Redevelopment Study & Preliminary Investigation Report

Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7, & 9
Keyport Borough
Monmouth County, New Jersey
Redevelopment Study & Preliminary Investigation Report

June 3, 2015

Prepared for:
Keyport Borough
Monmouth County, New Jersey

Prepared by:
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The original of this document was signed and sealed in accordance with New Jersey Law

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Introduction

The purpose of this report is to determine whether or not Blocks 20, Lots 1, 2, 3, 5, 6, 6.01, 7, and 9 (herein referred to as the “Study Area”), Borough of Keyport, qualifies as an area in need of redevelopment as defined in the Local Redevelopment and Housing Law, P.L.1992, Chapter 79 (the “LRHL”). The Study Area is a 12.48-acre tract located in the north-western portion of the Borough near the Borough’s shared border with Aberdeen Township, across the Matawan Creek (See Figure 1). The study area is also shown on the accompanying Study Area Map and Tax Map. (See Figure 2 and Figure 3).

This report is written pursuant to Section 6 of the LRHL (N.J.S.A. 40A:12A-6a), which states the following:

No area of a municipality shall be determined to be a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in Section 5 of P.L. 1992. C.79 (C.40A:12A-5). … The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of a municipality.

The Council of the Borough of Keyport adopted Resolution #358-14 on December 16, 2014, requesting that the Planning Board undertake a preliminary investigation of the study area to determine whether or not the area qualifies as non-condemnation redevelopment area pursuant to the LRHL. This resolution is attached as Appendix A of this document.

This report serves as the “statement setting forth the basis for the investigation,” which is required by the LRHL [N.J.S.A. 40:12A-6b(1)]. In accordance with N.J.S.A. 40:12A-6b(5):

After completing its hearing on this matter, the planning board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area. After receiving the recommendation of the planning board, the municipal governing body may adopt a resolution determining that the delineated area, or any part thereof, is in need of redevelopment.
Figure 1: Regional Location

Legend
- Study Area
- Municipal Boundary
- Interstate or Toll Route
- US or State Route

Prepared by: JAC, 4/16/2015
Source: NJGIS; NJDOT; NJDEP; Monmouth County, Keyport Borough
H:\KUPB\00020\GIS\Projects\Figure 1- Regional Location.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Figure 2: Aerial Location Map

Prepared by: JAC, 4/16/2015
Source: NJGIN; NJDOT; NJDEP; Monmouth County, Keyport Borough
H:\KUPB\00020\GIS\Projects\Figure 2: Aerial Location.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Figure 3: Tax Map

Prepared by: JAC, 4/6/2015
Source: NJPIN; N.JDOT; NJDEP; Monmouth County, Keyport Borough
H:\KUPB\00020\GIS\Projects\Figure 3- Tax Map.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Study Area Description

Properties Located in the Study Area

The Study Area is a 12.48 acre tract consisting of eight tax parcels located at the northern end of Washington Street, and partially fronting on Northwest First Street. The Study Area is also bound by the north and west by the Matawan Creek, across which is Aberdeen Township. The tax lots in the Study Area are listed on the official tax map of the Borough as Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7 and 9. A description of the Study Area and how it meets the statutory criteria of the LRHL is provided in Appendix B.

<table>
<thead>
<tr>
<th>Lot</th>
<th>Land Area</th>
<th>Water Area</th>
<th>Total Acreage</th>
<th>Ownership</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>-</td>
<td>0.08</td>
<td>Pinto, Norma A.</td>
<td>Single family residential</td>
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<td>2</td>
<td>0.08</td>
<td>-</td>
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<td>Long, Erica</td>
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</tr>
<tr>
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<td>-</td>
<td>0.11</td>
<td>Heil, Keith</td>
<td>Single family residential</td>
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<tr>
<td>5</td>
<td>1.00</td>
<td>-</td>
<td>1.00</td>
<td>357 West Front Street LLC</td>
<td>Brown’s Point Marina</td>
</tr>
<tr>
<td>6, 6.01</td>
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<td>3.080</td>
<td>10.325</td>
<td>357 West Front Street LLC</td>
<td>Marina</td>
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<tr>
<td>7</td>
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<td>-</td>
<td>0.32</td>
<td>Delverde, James P.</td>
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<td>9</td>
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<td>Brown’s Point Marina</td>
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<tr>
<td>TOTAL</td>
<td>9.32</td>
<td>3.16</td>
<td>12.48</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Existing Land Uses

Existing land uses were evaluated as part of the site visit and field analysis conducted on April 2, 2015. The Study Area is developed with a variety of uses, as it spans eight tax parcels in two different zoning districts. Lots 1, 2, 3, and 7 are developed with and single-family residential units that are currently inhabited. Lot 5 is developed with the Endeavor House, an assisted living facility. Lots 6, 6.01, and 9 are part of the Brown’s Point Marina, which fronts on West Front Street and also includes Lots 11.01, 13, 14, and 14.01, located adjacent and to the south of the Study Area.

Figure 4 depicts land use classifications in the study area based on MOD-IV data associated with tax assessment records. Lots 5, 6, and 6.01 of the Study Area are classified as commercial property (Class 4A) according to the MOD-IV data. Lots 1, 2, 3, and 7 are classified as residential (Class 2), while Lot 9 is classified as vacant (Class 1) although it is part of the existing marina facility.
Figure 5 depicts existing land uses and land cover in the study area and surrounding area as mapped by the New Jersey Department of Environmental Protection (NJDEP) in 2007. The 2007 Land Use/Land Cover data classifies the Study Area with a variety of land uses. Lots 1, 2, 3, and 7 are entirely classified as high density residential, while Lot 5 is split between high density residential fronting on West Front Street and deciduous brush/shrubland towards the north and west of the lot. Lots 6 and 6.01 are a mix of recreational land, deciduous brush/shrubland, saline marshes, and tidal waters along the Matawan Creek. Block 9 also contains recreational land, and tidal waters towards the western edge of the parcel. Adjacent land uses include: recreational land to the south, extending south past West Front Street; high density residential to the south and fronting on Washington Street and Broadway south past West Front Street; and a mix of tidal waters, saline marshes, a small strip of beaches, recreational land, and high density residential to the south east of the Study Area.

Activity in the vicinity of the Study Area includes the following: Offices, the garage, offices, and storage of the Brown’s Point Marina is located to the south of Lot 9; single family residential units are located to the south of Lots 7 along Washington Street, south of Lots 1, 2, and 3 across NW First Street on Block 19, and south of Lots 5 and 6.01 along Broadway; and marina/recreational land further to the east across Broadway. As stated before, to the north and west of the Study area is the Matawan Creek, across which lies conservation land under the jurisdiction of Aberdeen Township.
Figure 4: MOD-IV Data Classifications

Study Area Boundary
MOD-IV Classification
Block Boundary
1- Vacant
Parcel Boundary
2- Residential
Municipal Boundary
4A- Commercial

Prepared by: JAC, 4/16/2015
Source: NJGIN; NJDOT; NJDEP; Monmouth County, Keyport Borough
H:\KUPB\00320\GIS\Projects\Figure 4- MOD-IV.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Figure 5: Land Use Land Cover (2007)

Prepared by: JAC, 4/8/2015
Source: NJGIN; NJDOT; NJDEP; Monmouth County, Keyport Borough
H:\KUPB\0020\G\GIS\Projects\Figure 5- Land Use Land Cover.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Environmental Constraints

The Study Area is located along the Matawan Creek and is characterized by wetlands along the creek in Lots 6 and 6.01, as seen in Figure 6. An area of historic fill is located at the southern end of Lot 9 in the Study Area and extending southward across W Front Street. The New Jersey Department of Environmental Protection states that historic fill is non-indigenous material placed on a site in order to raise the topographic elevation of the site. Additionally, the Brown’s Point Marina, which includes Lots 6, 6.01, 9 in the Study Area, and lots 11.01, 13, 14, and 14.01 to the south/outside of the Study Area, is listed on the NJDEP Known Contaminated Sites List (KCSL), which is in response to boat oils found on site prior to current ownership.

Furthermore, the Study Area is almost entirely located within a flood hazard area (FEMA’s Preliminary Flood Insurance Rate Maps dated January 2014), as seen in Figure 7. Closest to the water, Lots 6, 6.01, and 9 are located in the “VE” zone (encompassing approximately 65.5 percent of the Study Area), which has a one percent chance coastal flooding with a velocity/wave action hazard, with base flood elevations ranging from 15 to 17 feet. These same lots are also located in the “AE” zone (encompassing approximately 28.5 percent of the Study Area), which also has a one percent chance of flooding, with a base flood elevation of 14 feet. Lots 5 and 7 in the Study Area are also located partially in the AE 14 zone (encompassing approximately six percent of the Study Area), with the remainder in the 0.2% chance flood hazard (outside the 100-year flood hazard). Lots 1, 2, and 3 are completely within the 0.2% chance flood hazard area.
Figure 6: Environmental Constraints

- Study Area Boundary
- Known Site of Contamination
  - Brown’s Point Marina
- Wetlands
- Area of Historic Fill

Prepared by: JAC, 4/20/2015
Source: N.J.GIS, N.J.DOT, NJDEP, Monmouth County, Keyport Borough
H:\KUPB\00020\GIS\Projects\Figure 6- Environmental Constraints.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Figure 7: Flood Hazard Areas

Prepared by: JAC, 4/16/2015
Source: NJGIN; NJDOT; NJDEP; Monmouth County, Keyport Borough
H:\KUPB100020\GIS\Projects\Figure 7- Flood Hazard Areas.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Impacts of Superstorm Sandy

When Superstorm Sandy hit the New Jersey coast on October 29, 2012, it brought extensive damage to the Borough of Keyport, including to the Brown’s Point Marina and this Study Area. Impacts from Superstorm Sandy are discussed below.

Impacts at the Brown’s Point Marina (Block 20, Lots 6, 6.01, and 9) portion of the Study Area include the following:

- All of the marina’s docks were lifted off of their pilings and/or destroyed.
- Electrical equipment and connections were destroyed.
- Boats were uplifted from docks due to rising water, and were left scattered throughout the marina as the tides receded.
- Boats stored in the yard pre-Sandy were lifted off their blocks and floated away into the adjacent creek. Most of these boats did not have drain plugs, and many sank in the creek before they could be recovered.
- Forklifts were under water, and sustained significant water damaged to the extent that warrants ongoing repairs totalling up to $10,000.
- A hydraulic trailer/boat lift parked in the study area prior to the storm was significantly damaged, with repairs totalling approximately $7,000.
- A truck previously parked on site was relocated to the wetlands part of the Study Area, where it remains to date.
- A site visit on April 2, 2015 noted the following debris remaining on site (as described/depicted in Appendix B): two refrigerators; two charcoal grills; one lawn mower; one hot water heater; one dishwasher; one mattress box spring; one filing cabinet; one electrical saw, various electrical equipment/wires; various car and motor parts, accessories, and tires; a windshield wiper fluid tank with wiper fluid (exposed/leaking); one fire extinguisher; various metal scraps; one large trash can; among other smaller parts, scraps, and debris.
There were also significant damages to the remainder of the Brown’s Point Marina, located just to the south and outside the boundary of this Study Area (Block 20, Lots 11.01, 13, 14, and 14.01), but are nonetheless relevant to this analysis, including the following:

- The marina’s office building was destroyed.
- The garage was severely damaged, and 75 percent of the tools stored in the garage were damaged or destroyed as well (the tools costing approximately $20,000 to replace).
- Overall the marina faced $350,000 in damages and spent over $30,000 in debris removal.
- Cranes were needed to remove up to eight boats that were displaced and became stuck after tides receded.

Damages to the portion of the Marina outside of the Study Area are depicted below.

In response to Superstorm Sandy, Brown’s Point Marina spent approximately $38,700 on demolition of damaged improvements and removal of debris. Though, as described above, not all debris has been removed from the site to date.
There were also repairs to the Endeavor House (on Block 20, Lot 5), which to date have totaled approximately $22,500 and have included repairs to doors, roofing, trusses, and sheetrock. There is also an additional $10,000 anticipated to be spent on further door and window replacements.

Repairs to the docks throughout the entire Brown’s Point Marina (including sections both inside and outside of the Study Area) have totaled roughly $49,000 as of April 2015. The portion of the dock within the Study Area alone has cost about $20,000 for repairs.

The three images below, accessed on Google Earth and dated November 5, 2012, depict the damages to the Study Area. Noteworthy in these images are the damages to the docks and displaced boats throughout the Study Area, Brown’s Point Marina, and the Matawan Creek.
Zoning and Relationship to Zoning Ordinance

The study area is located in both the General Marine Commercial (GMC) and the Residential (RA) zones (See Figure 8). Land use regulations for the GMC and RA zones are outlined in the following subsections.

General Marine Commercial Zone District

According to the Borough of Keyport Land Use Regulations, permitted uses in the GMC Zone are as follows:

**Permitted Principal Uses:**

1. Uses permitted in the Neighborhood Commercial District, which include:
   a. Bank;
   b. Barber shops and beauty parlors;
   c. Book and stationary stores;
   d. Drug stores;
   e. Dry goods and variety stores;
   f. Dry cleaning and clothes pressing establishment, provided that no flammable cleaning agents are used;
   g. Eating and drinking establishments without live entertainment;
   h. Florists;
   i. Food stores;
   j. Hardware stores;
   k. Laundries, hand or automatic;
   l. Office, business and professional;
   m. Package liquor stores;
   n. Photographic equipment and supplies;
   o. Radio and television repair;
   p. Shoe repair shops;
   q. Tailor and dressmaker shops;
   r. Telephone exchanges.

2. Apparel shops;
3. Banks and other financial institutions;
4. Bars and cocktail lounges without live entertainment;
5. Boat yards, boat building facilities, service and sales, marinas and docks;
6. Church or other place of worship, parish house, or Sunday school building;
7. Club, exclusive of a swimming pool club;
8. Furniture stores;
9. Theaters and bowling alleys;
10. Major department stores, specialty shops, personal and business service establishments;
11. Newspaper publishing plant;
12. Paint and wallpaper stores;
13. Professional business, and technical schools, and schools and studios for photography, art, music, and dance;
14. Public utility buildings or structure, telephone exchange;
15. Sporting and athletic goods;
16. Undertakers and funeral parlors

**Residential Zone District**

Permitted uses in the RA zone district are as follows:

1. Single family detached dwelling;
2. Church, Sunday school, and other places of worship;
3. Eleemosynary and philanthropic institutions;
4. Public school, park, playground, fire house, library, municipal building.

Conditional uses include the following:

1. Private school or college;
2. Licensed nursing homes and nursery schools;
3. Home occupation and professional home office.

**Building Requirements:**

Table 1 below describes the area, yard, height, and building coverage requirements of the RA and GMC Zones.
Table 1: Bulk Requirements

<table>
<thead>
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<th>Minimum Lot Requirements</th>
<th>District</th>
<th>RA</th>
<th>GMC</th>
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<tbody>
<tr>
<td>Area (square feet)</td>
<td>7,500</td>
<td>10,000</td>
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<td>Lot Width (feet)</td>
<td>75</td>
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<table>
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<th>Minimum Required Yard Depth, Principal Building</th>
<th>District</th>
<th>RA</th>
<th>GMC</th>
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</thead>
<tbody>
<tr>
<td>Front Yard (feet)</td>
<td>20</td>
<td>20</td>
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</tr>
<tr>
<td>Minimum One Side Yard (feet)</td>
<td>6</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Both Side Yards (feet)</td>
<td>16</td>
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</tr>
<tr>
<td>Rear Yard (feet)</td>
<td>15</td>
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<table>
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<th>GMC</th>
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<th>Maximum Height</th>
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<td>Feet</td>
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<td>35</td>
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<th>Maximum % Coverage</th>
<th>District</th>
<th>RA</th>
<th>GMC</th>
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<td>Accessory Building</td>
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<tr>
<td></td>
<td>60</td>
<td>90</td>
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</table>
Figure 8: Existing Zoning

Legend:
- Parcel Boundary
- Municipal Boundary
- Study Area

GMC Zone
RA Zone
NC Zone

Prepared by: JAC, 4/6/2015
Source: NJGIN; NJDOT; NJDEP; Monmouth County, Keyport Borough
H:\KUPB\00020\GIS\Projects\Figure 8- Existing Zoning.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

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**Planning Context**

**Borough of Keyport 1989 Master Plan**

The Borough of Keyport Master Plan was adopted in 1989. The assumptions, goals, and objectives are outlined below.

**Assumptions**

1. No additional rules and regulations of the NJ Department of Environmental Protection will further impact or inhibit the use of land within the community.
2. No known nor anticipated County, State, or Federal facility is proposed within the boundaries of the community.
3. No known divestiture or abandonment of County, State, or Federal facilities within the northern Monmouth County area is known nor anticipated.
4. A continued strong economic climate will exist within the Monmouth-Middlesex County area, but growth will occur at a slower pace owing to diminished supply of available, developable land and serving utilities (water supply and sanitary sewer capacity).
5. The existing means of transportation to and from the community, and with particular respect to ferry service to New York City shall continue and be permanent.
6. Demand for access to the waterfront area, and in particular, for marine-commercial services shall continue.
7. Continued renovation, modernization, and expansion of existing dwellings owing to the demand for housing having good access to the regional transportation systems and located in sound, stable residential neighborhoods.

**Master Plan Goals and Objectives**

1. Preserve and protect existing and established residential neighborhoods.
2. Provide for commercial growth consistent with population and employment growth of the Borough and northern Monmouth County region.
3. Provide for a diversity of commercial land service uses in scale with adjacent density of residential neighborhoods.
4. 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.
5. Preserve and enhance the architectural diversity and historic place and buildings within and/or at designated locations and sites.
New Jersey State Development and Redevelopment Plan

On March 1, 2001, the State Planning Commission (“SPC”) adopted the SDRP. The SDRP establishes a proposed statewide planning framework that is designed to maintain and revitalize existing cities and towns and organize new growth in “center” – compact, mixed-use communities that provide a variety of choices in housing, employment opportunities, entertainment, services, transportation, and social interaction.

This Study Area is located in both the Metropolitan Planning Area 1 (PA-1) and the Environmentally Sensitive Planning Area 5 (PA-5), as shown in Figure 9.

According to the SDRP, the intent of the Metropolitan Planning Area 1 is to:

- Provide for much of the state’s future development;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The Policy Objectives governing the Metropolitan Planning Area 1 (PA-1) include the following:

- Land Use: Promote redevelopment and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts.
- Housing: Provide a full range of housing choices through redevelopment.
- Natural Resource Conservation: Reclaim environmentally damaged sites and mitigate future negative impacts.
- Public Facilities and Services: Complete, repair, or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region.

The intent of the Environmentally Sensitive Planning Area 5 (PA-5) is to:

- Protect environmental resources through the protection of large contiguous areas of land;
- Accommodate growth in Centers;
- Protect the character of existing stable communities;
• Confine programmed sewers and public water services to Centers; and
• Revitalize cities and towns.

The Policy Objectives governing the Environmentally Sensitive Planning Area 5 (PA-5) include the following:

• Land use: Development and redevelopment should use creative land use and design techniques to ensure that it does not exceed the capacity of natural and infrastructure systems.
• Housing: Provide for a full range of housing choices at appropriate densities.
Figure 9: State Planning Area

Prepared by: JAC, 4/20/2015
Source: NJGIN; NJDOT; NJDEP; Monmouth County, Keyport Borough
H:\KUPB\00020\GIS\Projects\Figure 9: State Planning Areas.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Redevelopment Area Criteria

Pursuant to Section 5 of the LRHL (N.J.S.A. 40A:12A-5), an area may be determined to be in need of redevelopment if it meets one or more of the following statutory criteria:

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.

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.

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.

D. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

E. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant or unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety, and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the community in general.

F. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

G. In any municipality in which an enterprise zone has been designated pursuant to the “New Jersey Urban Enterprise Zones Act,” P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of
the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

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

Furthermore, the LRHL permits the inclusion of parcels that do not meet the statutory criteria if they are necessary for effective redevelopment of the proposed redevelopment area:

A redevelopment area may include land, buildings or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary with or without change in their condition, for the effective redevelopment of the area of which they are a part (N.J.S.A. 40A:12A-3).
Redevelopment Analysis and Conclusions

A careful analysis of the study area’s existing land use, site layout, and physical characteristics was conducted using tax records, statewide Geographic Information System (GIS) data, information provided by the Borough, and visual field inspections for the property. The analysis indicates that Lots 6, 6.01, and 9 in the Study Area meet the “d” criterion under Section 5 of the LRHL (N.J.S.A. 40A:12A-5); Lots 5 and 7 are needed for the effective redevelopment of the area; and Lots 1, 2, and 3 do not meet the statutory criteria for designation as an area in need of redevelopment but have been previously designated in need of rehabilitation. These findings are described in detail in Appendix B and illustrated in Figure 10.

As noted previously, an area can be designated as an area in need of redevelopment pursuant to the “d” criterion if it includes buildings or improvements which, by reason of dilapidation, faulty arrangement and design, and deleterious land use, is detrimental to the safety, health and general welfare of the Borough.

In the Study Area, Lots 6, 6.01, and 9 exhibit conditions of both dilapidation and deleterious land use. Piles of debris remaining from Superstorm Sandy are strewn throughout this section of the Study Area. The debris includes a pickup truck that has remained on site in a stagnant, rusting, and non-working condition, and is also located in a flood hazard area. A full inventory of the debris on site is included in the Property Analysis Sheets in Appendix B, but generally includes various large appliances; furniture; power tools and electrical equipment; various motorized parts and accessories; and a windshield wiper fluid tank with wiper fluid (which is exposed and leaking). The storage of rusting metallic, motorized, and electrical equipment, as well as exposed/leaking chemical liquids is unsafe and presents a direct adverse and negative impact on the health and general welfare of the surrounding community, which is predominantly residential. The adverse impact is further exacerbated by the Study Area’s location in a waterfront area in a prone flood hazard area.

Flooding and impacts from Superstorm Sandy have resulted in damages to and deposited debris on Lots 6, 6.01 and 9 significantly impacting marina operations in this area. Since Superstorm Sandy’s impacts in 2012, there are significant portions of the Study Area that now function as stockpiles for storm debris, creating hazards and an attractive nuisance.

Leaving these properties in this condition (dilapidated, with faulty arrangement and design, and with deleterious land use) would fail to offer any benefit or improvement to the community and be detrimental to the general welfare of the Borough.
Lot 5 is necessary for the effective redevelopment of the area as it would provide for access to Lots 6 and 6.01 from Broadway. Also, a portion of this lot is outside of the flood hazard area.

Lot 7 is necessary for the effective redevelopment of the area as it would provide needed site area outside of the V (velocity) Zone of the flood hazard area to construct needed parking and improvements as part of the redevelopment the area.

Lots 1, 2, and 3 do not meet the statutory criteria and are not in need of redevelopment. However, depending on the design of the proposed redevelopment project inclusion of these lots in the redevelopment area could provide land outside of the flood hazard area and provide more flexibility in the design of the site and the ingress and egress to the site. However, without more detail on the proposed redevelopment project, there is insufficient evidence to support their inclusion in the redevelopment area under Section 3 of the LRHL (i.e., being needed for the effective redevelopment of the area). It should be noted, however, that these properties are within the Borough’s existing area in need of rehabilitation designation and could be included in any redevelopment plan for the area.
Figure 10: Findings

<table>
<thead>
<tr>
<th>Municipal Boundary</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Study Area Boundary</td>
<td>In Need of Redevelopment Pursuant to “d” Criterion</td>
</tr>
<tr>
<td>Parcel Boundary</td>
<td>Needed for Effective Redevelopment</td>
</tr>
<tr>
<td></td>
<td>Not in Need of Redevelopment</td>
</tr>
</tbody>
</table>

Prepared by: JAC, 6/4/2015
Source: NJGIN: NJDOT; NJDEP; Monmouth County, Keyport Borough
H:\Matn\03500\GIS\Projects\Final\Figure 10- Findings.mxd

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.
Appendix A: Governing Body Resolution Authorizing the Preliminary Investigation of the Study Area
RESOLUTION #358-14

PRELIMINARY INVESTIGATION FOR REDEVELOPMENT
BLOCK 20, LOT 1, 2, 3, 5, 6, 6.01, 7 AND 9 ON THE TAX
MAP OF THE BOROUGH OF KEYPORT

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 redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute an area in need of redevelopment, under the Redevelopment Law the municipal council of the Borough of Keyport (the "Municipal Council") must authorize the Planning Board to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, the Municipal Council hereby requests that an investigation occur with respect to the property commonly known as Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7 and 9 on the tax map of the Borough of Keyport, State of New Jersey (the "Study Area"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

WHEREAS, if the Planning Board determines to recommend that the Study Area should be designated as an area in need of redevelopment, pursuant to Section 7(f) of the Redevelopment Law, the Municipal Council requests that the Planning Board also prepare a redevelopment plan for the Study Area and submit same to the Municipal Council for its consideration; and

WHEREAS, if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment, the Municipal Council further authorizes the Borough to use all of those powers provided under the Redevelopment Law for use in a redevelopment area, not including the power of eminent domain pursuant to N.J.S.A. 40A:12A-8(c) (as designated, a "Non-Condemnation Redevelopment Area"); and

WHEREAS, the Municipal Council has determined that it is in the best interests of the Borough to direct the Planning Board to undertake a preliminary investigation of the Study Area pursuant to the procedures of the Redevelopment Law, provide its recommendations to the Municipal Council, and prepare a draft redevelopment plan for same, if redevelopment designation is recommended.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF KEYPORT, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.
Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment, which designation would permit the Borough to utilize all of the redevelopment powers, not including eminent domain.

Section 3. As part of its investigation, the Planning Board shall prepare maps showing the boundaries of the Study Area and the location of the parcels contained therein and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundary of the Study Area, the date of the hearing and the municipal option to exercise the power of eminent domain to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination would not authorize the Borough or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designations are received and considered, the Planning Board shall make recommendations to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

Section 7. If the Planning Board recommends the Study Area be designated as a Non-Condemnation Redevelopment Area, the Planning Board is further directed to prepare a redevelopment plan for the Study Area pursuant to Section 7(f) of the Redevelopment Law. Upon completion of the redevelopment plan, the Planning Board shall transmit the plan to the Municipal Council for its consideration.

Section 8. This Resolution shall take effect immediately.
OFFERED: Tomczak
SECONDED: McPeek
AYES: Tomczak, Lamberson, Chamberlain, Howe, McPeek
NAYS:
ABSENT: Sheridan
ABSTAIN:

I, Valerie T. Heilweil, Borough Clerk, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting of December 16, 2014.

[Signature]
Valerie T. Heilweil, RMC
Municipal Clerk
Appendix B: Property Analysis Sheets
### Property Analysis Sheets

<table>
<thead>
<tr>
<th>Block: 20</th>
<th>Lot: 1</th>
<th>Use: Single Family Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Owner’s Name:</strong> Pinto, Norma A</td>
<td><strong>Zoning District:</strong> RA</td>
<td></td>
</tr>
<tr>
<td><strong>Property Location:</strong> 20 North West First St</td>
<td><strong>Area:</strong> 0.0758 acres</td>
<td></td>
</tr>
<tr>
<td><strong>Owner’s Address:</strong> 20 North West First St, Keyport, NJ 07735</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Block 20, Lot 1 is a well-maintained, occupied single family detached residential building. Photos show views looking north from NW First Street and east from Washington Street, respectively.

![Photo 1](image1.jpg)

![Photo 2](image2.jpg)

This lot does not meet any of the redevelopment criteria and is not in need of redevelopment.
Block: 20  Lot: 2  Use: Single Family Residential

Owner’s Name: Long, Erica  Zoning District: RA

Property Location: 18 North West First St  Area: 0.0758 acres

Owner’s Address: 18 North West First St, Keyport, NJ 07735

A view of Block 20, Lot 2 looking north from NW First Street. The lot is developed with an existing, occupied single family detached residential building.

This lot does not meet any of the redevelopment criteria and is not in need of redevelopment.
Block: 20  Lot: 3  Use: Single Family Residential

Owner’s Name:  Heil, Keith  Zoning District: RA

Property Location:  14 North West First St  Area: 0.1125 acres

Owner’s Address:  14 North West First St, Keyport, NJ 07735

A view of Block 20, Lot 3 looking north from NW First Street. The lot is developed with an existing, occupied single family detached residential building.

This lot does not meet any of the redevelopment criteria and is not in need of redevelopment.
Block: 20 | Lot: 5 | Use: Multi Family Residential

Owner’s Name: 357 West Front Street LLC | Zoning District: RA

Property Location: 6 Broadway | Area: 0.997 acres

Owner’s Address: 357 West Front Street, Keyport, NJ 07735

Views of the front of the Endeavor House from Broadway, looking west. It is an operating and well-maintained multi-unit residential building. During the site visit, the dumpster was overflowing with garbage.
Views of the rear of Block 20, Lot 5 (the Endeavor House). The rear and side yards abut the marina property (Lots 6 and 6.01), and are separated by overgrown vegetation. The yard is generally well maintained and has a fenced-in in-ground pool. Shown below are some loose gas tanks that were present during the site visit.

This lot does not meet any of the redevelopment criteria. However, the inclusion of this lot in the redevelopment area is necessary for the effective redevelopment of the overall area as it would provide for access to Lots 6 and 6.01 from Broadway.
Block 20, Lot 7 as seen from Washington Street looking west, and from Lot 6 looking east, respectively. This is an occupied single family residential unit. The yard is well maintained.

This lot does not meet any of the redevelopment criteria. However, the property is necessary for the effective redevelopment of the area as it would provide needed site area outside of the V (velocity) Zone of the flood hazard area to construct needed parking and improvements as part of the redevelopment the area. This is illustrated in Figure 7. A portion of the lot also is outside of the flood hazard area.
Various views of boat storage on Lot 6 and 6.01. There are stagnant pools of water that are not able to drain well after a rain event.
A view of the wetlands and docks on Lot 6, looking north from Lot 9.

Various views of debris remaining on site (Lots 6 and 6.01) that was deposited by Superstorm Sandy. An inventory of debris includes the following: two refrigerators; two charcoal grills; one lawn mower; one hot water heater; one dishwasher; one mattress box spring; one filing cabinet; one electrical saw, various electrical equipment/wires; various car and motor parts, accessories, and tires; a windshield wiper fluid tank with wiper fluid (exposed/leaking); one fire extinguisher; various metal scraps; one large trash can; among other smaller parts, scraps, and debris.
Views of Lot 6 from looking north from Washington Street, and of Lot 6.01 from Broadway (respectively). Both lots adjoin the terminus of each road.

![View of Lot 6 from Washington Street](image1)
![View of Lot 6.01 from Broadway](image2)

Views of the boat ramp, boat storage, and debris on Lot 9. As is the case on Lot 6, there is rainwater that pools on the lot due to poor drainage.

![Boat ramp and debris](image3)
![Boat storage](image4)
Lots 6, 6.01, and 9 exhibit conditions warranting redevelopment pursuant to criterion “d,” as they encompass an area with buildings or improvements which, by reason of dilapidation, obsolescence, and deleterious land use, is detrimental to both the health and general welfare of the community. A more detailed description is summarized below in the Redevelopment Criteria Summary.
**Redevelopment Criteria Summary:** The Study Area meets both the “d” criterion for redevelopment under Section 5 of the LRHL (N.J.S.A. 40A:12A-5). An analysis is provided below:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings&lt;br&gt;There are not buildings on this portion of the marina site and therefore this criterion does not apply.</td>
</tr>
<tr>
<td>B</td>
<td>Discontinuance/abandonment of commercial or industrial buildings&lt;br&gt;The properties do not include commercial or industrial uses that were abandoned or discontinued. Therefore, this criterion does not apply.</td>
</tr>
<tr>
<td>C</td>
<td>Privately-owned vacant land/publicly-owned land&lt;br&gt;The properties have not been vacant for over ten years. Therefore, the ‘c’ criterion does not apply.</td>
</tr>
<tr>
<td>D</td>
<td>Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use&lt;br&gt;See discussion below.</td>
</tr>
<tr>
<td>E</td>
<td>Stagnant and unproductive condition due to title, ownership, or similar conditions&lt;br&gt;There are no issues of title or ownership that create a stagnant and unproductive condition. Therefore, the ‘e’ criterion does not apply.</td>
</tr>
<tr>
<td>F</td>
<td>Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster.&lt;br&gt;While the parcels in the study area sustained substantial damages from Superstorm Sandy, there is insufficient empirical data regarding decreases in assessed value (See Appendix C) to conclude that the properties meet the ‘f’ criterion.</td>
</tr>
<tr>
<td>G</td>
<td>Urban Enterprise Zone (Tax Abatement and Exemptions only)&lt;br&gt;Not applicable.</td>
</tr>
<tr>
<td>H</td>
<td>Consistency with smart growth planning principles&lt;br&gt;Not applicable.</td>
</tr>
</tbody>
</table>
Findings:

This preliminary investigation report and redevelopment study indicates that Lots 6, 6.01, and 9 in the Study Area meet the “d” criterion under Section 5 of the LRHL (N.J.S.A. 40A:12A-5); Lots 5 and 7 are needed for the effective redevelopment of the area; and Lots 1, 2, and 3 do not meet the statutory criteria for designation as an area in need of redevelopment but have been previously designated in need of rehabilitation.

Lots 6, 6.01, and 9 of the Study Area meet the “d” criterion for redevelopment, as they constitute an area with buildings or improvements which, by reason of dilapidation, faulty arrangement and design, and deleterious land use, is detrimental to both the health and general welfare of the community.

Lots 6, 6.01, and 9 exhibit conditions of both dilapidation and deleterious land use. Piles of debris remaining from Superstorm Sandy are strewn throughout this section of the Study Area. The debris includes a pickup truck that has remained on site in a stagnant, rusting, and non-working condition, and is also located in a flood hazard area. A full inventory of the debris on site is included in Appendix B, but a general overview includes the following: various large appliances; furniture; power tools and electrical equipment; various motorized parts and accessories; and a windshield wiper fluid tank with wiper fluid (which is exposed and leaking). The storage of rusting metallic, motorized, and electrical equipment, as well as exposed/leaking chemical liquids is unsafe and presents a direct adverse and negative impact on the health and general welfare of the surrounding community, which is predominantly residential. The adverse impact is further exacerbated by the Study Area’s location in a waterfront area in a prone flood hazard area.

Flooding and impacts from Superstorm Sandy have resulted in damages to and deposited debris on Lots 6, 6.01 and 9 significantly impacting marina operations in this area. Since Superstorm Sandy’s impacts in 2012, there are significant portions of the Study Area that now function as stockpiles for storm debris, creating hazards and an attractive nuisance.

Leaving these properties in this condition (dilapidated, with faulty arrangement and design, and with deleterious land use) would fail to offer any benefit or improvement to the community and be detrimental to the health, safety, and general welfare of the Borough.

While the properties, which area greater than five acres in area, were significantly impacted by Superstorm Sandy, there is not sufficient definitive empirical evidence regarding the decline in the aggregate assessed value of the properties to support the a finding that they meet the ‘f’ criterion of the statute. The trends in assessed value are detailed in Appendix C.
Appendix C: Tax Assessments for 2012-2015
## Total Assessed Value

<table>
<thead>
<tr>
<th>Block</th>
<th>Lot</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
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<td>$218,900</td>
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<tr>
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<td>$206,000</td>
<td>$166,000</td>
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<tr>
<td>20</td>
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<td>$206,100</td>
<td>$206,100</td>
<td>$166,100</td>
<td>$190,700</td>
</tr>
<tr>
<td>20</td>
<td>5</td>
<td>$1,102,900</td>
<td>$1,102,900</td>
<td>$1,052,900</td>
<td>$767,000</td>
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<tr>
<td>20</td>
<td>6 &amp; 6.01</td>
<td>$1,431,000</td>
<td>$1,431,000</td>
<td>$1,431,000</td>
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<td>$3,455,600</td>
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### Monmouth County Pilot Program

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<thead>
<tr>
<th>Equalization ratio</th>
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<th>2013</th>
<th>2014</th>
<th>2015*</th>
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<tr>
<td></td>
<td>1.0708</td>
<td>1.1039</td>
<td>1.1009</td>
<td>1.0000</td>
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* The Borough of Keyport underwent a reevaluation in 2015.

## Market ("True") Value

(Assessed Value / Equalization Ratio)

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<th>2014</th>
<th>2015</th>
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<td><strong>Total Study Area</strong></td>
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<td>$3,130,356</td>
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## Assessed Value:
### Improvement and Land Values

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<th>Year</th>
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<tbody>
<tr>
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<td>$116,500</td>
<td>$124,500</td>
<td>$614,800</td>
<td>$1,305,000</td>
<td>$158,800</td>
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<tr>
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<td><strong>Improvements Value</strong></td>
<td>$102,400</td>
<td>$89,500</td>
<td>$81,600</td>
<td>$488,100</td>
<td>$126,000</td>
<td>$105,200</td>
<td>$0</td>
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<tr>
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<td>$1,102,900</td>
<td>$1,431,000</td>
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<td>$267,000</td>
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<tr>
<td>2013</td>
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<td><strong>Land Value</strong></td>
<td>$76,500</td>
<td>$76,500</td>
<td>$84,500</td>
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<td>$118,800</td>
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<td>$102,400</td>
<td>$89,500</td>
<td>$81,600</td>
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<td>$126,000</td>
<td>$105,200</td>
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<td><strong>Total Value</strong></td>
<td>$178,900</td>
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<td>$166,100</td>
<td>$1,052,900</td>
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<td>2015</td>
<td><strong>Land Value</strong></td>
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<td>$109,500</td>
<td>$305,300</td>
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<td>$190,700</td>
<td>$767,000</td>
<td>$1,781,900</td>
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