



RECEIVED  
MAY 4 2022  
LAND USE BOARD

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: \_\_\_\_\_ Application #: \_\_\_\_\_ Fee: \_\_\_\_\_ Escrow: \_\_\_\_\_

**1. APPLICANT**

Name: B-Four Enterprises, Inc.  
Address: 1 Atlantic Street  
City: Highlands State: NJ Zip: 07732  
Phone: 732-522-2207  
Email: david@rbaker.com  
Relation to property: Operating entity

**2. OWNER**

Name: Baker's Marina on the Bay, LLC & B-Four Enterprises, Inc.  
Address: 1 Atlantic Street  
City: Highlands State: NJ Zip: 07732  
Phone: 732-522-2207  
Email: david@rbaker.com (related entity)

\*Baker's Marina on the Bay, LLC & B-Four Enterprises are related entities.

**3. TYPE OF APPLICATION (Check all that apply)**

- Minor Subdivision
- Major Subdivision – Preliminary
- Major Subdivision – Final
- Minor Site Plan
- Major Site Plan – Preliminary
- Major Site Plan – Final
- Variance
- Use Variance
- Appeal – Zoning Denial date \_\_\_\_\_
- Appeal – Land Use Decision date \_\_\_\_\_
- Informal Concept Plan Review
- Extension of Approval
- Revision/Resubmission of Prior Application
- Other Amended Site Plan Approval

**4. PROPERTY INFORMATION**

Block 69 Lot(s) 13 & 13.01 Address: Marina Bay Court; 1 Atlantic Street  
Block 72 Lot(s) 8, 8.01, 9.001, 9.011 & 9.012  
Lot size 176,443 SF # of Existing Lots 7 # of Proposed Lots 7  
Zone WC-2 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 1st quarter 2022 Sewer paid through 1st quarter 2022

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

Name: Steven J. Tripp, Esq./Wilentz, Goldman & Spitzer, P.A.  
Address: 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, NJ 07095  
Phone: 732-855-6076 Email: stripp@wilentz.com



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

Name: Michael James Monroe Architect  
 Address: 12 Broad Street  
Red Bank, NJ  
 Phone: 732-219-9227  
 Email: mjm��ervicesinc@yahoo.com

Name: N/A  
 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.

The property operates as a boat marina and tiki bar known as the Seafarer. The tiki bar was approved in 2015. See Rider for details.

**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.

Applicant is seeking Amended Site Plan Approval to locate an approximately 1,500 square foot river paddle boat at the southern dock. The river paddle boat will be used in conjunction with the Seafarer Tiki Bar and will also be available for private parties. See Rider for details.

**C. ADDITIONAL INFORMATION:**

		Existing	Proposed
<b>Residential:</b>	How many dwelling units?	<u>N/A</u>	<u>N/A</u>
	How many bedrooms in each unit?	<u>N/A</u>	<u>N/A</u>
	How many on-site parking spaces?	<u>N/A</u>	<u>N/A</u>
<b>Commercial:</b>	How many commercial uses on site?	<u>2</u>	<u>2</u>
	How many on-site parking spaces?	_____	_____



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

	Req'd	Exist.	Prop'd
<b>Minimum Lot Requirements</b> N/A			
Lot Area			
Frontage			
Lot Depth			
<b>Minimum Yard Requirements</b>			
Front Yard Setback			
2 <sup>nd</sup> Front Yard Setback			
Rear Yard Setback			
Side Yard Setback, right			
Side Yard Setback, left			
Building Height			

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

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

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N/A

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

**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.

Wilentz, Goldman & Spitzer, PA on behalf of Applicant:

SWORN & SUBSCRIBED to before me this  
3<sup>rd</sup> day of May 2022 (year)  
Pilar M. Kwiatkowski (notary)  
**PILAR M. KWIATKOWSKI**  
 Commission #50133974 (Seal)  
 A Notary Public of New Jersey  
 My Commission Expires on August 17, 2025

[Signature] 5/3/22  
 Signature Date

By: Steven J. Tripp, Esq.  
 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).

Wilentz, Goldman & Spitzer, PA on behalf of Owner

SWORN & SUBSCRIBED to before me this  
3<sup>rd</sup> day of May 2022 (year)  
Pilar M. Kwiatkowski (notary)  
**PILAR M. KWIATKOWSKI**  
 Commission #50133974 (Seal)  
 A Notary Public of New Jersey  
 My Commission Expires on August 17, 2025

[Signature] 5/3/22  
 Signature Date

By: Steven J. Tripp, Esq.  
 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:

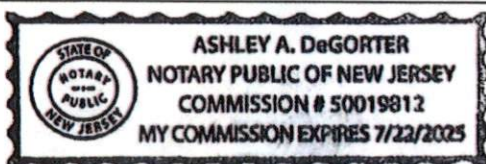
B-Four Enterprises, Inc.

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
David Baker	190 Boundary Road, Marlboro, NJ
Mark Baker	9 Scotto Farm Lane, Millstone, NJ

\*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  
14<sup>th</sup> day of February 2022 (year)  
Ashley A. DeGorter (notary)  
 (Seal)



[Signature]  
 Signature (Officer/Partner)      2/14/2022  
 Date  
David Baker, managing member  
 Print Full Name      Title



**RIDER**  
**B-Four Enterprises, Inc.**  
**Amended Site Plan Approval**

B-Four Enterprises, Inc., (the “Applicant”), is seeking Amended Site Plan Approval to make modifications to the approved site plan for the Seafarer Tiki Bar and utilize a river paddle boat to be located at the southern dock along the property, as an additional area for patrons of the Seafarer.

The subject property is located at 1 Marina Court and 1 Atlantic Street, and also identified as Lots 8, 8.01, 9.001, 9.011 and 9.012 in Block 72 and Lots 13 and 13.01 in Block 69 (the “Property”). The Property is developed with a marina, boat yard and the Seafarer and located in WC-2 Zone, where the proposed uses are permitted.

The Seafarer operates from mid-May to mid-September, (the “summer season” or in-season”), 7 days a week from 11:00 AM to 11:00 PM. It approved by resolution adopted by the Planning Board September 10, 2015 (the “Resolution”), a copy of which is attached as Exhibit A. The approval permits the following: (1) 130 boat slips; (2) 12 boats stored on the Property during the summer season; (3) 26 seats at the center tiki bar; and (4) 29 tables of 4 on the deck and around the center bar. The approval also permits a food truck to be used in-season.

The Applicant is seeking to modify the prior approval in the following manor: (1) store approximately 10 boats on the property in-season, rather than the 12 as previously approved; (2) remove approximately 14 seats from the center tiki bar for a total of 12 seats at this location; (3) utilize 1,500 square-foot river boat with approximately 8 tables of 4 each seats for use by patrons of the tiki bar and to utilize the river boat paddle for private parties. The 29 tables of 4 seats located on the deck and around the center bar, food truck and lavatories will remain as previously approved.

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LAND USE BOARD

No changes are proposed to the existing marina or Seafarer operations. With the addition of the river paddle boat, 176 parking spaces are required, where 186 are provided. No variances triggered by this application.

**EXHIBIT A**



**MARTIN A. McGANN, JR.**

**Attorney at Law  
125 State Highway 35  
Red Bank, NJ 07701  
732-741-5757  
FAX: 732-530-0183**

FedEx. & UPS etc.  
125 State Highway 35  
Middletown, NJ 07748

September 25, 2015

Mr. David Baker  
B-Four Enterprises, LLC  
1 Globe Circle  
Red Bank, NJ 07701

RE: Site Plan for Tiki Bar  
Block 69, Lots 13 & 13.01  
Block 72, Lots 8 & 8.01  
Borough of Highlands

Dear Dave:

I enclose herewith Amending Resolution Approving the Preliminary and Final Major Site Plan and Design Waiver Application of B-Four Enterprises, LLC for the property in the Borough of Highlands.

As you are aware, we have attempted to negotiate this Resolution for several months. Some of our negotiations have been successful, and other aspects of it have not been due to a rather arbitrary assessment of the situation, particularly in reference to Page 4, Paragraph 19.

Therefore, I would request that you do the following:

1. As to Page 3, Paragraph 6 – please refer same onto Andy Raichle for his attention.
2. As to Page 3, Paragraph 7 - I suspect since you had a sanitary sewer connection for the former restaurant, there should not be an issue reconnecting to same. Please check with the Borough Administrator Tim Hill regarding this issue. They should not charge you for another connection fee since one already exists.
3. As to Page 3, Paragraph 9 – we have already submitted the Cross Easement, you have signed same, and it has been recorded and submitted to Carolyn Cummins.
4. As to Page 3, Paragraph 10 – please note the requirements regarding repair and the striping in the parking areas, and signage as required by the Borough Engineer. Please note the removal of the existing "Private Property – No Trespassing" sign at the site.

Mr. David Baker  
September 25, 2015  
Page 2

5. Please have the surveyor with Page 3, Paragraph 12.
6. I suggest you have your surveyor speak directly with the Borough Engineer, Robert Keady, of T&M Associates to discuss exactly what he wants to be done.
7. Page 4, Paragraph 14 – you can contact Mr. Keady's office and review the lighting situation on the site to determine if light shields are necessary.
8. Page 4, Paragraph 16 – I will forward the Tax Assessor copies of the current Lot and Block numbers for the subject properties so that he can review same and correct any lot and block numbers that need to be corrected, and then subsequently be placed on the revised plans.
9. Michael Monroe, R.A. can review Page 4, Paragraph 17 and number all of the parking spaces on the plans so that there is a complete count; bearing in mind that approximately 12 boats will be dry docked in the summer; therefore, provide for an area for those boats on the Site Plan, less those parking spaces which the boats will take up.
10. Page 4, Paragraphs 18 and 19 – please refer those issues to Andy Raichle.

When all of the above has been accomplished, please submit your Plans to the Board for a review and final signoff by the Borough Officials.

At your earliest convenience would you kindly look into my outstanding invoice due. A copy of same is enclosed for your ready reference.

Thank you for your kind attention.

Very truly yours,



MARTIN A. MCGANN, JR.

MAM/cl  
Enclosure

cc: Michael J. Monroe, AIA  
Andrew Raichle, P.E., Principal  
Val Braginsky, PLS

# BOROUGH OF HIGHLANDS, N.J.

INCORPORATED 1900

171 BAY AVENUE  
07732  
COUNTY OF MONMOUTH  
PHONE: 732-872-1224  
FAX: 732-872-0670

WWW.HIGHLANDSNJ.COM



HISTORIC "TWIN LIGHTS"

FRANK L. NOLAN  
MAYOR

CAROLYN M. CUMMINS  
BOROUGH CLERK

TIMOTHY HILL  
BOROUGH ADMINISTRATOR



## LETTER OF TRANSMITTAL

TO: Martin McGann, Esq.  
125 Highway 35  
Red Bank, NJ 07701

Date: September 15, 2015

### ATTENTION:

RE: **Planning Board Resolution**  
**Approving B-Four Ent., LLC Block 69 Lots 13 & 13.01**  
**Block 72 Lots 8 & 8.01 and Block 72 Lots 9.001, 9.011, 9.012**

WE ARE SENDING YOU THE ATTACHED LISTED BELOW:

COPIES	DATE	DESCRIPTION
1	09/10/15	Certified Copy of Resolution for B-Four Ent

**NOTE:** After you publish notice of this resolution please forward me the affidavit of public.

cc: D. Leubner, Zoning/Flood Officer  
C. Heck, Tax Assessor  
R. Keady, P.E., Borough/Board Engineer

  
Carolyn Cummins, Borough Clerk



Mr. Wells offered the following Resolution and moved on its adoption:

**AMENDING RESOLUTION APPROVING THE PRELIMINARY  
AND FINAL MAJOR SITE PLAN AND DESIGN WAIVER  
APPLICATION OF B-FOUR ENTERPRISES, LLC FOR, BLOCK  
72, LOTS 8 & 8.01; BLOCK 69, LOTS 13 & 13.01; BLOCK 72,  
LOTS 9.001, 9.011 & 9.012**

WHEREAS, the applicant B-Four Enterprises, LLC (hereinafter referred to as the "applicant") is the owner of the above captioned lots, which lots are located in the WC-2 Zone in the Borough of Highlands, New Jersey; and

WHEREAS, the applicant has applied for preliminary and final major site plan approval with a design waiver for the purpose of operating a tiki bar and restaurant on the site previously occupied by the Clam Hut Restaurant in the Borough. The applicant intends to use the existing structures at the site for lavatory purposes and the tiki bar and the existing parking lot areas. All of the details of the proposed new and existing structures and proposed parking areas are set forth on the plans and maps submitted with the application, and submitted into evidence at the public hearing of the application by the Board held on May 14, 2015. All of the foregoing are incorporated herein by reference thereto. The applicant has also applied for a design waiver to permit new light fixtures to be attached to the existing utility poles at the site at an elevation of 24 feet, where the applicable ordinance permits a maximum elevation of 15 feet; and

WHEREAS, all jurisdictional requirements have been met and proper notice has been given pursuant to the Municipal Land Use Act and Borough Ordinances, and the Board has jurisdiction to consider this application; and

WHEREAS, the Board considered this application at a public hearing held on May 14, 2015; and

WHEREAS, Thomas Morford, a principal of the applicant testified on the operational details and the general layout and uses proposed at the site; and

WHEREAS, Michael James Monroe, a licensed architect in the State of New Jersey testified on the architectural elements and addressed the ADA compliance issues; and

WHEREAS, members of the public cross examined the applicant's witnesses and expressed their opinions on the project; and

WHEREAS, the Board makes the following factual findings in connection with this application based on the testimony and plans and maps submitted on behalf of the applicant and the members of the public:

1. The proposed uses at the site are permitted pursuant to the applicable Borough Development and Zoning Ordinances.

2. The applicant intends to operate the tiki bar from mid-May to mid-September and use the area for boat storage during the months in between during the off-season.

3. The applicant will provide cross-easements for ingress, egress, parking and lavatory uses at the subject property.

4. The portable kitchen proposed to be located on the site will be contained in a trailer that will be placed on the site at the beginning of the season in May and be removed at the end of the season in September.

5. The applicant will operate the bar and restaurant seven (7) days per week from 11:00 am to 11:00 pm during the season.

6. The applicant will employ 10-15 employees during the season.

7. The applicant proposes to install two (2) dumpsters at the site that will be emptied at least two (2) times per week and more often if necessary.

8. It is contemplated that deliveries to the Tiki Bar operation will be in a box-type truck or similar type of truck. On occasion the deliveries may be in a different type of truck. Insofar as the marina is concerned there may be occasions where other types of trucks will service and make deliveries to that operation.

9. The applicant will have entertainment that complies with the Borough noise ordinance.

10. There will be two (2) lavatories located in each of the existing structures at the site. Two (2) lavatories will be ADA compliant.

11. The project is located in the CAFRA zone and requires CAFRA approval or a letter from the NJDEP exempting the project from the jurisdiction of the NJDEP.

12. The requested design waiver will be granted so long as the light fixtures are shielded if necessary (as determined by the municipal engineer), to prevent light from shining on the contiguous properties that border the subject site.

13. The Board finds that there is a pre-existing non-conforming lot coverage variance that is not affected by this application.

14. The Board finds that the number of parking spaces proposed meet the requirements of the applicable ordinances and are adequate for the uses proposed at the subject premises; and

WHEREAS, the Board finds that the preliminary and final site plan application can be approved and the design waiver granted so long as the applicant complies with Board imposed conditions set forth hereinafter.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Highlands that the application for preliminary and final major site plan approval and design waiver for the aforementioned lots is hereby approved contingent on the following conditions being met:

1. All testimony, evidence and representations made by the applicant and its witnesses are incorporated herein.
2. Taxes, fees and escrow accounts shall be current.



3. The applicant shall comply with all of the outstanding comments and conditions if any set forth in the Board Engineer's letter dated May 11, 2015, which is incorporated herein in full by reference thereto.
4. The applicant agrees to post performance bonds and/or inspection fees as determined by the Borough Engineer if any.
5. The applicant shall obtain the approval of all outside governmental agencies that have jurisdiction over this project prior to the issuance of any permits for any construction at the site.
6. The applicant shall supply a permit from the NJDEP for the construction of the existing deck, tiki bar and the construction of the remainder of the proposed site improvements and the location of the mobile kitchen including the sink and grease trap at the premises or a letter indicating that the NJDEP has no jurisdiction over the installation of any one or all of these items. In the event the applicant supplies documentation indicating that the deck and tiki bar construction does not require any approval or permitting from NJDEP, the applicant is permitted to use the deck and tiki bar area provided that the structures are built to be compliant with the FEMA coastal construction guidelines and V-Zone Standards. Additionally should the Tiki Bar area receive all permits and/or approvals from all required agencies, it shall be permitted to open for business without the deck area being completed and/or not yet having received necessary approvals.  
In the event any outside agency requires the applicant to make any changes to the plans approved by this Board, the applicant must submit those changes to this Board for its review and approval.
7. The applicant shall obtain the approval of the Highlands Regional Sewerage Authority for the project if required by law.
8. The applicant shall construct the project in accordance with the plans and maps submitted with the application and/or submitted into evidence at the public hearing or any plans or maps hereinafter supplemented to conform to these conditions of approval and/or the representations made by the witnesses for the applicant at the public meeting.
9. The applicant shall submit the proposed cross-easements for ingress, egress, parking and lavatory use to the Board Engineer and Attorney for their review and approval.
10. The applicant shall repair and stripe the parking areas and replace all damaged sidewalk and curbing at the site where necessary at the direction of the municipal engineer. The applicant shall also install adequate traffic and parking signage at site as per the requirements of the Board Engineer and remove the existing "Private Property- No Trespassing" signs at the site.
11. No boats will be permitted to tie-up to the deck area if the applicant uses the deck area for dining and/or drinking purposes.
12. The applicant shall submit amended site plans to the Board (and Board Engineer) depicting the topography of the area (elevations) and flood



zone information requested by the Board Chairman and Board Engineer at the public hearing.

13. The applicant is permitted to have a maximum of 12 boats stored on property during the time period that the bar and restaurant are in operation so long as that does not result in a loss of the amount of the approved parking spaces required by Ordinance or approved by this Board.
14. The applicant will shield the proposed pole mounted light fixtures to prevent light spillage onto contiguous properties if necessary at the direction of the municipal engineer.
15. The applicant shall comply with the Borough sound or noise ordinances.
16. The applicant shall confirm with the Borough Tax Assessor the correct (current) lot and block numbers for the subject property and so designate the correct lots and block numbers on revised plans.
17. The applicant shall submit revised plans showing the number of parking spaces approved for the site; 130 boat slips; 26 seats at the tiki bar; 29 tables with seating for 4 patrons per table on the deck area and around the tiki bar.
18. All construction and equipment shall be compliant with FEMA V-Zone Coastal Construction requirements, NJDEP, CAFRA and Flood Hazard Area construction requirements.
19. The applicant shall be required to install backflow prevention valves on all existing storm drainage outfall pipes. .

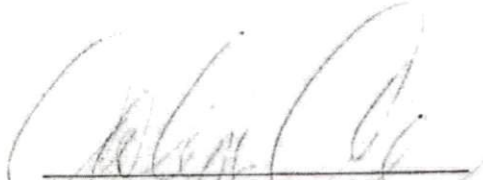
Seconded by Mr. Hill and adopted on the following roll call vote:

Ayes: Mr. Hill, Mr. Redmond, Mr. Wells, Mr. Stockton

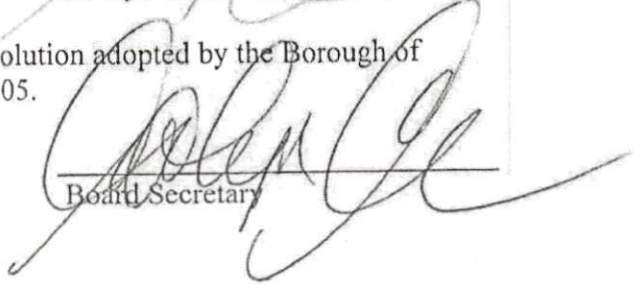
Nays: None

Abstain: None

September 10, 2015.

  
\_\_\_\_\_  
Carolyn Cummins, Board Secretary

I certify this to be a true copy of the Resolution adopted by the Borough of Highlands Planning Board on September 10, 2105.

  
\_\_\_\_\_  
Board Secretary



# AMENDED SITE PLAN

BLOCK 72 LOTS 8, 8.01, 9.001, 9.011 & 9.012  
BLOCK 69, LOTS 13 & 13.01

## APPROVALS

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_  
SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_  
ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

OWNER: B-FOUR ENTERPRISES, INC.  
BAKER'S MARINA  
ON THE BAY LLC

ARCHITECT: MICHAEL JAMES MONROE  
ARCHITECT  
12 BROAD STREET  
RED BANK, NJ 07701

## APPLICABLE CODES

**BUILDING SUBCODE** (NJAC 5:23-3.14)  
International Building Code/2018, NJ ed (IBC w/ NJ edits from 3.14)  
\* Corrected pages (NJ errata)  
\* Corrected sections (ICC errata)  
Other referenced I-Codes (IFC/2018, ISPS/2018, etc.)  
Other referenced ICC Standards (ICC/ANSI A117.1-2009, ICC 300-2017, etc.)/Sept. 03, 2019

**PLUMBING SUBCODE** (NJAC 5:23-3.15)  
National Standard Plumbing Code/2018, NJ ed (NSPC w/ NJ edits from 3.15)/Sept. 03, 2019

**ELECTRICAL SUBCODE** (NJAC 5:23-3.16)  
National Electrical Code (NFPA 70)/2017  
*(link provides access to all NFPA standards)/*Sept. 03, 2019

**ENERGY SUBCODE** (NJAC 5:23-3.18)  
International Energy Conservation Code/2018 (Low-Rise Residential)  
ASHRAE 90.1-2016 (Commercial & all other Residential)  
Sept. 03, 2019

**MECHANICAL SUBCODE** (NJAC 5:23-3.20)  
International Mechanical Code/2018/Sept. 03, 2019

**ONE- AND TWO-FAMILY DWELLING SUBCODE** (NJAC 5:23-3.21)  
International Residential Code/2018, NJ ed (IRC w/ NJ edits from 3.21)  
\* Corrected pages (NJ errata)  
\* Corrected sections (ICC errata)  
Other referenced I-Codes (ISPS/2018, etc.)/Sept. 03, 2019

**FUEL GAS SUBCODE** (NJAC 5:23-3.22)  
International Fuel Gas Code/2018/Sept. 03, 2019

**REHABILITATION SUBCODE** (NJAC 5:23-6)  
NIJCC, Subchapter 6  
Updated as Necessary  
(current as of 08/20/18)  
2018 I-code update  
coming soon

**BARRIER FREE SUBCODE** (Chapter 11 of IBC/2018 & NJAC 5:23-7)  
ICC/ANSI A117.1-2009  
Sept. 03, 2019

**ELEVATOR SUBCODE** (NJAC 5:23-12)  
American Society of Mechanical Engineers (ASME)/Sept. 03, 2019

## REVISIONS

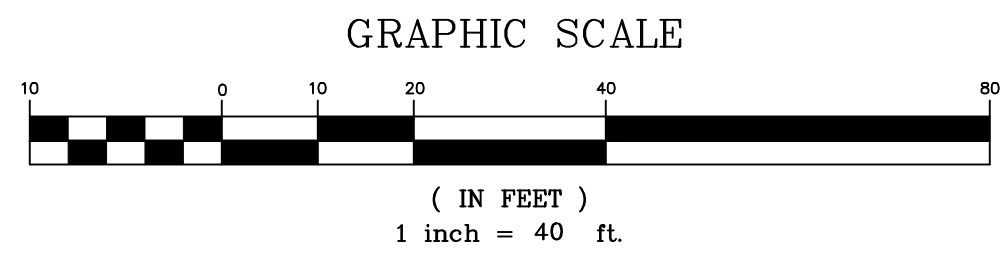
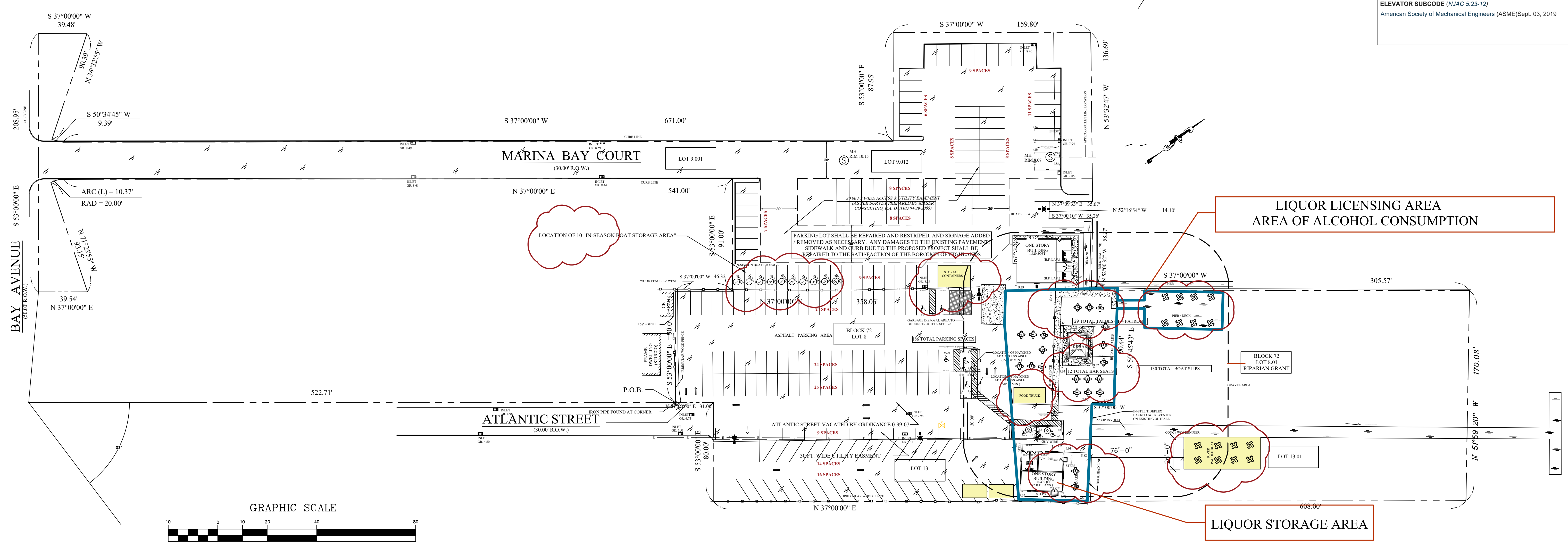
08/08/19	
01/20/20	
4-18-22	

AMENDED SITE PLAN APPLICATION  
**B-FOUR ENTERPRISES, INC.**  
BLOCK 69, LOTS 13 & 13.01 BLOCK 72 LOTS 8, 8.01, 9.001, 9.011 & 9.012  
HIGHLANDS, NJ  
1 ATLANTIC STREET  
MONMOUTH COUNTY

**MICHAEL JAMES MONROE**  
• A R C H I T E C T •  
788 SHREWSBURY AVE. TINTON FALLS, NJ

DATE	1-20-20
SCALE	AS NOTED
DWN BY	MJS
ISSUE	

PROJ # 1945-14  
**T-1**  
SH 1 OF 1



**1 SITE PLAN**  
T-1 SCALE: 1"=40'-0"

SITE PLAN INFORMATION TAKEN FROM SURVEY DONE BY BRAGINSKY SURVEYING, INC., PROFESSIONAL LAND SURVEYORS INC. 2 AUSTIN AVENUE, ISELIN, NJ 08830 732-326-9090 FAX 866-464-8910 VALERY BRAGINSKY PLS. NJ LIC # 43217 1/16/15 REV JOB # 1302-12

### TRASH PICK UP NOTES

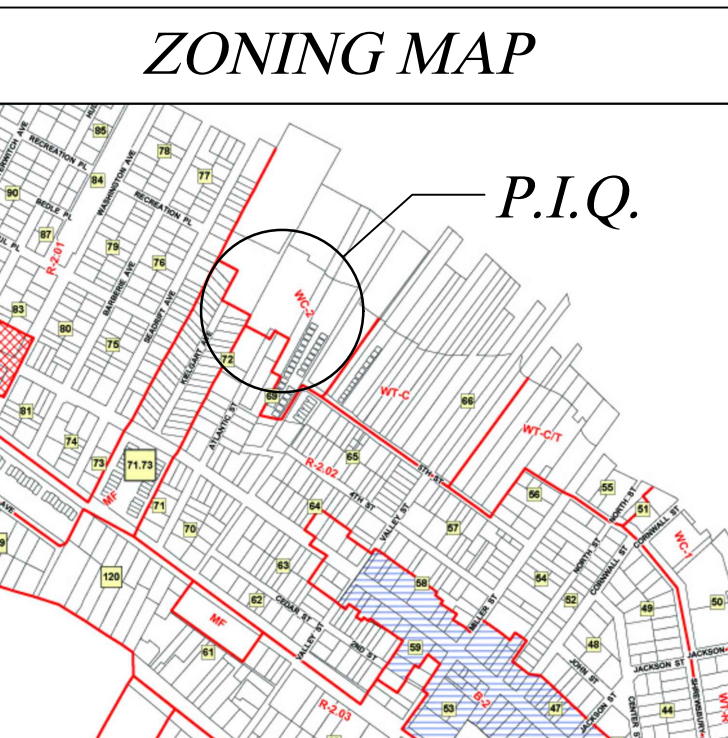
- EXISTING TRASH PICK UP IN REAR TO REMAIN.
- TRASH PICK UP WILL BE DAILY RECYCLING & CARDBOARD PICK UP WILL BE TWICE A WEEK.
- ALL CONTAINERS TO BE SEALED W/FLIP TOP LIDS.
- ALL TRASH CONTAINERS TO BE PLASTIC 22" X 24" X 36" & SEALED W/ATTACHED FLIP TOP LID.
- TRASH REMOVAL SHALL BE DAILY BY PRIVATE CARTAGE AND THE REAR ALLEYWAY SHALL NOT BE BLOCKED.

**TRASH CALCULATIONS**

TRASH - (3) 55 GAL BAGS /DAY	
RECYCLING - (2) CU.FT/DAY	
CARD BOARD -(3) CU.FT/DAY	

### PARKING SCHEDULE

USE	REQUIREMENT	SPACES
MARINA	1/PER BOAT SLIP	130
BOAT YARD	BOAT STORAGE STORED BOATS 1/3 BOATS	4
RESTAURANT	1/PER 4 SEATS 160 SEATS	40
	12 TIKI = 3	
	116 TABLES = 29	
	32 PADDLE BOAT = 8	
	TOTAL REQUIRED	174
	TOTAL PROVIDED	186



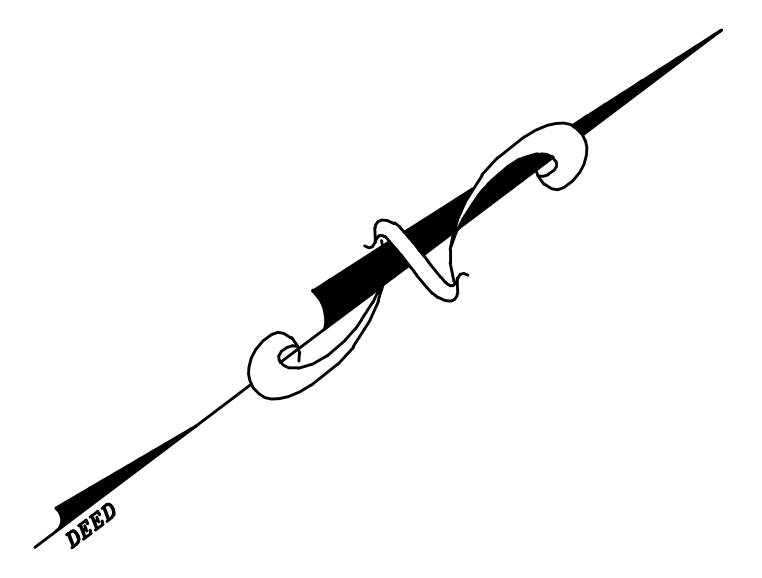
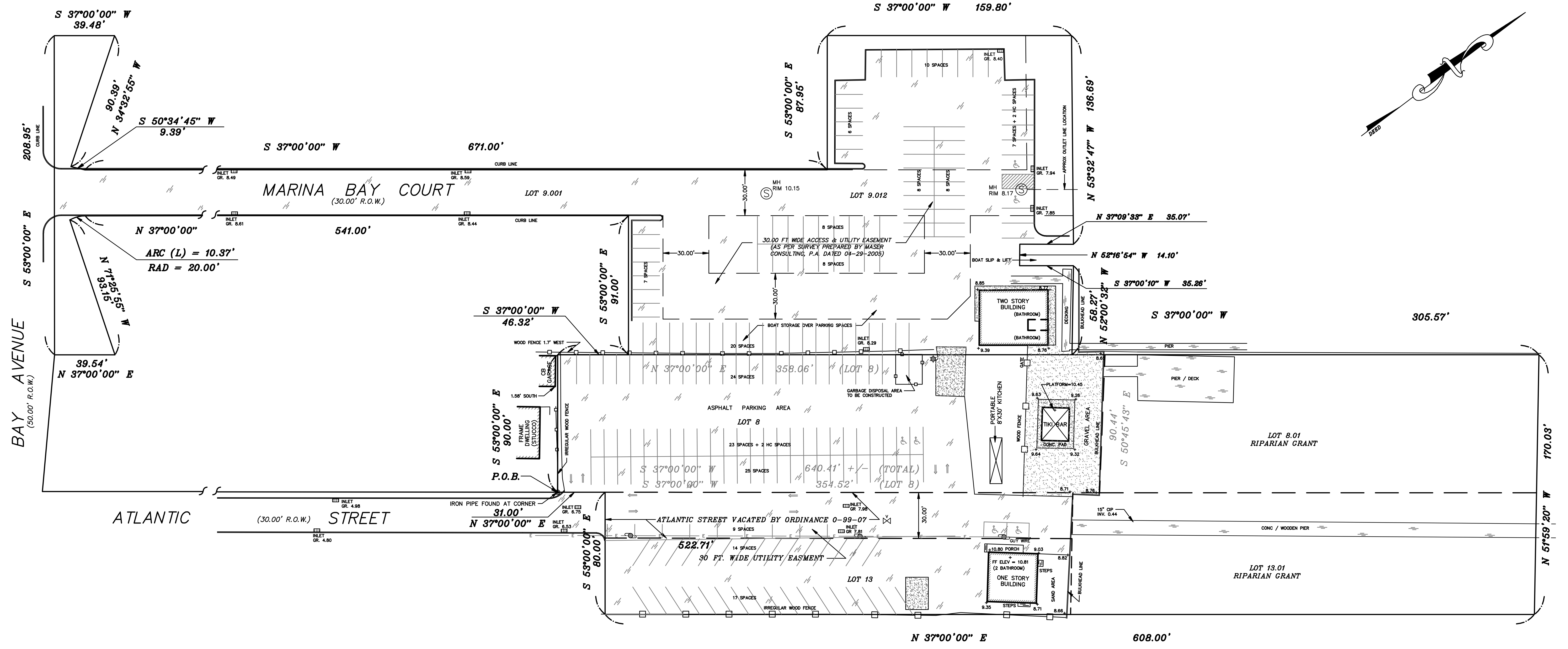
### ZONING DATA

DESCRIPTION	EXISTING	REQUIRED	PROPOSED	VARIANCE
ZONE	WC-2	WC-2	WC-2	-
LOT AREA	176,443 sqft	176,443 sqft	176,443 sqft	-
LOT FRONTAGE / WIDTH	100	100	-	-
LOT DEPTH / CIRCLE	150	150	-	-
FRONT SETBACK	20	20	-	-
MIN. DIST. C.L STREET	-	-	-	-
REAR SETBACK	N/A	N/A	N/A	-
SIDE SETBACK	8.71/166	10/10	8.71/166	-
MIN. G.F.A.	-	-	-	-
MAX. BLDG COVERAGE	2,644 sqft 1.4%	44,110 sqft 25%	3,364 sqft 1.9%	-
MAX. BLDG HEIGHT	+ 22'	36'	+ 22'	-
F.A.R.	.014	0.60	.091	-
LOT COVERAGE	+98%	70%	+98%	EXISTING
PARKING SPACES	186	174	186	-
LOADING SPACES	-	-	-	-
B.F. SPACES REQ'D.	7	6	7	-
((A.D.A.) 4.12 (5)(A))	N/A	N/A	N/A	-
SIGN AREA (BLDG.)	-	-	-	-
1/FACE 10% AREA	-	-	-	-
STREET SIGN HEIGHT	EXISTING	EXISTING	-	-
STREET SIGN SETBACK	EXISTING	EXISTING	-	-

### DRAWING INDEX

T-1 COVER SHEET - PROJECT DATA, SYMBOL SCHEDULE, LOCATION MAP, DRAWING INDEX, SITE PLAN, APPLICABLE NOTES, SIGNAGE SCHEDULE, PARKING SCHEDULE, BUILDING ELEVATION





- LEGEND**
- PROJECT BOUNDARY LINE
  - OVERHEAD WIRES
  - CURB LINE
  - DROP CURB
  - MANHOLE (SEWER)
  - INLET
  - SIGN POST
  - UTILITY POLE
  - UTILITY POLE WITH LIGHT
  - SPOT ELEVATION
  - FENCE (METAL)
  - FENCE (WOOD OR VINYL)
  - ASPHALT
  - CONCRETE
  - WOOD DECKING
  - GRAVEL AREA
- THIS SURVEY IS CERTIFIED TO:  
 THOMAS MORFORD  
 B-FOUR ENTERPRISES, LLC  
 ACRES LAND TITLE AGENCY, INC.  
 MICHAEL L. OSTROWSKY, ESQ.  
 KEYPORT LANDING, LLC
- THIS CERTIFICATION IS MADE ONLY TO THE NAMED PARTIES FOR PURPOSE OF MUNICIPALITY SUBMITTAL, PURCHASE AND/OR MORTGAGE FROM LENDER AS NAMED. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY FOR SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY. THIS SURVEY IS INVALID WITHOUT THE EMBOSSED SEAL OF THE SURVEYOR, SUBJECT TO ALL EASEMENTS OR RIGHT-OF-WAY OF RECORD.

- NOTES**
1. THIS MAP DOES NOT CONSTITUTE A SURVEY OF THE ENTIRE PROPERTY BUT IS INTENDED TO REFLECT THE IMPROVEMENTS MADE TO THE PROPERTY AS OF THE PREVIOUS SURVEY PREPARED ON FEBRUARY 18, 2013 BY BRAGINSKY SURVEYING, LLC AS WELL AS THE PARKING SPACE AVAILABILITY ACCESSIBLE TO THE NEW IMPROVEMENTS REFERENCED.
  2. LOCATIONS AND TYPES OF UTILITIES SHOWN HEREON ARE DERIVED FROM FIELD LOCATION OF ABOVE GROUND UTILITY STRUCTURES AND MARKOUTS IF ANY EXIST.
  3. DRAINAGE SHOWN WITHIN LOTS 9.001 AND 9.012 AS PER SURVEY PREPARED BY MASER CONSULTING, P.A., DATED APRIL 29, 2005.
  4. ALL ELEVATIONS AND CONTOURS SHOWN ARE EXISTING AND ARE BASED ON NAVD1988.
  5. THIS SURVEY IS SUBJECT TO THE FACTS AND FINDINGS OF A COMPLETE TITLE SEARCH AND MAY NOT SHOW ALL EASEMENTS INCLUDING SUBSURFACE UTILITY EASEMENTS.
  6. THIS SURVEY IS NOT VALID UNLESS SIGNED AND SEALED BY THE LICENSED SURVEYOR.

AREA OF LOTS LISTED  
 176,443 SQ. FT. OR 4.05 ACRES

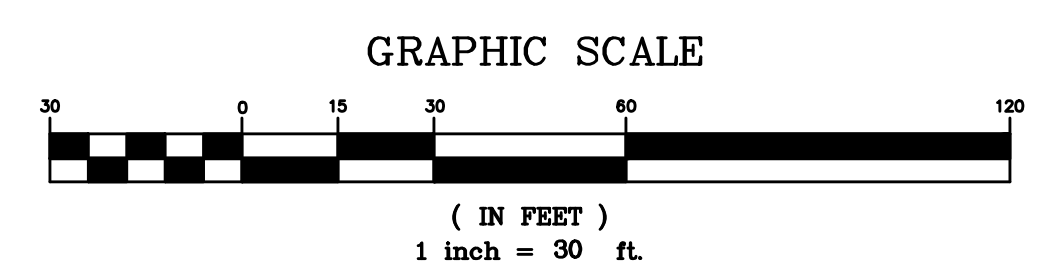
NO.	DATE	DESCRIPTION	BY
1	01/16/2015	ADDITIONAL DRAINAGE SHOWN	VB

**METES & BOUNDS SURVEY**  
 OF  
 "MARINA ON THE BAY"  
 LOTS 9, 8, 8.01, 13 & 13.01 IN BLOCK 72 ON TAX MAPS OF  
 BOROUGH OF HIGHLANDS MONMOUTH COUNTY NEW JERSEY

PREPARED FOR  
**THOMAS MORFORD**

**BRAGINSKY SURVEYING, LLC**  
 VALERY BRAGINSKY PLS  
 NJ LICENSE NO. 48217  
 2 AUSTIN AVENUE  
 ISELIN, NJ 08830  
 TEL: (732) 326-9090 FAX: (866) 464-8910  
 DRAWN BY: VB CHECKED BY: VB  
 DATE: FEBRUARY 18, 2013 SCALE: 1" = 30'  
 JOB NO.: 1302-12

PROFESSIONAL LAND SURVEYORS







RECEIVED  
MAY 4 2022  
LAND USE BOARD



February 24, 2022

Atlantic Street Innkeepers LLC  
Sent via email

RE: 1 Atlantic Street  
Block 72, Lots 8.01 & 8.02

Please be advised that the above referenced application to utilize a paddle boat for interior space for use by patrons of the bar/restaurant has been reviewed for compliance with the Borough of Highlands Zoning Ordinance. The property is located in the WC-2 zone.

The following approvals will be necessary:

**#21-55 Amended site plan approval**

**The comments of the Borough Engineer's email of 2/24/2022 should be addressed upon Engineering review.**

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 4 2022  
LAND USE BOARD



# WILENTZ

—ATTORNEYS AT LAW—

**STEVEN J. TRIPP, ESQ.**

T: 732.855.6076  
F: 732.726.6524  
stripp@wilentz.com

90 Woodbridge Center Drive  
Suite 900 Box 10  
Woodbridge, NJ 07095-0958  
732.636.8000

RECEIVED  
MAY 4 2022  
LAND USE BOARD

May 3, 2022

**VIA UPS OVERNIGHT DELIVERY**

Nancy Tran, Land Use Secretary  
Borough of Highlands  
Administrative Offices  
42 Shore Drive, Highlands, NJ 07732

**Re: B-Four Enterprises, Inc.  
Blocks 69/70 Lots 13 & 13.01/ 8, 8.01, 9.001, 9.011, 9.012  
Application for Amended Site Plan Approval**

Dear Ms. Tran:

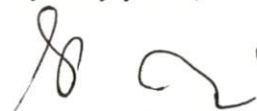
This firm represents B-Four Enterprises, Inc., ( the “Applicant”) in the above captioned matter. Enclosed, for filing, please find the following:

1. Check in the amount of \$100.00, payable to “Borough of Highlands,” representing payment of the application fee.
2. Check in the amount of \$750.00, payable to “Borough of Highlands,” representing payment of the escrow fee.
3. Original and seventeen (17) copies of Application for Development.
4. Eighteen (18) copies of the Application Rider.
5. Eighteen (18) copies of Zoning Denial, dated February 24, 2022.
6. Eighteen (18) sets of photographs of the proposed river paddle boat.
7. Proof of Payment of Taxes and Assessments for Lot 13, 13.01, 9.001, 9.011 and 9.012. Please note, the Borough has no tax records as to Lots 8 & 8.01.
8. Certified 200’ Property Owners’ List, dated April 27, 2022.

9. Completed W-9 form.
10. Eighteen (18) sets of the Metes and Bounds Survey, consisting of one (1) sheet, prepared by Braginsky Surveying, LLC, and dated February 18, 2013.
11. Four (4) full-size sets of plan entitled, "Amended Site Plan, Block 72 Lots 8, 8.01, 9.001, 9.011 & 9.012 Block 69, Lots 13 & 13.01," consisting of one (1) sheet, prepared by Michael James Monroe Architect, and revised April 18, 2022.
12. Fourteen (14) half-size sets of the plan entitled "Amended Site Plan, Block 72 Lots 8, 8.01, 9.001, 9.011 & 9.012 Block 69, Lots 13 & 13.01," consisting of one (1) sheet, prepared by Michael James Monroe Architect, and revised April 18, 2022.

Kindly schedule this matter for hearing at the next available Land Use Board meeting. Should you have any questions or need any additional information, please do not hesitate to contact me .

Very truly yours,



STEVEN J. TRIPP, ESQ.

Enclosures

**cc: VIA EMAIL**

Mr. David Baker

Michael Monroe, AIA

RECEIVED

MAY 4 2022

LAND USE BOARD



HGPB- R1920

June 7, 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: B-4 Enterprises, Inc.  
Baker's Marina on the Bay, LLC  
1 Atlantic Street  
Marina Bay Court  
Block 72, Lots 8, 8.01, 9.001, 9.011, 9.012  
Block 69, Lots 13 & 13.01  
Waterfront Commercial (WC-2) Zone  
Amended Minor Site Plan  
First Engineering Review**

Dear Ms. Tran:

As requested, our office has reviewed the above-referenced application for minor site plan approval. The applicant submitted the following documents in support of this application:

1. Land Use Board Application, undated.
2. Metes and Bounds Survey prepared by Braginsky Surveying, LLC, dated February 18, 2013, last revised January 16, 2015, consisting of one (1) sheet.
3. Amended Site Plans prepared by Michael Monroe, A.I.A, dated January 20, 2020, last revised April 18, 2022, consisting of one (1) sheet.

Based on our review of the submitted documents, we offer the following comments for the Board's consideration:

**A. Project Description**

The 176,443 square feet (4.05 acre) property is currently developed as the Seafarer Tiki Bar with associated dock and parking lot area. The site is located in the Waterfront Commercial (WC-2) Zone with frontage along Atlantic Street. The applicant previously received preliminary and final major site plan approval for the establishment of the Seafarer Tiki Bar in May 2015. With this proposal, the applicant is seeking amended minor site plan approval to utilize a 1,500 square-foot river paddle boat for public and private use, along with boat storage adjustments reducing space from twelve (12) to ten (10) boats on the property and removal of fourteen (14) seats from the tiki bar for a total of twelve (12) seats.





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

**Re: B-4 Enterprises, Inc.  
Baker’s Marina on the Bay, LLC  
1 Atlantic Street  
Marina Bay Court  
Block 72, Lots 8, 8.01, 9.001, 9.011, 9.012  
Block 69, Lots 13 & 13.01  
Waterfront Commercial (WC-2) Zone  
Amended Minor Site Plan  
First Engineering Review**

**B. Planning and Zoning**

In accordance with Section 21-96 of the Ordinance existing/proposed bulk requirements are noted as follows:

WC-2 Zone	Required	Existing	Proposed
Minimum Lot Area (sf)	NA	176,443	176,443
Minimum Lot Frontage (ft)	100	170	170
Minimum Lot Depth (ft)	150	>150	>150
Minimum Front Yard Setback (ft)	20	>20	>20
Minimum Rear Yard Setback (ft)	NA	NA	NA
Minimum Side Yard Setback (ft)	10/10	>10/10	>10/10
Maximum Building Height (stories/ft)	36	<36	<36
Lot Coverage	70%	98% (E)	98% (E)
Building Coverage	25%	1.4%	1.9%
Maximum Floor Area Ratio (FAR)	0.60	0.014	0.019

- (E) – Existing Non-conformity
- (C) – Calculated
- (W) – Waiver
- (V) – Variance
- NA – Not Applicable
- NS – Not Specified, the applicant shall confirm this dimension

**C. Site Requirements & Layout**

1. The applicant does not propose any off-site improvements as part of this application.
2. The property in question is 4.05 acres in size and is currently developed with Seafarer Tiki Bar with associated dock and parking lot area. The applicant proposes to utilize a 1,500 square-foot river paddle boat, along with boat storage adjustments reducing space from twelve (12) to ten (10) boats on the property and removal of fourteen (14) seats from the tiki bar for a total of twelve (12) seats. The river paddle boat will be located along the southern dock and consist of eight (8) tables of four (4) seats, a total of 32 seats, for use by patrons of the tiki bar and to utilize the river boat for private parties. The existing 29 tables of four (4) seats, a total of 116



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

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Block 72, Lots 8, 8.01, 9.001, 9.011, 9.012  
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Waterfront Commercial (WC-2) Zone  
Amended Minor Site Plan  
First Engineering Review**

seats, located on the deck and around the center bar, food truck, and lavatories will remain in place.

3. The applicant shall provide testimony on the general site modifications with the amended site plan.
4. The applicant shall provide testimony on the adequacy of the current parking conditions. The plans indicate that the parking lot shall be repaired and restriped. A parking lot improvements plan shall be provided.
5. The applicant shall provide testimony on the existing use of the facility and need for proposed improvements, as well as any impacts to prior approvals.
6. For the marina, boat yard, and restaurant uses, Section 21-65.14 of the Ordinance requires 1 off-street parking space for every marina boat slip, 1 off-street parking space for every 3 boat storage spaces, and 1 off-street parking space per every 4 seats. The following is a summary of the required off-street parking spaces:

Marina:	1 space per marina boat slip @ 130 marina boat slips	130 spaces
Boat Yard:	1 space per 3 boat storage spaces @ 10 storage spaces	3.33 spaces
Restaurant:	1 space per 4 seats @ 160 seats	<u>40 spaces</u>

Total Required Spaces: 174 spaces

A total of 174 parking spaces are required, whereas 186 parking spaces are proposed. The applicant shall provide testimony on the anticipated parking demand and adequacy of the proposed number of parking spaces, and any specific allocations or signage amongst the various uses on the site.

7. Table 208.2 of the 2010 ADA standards indicates that six (6) ADA accessible parking spaces are to be provided when there are between 151 and 200 parking spaces, whereas seven (7) ADA accessible parking spaces are provided.
8. The applicant shall provide testimony on how the boat storage spaces are delineated from standard parking spaces. Additional striping or signage may be required.
9. The applicant shall provide testimony on location and permanence of the river paddle boat including but not limited to how this structure will be secured to the dock and ADA access. Similarly, if cooking facilities and restrooms will be available on the boat.
10. The applicant shall provide testimony on any other site improvements or relocation of facilities including storage containers and/or food trucks.



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

**Re: B-4 Enterprises, Inc.  
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Waterfront Commercial (WC-2) Zone  
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11. The applicant shall provide testimony as to the frequency and type of trucks that will access the entire site including those providing deliveries and garbage collection.
12. The applicant shall provide testimony on the trash and recyclables to be generated with the proposed use, along with the process, times, and frequency of refuse pickup.

**D. Technical Engineering Review**

1. The applicant shall confirm that no new lighting or drainage improvements are proposed as part of this application.
2. Pursuant to Ordinance Section 21-65.10A (Landscaping and Street Trees), "All areas not devoted to structures, paving, or other required uses shall be appropriately graded, landscaped and maintained in accordance with a landscaping plan approved by the Board". The Board should determine if a landscaping plan is required.
3. The subject property is located within a mix of flood zones including the "VE" Flood Zone with a Base Flood Elevation (BFE) of 14 feet, "AE" Flood Zone with a BFE of 12 feet, and "AE" Flood Zone with a BFE of 11. It is also noted that this property is within the Limit of Moderate Wave Action (LiMWA), which requires "V" Zone construction standards. We defer further review to the Floodplain Administrator.
4. The project site is located in the Coastal Area Facilities Review Act (CAFRA) Zone. The applicant shall comply with any applicable NJDEP requirements and should confirm any specific restrictions and/or permitting requirements accordingly. We recommend a jurisdictional determination be provided. We defer further review to NJDEP.
5. All existing and proposed easements, along with metes and bounds descriptions, shall be clearly shown on the plans. Metes and bounds descriptions shall be submitted to the Borough Attorney and this office for review and approval.
6. A note shall be added to the plans indicating that all improvements are to be ADA compliant, where applicable.
7. Testimony shall be provided regarding the proposed use. The applicant shall be prepared to discuss the following:
  - a. Security and access.
  - b. Hours of operation.
  - c. Operations of facility concerning customers during construction/installation.
  - d. Any change in hours of operation.





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

**Re: B-4 Enterprises, Inc.  
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First Engineering Review**

- e. Any additional employees (total and maximum per shift).
- 8. Approvals or waivers should be obtained from any agencies or departments having jurisdiction.

We reserve the opportunity to further review and comment on this application and all pertinent documentation, pursuant to testimony presented at the public hearing. If you have any questions regarding this matter, please do not hesitate to contact our office.

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)  
Brian O'Callahan, Zoning Officer (bocallahan@middletownnj.org)  
Rob Knox, Land Use Board Chairman (rknox@highlandsborough.org)  
Annemarie Tierney, Land Use Board Vice Chairman (annemarie@liquidadvisors.com)  
B-4 Enterprises Inc., Applicant (david@rbaker.com)  
Steven J. Tripp, Esq., Applicant's Attorney (stripp@wilentz.com)  
Michael J. Monroe, Applicant's Architect (mjmservicesinc@yahoo.com)



HGPB- R1920

June 7, 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: B-4 Enterprises, Inc.  
1 Atlantic Street  
Block 72, Lots 8, 8.01, 9.001, 9.011, 9.012  
Block 69, Lots 13 & 13.01  
Waterfront Commercial (WC-2) Zone  
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 21-58D – Minor Site Plan.

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

1. Land Use Board Application, undated.
2. Metes and Bounds Survey prepared by Braginsky Surveying, LLC, dated February 18, 2013, last revised January 16, 2015, consisting of one (1) sheet.
3. Amended Site Plans prepared by Michael Monroe, A.I.A, dated January 20, 2020, last revised April 18, 2022, consisting of one (1) sheet.

The above information was reviewed for completeness purposes as follows:

**Preliminary Site Plan (Minor):** The preliminary site plan shall be drawn at a scale of not more than one hundred (100) feet to the inch and shall include such details as may be necessary to properly evaluate the application and determine compliance with this chapter. The site plan shall be drawn by a licensed New Jersey professional engineer and land surveyor and, where applicable to the proposed use or construction, the following information shall be clearly shown.

1. Date, name, location of site, name of owner, scale and reference meridian. **Provided.**
2. Area of the lot and all lot line dimensions and bearings. **Provided.**
3. The location of all existing watercourses, wooded areas, easements, rights-of-way, streets, roads, highways, rivers, buildings, structures and any other feature on the property and within seventy-five (75) feet of the property line. **Provided.**
4. Location, use and ground floor area of all existing and proposed buildings, with the building setback, side line and rear yard distance. **Provided.**
5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Not applicable.**



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

**Re: B-4 Enterprises, Inc.  
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First Completeness Review**

6. The location and widths of existing and proposed streets servicing the site plan. **Provided.**
7. Specifications for and location of proposed surface paving and curbing. **Not applicable.**
8. Location of all structures within seventy-five (75) feet of the property. **Provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Not applicable.**
10. Storm water management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities plus all required design data supporting the adequacy of the existing or proposed facilities to handle future storm flows. **Not applicable.**
11. Existing and proposed contours of the property and for seventy-five (75) feet outside the property at one (1) foot intervals when new buildings or parking areas are proposed. Spot elevations for any development in a flood hazard area. **Not applicable.**
12. The location and treatment of proposed entrances and exits to the public rights-of-way, including the possible utilization of traffic signals, channelization, acceleration, and deceleration lanes, additional widths and any other devices necessary to traffic safety and/or convenience. **Not applicable.**
13. The location and identification of proposed open space, parks or other recreation areas. **Not applicable.**
14. The location and design of landscaping, buffer areas and screening areas showing size, species and spacing of trees and plants and treatment of unpaved areas. **Not provided.**
15. The location of sidewalks, walkways, traffic islands and all other areas proposed to be devoted to pedestrian use. **Provided.**
16. The nature and location of public and private utilities, including maintenance and solid waste disposal, recycling and/or storage facilities. **Partially provided.**
17. Specific location and design of traffic control devices, signs and lighting fixtures. The Board may require of the applicant expert testimony concerning the adequacy of proposed traffic control devices, signs and lighting fixtures. **Provided.**
18. Preliminary architectural plans for the proposed buildings or structures indicating typical floor plans, elevations, heights and general design or architectural styling. **Not applicable.**





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

**Re: B-4 Enterprises, Inc.  
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Block 72, Lots 8, 8.01, 9.001, 9.011, 9.012  
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First Completeness Review**

- 19. The present and past status and use and contemplated use of the property and all existing buildings on the property. A cleanup plan where such is necessary because of the past or present use of the site. **Not applicable.**
- 20. A soil erosion and sediment control plan is required. Said plan shall be submitted to the Soil Conservation District and approval of the application shall be conditioned upon certification of the soil erosion and sediment control plan by the District. **Not applicable.**
- 21. Soil Borings, when required by the Board Engineer. **Not required.**
- 22. Certification statement for the required municipal signatures, stating: **Not provided.**
  - o Application No. \_\_\_\_\_ approved/disapproved by the Highlands Land Use Board as a Minor Site Plan on \_\_\_\_\_.

(date)

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

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

Although numerous items noted above have not been submitted to the Board, adequate information has been provided in order to perform a technical review of the application. **Upon payment of the balance of the fees required, the application can be deemed COMPLETE and can be referred to the Board Chairman for consideration of scheduling the public hearing.**

The application fee and escrow fee calculation letter will be provided under separate cover. **We will commence our technical review letter upon confirmation from the Board Secretary that the balance of fees due has been properly posted.**



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

**Re: B-4 Enterprises, Inc.  
1 Atlantic Street  
Block 72, Lots 8, 8.01, 9.001, 9.011, 9.012  
Block 69, Lots 13 & 13.01  
Waterfront Commercial (WC-2) Zone  
First Completeness Review**

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)  
B-4 Enterprises Inc., Applicant (david@rbaker.com)



YOUR GOALS. OUR MISSION.

HGPB- R1920

June 7, 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: B-4 Enterprises, Inc.  
1 Atlantic Street  
Block 72, Lots 8, 8.01, 9.001, 9.011, 9.012  
Block 69, Lots 13 & 13.01  
Waterfront Commercial (WC-2) Zone  
Fee and Escrow Calculation**

Dear Ms. Tran:

As requested, we have reviewed the above-referenced application in accordance with the Borough of Highlands Land Use Regulations Part 6 - Fee Schedule.

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

1. Land Use Board Application, undated.
2. Metes and Bounds Survey prepared by Braginsky Surveying, LLC, dated February 18, 2013, last revised January 16, 2015, consisting of one (1) sheet.
3. Amended Site Plans prepared by Michael Monroe, A.I.A., dated January 20, 2020, last revised April 18, 2022, consisting of one (1) sheet.

Please note the following fee calculations:

- |                            |                 |
|----------------------------|-----------------|
| <b>1. Application fee:</b> | <b>\$100.00</b> |
| <b>2. Escrow fee:</b>      | <b>\$750.00</b> |

Please note that the initial application deposits shall be deducted from the total fees shown.

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

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DETERMINATION OF FEES  
B-4 Enterprises, Inc.  
Block 72, Lots 8, 8.01, 9.001, 9.011, 9.012  
Block 69, Lots 13 & 13.01

**A. APPLICATION FEES (Ord. 21-107)**

B. Site Plans

3. Application for revised approval of site plan

1	EA	\$	100.00	\$	100.00
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**B. ESCROW FEES (Ord. 21-108)**

B. Escrow Deposits (twice Application Fee; Minimum \$750)

1	LS	\$	750.00	\$	750.00
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<b>Application fees subtotal</b>	\$	100.00
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<b>Escrow fee subtotal</b>	\$	750.00
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<b>Total</b>	\$	850.00
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