



Borough of Highlands Land Use Board  
42 Shore Drive, Highlands, NJ 07732  
Phone: 732-872-1224  
Fax: 732-872-0670

**FOR OFFICIAL USE**

Case No: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Date Filed: \_\_\_\_\_

Mark R. Aikins, Attorney for Applicant

1. (I/we) Kerry M. Farrell, the applicant(s), whose Post Office address is  
c/o Mark R. Aikins, Esq., 3350 Rt. 138, Bldg. 1, Suite 113, Wall, New Jersey 07719

and whose phone number is [REDACTED] (am/are) the (owner/contract purchaser) of  
property located at 32 Shrewsbury Avenue and designated as Block 43  
Lot(s) 7 on the Tax Map of the Borough of Highlands.

2. The property is in the WT-R zone. It has a street frontage of 47.50 feet with an area of  
7,108,00 Square feet.

3. The proposed percentage of lot coverage by both the existing structure and proposed additions will be  
36.35%.

4. The following structures, buildings or uses are located on the property  
2 1/2 story single family residence with detached one car garage.

5. Application is hereby made for a variance to:  
Re-construct an existing 212 sq.ft. detached wood-framed garage

6. The reasons for this request and the grounds urged for the relief are as follows:  
Section 21-78A.3: Accessory structure not permitted closer to the front property line than the required front setback of the principle structure.  
Section 21-78B.1a: Accessory structure setback: 3ft. is required; whereas .11 ft. is proposed

7. The section of the Borough Zoning Ordinance upon which this application is based is Section  
Section 21-78A.3: & Section 21-78B.1a

8. Property taxes have been paid through 4th Qtr. 2021  
The sewer bills have been paid through 4th Qtr. 2021

9. Has the property been separated from a larger tract of land? Yes / No) \*Circle One\*  
If so, when? \_\_\_\_\_ Has the Land Use Board approved a subdivision? Yes / No)  
When? \_\_\_\_\_ Attach copies of any approved map or approval resolution.

**RECEIVED**  
**DEC 10 2021**  
**LAND USE BOARD**



Borough of Highlands Land Use Board  
42 Shore Drive, Highlands, NJ 07732  
Phone: 732-872-1224  
Fax: 732-872-0670

10. Has there been any previous appeal involving these premises ( ~~Yes~~ / No ) \*Circle One\*

Date of Filing: \_\_\_\_\_

Character of Appeal: \_\_\_\_\_


Disposition and Date: \_\_\_\_\_

\*\*Attach copy of decision\*\*

11. By filing a second application, does applicant and owner, if other than applicant, waive any and all rights gained in the first application? (Yes /No) \*Circle One\*

12. Are there any outstanding building code or zoning violations or other violations of law on the property in question or on any other property in the Borough of Highlands in which the applicant has any interest, directly or indirectly? Yes \_\_\_\_\_

13. Is the applicant a corporation or a partnership? Yes \_\_\_\_\_ No X \_\_\_\_\_  
(If so, you must be represented by an attorney. If yes, please complete a Disclosure Statement and attach the same to the application.)

  
\_\_\_\_\_  
Signature  
Mark R. Aikins, Attorney for Applicant,  
Kerry M. Farrell

December 8, 2021  
\_\_\_\_\_  
Date

RECEIVED  
DEC 10 2021  
LAND USE BOARD



# FARRELL RESIDENCE

## PROPOSED ONE-CAR GARAGE RECONSTRUCTION

32 SHREWSBURY AVE.  
HIGHLANDS, NJ  
BLOCK: 43, LOT: 7

### SCOPE OF WORK

THE PROJECT IS THE RECONSTRUCTION OF AN EXISTING ONE-STORY, WOOD-FRAMED GARAGE. ANY AND OR NON-CONFORMING ZONING CONDITIONS (EXISTING AND PROPOSED) ARE INDICATED ON THE ZONING SCHEDULE.

### NUMERIC SUMMARY

EXISTING TWO-HALF (2-1/2)-STORY, WOOD-FRAMED, SINGLE-FAMILY RESIDENCE WITH DETACHED ONE-CAR GARAGE:

	HOUSE (EXIST TO REMAIN)	DETACHED GARAGE (EXIST TO RECONSTRUCT)	FRONT PORCH (EXIST TO REMAIN)	DECK (EXIST TO REMAIN)
1ST FLOOR	914 SF.	212 SF.	252 SF.	225 SF.

### BUILDING CHARACTERISTICS

NUMBER OF STORES	2 1/2 - STORES (EXISTING HOUSE TO REMAIN) 1 - STORY (DETACHED GARAGE TO BE RECONSTRUCTED)
HEIGHT OF STRUCTURE	14'-10" (GARAGE MEAN ROOF HEIGHT)
AREA-LARGEST FLOOR	914 SF. (EXIST. HOUSE FIRST FLOOR)
CONSTRUCTION CLASSIFICATION	5B IBC 2018
FEMA FLOOD ZONE	AE-15

### ZONING SCHEDULE

WTR	WATERFRONT TRANSITION-RESIDENTIAL ZONE	REQUIRED	EXISTING	PROPOSED
HEIGHT:	MAX. BLDG.	30 FT. (REFER TO NOTE #2) 2-1/2 STORY	N/A 2-1/2 STORY	N/A 2-1/2 STORY
LOT:	MIN. LOT AREA	9,000	7,108.00 SF.	7,108.00 SF.
	MIN. LOT FRONTAGE	90.00 FT.	47.50 FT. *	47.50 FT. *
	MIN. LOT DEPTH	100.00 FT.	147.10 FT.	147.10 FT.
	MAX. LOT COVERAGE	4,976.00 SF. (70%)	2,584.00 SF. (36.56%)	2,584.00 SF. (36.56%)
	MAX. BLDG. COVERAGE	2,192.00 SF. (30%)	1,378.00 SF. (19.53%)	1,378.00 SF. (19.53%)
BUILDING:	MIN. FRONT SETBACK	35.00 FT.	68.50 FT. (HOUSE)	68.50 FT. (HOUSE)
	MIN. SIDE SETBACK	8.00 FT.	55.00 FT. (CON. PORCH)	55.00 FT. (CON. PORCH)
	MIN. COMP. SETBACK	20.00 FT.	8.50 FT.	8.50 FT.
	MIN. REAR SETBACK	25.00 FT.	44.00 FT. (HOUSE)	44.00 FT. (HOUSE)
ACCESSORY:				
DETACHED GARAGE:	MIN. FRONT SETBACK	55.00 FT. (PORCH)	54.80 FT. * (REFER TO NOTE #1)	54.80 FT. ** (REFER TO NOTE #1)
	MIN. SIDE SETBACK	3.00 FT.	0.90 FT. *	0.90 FT. **
	MIN. REAR SETBACK	3.00 FT.	76.88 FT.	76.88 FT.
	MAX. HEIGHT	15.00 FT. (REFER TO NOTE #2)	14.85 FT. (REFER TO NOTE #2)	14.85 FT. (REFER TO NOTE #2)
	DISTANCE FROM PRINCIPLE BLDG.	N/A	0.50 FT.	0.50 FT.

EXISTING LOT COVERAGE INCLUDES:	PROPOSED LOT COVERAGE INCLUDES:
EXISTING FIRST FLOOR (914 SF.)	EXISTING FIRST FLOOR TO REMAIN (914 SF.)
EXISTING FRONT COVERED PORCH (292 SF.)	EXISTING FRONT COVERED PORCH TO REMAIN (292 SF.)
EXISTING DETACHED GARAGE (212 SF.)	EXISTING DETACHED GARAGE TO BE RECONSTRUCTED (212 SF.)
EXISTING CANOPY (24 SF.)	EXISTING CANOPY TO BE RECONSTRUCTED (24 SF.)
EXISTING DECK (0 SF. - REFER TO NOTE #5)	EXISTING DECK TO REMAIN (0 SF. - REFER TO NOTE #5)
EXISTING DRIVEWAY (495 SF.)	EXISTING DRIVEWAY TO REMAIN (495 SF.)
EXISTING EXTERIOR STAIRS/BULKHEAD (105 SF.)	EXISTING EXTERIOR STAIRS/BULKHEAD TO REMAIN (105 SF.)
EXISTING WALKWAYS (49 SF.)	EXISTING WALKWAYS TO REMAIN (49 SF.)
EXISTING PAVEMENT PATIO (94 SF. - NOT COVERED BY CANOPY)	EXISTING PAVEMENT PATIO (94 SF. - NOT COVERED BY CANOPY)

EXISTING BLDG. COVERAGE INCLUDES:	PROPOSED BLDG. COVERAGE INCLUDES:
EXISTING FIRST FLOOR (914 SF.)	EXISTING FIRST FLOOR TO REMAIN (914 SF.)
EXISTING FRONT COVERED PORCH (292 SF.)	EXISTING FRONT COVERED PORCH TO REMAIN (292 SF.)
EXISTING DETACHED GARAGE (212 SF.)	EXISTING DETACHED GARAGE TO BE RECONSTRUCTED (212 SF.)
EXISTING CANOPY (24 SF.)	EXISTING CANOPY (24 SF.)

NOTES:  
1. ACCESSORY STRUCTURES FRONT SETBACK, EXISTING NON-CONFORMING CONDITION WITH ACCESSORY STRUCTURE IN THE FRONT YARD, AS PER THE HIGHLANDS ZONING ORDINANCE, SECTION 21-70A.5. NO ACCESSORY STRUCTURE SHALL BE PERMITTED CLOSER TO THE FRONT PROPERTY LINE THAN THE FRONT SETBACK REQUIREMENT ON THE FRONT FACE OF THE PRINCIPAL STRUCTURE, WHICHEVER IS THE LESSER. THE PROPOSED RECONSTRUCTED GARAGE SHALL MATCH EXISTING SETBACK OF 54.80 FT. WHERE THE PRINCIPLE STRUCTURE SETBACK IS 55.00 FT. \*\* VARIANCE REQUIRED\*\*

2. BUILDING HEIGHT: AS PER THE HIGHLANDS ZONING DEFINITIONS, THE BUILDING HEIGHT IS THE VERTICAL DISTANCE AS MEASURED FROM THE GRADE PLANE TO THE AVERAGE HEIGHT OF THE HIGHEST ROOF SURFACE. IN THE CASE OF SLOPED ROOFS, THE AVERAGE HEIGHT IS THE MID-POINT BETWEEN THE LOWEST ROOF EAVE OF THE TOP FLOOR AND THE RIDGE.

3. DECKS: AS PER THE HIGHLANDS ZONING ORDINANCE, SECTION 21-69.27, DECKS SHALL NOT BE CONSIDERED IN THE DETERMINATION OF YARD SIZE OR LOT COVERAGE, PROVIDED, HOWEVER, THAT SUCH TERRACE OR DECK IS UNROOFED AND WITHOUT WALLS, PARAPETS, OR OTHER FORM OF ENCLOSURE.

- \* NON-CONFORMING ZONING CONDITION CREATED BY EXISTING CONDITIONS.
- \*\* NON-CONFORMING ZONING CONDITION CREATED BY PROPOSED NEW WORK.

### INDEX

SHEET #1:	USE GROUP CONSTRUCTION TYPE NUMERIC SUMMARY SCOPE OF WORK ZONING SCHEDULE BUILDING CHARACTERISTICS
SHEET #2:	GARAGE FOUNDATION PLAN GARAGE FLOOR PLAN GARAGE FRONT ELEVATION GARAGE LEFT SIDE ELEVATION GARAGE REAR ELEVATION GARAGE RIGHT SIDE ELEVATION
SHEET #3:	PLOT PLAN

### DESIGN LOADS

1ST FLOOR-	40 PSF LIVE LOAD,	20 PSF DEAD LOAD
ROOF-	20 PSF LIVE LOAD, SNOW LOAD 125%	20 PSF DEAD LOAD

NOTE:  
FOR ALL HORIZONTAL STRUCTURAL MEMBERS THE MAXIMUM ALLOWABLE DEFLECTION UNDER TOTAL LOAD, AT MID-SPAN, SHALL BE .35" MAXIMUM.

USE GROUP: R5 IBC/ IRC 2018  
CONSTRUCTION TYPE: 5B IBC 2018

PROPOSED  
GARAGE  
RECONSTRUCTION  
FOR  
**FARRELL**  
32 SHREWSBURY AVE.  
HIGHLANDS, NJ

DRAWING:  
COVER PAGE INFORMATION

DATE:  
NOVEMBER 11, 2021

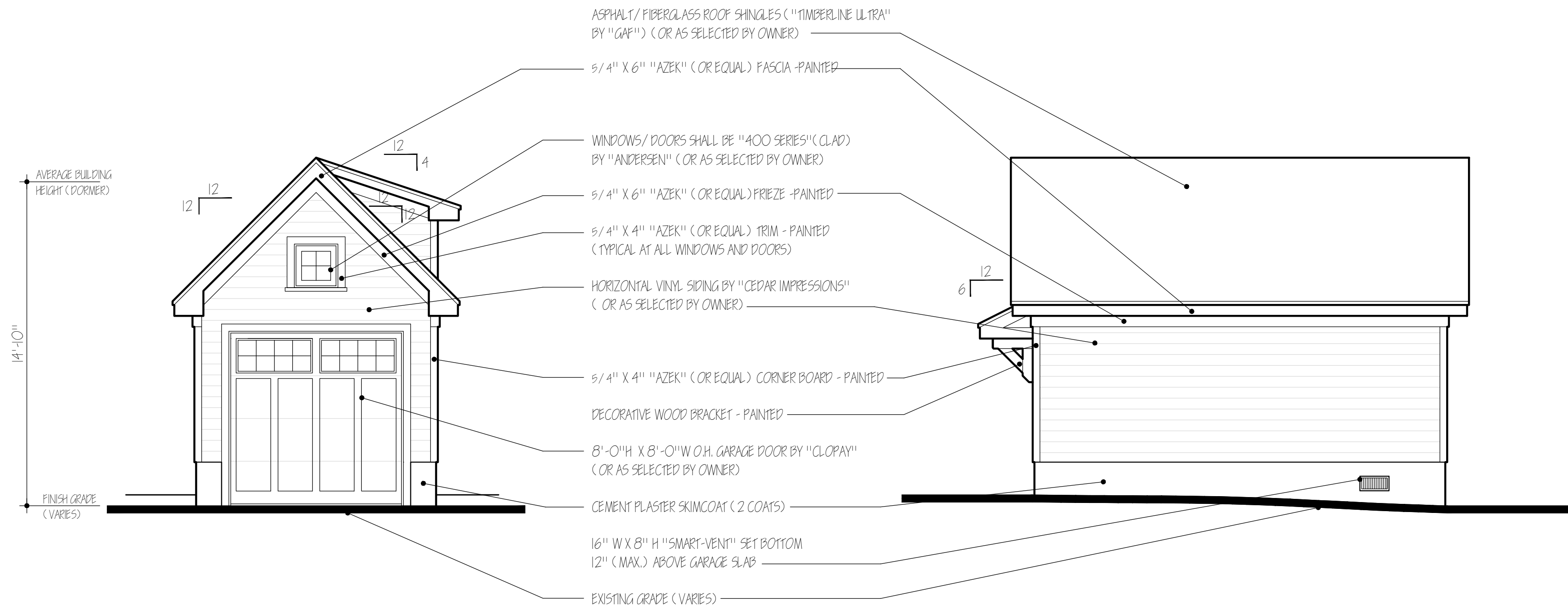
REVISED:

**ROBERT W. ADLER**  
& ASSOCIATES, PA  
**ARCHITECTS**  
WWW.RWAADLERASSOCIATES.COM  
Tel: 732-571-1010

**RWA**  
1049 Broadway West Long Branch, NJ 07764

LICENSES:  
NJ 10795  
NY 02685J  
MD 9678  
PA RA-012365-B  
FL AR-100476

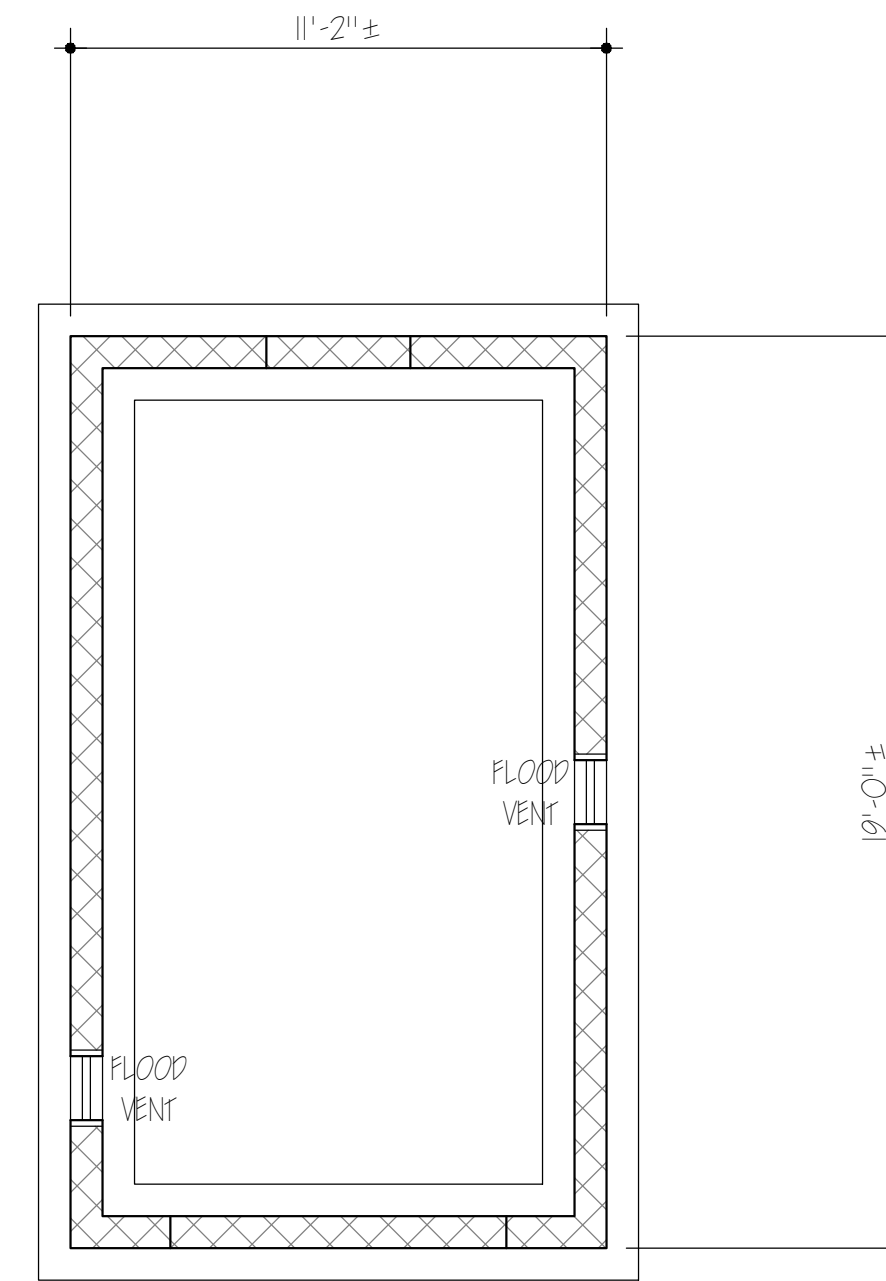
1 OF 3



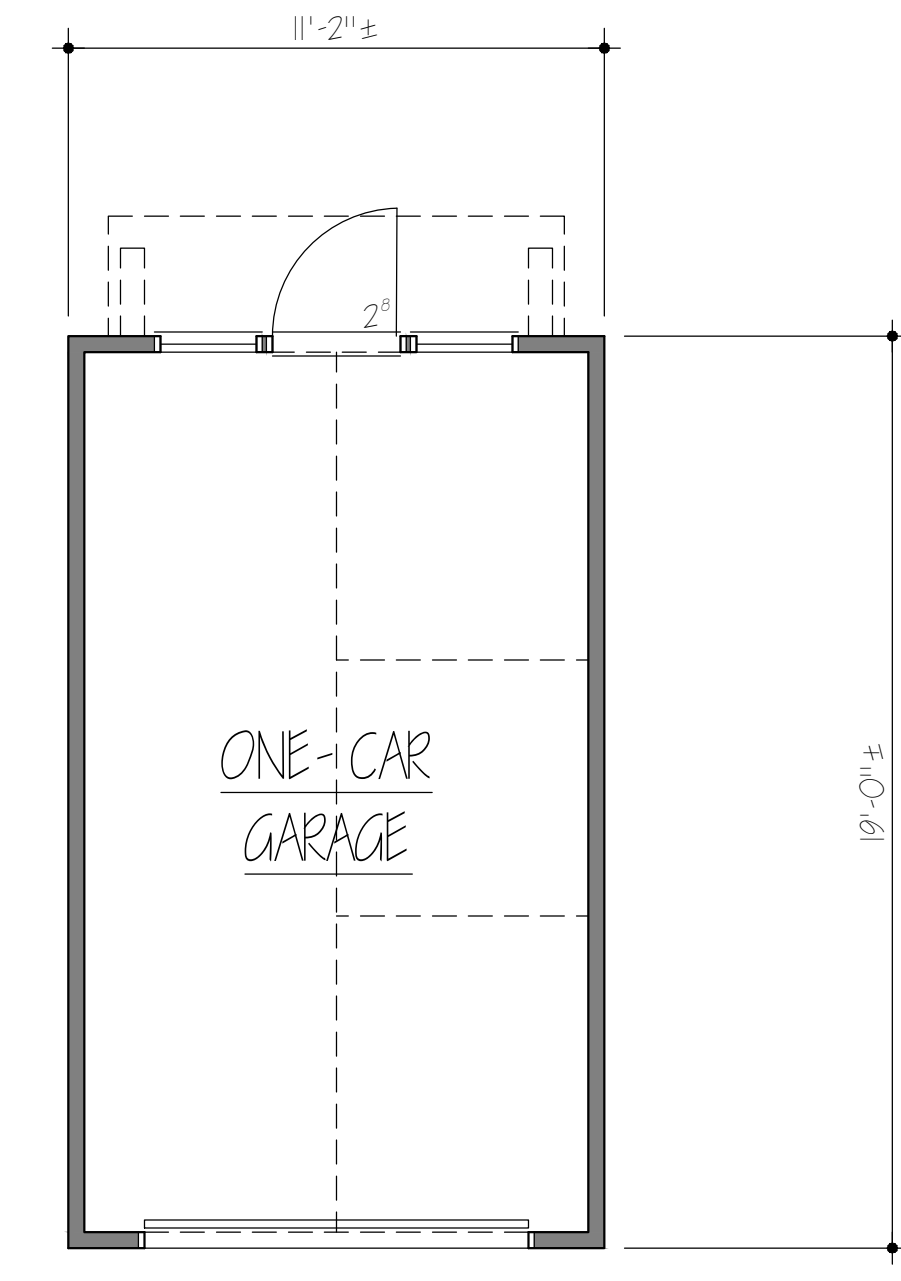
**GARAGE FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

**GARAGE LEFT SIDE ELEVATION**  
SCALE: 1/4" = 1'-0"

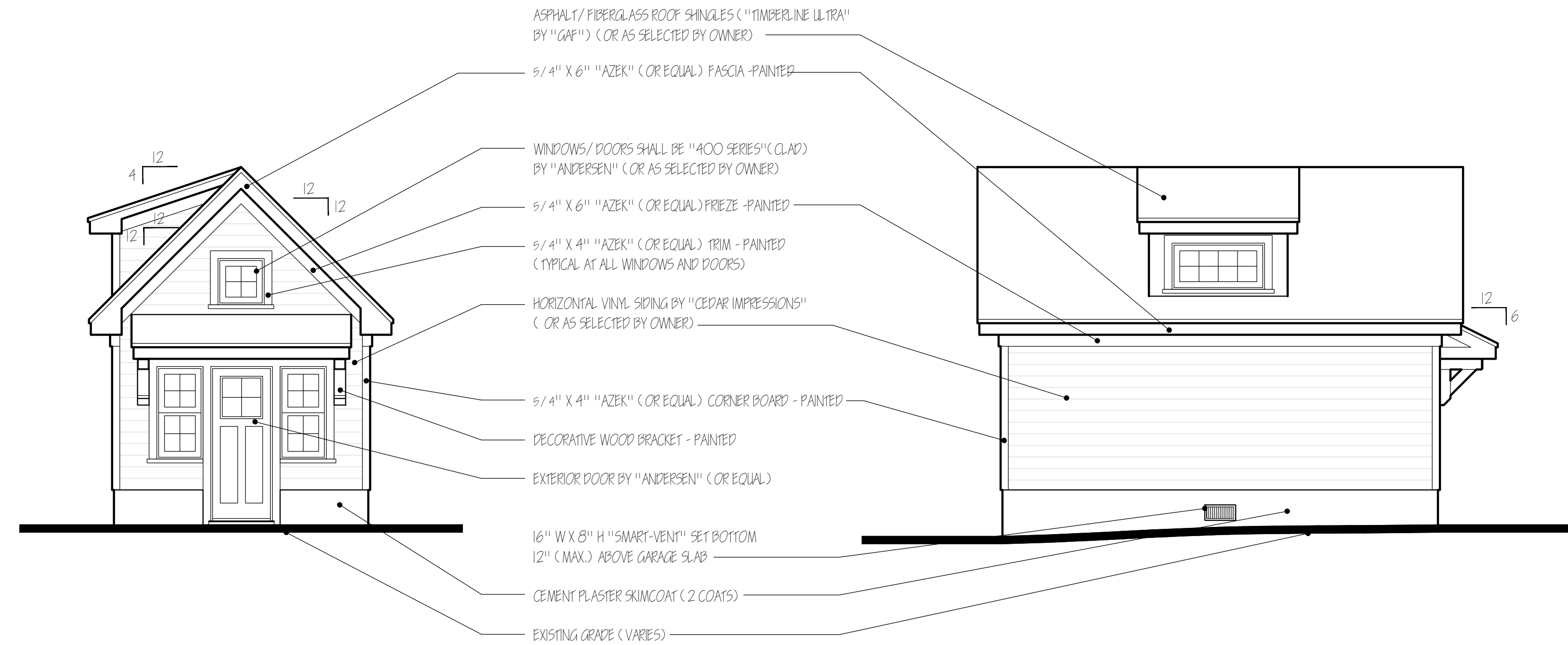
**BLOCK VENT NOTE:**  
PROVIDE "SMART VENT" MODEL #1940-520 FOR BLOCK WALLS FOR HYDROSTATIC RELIEF OF 200 SQ. FT. INSTALL AS PER MANUFACTURER'S SPECIFICATIONS. COORDINATE VENT COLOR WITH OWNER.  
- DETACHED GARAGE: 212 S.F. / 200 S.F. = 2 VENTS (2 REQ.)



**FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"



**GARAGE FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**GARAGE REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

**GARAGE RIGHT SIDE ELEVATION**  
SCALE: 1/4" = 1'-0"

PROPOSED GARAGE RECONSTRUCTION FOR  
**FARRELL**  
52 SHEPHERD AVE.  
HIGHLANDS, NJ

**DRAWING:**  
FOUNDATION PLAN  
GARAGE FLOOR PLAN  
GARAGE ELEVATIONS

**DATE:**  
NOVEMBER 11, 2021

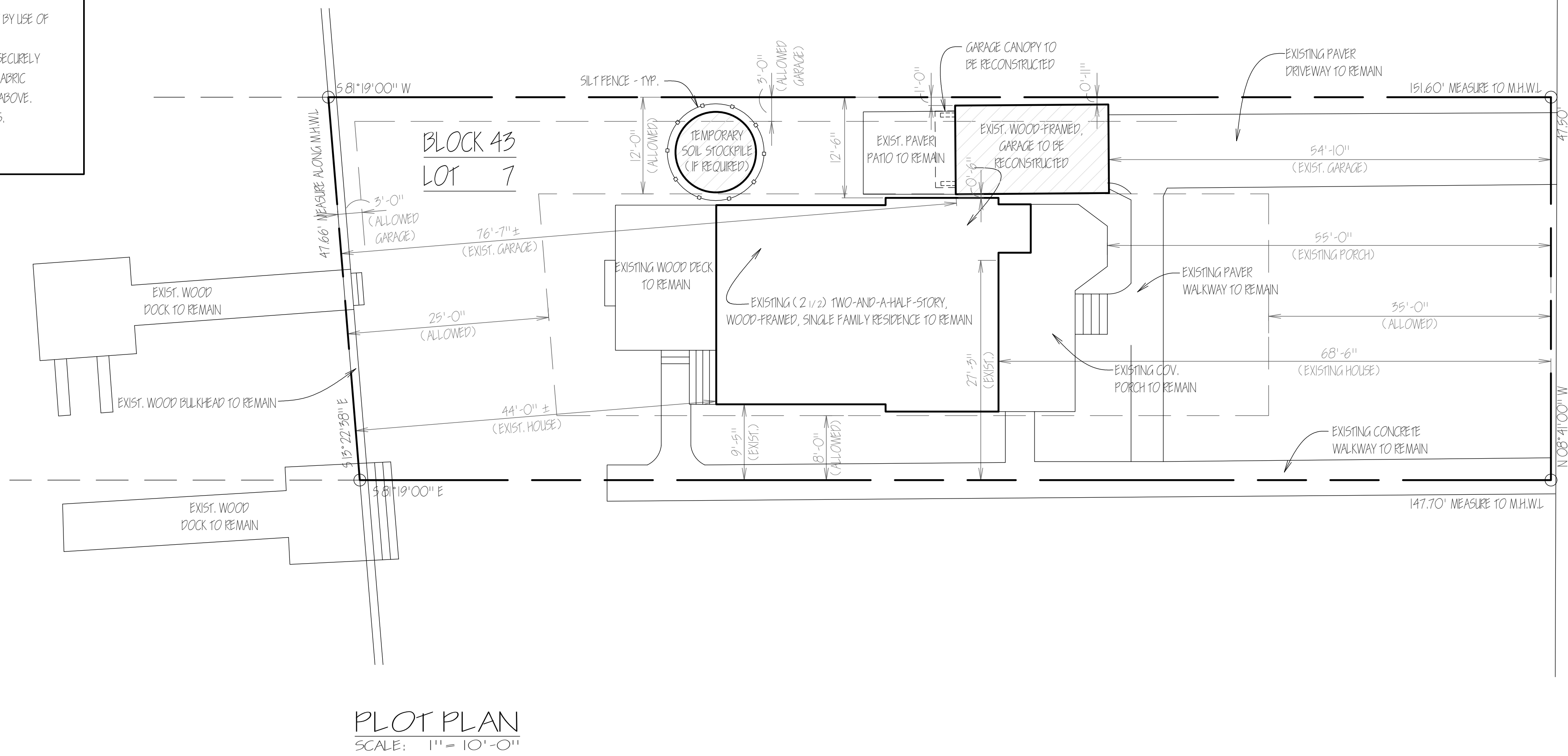
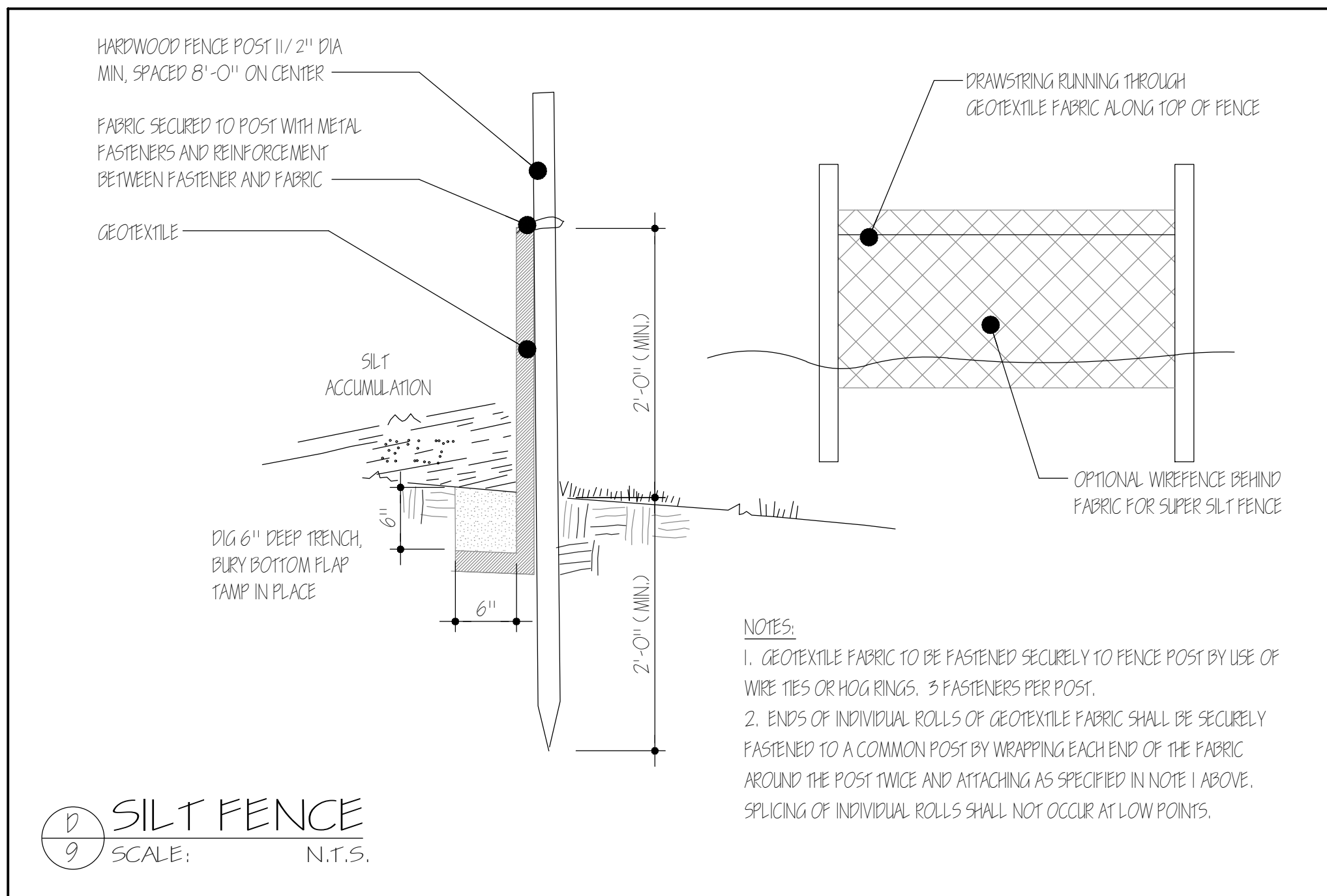
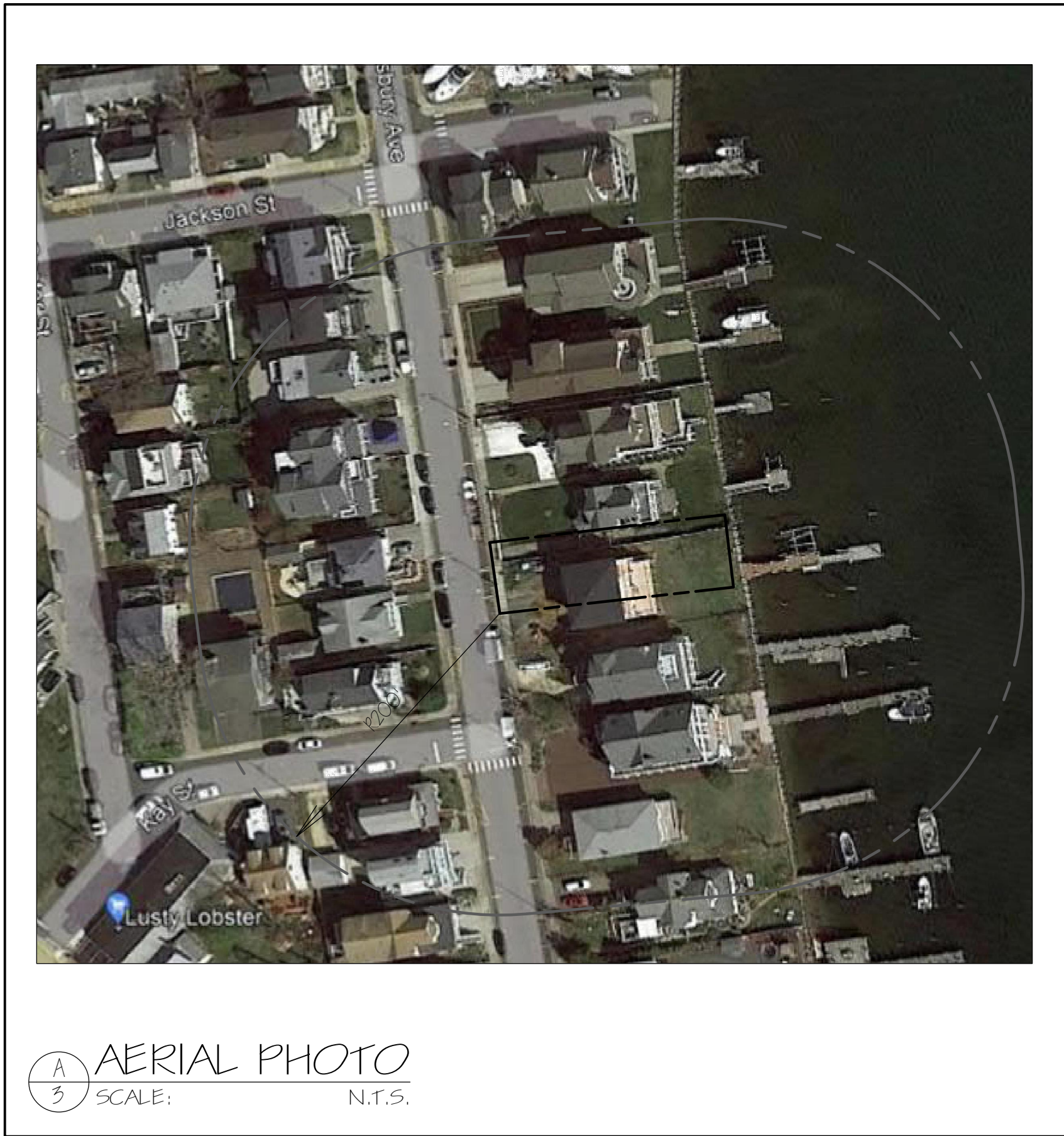
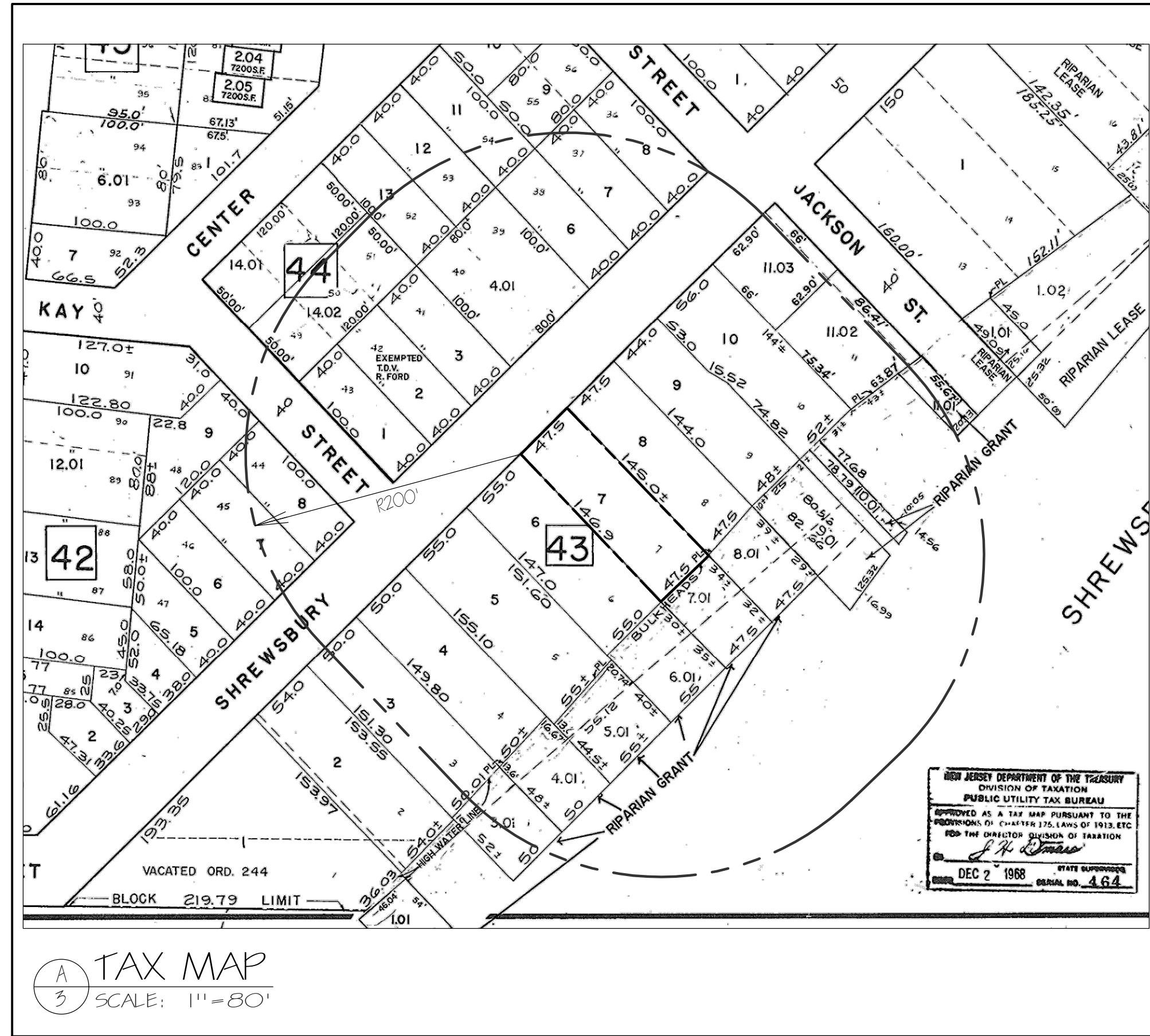
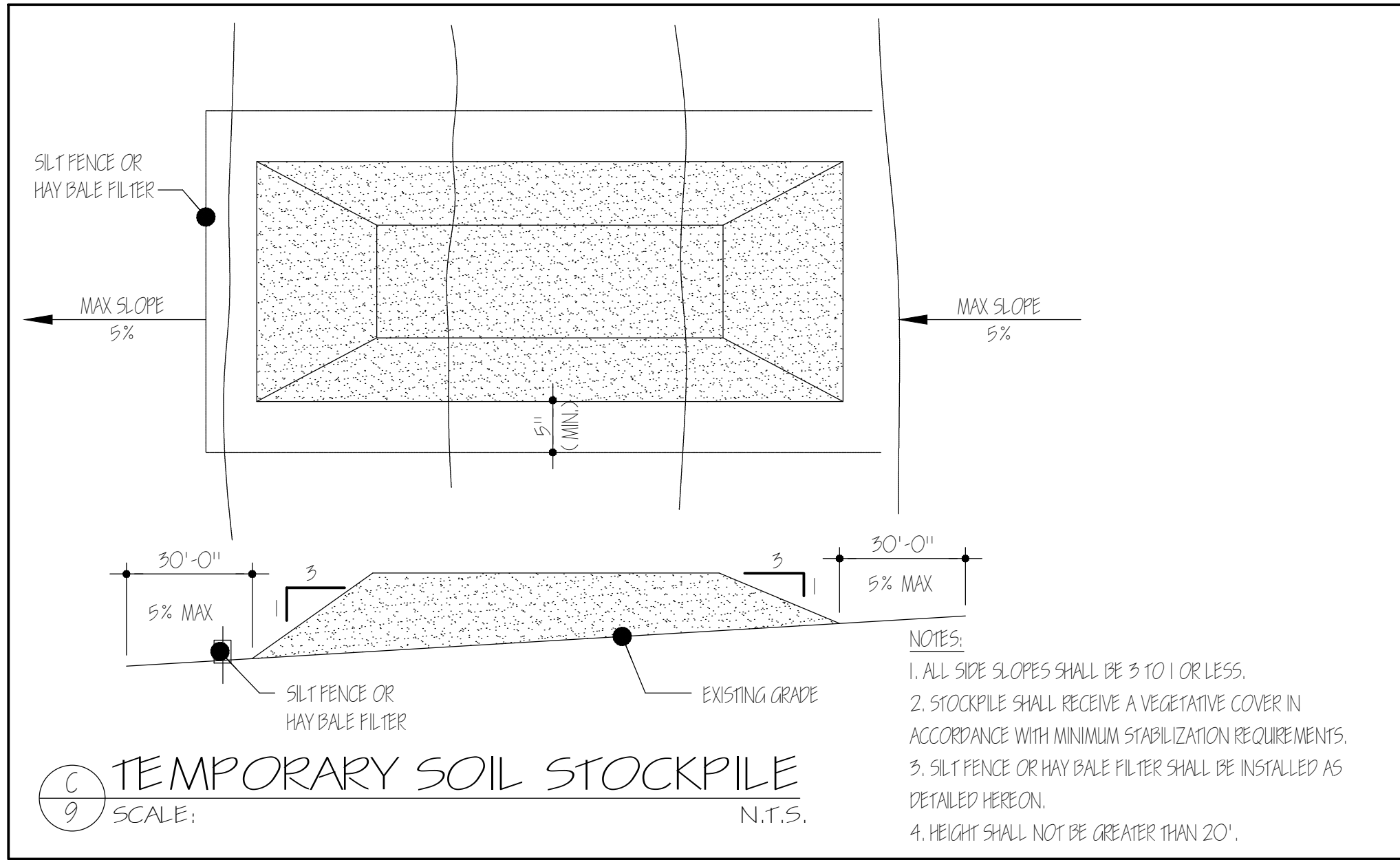
**REVISED:**

**ROBERT W. ADLER & ASSOCIATES, PA ARCHITECTS**  
WWW.RWAADLERASSOCIATES.COM  
Tel: 732-571-1010  
1049 Broadway West Long Branch, NJ 07744

**RWA**

**LICENSES:**  
NJ 10795  
NY 02685J  
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FL AR-100476

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**NOTE:**  
 INFORMATION TAKEN FROM SURVEY, PROVIDED BY OWNER, DONE BY, "THOMAS FINNIGAN LAND SURVEYING", BELFORD, NEW JERSEY AND DATED JUNE 18, 2019. REFER TO THOSE DRAWINGS FOR ANY ADDITIONAL NOTES AND DIMENSIONS.

PROPOSED GARAGE RECONSTRUCTION FOR  
**FARRELL**  
 52 SHREWSBURY AVE.  
 HIGHLANDS, NJ

**DRAWING:**  
 PLOT PLAN

**DATE:**  
 NOVEMBER 11, 2021

**REVISED:**

**ROBERT W. ADLER & ASSOCIATES, PA ARCHITECTS**  
 WWW.RWAADLERASSOCIATES.COM  
 Tel: 732-571-1010  
 1049 Broadway West Long Branch, NJ 07744

**LICENSES:**  
 NJ 10795  
 NY 02685J  
 MD 9678  
 PA RA-012365-B  
 FL AR-100476



HGPB- R1900

March 6, 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: Farrell Residence  
 32 Shrewsbury Avenue  
 Block 43, Lot 7  
 Waterfront Transition-Residential (WT-R) Zone  
 Minor Site Plan with variances  
 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, dated December 8, 2021.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, consisting of three (3) sheets.

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

**A. Project Description**

The 7,180 square feet property is currently developed with an existing two-story single family dwelling. The site is located in the Waterfront Transition Residential (WT-R) Zone with frontage along Shrewsbury Avenue. With this proposal, the applicant is seeking minor site plan approval with variance relief and proposes to reconstruct the existing partially constructed one-story wood framed garage located in the property’s side yard.

**B. Planning and Zoning**

In accordance with Section 21-93 of the Ordinance existing/proposed bulk deficiencies are noted as follows:

WT-R Zone	Required	Existing	Proposed
Minimum Lot Area (sf)	5,000	7,108	7,108
Minimum Lot Frontage (ft)	50	<b>47.5<sup>(E)</sup></b>	<b>47.5<sup>(E)</sup></b>
Minimum Lot Depth (ft)	100	147.7	147.7
Minimum Front Yard Setback (ft)	35	55	55



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

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First Engineering Review**

WT-R Zone	Required	Existing	Proposed
Minimum Rear Yard Setback (ft)	25	44	44
Minimum Side Yard Setback (ft)	8 / 12	8.5 / 12.5	8.5 / 12.5
Maximum Building Height (ft)	30	NS	NS
Lot Coverage	70%	36.35%	36.35%
Building Coverage	30%	19.39%	19.39%
Minimum Front Yard Setback, Accessory (ft)	55 (principal)	<b>54.8<sup>(V)</sup></b>	<b>54.8<sup>(V)</sup></b>
Minimum Side Yard Setback, Accessory (ft)	3	<b>0.90<sup>(V)</sup></b>	<b>0.90<sup>(V)</sup></b>
Minimum Rear Yard Setback, Accessory (ft)	3	76.58	76.58
Maximum Building Height, Accessory (ft)	15	NS	14.83

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

1. To be entitled to bulk variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A. 40: 55D-70c for the bulk variances:
  - a. Positive Criteria. The applicant must prove either a hardship in developing the site in conformance to the zone standards due to exceptional narrowness, shallowness, or shape of the property; or due to exceptional topographic conditions or physical features uniquely affecting the property; or due to an extraordinary and exceptional situation affecting the property or its lawful existing structures. Alternatively, the applicant may satisfy the positive criteria by demonstrating that the variance relief will promote a public purpose as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D-2) and thereby provide improved community planning that benefits the public and the benefits of the variance substantially outweigh any detriment.
  - b. Negative Criteria. The applicant must also show that the bulk variances can be granted without substantial detriment to the public good or substantially impairing the intent and purpose of the zone plan. This requires consideration of the impact of the proposed variances on surrounding properties and a determination as to whether or not the variance would cause such damage to the character of the neighborhood as to constitute a substantial detriment to the public good.





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

**Re: Farrell Residence  
32 Shrewsbury Avenue  
Block 43, Lot 7  
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Minor Site Plan with variances  
First Engineering Review**

**C. Technical Engineering Review**

1. The applicant shall provide testimony regarding the prior existence and/or approvals for the accessory garage that is the subject of this application, as well as the circumstances surrounding its demolition. Pursuant to Ordinance Section 21-98.C:

***Restoration.** If a nonconforming use or structure is deemed to be one hundred percent (100%) destroyed (damages equal to or greater than the full equalized value of the structure) by any cause whatsoever, it shall only be reestablished so as to conform to all zoning standards in the zone in which it is located. A nonconforming use or structure, which has been partially destroyed, such that it is deemed to be less than one hundred percent (100%) destroyed (damages less than the full equalized value of the structure) by any cause whatsoever, may only be repaired or rehabilitated to the same size on the same footprint, provided however, that the structure may be modified to conform with the requirements of Part 7, Flood Regulations.*

2. The subject property is located within the “AE” Flood Zone with a Base Flood Elevation (BFE) of 13 feet. 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.
3. 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.
4. The applicant shall provide testimony on how the garage was damaged and the need for its reconstruction.
5. 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.
6. Pursuant to Ordinance Section 21-65.10B (Landscaping and Street Trees), “In residential zones, street trees of at least two (2) to two and one-half (2-1/2) inch caliper will be required, planted a distance on center equivalent to no more than the width of their mature diameter. Where street trees are not appropriate because of views, existing vegetation, or other reason, the equivalent number of trees shall be located elsewhere on the lot”. The Board should determine if a street tree is required for this application.
7. The applicant shall provide testimony on any drainage impacts to the adjacent residential properties as a result of this application.



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

**Re: Farrell Residence  
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First Engineering Review**

8. A note shall be added to the plans stating that any/all existing curb, sidewalk, roadway, and other off-site objects damaged by construction should be repaired and/or replaced to the satisfaction of the Borough Engineer.
  
9. 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)  
Marianne Dunn, Zoning Officer (mdunn@middletownnj.org)  
Rob Knox, Land Use Board Chairman (rknox@highlandsborough.org)  
Annemarie Tierney, Land Use Board Vice Chairman (annemarie@liquidadvisors.com)  
Mark R. Aikins, Applicant's Attorney (maikins@aikinslaw.com)



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

**Re: Farrell Residence  
32 Shrewsbury Avenue  
Block 43, Lot 7  
Waterfront Transition-Residential (WT-R) Zone  
Minor Site Plan with variances  
First Engineering Review**



Photo taken from Shrewsbury Avenue 2-23-22



HGPB- R1900

January 21, 2021

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: Farrell Residence  
32 Shrewsbury Avenue  
Block 43, Lot 7  
Waterfront Transition-Residential (WT-R) 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, dated December 8, 2021.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, consisting of three (3) sheets.

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 provided, but not required for this application.**
6. The location and widths of existing and proposed streets servicing the site plan. **Partially provided. Width of existing street is not shown on the plans.**



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Borough of Highlands Land Use Board

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Block 43, Lot 7  
Waterfront Transition-Residential (WT-R) Zone  
First Completeness Review

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. **Not 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 provided, but not required for this application.**
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. **Not applicable.**
16. The nature and location of public and private utilities, including maintenance and solid waste disposal, recycling and/or storage facilities. **Not 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. **Not applicable.**
18. Preliminary architectural plans for the proposed buildings or structures indicating typical floor plans, elevations, heights and general design or architectural styling. **Provided. The proposed structure is located within the Limit of Moderate Wave Action (LimWA) in flood zone AE-13. Therefore, the plans should be designed in accordance with FEMA standards and the Borough of Highlands Flood Damage Prevention Ordinance requirements. I defer to the Borough Floodplain Manager for further review.**



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

**Re:** Farrell Residence  
32 Shrewsbury Avenue  
Block 43, Lot 7  
Waterfront Transition-Residential (WT-R) Zone  
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: Farrell Residence  
32 Shrewsbury Avenue  
Block 43, Lot 7  
Waterfront Transition-Residential (WT-R) 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:DV:KJO

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)  
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)  
Marianne Dunn, Zoning Officer (mdunn@middletownnj.org)  
Mark R. Aikins, Applicant's Attorney (maikins@aikinslaw.com)



HGPB- R1900

January 21, 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: Farrell Residence  
32 Shrewsbury Avenue  
Block 43, Lot 7  
Waterfront Transition-Residential (WT-R) Zone  
First Completeness Review**

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, dated December 8, 2021.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, consisting of three (3) sheets.

Please note the following fee calculations:

- |                            |                   |
|----------------------------|-------------------|
| <b>1. Application fee:</b> | <b>\$650.00</b>   |
| <b>2. Escrow fee:</b>      | <b>\$1,300.00</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

EWH:DV:KJO

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)  
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)  
Marianne Dunn, Zoning Officer (mdunn@middletownnj.org)  
Mark R. Aikins, Applicant's Attorney (maikins@aikinslaw.com)

G:\Projects\HGPB\R1900\Correspondence\Tran\_ EWH\_Farrell\_32 Shrewsbury Ave\_Fee and Escrow Calculation.docx





HGPB-R1900

DETERMINATION OF FEES  
32 Shrewsbury Avenue  
Block 43 Lot 7

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

A. Variances

3. Residential "c" (minimum accessory front yard)	1	EA	\$	125.00	\$	125.00
Residential "c" (minimum accessory side yard)	1	EA	\$	125.00	\$	125.00

B. Site Plans

2. Minor	1	EA	\$	400.00	\$	400.00
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**B. ESCROW FEES (Ord. 21-108)**

B. Escrow Deposits (twice Application Fee; Minimum \$750)	1	LS	\$	1,300.00	\$	1,300.00
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**Application fees subtotal** \$ 650.00

**Escrow fee subtotal** \$ 1,300.00

**Total** \$ 1,950.00

November 30, 2021

Mark Aikins, Esq.

Sent via email

RE: 32 Shrewsbury Avenue  
Block 43, Lot 7

Please be advised that the above referenced application re-construct an existing 212 s.f. detached garage has been reviewed for compliance with the Borough of Highlands Zoning Ordinance. The property is located in the WT-R zone.

The following approvals will be necessary:

- #21-78A.3                    Accessory structure not permitted closer to the front property line than the required front setback of the principle structure.**
- #21-78B.1a                Accessory structure setback: 3' is required, .11' is proposed**

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  
DEC 10 2021  
LAND USE BOARD

**MARK R. AIKINS, L.L.C.**  
COUNSELORS AT LAW  
AUTUMN RIDGE OFFICE PARK  
3350 ROUTE 138, BUILDING 1, SUITE 113  
WALL, NEW JERSEY 07719

**MARK R. AIKINS**  
E-MAIL: maikins@aikinslaw.com  
WEBSITE: www.aikinslaw.com

TELEPHONE: 732-280-2606

FACSIMILE: 732-280-8084

March 1, 2022

**Hand Delivered**

Ms. Nancy Tran  
Planning/Zoning Board Secretary  
Borough of Highlands  
42 Shore Drive  
Highlands, New Jersey 07732

Re: Kerry M. Farrell  
Block 43, Lot 7 (32 Shrewsbury Avenue)  
Borough of Highlands

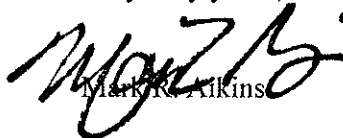
Dear Ms. Tran:

Enclosed please find the following documents in connection with the above matter which is scheduled for hearing before the Land Use Board on March 10, 2022:

- Certified list of property owners within 200 ft. of the above property
- Affidavit of Mailing
- Certified receipt cards
- Affidavit of Publication

Should you require additional information and/or documentation, please do not hesitate to contact me.

Very truly yours,

  
Mark R. Aikins

MRA:mb  
Enclosures

cc: Dr. Kerry M. Farrell, w/o/encs. (via e-mail)  
Robert W. Adler & Associates, P.A., w/o/encs. (via e-mail)

AFFIDAVIT OF PUBLICATION

Publisher's Fee \$0.00 Affidavit \$35.00

STATE OF WISCONSIN  
Brown County

Personally appeared D. Roberts at County of Brown, State of Wisconsin.

Of the **Asbury Park Press**, newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue dated as follows:

02/25/2022 A.D 2022

*Vicky Felty*  
Notary Public, State of Wisconsin, County of Brown  
9/19/25  
My commission expires

VICKY FELTY  
Notary Public  
State of Wisconsin

PUBLIC NOTICE  
BOROUGH OF HIGHLANDS LAND USE BOARD

PLEASE TAKE NOTICE that on Thursday, March 10, 2022 at 7:00 p.m. at the meeting of the Land Use Board, Borough of Highlands, 42 Shore Drive, Highlands, New Jersey 07732, or at such time as the Board may thereafter adjourn, a public meeting will be held with regard to the Application of KERRY M. FARRELL at which time and place all interested persons will be given an opportunity to be heard. The premises is designated on the Tax Map of the Borough of Highlands as BLOCK 43, LOT 7 and is located in the WT-R Zone.

The Applicant propose to re-construct an existing 212 square feet detached wood framed garage on the existing 2 1/2 story single family residence and seek the following variances from the Borough of Highlands Development Regulations:

Section 21-78A-3: Accessory Structure not permitted closer to the front property line than the required front setback of the principal structure. Principal structure is 55 feet and re-constructed existing garage proposed to remain at 54.80 feet.

Section 21:78B.1a: Accessory structure setback: 3 feet required, whereas .11 feet is proposed. Re-constructed existing garage proposed to remain at .11 feet.

In addition, the Applicant seeks any and all variances, waivers and/or related relief which may be necessary to approve the Application as proposed.

A copy of this Application and documents are on file with the Board Secretary, Borough of Highlands, 42 Shore Drive, Highlands, New Jersey 07732 and may be inspected Monday through Friday, 9:00 a.m. to 4:00 p.m.

MARK R. AIKINS, ESQUIRE  
Attorney for Applicant  
Applicant's Name: Kerry M. Farrell  
Address: c/o Mark R. Aikins, L.L.C.  
3350 Route 138, Building 1, Ste 113  
Wall, New Jersey 07719  
Telephone: 732-280-2606

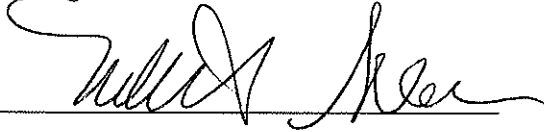
DATE OF PUBLICATION: FEBRUARY 25, 2022  
(\$55.44)

AFFIDAVIT OF MAILING

Millicent Bhalai, of full age, being duly sworn, according to law, deposes and says:

1. I am employed by the firm of Mark R. Aikins, LLC, attorney for the Applicant herein.

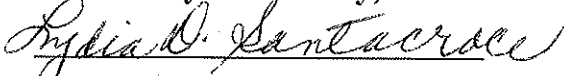
2. On February 24, 2022, I caused to be mailed via certified mail, return receipt requested, a Notice of Hearing (**Exhibit "A"**), of which the attached is a true copy, to the owners of property within two hundred (200') feet of the property designated as **BLOCK 43, LOT 7** on the Tax Map of the Borough of Highlands, shown on the attached lists (**Exhibit "B"**) which was provided by the Tax Collector, Borough of Highlands.



Millicent Bhalai

Sworn and Subscribed to before me

this <sup>24<sup>th</sup></sup> day of February, 2022



NOTARY PUBLIC, STATE OF N.J.

LYDIA D. SANTACROCE  
A NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES: 10/14/2026

**PUBLIC NOTICE**

**BOROUGH OF HIGHLANDS LAND USE BOARD**

**PLEASE TAKE NOTICE** that on **Thursday, March 10, 2022 at 7:00 p.m.** at the meeting of the Land Use Board, Borough of Highlands, 42 Shore Drive, Highlands, New Jersey 07732, or at such time as the Board may thereafter adjourn, a public meeting will be held with regard to the Application of **KERRY M. FARRELL** at which time and place all interested persons will be given an opportunity to be heard. The premises is designated on the Tax Map of the Borough of Highlands as **BLOCK 43, LOT 7** and is located in the **WT-R Zone**.

The Applicant propose to re-construct an existing 212 square feet detached wood framed garage on the existing 2 ½ story single family residence and seek the following variances from the *Borough of Highlands Development Regulations*:

*Section 21-78A-3:* Accessory Structure not permitted closer to the front property line than the required front setback of the principal structure. Principal structure is 55 feet and re-constructed existing garage proposed to remain at 54.80 feet.

*Section 21:78B.1a:* Accessory structure setback: 3 feet required, whereas .11 feet is proposed. Re-constructed existing garage proposed to remain at .11 feet.

In addition, the Applicant seeks any and all variances, waivers and/or related relief which may be necessary to approve the Application as proposed.

A copy of this Application and documents are on file with the Board Secretary, Borough of Highlands, 42 Shore Drive, Highlands, New Jersey 07732 and may be inspected Monday through Friday, 9:00 a.m. to 4:00 p.m.

Applicant's Name:	MARK R. AIKINS, ESQUIRE
Address:	Attorney for Applicant
	Kerry M. Farrell
Telephone:	c/o Mark R. Aikins, L.L.C.
	3350 Route 138, Building 1, Ste 113
	Wall, New Jersey 07719
	732-280-2606

**DATE OF PUBLICATION: FEBRUARY 25, 2022**

**EXHIBIT "A"**

UPDATED LIST



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

Date Issued: February 4, 2022

CERTIFICATION OF 200-FOOT LIST

BLOCK 43 LOT 7

PROPERTY LOCATION: **32 Shrewsbury Ave., Highlands, NJ 07732**

TO THE BEST OF MY KNOWLEDGE this is a true and accurate list, as of this date, taken from the most current tax records of the Borough of Highlands, NJ.

*The addresses on this list are pertinent to the Borough of Highlands exclusively. If the subject property is within 200 feet of a neighboring municipality, you MUST contact that municipality, to obtain a listing of any properties that may be inclusive in the 200 foot perimeter. THIS LIST IS VALID FOR 90 DAYS.*

A handwritten signature in black ink, appearing to read "Nancy Trah".

Nancy Trah, Acting Borough Clerk

2/4/2022 11:57 AM

\* If you are located within 200 feet of a State Highway, you **MUST** notify the NJ Department of Transportation:

✓ NJ Dept. of Transportation  
1035 Pkwy 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 2<sup>nd</sup> Floor  
One East Main St.  
PO Box 1255  
Freehold, NJ 07728

**EXHIBIT "B"**



*You must also notify all utilities located within the 200-foot range of the subject property:*

✓ **JCP&L**

300 Madison Avenue  
PO Box 1911  
Morristown, NJ 07960

✓ **NEW JERSEY AMERICAN WATER COMPANY**

Attn: Construction Department  
661 Shrewsbury Ave  
Shrewsbury, NJ 07702

✓ **COMCAST COMMUNICATIONS OF MONMOUTH COUNTY**

Ron Bertrand, Construction Foreman  
403 South St  
Eatontown, NJ 07724

✓ **VERIZON COMMUNICATIONS**

One Verizon Way  
Basking Ridge, NJ 07920

✓ **TOWNSHIP OF MIDDLETOWN SEWERAGE AUTHORITY**

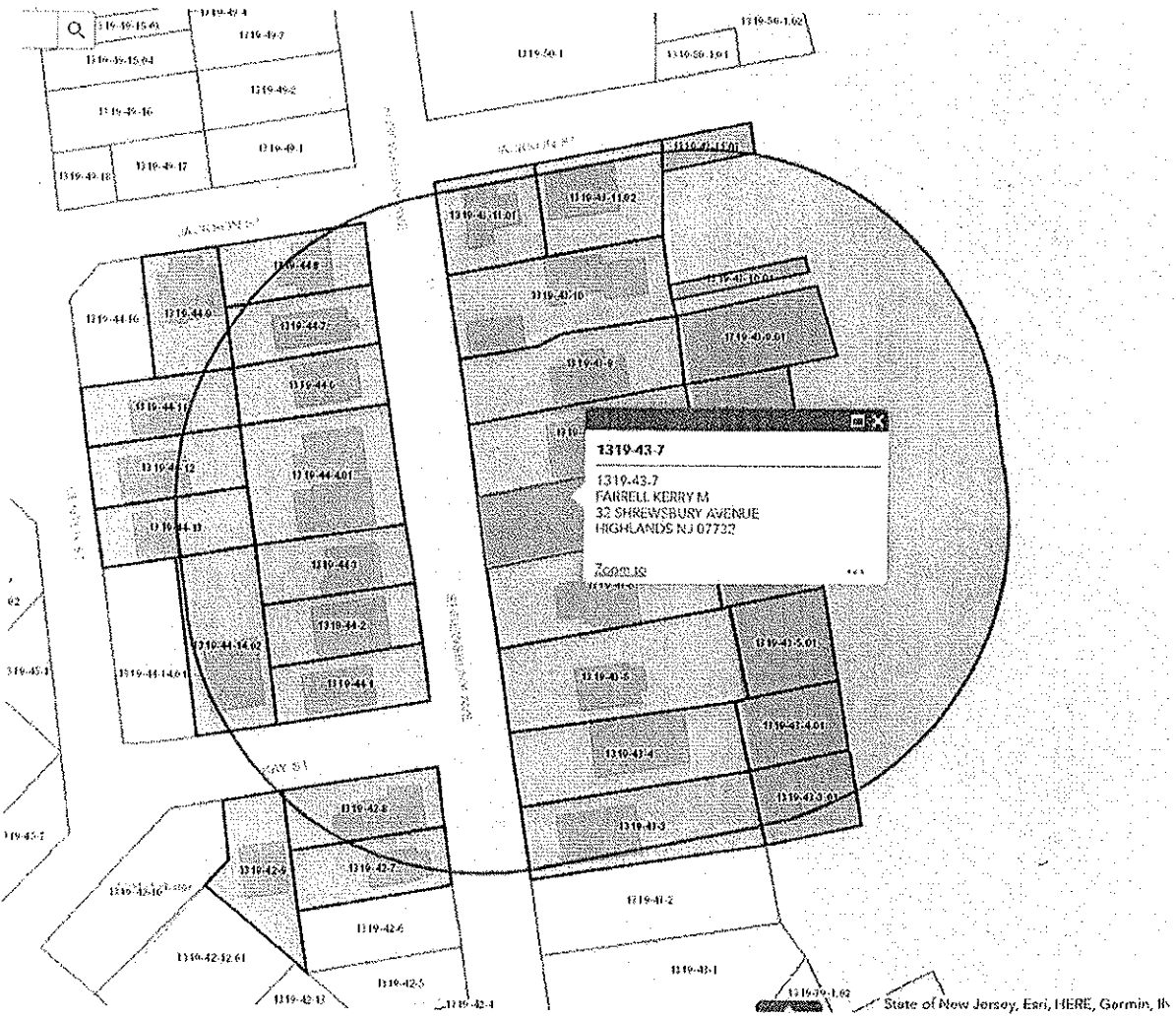
Raymond J. Nierstedt, P.E., Executive Director  
PO Box 205, 100 Beverly Way  
Belford, NJ 07718

✓ **NEW JERSEY NATURAL GAS COMPANY**

Attn: Joan Purcaro  
PO Box 1464  
1415 Wyckoff Road  
Wall, NJ 07719

✓ **MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY**

Attn: Executive Director  
200 Harbor Way  
PO Box 184  
Belford, NJ 07718



BI 43 Lot 7  
 32 Shrewsbury

✓ 1319-43-3.01  
REMIAS ROSE MARIE  
22 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-42-9  
KURDES LAWRENCE J & MARY-ALISON  
8 KAY ST  
HIGHLANDS NJ 07732

✓ 1319-43-4  
ZAZZARA JOSEPH & PAULETTE  
303 MOUNT PROSPECT RD  
FAR HILLS NJ 07931

✓ 1319-43-4.01  
ZAZZARA JOSEPH & PAULETTE  
303 MOUNT PROSPECT RD  
FAR HILLS NJ 07931

✓ 1319-44-13  
CUNNIFF MARGARET MARY  
13 CENTER STREET  
HIGHLANDS NJ 07732

✓ 1319-43-9  
JOHNSON THOMAS & ELIZABETH  
36 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-43-5.01  
IANNUCCI BARBARA  
P.O. BOX 775  
NANUET NY 10954

✓ 1319-44-6  
MISZKIEL JANINA O.  
33 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-44-8  
ROUSH JEFFERY BRIAN & SHARON WONG  
37A SHREWSBURY AVE  
HIGHLANDS NJ 07732

✓ 1319-43-6.01  
METZIA TWO LLC  
3 MARIUS LANE  
SEA BRIGHT NJ 07760

✓ 1319-44-14.02  
CASSIDY STEPHEN & CAROL LEE  
7 KAY STREET  
HIGHLANDS NJ 07732

✓ 1319-43-6  
SENDOWSKI OREN  
41 CARMINE STREET  
NEW YORK NY 10014

✓ 1319-43-7.01  
FARRELL ROBERT  
32 SHREWSBURY AVE  
HIGHLANDS NJ 07732

✓ 1319-42-7  
MENZA DAN & KAREN  
19 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-43-8.01  
NESKE TIMOTHY B. & MARA  
34 SHREWSBURY AVE  
HIGHLANDS NJ 07732

✓ 1319-42-8  
LEVY SCOTT  
4 SANT FRANCIS PLACE  
BROOKLYN NY 11216

✓ 1319-43-10.01  
MARKOU GEORGE & CECELIA  
177 HOWARD BLVD.  
MT ARLINGTON NJ 07856

✓ 1319-43-5  
BADAMI ANGELA  
P.O. BOX 775  
NANUET NY 10954

✓ 1319-43-11.01  
CHRISTIE SEAN & JOSEPHSON MERYL  
1 JACKSON AVENUE  
HIGHLANDS NJ 07732

✓ 1319-43-8  
NESKE TIMOTHY C & MARA  
34 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-43-9.01  
JOHNSON THOMAS & ELIZABETH  
33 OVERLOOK ROAD  
BLOOMINGDALE NJ 07403

✓ 1319-43-7  
FARRELL KERRY M  
32 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-44-3  
BEYER GERALD  
27 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-43-10  
MARKOU GEORGE & CECELIA  
177 HOWARD BLVD.  
MT ARLINGTON NJ 07856

✓ 1319-44-7  
FRANCOLINO FAMILY LLC  
35 EAST LOOP ROAD  
STATEN ISLAND NY 10304

✓ 1319-43-11.02  
CHRISTIE SEAN & MERYL  
1 JACKSON STREET  
HIGHLANDS NJ 07732

✓ 1319-44-9  
COPPOTELLI FRANK  
21 JACKSON STREET  
HIGHLANDS NJ 07722

✓ 1319-43-11.03  
SABATINI KENNETH & KIMBERLY  
40 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-44-1  
HART CINDY  
23 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-44-11  
RECK FRANZ & DELL HEATHER  
17 CENTER STREET  
HIGHLANDS NJ 07732

✓ 1319-43-3  
REMIAS ROSE MARIE  
22 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-44-4.01  
TIERNEY ANNEMARIE  
29 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-44-2  
GOLDENBERG CARA  
25 SHREWSBURY AVENUE  
HIGHLANDS NJ 07732

✓ 1319-44-12  
MAMBELLI JULIAN & HOXHA LINDA  
15 CENTER STREET  
HIGHLANDS NJ 07732

*Baro Clerk*

✓ 8  
39  
2/24/2022