



Borough of Highlands
151 Navesink Ave.
Highlands, NJ 07732
(732) 872-1224
www.highlandsnj.gov

LAND USE BOARD APPLICATION

FOR OFFICIAL USE

Date Rec'd: 6/4/2015 Application #: UB25-09 Fee: ck# 1917 \$500.00
Escrow: ck# 1918 \$1,000.00 Escrow Acct# T-03-S6-875-000 [REDACTED]

1. APPLICANT

Name: Edward & Lori Pahler
Address: 30 Miller Street
City: Highlands State: NJ Zip: 07732
Phone: [REDACTED]
Email: [REDACTED]
Relation to property: owner

2. OWNER

Name: same as applicant
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____
Email: _____

3. TYPE OF APPLICATION (Check all that apply)

- ☐ Minor Subdivision
- ☐ Major Subdivision – Preliminary
- ☐ Major Subdivision – Final
- ☐ Minor Site Plan
- ☐ Major Site Plan – Preliminary
- ☐ Major Site Plan – Final
- ☒ Variance
- ☐ Use Variance

- ☐ Appeal – Zoning Denial date _____
- ☐ Appeal – Land Use Decision date _____
- ☐ Informal Concept Plan Review
- ☐ Extension of Approval
- ☐ Revision/Resubmission of Prior Application
- ☐ Other _____

4. PROPERTY INFORMATION

Block 54 Lot(s) 13 Address: 35 Miller Street
Lot size 25' x 80' # of Existing Lots 1 # of Proposed Lots 1
Zone R-2.02 Are there existing Deed Restrictions or Easements? ☒ No ☐ Yes – Please attach copies
Has the property been subdivided? ☒ No ☐ Yes If yes, when? _____
Attach copies of approved map or approved resolution
Property taxes paid through _____ Sewer paid through _____

5. ATTORNEY (A corporation, LLC, Limited Partnership, or S-Corp must be represented by a NJ attorney)

Name: none
Address: _____
Phone: _____ Email: _____



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6. APPLICANT'S OTHER PROFESSIONAL(S) – Engineer, Planner, Architect, etc.

Name: Morgan Engineering
Address: 130 Central Avenue
Island Heights, NJ 08732
Phone: 732-270-9690
Email: daniel@morganengineering
llc.com

Name: James T. Daley Architect
Address: 273 First Avenue
Keyport, NJ 07735
Phone: 732-739-2684
Email: gyntredaily@aol.com

7. LAND USE

A. PROPERTY HISTORY –Describe in detail, nature of prior use(s) on the site, start date of such use, any prior Land Use Board applications for this site (attach copy of resolution, if applicable), history of current ownership, etc.

Multiuse building first constructed in 1913. In 1930
John & Angelina Azzolina opened a Deli and lived
upstairs. The property continued mixed-use through
the 1960's. From that time up until recently
it was used as a (3) Family residence. During
the past month all building improvements have been

B. PROPOSED PLAN –Describe in detail, proposed use for property, including, but not limited to: 1) portion to be subdivided; 2) sell lot only; 3) construct house(s) for sale; 4) how trash will be disposed; 5) landscaping; 6) hours of operation; 7) type of goods/services; 8) fire lane. Attach additional sheets if necessary. removed

Construct new house for primary residence

C. ADDITIONAL INFORMATION:

Existing

Proposed

Residential: How many dwelling units?
How many bedrooms in each unit?
How many on-site parking spaces?

0

1
2 1/2
3

Commercial: How many commercial uses on site?
How many on-site parking spaces?



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8. VARIANCE REQUESTS Complete section(s) related to the relief being requested.

	Req'd	Exist.	Prop'd
Minimum Lot Requirements			
Lot Area	4000		2000
Frontage	50		25
Lot Depth	15		80
Minimum Yard Requirements			
Front Yard Setback	20		15 *
2 nd Front Yard Setback			
Rear Yard Setback	20		10 *
Side Yard Setback, right	4		3 *
Side Yard Setback, left	3		3
Building Height	32.5		32.5

	Req'd	Exist.	Prop'd
Accessory Structures			
Fence/Wall Height			
Garage/Shed Height			
Garage/Shed Area			
Pool Setback			
Parking Requirements			
On-site Parking Spaces	2		3
Other (please add)			

9. OTHER RELIEF REQUESTED Please specify relief(s) and explain below.

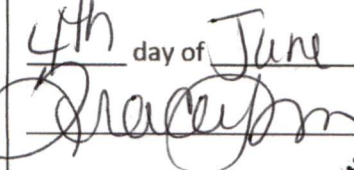
Building Coverage (Required = 33%) (Proposed = 53.2%)

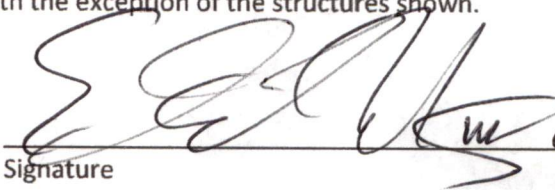


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10. NOTARIZED SIGNATURE OF APPLICANT

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual Applicant, or that I am an Officer of the Applicant authorized to sign the application for the business organization. Additionally, I certify that the survey or plans submitted with this application shows and discloses the premises in its entirety, and I further certify that no buildings, fences, or other facilities have been constructed, installed, or otherwise located on the premises after the date of the survey with the exception of the structures shown.

SWORN & SUBSCRIBED to before me this
4th day of June 2025 (year)

TRACEY D. GOMES
NOTARY PUBLIC
NEW JERSEY
Comm. Exp. 04-17-2026

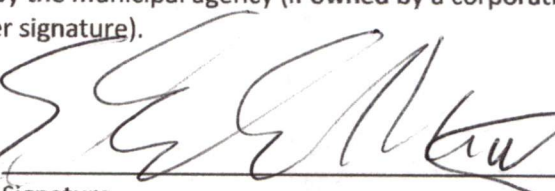

Signature 6/4/2025 Date
Edward F. Pawler III
Print Full Name

11. NOTARIZED CONSENT OF OWNER

I certify that I am the Owner of the property which is the subject of this application, hereby consent to the making of this application and approval of the plans submitted herewith. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency (if owned by a corporation, a resolution must be attached authorizing the application and officer signature).

SWORN & SUBSCRIBED to before me this
4th day of June 2025 (year)

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NOTARY PUBLIC
NEW JERSEY
Comm. Exp. 04-17-2026


Signature 6/4/2025 Date
Edward F. Pawler III
Print Full Name

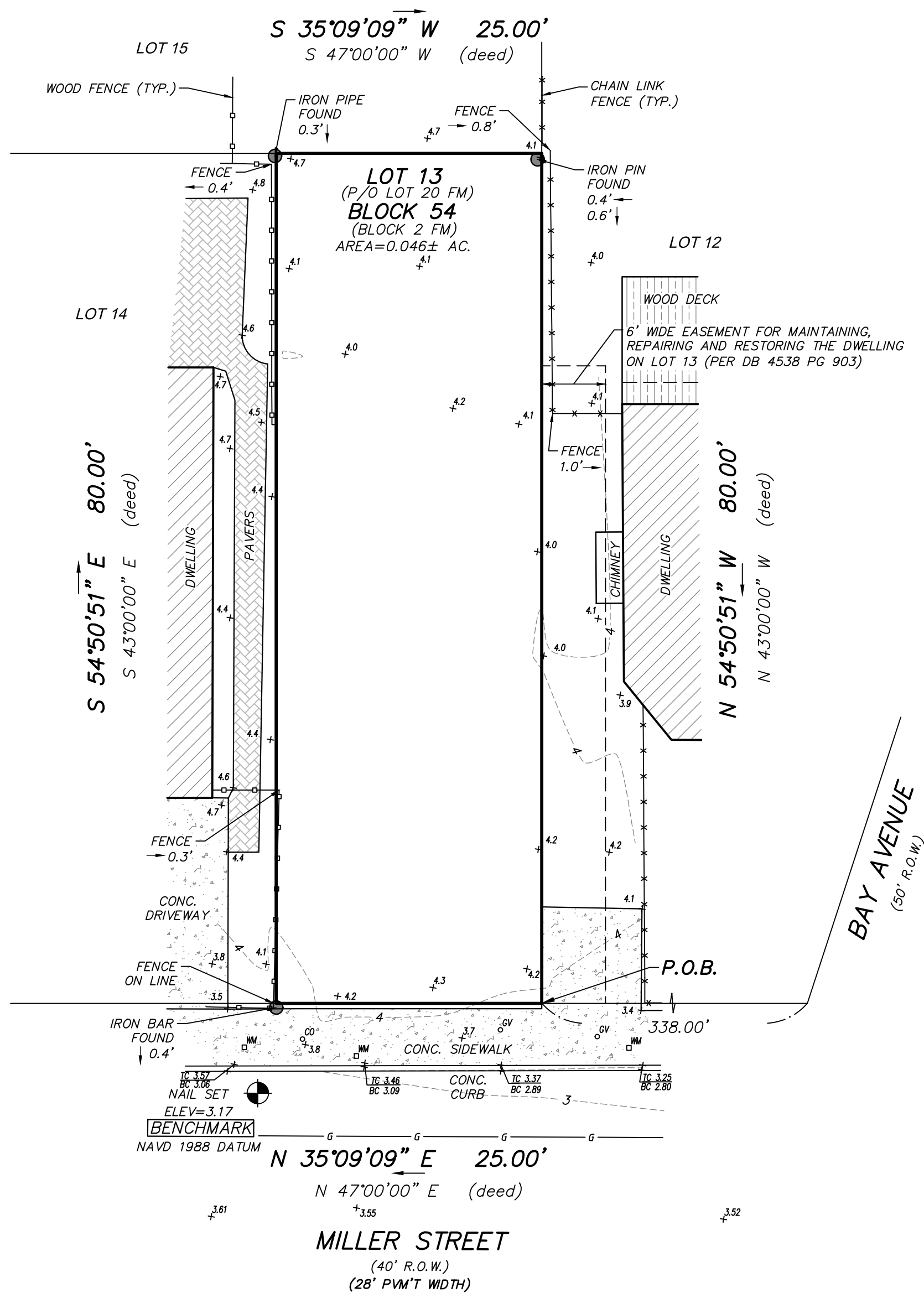
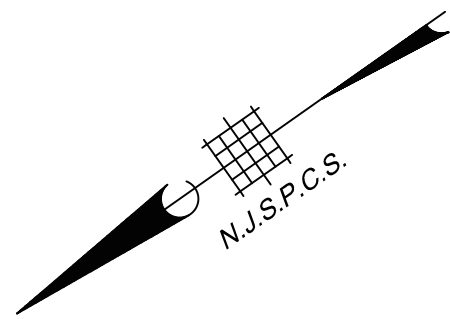
12A. DISCLOSURE STATEMENT

Pursuant to N.J.S.A. 40:55D-48.1 & 48.2, please answer the following questions:

Is this application to subdivide a parcel of land into six (6) or more lots?	Yes	<input checked="" type="radio"/> No
Is this application to construct a multiple dwelling of 25 or more units?	Yes	<input checked="" type="radio"/> No
Is this an application for approval of a site(s) for non-residential purposes?	Yes	<input checked="" type="radio"/> No
Is this Applicant a corporation?	Yes	<input checked="" type="radio"/> No
Is the Applicant a limited liability corporation?	Yes	<input checked="" type="radio"/> No
Is the Applicant a partnership?	Yes	<input checked="" type="radio"/> No

If you circled YES to any of the above, please complete the following Ownership Discloser Statement (use additional sheets if necessary).

REV	DATE	DESCRIPTION	BY
1	5/13/25	UPDATED SURVEY	DAP



PREPARED FOR: EDWARD PAHLER III

NOTES:

- PROPERTY IS LOCATED IN FLOOD ZONE AE ELEV. 11 AS SHOWN ON EFFECTIVE FIRM #34025C0088H, DATED 6/15/2022.
- ALL ELEVATIONS ARE IN NAVD88 DATUM THROUGH GPS OBSERVATIONS USING LEICA RTK GPS NETWORK.
- BOUNDARY AND PHYSICAL FEATURES TAKEN FROM A PLAN ENTITLED "SURVEY OF PROPERTY PREPARED FOR SOLAR POWERED LLC, 44 MILLER STREET, LOT 7.01 – BLOCK 58, BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY" PREPARED BY CHARLES SURMONTE, P.E. & P.L.S., DATED 12/05/24.

Filed Map Reference:	Filed Map Block:	Filed Map Lot:	Filing Date:	Filed Map No.
MAP OF LOTS AT THE HIGHLANDS OF NAVESINK	2	P/O 20	10/16/1873	26-6

IMPORTANT NOTES, PLEASE REVIEW:

- I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE ON 4/3/25 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY BELOW GROUND ENCROACHMENTS, UTILITIES, SERVICES LINES OR STRUCTURES, WETLANDS, OR RIPARIAN RIGHTS. NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS, ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS SURVEY IS SUBJECT TO CONDITIONS WHICH AN ACCURATE TITLE SEARCH MIGHT DISCLOSE, SUBJECT TO RESTRICTIONS AND EASEMENTS RECORDED AND/OR UNRECORDED.
- PROPERTY CORNERS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT. (N.J.A.C. 13:40-5.1(D))

DB OR-9393 PG 8126

LEGEND

CO CLEANOUT
GM GAS METER
GV GAS VALVE
MW MONITORING WELL
LP LIGHT POLE
UP UTILITY POLE
WM WATER METER
WV WATER VALVE
ICV IRRIGATION CONTROL VALVE

MORGAN
engineering & surveying

www.morganengineeringllc.com

CERTIFICATE OF AUTHORIZATION: 24GA28229800

P.O. BOX 5232
TOMS RIVER, N.J. 08754
TEL: 732-270-9690
FAX: 732-270-9691

DAVID J. VON STEENBURG
PROFESSIONAL LAND SURVEYOR
N.J. LIC. No. 34500

**BOUNDARY AND
TOPOGRAPHIC SURVEY**

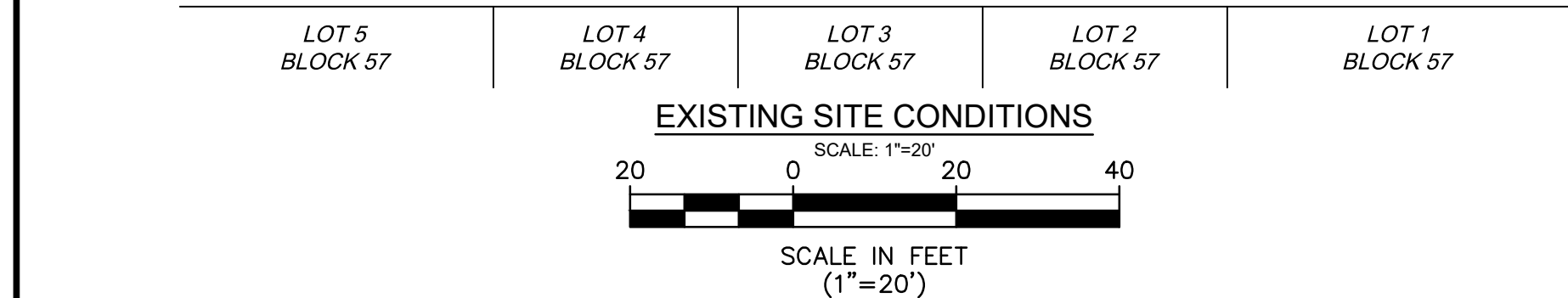
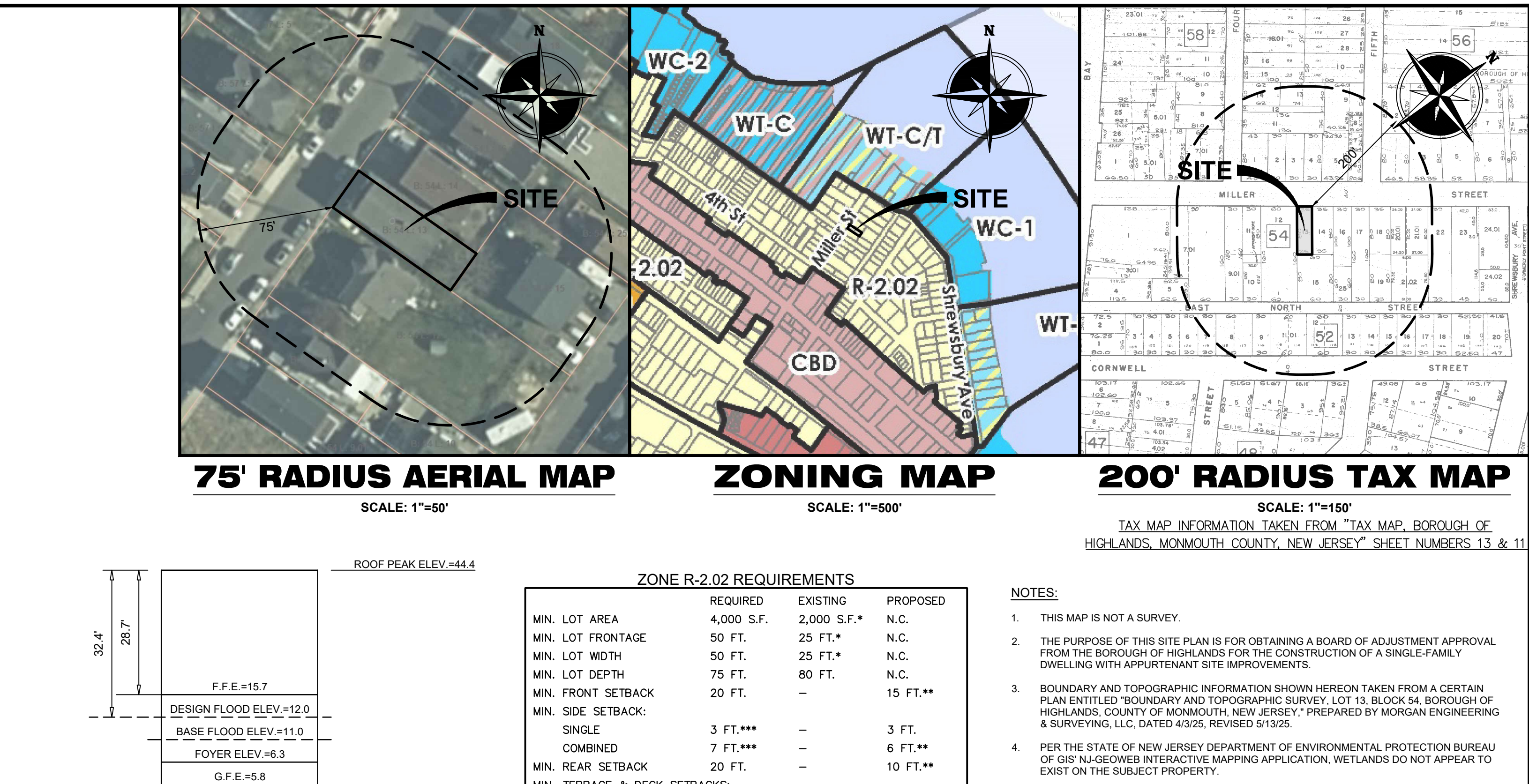
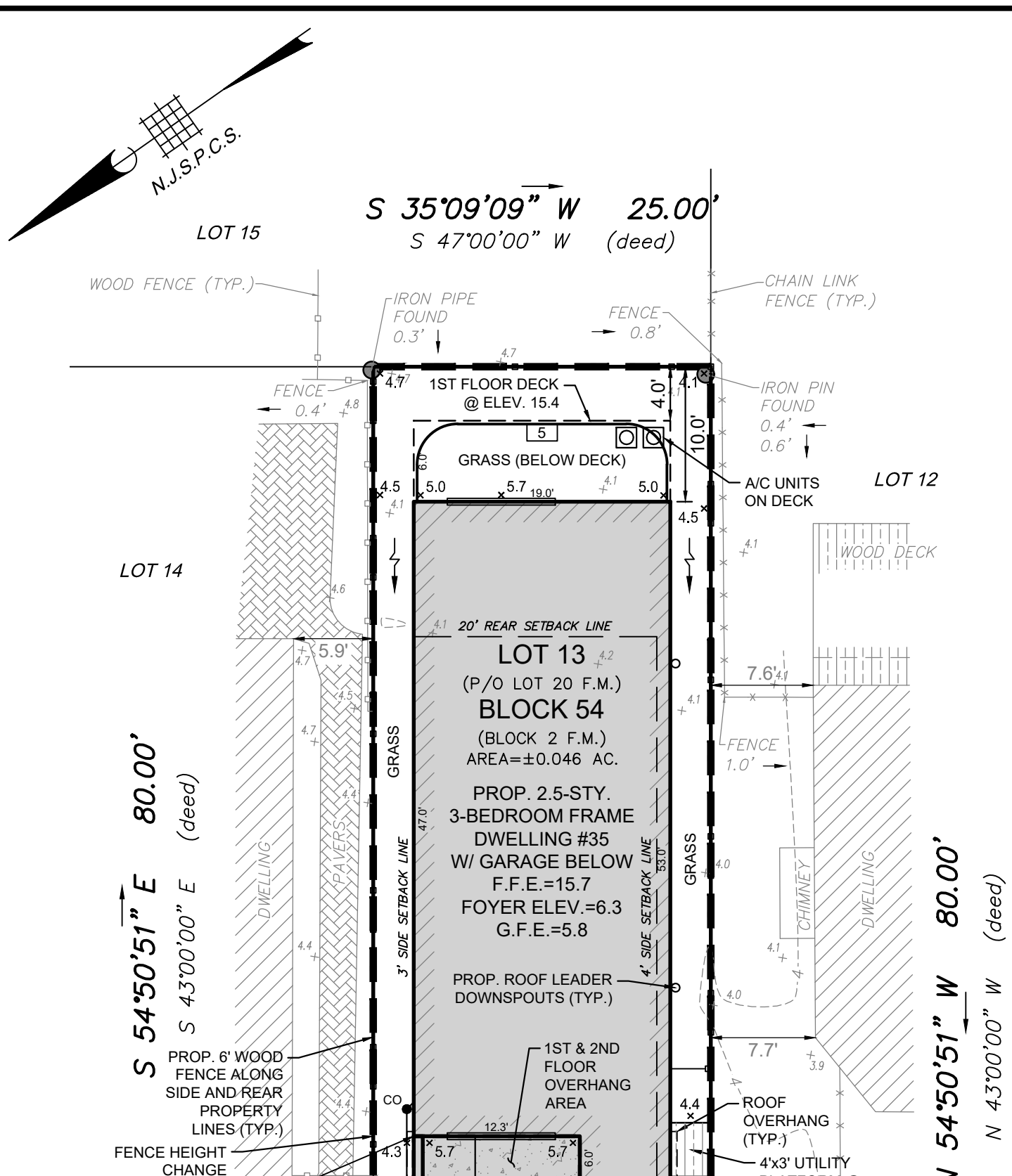
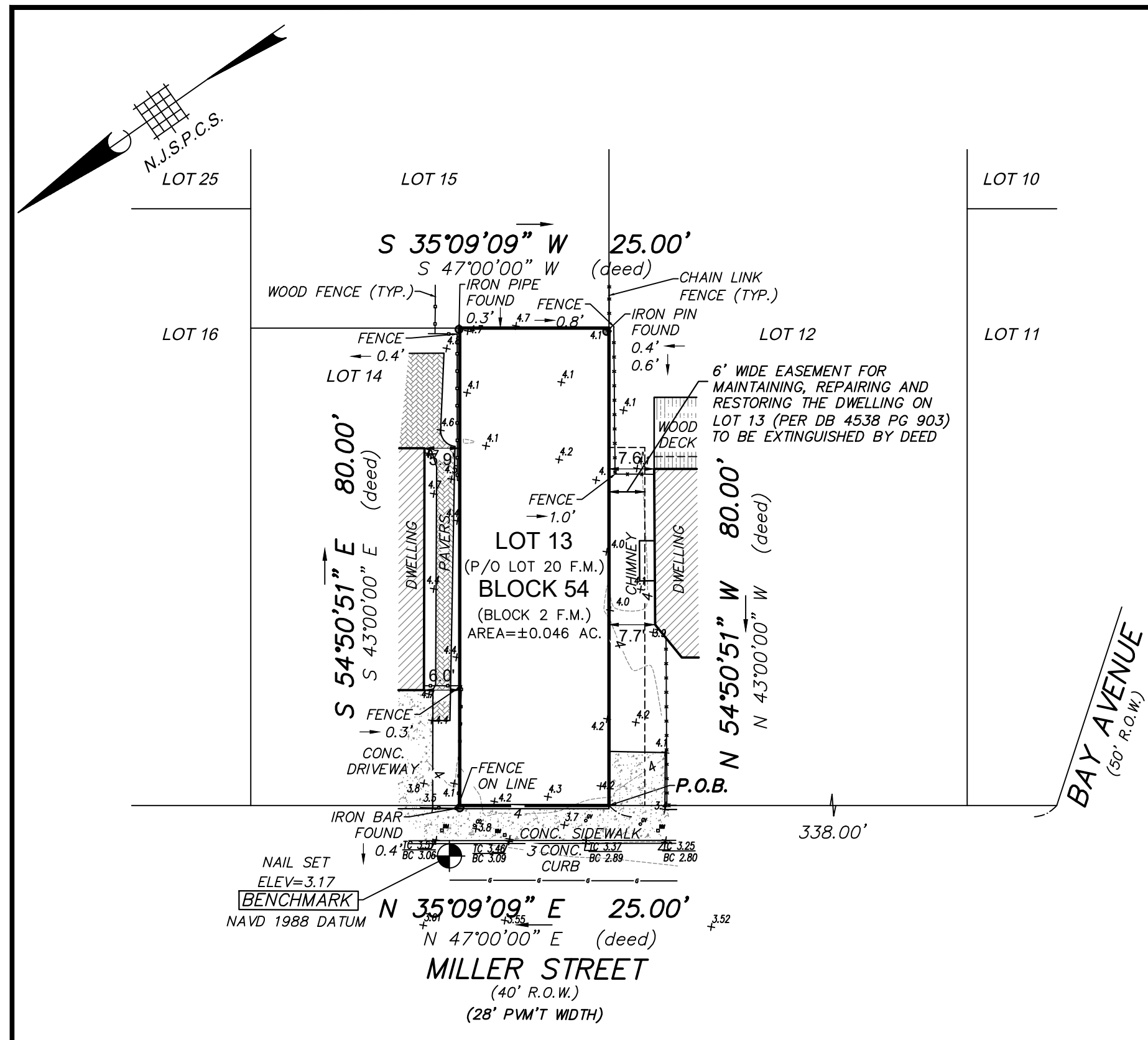
LOT 13 BLOCK 54

BOROUGH OF HIGHLANDS

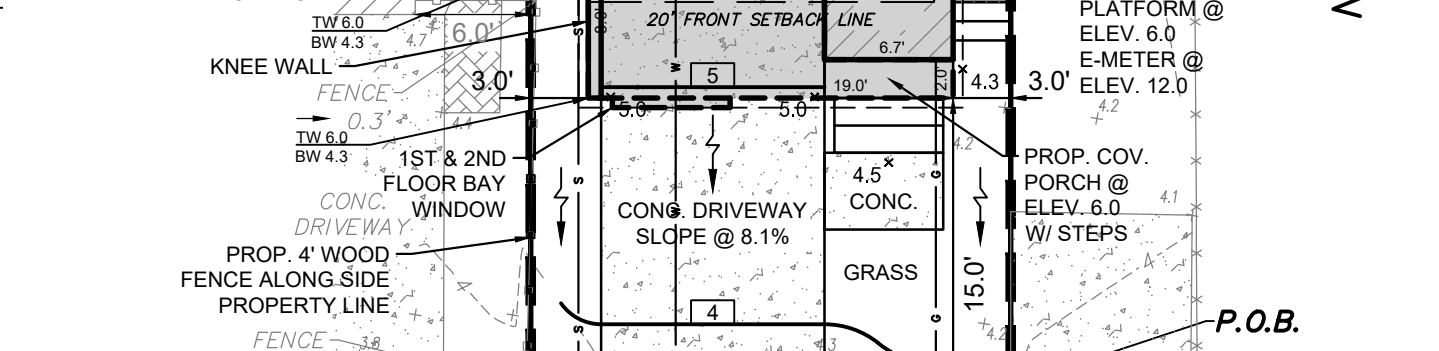
COUNTY OF MONMOUTH

NEW JERSEY

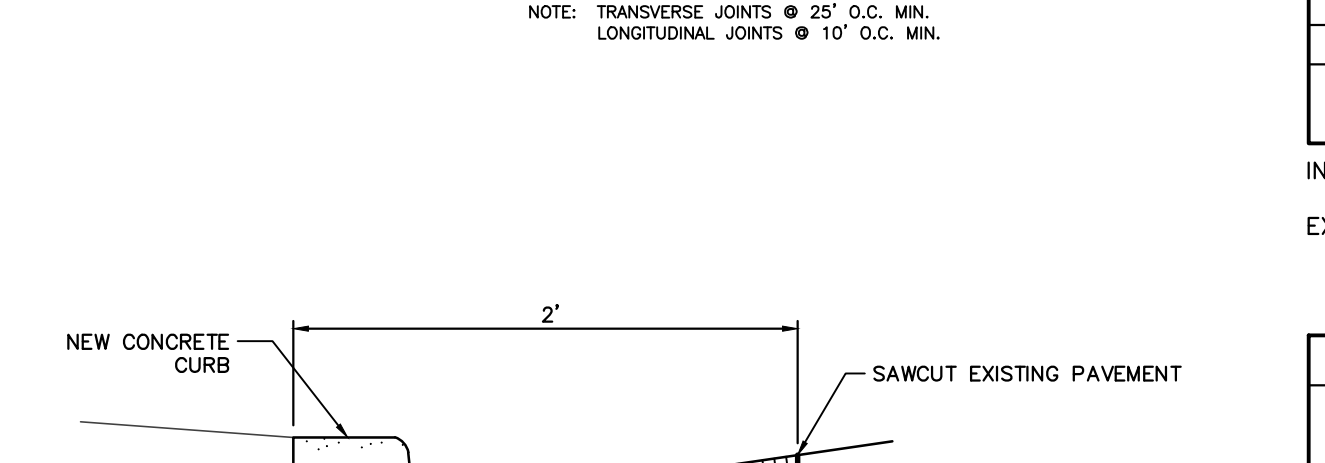
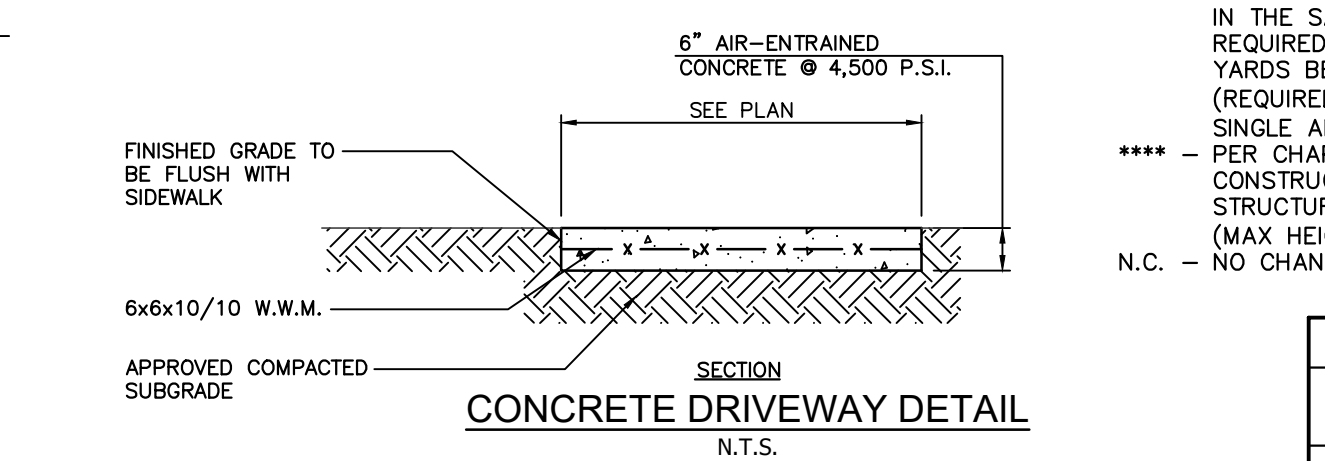
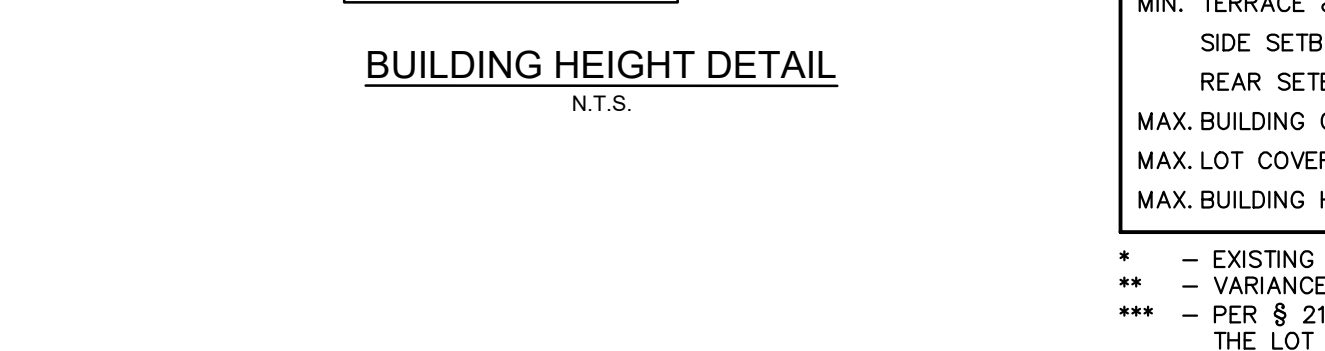
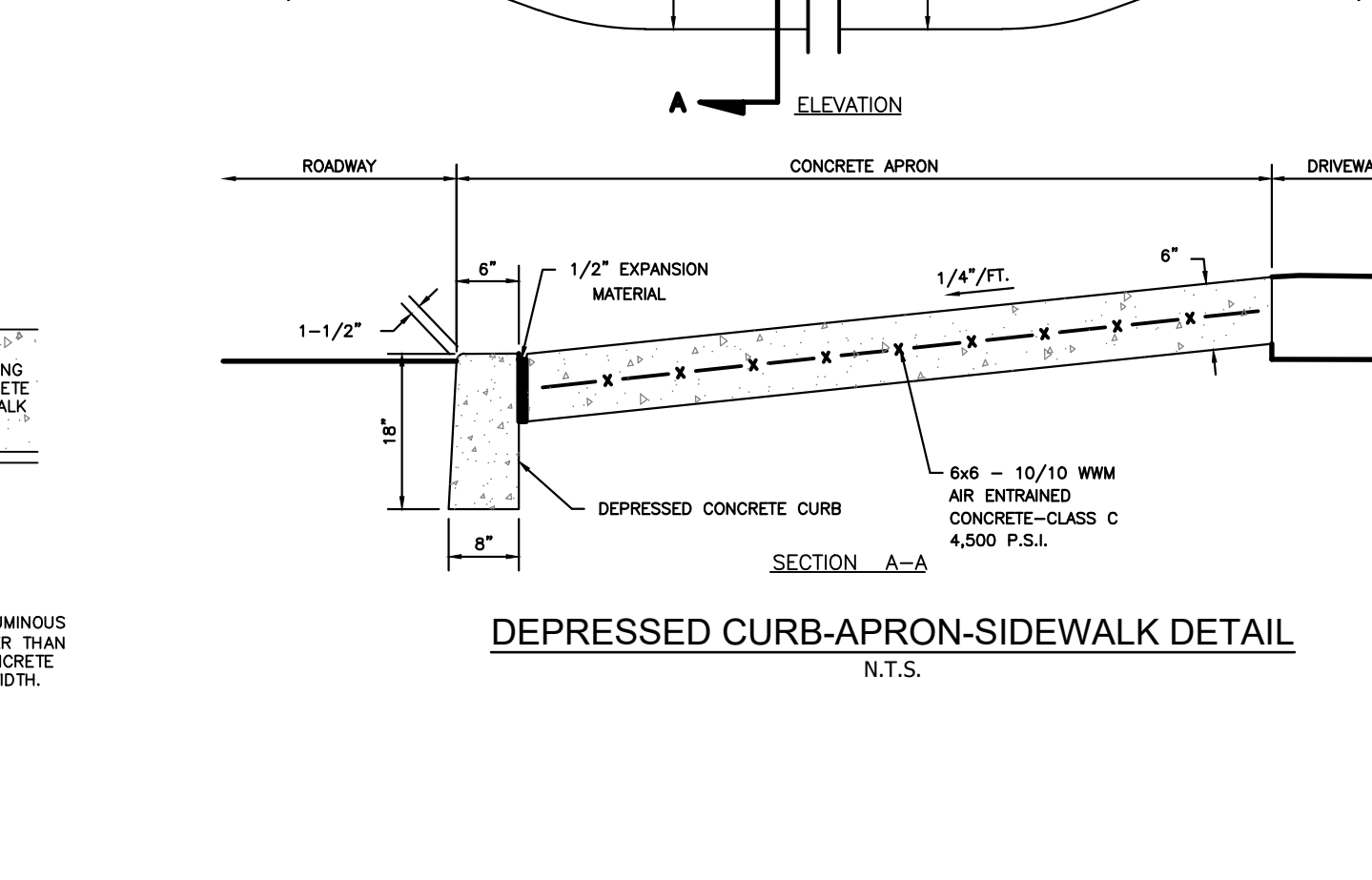
Scale:	Drawn By:	Date:	JOB #	CAD File #	Sheet #
1"=10'	DVP	4/3/25	E25-00126	TOPO	1 OF 1



Block Lot	Owner	Mailing address	City, State, Zip
1319-54-7.011	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
1319-54-7.012	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
1319-54-7.013	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
1319-54-7.014	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
1319-54-7.015	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
1319-57-12	BOROUGH OF HIGHLANDS	151 NAVESINK AVE	HIGHLANDS NJ 07732
1319-58-7.01	SOLAR POWERED 44 LLC	27 MILLER STREET	HIGHLANDS NJ 07732
1319-57-9	KIRSH KRAAT LLC	PO BOX 886	HIGHLANDS NJ 07732
1319-52-7	CAPLINGER JAMES W. (ESTATE)	50 CORNWALL STREET	HIGHLANDS NJ 07732
1319-52-15	NEW HORIZON HOME BUYERS LLC	107 MOUNTAINDALE AVENUE	ATLANTIC HIGHLANDS NJ 07716
1319-52-9	CATCHERMAN LLC	7 SEA DRIFT AVE	HIGHLANDS NJ 07732
1319-52-11.01	DAVIS PAGE	42 CORNWALL STREET	HIGHLANDS NJ 07732
1319-52-16	MANCINELLI THERESA	28 CORNWALL STREET	HIGHLANDS NJ 07732
1319-52-8	CAPLINGER JAMES W & CATHERINE M	30 CORNWALL ST	HIGHLANDS NJ 07732
1319-54-14	CHAN TED & BENJAMIN	33 MILLER STREET	HIGHLANDS NJ 07732
1319-57-11	FITZGERALD SUZANNE	8 FOURTH STREET	HIGHLANDS NJ 07732
1319-58-8	MCKELLER BARRY & LINDA	9 FOURTH STREET	HIGHLANDS NJ 07732
1319-57-13	CAZZA WILLIAM	14 FOURTH STREET	HIGHLANDS NJ 07732
1319-57-9	MAHMOUD ISMAT	38 MILLER STREET	HIGHLANDS NJ 07732
1319-57-4	STARKE SUSAN C/O T. WILSON	P.O. BOX 63	MIDDLETOWN NJ 07748
1319-52-14	PERHACS LISA	32 CORNWALL STREET	HIGHLANDS NJ 07732
1319-57-7	SUNAMI INVESTMENT TRUST	275 ORIENT WAY	LIPOHURST NJ 07071
1319-57-2	FELDMAN MICHAEL & ANNA MARIE	12 DOGWOOD COURT	CLIFFWOOD NJ 07721
1319-57-8	KIRSH TREVOR	PO BOX 886	HIGHLANDS NJ 07732
1319-54-25	HORN WILLIAM C	31 DELAWARE AVENUE	RED BANK NJ 07070
1319-56-1	WILLIAM & CANDACE DOUGLAS JR	24 MILLER STREET	HIGHLANDS NJ 07732
1319-56-2	MCMANAMA MARISA & DEMOJO JOHN	123 EVERGREEN AVE	NEPTUNE NJ 07753
1319-56-3	CWO LLC	24 MILLER STREET	HIGHLANDS NJ 07732
1319-54-20.01	HIGGINS PHOEBE	415 CENTRAL PARK WEST	NEW YORK NY 10025
1319-54-21.01	SCANDAGLIA FRANK & MARIA	21 MILLER STREET	HIGHLANDS NJ 07732
1319-54-22	VAN SEVEREN MARK	122 STATERIES PLACE	RED BANK NJ 07070
1319-54-5	FLANNERY JOHN W. & DANIELLE A.	38 NORTH STREET	HIGHLANDS NJ 07732
1319-54-16	MURRAY MICHAEL S	29 MILLER STREET	HIGHLANDS NJ 07732
1319-54-10	HONOLD KRISTA & THOMAS BURKE	71 WATERMAN AVENUE	RUMSON NJ 07060
1319-54-11	CARVALHO MANOAL & MARIA	55 UNCT ST	FREEDHOLD NJ 07728
1319-54-12	DEBOLD RICHARD	231 NAVESINK AVE	HIGHLANDS NJ 07732
1319-52-6	CAPLINGER JAMES W JR	54 CORNWALL STREET	HIGHLANDS NJ 07732
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1319-54-17	27 MILLER LLC	117 BEEKMAN STREET #38	NEW YORK NY 10038
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1319-54-9.011	SMITH SIMON	34 NORTH STREET	HIGHLANDS NJ 07732
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1319-54-15	SHANNON ENTERPRISES LLC	300 BAY AVENUE	HIGHLANDS NJ 07732
1319-54-13	KEIRWICK THOMAS & LAURA	24 BROOKLYNE ROAD	FLORHAM PARK NJ 07022
1319-58-5.01	TOMMILLER LLC	48 MILLER ST	HIGHLANDS NJ 07732
1319-57-5	SCHIRO JOSEPH & PETRUCIA MARIA A	290 BRIGHTON STREET	STATEN ISLAND NY 10307
1319-54-21.02	DUNELLO MICHAEL T.	24 NORTH STREET	HIGHLANDS NJ 07732

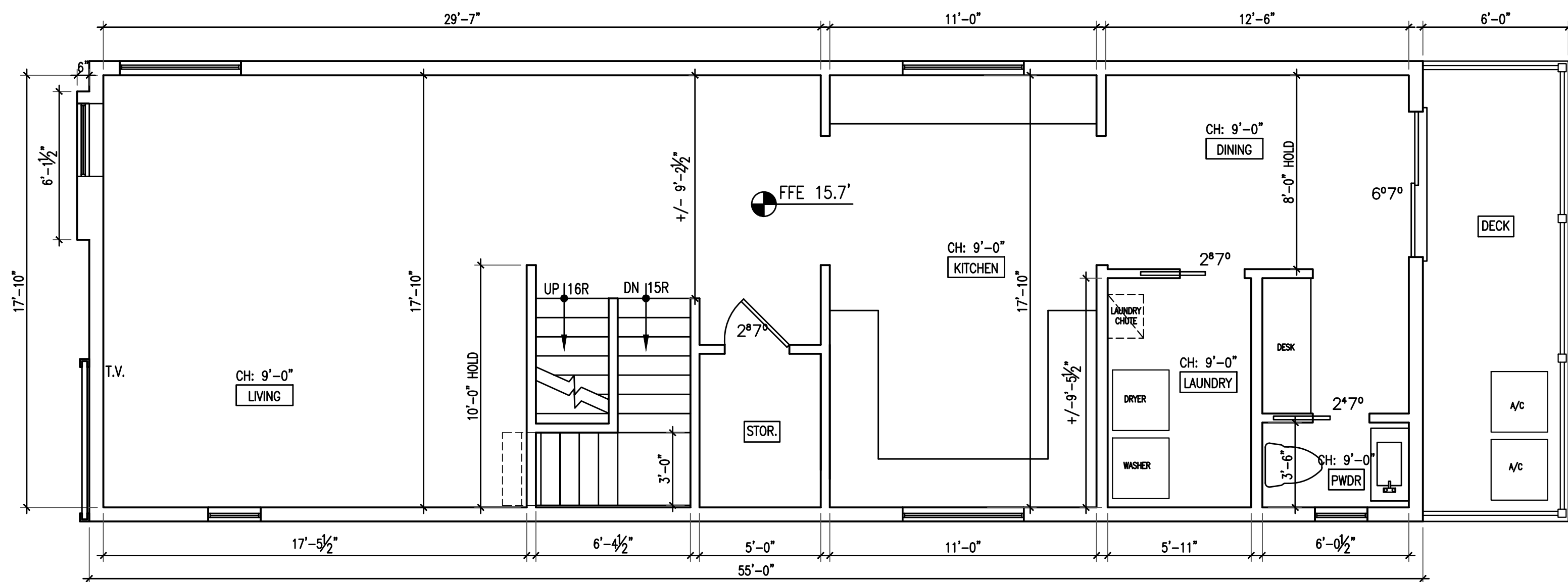


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1319-54-7.015	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
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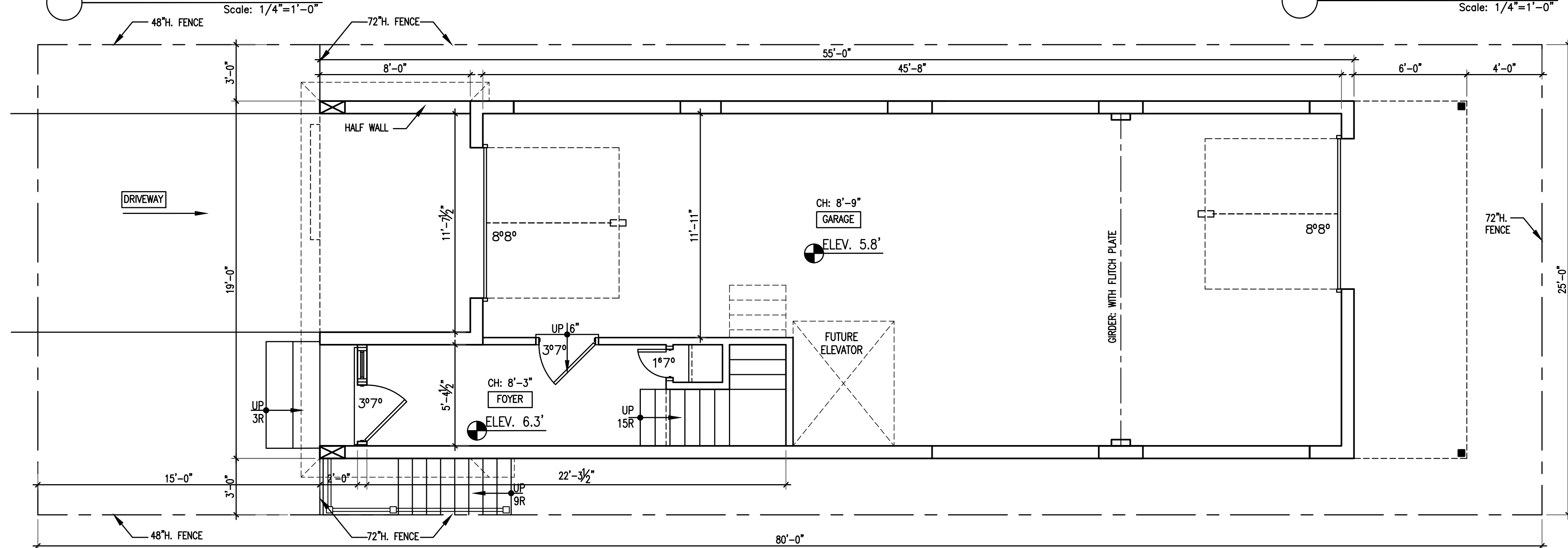
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1319-54-7.013	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
1319-54-7.014	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
1319-54-7.015	LDN REAL ESTATE LLC	55 MILLER STREET	HIGHLANDS NJ 07739
1319-57-12	BOROUGH OF HIGHLANDS	151 NAVESINK AVE	HIGHLANDS NJ 07732
1319-58-7.01	SOLAR POWERED 44 LLC	27 MILLER STREET	HIGHLANDS NJ 07732
1319-57-9	KIRSH KRAAT LLC	PO BOX 886	HIGHLANDS NJ 07732
1319-52-7	CAPLINGER JAMES W. (ESTATE)	50 CORNWALL STREET	HIGHLANDS NJ 07732
1319-52-15	NEW HORIZON HOME BUYERS LLC	107 MOUNTAINDALE AVENUE	ATLANTIC HIGHLANDS NJ 07716
1319-52-9	CATCHERMAN LLC	7 SEA DRIFT AVE	HIGHLANDS NJ 07732
1319-52-11.01	DAVIS PAGE	42 CORNWALL STREET	HIGHLANDS NJ 07732
1319-52-16	MANCINELLI THERESA	28 CORNWALL STREET	HIGHLANDS NJ 07732
1319-52-8	CAPLINGER JAMES W & CATHERINE M	30 CORNWALL ST	HIGHLANDS NJ 07732
1319-54-14	CHAN TED & BENJAMIN	33 MILLER STREET	HIGHLANDS NJ 07732
1319-57-11	FITZGERALD SUZANNE	8 FOURTH STREET	HIGHLANDS NJ 07732
1319-58-8	MCKELLER BARRY & LINDA	9 FOURTH STREET	HIGHLANDS NJ 07732
1319-57-13	CAZZA WILLIAM	14 FOURTH STREET	HIGHLANDS NJ 07732
1319-57-9	MAHMOUD ISMAT	38 MILLER STREET	HIGHLANDS NJ 07732
1319-57-4	STARKE SUSAN C/O T. WILSON	P.O. BOX 63	MIDDLETOWN NJ 07748
1319-52-14	PERHACS LISA	32 CORNWALL STREET	HIGHLANDS NJ 07732
1319-57-7	SUNAMI INVESTMENT TRUST	275 ORIENT WAY	LIPOHURST NJ 07071
1319-57-2	FELDMAN MICHAEL & ANNA MARIE	12 DOGWOOD COURT	CLIFFWOOD NJ 07721
1319-57-8	KIRSH TREVOR	PO BOX 886	HIGHLANDS NJ 07732
1319-54-25	HORN WILLIAM C	31 DELAWARE AVENUE	RED BANK NJ 07070
1319-56-1	WILLIAM & CANDACE DOUGLAS JR	24 MILLER STREET	HIGHLANDS NJ 07732
1319-56-2	MCMANAMA MARISA & DEMOJO JOHN	123 EVERGREEN AVE	NEPTUNE NJ 07753
1319-56-3	CWO LLC	24 MILLER STREET	HIGHLANDS NJ 07732
1319-54-20.01	HIGGINS PHOEBE	415 CENTRAL PARK WEST	NEW YORK NY 10025
1319-54-21.01	SCANDAGLIA FRANK & MARIA	21 MILLER STREET	HIGHLANDS NJ 07732
1319-54-22	VAN SEVEREN MARK	122 STATERIES PLACE	RED BANK NJ 07070
1319-54-5	FLANNERY JOHN W. & DANIELLE A.	38 NORTH STREET	HIGHLANDS NJ 07732
1319-54-16	MURRAY MICHAEL S	29 MILLER STREET	HIGHLANDS NJ 07732
1319-54-10	HONOLD KRISTA & THOMAS BURKE	71 WATERMAN AVENUE	RUMSON NJ 07060
1319-54-11	CARVALHO MANOAL & MARIA	55 UNCT ST	FREEDHOLD NJ 07728
1319-54-12	DEBOLD RICHARD	231 NAVESINK AVE	HIGHLANDS NJ 07732
1319-52-6	CAPLINGER JAMES W JR	54 CORNWALL STREET	HIGHLANDS NJ 07732
1319-52-12	FELGOURIS ANDREW	40 CORNWALL STREET	HIGHLANDS NJ 07732
1319-52-13	BENBERGOLI BELINDA & MESH	90 EAST MADISON AVE	CRESSKILL NJ 07626
1319-54-17	27 MILLER LLC	117 BEEKMAN STREET #38	NEW YORK NY 10038
1319-54-18	GIUFFRÈ CARMELO	25 MILLER STREET	HIGHLANDS NJ 07732
1319-54-19	CORNWALL STREET LLC	3 CORNWALL STREET	HIGHLANDS NJ 07732
1319-57-6	PAHLER EDWARD F III & LORI A.	30 MILLER STREET	HIGHLANDS NJ 07732
1319-57-1	AME REALTY LLC	42 MILLER STREET	HIGHLANDS NJ 07732
1319-57-14	CASAZZA LUCILLE	12 FOURTH STREET	HIGHLANDS NJ 07732
1319-54-9.011	SMITH SIMON	34 NORTH STREET	HIGHLANDS NJ 07732
1319-54-9.012	SEPE-CAPUTI MARIA GRACE	45 MILLER STREET	HIGHLANDS NJ 07732
1319-54-15	SHANNON ENTERPRISES LLC	300 BAY AVENUE	HIGHLANDS NJ 07732
1319-54-13	KEIRWICK THOMAS & LAURA	24 BROOKLYNE ROAD	FLORHAM PARK NJ 07022
1319-58-5.01	TOMMILLER LLC	48 MILLER ST	HIGHLANDS NJ 07732
1319-57-5	SCHIRO JOSEPH & PETRUCIA MARIA A	290 BRIGHTON STREET	STATEN ISLAND NY 10307
1319-54-21.02	DUNELLO MICHAEL T.	24 NORTH STREET	HIGHLANDS NJ 07732

BACK	3 FT.	-	3 FT.	PROPERTY IS LOCATED AT 34025C0088B, DA
BACK	3 FT.	-	4 FT.	PROPERTY IS LOCATED AT 34025C0088B, DA
COVERAGE	33%	0%	53.22**	EXISTING UTILITIES REUSED AS NECESSARY
75.0	75.0	0%	63.5%	ALL ELEVATIONS TO GPS NETWORK.
HEIGHT	32.5 FT.****	-	32.4 FT.	THIS PROPERTY IS
NON-CONFORMING REQUIRED - 95(FIT) FOR PRE-EXISTING LOTS WHICH DO NOT MEET WIDTH REQUIREMENTS, THE SIDE YARDS MAY BE REDUCED				



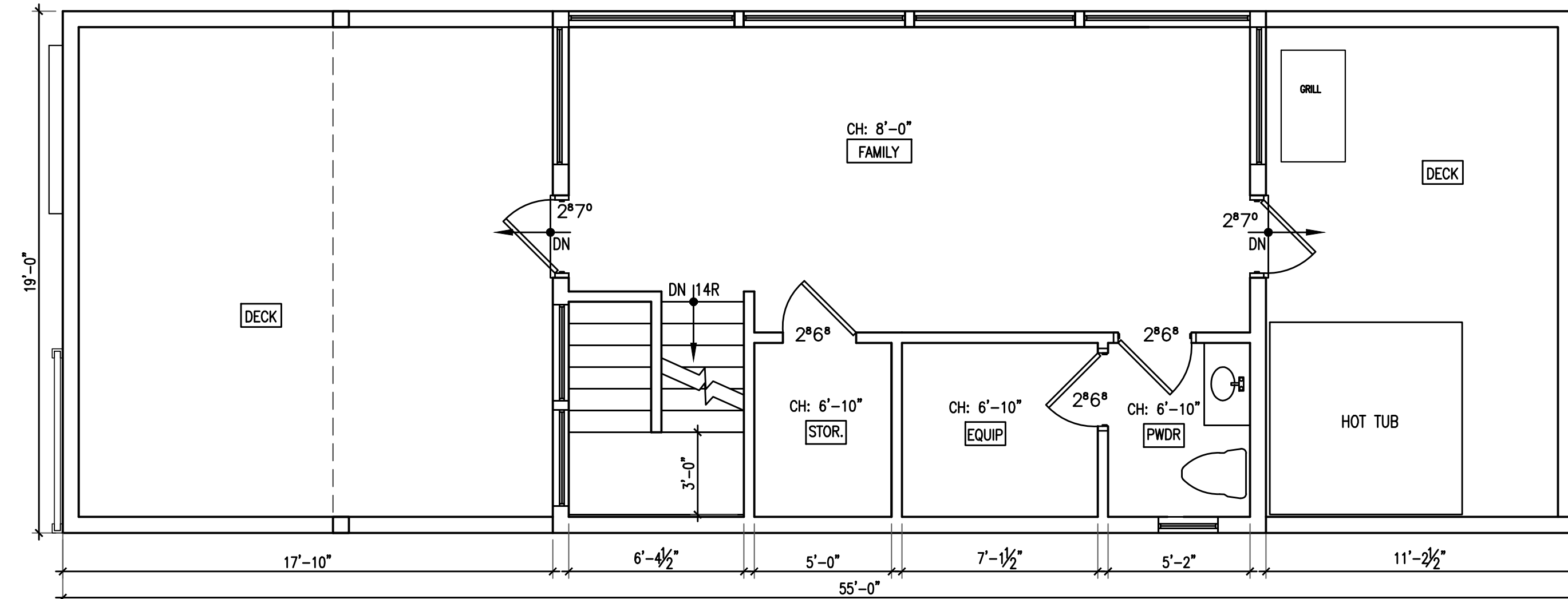
FIRST FLOOR PLAN

Scale: 1/4"=1'-0"



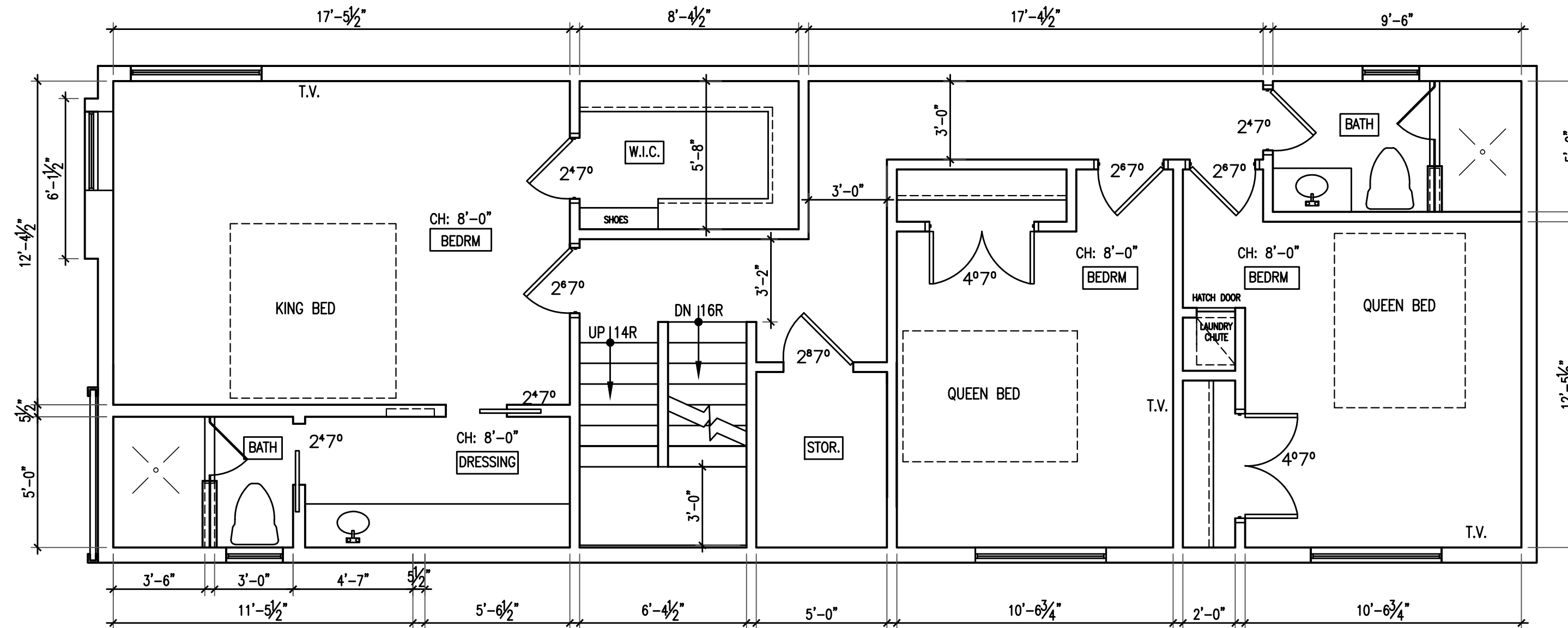
FOUNDATION PLAN

Scale: 1/4"=1'-0"



ATTIC PLAN

Scale: 1/4"=1'-0"



SECOND FLOOR PLAN

Scale: 1/4"=1'-0"

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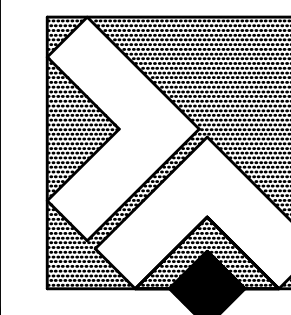
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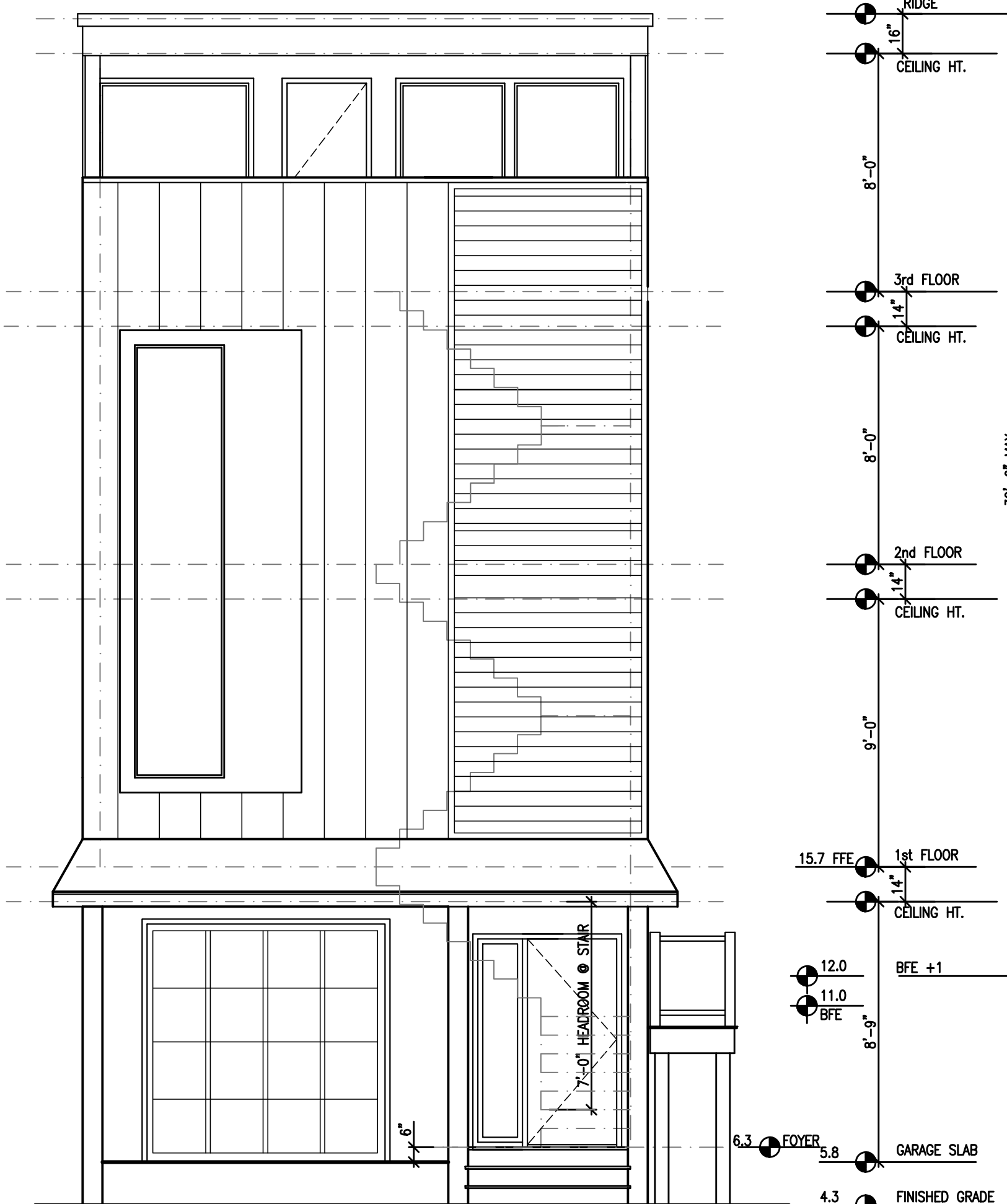
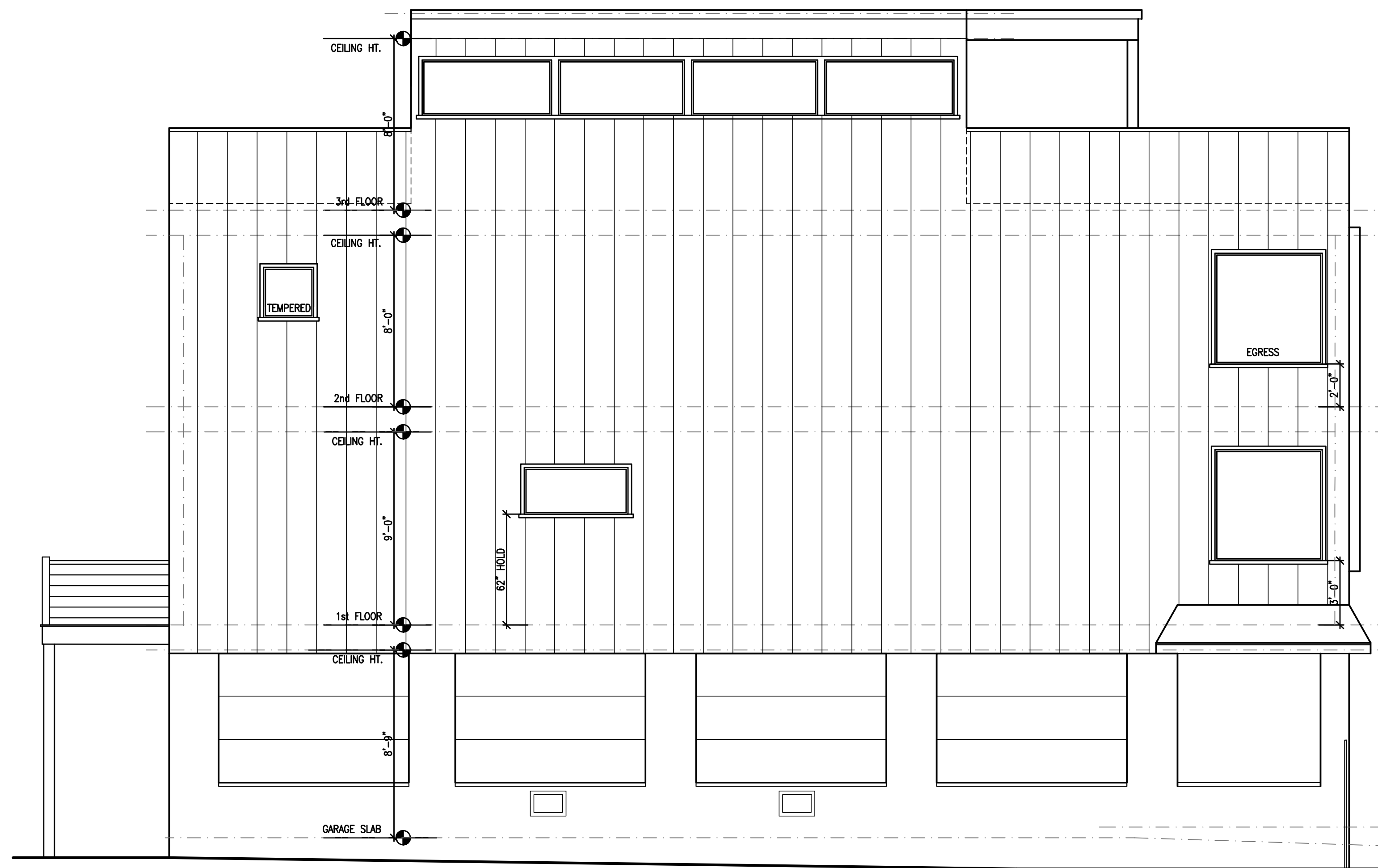
**JAMES T. DALEY
ARCHITECT
+ ASSOCIATES**
273 FIRST STREET, KEYPORT, NJ 07735
phone: 732-739-2684 fax: 732-739-0837

NJ LIC:
#11519

DRAWN: JP

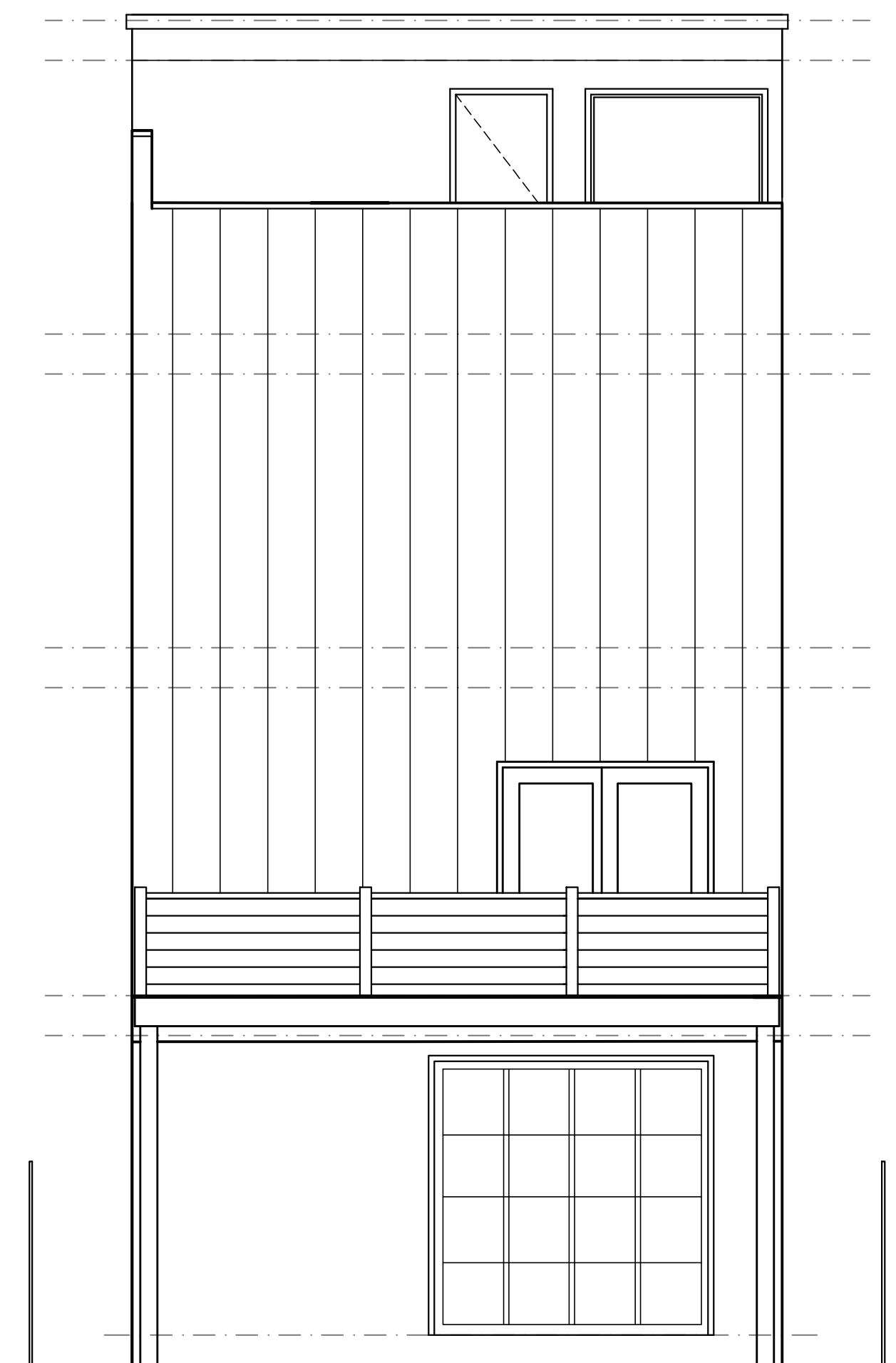
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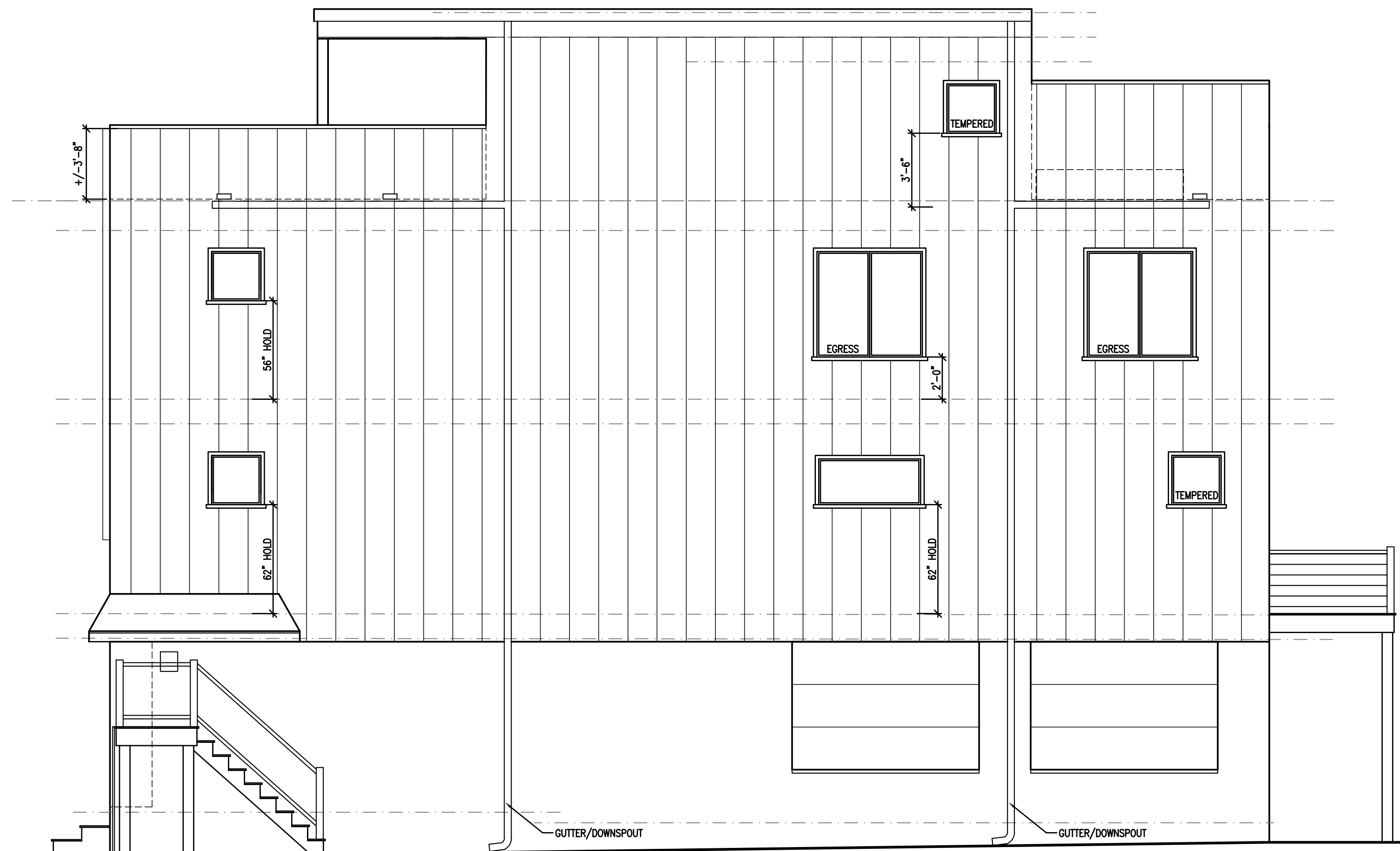


SIDE ELEVATION
Scale: 1/4"=1'-0"

FRONT ELEVATION
Scale: 1/4"=1'-0"



REAR ELEVATION
Scale: 1/4"=1'-0"



SIDE ELEVATION
Scale: 1/4"=1'-0"

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NJ LIC: #11519	DRAWN: JP	A-3



Roberts
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June 16, 2025

Nancy Tran
Land Use Board Secretary
Borough of Highlands Land Use Board
151 Navesink Avenue
Highlands, New Jersey 07732

Re: Completeness Review No. 1
Applicants: Edward and Lori Pahler
Block 54, Lot 13
35 Miller Street
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB25-09

Dear Ms. Tran:

As requested, we have reviewed the above referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations.

The Applicant seeks to construct a 2 ½ story single-family dwelling on an existing vacant lot on which a multi-family dwelling recently stood. The proposed residential building will consist of three (3) bedrooms with site improvements and 3 parking spaces (garage under (2) and driveway).

The residential building is situated on a 2,000 sf (0.046 Ac) lot in the R-2.02 Single Family Residential District and in the AE Flood Hazard area.

The Applicant has submitted a Variance Plan consisting of zoning information, proposed dwelling, deck, covered porch, driveway, utilities, grading and other site improvements. There are several bulk variances, and there are a number of site improvements that are required to be addressed under Minor Site Plan.

Minor Site Plan checklist items and some general comments have been provided below by this office.

We have reviewed the following documents submitted in support of the above referenced application for completeness purposes:

1. Copy of the Land Use Board Application dated June 4, 2025.
2. Copy of a plan entitled, "Boundary and Topographic Survey, Lot 13, Block 54, Borough of Highlands, Monmouth County, New Jersey", prepared by Morgan Engineering, signed and dated April 3, 2025
3. Copy of a plan entitled, "Variance Plan for Single-Family Dwelling, #35 Miller Street, Lot 13, Block 54, Borough of Highlands, Monmouth County, New Jersey", prepared by Morgan Engineering, signed and dated May 9, 2025
4. Copy of a set of architectural plans entitled, "New House Construction for Ed & Lori Pahler, 35 Miller Street, Highlands, NJ, Lot# 13, Block# 54" prepared by James T. Daley Architect + Associates, unsigned and last issued date of May 29, 2025. 3 sheets.

We offer the following comments and recommendations for the Land Use Board's consideration:

I. ZONING

1. This property is located in the R-2.02 Single Family Residential District.
2. The proposed single-family residential dwelling is a permitted use.

3. The Applicant requires six (6) bulk “c” variances for lot area, lot frontage/width, minimum front setback, side yard setback, rear yard setback, and maximum building coverage. To be entitled to bulk “c” variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-70c.

The Applicant will be required to provide proof during testimony.

4. The following bulk requirement summary is provided for the Board’s reference.

Schedule I – Bulk and Area Requirements				
R-2.02 Single Family Residential District				
	Required	Existing	Proposed	Variance
Min. Lot Area (sf)	4,000	2,000 ⁽¹⁾	2,000	Yes ⁽¹⁾
Lot Frontage/Width (ft)	50	25.00 ⁽¹⁾	25.00	Yes ⁽¹⁾
Lot Depth (ft)	75	80.00	80.00	No
Min. Front Yard Setback (ft)	20 ⁽²⁾	0	±15.0	Yes
Min. Side Yard Setback (ft)	6/8 3/4 ⁽³⁾	0	3/3 ⁽³⁾	Yes-1
Min. Rear Yard Setback (ft)	20	0	10	Yes
Max. Building Height (ft) ⁽⁴⁾	30	0	32.4	No
Max. Lot Coverage (%)	75	0	63.5	No
Max. Building Coverage (%)	33	0	53.2	Yes
Min. Deck/Stairs Setback (ft)	3	0	3	No
On-Site Parking (spaces)	2	0	3	-

(1) Existing non-conformity

(2) Or the average of the existing front yard setback within two hundred (200) feet in the same block and zone, per § 21-79.B.

(3) Please see Comment No. 5.

(4) Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half feet.

5. According to §21-98.F.1, *Pre-existing nonconforming vacant lots may be used for single-family residential purposes; and single-family or two-family uses on pre-existing nonconforming lots may be enlarged, if the following requirements are met:*

(a) *The proposed use will be a new single- family dwelling or the enlargement of an existing single-or two-family use. A single-family dwelling shall not be converted to a two-family dwelling. **New single-family dwelling.***

(b) *(Reserved)*

(c) *There is no available vacant land abutting the lot. **None.***

(d) *The lot either provides off-street parking or the proposed enlargement includes the provision of off-street parking. **Proposed On and Off-street parking.***

(e) *The building and lot coverage will not be exceeded. **This proposal exceeds building coverage. The Applicant is requesting a variance.***

- (f) *For lots which do not meet the lot width requirements, the side yards may be reduced in the same proportion as the reduced width bears to the required width, but in no case shall the proposed side yards be less than one-half of the required side yards. **This proposal does not meet the side yard. The Applicant is requesting a variance.***
- (g) *For lots which do not meet the lot depth requirement, the front and rear yards may be reduced in the same proportion as the reduced lot depth to the required lot depth, but in no case shall the proposed front yard be less than the smallest front yard allowed under § 21-79B nor the proposed rear yard be less than eighty (80%) percent of the required rear yard for the zone. **Not applicable.***

The Applicant will be required to provide proof during testimony.

II. CHECKLIST ITEMS

1. Date, name, location of site, name of owner, scale, and reference meridian. **Provided.**
2. Area of the lot and all lot line dimensions and bearings. **Provided.**
3. The location of all existing watercourses, wooded areas, easements, rights-of-way, streets, roads, highways, rivers, buildings, structures, and any other feature on the property and within seventy-five (75) feet of the property line. **Partially provided.**
4. Location, use and ground floor area of all existing and proposed buildings, with the building setback, sideline, and rear yard distance. **Provided.**
5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Provided.**
6. The location and widths of existing and proposed streets servicing the site plan. **Provided.**
7. Specifications for and location of proposed surface paving and curbing. **Partially provided.**
8. Location of all structures within seventy-five (75) feet of the property. **Partially provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Not applicable.**
10. Stormwater management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities, plus all required design data supporting the adequacy of the existing or proposed facilities to handle future storm flows. **Please see General Comment No. 11 below.**
11. Existing and proposed contours of the property and for seventy-five (75) feet outside the property at one (1) foot intervals when new buildings or parking areas are proposed. Spot elevations for any development in a flood hazard area. **The Applicant has provided sufficient information.**
12. The location and treatment of proposed entrances and exits to public rights-of-way, including the possible utilization of traffic signals, channelization, acceleration and deceleration lanes, additional widths, and any other devices necessary to traffic safety and/or convenience. **Provided.**
13. The location and identification of proposed open space, parks, or other recreation areas. **Not applicable.**
14. The location and design of landscaping, buffer areas and screening areas showing size, species and spacing of trees and plants and treatment of unpaved areas. **Not applicable**
15. The location of sidewalks, walkways, traffic islands and all other areas proposed to be devoted to pedestrian use. **Provided.**

16. The nature and location of public and private utilities, including maintenance and solid waste disposal, recycling and/or storage facilities. **The Applicant has provided sufficient information.**
17. Specific location and design of traffic control devices, signs, and lighting fixtures. The Board may require of the applicant expert testimony concerning the adequacy of proposed traffic control devices, signs, and lighting fixtures. **Not applicable.**
18. Preliminary architectural plans for the proposed buildings or structures, indicating typical floor plans, elevations, heights and general design or architectural styling. **Provided.**
19. The present and past status use and contemplated use of the property and all existing buildings on the property. A cleanup plan where such is necessary because of the past or present use of the site. **Not applicable.**
20. A soil erosion and sediment control plan are required. Said plan shall be submitted to the Soil Conservation District and approval of the application shall be conditioned upon certification of the soil erosion and sediment control plan by the District. **Exempted by Freehold Soil Conservation District. To provide an exemption letter.**
21. Soil borings, when required by the Board Engineer. **Not provided. May be required for footings for construction.**
22. Certification statement for the required municipal signatures, stating:

Application No. _____ approved/disapproved by the Borough of Highlands Land Use Board as a Minor Site Plan on (date). **Not provided.**

Chairman

Secretary

23. Certification statement for the County Planning Board approval/disapproval, if required. **Not applicable.**
24. The Board may require any additional information which is reasonably necessary to ascertain compliance with the provisions of this chapter. **Open.**

III. COMPLETENESS

Adequate information has been provided to perform a technical review and we recommend the application be deemed COMPLETE.

IV. GENERAL COMMENTS

1. Please rename the plan to Site Plan.
2. Please provide signed and sealed Architectural plans.
3. The Applicant has submitted an application for a 2 ½ story dwelling, however it appears that the proposed dwelling is more than 2 ½ stories. The attic has an 8-foot ceiling height with family space and a bathroom. The dwelling appears to be three stories. Please provide testimony.
4. Please provide a Certification statement on the engineering plan. Refer to Checklist Item #22.
5. Please provide the location of all structures within seventy-five (75) feet of the property.
6. Please update the minimum lot depth as compliant.

7. It appears that the front yard setback may not be in conformance with the prevailing setback. The lots closest to this property appear to meet the requirement, however the same determination cannot be made about the nearby newer built dwellings.

Please analyze the front setback as a prevailing setback according to § 21-79.B.

8. Please update the lot coverage table to show covered porches and steps, and concrete, as included items. The total percentage of lot coverage is shown correctly.
9. There is an existing 6 ft wide by 60 ft long easement on Lot 12 along the common line with the property. The easement is described in Deed Book 4538 Page 903 (yr. 1985) as "for the purpose of maintaining, repairing and restoring the dwelling erected upon Lot 13. This easement being necessitated because the side yards on Lot 13 are only six inches on one side and one ft. eleven inches on the other...."

The dwelling has been demolished.

It is our opinion that the easement must be legally extinguished by deed because the purpose of the easement is no longer valid. We defer to the Land Use Board Attorney.

10. Indicate whether the lot surfaces will be grass, gravel and/or landscaped.
11. The right rear and side yard proposed elevations are directing runoff to Lot 12. Please redirect the runoff to the street.
12. Water, sewer and gas utilities are proposed to connect to existing valves and cleanout in the existing sidewalk. This will require replacement of full sections of the concrete sidewalk.
13. A proposed 4 ft x 3 ft utility platform with 6 ft high fencing and steps extends from the dwelling to the property line. The platform appears to be needed for access to the E-meter and HVAC units.
 - a. According to §21-123.2 mechanical, plumbing and electrical systems should be above Local Design Flood Elevation (LDFL). The utilities and E-Meter appear to be placed above the LDFL elevation of 12 ft high (Local Design Flood Elevation) according to the architectural elevations.
 - b. The proposed fence enclosed platform blocks direct access to the side yard leading to the rear yard without trespassing on the adjoining property.
14. Please provide construction details:
 - a. Pavement repair according to § 21-65.15.
 - b. Sidewalk according to § 21-65.17.
 - c. Driveway, apron and depressed curb.

V. APPROVALS

Approval of this application will be conditioned upon the Applicant obtaining or providing approved documents for the following:

1. Freehold Soil Conservation Permit (exemption letter).
2. NJDEP FHA
3. Coastal Area Facilities Review Act (CAFRA) Zone, if required per NJDEP.

Completeness Review No. 1
Applicant: Edward and Lori Pahler
Block 54, Lot 13
35 Miller Street
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB25-09
Page 6 of 6

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Carmela Roberts, PE, CME, CPWM
Land Use Board Engineer

cc: Michael Muscillo, Borough Administrator, (mmuscillo@highlandsborough.org)
Dustin F. Glass, Esq., Land Use Board Attorney (dglass@semerarolaw.com)
Steve Winters, Construction Official, Floodplain Administrator (swinters@highlandsborough.org)
Courtney Lopez, Zoning Officer (clopez@highlandsborough.org)
Morgan Engineering & Surveying, Applicant's Engineer (daniel@morganengineeringllc.com)
James Daley, AIA, Applicant's Architect (gymteedaily@aol.com)
Cameron Corini, PE, CME, CPWM, Roberts Engineering Group, LLC
GS Bachman, EIT, Roberts Engineering Group, LLC