

101 Crawfords Corner Road  
Suite 3400  
Holmdel, New Jersey 07733  
Main: 877 627 3772



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

6 Ticonderoga Avenue – Bulk Variance  
Block 31, Lot 4  
Application No. PB2023-02  
Borough of Oceanport, Monmouth County, New Jersey  
Colliers Engineering & Design Project No. OPP-0340

Dear Board Members,

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

- Plans entitled “Pool Plan,” prepared by InSite Engineering, LLC, last revised January 18, 2023, consisting of one (1) sheet.

The subject property is a 9,000 SF (0.21-acre) parcel on the south side of Ticonderoga Avenue approximately 360 feet west of Port Au Peck Avenue located in the R-3 Residential Zone. The Applicant proposes to install a pool, patio and fencing.

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. Variations/Design Waivers**

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

1. Bulk variances are required for the following:
  - a. Impervious Coverage – Currently the property has 38% impervious coverage whereas the maximum permitted in the zone is 37%. The Applicant proposes to increase the impervious coverage to 45.2%.

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. A signed and sealed survey shall be submitted to the Board Secretary for the file.
2. An overflow pipe for the proposed dry well shall be provided with a discharge to the front yard.
3. The property is located in an AE10 Flood Hazard Area. The pool equipment must be at or above elevation 12.4

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: Laura Caccamise. (via email)

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