management Programs;
4. Housing Policy and Programs;
5. Employment Characteristics;
6. Open Space and Conservation Plan;
7. Recycling Plan;
8. Consistency review;
9. Implementation.

Prior to this Master Plan, a substantially more detailed Comprehensive Master Plan was completed in 1965. This Comprehensive Master Plan, which identifies many issues that remain relevant some 36 years later, includes a Land Use Plan, Downtown Plan, Traffic Plan and Community Facilities Plan. Specific goals and objectives were included for each plan element. Some of the problems articulated in the 1965 Master Plan that remain relevant today include:

- *If Keyport is to retain its regional shopping leadership, steps must be taken to strengthen the downtown so that it can meet the competition of surrounding areas (p. 25).*
- *Moreover, additional (downtown) off-street parking will be needed. While the Borough has taken definite steps in recent years to improve this critical need, additional parking will still be required to allow downtown Keyport to remain in a competitive position with the remainder of the region (p. 32).*
- *Keyport's present recreational facilities are generally limited to municipal facilities located along the waterfront and recreation facilities provided at the Borough's public schools. While past action on the part of the Borough fathers in preserving a portion of the waterfront for recreation use must be lauded, there is still a need for additional parks and open space (p. 52).*

- *The original (municipal building) design and construction...is good and it is still in generally sound condition. However, the building is not large enough to supply all of the Borough's administrative needs (p. 55).*
- *Today, the downtown area has several deficiencies which inhibit its full development. Off-street parking facilities are presently inadequate. The present street system is too narrow to carry traffic flows and often becomes congested. High land coverage and functionally obsolete structures still occupy key locations in this area (p. 63).*
- *Keyport's water frontage on Raritan Bay is one of the Borough's principal natural assets. Although much of the land bordering the water is privately owned, the preservation of the waterfront for use of the entire Borough should be one of the key objectives of the Master Plan (p. 64).*
- *As a result of somewhat haphazard development, downtown Keyport today is a collection of shops and stores which lack a central focus point, and a pattern for store locations. In addition, the development of the downtown has not taken complete advantage of its proximity to the waterfront (p. 82).*

Master Plan Identified Objectives

The articulated goals and objectives of the 1989 Master Plan are as follows:

- Preserve and protect existing and established residential neighborhoods.
- Provide for commercial growth consistent with population and employment growth of the Borough and northern Monmouth County region.
- Provide for a diversity of commercial land service uses in scale with adjacent density of residential neighborhood (sic).
- Continue a public-private partnership to enhance and expand the marine and commercial waterfront economic base of Keyport in balance with the public's right of access and enjoyment of the bay.
- Preserve and enhance the architectural diversity and historic place and buildings within and/or at designated locations and sites.

An important finding of fact made in the Master Plan states that "the zoning plan and the land use of the community are substantially consistent one to the other."¹

Master Plan Identified Problems & Objectives

The 1989 Master Plan generally identified the following problems & objectives:

1. Absence of a mapped Land Use Inventory
2. Identified continued participation in the Neighborhood Preservation Program as an important component to the rehabilitation of the downtown area.

¹ 1989 Master Plan, p. 9.

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3. The condition of non-residential buildings within the community does warrant attention. The Route 35-Route 36 commercial corridor was developed prior to establishment of landscaping, lighting, signage and other site amenity standards now to many communities within the County. (p. 11).
 4. The downtown area of the community also requires attention. The Borough has invested in sidewalk improvements and other public amenities to improve the attractiveness of the overall downtown area...The public investment warrants similar private investment in the appearance and maintenance of the commercial structures themselves (p. 11).
 5. The New Jersey Legislature has adopted wetlands legislation which is effective as of July 1, 1988. The extent this legislation will have an impact upon the further expansion of the marine-commercial economic base within the community is unknown (p. 11).
 6. Demand for access to the waterfront area, and in particular, for marine-commercial services shall continue.
 7. Greater flexibility in the design and arrangement of commercial and industrial buildings is warranted. Flexible and modern design standards will permit economies of site development, greater separation of uses from one the other, and greater sensitivity to the environment. (p. 18).
 8. The current zoning standards for lighting, signage, landscaping and intensity of site use require amendment to achieve the stated policies. In some cases no standards exist. In other instances, standards are antiquated or vague (p. 19).
 9. Implementation required for a downtown and waterfront development plan, and grant funding should be sought out.
 10. Recommendations for the creation of a mixed use waterfront district to encourage Planned Development at the former landfill-aircraft assembly site were made. The Plan noted that zoning was in conflict with the Coastal Zone Management Plan of the NJDEP and with the Bayfront-Open Space Policies of the Monmouth County Planning Board. Development of the land for industrial use would permanently deny public access and enjoyment of the waterfront.

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11. Development regulations should be updated to require dedication of open space including upland area to further permit public access to the waterfront and better serve recreational needs (p. 29)
12. Revision to buffer standards to stipulate screening and fencing as the method of providing a visual separation between residential and commercial uses is recommended.
13. Development regulations should ensure preservation and protection of stream corridors.

2.0 THE EXTENT OF INCREASE OR REDUCTION OF PROBLEMS & OBJECTIVES

A Reexamination Report shall describe the extent to which such problems and objectives existing at the time of the last Master Plan have been reduced or have increased subsequent to such date;

1. An updated Land Use inventory has not yet been completed. This is essential in order to gauge the land use changes and patterns that have emerged in the Borough throughout the past few decades.
2. The Borough no longer participates in the Neighborhood Preservation Program (NPP) as administered by the New Jersey Department of Community Affairs. Participation in this program starts a five-year revitalization program funded by the State that facilitates needed improvements, particularly infrastructure and housing repairs. It is recommended that the Borough once again participate in the NPP program, which can assist in the improvement of residential neighborhoods and the downtown business district.
3. Development along the Route 35/36 corridor has been substantial over the past 12 years. The large Stop & Shop retail mall with restaurants such as IHOP and The Office has been completed at the southeast junction of Routes 35 and 36. This development has substantially improved the appearance of this property, and has contributed to the Borough's tax base. Additionally, individual sites along the north side of Route 36 (Pine Belt Oldsmobile, The Yellow Rose Diner) have developed in accordance with highway-oriented standards, though modern design standards that relate to parking lot landscaping, efficient lighting and urban design have not yet been incorporated into the Land Development Ordinance.
4. The Borough Council has acknowledged the need to address the aesthetic, economic and functional needs of the downtown area by formally designating a formal Special Business Improvement District (BID). Establishing the BID has created a self-financed district that promotes economic growth and employment, professional management and self-help programs consistent with local needs, goals and objectives. The BID has established an assessment district in which commercial property owners are levied fees beyond their property tax bill. These fees are set aside for improvements within the BID. The BID has an established Board consisting of a variety of merchants, with subcommittees that set forth recommendations regarding marketing policies, streetscape improvements and special events.

Some additional streetscape improvements have been completed in the downtown area, particularly since the formation of the BID. There is a continued need to focus on streetscape and other public improvements in the downtown area along Front Street, as well as proximate areas (Main Street, Broad Street, waterfront, Front Street between Broad and Church). Facades and properties are generally well maintained in the downtown area, though the recommendation for attracting new private investment to improve commercial structures remains valid. To this end, the Borough should adopt urban design guidelines and standards that set forth a template for facades, signs and other on-tract improvements downtown, as well as for the rest of the Borough.

5. Wetland regulations are invoked primarily in association with infill development and public improvements adjacent to the Chingarora Creek, the Luppataong Creek, the Matawan Creek and selected areas along the Raritan Bay waterfront. The impact of the recently amended Coastal Management Rules as administered via the Coastal Area Facilities Review Act (CAFRA) is not yet known.
6. Public access to the waterfront area continues to remain a priority. As of October 2001, New York Fast Ferry commenced ferry service between the public fishing pier and lower Manhattan. There will be a continuing need to balance recreational use of the pier, as well as the entire waterfront area, with public transportation, parking and other downtown commercial needs.
7. The recommendation for developing more flexible design standards for commercial and industrial development remains valid.
8. The recommendation to update and clarify zoning standards as they relate to lighting, signage, landscaping and intensity of site use remains valid. Standards for buffers also are in need of updating and clarification.
9. Site designs for improved public access to the waterfront adjacent to the bulkhead along American Legion Drive have been developed, and are ready for implementation. These designs will facilitate better pedestrian circulation, improved parking arrangements, and substantially altered vehicular circulation patterns. Ultimately, site designs that identify links to the commercial downtown core from the waterfront area will need to be developed. A grant application in the amount of \$141,000.00 has been submitted to the New Jersey Department of Community Affairs/Office of State Planning has to receive "smart growth" funds for a Borough-wide Strategic Revitalization Plan. The Borough Council and the BID will partner to provide a 20% match for these funds. An essential element of this Borough-wide plan, once funded by the State, will be the development

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of an updated downtown plan that identifies functional and visual links between Front Street and the waterfront area. Implementation required for a downtown and waterfront development plan, and grant funding should be sought out.

10. There is still a need to develop a policy and vision statement for the former landfill-aircraft assembly site.
11. The recommendation to amend the Ordinance to require dedication of open space including upland area to further permit public access to the waterfront and better serve recreational needs remains valid.
12. The recommendation for revising buffer standards to stipulate screening and fencing as the method of providing a visual separation between residential and commercial uses remains valid.
13. The recommendation to update the Ordinance to ensure preservation and protection of stream corridors remains valid.

3.0 THE EXTENT OF SIGNIFICANT CHANGES IN ASSUMPTIONS, POLICIES & OBJECTIVES

A Reexamination Report shall describe the extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the Master Plan or regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, and changes in State, County and Municipal policies and objectives;

The State Development and Redevelopment Plan

On March 1, 2001, the State Planning Commission (SPC) adopted the new State Development and Redevelopment Plan (SDRP). The plan approved by the Commission supersedes the document that had been in place since June 12, 1992. The SDRP is voluntary for municipalities to follow, and is a guide for investing and spending state dollars in ways that are consistent with the plan's goals.

The Borough of Keyport is listed as an "Identified Town Center" in the SDRP, and is located mostly in the Metropolitan Planning Area (PA-1). In short, this means that the Borough has the *potential* for becoming a "designated center" in the future, and the State has identified this potential. Until *designated and endorsed* by the SPC, "identified centers" are not eligible for priority assistance from the State. Keyport is not currently in a position to reap any of the benefits afforded to *officially* designated centers, and would have to proceed through the "Plan Endorsement" process in order to become a "designated center." "Plan Endorsement" is a comprehensive process that, once undertaken in conjunction with state officials, will foster redevelopment activities throughout the Borough. Municipalities that have already achieved "Designated Regional Center" status in Monmouth County include Long Branch and Red Bank.

Core concepts set forth by the State Plan include maintaining and revitalizing existing cities and towns, and organizing new growth in "centers" – compact, mixed-use communities where people can live, work, shop and play and find a variety of choices in housing, in transportation and in job accessibility. The eight goals of the new SDRP are to:

- revitalize the state's cities and towns;
- conserve the state's natural resources and systems;
- promote beneficial economic growth, development and renewal for all residents of New Jersey;
- protect the environment, prevent and clean up pollution;
- provide adequate public facilities and services at a reasonable cost;

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- provide adequate housing at reasonable cost;
 - preserve and enhance areas with historic, cultural, scenic, open space and recreational value; and
 - ensure sound and integrated planning and implementation statewide.

While the goals and objectives of Keyport's Master Plan are generally consistent with the goals and concepts set forth by the SDRP, the Borough has yet to take concrete action steps to avail itself to priority State funding and to expedited permitting for redevelopment activities. Additionally, the dated nature of the Borough's Comprehensive Master Plan limits the potential for Plan Endorsement or Center Designation. The most crucial action step that the Borough could benefit from is obtaining "Plan Endorsement" by the SPC. State government offers strong incentives to communities to participate in the state planning process. Municipalities and counties that have their plans endorsed by the SPC are entitled to greater priority to receive funding, permit review and technical assistance from state agencies. About eighteen (18) programs at the state and regional level provide priority assistance to centers and communities with endorsed plans. Accordingly, it is strongly recommended that the Borough seek "Plan Endorsement" with Town Center Designation by the SPC. In the alternative, should the Borough receive grant funding and proceed with a Borough-wide Strategic Revitalization Plan, the resulting work product can also be "endorsed" by the SPC and similar priority status can be afforded to the Borough.

Census 2000 Population

In February 2001, the United States Census Bureau released population data for all New Jersey municipalities. Table 2.1 shows that the Keyport 2000 population stands at 7,568 total persons, which represents marginal decrease from the Borough's 1990 population of 7,586.

TABLE 2.1 - Keyport Census 2000 Population

	All Ages		18 years and Over	
	Number	Percent	Number	Percent
Total population	7,568	100	5,919	100
One race	7,382	97.5	5,788	97.8
White	6,447	85.2	5,094	86.1
Black or African American	531	7	378	6.4
American Indian and Alaska Native	9	0.1	6	0.1
Asian	168	2.2	134	2.3
Native Hawaiian and Other Pacific Islander	3	0	3	0.1
Some other race	224	3	173	2.9
Two or more races	186	2.5	131	2.2
HISPANIC OR LATINO AND RACE				
Total population	7,568	100	5,919	100
Hispanic or Latino (of any race)	839	11.1	613	10.4
Not Hispanic or Latino	6,729	88.9	5,306	89.6
One race	6,612	87.4	5,224	88.3
White	5,933	78.4	4,721	79.8
Black or African American	501	6.6	359	6.1
American Indian and Alaska Native	5	0.1	3	0.1
Asian	162	2.1	133	2.2
Native Hawaiian and Other Pacific Islander	1	0	1	0
Some other race	10	0.1	7	0.1
Two or more races	117	1.5	82	1.4

Source: United States Census Bureau

Housing & Residential Building Permits

Despite the Borough's reduction in total population, a total of 166 new dwelling units have been constructed in the past 13 years. Though figures regarding residential demolition permits were not readily available at the time of writing this report, the US Census Bureau reports that the total number of housing units in Keyport has actually decreased by 3 since 1990 to 3,400 in 2000. Table 2.2 depicts 2000 housing characteristics, and Table 2.3 depicts building permit data for new residential units since 1988.

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TABLE 2.2 - Keyport General Housing Characteristics: 2000

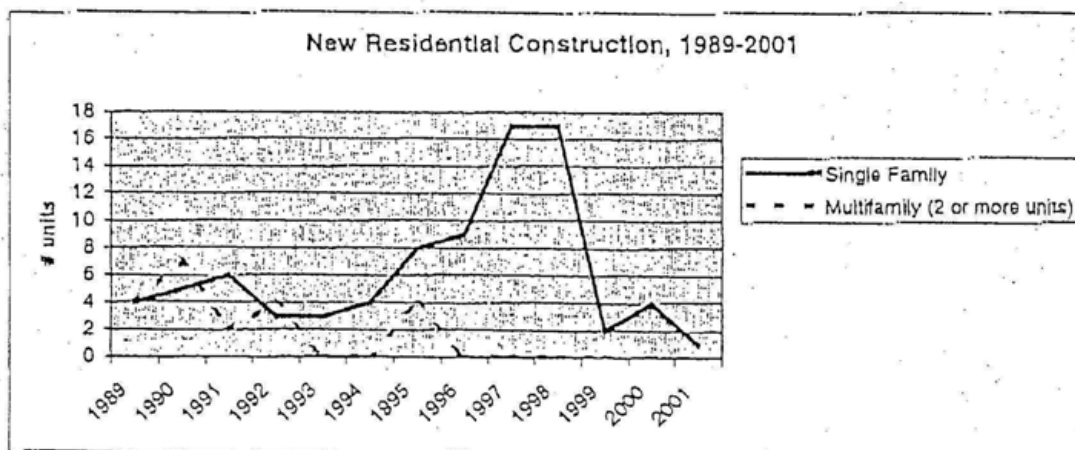
Subject	Number	Percent
OCCUPANCY STATUS		
Total housing units	3,400	100
Occupied housing units	3,264	96
Vacant housing units	136	4
TENURE		
Occupied housing units	3,264	100
Owner-occupied housing units	1,648	50.5
Renter-occupied housing units	1,616	49.5
VACANCY STATUS		
Vacant housing units	136	100
For rent	44	32.4
For sale only	16	11.8
Rented or sold, not occupied	20	14.7
For seasonal, recreational, or occasional use	11	8.1
For migratory workers	0	0
Other vacant	45	33.1
AGE OF HOUSEHOLDER		
Occupied housing units	3,264	100
15 to 24 years	89	2.7
25 to 34 years	517	15.8
35 to 44 years	756	23.2
45 to 54 years	614	18.8
55 to 64 years	354	10.8
65 years and over	934	28.6
65 to 74 years	384	11.8
75 to 84 years	390	11.9
85 years and over	160	4.9

Source: United States Census Bureau

TABLE 2.3 - Building Permits for New Dwelling Units 1988-2000

	Total New Construction	Single Family	Multifamily (2 or more units)
1988	62	25	37
1989	8	4	4
1990	12	5	7
1991	8	6	2
1992	7	3	4
1993	3	3	0
1994	4	4	0
1995	12	8	4
1996	9	9	0
1997	17	17	0
1998	17	17	0
1999	2	2	0
2000	4	4	0
2001*	1	1	0
Total Units	166	108	60

*Through September 2001
Source: NJ Department of Labor



Residential Site Improvement Standards

On June 3, 1997, the New Jersey Administrative Code was amended to include the Residential Site Improvement Standards (RSIS) (N.J.A.C 5:21 et seq.) The RSIS supersede many local design standards for new residential development, as well as most local residential parking regulations. The RSIS do not require the Borough to revise or amend the Master Plan or Land Development Ordinance.

Upon the Borough's preparation of a new Master Plan, the Circulation Element should be cognizant of the residential street hierarchy system set forth by the RSIS. Further, the Borough's LDO should be brought into consistency with RSIS parking requirements. The LDO should retain standards for nonresidential development, as the RSIS are not applicable.

The Telecommunications Act of 1996

The Telecommunications Act of 1996 requires all municipalities provide wireless carriers with reasonable access to the airwaves. Further, this Act prohibits the exclusion of such facilities based on health and safety concerns. Keyport's LDO has not yet addressed these uses and it can be expected that wireless carriers will seek sites to serve motorists using major roadways in and proximate to the Borough. Such future applications will require Use Variances from the Joint Planning Board, which forces the Borough into a reactive rather than a proactive position with regard to the control of the location of the towers associated with wireless communications. It is recommended that the Master Plan address a strategy for the provision of the least obtrusive accommodation for wireless service, inclusive of the use of existing buildings and other vertical structures, co-location of wireless antenna with Borough antenna on a tower provided by the carriers on Borough-owned property, and the prohibition of towers in residential zones. The LDO should be amended accordingly, inclusive of protective conditions designed to minimize the visual impact of any tower.

Main Street New Jersey

Main Street New Jersey (MSNJ), a program of the New Jersey Department of Community Affairs (DCA) was established in 1989 to encourage and support the revitalization of downtowns in New Jersey. Every two years, the DCA selects communities to join the program. These communities receive technical support and training needed to restore and/or enhance their Main Streets to centers of community activity and commerce. MSNJ is a comprehensive revitalization program that provides the tools and knowledge needed to renew or enhance traditional business districts in New Jersey. It is not a top-down grant program. MSNJ facilitates a volunteer-driven, community-based effort that relies on the synchronization of public and private partners to identify and capitalize on local assets. Main Street New Jersey works closely with designated communities to develop each local program. Selected communities have access to vast resources, training, and technical assistance that otherwise could be cost prohibitive. It is recommended that Keyport participate in the Main Street program.

Coastal Management Rules

In 1999, the Coastal Management Rules as administered through the NJDEP resulting from the Coastal Area Facilities Review Act (CAFRA) were substantially amended. The degree to which the Borough's Land Development Ordinance

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and Master Plan are consistent with the updated CAFRA rules is unknown. An assessment should be completed to determine the level of consistency of the Borough's land use regulations and policies with the State's coastal policies. Additionally, the Borough should seek certification as a Sector Permit Municipality from the NJDEP to help expedite the local permit process, and allow administration of permits at the local level.

4.0 MASTER PLAN & ORDINANCE CHANGES

The Reexamination shall describe the specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

4.1 Master Plan Recommended Changes

Master Plan Committee

The Master Plan Committee has developed the following list of pertinent issues and recommended changes relative to the Borough's Master Plan:

1. Keyport Environment Commission: The Keyport Environment Commission will compile and promulgate an open space inventory, and make same a part of the Keyport Master Plan.
2. Keyport Parks and Recreation Commission: The Keyport Parks and Recreation Commission will compile and prepare a needs assessment with respect to existing park facilities and recreational facilities in the Borough of Keyport, and any anticipated needs and goals as part of the Master Plan.
3. Keyport Historical Society: The Keyport Historical Society has expressed its concerns with respect to adopting new regulations that will meet the Victorian feel of the municipality, as well as the nautical ambience. It has expressed a concern for traffic in the core business area, as well as parking concerns, and most importantly, concerns regarding code enforcement throughout the municipality.
4. Streets: The Post Office has agreed to review the numberings of homes and businesses along the residential and commercial districts, as part of the Master Plan Review to coordinate street numbers.
5. Business District Streetscape: Design standards should be developed for the businesses in the Core Business District which will provide a template for improving properties through façade and sign improvements, or other streetscape improvements at individual properties.
6. Special Improvement Districts: Clearly delineate of any special role in any Special Improvement District in the overall considerations of the Master Plan.

Additional Recommendations

The Keyport Borough Master Plan has not been comprehensively updated since 1965. While the 1989 Master Plan and Reexamination provides goals, objectives and recommendations for implementation, specific key elements are in critical need of substantial revision. Since the Master Plan has not yet been updated in a comprehensive manner, the vast number of physical, economic, social or policy changes that have transpired within the Borough, in adjacent municipalities, in the Bayshore region and throughout the State of New Jersey have not been directly addressed. It is therefore recommended that all elements of the Borough's Master Plan be updated in a single, thorough and user-friendly document. The new master plan should be developed in accordance with the guidelines for obtaining "Plan Endorsement" from the State Planning Commission. The following general recommendations are made regarding an updated Borough Master Plan:

- Land Use Plan Element - The Land Use Element of the Master Plan was last revisited in tandem with the adoption of the 1989 Master Plan and Reexamination. Unfortunately, neither a detailed existing land use map nor an updated land use plan were prepared. It is recommended that an updated survey be conducted to determine the degree of land use changes that have occurred over the past 13 years. While Keyport is almost entirely "built-out," with little available vacant land suitable for development, many large-scale infill projects and building demolitions have occurred over the past few decades that should be accounted for in an updated land use inventory. An updated land use plan and map should follow the land use inventory.
- Circulation Element - An updated Circulation Element should be developed that addresses the Borough's needs regarding motor vehicles, public transportation, ferry service, pedestrians and bicycles. The last detailed circulation or traffic plan was completed in 1965, prior to the installation of major traffic improvements such as American Legion Drive and the Maple Place/Broadway/Route 35 overpass. Major transportation issues have emerged over the years, such as the abandonment of commuter rail service to Matawan, the elimination of the "turnaround" to Route 35 southbound at the Rt. 35/36 interchange, the establishment of a regional bike path along the Henry Hudson Trail, and expanded ferry service to Manhattan. Accordingly, an updated inventory of the existing roadway system, with roadway segments classified according to function (e.g., collector, arterial, local street, etc.) should be completed. Municipal, county and state roads should be identified, with their access classifications and Desirable Typical Section (DTS) illustrated. Municipal roads should be described with development standards for right-of-way and cartway widths, sidewalks, curbs, aprons and tree lawns. In addition to vehicular circulation, the updated Circulation Plan Element should include an inventory of public transportation facilities and services, as well

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as pedestrian and bicycle pathways. Once existing facilities are inventoried, a performance evaluation should be done to analyze the levels of service by functional road category and pathway type. Recommendations should then be made regarding necessary changes in functional classification, modifications in Borough and/or circulation patterns, and proposed public transportation, and nonvehicular facilities or improvements. The interrelationship between the Circulation Plan and the Land Use Element should be explored. A statement comparing the Circulation Plan to those of adjacent municipalities, or the functional compatibility with connecting roads and pathways in adjoining towns, should complete the Circulation Plan Element.

- Utilities Element - A comprehensive analysis to confirm the condition and capacity in the Borough of the existing sanitary sewer lines, as well as recommendations for improvements, is necessary for inclusion into the Utilities Plan Element. Additionally, a Borough-wide stormwater drainage system analysis should be completed. As with the sanitary sewer system, the condition of much of the stormwater drainage system is unknown, especially with regard to underground structures such as piping, inlets and culverts. An assessment of the condition of the entire stormwater drainage system would be part of the Utilities Plan Element of the Master Plan. Additionally, the Borough's water distribution system and facilities should be assessed.
- Parks and Recreation Element - A strategic action plan should be prepared to address the present and future needs of the Borough's park and recreation facilities. An inventory of existing parks and potential park acquisitions should be completed. A Park & Recreation System Recovery Action Program can be prepared to guide the Borough's strategic planning for recovering park and recreation facilities in need of improvements.
- Conservation Element - A formal Conservation Element should be prepared that identifies and inventories all natural resources. It would seem timely for the Borough to prepare a Conservation Element, based on the recent amendments to the Coastal Management Rules. Such an element could be based on new Geographic Information Systems (GIS) mapping using NJDEP databases, and based on enhanced imagery available from Monmouth County. An Energy Conservation Element of the Master Plan should also be prepared.
- Housing Element - The 1989 Housing Element noted that the Borough had a zero (0) unit fair-share obligation assigned by the Council on Affordable Housing (COAH) for its first-round (1990-96). Substantive Certification for the Borough's housing plan was granted by COAH for this 1990-96 period. Unfortunately, the Borough did not retain this certified status through COAH's second round. It is recommended that the Borough update its Housing Element for certification by COAH to address its second round fair-share obligation of 39 rehab units. It is altogether possible that the Borough has already addressed this obligation through

local rehabilitation programs, though this needs to be documented and certified by COAH. COAH's third-round of fair-share obligations will be issued based on the release of detailed 2000 Census data, and Keyport will then be able to address its third-round obligation.

- Community Facilities - An updated inventory of community facilities should be completed. The last time an inventory of community facilities was completed was in 1965. At that time, a new elementary school was planned, and at least two schools (Washington St. and Second Street) were still in operation. An inventory of fire stations, public works facilities, first aid squads, parks, parking areas and other public facilities was completed. The inventory of community facilities should be updated in order to develop a comprehensive set of Borough needs. It is noted that the recommendation of the 1965 Master Plan to expand the capacity of municipal administrative functions will soon be implemented, since there construction of a new Borough Hall on the south side of Front Street between Beers St. and Main Street is imminent.
- Economic Element - It is recommended that the Master Plan be formally updated to include an Economic Element. Additionally, the Economic Element should evaluate the economic stability of the entire Borough, and determine job and/or industry deficiencies. In order to present a thorough analysis of the present and future economic development in Keyport and Countywide, economic trends and economic indicators should be examined, including sector analyses, population-to-job ratios and a tax base analysis. Particular attention should be paid to the downtown area, the Route 35 corridor, and all industrial areas.
- Historic Preservation Element - It is recommended that the Master Plan be updated to include an updated inventory of historic buildings, sites, landscapes and other places. The viability of designating additional historic districts should be evaluated, particularly along sections of Maple Avenue west of Broad Street, sections of Broadway and sections of West Front Street. The potential for inclusion of certain structures or sites in the State and/or National Register of Historic Places should be considered. Inclusion in the National Register enables the owner of a property to take advantage of financial benefits, such as a 20% federal income tax credit for a substantial rehabilitation of an income-producing building. The rehabilitated building must be a certified historic structure that is subject to depreciation, and the rehabilitation must be certified as meeting standards established by the National Park Service. For properties listed in the New Jersey Register, the New Jersey Historic Trust offers matching grants and low interest loans for rehabilitation and restoration to State, County and municipal agencies and nonprofit organizations. Additionally, consideration should be given to incorporating the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, and the Secretary of the Interior's Standards for

Rehabilitation & Illustrated Guidelines for Rehabilitating Historic Buildings into the Borough's Ordinance. The standards set forth common-sense principles in non-technical language, and the guidelines help property owners, developers, and federal managers apply the Secretary of the Interior's Standards for Rehabilitation during the project planning stage.

Census 2000

A brief analysis of 1980 Census data was completed in the last Reexamination Report to assess the level of population and household changes since 1970. At the time of writing this 2001 Reexamination Report, only basic Census 2000 population counts and housing data have been released by the Census Bureau. It is therefore recommended that a new master plan be developed that incorporates all 2000 Census information based on the data's release in 2002.

Capital Improvement Program

The Planning Board, in conjunction with the Borough Council, all municipal agencies and the School Board, is empowered to develop a 6-year Capital Improvement Plan (CIP) to serve as a guide for the Borough's Capital budget decisions regarding necessary municipal improvements. The CIP could guide the Borough's capital budget decisions regarding sewers, streets, sidewalks, stormwater drainage, community facilities, parks and other infrastructure. It is recommended that the Planning Board initiate such a program in order to classify projects in regard to the urgency and need for realization, and to recommend a time sequence for project implementation.

4.2 Land Development Ordinance Changes

The Master Plan Subcommittee has developed the following list of pertinent issues and recommended changes relative to the Borough's Land Development Ordinance.

1. Zoning Officer: The Zoning Officer has recommended the following actions be taken:
 - a. Review of the fence ordinance, particularly with regard to appropriate development standards in buffer areas.
 - b. Sign Ordinance should be reviewed to allow for clearer interpretation, particularly for temporary signs and banners.
 - c. A sunset clause on abandonment of use once a building has been destroyed, which is presently two years, and should be reduced to one year, unless exceptional circumstances or extensions are granted by the Unified Planning and Zoning Board.
2. Informal Presentations to the Planning Board: It is recommended that a charge of \$100.00 be posted by an applicant for a commercial or business venture seeking an informal presentation to the Planning

Board, as well as seeking an informal presentation on a Major Subdivision or Major Site Plan. This would exclude any fees for Minor Subdivisions or Minor Site Plans involving residential properties.

3. Planning and Zoning Board Fees: There has been a recommendation to upgrade those fees to make them more realistic, so that the escrow balances are not constantly underfunded. An applicant is entitled to a refund after an application. It is easier to issue a refund check than to provide additional funds from an applicant as a result of insufficient funds being collected in the first instance.
4. Definitions: The definitions of both "retail" and "manufacturing" should be augmented in our definition schedule and provide as part of the Master Plan. Additionally, issues of "Service" Businesses in retail areas should be clearly defined in terms of what constitutes a "service" business or industry in the retail zone, either than that which is presently in use, since it is open to various interpretations. The following definitions may be considered:

RETAIL SALES – Establishments primarily engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods, with the potential processing and manufacturing of products as an incidental or subordinate use.

RETAIL SERVICES – Establishments providing services or entertainment, as opposed to products, to the general public for personal or household use, including eating and drinking places, finance, real estate and insurance, personal service, motion pictures, amusement and recreation services, health, educational, and social services, museums, and galleries.

PERSONAL SERVICES – Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel.

5. Zoning Changes in Business District: The issue of permitting residential use of apartments or offices for second floors of commercial buildings in the Core Business District should be evaluated in detail. In order to develop a policy, it is recommended that an assessment of the amount and location of existing residential units should be completed, along with a parking needs assessment. Apartment units can be limited to certain areas via conditional use criteria that relate to street locations, unit size and overall density (e.g. residential units should be a minimum of 750 square feet in size). It is noted that the last

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- comprehensive master plan (1965) encouraged dense residential development with and adjacent to the downtown area.
6. Change the Ordinance with respect to Waiver of Design Approval for Site Plan on Commercial Properties from the Present: An improvement level of \$15,000.00 to anyone needing an applicant for Site Plan approval to a number in excess of \$50,000.00 for façade or structural improvements, without changing the footprint or elevation or type of use.
 7. Parking Analysis: There should be some sort of parking analysis in the GC Zone, as well as the establishment of parameters for a parking improvement fund to be collected as part of escrow requirements regarding Site Plan approvals in the GC Zone, or for commercial ventures that have an impact on the parking needs in the GC Zone. It is noted that the 1965 Comprehensive Master Plan incorporated a detailed parking analysis of the downtown area, including an inventory of total off-street and on-street parking spaces. The BID may be able to provide assistance regarding an overall parking count.
 8. Codify in the clear terms the Site Plan section of the Borough of Keyport Ordinances.
 9. Developer's Agreement: Change the Ordinance to eliminate the need for a Developer's Agreement on no impact Minor Subdivisions or Site Plans, or no-site impact application.
 10. Facilities Review/Public Buildings: Public building improvement should be addressed with specific reference to the Americans with Disabilities Act, as well as accessibility issues in general.
 11. Keyport Environment Commission Recommendation with respect to Ordinance 25:1-146. The Environmental Commission has recommended strict enforcement of the Ordinance with respect to landscaping, lighting and buffer regulations as it concerns transitional areas, as well as commercial areas abutting upon residences. This would also be related to the issue of garbage pick-up.
 12. Swimming Pool Ordinance: It is recommended that Construction Code regulations that relate to inground and above ground pools be incorporated into the Land Development Ordinance.
 13. Curb, Sidewalk and driveway Ordinances: The Ordinance should specify that no off-street parking shall be permitted on a front or side

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yard lawn or grass area.

5.0 REDEVELOPMENT PLANS

The Reexamination Report shall include the recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the Local Redevelopment and Housing Law, P.L. 1992, c. 79 (C.40A:12 A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

There are currently no formally designated redevelopment areas in the Borough of Keyport. Consideration should be given to initiating a formal investigation regarding whether the Aero-Marine Property qualifies as an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law.

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Appendix

Resolution adopting Reexamination Report

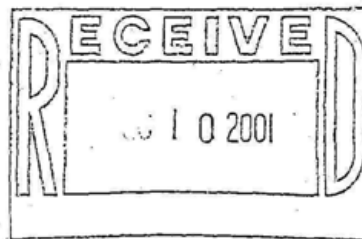
MONMOUTH COUNTY PLANNING BOARD

Hall of Records Annex
One East Main Street
Freehold, New Jersey 07728-1255
732-431-7460

No. 4731

Municipality: Keyport Borough
To: Judith L. Poling
Address: 18-20 Main Street
Keyport, NJ 07735

Draft Date Received: 12/5/01
Final Date Received: 12/5/01
Rejected Date Received:



Transmitted Via: Mail
 Certified Mail (Number) 7000 1670 0003 4763 3847
 Hand Delivered

Resolution Number: 2001

Master Plan
 Zoning and Development Regulations

The following document(s) was received on this date at the offices of the Monmouth County Planning Board, in accordance with the provisions of R.S. 40:55D-15 – Municipal Land Use Law (Chapter 291 Laws of 1975).

Master Plan Re-Examination Report

If we have any comments or recommendations concerning the above document(s), they will be forwarded to you prior to the Public Hearing scheduled to be held on

Date Adopted: 12/3/01

PLEASE RETAIN ALL CORRESPONDENCE AND RECEIPTS FROM THE MONMOUTH COUNTY PLANNING BOARD FOR YOUR OFFICIAL RECORDS.

Date Transmitted: 12/6/01

Transmitted By: Cheryl Comiskey

Title: Clerk

1111 NOV 11/15/02
December 10, 2001
Keyport, New Jersey

Minutes of a Special Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Keyport Senior Center, 110 Second Street, Keyport, N.J. pursuant to the adoption of Resolution #350-01, in accordance with the Open Public Meetings Notices were faxed to the Courier, Asbury Park Press, Independent and Two River Times and posted on the Bulletin Boards.

Mayor Graham called the meeting to order at 7:07 P.M. and read the Sunshine Law Notice. The Planning Board called their meeting to order.

ROLL CALL

On Roll Call the following were present: Councilmembers Merla, Atkins, Bergen (arrived 7:22 P.M.), Pedersen. Absent: Councilmembers Ashmore and Antonucci. Others present: Gordon Alwin, Borough Attorney; Mr. Kriskowski, Borough Engineer; Unified Planning Board Members: Mayor Graham, Councilman Pedersen, Michael Palmisano, John Kovacs, Mark Sessa, Robert Zwingraf, Pat Menna, Planning Board Attorney and Jason Chaiken, Engineer.

DISCUSSION

Master Plan. Mayor Graham said the purpose of the joint meeting was to exchange information between the two bodies regarding the Master Plan. Planning Board Chairman Michael Palmisano said that the Committee findings were presented to the Board. Two sessions produced changes and they are being presented to the Governing Body. Mr. Menna said that John Kovacs is the sub-committee chairman. Revisions are being made per the Municipal Land Use Law to address anomalies and suggestions. Re-zones were reviewed and specific locations as to lack of any litigation and any imminent Waterfront Development. The zones were developed over the historic patterns. Keyport is small and to change zones invites use Variance applications and forces minor matter applications; the zones should be left intact (small subdivisions and recycle small properties). A re-examination report was adopted by the board. If Council implements zoning changes, it would be smoother. The last re-examination was done in 1989. Both bodies reviewed the Re-examination booklet prepared by Schoor DePalma. The population statistics show no large open space inventory. With regard to New Dwelling Units and New Residential Construction, if it conforms, they could obtain Building Department Permits. The Governing Body should follow through on the Smart Growth Application. Ordinance changes; the Governing Body should consider Parks and Recreation (based on formula and off tract contribution [could impact streets, etc]) and recreation needs. The Historic Preservation element should be increased (20% income tax credit from Federal Government). Mayor and Council should consider Capital Improvements such as storm water drainage, etc. Changes should be considered to the Land Development Ordinance. Review of the fence ordinance, a Sunset clause on abandoned buildings, fee structure should be revised (i.e. escrow) and an Administrative procedure should be established (a matter minor in nature). There are retail services who would like to use their second and third floors for residential uses, the businesses and property owners favor this idea in the downtown, but there could be parking issues. Developers Agreements should be eliminated in certain instances. The Aeromarine Property should be left as is. The Site Plan/Subdivision Ordinance should be increased from \$15,000 to \$50,000.

Engineer Chaiken said that the Zoning Ordinance should be amended. The report functions as 1) Planning Board requirement to reexamine the Master Plan and 2) change Ordinances. Councilman Merla asked for the consensus of the Board regarding mixed use; businesses remain the same (bottom floor) and residential area on the top floor. yes. Abatements in core Business district (figures, term). Mr. Menna said that this ties into the Smart Growth Application and this was discussed, but figures were not put in which might conflict with Smart Growth. With regard to a parking analysis, whatever changes are made, there will be parking problems; you have to be careful. Surveys will have to be done to create new spaces. Mr. Merla asked about the Historic Preservation element; any changes should re-enforce enforcement of Ordinances. This is not

done now. Curbs, sidewalks and driveways conflict with the present Ordinances; people park on their lawn during snow emergencies. Mr. Menna said that the Police need guidance. Mr. Kovacs said that uniform curbs are needed (thickness and kind of curbs). Mr. Merla asked about the sale of firearms. Mr. Menna said he agrees, but there is the home based business law and it can be challenged. Mr. Menna said that it addresses retail sale and prohibits distance from certain sites. It was asked how escrow fees are determined, accounts run short or does the Borough charge too much. Mr. Kriskowski said that compared with other municipalities for the initial escrows, Keyport is low. Mr. Merla asked how fees are determined; Mr. Kriskowski said that they are determined by the Zoning Officer. Mr. Menna said that the Planning Board should determine a formula for a minor application and decide if the Engineer should review the case or not. Mr. Bergen asked if there were any discussions on the State redevelopment statutes; Mr. Chaiken said only for the Aeromarine Property. Mrs. Poling asked about the Site Plan/Subdivision Ordinance that it needs to be updated - Mr. Kriskowski said that it does. Mr. Menna said that the report that was provided is to give the Borough direction. The concerns are Historic Preservation and Recreation; Council needs to be proactive. The theme is to use Committees.

Mayor Graham asked that Mr. Litwin advise Mayor and Council what needs to be done. Mr. Litwin said that no formal Council action is needed; the Planning Board adopts the Master Plan. The Council will attend to the Zoning recommendations and align them with the Master Plan. Ordinances are referred to the Planning Board. This was an informational meeting and in the near future Council will act. Mr. Merla asked if Council should form a Committee. Mr. Litwin said that this should first be listed on a Council Meeting and go from there; Council must prioritize. Mayor Graham thanked the Planning Board Members and Committee, as well as, Mr. Menna, Virginia Febo, Planning Board Secretary and John Kriskowski for their work.

ADJOURNMENT

Motion to Adjourn moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

Time of Adjournment: 7:50 PM

Respectfully submitted,

Judith L. Poling/ame
Judith L. Poling, RMC/CMC
Borough Clerk/Administrator

Alyson M. Cinquegrana
per Alyson M. Cinquegrana, RMC
Deputy Borough Clerk