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February 7, 2023

VIA EMAIL

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
910 Oceanport Way
P. O. Box 370
Oceanport, NJ 07757

38 Doreen Drive – Bulk Variance
Block 122, Lot 16
Application No. PB2022-28
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0338

Dear Board Members,

Our office has received the following information in support of the above-referenced Application:

- Plans entitled "Pool Plot Plan," prepared by R.C. Burdick, P.E., P.P., P.C., last revised October 31, 2022, consisting of one (1) sheet.
- Plans entitled "Survey of Property" prepared by Charles Surmonte PE & PLS, dated December 7, 2022, consisting of one (1) sheet.

The subject property is an 27,885 SF (0.64-acre) parcel located on the northwest corner of the Intersection of Doreen Drive and Branchport Avenue. The property is zoned R-3 Residential Zone. The Applicant proposes to install a pool and fence. The lot has frontage on Doreen Drive and Branchport Avenue.

Based on our review, we recommend that the Application be deemed complete and scheduled for the next available public hearing. The Applicant shall provide proof of public notification as required for this Application. A planning and engineering review of the Application is included below.

A. Variances/Design Waivers

We offer the following comments for the Board's consideration:

1. Bulk variances are required for the following:
 - a. Ordinance 390-31E prohibits pools from being located in the front yard. The proposed pool is between the dwelling and Branchport Avenue, which is technically a front yard.

The Municipal Land Use Law permits the granting of a hardship variance under either of two following situations (C.40:55D-70c):

1. **Hardship c(1) - Physical Constraints** – Hardship variances may be granted if the strict application of the ordinance would impose peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer based upon the existence of the following conditions:
 - a. Exceptional narrowness, shallowness or shape of a specific piece of property;
 - b. Exceptional topographic conditions or physical features uniquely affecting a piece of property; and,
 - c. An extraordinary and exceptional situation uniquely affecting a specific piece of property of the structures lawfully existing thereon.
2. **Flexible "c" or c(2) - Benefits Outweighing Detriments** - A variance may be granted where the purpose of the Municipal Land Use Law would be advanced by the proposed deviation and the benefits of the deviation would substantially outweigh any detriment.

The Applicant shall provide testimony in support of the variance being requested and/or identified.

B. General Comments

1. The Applicant shall provide a breakdown of the existing and proposed impervious coverages to demonstrate that a variance is not required.
2. The proposed fencing must be pool code compliant, no higher than 4' and over 50% open.
3. The Applicant should clarify if any additional outdoor lighting is proposed.

Should you have any questions regarding this matter, please do not hesitate to contact me directly.

Sincerely,

Colliers Engineering & Design
(DBA Maser Consulting)



William H.R. White, III, PE, PP, CME, CFM, CPWM
Planning Board Engineer and Planner

WHW/dmm

cc: M. Pamela Goldfield, Applicant (via email)

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