



Borough of Highlands
 42 Shore Drive
 Highlands, NJ 07732
 (732) 872-1224
 www.highlandsborough.org

LAND USE BOARD APPLICATION

FOR OFFICIAL USE

Date Rec'd: 06/01/2022 Application #: LUB2022-04 Fee: _____ Escrow: \$2,700

1. APPLICANT

Name: Kirsh Kraft, LLC
 Address: 11 Marine Place, B
 City: Long Branch State: NJ Zip: 07740
 Phone: 732-291-9000
 Email: hfw@lawwolf.com
 Relation to property: _____

2. OWNER

Name: Kirsh Kraft, LLC
 Address: 11 Marine Place
 City: Long Branch State: NJ Zip: 07740
 Phone: 732-291-9000
 Email: hfw@lawwolf.com

3. TYPE OF APPLICATION (Check all that apply)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Appeal – Zoning Denial date _____ |
| <input type="checkbox"/> Major Subdivision – Preliminary | <input type="checkbox"/> Appeal – Land Use Decision date _____ |
| <input type="checkbox"/> Major Subdivision – Final | <input type="checkbox"/> Informal Concept Plan Review |
| <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Extension of Approval |
| <input type="checkbox"/> Major Site Plan – Preliminary | <input type="checkbox"/> Revision/Resubmission of Prior Application |
| <input type="checkbox"/> Major Site Plan – Final | <input checked="" type="checkbox"/> Other _____ |
| <input type="checkbox"/> Variance | |
| <input type="checkbox"/> Use Variance | |

4. PROPERTY INFORMATION

Block 57 Lot(s) 8+9 Address: 9 Fifth Street
 Lot size _____ # of Existing Lots 2 # of Proposed Lots 2
 Zone _____ 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: Henry E. Wolff III
 Address: 79 First Avenue Atlantic Highlands, NJ 07716
 Phone: 732 291 9000 Email: hfw@lawwolf.com



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

Name: Stockton
Address: 31 Grand Tour
Highlands NJ 07732
Phone: 732 996 5281
Email: arstockton@gmail.com

Name: _____
Address: _____

Phone: _____
Email: _____

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.

It is the applicants understanding that #13 which is the current empty lot used to have a house on it up until/ about 2003/2004 when the owners last name Seminsky had it knocked down and the lot has been empty ever since. #9 still has an empty/non livable house on it.

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.

See plans

C. ADDITIONAL INFORMATION:

Existing

Proposed

| | | | |
|---------------------|-----------------------------------|-------|-------|
| Residential: | How many dwelling units? | _____ | _____ |
| | How many bedrooms in each unit? | _____ | _____ |
| | How many on-site parking spaces? | _____ | _____ |
| Commercial: | How many commercial uses on site? | _____ | _____ |
| | How many on-site parking spaces? | _____ | _____ |



Lot 8 - LOT 8.01

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

| | Req'd | Exist. | Prop'd |
|------------------------------------|-------|--------|--------|
| Minimum Lot Requirements | | | |
| Lot Area | 4000 | 604 | 2913 |
| Frontage | 50 | 27.30 | 45.62 |
| Lot Depth | 75 | 22.1 | 63.9 |
| Minimum Yard Requirements | | | |
| Front Yard Setback | 20 | 1.0 | N/A |
| 2 nd Front Yard Setback | 20 | | |
| Rear Yard Setback | 20 | 1.4 | N/A |
| Side Yard Setback, right | 4.5/6 | 0.0 | N/A |
| Side Yard Setback, left | 4.5/6 | 0.0 | N/A |
| Building Height | 30 | N/A | N/A |

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

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

The applicant intends to construct 2 new homes, on Lots 8.01 and 9.01 that will be FEMA elevation compliant and in accordance with municipal flood regulations.



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Lot 9

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

| | Req'd | Exist. | Prop'd |
|------------------------------------|-------|--------|--------|
| Minimum Lot Requirements | | | |
| Lot Area | 4058 | 4928 | 2618 |
| Frontage | 50 | 58.33 | 41.00 |
| Lot Depth | 75 | 63.9 | 63.9 |
| Minimum Yard Requirements | | | |
| Front Yard Setback | 20 | N/A | N/A |
| 2 nd Front Yard Setback | 20 | N/A | N/A |
| Rear Yard Setback | 20 | N/A | N/A |
| Side Yard Setback, right | 4.5/6 | N/A | N/A |
| Side Yard Setback, left | 4.5/6 | N/A | N/A |
| Building Height | 30 | N/A | N/A |

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

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



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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
19 day of May 2022 (year)
Stephanie D. Gross (notary)
 (Seal)

[Signature]
 Signature
5/19/22
 Date
Trevor Kirsh
 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
19 day of May 2022 (year)
Stephanie D. Gross (notary)
 (Seal)

[Signature]
 Signature
5/19/22
 Date
Trevor Kirsh
 Print Full Name

12A. DISCLOSURE STATEMENT Circle all that apply.

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 | No |
| Is this application to construct a multiple dwelling of 25 or more units? | Yes | No |
| Is this an application for approval of a site(s) for non-residential purposes? | Yes | No |
| Is this Applicant a corporation? | Yes | No |
| Is the Applicant a limited liability corporation? | Yes | No |
| Is the Applicant a partnership? | Yes | No |

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



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12B. BUSINESS ORGANIZATION OWNERSHIP DISCLOSURE STATEMENT

Name of Corporation, Partnership, LLC, LLP, S-Corp:

Kirsh Kraft, LLC

Listed below are the names and addresses of all owners of 10% or more of the stock/interest* in the above referenced business organization:

| NAME | ADDRESS |
|--------------|---------------------------------|
| Trewer Kirsh | PO Box 886, Hammonton, NJ 08037 |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

*If a corporation or a partnership owns 10% or more of the stock of a corporation, or 10% or great interest in a partnership, that corporation or partnership shall list the names and address of its stockholders holding 10% or more of its stock or 10% or greater interest in the partnership, and this requirement shall be followed until the names and addresses of the non-corporate stockholders and individual partners, exceeding the 10% owner ship criterion established have been listed.

SWORN & SUBSCRIBED to before me this
19 day of May 2022 (year)
Stephanie D. Gross (notary)
 (Seal)

[Signature]
 Signature (Officer/Partner) 5/19/22
 Date
Trewer Kirsh
 Print Full Name Title

OWNERS WITHIN 200 FT.

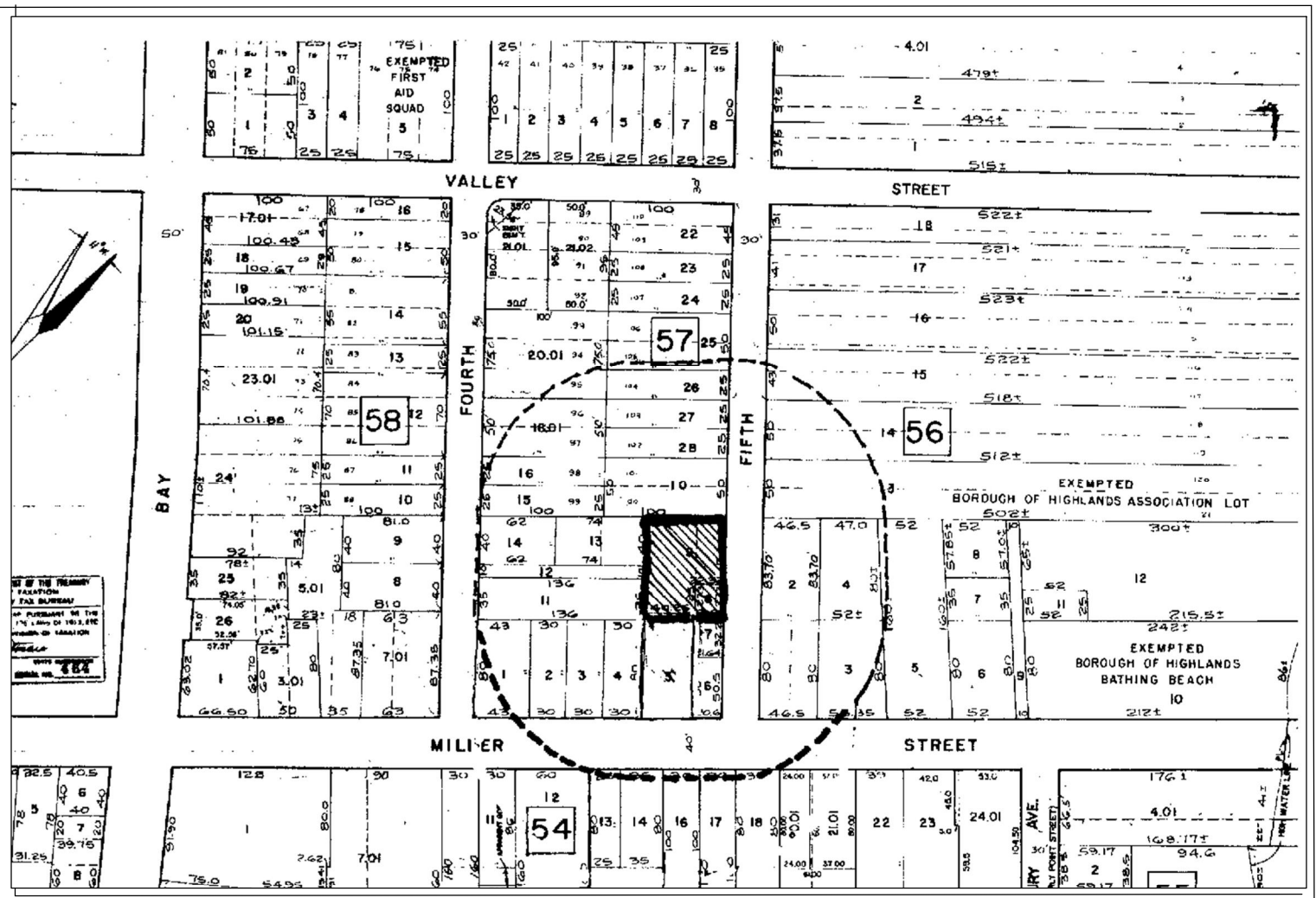
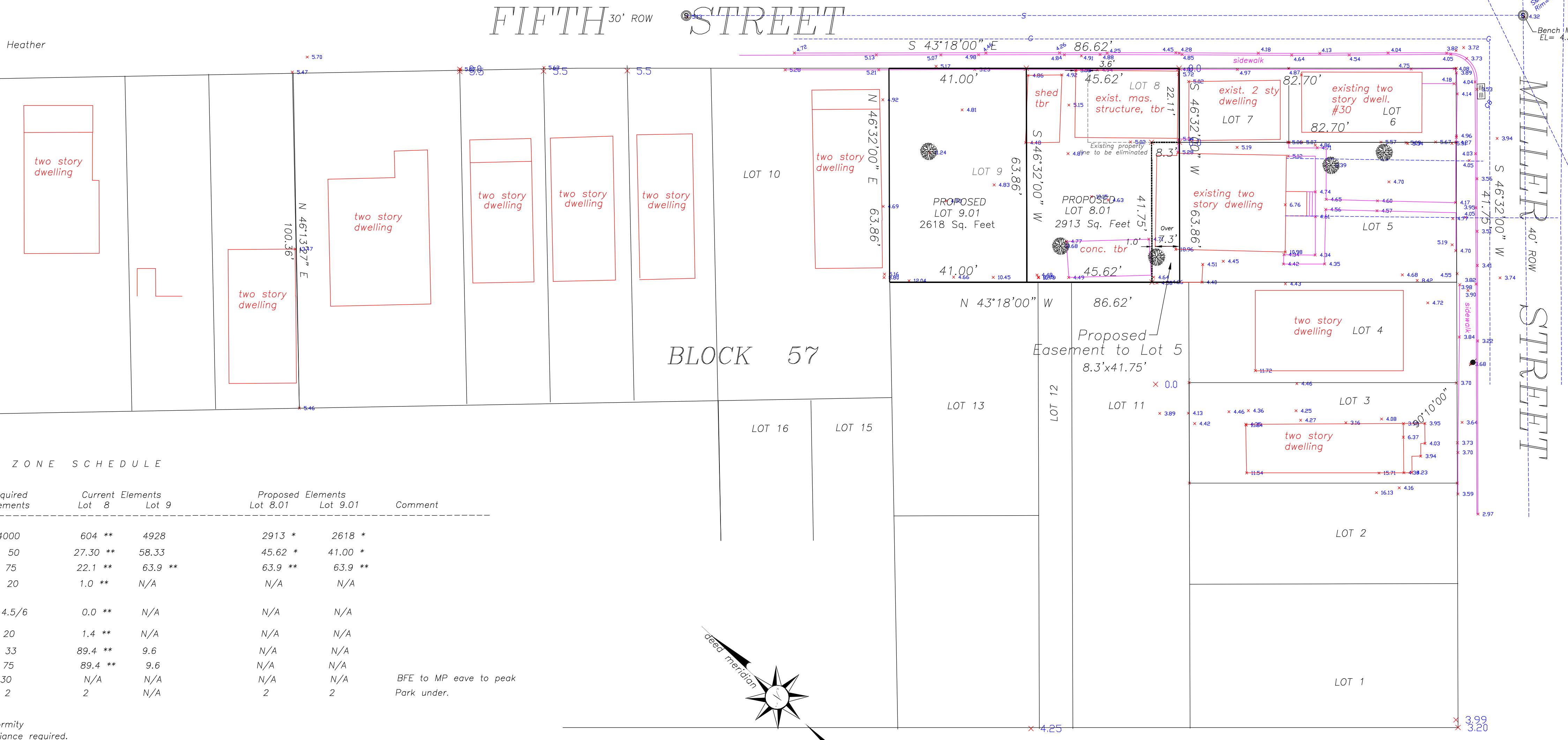
- Block 54
 Lot 11 Carvalho, Manuel & Maria
 Lot 12 Diebold, Richard
 Lot 13 Kerwick, Thomas & Laura
 Lot 14 Chan, Ted & Benjama
 Lot 15 Shannon Enterprises, LLC
 Lot 16 Murray, Michael
 Lot 17 27 Miller, LLC
 Lot 18 Hrdalo, Robert
 Lot 20.01 Higgins, Phoebe
 Lot 21.01 Scandaglia, Frank & Maria.

- Block 56
 Lot 1 Douglas, William & Candace
 Lot 2 KL 5th Street, LLC
 Lot 3 CWD, LLC
 Lot 4 Tetelborn, Miriam & Labanco, Loenard
 Lot 5 Five Star Real Estate Group, LLC

- Block 57
 Lot 1 Bananno, Joseph & Maryann
 Lot 2 Feldman, Michael
 Lot 3 Mahmoud, Esmat
 Lot 4 Stark, Susan
 Lot 6 Pahler, Edward & Lori
 Lot 7 Dilalla, Edward & Rosalia
 Lot 10 Hartsgrove, Reginald
 Lot 11 Fitzgerald, Suzanne
 Lot 12 Boro of Highlands
 Lot 13 Caizza, Richard & William
 Lot 14 Arjika Property, Inc.
 Lot 15 Caizza, William & Susan
 Lot 16 Misita, Joseph
 Lot 20.01 Knox, Michael
 Lot 25 Czerney, Kevin
 Lot 26 Craig, Glen & Jorgi
 Lot 27 Lipovchenko, Oleg
 Lot 28 Hartsgrove, Barbara & Heather

SITE SPECIFIC NOTES

- All utilities servicing the new homes shall be placed underground per RSIS standards.
- The applicant intends to construct 2 new homes, on Lots 8.01 and 9.01 that will be FEMA elevation compliant, and in accordance with municipal flood regulations.
- A fully executed grading plan and building plans will be submitted to the Municipality for review and approval of the building permit application.
- Property is Located in Flood Zone AE with a Base Flood Elevation 11.0
- Any municipal infrastructure damaged during construction, shall be replaced or repaired to the satisfaction of the Borough Engineer.
- Any Object beneath the surface of the Ground has not been located, and no Guarantee as to existence or location is expressed or implied.
- Elevations refer to North American Vertical Datum of 1988 (NAVD-88)
- THIS SURVEY HAS BEEN PREPARED WITHOUT A FULL TITLE SEARCH AND IS SUCH FACTS FACTS THAT MIGHT BE REVEALED BY SAID TITLE SEARCH.



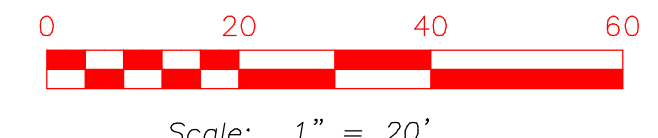
KEY MAP
1" = 135'

GENERAL NOTES

- The Applicant proposes to: subdivide Lots 8 and 9 Block 57, adjusting the common boundary creating Lots more in conformance with the neighborhood and eliminating building encroachments.
- Known and designated as Lots 8 and 9 Block 57, Sheet 13, as shown on the current tax assessment map of the Borough of Highlands, Monmouth Co., N.J.
- Current Data:

| | | |
|------------------|--------|---------|
| | Lot 8 | Lot 9 |
| Total Lot area | 604 SF | 4928 SF |
| total bldg area | 540 SF | 473 SF |
| Impervious cover | 540 SF | 740 SF |
| Greenscape area | 64 SF | 4188 SF |
- Developmental Data:

| | | |
|----------------------------|----------|----------|
| | LOT 8.01 | LOT 9.01 |
| Proposed Lot area | 2913 SF | 2618 SF |
| Proposed building area | N/A | N/A |
| Proposed Lot coverage | N/A | N/A |
| Proposed greenscape | N/A | N/A |
| Parking spaces, off street | 2 | 2 |
- Utilities are from various sources, and location and/or size is not guaranteed. It is advised to contact the appropriate utility company before construction.
- The Entire tract is within a Coastal Flood Hazard Zone. Elevations refer to NAVD-88 datum. All New Construction must be in conformance with the Borough's requirements for construction in a flood zone, and FEMA Flood Zone AE 11.0, Community 345297 Panel 34025C0088G dated 6-20-18.
- Elevations refer to North American Vertical datum of 1988 (NAVD-88)
- Owner & Applicant:
Kirsh Kraft, LLC
11 Marine Court
Lang Branch, NJ 07740



ZONE SCHEDULE

| | R-2.02 Single Family Residential Zone District | Required Elements | | Current Elements | | Proposed Elements | | Comment |
|---------------------|--|-------------------|-------|------------------|---------|-------------------|----------|------------------------|
| | | Lot 8 | Lot 9 | Lot 8 | Lot 9 | Lot 8.01 | Lot 9.01 | |
| Lot Area, min. | SF | 4000 | | 604 ** | 4928 | 2913 * | 2618 * | |
| Lot frontage | Ft | 50 | | 27.30 ** | 58.33 | 45.62 * | 41.00 * | |
| Lot Depth, min | FT | 75 | | 22.1 ** | 63.9 ** | 63.9 ** | 63.9 ** | |
| Front yard, min | FT | 20 | | 1.0 ** | N/A | N/A | N/A | |
| Side yard, min | FT | 4.5/6 | | 0.0 ** | N/A | N/A | N/A | |
| Rear Yard, min | FT | 20 | | 1.4 ** | N/A | N/A | N/A | |
| Coverage, Bldg | % | 33 | | 89.4 ** | 9.6 | N/A | N/A | |
| Lot Coverage | % | 75 | | 89.4 ** | 9.6 | N/A | N/A | |
| Building Height | FT | 30 | | N/A | N/A | N/A | N/A | BFE to MP eave to peak |
| Parking, off street | Spc | 2 | | 2 | N/A | 2 | 2 | Park under. |

** Pre-existing non conformity
 * Created deficiency, variance required.

THIS IS TO CERTIFY THAT THE UNIFIED PLANNING BOARD OF THE BOROUGH OF HIGHLANDS, MONMOUTH COUNTY NEW JERSEY, IS THE PROPER AUTHORITY TO APPROVE AND HAS APPROVED THIS MAP ON THIS _____ DAY OF _____ 20____.

CHAIRMAN _____ DATE _____
 SECRETARY _____ DATE _____

I (WE) HEREBY CERTIFY TO BE THE OWNER(S) OF THE LAND DELINEATED ON THIS MAP AND DO HEREBY CONSENT TO THE FILING OF THE MAP WITH THE MUNICIPALITY and/or COUNTY..

SIGNATURE(S) _____ DATE _____

I HEREBY CERTIFY THAT I HAVE CAREFULLY EXAMINED THIS MAP AND FIND IT CONFORMS WITH THE PROVISIONS OF THE ORDINANCES AND RESOLUTION CONDITIONS APPLICABLE THERETO.

BOARD ENGINEER _____ DATE _____

I HEREBY CERTIFY THAT THE ABOVE MAP AND SURVEY HAVE BEEN MADE UNDER MY IMMEDIATE SUPERVISION, FROM ACTUAL MEASUREMENTS TAKEN AT THE SITE. Date of Survey: 01-12-21

RICHARD E. STOCKTON
 PROFESSIONAL LAND SURVEYOR
 N.J. LICENSE 15102

| | | | | |
|--|-------------------|-----------------|-----------------|-----|
| HS 1 | 8-03-21 | Lots 8 & 9 only | HS | RES |
| REV | DATE | DESCRIPTION | BY | CHK |
| MINOR SUBDIVISION PLAN FOR: LOT LINE ADJUSTMENT KIRSH KRAFT, LLC LOTS 8, and 9 BLOCK 57 SHEET 13 BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY RICHARD E. STOCKTON & ASSOC., INC. SURVEYING & MAPPING-> CONSTRUCTION SURVEYING PO BOX 124, ATLANTIC HIGHLANDS, NJ 07716, 732-872-2827 Certificate of Authorization No. 24GA27987100 | | | | |
| RICHARD STOCKTON, PROFESSIONAL LAND SURVEYOR & PLANNER LS15102 PP2267 | | | | |
| DATE: 01/12/21 | FILE: 4217 | DRAWN: RLT | JOB NO: 8077 | |
| SCALE: 1"=20' | CAD#: K-8077A.dwg | CHK: RES | DWG NO: D- 1044 | |

NOTE: NO ATTEMPT WAS MADE OR LIABILITY IS ASSUMED TO DETERMINE IF ANY PORTION OF THIS PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS. ENVIRONMENTALLY SENSITIVE AREAS ARE NOT LOCATED BY THIS SURVEY.

THIS SURVEY IS NOT FOR CONSTRUCTION PURPOSES!

NOTES: PROPERTY CORNERS TO BE SET UNLESS A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L.2003,c14 (C45: 8-36.3) AND N.J.A.C. 13: 40-5.1(D)."

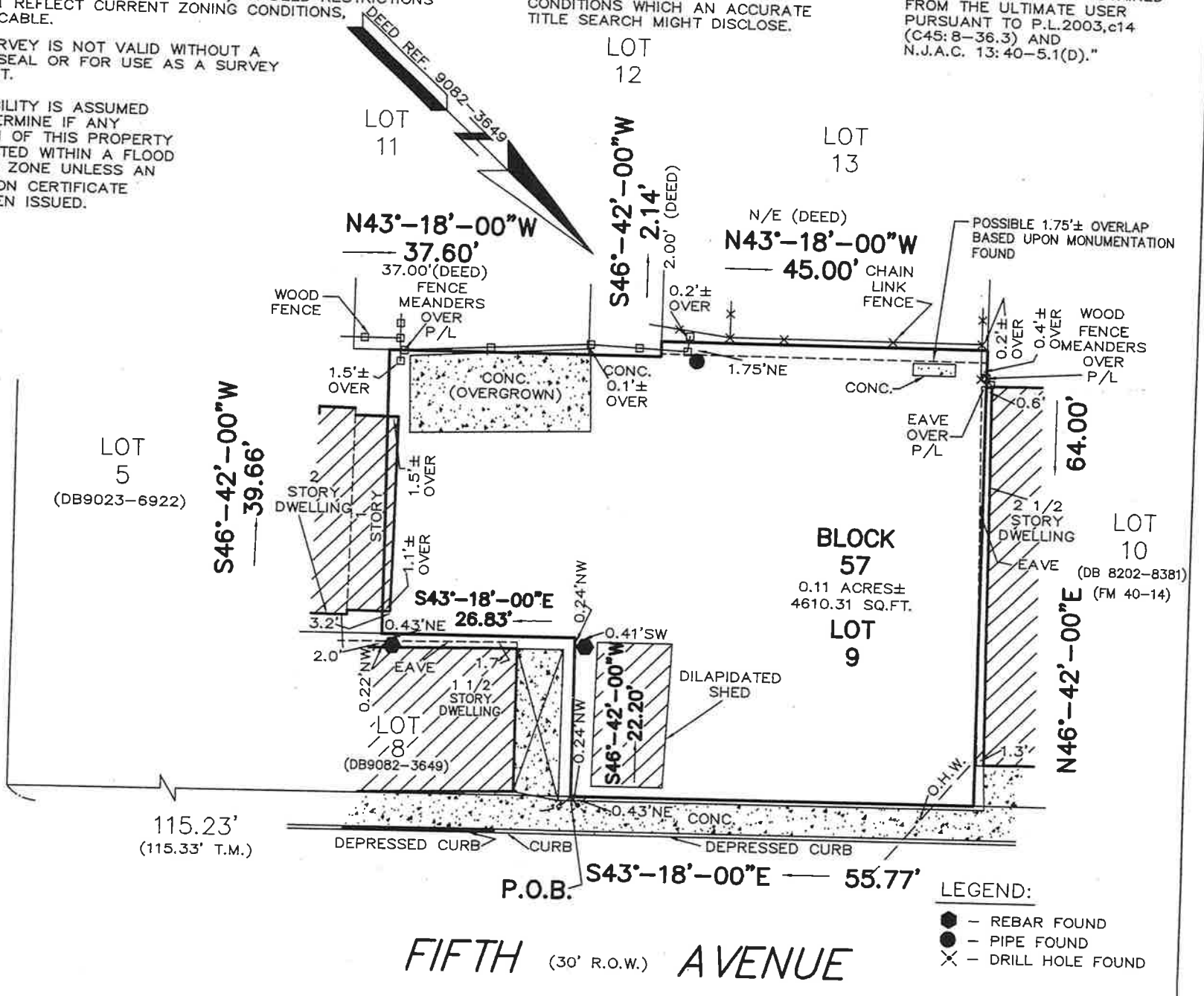
SETBACKS AS PER FILED MAP AND/OR DEED RESTRICTIONS MAY NOT REFLECT CURRENT ZONING CONDITIONS, IF APPLICABLE.

THIS SURVEY IS SUBJECT TO CONDITIONS WHICH AN ACCURATE TITLE SEARCH MIGHT DISCLOSE.

THIS SURVEY IS NOT VALID WITHOUT A RAISED SEAL OR FOR USE AS A SURVEY AFFIDAVIT.

NO LIABILITY IS ASSUMED TO DETERMINE IF ANY PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOOD HAZARD ZONE UNLESS AN ELEVATION CERTIFICATE HAS BEEN ISSUED.

MILLER STREET (40' R.O.W.)



LEGEND:
 ● - REBAR FOUND
 ○ - PIPE FOUND
 X - DRILL HOLE FOUND

- NOTES:
1. ZONING SHOULD BE VERIFIED & CONFIRMED THAT LOT MEETS CURRENT & LOCAL ZONING REQUIREMENTS & IS BUILDABLE.
 2. UTILITIES SERVICING THE PREMISES SHOULD BE VERIFIED & CONFIRMED.

THIS SURVEY IS PREPARED FOR ONLY:
 KRISH KRAFT, LLC.
 TWO RIVERS TITLE COMPANY, LLC (TRT9252)
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
 JAMES M. ALMASY, ESQUIRE

BEING KNOWN AS LOT 9 IN BLOCK 57, AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY.

DEED REFERENCE(S):
 BOOK 9082-3673 CONTAINS MISCLOSURE
 BOOK 8011-4435 (LOT 1)
 BOOK 8641-5528 (LOT 2)
 BOOK 4467-543 (LOT 6)
 BOOK 4766-792 (LOT 7)
 FILED MAP REF. 40-14

TAX MAP SHOULD BE REVISED TO COINCIDE WITH SURVEY

RECEIVED
 MAY 16 2022

"TO ANY INSURER OF TITLE RELYING HEREON AND ANY PARTIES OF INTEREST HEREIN," IN CONSIDERATION OF THE FEE PAID FOR MAKING THIS SURVEY, I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND IN ACCORDANCE WITH THE LAWS IN THE STATE OF NEW JERSEY UNDER MY SUPERVISION. (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS OR ON THE SURFACE OF THE LANDS THAT ARE NOT VISIBLE) AS AN INDUCEMENT FOR ANY INSURER OF TITLE TO INSURE THE TITLE TO THE LANDS AND PREMISES SHOWN HEREON. THIS RESPONSIBILITY AND LIABILITY SHALL BE LIMITED TO THE CURRENT MATTER AS OF THE DATE OF THIS SURVEY AND SHALL BE LIMITED TO ONLY THE PARTIES OF INTEREST AS SHOWN ON THE CERTIFICATION HEREIN. IF THIS SURVEY IS USED IN CONJUNCTION WITH A SURVEY AFFIDAVIT FOR THE TRANSFER OF TITLE, ALL LIABILITY SHALL BE WAIVED AND ALL RIGHTS TO ALL PARTIES OF INTEREST SHALL BECOME NULL AND VOID. NO LIABILITY SHALL BE ASSUMED FOR ANY EASEMENTS, DEDICATIONS AND OR INSTRUMENTS NOT SUPPLIED PRIOR TO CLOSING. THE RIGHT SHALL BE RESERVED TO REVIEW ANY SUCH INSTRUMENTS AND TO MAKE SUCH EXCEPTIONS AND OR REVISIONS AS A REVIEW MAY WARRANT.

OFFSETS AS SHOWN HEREON ARE NOT TO BE USED AS A BASIS FOR CONSTRUCTION OF FENCES OR OTHER PERMANENT STRUCTURES.

| DATE | REVISIONS |
|------|-----------|
| | |

8/15/16
 DATE

ROBERT W. SMITH, JR.
 PROFESSIONAL LAND SURVEYOR N.J. LIC. NO. 023934

LAND USE BOARD

PLAN OF SURVEY
 SITUATE

BOROUGH OF HIGHLANDS
 MONMOUTH COUNTY, NEW JERSEY
 BLOCK 57 LOT 9

SENECA SURVEY CO., INC.
 SURVEYORS & PLANNERS
 1470 ROUTE No. 88 WEST
 BRICK, NEW JERSEY, 08724
 CERTIFICATE # 24GA27973900
 (732)840-8040 FAX (732)840-8044
 EMAIL: SENECACO@COMCAST.NET

Survey Date: 8/4/16 Drawn by: ACU-PLAT
 Scale: 1" = 20' Proj. No.: 16-60587

May 13, 2022

Kirsh Kraft LLC
11 Marcia Place
Long Branch, NJ 07740

RE: 9 Fifth Street
Block 57, Lots 8 & 9

Please be advised that the above referenced application to subdivide the property, creating three building lots, has been reviewed for compliance with the Borough of Highlands Zoning Ordinance. The property is located in the R-202 zone.

The following approvals will be necessary:

- #21-55 **Minor subdivision approval**
- #21-86 **Minimum lot area: 4,000 s.f. is required, 3,799 s.f.; 2,567 s.f.; 2,618 s.f. are proposed - 3 variances**
- Lot frontage: 50' is required, 41.75'; 56.62'; 41' is proposed - 3 variances**
- Lot depth: 75' is required, 63.9' is proposed - 2 variances**
- Rear setback: 20' is required; 1' is proposed**

In addition, proposed lot 5.01 is proposing 0 parking spaces.

To proceed with an application/appeal of this decision to the Land Use Board, please contact the Nancy Tran, Board Secretary at 732-872-1224. Should you have any questions, feel free to contact me at 732-615-2278.

Sincerely,

Marianne Dunn
Zoning Officer

C:  Land Use Board

RECEIVED
MAY 16 2022
LAND USE BOARD



Zoning Permit Application

42 Shore Drive
Highlands, N.J. 07732
732-872-1224 Ext. 202

#50
CH 568
12-1-16

APPLICATION FOR ZONING PERMIT — Z _____

Note: All applications must be accompanied by a property survey showing the sizes of the structure(s) and their location. Applications involving businesses must show the scope of the business and include all activities that will be a part of the business.

The Following Fees Shall Apply:

Residential Applications: New Construction single or two-family - \$50 Fence - \$15.00
Renovations/Additions/Alterations/Repairs - \$10, Other Residential - \$100/unit Shed - \$25.00
Non-Residential Applications - New Construction - \$100, Renovations/Additions - \$25

OWNER/APPLICANT

Name: Trevor Kirsh
Address: 11 Marine Place, Long Branch, NJ 07740
Telephone: Home: 732-539-7940 Work: 732-222-7879
Date: 12/1/16 Fee: \$ 50.00 Check Cash

LOCATION OF THE WORK

Block: 57 Lot(s): 8 Zone _____ Street Address: 9 5th Street

DESCRIPTION OF THE WORK TO BE PERFORMED (OR USE PROPOSED)

Demolish + remove existing structure. Replace with new modular home/custom home on pilings in exact same footprint

CHECK ONE: New Addition: _____ Alteration _____ Repair _____ Other _____

To the applicants knowledge, has this property ever been the subject of any prior application to the Planning Board of the Borough of Highlands?

Signature: [Signature] Date: 12/1/16 Yes No

FLOOD HAZARD AREA DETERMINATION

Check Applicable Flood Zone:: AE: VE: _____ X: _____
All applications within the AE and VE Flood Zoned, as indicated upon the most recent FEMA Flood Maps, require submission to an applicability determination from the NJDEP.

FOR BOROUGH USE ONLY

Determination: APPROVED _____ DENIED

If your application has been DENIED, it is due to the following:

| Ordinance Section | Allowed/Required | Proposed |
|-------------------|------------------|-------------------|
| <u>Bulk Sign</u> | | |
| <u>Front</u> | <u>20'</u> | |
| <u>Side</u> | <u>20'</u> | <u>5' min min</u> |
| <u>Back</u> | <u>6/8</u> | <u>2'</u> |
| Remarks: | | |
| <u>Side</u> | <u>33%</u> | <u>1.02/1.5</u> |
| <u>Lot</u> | <u>75%</u> | <u>8.12%</u> |
| | | <u>81.6%</u> |

Zoning Officer: [Signature] Date: 12-20-16

NOTE: A Zoning Permit indicates that the proposed project conforms to the planning/zoning regulations of the Borough of Highlands; A building permit is required (per the requirements of the Uniform Construction Code of N.J.) BEFORE beginning work. The zoning permit is valid for one year, and may be extended for three years by action of the Planning Board.

If your application has been denied, you may appeal this denial to the Planning Board as provided by the New Jersey Municipal Land Use Law. You must submit letter of appeal to Planning Board secretary within 20 days.

If your application has been denied, you may seek relief from the Highlands Planning Board.
Note: If the following box is checked, you must submit a Flood Review Application to the Borough Flood Administrator prior to submitting to the Planning Board.

Local Flood Review Required

Kirshlaw@verizon.net

HENRY F. WOLFF, III
Attorney at Law
79 First Avenue
Atlantic Highlands, New Jersey 07716
(732) 291-9000

Facsimile (732) 291-0321

Email: hfw@lawwolff.com

July 14, 2020

Via e-mail: Mdunn@middletownnj.org

Borough of Highlands, Building Department
Attention: Zoning Officer- Marianne Dunn
Highlands, NJ

Re: Block 57, Lots 8 & 9, Highlands, NJ

Dear Ms. Dunn:

On February 19, 2020 I submitted an application for a development permit in connection with the above property. This involves the merger of Lots 8 and 9 and subdivides the combined lot. I submitted a site plan prepared by Thomas Santry's office.

You and I met and have discussed the fact that the side setbacks for the proposed dwellings as shown on the site plan are inconsistent with the schedule on Mr. Santry's plans. I had communicated with Mr. Santry's offices pre Covid-19 to request that the plans be amended. However, his office has not responded.

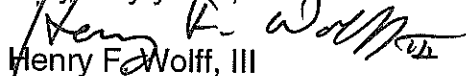
Accordingly, I would ask you to issue your denial without an amended plan from Mr. Santry as it is clear that side setbacks variances will be required.

Of course, I will have new plans with the correct side setbacks when this application is presented to the Board.

If you have any questions, please contact me.

Thank you for your assistance.

Very truly yours,


Henry F. Wolff, III

HFW:lat

Cc: T. Santry via E-mail: Office@ThomasPSantry.com
Client via E-mail



JOHN H. ALLGAIER, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME

TIMOTHY W. GILLEN, PE, PP, CME
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

October 18, 2019

Borough of Highlands
Code Enforcement Office
42 Shore Drive
Highlands, NJ 07732

Attn: Mr. William F. Brunt, Jr.
Code Enforcement Official

Re: **Structural Evaluation Report for
9 5th Street
Highlands, New Jersey 07732
Our File No. HHI00003.19**

Dear Mr. Brunt:

This Structural Evaluation Report presents our findings, conclusions and recommendations to the Borough of Highlands for the building located at 9 5th Street in Highlands, New Jersey. It has been prepared at your request to evaluate the structural integrity of this building in its existing condition.

If you require any further assistance, or if you have any questions or concerns regarding this report, please do not hesitate to call our office. Thank you!

Very truly yours,
CME ASSOCIATES

Nelson Hernández, PE, LEED® AP
Structural Engineering Department
Manager

cc: Ms. Kim Gonzales (Borough Administrator)
Mr. Zachary Williams, PE (CME Associates)
Mr. Douglas Rohmeyer, PE, CFM, CME (CME Associates)



Borough of Highlands
Code Enforcement Office
Re: Structural Evaluation Report for
9 5th Street

October 18, 2019
Our File No. HH100003.19
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INTRODUCTION

General Description of the Project

This Structural Evaluation Report contains our preliminary findings, conclusions and recommendations for the building located at 9 5th Street in Highlands, New Jersey. It has been prepared at the request of the Borough of Highlands ("the Borough") to evaluate the structural integrity of this building.

Background

The two-story structure located at 9 5th Street in Highlands, New Jersey was originally constructed in 1923 and has been reported as uninhabited since 2011. All windows and doors at the first floor have been removed, leaving the ground floor open to unauthorized activity. The second floor was accessible via a partially damaged staircase located at the northern face of the building. All doors and windows of the second floor and attic were observed to be in place, with some windows left in an open position.

As a result of the building being neglected since 2011, and the unsafe conditions present throughout the building due to said neglect, the Borough of Highlands asked CME to perform a Structural Evaluation to determine the structural integrity of the structure in its current condition. On September 10, 2019, CME sent Structural Engineer Zachary C. Williams, PE to the property to meet with Code Enforcement Officer William F. Brunt, Jr., to review the background information regarding the building structure. Our Engineer performed a cursory, visual review of the two-story structure, including the attic area and detached shed, and documented findings with photographs. Access to the structure was provided by the Borough, with help from the property owner. However, portions of the structure were not accessible due to potential damage and unsafe conditions present throughout. No destructive testing or investigation was performed to open walls, floors or ceilings. As a result, the recommendations in this report are based on our best professional judgment and opinion as to the overall condition of the visible structural elements of this building at the time of the site visit.

Purpose and Scope

The purpose of our services was to evaluate the visible condition of the building, to advise the Borough as to requirements, if necessary, for demolition and to provide preliminary recommendations for emergency repair or reinforcement, if necessary. We performed the following Scope of Work to accomplish this purpose:



Borough of Highlands
Code Enforcement Office
Re: Structural Evaluation Report for
9 5th Street

October 18, 2019
Our File No. HHI00003.19
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1. Performed an initial visual evaluation of the building on September 10, 2019.
2. Performed a structural evaluation based on all of the visual observations made and photographs taken. No testing, calculations or detailed structural analysis was performed. Our conclusions and recommendations represent our best professional judgment.
3. Prepared a Structural Evaluation Report for this building which contains our preliminary findings, conclusions and recommendations.

LOCATION MAP





Borough of Highlands
Code Enforcement Office
Re: Structural Evaluation Report for
9 5th Street

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GENERAL DESCRIPTION OF THE BUILDING

The existing building located at 9 5th Street in Highlands, New Jersey is a two-story structure (including the attic, second floor and first floor) constructed in 1923 comprised of structural terra cotta brick exterior walls, wood frame interior walls, floors and roof (see Photo No. 1). The foundation construction could not be ascertained during the site visit. The existing building is situated on the south side of 5th street, near the east end, in the Borough of Highlands. The building has an asphalt shingle hip roof. The first floor consists of a two car garage and the second floor and attic comprise the living area. A detached steel shed is located to the east of the existing building.

STRUCTURAL EVALUATION FINDINGS

Roof

The asphalt shingle hip roof is in poor condition, as observed from the sidewalks at the exterior of the building. Missing and deteriorated rafters were observed at the soffits (see Photo No. 2). Due to lack of access to the roof and the presence of ceiling coverings in the attic, the current condition of the roof could not be ascertained within the structure from the underside at the attic.

Attic

Access to the attic was available by means of an attic drop down ladder. The condition of the walls and flooring of the attic could not be ascertained due to the presence of wall and floor coverings. Evidence of water damage to the wall and floor coverings was observed throughout the attic (see Photo No. 3) and throughout the underside as viewed from the second floor below.

Second Floor

The second floor was observed to have the interior wall coverings removed, thereby exposing the interior face of the exterior walls and remaining wood framed interior rooms (see Photo No. 4). A large opening in the timber floor, located at the southwest corner of the second floor, was observed to be covered by an unsecured sheet of plywood (see Photo No. 5). Exterior walls at the second floor exhibited cracks and evidence of movement throughout, as viewed from the building exterior. A staircase and second floor porch are located on the northern face of the building and were observed to be in poor condition. The timber columns supporting the roof over the porch and half-



Borough of Highlands
Code Enforcement Office
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9 5th Street

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wall enclosure showed signs of deterioration and separation from the building (see Photo No. 6).

First Floor

The first floor consists of a two car garage and a partially damaged staircase leading to the second floor (see Photo No. 7). The walls are constructed of structural terra cotta brick and the floor consists of a concrete slab on grade of unknown thickness. All windows and doors have been removed at the second floor. Visual inspections of the first floor joists, from the underside, were observed to be in poor condition. Deterioration and water staining around a large hole in the flooring was observed, along with sistered floor joists at the southwest corner (see Photo No. 8). A timber column located at the center of the garage area supporting the floor girder above was observed to be out-of-plumb with a failing connection to the girder (see Photo No. 9). At the exterior of the building, several vertical cracks were observed throughout the exterior walls (see Photo No. 10) with evidence of movement and bulging. The header beams above the garage doors were observed to be sagging and partially deteriorated (See Photo No. 11).

Detached Shed

Access to the shed was not provided. Exterior conditions of the shed walls, angled roof, doors, and windows, were observed to be in poor condition. (See Photo No. 12). The structure is severely deteriorated and was observed to be leaning away from the existing building. Conditions are based on an exterior visual inspection, only.



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CONCLUSIONS AND RECOMMENDATIONS

Conclusions

Rating Criteria

Our evaluation was performed in accordance with general guidelines for structural condition assessment of buildings, as published by the American Society of Civil Engineers. Terms used to generally describe the condition of a building structural system or component are listed and defined below. When the term is applied to an overall structure or system, this does not necessarily indicate that all elements of the building structure or system are in the same condition.

- **Excellent** "As New" condition.
- **Good** The structural system is sound and performing its function, although it shows signs of wear and may require some minor repairs, mostly routine.
- **Fair** The structural system is still performing adequately at this time, but needs "priority" and/or "routine" repairs to prevent future deterioration and to restore it to good condition.
- **Poor** The structural system cannot be relied upon to continue to perform its original function without "immediate" and/or "priority" repairs.

General Structural Assessment

The following structural assessment is based on our experience in structure repair and rehabilitation and in the general condition evaluation of structures. The principal conclusions of the study are summarized below:

1. The structural condition of **the roof** is, in our opinion, **Poor**.
2. The structural condition of **the attic** is, in our opinion, **Poor**.
3. The structural condition of **the second floor** is, in our opinion, **Poor**.
4. The structural condition of **the first floor** is, in our opinion, **Poor**.
5. The structural condition of **the detached shed** is, in our opinion, **Poor**.



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6. **The current overall structural condition of 9 5th Street is, in our opinion, Poor, since the building has been uninhabited since 2011 and the condition has continued to deteriorate as a result of abandonment and neglect.**

Recommendations

Roof

The rafters and roof framing were, in our opinion, in an irreparable condition. **Therefore, we recommend that the roof be demolished.**

Attic

The attic floor joists and framing were, in our opinion, in an irreparable condition. Also, the wall and floor coverings showed signs of water damage. **Therefore, we recommend that the attic be demolished.**

Second Floor

The second floor floor joists, framing and walls were, in our opinion, in an irreparable condition. The wall and floor coverings showed signs of water damage. Exterior walls showed evidence of cracks and movement throughout. **Therefore, we recommend that the second floor be demolished.**

First Floor

The first floor walls, stairs, garage door header, and timber column supporting the second floor girder were, in our opinion, in an irreparable condition. Exterior walls showed evidence of cracks and movement throughout. **Therefore, we recommend that the first floor be demolished.**

Detached Shed

The detached shed was, in our opinion, in poor condition. Due to the observed external conditions of the severe rusting and the leaning of the structure, **we recommend that the detached shed be demolished.**



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Summary Recommendations

The building was observed to be in overall Poor condition. Therefore, after reviewing all of this information and considering the costs required to adequately abate the current unsafe condition at the building, we are recommending the demolition of the building and the detached shed in their entirety at this time. This would eliminate the potential safety hazards this structure currently poses to the surrounding neighborhood. All doors and windows should be secured to prevent unauthorized access to the property prior to demolition.



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LIMITATIONS OF STUDY

The scope of our services has been limited to Structural Engineering consultation to the Borough of Highlands regarding only the visible structural condition of the structure located at 9 5th Street. Our evaluation was in accordance with current American Society of Civil Engineers published guidelines for a Phase 1 Structural Engineering Condition Assessment of Existing Buildings within the limitations of scope and budget established by the Borough. No other warranty is made, either expressed or implied.

The observations made to date are based solely on visible areas of each structural element. Conditions may exist within the structure and/or below the ground surface that may affect the structural integrity or stability of the structure and that may require additional repair or reinforcement for continued use of the structure. However, such conditions may not have been apparent at the time of our limited assessment, or access may not have been granted to particular areas. No warranty is made, either expressed or implied, that our review detected all conditions that may exist within the building that would affect its structural integrity or suitability for continued use. More detailed review and analysis can be provided under a supplementary authorization, if requested.

No materials testing, calculations, detailed structural analysis or detailed quantitative review of the capacity of the building's framing was performed. More detailed review and analysis can be provided under a supplementary authorization, if requested. Our conclusions and preliminary recommendations are based on our best professional judgment regarding our review of the site conditions and observed structural distress and the need to repair, replace, remove or partially demolish any portion of the damaged structure. No warranty is made, either expressed or implied, that any portion of the structure is suitable in its present condition for continued use without repair.

The evaluation contained herein is limited to structural conditions and does not cover considerable damage to the wall paneling, flooring, entry doors and appliances, as well as to the mechanical, electrical and plumbing systems, other than the information provided to us during the site visit. In addition, the effects of intrusion of water into the building will require evaluation for mold conditions within the building, if continued use is required.

Our scope of work did not include an environmental or architectural assessment of the building.



Borough of Highlands
Code Enforcement Office
Re: Structural Evaluation Report for
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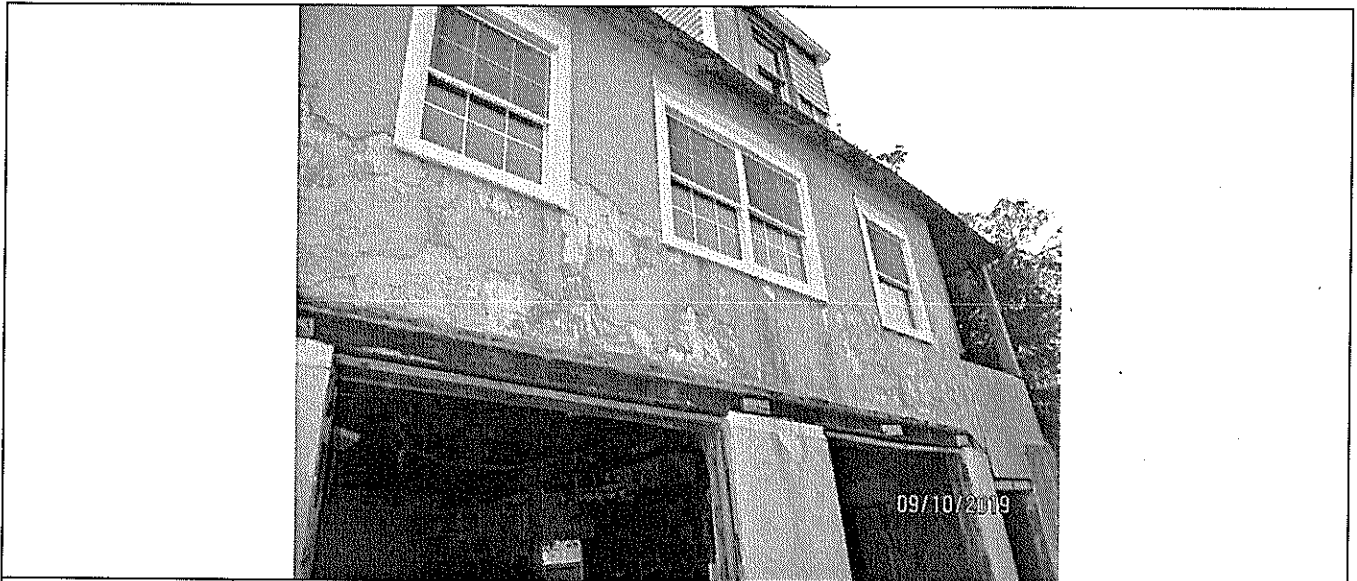
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APPENDIX A – PHOTOGRAPHS

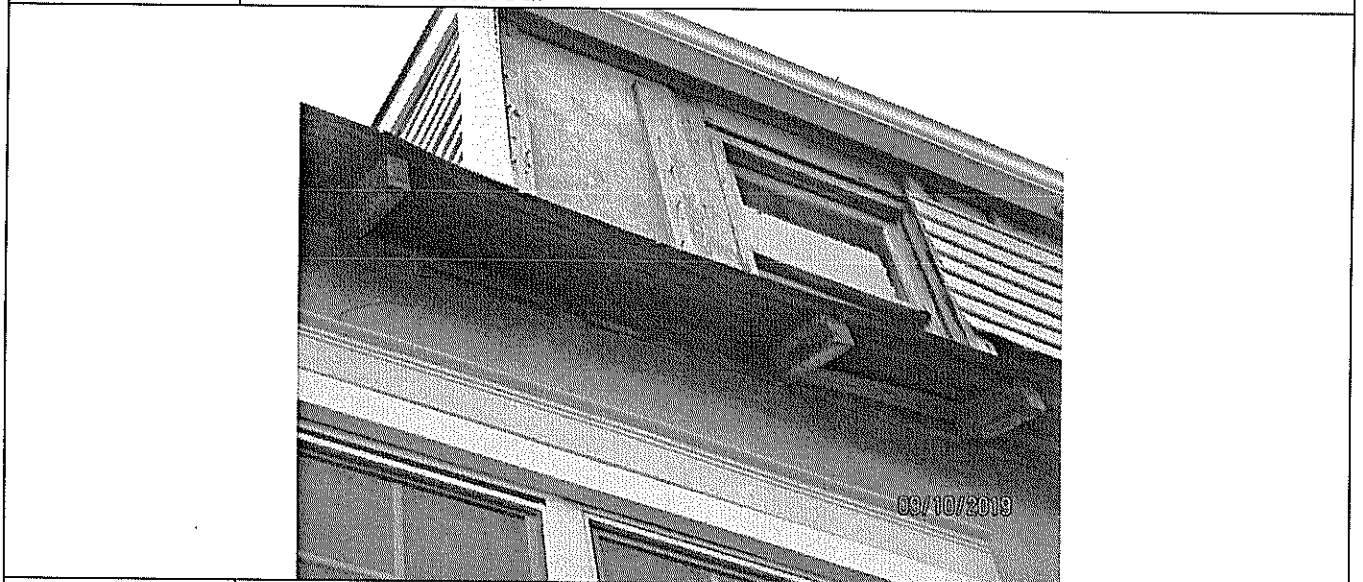


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| | |
|---------------------|---|
| Photo No.: | 1 (facing South) |
| Description: | General exterior view of 9 5 th Street. Note doors and windows at first floor have been removed. |

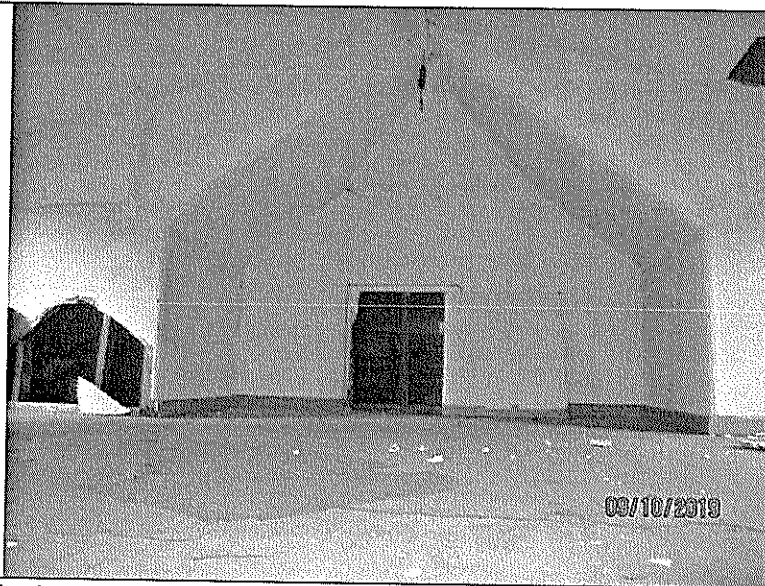


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|---------------------|---|
| Photo No.: | 2 (facing South) |
| Description: | View of deteriorated rafters at soffit from exterior of building. |

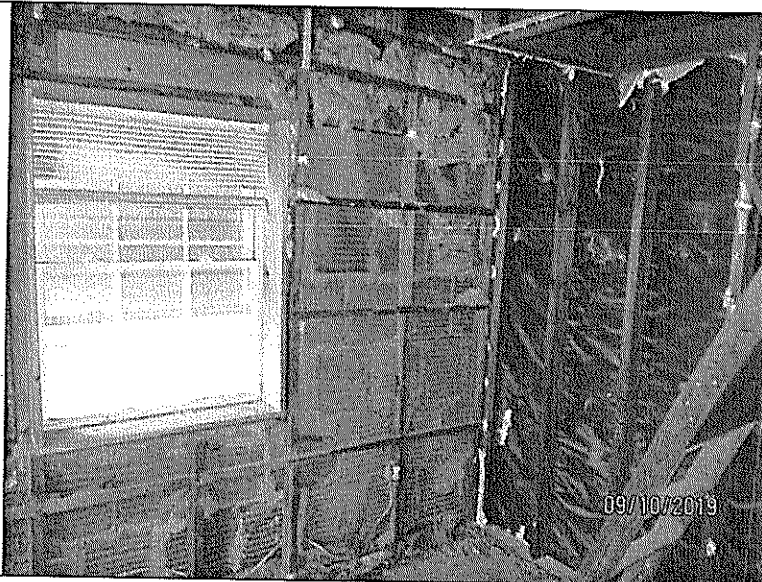


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| | |
|---------------------|--|
| Photo No.: | 3 (facing East) |
| Description: | General view of attic with evidence of water damage to the wall and floor coverings. |



| | |
|---------------------|--|
| Photo No.: | 4 (facing East) |
| Description: | General view of second floor. Interior wall coverings removed in view. |

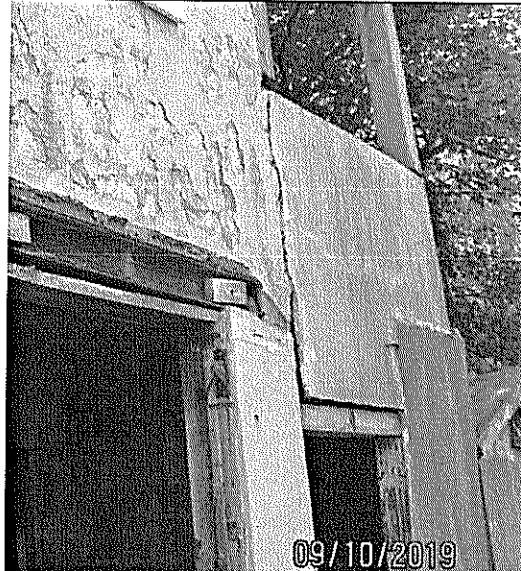


Borough of Highlands
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| | |
|---------------------|---|
| Photo No.: | 5 (facing South) |
| Description: | General view of second floor timber flooring with plywood covering large opening in view. |



| | |
|---------------------|--|
| Photo No.: | 6 (facing southeast) |
| Description: | General view of second floor porch and staircase separation from building as observed from sidewalk at exterior. |



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| | |
|---------------------|---|
| Photo No.: | 7 (facing South) |
| Description: | View of partially damaged staircase located at northern face of building. |

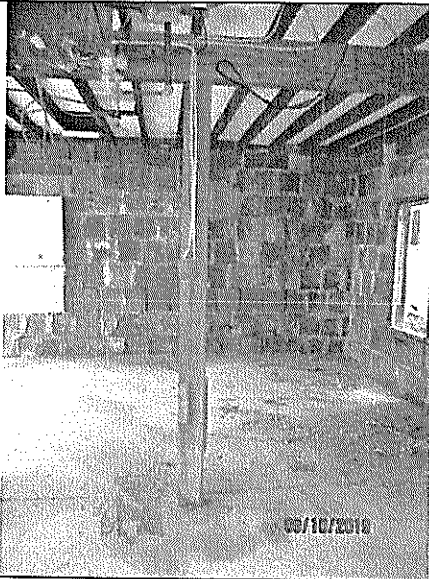


| | |
|---------------------|---|
| Photo No.: | 8 (looking upward) |
| Description: | View of underside of second floor joists and flooring as seen from the first floor. |



Borough of Highlands
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| | |
|---------------------|---|
| Photo No.: | 9 (facing East) |
| Description: | View of timber column supporting second floor girder. |

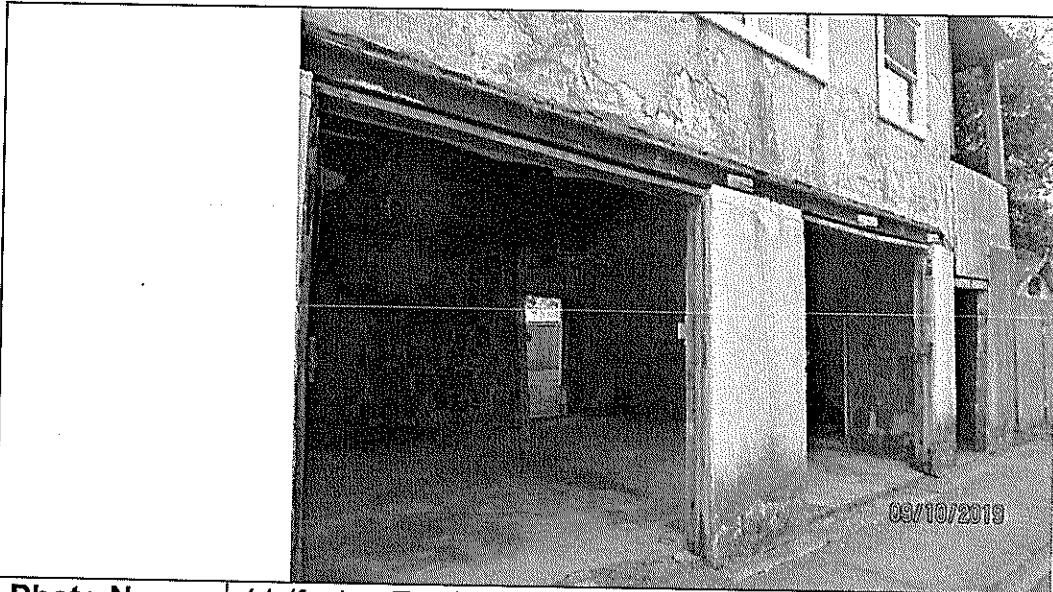


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| Photo No.: | 10 (facing East) |
| Description: | General view of vertical cracks at exterior wall, typical throughout building. |

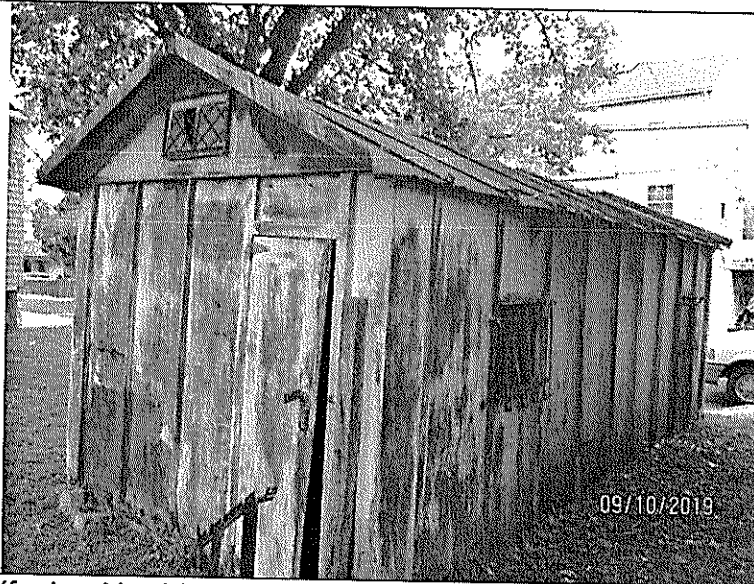


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| | |
|---------------------|---|
| Photo No.: | 11 (facing East) |
| Description: | View of deterioration and sagging in headers above garage doors at the first floor. |



| | |
|---------------------|--|
| Photo No.: | 12 (facing North) |
| Description: | General view of severe rusting and leaning of detached shed. |



HGPB- R1930

June 23, 2022

Nancy Tran, Land Use Board Secretary
Borough of Highlands Land Use Board
42 Shore Drive
Highlands, New Jersey 07732

Via Email (ntran@highlandsborough.org)

**Re: Kirsh Kraft, LLC
Nine 5th Street
Block 57, Lots 8 & 9
R-2.02 Zone
Minor Subdivision
First Completeness Review**

Dear Ms. Tran:

As requested, we have reviewed the above referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations section entitled Part 3, Subdivision and Site Plan Review, Article VI, Application Procedure, and Article VIII, Plat and Plan Details, section 21-58.A – Minor Subdivision Plat.

The applicant submitted the following documents in support of this application:

1. Land Use Board Application for Subdivision, dated May 19, 2022.
2. Zoning Denial Letter, dated May 13, 2022.
3. Minor Subdivision Plan prepared by Richard E. Stockton, P.L.S., P.P., of Richard E. Stockton & Associates, Inc., dated January 12, 2021, last revised August 3, 2021, consisting of one (1) sheet.
4. Plan of Survey prepared by Robert W. Smith, Jr., P.L.S., of Seneca Survey Co., Inc., dated August 4, 2016, consisting of one (1) sheet.

The following information was reviewed for completeness purposes pursuant to Ordinance Section 21-58.A:

Minor Subdivision Plat: The plat shall be prepared to scale, based on a current survey or some other similarly accurate base, at a scale of not less than one (1) inch equals one hundred (100) feet, to enable the entire tract to be shown on one (1) sheet. The plat shall be signed and sealed by a licensed New Jersey Land Surveyor and shall show or include the following information:

1. A key map at a scale of not less than 1" = 400' showing the location of that portion which is to be subdivided in relation to the entire tract and the surrounding area. **Provided.**
2. All existing structures, wooded areas and topographical features, such as slump blocks, within the portion to be subdivided and within seventy-five (75) feet thereof. **Provided.**
3. The name of the owner and all adjoining property owners and owners of property directly across the street as disclosed by the most recent municipal tax record. If there is no positive evidence of ownership of any parcel of adjoining property within two hundred (200) feet, a certificate will be presented from the custodian of tax records to that effect. **Provided.**
4. The Tax Map sheet, block and lot numbers. **Provided.**
5. All streets or roads and streams within seventy-five (75) feet of the subdivision. **Provided.**



Le: Nancy Tran, Land Use Board Secretary
Borough of Highlands Land Use Board

Re: Kirsh Kraft, LLC
Nine 5th Street
Block 57, Lots 8 & 9
R-2.02 Zone
Minor Subdivision
First Completeness Review

- 6. Location of existing streets, and existing and proposed property lines, lot sizes, and areas. **Provided.**
- 7. Metes and bounds descriptions of all new lot and property lines. **Not provided. Metes and bounds descriptions for the new lots shall be provided if the application is approved.**
- 8. Existence and location of any utility or other easement. **Provided.**
- 9. Setback, side line and rear yard distances and existing structures. **Provided.**
- 10. The name and address of the person preparing the plat, the graphic scale, date of preparation and reference meridian. **Provided.**
- 11. Certification from the Tax Collector that all taxes and assessments for local improvements on the property have been paid up to date. **Not provided.**
- 12. Certification statement for the required municipal signatures, stating: **Provided.**
 - o Application No. _____ approved/disapproved by the Highlands Borough Planning Board/Board of Adjustment as a Minor Subdivision on _____.
(date)

Chairman

Secretary

- 13. Certification statement for the County Planning Board approval / disapproval, if required. **Not applicable.**
- 14. Zone district boundary lines, if any, on or adjoining the property to be subdivided and a schedule indicating the required minimum lot area, lot width, lot depth and front, rear and side yards of each zone district located on the property. **Provided.**
- 15. A wetlands statement provided by a qualified expert. **Not provided.**
- 16. The Board reserves the right to require a feasible sketch plan layout of remaining land not being subdivided if it is deemed necessary. **The applicant shall provide at least generic house and driveway layouts to demonstrate the sizes of proposed homes and the need for any additional setback relief.**
- 17. A lot grading plan, to be reviewed by the Borough Engineer, if required. **Not provided but can be deferred as a condition of approval.**



**Le: Nancy Tran, Land Use Board Secretary
Borough of Highlands Land Use Board**

**Re: Kirsh Kraft, LLC
Nine 5th Street
Block 57, Lots 8 & 9
R-2.02 Zone
Minor Subdivision
First Completeness Review**

At this point, adequate information has not been provided for us to perform a technical review and fee calculation for the application, and therefore the application is deemed **INCOMPLETE**.

The applicant shall address the comments noted in this letter and resubmit accordingly. Should you have any questions or require any additional information, please call.

Very truly yours,

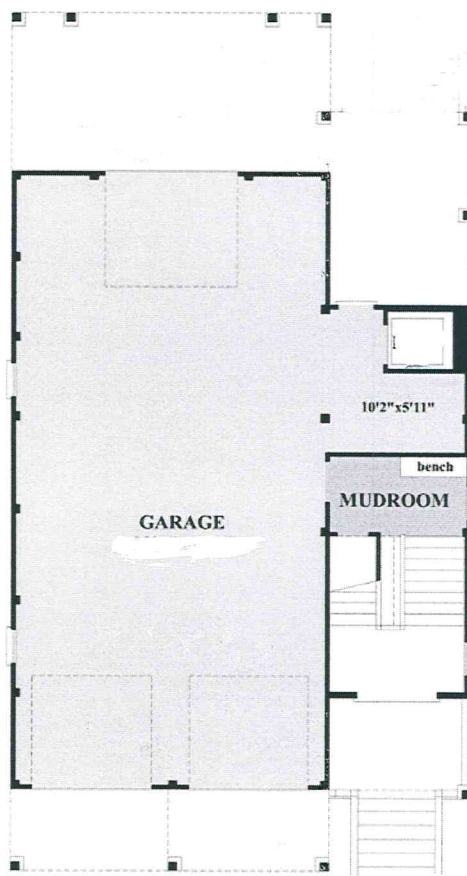
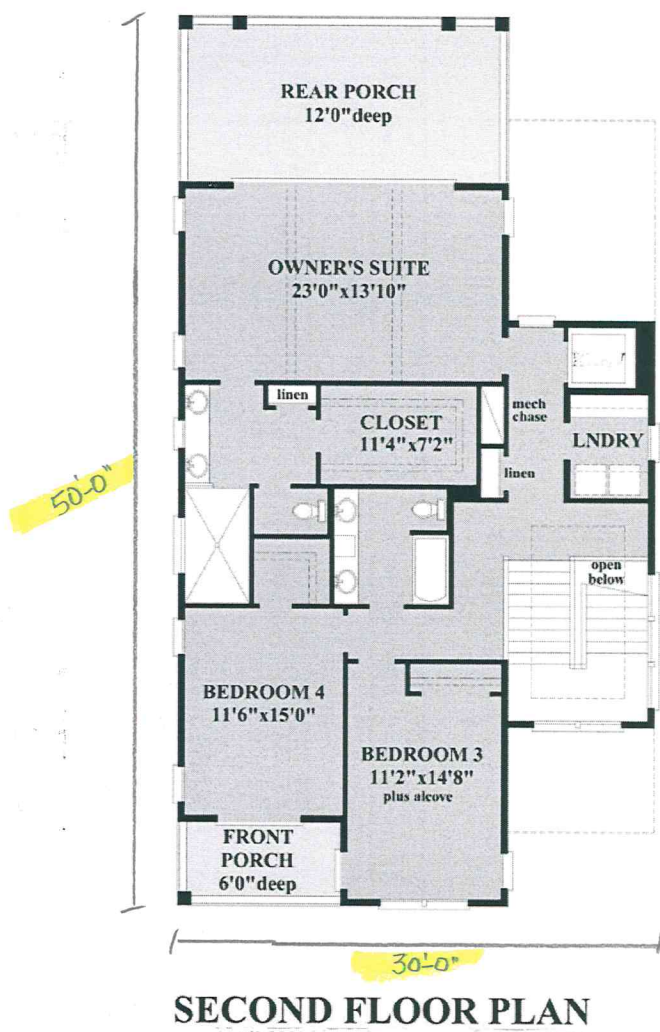
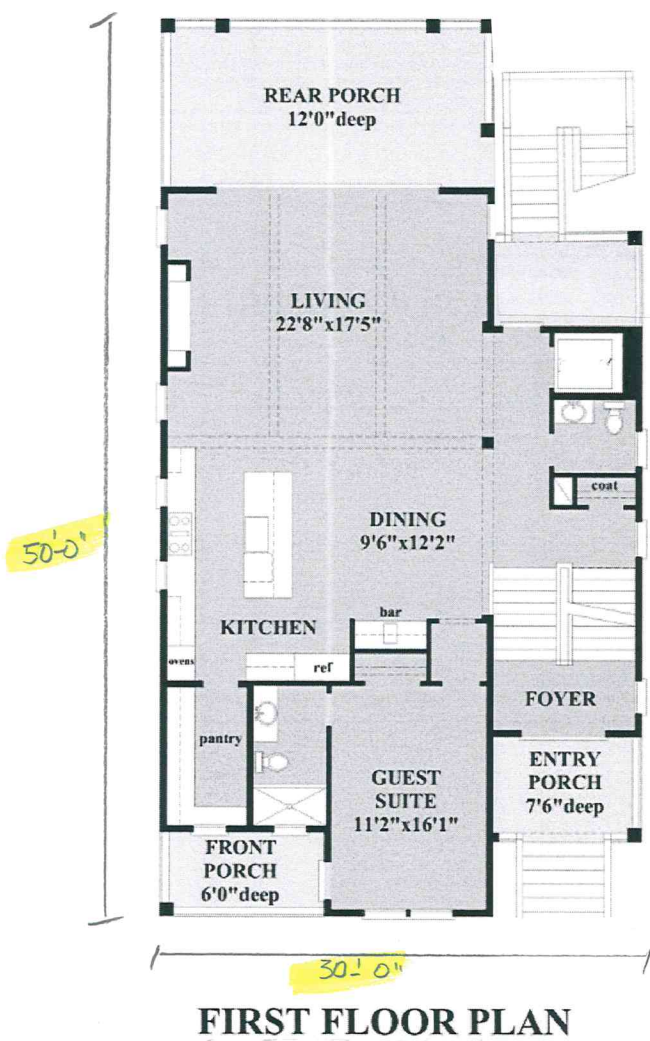
T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., P.P., C.M.E., C.F.M.
LAND USE BOARD ENGINEER

EWH:KJO:DV

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Kirsh Kraft, LLC, Applicant (hfw@lawwolff.com)

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Kirsh Kraft, LLC
Nine 5th Street
Borough of Highlands

Block 57, Lots 8 & 9
Minor Subdivision
Proposed Two Story 30'-0" x 50'-0"

200' ADJOINING OWNERS

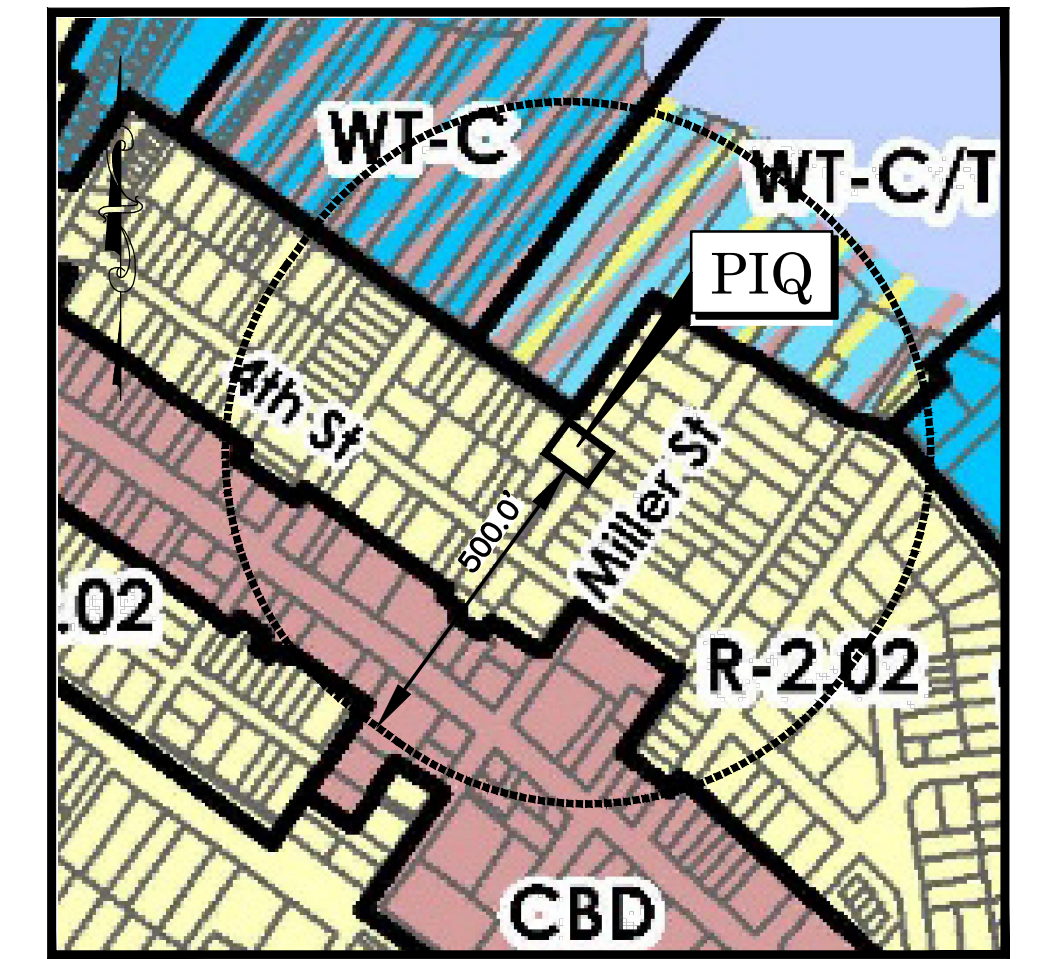
| ZONING TABLE | | | | | |
|--|------------|----------------|----------------|-------------------|-------------------|
| R-2.02 SINGLE FAMILY RESIDENTIAL ZONE DISTRICT | | | | | |
| | REQUIRED | EXISTING LOT 8 | EXISTING LOT 9 | PROPOSED LOT 8.01 | PROPOSED LOT 9.01 |
| MIN. LOT AREA | 4,000 S.F. | **603.60 S.F. | 4,827.70 S.F. | *2,913 S.F. | *2,618 S.F. |
| MIN. LOT FRONTAGE | 50 FT. | **27.30 FT. | 59.52 FT. | *45.62 FT. | *41.00 FT. |
| MIN. LOT WIDTH | 50 FT. | **27.30 FT. | 59.52 FT. | *45.62 FT. | *41.00 FT. |
| MIN. LOT DEPTH | 75 FT. | **22.11 FT. | **63.86 FT. | *63.86 FT. | *63.86 FT. |
| MIN. FRONT YARD SETBACK | 20 FT. | **0.6 FT. | **2.0 FT. | N/A | N/A |
| MIN. SIDE YARD SETBACK | 6/8 FT. | **0.3/-3.6 FT. | 7.7/40.7 FT. | N/A | N/A |
| MIN. REAR YARD SETBACK | 20 FT. | **1.2 FT. | 41.6 FT. | N/A | N/A |
| MAX. BUILDING HEIGHT | 30 FT. | < 35 FT. | < 35 FT. | N/A | N/A |
| MAX. BUILDING COVERAGE | 33% | **89.28% | 9.74% | N/A | N/A |
| MAX. LOT COVERAGE | 75% | **89.28% | 15.25% | N/A | N/A |

** PRE-EXISTING NON-CONFORMITY
* PROPOSED VARIANCE CONDITION

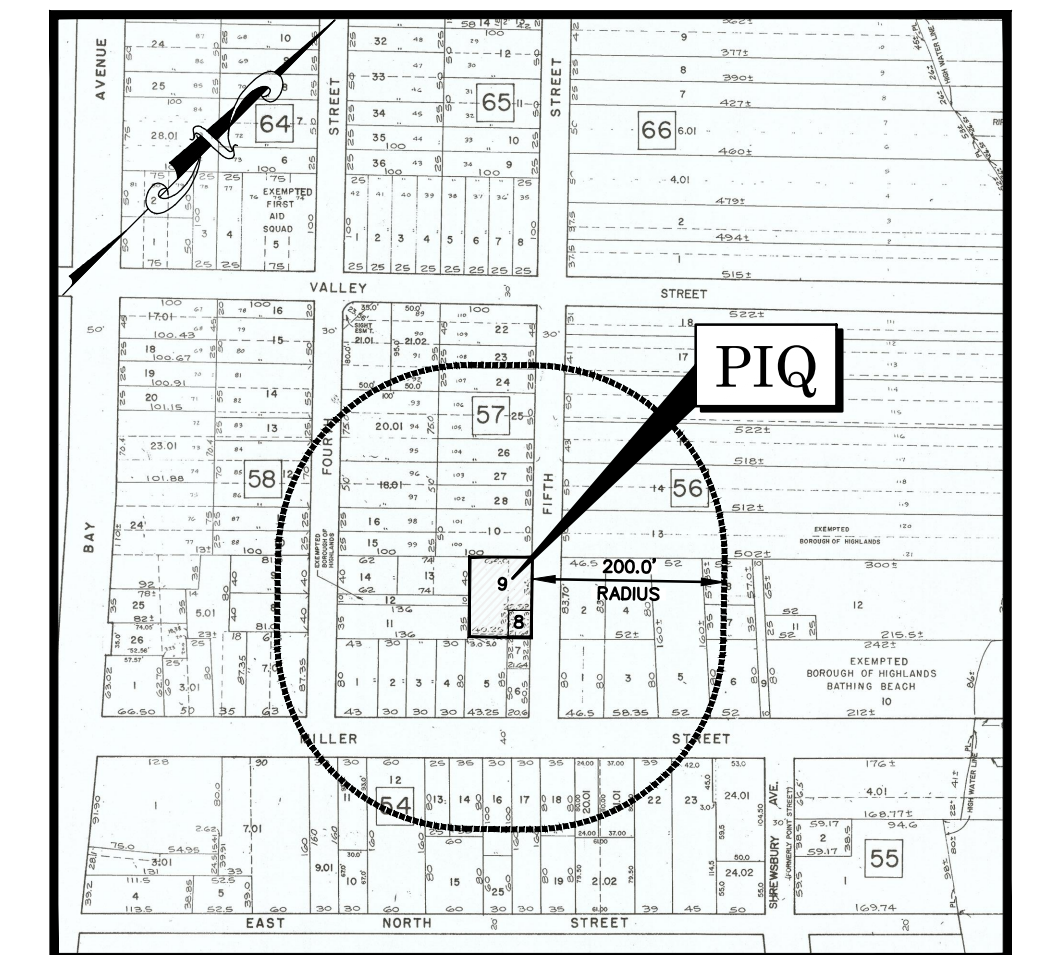
GENERAL NOTES:

OWNER/APPLICANT- HENRY F. WOLFF, III
79 FIRST AVENUE
ATLANTIC HIGHLANDS, NJ 07716

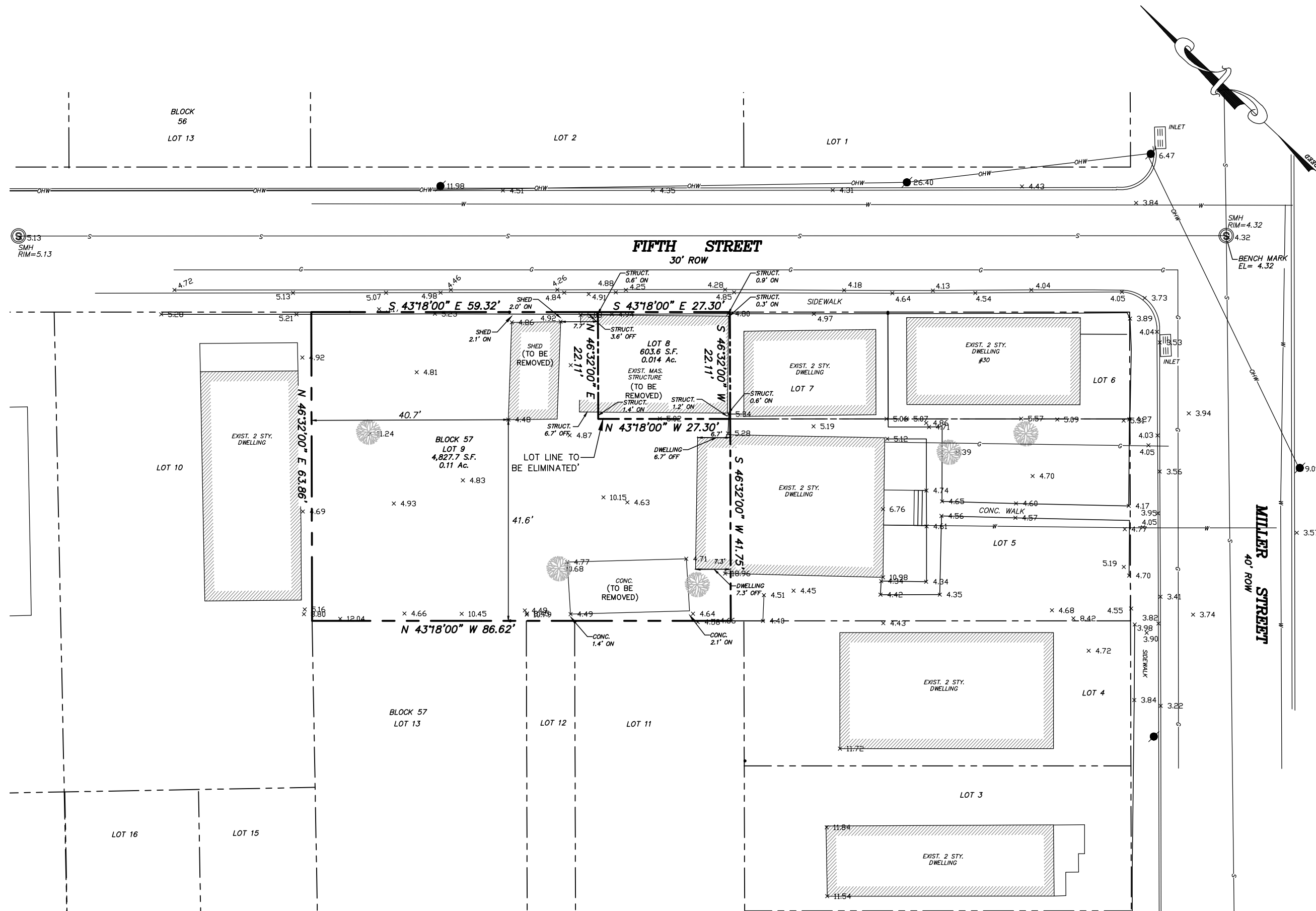
1. THE PROPERTY IS KNOWN AS LOTS 8 & 9, BLOCK 57 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY.
2. THIS SITE IS LOCATED WITHIN FLOOD ZONE AE, EL. 11, SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY 1% ANNUAL CHANCE FLOOD, PER FLOOD INSURANCE RATE MAP (FIRM) #34025C0088B, EFFECTIVE DATE JUNE 15, 2022.
3. EXISTING USE: SINGLE FAMILY RESIDENTIAL.
4. PROPOSED USE: SINGLE FAMILY RESIDENTIAL.
5. THIS SITE IS LOCATED WITHIN FLOOD ZONE AE, EL. 11, SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY 1% ANNUAL CHANCE FLOOD, PER FLOOD INSURANCE RATE MAP (FIRM) #34025C0088B, EFFECTIVE DATE JUNE 15, 2022.
6. DO NOT SCALE DRAWINGS AS THEY PERTAIN TO ADJACENT AND SURROUNDING PHYSICAL CONDITIONS, BUILDINGS, STRUCTURES, ETC. THEY ARE SCHEMATIC ONLY, EXCEPT WHERE DIMENSIONS ARE SHOWN THERETO.
7. THIS PLAN HAS BEEN PREPARED FOR PURPOSES OF MUNICIPAL AND AGENCY REVIEW AND APPROVAL. THIS PLAN SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED ON THE DRAWINGS AND EACH DRAWING HAS BEEN REVISED TO INDICATE "ISSUED FOR CONSTRUCTION".



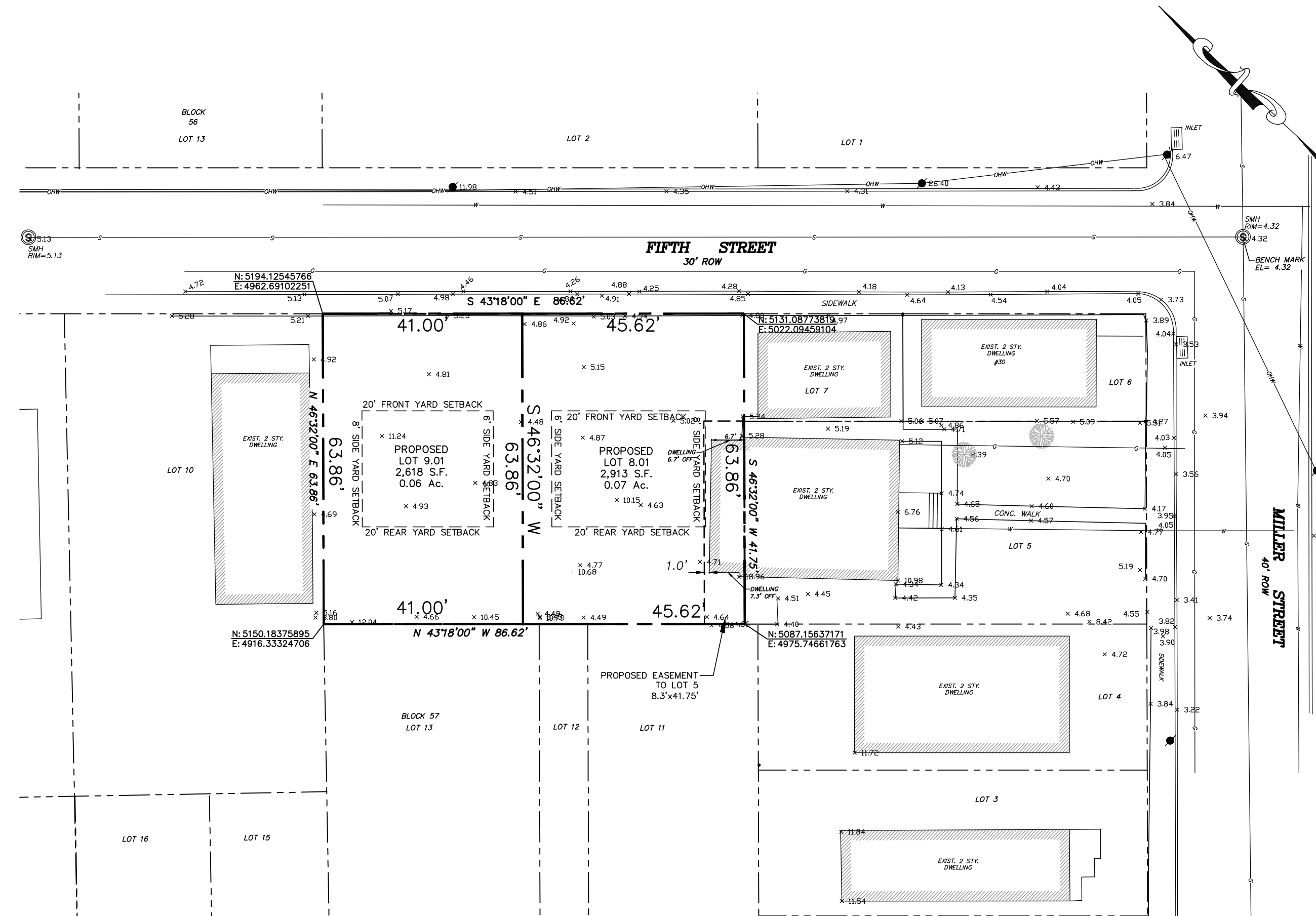
ZONE MAP
SCALE: 1"=300'



TAX MAP
SCALE: 1"=200'



EXISTING CONDITIONS



MINOR SUBDIVISION

LEGEND

- Gas Valve
- Water Valve
- Water Meter
- Utility Manhole
- Drainage Manhole
- Electrical Manhole
- Sanitary Manhole
- Telephone Manhole
- Traffic Sign
- Street Sign
- Light Post
- Utility Pole
- Fire Hydrant
- Drainage Inlet (Type "A")
- Drainage Inlet (Type "B")
- Drainage Inlet (Type "C")
- Drainage Line
- Electric Line
- Gas Line
- Sanitary Sewer Line
- Telephone Line
- Water Line
- Overhead Wires
- Monitoring Well
- Iron Pipe Found
- Capped Rebar Found
- Concrete Monument Found
- Survey
- File Map
- Gas Meter
- Drainage Curb
- P.C. (Point of Curvature)
- Flux Curb
- Sole Boring Location
- Photograph Location

THE UNDERSIGNED INDIVIDUAL HEREBY DECLARES THAT HE IS THE OWNER OF THE LAND DELINEATED HEREON, AND HEREBY CONSENTS TO THE FILING OF THE OFFICE OF THE CLERK IN THE COUNTY OF MONMOUTH.

OWNER (LOT 8) _____ DATE _____

OWNER (LOT 9) _____ DATE _____

NOTARY PUBLIC _____ DATE _____

NOTARY PUBLIC _____ DATE _____

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I CERTIFY THAT A BOND HAS BEEN GIVEN TO THE MUNICIPALITY, GUARANTEEING THE FUTURE SETTING OF THE MONUMENTS AS DESIGNATED AND SHOWN ON THIS PLAN.

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OWNER _____ DATE _____

NOTARY PUBLIC _____ DATE _____

OWNER _____ DATE _____

NOTARY PUBLIC _____ DATE _____

MUNICIPAL CLERK _____ DATE _____

SECRETARY OF THE PLANNING BOARD _____ DATE _____

CHAIRMAN OF THE PLANNING BOARD _____ DATE _____

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OWNER (LOT 9) _____ DATE _____

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NOTARY PUBLIC _____ DATE _____

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CHAIRMAN OF THE PLANNING BOARD _____ DATE _____

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OWNER _____ DATE _____

NOTARY PUBLIC _____ DATE _____

OWNER _____ DATE _____

NOTARY PUBLIC _____ DATE _____

MUNICIPAL CLERK _____ DATE _____

SECRETARY OF THE PLANNING BOARD _____ DATE _____

CHAIRMAN OF THE PLANNING BOARD _____ DATE _____

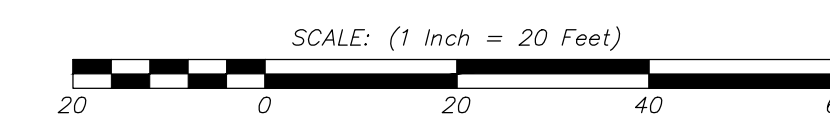
I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP AND MINOR SUBDIVISION PREPARED BY RICHARD E. STOCKTON & ASSOC., INC. DATED 1/12/21, LAST REVISED 8/03/21 MEET THE MINIMUM SURVEY DETAIL REQUIREMENTS OF THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MAP HAS BEEN MADE UNDER MY SUPERVISION, AND COMPLIES WITH THE "MAP FILING LAW" AND THAT THE OUTBOUND CORNER MARKERS AS SHOWN HAVE BEEN FOUND, OR SET.

I CERTIFY THAT THIS MAP HAS BEEN MADE UNDER MY SUPERVISION AND COMPLIES WITH APPLICABLE SECTIONS OF TITLE 46 OF THE REVISED STATUTES (N.J.S.A. 46:26A-1 THROUGH N.J.S.A. 46:26B-8 ET SEQ.)

THE INFORMATION SHOWN HEREON CORRECTLY REPRESENTS THE CONDITIONS FOUND AS OF THE DATE OF THE FIELD SURVEY, EXCEPT SUCH IMPROVEMENTS OR EASEMENTS, IF ANY, BELOW THE SURFACE AND NOT VISIBLE.

Peter P. Bennett III
PETER P. BENNETT III - N.J. PROFESSIONAL LAND SURVEYOR, LIC. No. 24G04065100

- NOTES:**
1. ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD-88)
 2. ERROR OF CLOSURE MEETS OR EXCEEDS ACCURACY STANDARDS FOR THIRD ORDER CLASS I = 1:10,000.



| NO. | DATE | DESCRIPTION | DRAWN BY |
|-----|------|-------------|----------|
| | | | |
| | | | |

MINOR SUBDIVISION PLAN
OF
LOTS 8 & 9, BLOCK 57
BOROUGH OF HIGHLANDS MONMOUTH COUNTY NEW JERSEY

WH ENGINEERING
CERT. OF AUTH. NO. 24GA28117300
257 MONMOUTH ROAD,
BLDG. A, STE. 7,
ORANJURST, NJ 07735
PHONE: 732.223.1313
WWW.WHENGINEERING.COM

MINOR SUBDIVISION
PETER P. BENNETT III
N.J. PROFESSIONAL LAND SURVEYOR, LIC. No. 40651
Peter P. Bennett III

| | | | | |
|------------------|------------------|------------------|-------------------|----------------------|
| SCALE: 1"=20' | DRAWN BY: JFB | DATE: 1/XX/24 | JOB No.: 23203 | SHEET No.: 1 of 1 |
|------------------|------------------|------------------|-------------------|----------------------|



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified

1670 Whitehorse-Hamilton Square Rd.
Hamilton, New Jersey 08690
609-586-1141 fax 609-586-1143
www.RobertsEngineeringGroup.com

February 20, 2024

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

Re: Completeness Review No. 2
Applicant: Kirsh Kraft, LLC
Nine 5th Street
Block 57, Lots 8 & 9
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB2022-04

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 a Minor Subdivision to reconfigure existing Lot 8 and Lot 9 in the R-2.02 Single Family Residential District. Existing Lot 8 and Lot 9 consist of 603.60 sf and 4,827.70 sf, respectively. Lot 8 has an empty unlivable dwelling; Lot 9 has a shed and both buildings are to be removed from the lots. Utility services are available for both lots. Proposed Lot 8.01 and Lot 9.01 are 2,913 sf and 2,618 sf, respectively. The existing lots are non-conforming, and the proposed lots will require bulk variances. The Applicant received a Zoning Denial Letter, dated May 13, 2022.

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 for Subdivision, dated May 19, 2022.
2. Copy of letter entitled "First Completeness Review", addressed to Ms. Nancy Tran, Land Use Board Secretary from Edward W. Herrman, P.E., P.P., C.M.E., C.F.M., Land Use Board Engineer, dated June 23, 2022.
3. Copy of plan entitled, "Minor Subdivision Plan of Lots 8 & 9, Block 57, Borough of Highlands, Monmouth County, New Jersey", prepared by WJH Engineering, no date, and signed by Peter P. Bennett III, LPLS, consisting of 4 sheets (Minor Subdivision, Architectural Floor Plans (unsigned), and uncertified tax payment list).

The first completeness review was provided by Mr. Herrman on June 23, 2022, for plans prepared by Richard E. Stockton & Associates. The Applicant notified the Borough of Highlands on October 24, 2023, that WJH Engineering would be providing engineering services. This review letter will address the current submission provided by WJH Engineering. It is noted that Mr. Bennett is certifying the plans prepared by Richard E. Stockton & Assoc.

We are requesting background information regarding Existing Lot 9. Please explain the history of the existing dwelling on adjoining Lot 5 and how an encroachment was developed between the existing lots. Has the Applicant approached the owners of Lot 5 and discussed selling the property?

The existing dwelling on Lot 5 encroaches upon existing Lot 9 with a maximum encroachment of 7.3 ft. according to the Minor Subdivision. However, a survey prepared by Seneca Survey Co., Inc. for Lot 9, dated August 15, 2016, as found in the submission packet, notes a maximum encroachment of 1.5 ft Please explain the difference.

Proposed Lot 8.01 may require a Use Variance to allow two principal uses on one lot.

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

I. ZONING

1. This property is located in the R-2.02 Single Family Residential District.
2. The Applicant requires six (6) bulk variances. 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 for bulk variances.

The Applicant will be required to provide proof during testimony.

3. The following bulk requirement summary is provided for the Board's reference. In accordance with Ordinance §21-85, existing and proposed bulk deficiencies which require bulk "c" variances have been noted:

| Schedule I – Bulk and Area Requirements | | | | | |
|---|----------|----------------|----------------|-------------------|-------------------|
| R-2.02 Residential Zone | Required | Existing Lot 8 | Existing Lot 9 | Proposed Lot 8.01 | Proposed Lot 9.01 |
| Min. Lot Area (sf) | 4,000 | **603.60 | 4,827.7 | *2,913 | *2,618 |
| Lot Frontage/Width (ft)*** | 50 | **27.30 | 59.52 | *45.62 | *41.00 |
| Min. Lot Depth (ft) | 75 | **22.11 | **63.86 | *63.86 | *63.86 |
| Min. Front Yard Setback (ft) | 20 | **0.6 | **2.0 | | |
| Min. Side Yard Setback (ft) | 6/8 | **0.3/-3.6 | 7.7/40.7 | | |
| Min. Rear Yard Setback (ft) | 20 | **1.2 | 41.6 | | |
| Max. Building Height (ft) | 30 | <35 | <35 | | |
| Max Lot Coverage | 75% | **89.28% | 15.25% | | |
| Max Building Coverage | 33% | **89.28% | 9.74% | | |
| On-Site Parking (spaces) | TBD | Not provided | Not provided | | |

* Proposed Variance
 ** Existing non-conformity
 ***Or average of the existing front yard setback within 200 ft of same block and zone.

II. CHECKLIST ITEMS

The following information was reviewed for completeness purposes pursuant to Ordinance Section 21-58.A:

Minor Subdivision Plat: The plat shall be prepared to scale, based on a current survey or some other similarly accurate base, at a scale of not less than one (1) inch equals one hundred (100) feet, to enable the entire tract to be shown on one (1) sheet. The plat shall be signed and sealed by a licensed New Jersey Land Surveyor and shall show or include the following information:

1. A key map at a scale of not less than 1" = 400' showing the location of that portion which is to be subdivided in relation to the entire tract and the surrounding area. **Provided.**

2. All existing structures, wooded areas, and topographical features, such as slump blocks, within the portion to be subdivided and within seventy-five (75) feet thereof. **Provided.**
3. The name of the owner and all adjoining property owners and owners of property directly across the street as disclosed by the most recent municipal tax record. If there is no positive evidence of ownership of any parcel of adjoining property within two hundred (200) feet, a certificate will be presented from the custodian of tax records to that effect. **Not Provided.**

Please provide a list on the plan.

4. The Tax Map sheet, block, and lot numbers. **Provided.**
5. All streets or roads and streams within seventy-five (75) feet of the subdivision. **Provided.**
6. Location of existing streets, and existing and proposed property lines, lot sizes, and areas. **Provided.**
7. Metes and bounds descriptions of all new lot and property lines. **Not provided.**

Metes and bounds descriptions for the new lots shall be provided if the application is approved.

8. The existence and location of any utility or other easement. **Provided.**
9. Setback, side line and rear yard distances and existing structures. **Provided.**
10. The name and address of the person preparing the plat, the graphic scale, date of preparation and reference meridian. **Partially provided.**

Plan and signature are not dated.

11. Certification from the Tax Collector that all taxes and assessments for local improvements on the property have been paid up to date. **Not provided.**

A certified list is required.

12. Certification statement for the required municipal signatures, stating: **Provided.**

Application No. _____ approved/disapproved by the Highlands Borough Planning Board/Board of Adjustment as a Minor Subdivision on _____.
(date)

Chairman

Secretary

13. Certification statement for the County Planning Board approval / disapproval, if required. **Not applicable.**
14. Zone district boundary lines, if any, on or adjoining the property to be subdivided and a schedule indicating the required minimum lot area, lot width, lot depth and front, rear and side yards of each zone district located on the property. **Provided.**
15. A wetlands statement provided by a qualified expert. **Not provided.**

It has been recommended by Mr. Herrman during the application process that a simple letter stating, "We have reviewed the State's GeoWeb mapping and performed a site review to confirm that there are no regulated freshwater wetlands or buffers impacting the property," would suffice in completing this checklist item.

A signed letter by a qualified expert is required.

16. The Board reserves the right to require a feasible sketch plan layout of remaining land not being subdivided if it is deemed necessary. **Partially provided.**

According to the previous review, "The applicant shall provide at least generic house and driveway layouts to demonstrate the sizes of proposed homes and the need for any additional setback relief."

Please refer to General Comments.

17. A lot grading plan, to be reviewed by the Borough Engineer, if required. **Not provided.**

Can be deferred as a condition of approval.

III. COMPLETENESS

Adequate information has not been provided to perform a technical review and fee calculation for the application, and therefore the application is deemed INCOMPLETE.

IV. GENERAL COMMENTS

1. The Minor Subdivision is signed; however, the plan and signature are not dated.
2. The Application's Part 8 Variance requests for Lot 8 and Lot 9 are not consistent with Schedule I – Bulk and Area Requirements and the Zoning Table shown on the Minor Subdivision Plan. Bulk and area requirements do not match, and existing areas and dimensions are not consistent with the plan.
3. Proposed building footprints and floor plans have been included with the submission of the Minor Subdivision plan in response to Checklist item 16. Please position the proposed dwelling and the driveway configuration for both lots. Provide the building coverage and lot coverage percentage in the chart to confirm that a variance(s) will or will not be required.
4. The plan indicates the existing dwelling on adjoining Lot 5 encroaching 7.3 ft upon proposed Lot 8.01 within a proposed 8.3 ft x 41.75 ft easement. According to the provided floor plans, the proposed dwelling is 30 ft x 50 ft.

Proposed Lot 8.01 is 45.62 ft wide and appears will not provide sufficient building clearance for fire and utilities between the existing encroachment and proposed dwelling.

The proposed 30' x 50' house will not fit on the lot with the required setbacks because of the encroachment by Lot 5.

Please provide information regarding this potential conflict. The roof and other overhangs for both dwellings will need to be considered for clearance.

5. Proposed Lot 9.01 will not accommodate the proposed 30 ft. x 50 ft house shown on the provided floor plans without requiring variances.

Lot width 41.00 ft. – 14 ft. total side yard setbacks = 27.0 ft. remaining width.

The proposed 30' dwelling will create a variance condition.

6. The Applicant is requested to provide a response letter to comments upon submission of revised plans.
7. The Applicant has noted in the application that the proposed dwellings will be FEMA elevation compliant and within municipal flood regulations. A grading plan will be required and deferred as a condition of approval.

Completeness Review No. 2
Applicant: Kirsch Kraft, LLC
Nine 5th Street
Block 57, Lots 8 & 9
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB2024-01
Page 5 of 5

We will continue our review upon submission of revised plans.

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

Very truly yours,



Carmela Roberts, P.E., C.M.E., C.P.W.M.
Land Use Board Engineer

cc: Michael Muscillo, Borough Administrator, (mmuscillo@highlandsborough.org)
Austin P. Mueller, Assoc., Land Use Board Attorney (amueller@weiner.law)
Courtney Lopez, Zoning Officer (clopez@highlandsborough.org)
Henry F. Wolff, III, Esq., Applicant's Attorney (hfw@lawwolff.com.com)
Cameron Corini, P.E., C.M.E., C.P.W.M., Roberts Engineering Group, LLC
GS Bachman, E.I.T., Roberts Engineering Group, LLC



April 15, 2024

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

Re: **Applicant: Kirsh Kraft, LLC**
Nine 5th Street
Block 57, Lots 8 & 9
Borough of Highlands, Monmouth County, New Jersey

Dear Ms. Tran,

Kirsh Kraft, LLC is the applicant for the referenced application seeking Minor Subdivision approval with bulk variances. The following information is enclosed for your review.

1. Minor Subdivision Plan, Lots 8 & 9, Block 57, prepared by WJH Engineering, last revised to 4/5/24.
2. Prevailing Setback Exhibit, prepared by WJH Engineering, dated January 29, 2024.
3. Architectural Floor Plan and Elevations (2), prepared by the applicant, undated.

The following is in response to an engineering review letter, prepared by Roberts Engineering Group, dated February 20, 2024.

The applicant does not know the origin of the encroachment. It has been present in aerial photography well back into the 1960's. The applicant has not spoken with the owner of lot 5 to discuss a sale. An easement/license for the encroachment to remain is indicated on the subdivision plan.

The current survey information is accurate depicting the 7.3-foot, one story encroachment.

The applicant will provide the requisite testimony for the variances cited. It is noted a prevailing setback exhibit has been prepared and indicates a prevailing setback within 200 feet of the property at 16.1 feet.

The 200-foot list has been provided on the plan.

Metes and bounds are provided for all proposed lot lines on the plan. Descriptions would be provided with any approval.

The Minor Subdivision Plan has been signed and sealed.

The tax certification will be provided prior to the hearing.

A signed letter from a wetlands expert will be provided prior to the hearing. The NJDEP Geo-Web indicates not wetlands present.

The applicant has included generic house plans indicating a 30-foot-wide home on lot 8.01 and a 32-foot-wide home on lot 9.01.

A lot grading plan will be provided as a condition of approval.

1. The Minor Subdivision Plan is signed and revised to April 5, 2024.
2. The variance requests have been updated in the Zoning Table.
3. The proposed building floor plans have been provided to match the subdivision plan.
4. The proposed home on lot 8.01 will provide a minimum of 5.4 feet of clearance to the encroachment, sufficient so extraordinary measures are not necessary for either dwelling.
5. The applicant acknowledges there are variances sought as part of the application and will provide the necessary testimony to support same.
6. This is the response letter.
7. The applicant acknowledges the site is within a flood zone AE, Elevation 11.0. A grading plan will be provided as a condition of any approval and address the base flood elevation, building access, and building height for homes with parking on the ground level.

Thank you for the opportunity to provide revised plans. We believe with the revision sufficient information has been provided to declare the application complete and schedule for the May meeting.

Thank you for your cooperation. Please contact me with any questions or concerns.

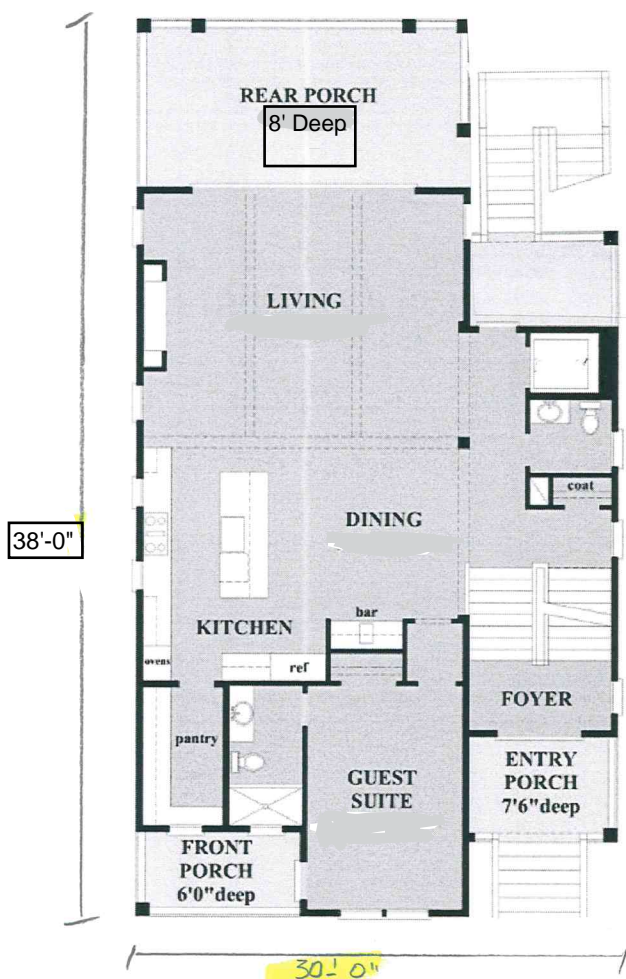
Very truly yours,

ALL THINGS PLANNING & DEVELOPMENT

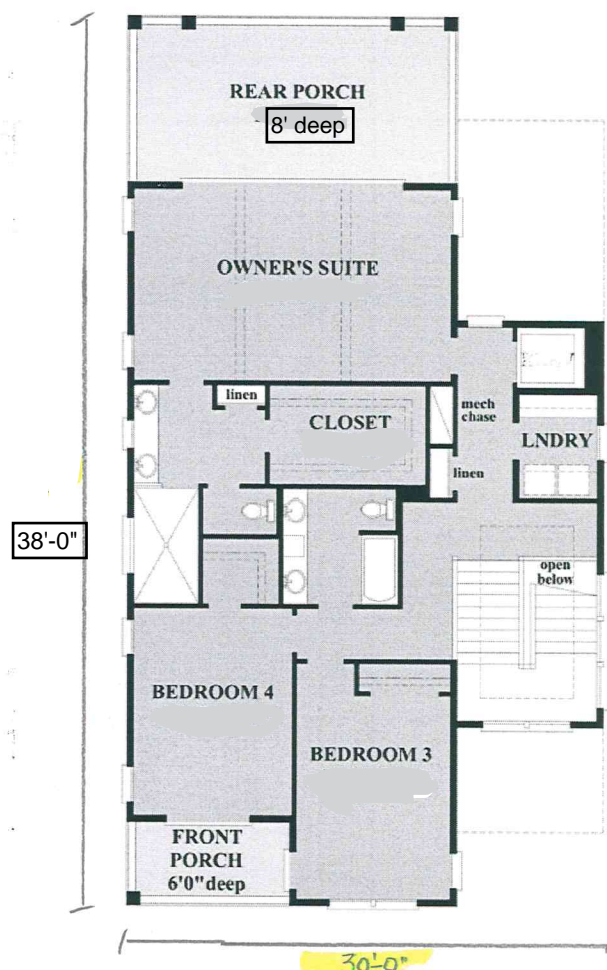
John E. Taikina

John E. Taikina, PP, AICP
Managing Member

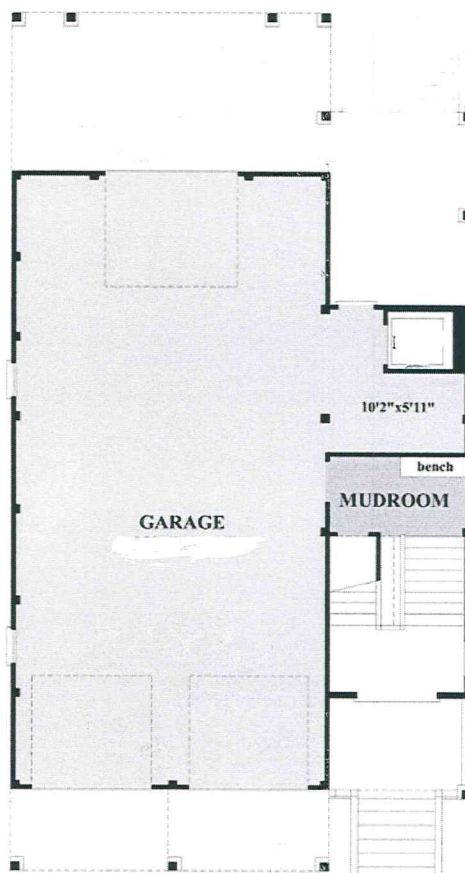
- c. Trevor Kirsh, Applicant
Walter Hopkin, PE, WJH Engineering, Applicant's Engineer
Henry Wolff, III, Applicant's Attorney



FIRST FLOOR PLAN



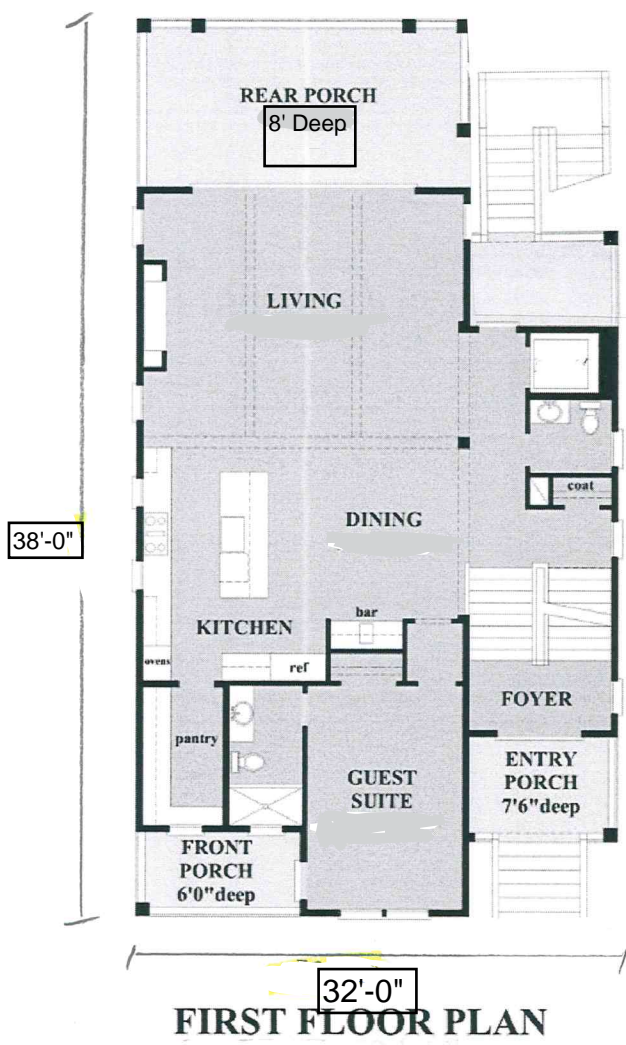
SECOND FLOOR PLAN



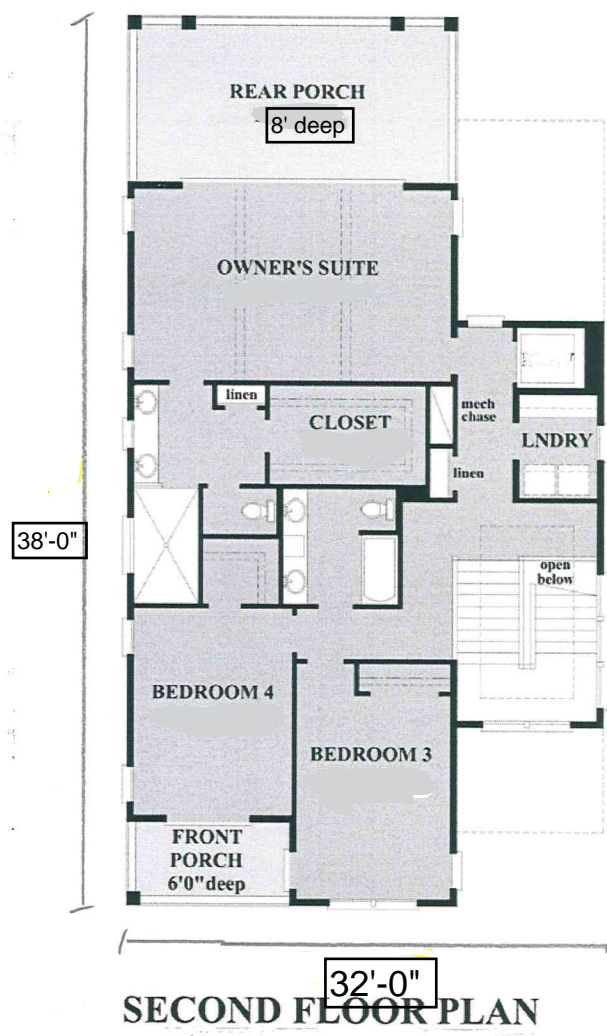
GROUND FLOOR PLAN

Kirsh Kraft, LLC
 Nine 5th Street
 Borough of Highlands

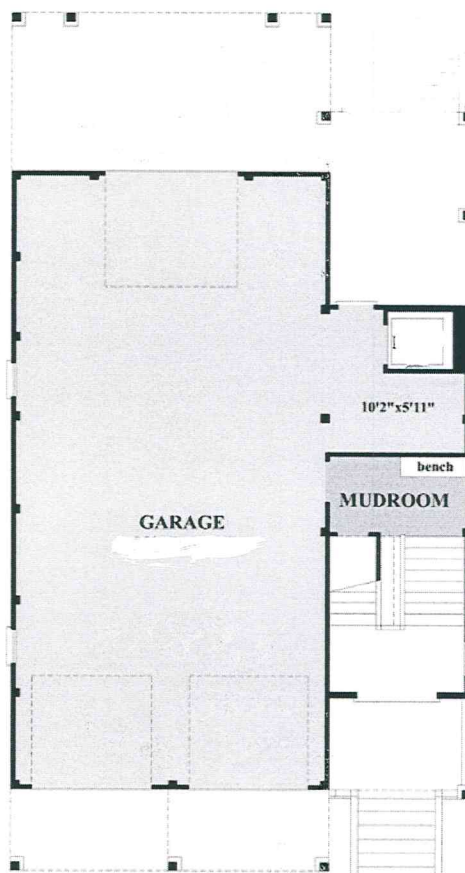
Block 57, Lots 8 & 9
 Minor Subdivision
 Proposed Two Story 30'-0" x 38'-0"



FIRST FLOOR PLAN



SECOND FLOOR PLAN



GROUND FLOOR PLAN

Kirsh Kraft, LLC
 Nine 5th Street
 Borough of Highlands

Block 57, Lots 8 & 9
 Minor Subdivision

Proposed Two Story: 32'-0" x 38'-0"

200' ADJOINING OWNERS

| Block/Lot | Current Owner | Mailing Address | HIGHLANDS NJ | 07732 |
|---------------|-------------------------------------|--------------------------|------------------|-------|
| 3135-56-8 | GOOD NEIGHBORS LLC | 29 SUREBURY AVENUE | HIGHLANDS NJ | 07732 |
| 3135-56-11 | BOROUGH OF HIGHLANDS | 1000 29TH STREET APT 38 | EAST HARTIST NJ | 11370 |
| 3135-56-14 | STELIOS H & PETROPOULOS VANDPOLO | 171 8TH AVE | HIGHLANDS NJ | 07732 |
| 3135-57-101 | BOROUGH OF HIGHLANDS | PO BOX 3087 | LONG BRANCH NJ | 07740 |
| 3135-57-21-02 | FRENCH BUILDERS LLC | 27 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-56-4 | KELY THOMAS & LAMARCO LEONARD | 10 OWEN STREET | HIGHLANDS NJ | 07732 |
| 3135-56-15 | DIANA TEO & RENAMAMATI | 23 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-56-7 | JIMENEZ BETTY | 3 PRIVATE ROAD | HIGHLANDS NJ | 07732 |
| 3135-57-24 | CLYDE MAE | 48 HOLLYWOOD ROAD | HIGHLANDS NJ | 07732 |
| 3135-57-20-01 | RONALD MICHAEL | 20 WINTERMAN AVENUE | RUMSON NJ | 07746 |
| 3135-57-21-01 | LEONARDY MICHAEL & ANTONIOWA SANDRA | 27 VALLEY STREET | HIGHLANDS NJ | 07732 |
| 3135-57-15 | DAVID SUEN & JONGE | 23 10TH STREET | HIGHLANDS NJ | 07732 |
| 3135-57-27 | PROVINCIO OLEG | 21 10TH STREET | HIGHLANDS NJ | 07732 |
| 3135-57-13 | FRANCESCO SUGARNO | 9 FOURTH STREET | HIGHLANDS NJ | 07732 |
| 3135-58 | MACLELLER BARRY & LINDA | 9 FOURTH STREET | HIGHLANDS NJ | 07732 |
| 3135-58-13 | CARVALHO MANUEL & MARIA | 12 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-58-12 | BERGOLD RICHARD | 221 MAYTOWN AVE | HIGHLANDS NJ | 07732 |
| 3135-58-1 | WELLS & CONRICE ROUSAS JR | 24 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-58-3 | DAVID LLC | 24 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-58-20-01 | WELLS & CONRICE ROUSAS JR | 41 CENTRAL PARK WEST | NEW YORK NY | 10025 |
| 3135-58-21-01 | WELLS & CONRICE ROUSAS JR & MARIA | 21 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-58-22 | KUMARY MICHAEL S | 29 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-58-17 | STAMILLER LLC | 117 BERKMAN STREET #10 | NEW YORK NY | 10008 |
| 3135-58-11 | IAN KROEMER MARK | 122 STATION PLACE | RED BANK NJ | 07716 |
| 3135-57-28 | HARTIGOVY BARBARA & HEATHER | 19 10TH STREET | HIGHLANDS NJ | 07732 |
| 3135-58-15 | GAZZA RICHARD & WILLIAM | 16 4TH STREET | HIGHLANDS NJ | 07732 |
| 3135-57-13 | GAZZA RICHARD & WILLIAM | 100 MANHATTAN AVE A-1009 | HIGHLANDS NJ | 07732 |
| 3135-57-10 | HARTIGOVY RICHARD S H B | 15 10TH STREET | HIGHLANDS NJ | 07732 |
| 3135-57-11 | SHALKA FOMINA & ROUSAS | 275 OWEN STREET | LIVINGSTON NJ | 07024 |
| 3135-57-12 | FELDMAN MICHAEL & ANNA MARIE | 12 DOGWOOD COURT | CLIFFWOOD NJ | 07712 |
| 3135-57-13 | MARSHWOOD SHARIT | 28 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-57-14 | STARKE SUSAN COT. WILSON | P.O. BOX 63 | MIDDLETOWN NJ | 07748 |
| 3135-56-11 | ELIA GEORGE THURSTON | 22 10TH STREET | HIGHLANDS NJ | 07732 |
| 3135-56-1 | ELIA GEORGE THURSTON | 202 E. 15TH ST APT 40 | NEW YORK NY | 10003 |
| 3135-57-1 | MARSHWOOD MARK | 42 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-57-6 | PAULER EDWARD F H & LORNA | 39 HIGHLAND AVENUE | HIGHLANDS NJ | 07732 |
| 3135-57-10-01 | GALEA MARK | 30 4TH STREET | HIGHLANDS NJ | 07732 |
| 3135-56-2 | BL 3TH STREET LLC | 30 OWEN STREET | HIGHLANDS NJ | 07732 |
| 3135-57-10-02 | GALEA MARK | 22 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-56-5 | FIVE STAR REAL ESTATE GROUP LLC | 16 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-56-6 | HANK DAVIS & RODRIGAN VICTORIA | 11 FOURTH STREET | HIGHLANDS NJ | 07732 |
| 3135-58-10 | MARLA ERICA | 15 FOURTH STREET | HIGHLANDS NJ | 07732 |
| 3135-57-11 | MENNERA VICTOR & BETH | 17 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-58-12 | SEPS CAPUTI MARIA GRACE | 45 MILLER STREET | HIGHLANDS NJ | 07732 |
| 3135-57-11 | JOSQUA LARLEY | 12 FOURTH STREET | HIGHLANDS NJ | 07732 |
| 3135-57-25 | CALLAN CHRYSTEN M & REESE NICOLETT | 27 10TH STREET | HIGHLANDS NJ | 07732 |
| 3135-58-13 | BERNICK THOMAS & DARIA | 24 BROOKDALE ROAD | FLORENCE PARK NJ | 07932 |
| 3135-58-12 | STREIB GARY & ELLEN | 80 CLIFFSIDE WAY | RED BANK NJ | 07701 |
| 3135-57-23 | 31 10TH STREET LLC | 15-17 SOUTH 7TH AVE STE2 | LONG BRANCH NJ | 07740 |
| 3135-57-5 | SCHIO JOSEPH & PETRUCIO MARILIA | 208 BRIGGTON STREET | STATEN ISLAND NY | 10305 |

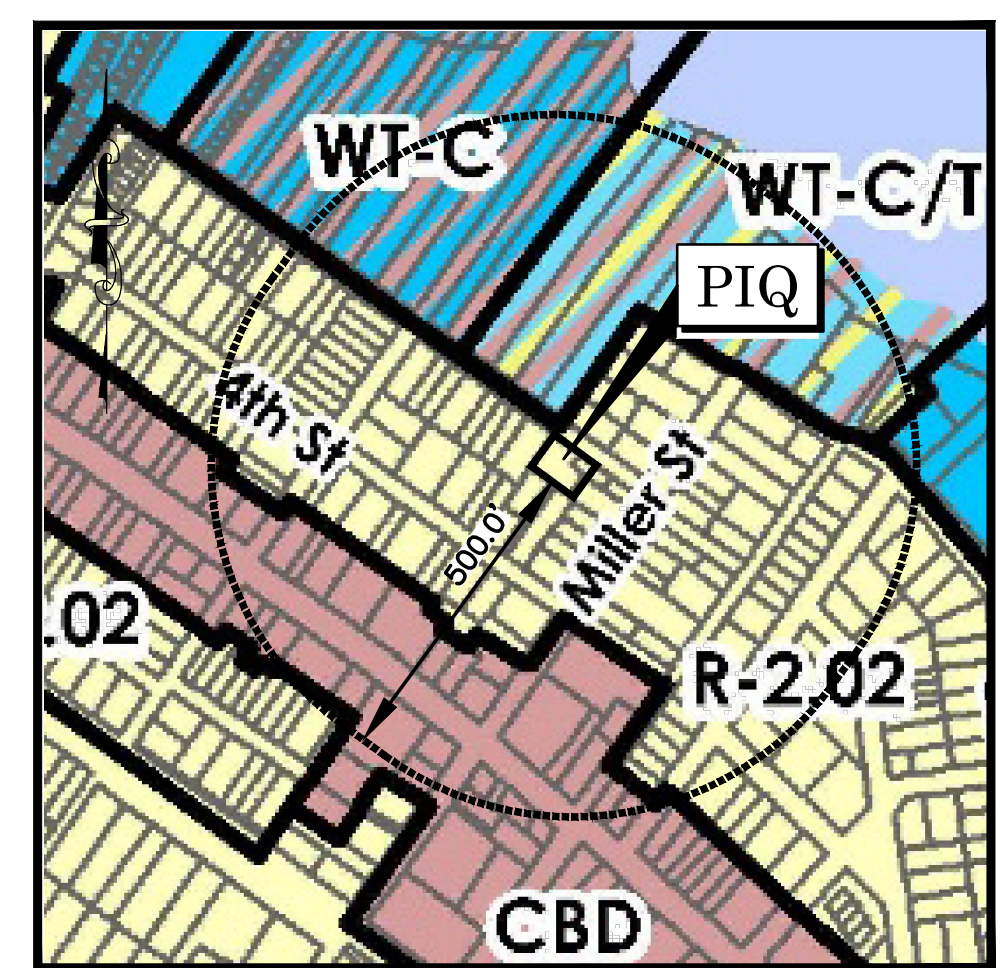
* If you are located within 200 feet of a State Highway, you MUST notify the NJ Department of Transportation:
 NJ Dept. of Transportation
 1015 Piny Avenue
 PO Box 600
 Trenton, NJ 08625

† If you are within 200 feet of a County owned road, you MUST notify the Monmouth County Planning Board:
 Monmouth County Planning Board
 Hall of Records Annex 2nd Floor
 One East Main St.
 PO Box 1205
 Freehold, NJ 07728

You must also notify all utilities located within the 200 foot range of the subject property:
 NJPW
 300 Madison Avenue
 PO Box 1311
 Montclair, NJ 07040
 NEW JERSEY AMERICAN WATER COMPANY
 645 Shrewsbury Ave
 Shrewsbury, NJ 07752
 COMCAST COMMUNICATIONS OF MONMOUTH COUNTY
 Jon Bernfield, Construction Foreman
 403 South St
 Easton, NJ 07724
 VERIZON COMMUNICATIONS
 One Verizon Way
 Bridgewater, NJ 07000
 TOWNSHIP OF MIDDLETOWN SEWERAGE AUTHORITY
 Raymond J. Nicosia, P.E., Executive Director
 PO Box 205, 100 Beverly Way
 Belvidere, NJ 07718
 NEW JERSEY NATURAL GAS COMPANY
 Alvin J. Puccio
 PO Box 1844
 1415 Wyckoff Road
 Wall, NJ 07719
 MONMOUTH COUNTY BAYSIDE OUTFALL AUTHORITY
 Alvin J. Puccio
 PO Box 1844
 1415 Wyckoff Road
 Wall, NJ 07719

GENERAL NOTES:

- OWNER (LOT 8) - TREVOR KIRSH
 9 FIFTH STREET
 HIGHLANDS, NJ 07732
- OWNER (LOT 9) - KIRSH KRAFT, LLC
 13 FIFTH STREET
 HIGHLANDS, NJ 07732
- APPLICANT - KIRSH KRAFT, LLC
 PO BOX 293
 MONMOUTH BEACH NJ 07750
- THE PROPERTY IS KNOWN AS LOTS 8 & 9, BLOCK 57 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY.
 - OUTBOUND AND EXISTING CONDITIONS INFORMATION DEPICTED HEREON TAKEN FROM A PLAN ENTITLED "MINOR SUBDIVISION PLAN FOR LOT LINE ADJUSTMENT" PREPARED BY RICHARD E. STOCKTON & ASSOC., INC., DATED 1/12/21. LAST REVISED 8/3/21.
 - EXISTING USE: SINGLE FAMILY RESIDENTIAL.
 - PROPOSED USE: SINGLE FAMILY RESIDENTIAL.
 - THIS SITE IS LOCATED WITHIN FLOOD ZONE AE, EL. 11, SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY 1% ANNUAL CHANCE FLOOD, PER FLOOD INSURANCE RATE MAP (FIRM) #34025C0088B, EFFECTIVE DATE JUNE 15, 2022.
 - DO NOT SCALE DRAWINGS AS THEY PERTAIN TO ADJACENT AND SURROUNDING PHYSICAL CONDITIONS, BUILDINGS, STRUCTURES, ETC. THEY ARE SCHEMATIC ONLY, EXCEPT WHERE DIMENSIONS ARE SHOWN THEREON.
 - THIS PLAN HAS BEEN PREPARED FOR PURPOSES OF MUNICIPAL AND AGENCY REVIEW AND APPROVAL. THIS PLAN SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED ON THE DRAWINGS AND EACH DRAWING HAS BEEN REVISED TO INDICATE "ISSUED FOR CONSTRUCTION".
 - PURSUANT TO NJDEP GEOWEB, NO WETLANDS EXIST ONSITE.
 - ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD=88).
 - ERROR OF CLOSURE MEETS OR EXCEEDS ACCURACY STANDARDS FOR THIRD ORDER CLASS 1 = 1:10,000

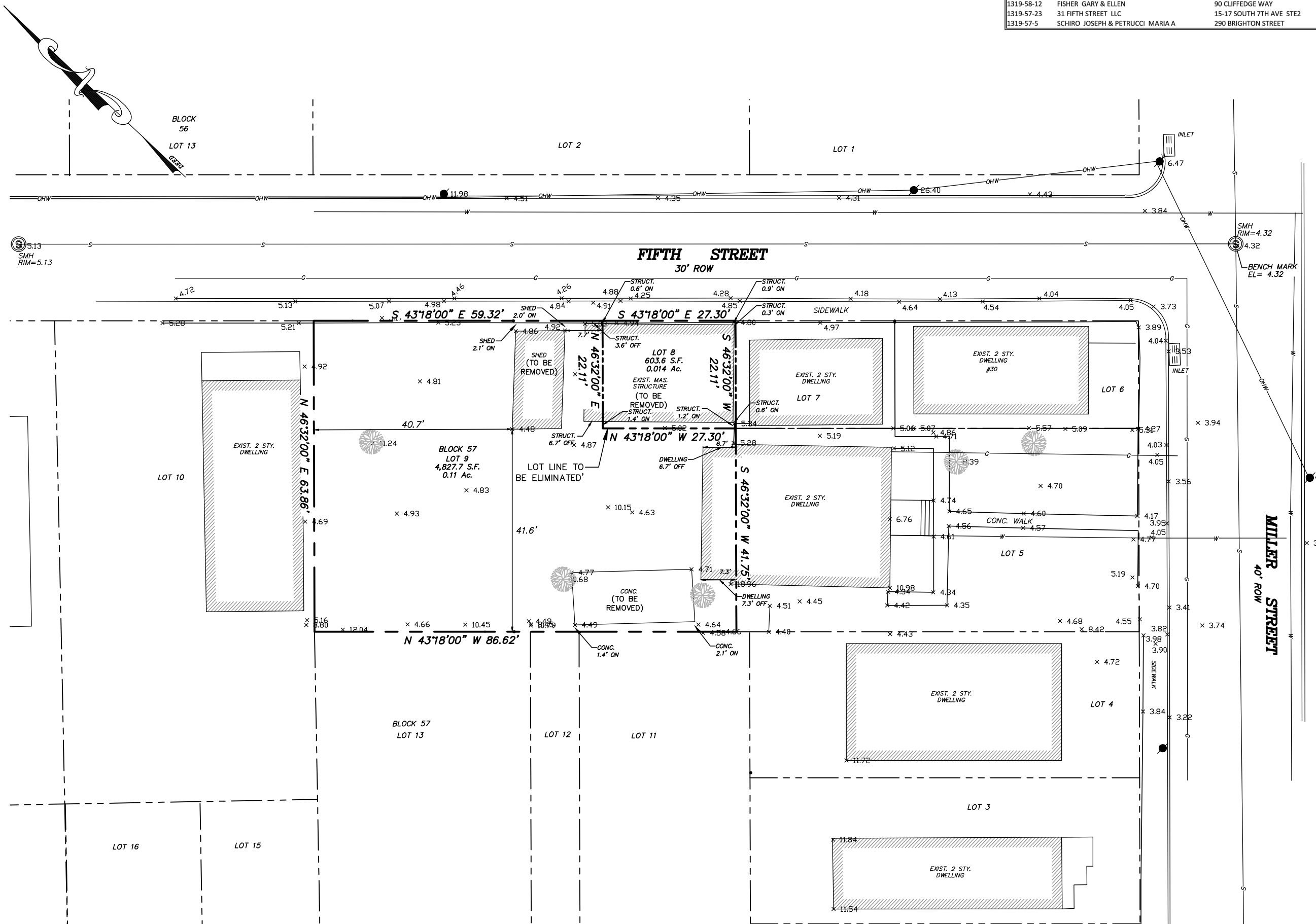


ZONE MAP
 SCALE: 1"=300'

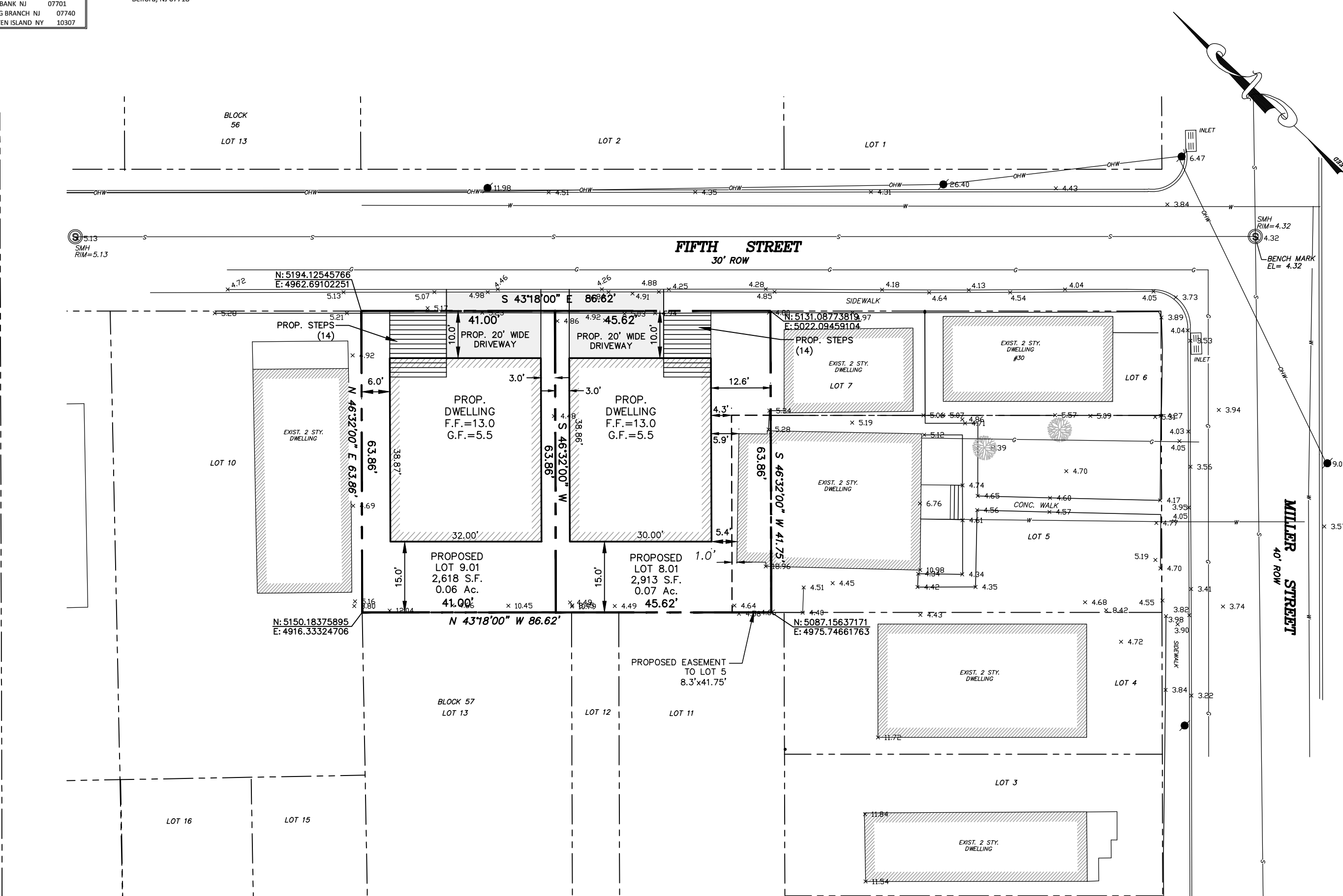
ZONING TABLE
 R-2.02 SINGLE FAMILY RESIDENTIAL ZONE DISTRICT

| | REQUIRED | EXISTING LOT 8 | EXISTING LOT 9 | PROPOSED LOT 8.01 | PROPOSED LOT 9.01 |
|-------------------------|------------|----------------|----------------|-------------------|-------------------|
| MIN. LOT AREA | 4,000 S.F. | **603.60 S.F. | 4,827.70 S.F. | *2,913 S.F. | *2,618 S.F. |
| MIN. LOT FRONTAGE | 50 FT. | **27.30 FT. | 59.52 FT. | *45.62 FT. | *41.00 FT. |
| MIN. LOT WIDTH | 50 FT. | **27.30 FT. | 59.52 FT. | *45.62 FT. | *41.00 FT. |
| MIN. LOT DEPTH | 75 FT. | **22.11 FT. | **63.86 FT. | *63.86 FT. | *63.86 FT. |
| MIN. FRONT YARD SETBACK | 20 FT. | **0.6 FT. | **2.0 FT. | *10 FT. | *10 FT. |
| MIN. SIDE YARD SETBACK | 6/8 FT. | **0.3/-3.6 FT. | 7.7/40.7 FT. | *3/5.8 FT. | *3/8 FT. |
| MIN. REAR YARD SETBACK | 20 FT. | **1.2 FT. | 41.6 FT. | *15 FT. | *15 FT. |
| MAX. BUILDING HEIGHT | 30 FT. | < 35 FT. | < 35 FT. | N/A | N/A |
| MAX. BUILDING COVERAGE | 33% | **89.28% | 9.74% | *40.03% | *47.52% |
| MAX. LOT COVERAGE | 75% | **89.28% | 15.25% | 50.33% | 59.74% |

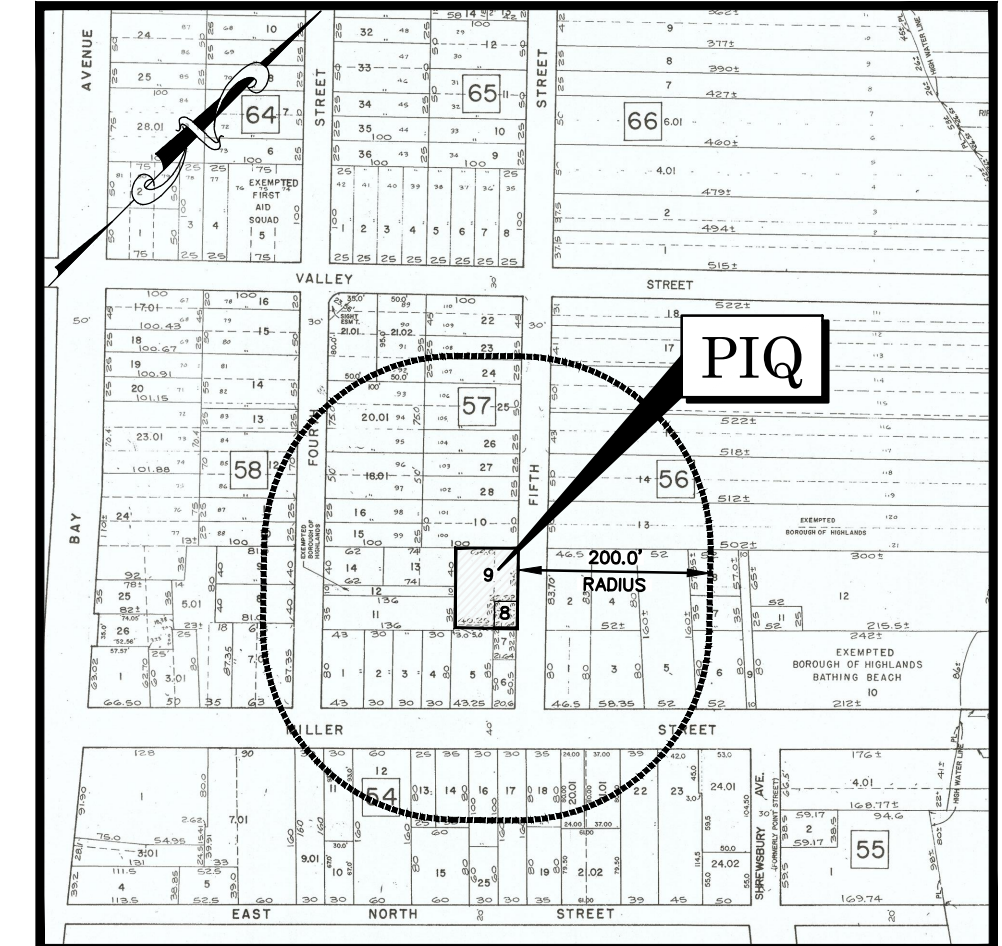
** PRE-EXISTING NON-CONFORMITY
 * PROPOSED VARIANCE CONDITION



EXISTING CONDITIONS



MINOR SUBDIVISION



TAX MAP
 SCALE: 1"=200'

LEGEND

- Gas Valve
- Water Valve
- Water Meter
- Utility Manhole
- Drainage Manhole
- Electrical Manhole
- Sanitary Manhole
- Telephone Manhole
- Traffic Sign
- Traffic Sign (2 Post)
- Street Sign
- Light Post
- Utility Pole
- Fire Hydrant
- Drainage Inlet (Type "A")
- Drainage Inlet (Type "B")
- Drainage Inlet (Type "C")
- Drainage Line
- Electric Line
- Gas Line
- Sanitary Sewer Line
- Telephone Line
- Water Line
- Overhead Wires
- Monitoring Well
- Iron Pipe Found
- Capped Rebar Found
- Concrete Monument Found
- Survey
- File Map
- Gas Meter
- Drainage Curb
- P.C.
- Flush Curb
- Sole Boring Location
- Photograph Location

THE UNDERSIGNED INDIVIDUAL HEREBY DECLARES THAT HE IS THE OWNER OF THE LAND DELINEATED HEREON, AND HEREBY CONSENTS TO THE FILING OF THE OFFICE OF THE CLERK IN THE COUNTY OF MONMOUTH.

OWNER (LOT 8) _____ DATE _____

OWNER (LOT 9) _____ DATE _____

NOTARY PUBLIC _____ DATE _____

NOTARY PUBLIC _____ DATE _____

THE MONUMENTS SHOWN ON THIS MAP SHALL BE SET WITHIN THE TIME LIMIT PROVIDED IN THE "MUNICIPAL LAND USE LAW," P.L. 1975 c.291 (C.40:55D-1 et seq.) OR LOCAL ORDINANCE.

I CERTIFY THAT A BOND HAS BEEN GIVEN TO THE MUNICIPALITY, GUARANTEEING THE FUTURE SETTING OF THE MONUMENTS AS DESIGNATED AND SHOWN ON THIS PLAN.

MUNICIPAL CLERK _____ DATE _____

I HAVE CAREFULLY EXAMINED THIS MAP AND TO THE BEST OF MY KNOWLEDGE AND BELIEF FIND IT CONFORMS WITH THE PROVISIONS OF THE "MAP FILING LAW," RESOLUTION OF APPROVAL AND APPLICABLE MUNICIPAL ORDINANCES AND REQUIREMENTS.

BOROUGH ENGINEER _____ DATE _____

THE UNDERSIGNED INDIVIDUAL HEREBY DECLARES THAT HE IS THE OWNER OF THE LAND DELINEATED HEREON, AND HEREBY CONSENTS TO THE FILING OF THE OFFICE OF THE CLERK IN THE COUNTY OF MONMOUTH.

APPLICATION No. _____ APPROVED/DISAPPROVED BY THE HIGHLANDS BOROUGH PLANNING BOARD / BOARD OF ADJUSTMENT AS A MINOR SUBDIVISION ON _____ (DATE)

CHAIRMAN _____

SECRETARY _____

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP AND MINOR SUBDIVISION PREPARED BY RICHARD E. STOCKTON & ASSOC., INC. DATED 1/12/21, LAST REVISED 8/03/21 MEET THE MINIMUM SURVEY DETAIL REQUIREMENTS OF THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MAP HAS BEEN MADE UNDER MY SUPERVISION AND COMPLIES WITH THE "MAP FILING LAW" AND THAT THE OUTBOUND CORNER MARKERS AS SHOWN HAVE BEEN FOUND, OR SET.

I CERTIFY THAT THIS MAP HAS BEEN MADE UNDER MY SUPERVISION AND COMPLIES WITH APPLICABLE SECTIONS OF TITLE 46 OF THE REVISED STATUTES (N.J.S.A. 46:26A-1 THROUGH N.J.S.A. 46:26B-8 ET SEQ)

THE INFORMATION SHOWN HEREON CORRECTLY REPRESENTS THE CONDITIONS FOUND AS OF THE DATE OF THE FIELD SURVEY, EXCEPT SUCH IMPROVEMENTS OR EASEMENTS, IF ANY, BELOW THE SURFACE AND NOT VISIBLE.

PETER P. BENNETT III
 PETER P. BENNETT III - N.J. PROFESSIONAL LAND SURVEYOR, LIC. No. 24G504065100

SECRETARY OF THE PLANNING BOARD _____ DATE _____

CHAIRMAN OF THE PLANNING BOARD _____ DATE _____

SCALE: (1 Inch = 20 Feet)

1. 4/5/24 UPDATE ZONING CHART AND NOTES. ADDED PROP. BUILDING FOOTPRINT, DRIVEWAY, STEPS AND DIMENSIONS. JFB

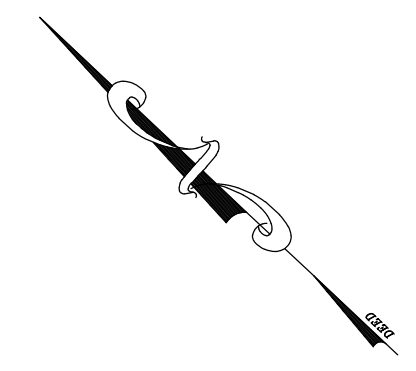
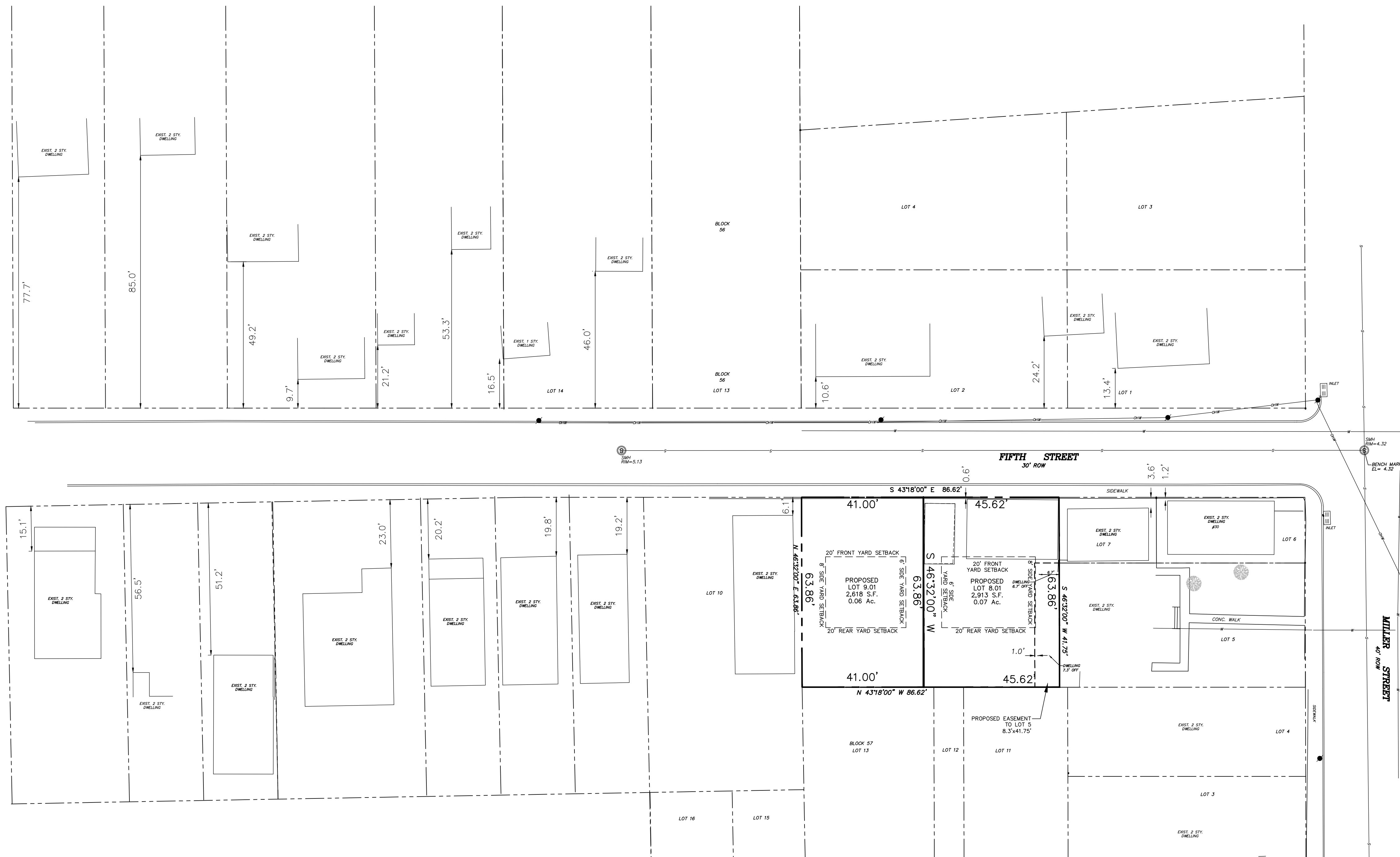
MINOR SUBDIVISION PLAN
 OF
 LOTS 8 & 9, BLOCK 57
 BOROUGH OF HIGHLANDS MONMOUTH COUNTY NEW JERSEY

MINOR SUBDIVISION

PETER P. BENNETT III
 N.J. PROFESSIONAL LAND SURVEYOR, LIC. No. 40651

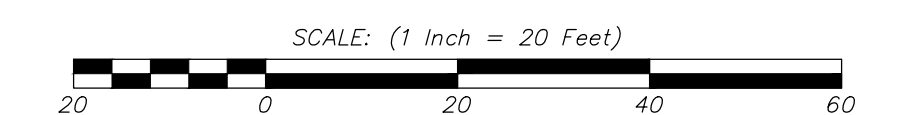
WWW.WJENGINEERING.COM

SCALE: 1"=20' DRAWN BY: JFB DATE: 1/29/24 JOB No.: 23203 SHEET No.: 1 of 1



LEGEND

- GAS VALVE
- WATER VALVE
- WATER METER
- UTILITY MANHOLE
- DRAINAGE MANHOLE
- ELECTRICAL MANHOLE
- SANITARY MANHOLE
- TELEPHONE MANHOLE
- TRAFFIC SIGN
- STREET SIGN
- LIGHT POST
- UTILITY POLE
- FIRE HYDRANT
- DRAINAGE INLET (TYPE "A")
- DRAINAGE INLET (TYPE "B")
- DRAINAGE INLET (TYPE "C")
- DRAINAGE LINE
- ELECTRIC LINE
- GAS LINE
- SANITARY SEWER LINE
- TELEPHONE LINE
- WATER LINE
- OVERHEAD WIRES
- MONITORING WELL
- IRON PIPE FOUND
- CAPPED REBAR FOUND
- CONCRETE MONUMENT FOUND
- SURVEY
- FILE MAP
- GAGE METER
- DEPRESSED CURB
- FLUSH CURB
- SOIL BORING LOCATION
- PHOTOGRAPH LOCATION



| NO. | DATE | DESCRIPTION | DRAWN BY |
|-----|------|-------------|----------|
| | | | |
| | | | |
| | | | |

MINOR SUBDIVISION PLAN
OF
LOTS 8 & 9, BLOCK 57
BOROUGH OF HIGHLANDS MONMOUTH COUNTY NEW JERSEY

WJH
ENGINEERING

CERT. OF AUTH. NO. 24GA28117300
257 MONMOUTH ROAD,
BLDG. A, STE. 7,
ORANJURET, NJ 07755
PHONE: 732.223.1313
WWW.WJHENGINEERING.COM

PREVAILING SETBACK EXHIBIT

PETER P. BENNETT III
N.J. PROFESSIONAL LAND SURVEYOR, LIC. No. 40651

| | | | | |
|------------------|------------------|------------------|-------------------|----------------------|
| SCALE: 1"=20' | DRAWN BY: JFB | DATE: 1/29/24 | JOB No.: 23203 | SHEET No.: 1 of 1 |
|------------------|------------------|------------------|-------------------|----------------------|

H:\Projects\123123203 - Miller - B57 - 123123 - Highlands Survey\Drawings\PRELIM\SETBACKS.dwg - 4/19/2024 1:05:06 PM



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified

1670 Whitehorse-Hamilton Square Rd.
Hamilton, New Jersey 08690
609-586-1141 fax 609-586-1143
www.RobertsEngineeringGroup.com

May 9, 2024

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

Re: Completeness Review No. 3
Applicant: Kirsh Kraft, LLC
Nine 5th Street
Block 57, Lots 8 & 9
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB2022-04

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 a Minor Subdivision to reconfigure existing Lot 8 and Lot 9 in the R-2.02 Single Family Residential District. Existing Lot 8 and Lot 9 consist of 603.60 sf and 4,827.70 sf, respectively. Lot 8 has an empty unlivable dwelling; Lot 9 has a shed and both buildings are to be removed from the lots. Utility services are available for both lots. Proposed Lot 8.01 and Lot 9.01 are 2,913 sf and 2,618 sf, respectively. The existing lots are non-conforming, and the proposed lots will require bulk variances. The Applicant received a Zoning Denial Letter, dated May 13, 2022. A Notice of Unsafe Structure was issued on April 12, 2024, for Lot 8, by the Construction Department.

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

1. Copy of a response letter to Review No. 1 from John E. Taikina, P.P., A.I.C.P., All Things Planning & Development, dated April 15, 2024.
2. Copy of plan entitled, "Minor Subdivision Plan of Lots 8 & 9, Block 57, Borough of Highlands, Monmouth County, New Jersey", prepared by WJH Engineering, dated January 29, 2024, and last revised April 5, 2024, and signed by Peter P. Bennett III.
3. Copy of plan entitled, "Minor Subdivision Plan of Lots 8 & 9, Block 57, Prevailing Setback Exhibit, Borough of Highlands, Monmouth County, New Jersey", prepared by WJH Engineering, dated January 29, 2024, and unsigned.
4. Copy each of two Architectural Floor Plans and Elevations. Prepared by unknown and undated.

The first completeness review was provided by Mr. Herrman on June 23, 2022, for plans prepared by Richard E. Stockton & Associates. The Applicant notified the Borough of Highlands on October 24, 2023, that WJH Engineering would be providing engineering services. This review letter will address the current submission provided by WJH Engineering. It is noted that Mr. Bennett is certifying the plans prepared by Richard E. Stockton & Assoc.

The Applicant has satisfied many of the comments (*italic*) outlined within our previous review letter dated February 20, 2023; however, the following comments (**bold**) are offered including items to be completed.

We offer the following comments:

We are requesting background information regarding Existing Lot 9. Please explain the history of the existing dwelling on adjoining Lot 5 and how an encroachment was developed between the existing lots. Has the Applicant approached the owners of Lot 5 and discussed selling the property?

The existing dwelling on Lot 5 encroaches upon existing Lot 9 with a maximum encroachment of 7.3 ft. according to the Minor Subdivision. However, a survey prepared by Seneca Survey Co., Inc. for Lot 9, dated August 15, 2016, as found in the submission packet, notes a maximum encroachment of 1.5 ft Please explain the difference.

The Applicant's response letter states, "The applicant does not know the origin of the encroachment. It has been present in aerial photography well back into the 1960's. The applicant has not spoken with the owner of lot 5 to discuss a sale. An easement/license for the encroachment to remain is indicated on the subdivision plan."

Proposed Lot 8.01 may require a Use Variance to allow two principal uses on one lot.

We defer to the Planning Board's Legal counsel regarding the building encroachment and the introduction of a Use Variance. Please see the General comments regarding setback variances.

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

I. ZONING

1. This property is located in the R-2.02 Single Family Residential District.
2. The Application requires fifteen (15) bulk variances. 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 for bulk variances.

The Applicant will be required to provide proof during testimony.

3. The following bulk requirement summary is provided for the Board's reference. In accordance with Ordinance §21-85, existing and proposed bulk deficiencies which require bulk "c" variances have been noted:

| Schedule I – Bulk and Area Requirements | | | | | |
|---|----------|----------------|----------------|-------------------|-------------------|
| R-2.02 Residential Zone | Required | Existing Lot 8 | Existing Lot 9 | Proposed Lot 8.01 | Proposed Lot 9.01 |
| Min. Lot Area (sf) | 4,000 | **603.60 | 4,827.7 | *2,913 | *2,618 |
| Lot Frontage/Width (ft) | 50 | **27.30 | 59.52 | *45.62 | *41.00 |
| Min. Lot Depth (ft) | 75 | **22.11 | **63.86 | *63.86 | *63.86 |
| Min. Front Yard Setback (ft)** | 20 | **0.6 | **2.0 | *10.0 | *10.0 |
| Min. Side Yard Setback (ft) | 6/8 | **0.3/-3.6 | 7.7/40.7 | *3/*4.3 (1) | *3/6 |
| Min. Rear Yard Setback (ft) | 20 | **1.2 | 41.6 | *15.0 | *15.0 |
| Max. Building Height (ft) | 30 | <35 | <35 | TBD | TBD |
| Max Lot Coverage | 75% | **89.28% | 15.25% | 50.33 | 59.74 |
| Max Building Coverage | 33% | **89.28% | 9.74% | *40.03 | *47.52 |
| On-Site Parking (spaces) | TBD | Not provided | Not provided | TBD | TBD |

- * Proposed Variance
- ** Existing non-conformity
- ***Or average of the existing front yard setback within 200 ft of same block and zone
- (1) Potential lot line

II. APPLICATION FEES (PART 6 FEE SCHEDULE ARTICLE XXIII, ORD. 21-107)

| | | | |
|---|------|-----------|------------|
| 1. Variances | | | |
| Residential "c" (minimum lot area) x2 | 1 EA | \$ 125.00 | \$ 250.00 |
| Residential "c" (minimum lot frontage/width) x2 | 1 EA | \$ 125.00 | \$ 250.00 |
| Residential "c" (minimum lot depth) x2 | 1 EA | \$ 125.00 | \$ 250.00 |
| Residential "c" (minimum front yard setback) x2 | 1 EA | \$ 125.00 | \$ 250.00 |
| Residential "c" (minimum side yard setback) x3 | 1 EA | \$ 125.00 | \$ 375.00 |
| Residential "c" (minimum rear yard setback) x2 | 1 EA | \$ 125.00 | \$ 250.00 |
| Residential "c" (maximum building coverage) x2 | 1 EA | \$ 125.00 | \$ 250.00 |
| Subtotal | | | \$1,875.00 |
| 2. B. Subdivisions | | | |
| Minor | 1 EA | \$ 400.00 | \$ 400.00 |
| Total | | | \$2,275.00 |

III. CHECKLIST ITEMS

The following information was reviewed for completeness pursuant to Ordinance Section 21-58.A:

1. Metes and bounds descriptions of all new lot and property lines.

The Applicant has provided metes and bounds for all proposed lot lines on the plan. The Applicant has responded that descriptions would be provided with any approval.

We find this acceptable.

2. Setback, sideline and rear yard distances and existing structures.

Proposed setback distances are shown on the Minor Subdivision plan.

We find this acceptable.

3. Certification from the Tax Collector that all taxes and assessments for local improvements on the property have been paid up to date.

The Applicant has indicated that a tax certification will be provided prior to the hearing.

We find this acceptable.

4. A wetlands statement provided by a qualified expert.

It has been recommended by Mr. Herrman during the application process that a simple letter stating, "We have reviewed the State's GeoWeb mapping and performed a site review to confirm that there are no regulated freshwater wetlands or buffers impacting the property," would suffice in completing this checklist item.

A signed letter by a qualified expert is required.

- a. **The Applicant has indicated that a signed letter from a wetland expert will be provided prior to the hearing.**

This is acceptable and the letter is a condition of approval.

- b. **The Applicant has provided General Note No 8 on the plan and is stated, "Pursuant to NJDEP Geo-Web, no wetlands exist onsite."**

The plan note is incomplete. Please follow the statement provided by Mr. Herrman.

5. *The Board reserves the right to require a feasible sketch plan layout of remaining land not being subdivided if it is deemed necessary.*

The Applicant has provided a dwelling and driveway layout and associated bulk requirement values.

We find this acceptable and please refer to the General comments section.

6. *A lot grading plan, to be reviewed by the Borough Engineer, if required. Can be deferred as a condition of approval.*

The Applicant has indicated that a grading plan will be provided as a condition of approval.

We find this acceptable.

IV. COMPLETENESS

The application may be deemed complete based on checklist items to be addressed by the applicant during testimony at the hearing.

V. GENERAL COMMENTS

1. *Proposed building footprints and floor plans have been included with the submission of the Minor Subdivision plan in response to Checklist item 16. The applicant has positioned the proposed dwelling and the driveway configuration for both lots.*

- a. **The Applicant has provided generic Architectural Floor Plans and Elevations indicating dimensions.**
- b. **The proposed dwelling and driveways are shown on the plan and the Zone Table has been updated with the associated bulk requirement values.**

The Prevailing Setback Exhibit plan indicates the front yard dimensions for many dwellings within a 200 ft radius of the Minor Subdivision. However, the plan does not explain how the prevailing front setback was determined for Lots 8.01 and 9.01.

Please review the ordinance and provide the prevailing setback information in the Zoning Table and in testimony.

2. *The plan indicates the existing dwelling on adjoining Lot 5 encroaching 7.3 ft upon proposed Lot 8.01. According to the provided floor plans, the proposed dwellings are 30 x 38 and 32 x 38.*

Proposed Lot 8.01 is 45.62 ft wide and appears will not provide sufficient building clearance for fire and utilities between the existing house encroachment and the proposed dwelling.

Please provide information regarding this potential conflict. The roof and other overhangs for both dwellings will need to be considered for clearance.

- a. **The Applicant indicates "The proposed home on lot 8.01 will provide a minimum of 5.4 feet of clearance to the existing house encroachment, sufficient so extraordinary measures are not necessary for either dwelling."**

Please provide testimony.

- b. **The side yard setback for Lot 8.01 must consider both the distance to the property line and to the proposed easement.**

The side setback would be 12.6' to the property line however the setback to the proposed easement is 4.3'. A variance is applicable to this condition. The proposed easement can potentially be a lot line.

- c. **Please update the Zoning Table and include variances on the plan submitted.**

3. *Proposed Lot 9.01 proposes a 32 ft. x 38 ft dwelling which requires a variance for side yard setback.*

The Applicant acknowledges there are variances and will provide testimony.

4. *The Applicant has noted that the proposed dwellings will be FEMA elevation compliant and within municipal flood regulations. A grading plan will be required as a condition of approval.*

The Applicant has indicated that a grading plan will be provided as a condition of approval.

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

Very truly yours,



Carmela Roberts, P.E., C.M.E., C.P.W.M.
Land Use Board Engineer

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