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APR 28 2023

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

LAND USE BOARD APPLICATION

FOR OFFICIAL USE		Ck# 259	ck#260
Date Rec'd: 05/02/2023	Application #: LUB2023-03	Fee: \$250	Escrow: \$750

1. APPLICANT

Name: Kerry M. Farrell
 Address: P.O. Box 129
 City: Spring Lake State: NJ Zip: 07762
 Phone: [REDACTED]
 Email: [REDACTED]
 Relation to property: Owner

2. OWNER

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

3. TYPE OF APPLICATION (Check all that apply)

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

4. PROPERTY INFORMATION

Block 43 Lot(s) 7 Address: 32 Shrewsbury Avenue
 Lot size 7,180 s.f. # of Existing Lots 1 # of Proposed Lots 1
 Zone WT-R 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 Current Sewer paid through Current

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

Name: Thomas J. Hirsch
 Address: 3350 Rt. 138, Bldg. 1, Suite 214, Wall, NJ 07719
 Phone: 732-280-2100 Email: thomasjirsch@aol.com



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

Name: Robert W. Adler, Architect
 Address: 1049 Broadway West
Long Branch, NJ 07764
 Phone: 732-571-1010
 Email: radler@rwadlerassociates.com

Name: _____
 Address: _____

 Phone: _____
 Email: _____

7. LAND USE

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

_The property has always been utilized as a single-family home which home exists today. The house historically also had an attached one-car garage which was severely damaged during Sandy. Applicant sought a variance to rebuild the garage, however, sought to have a second level for additional storage whereas the original garage was only one story. Applicant sought to put the garage over the same foundation of the original garage and therefore required a side yard setback. That application was originally granted unanimously; however, as a result of a notice issue, the application had to be reheard at which time the application did not receive a majority vote and therefore was denied. Applicant now files a new application with a redesigned one-story attached garage emulating the original garage which requires a side yard setback variance. The front façade of the principal dwelling is set back from the front yard property line by approximately 68.5 feet where only 35 feet is required. The proposed garage, which is being built over the existing slab from the original garage, may be slightly closer to the front yard than the existing façade of front porch. Applicant does not believe they need a front yard setback; however, if one is needed, applicant requests same.

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.

C. ADDITIONAL INFORMATION:

		Existing	Proposed
Residential:	How many dwelling units?	<u>1</u>	<u>1</u>
	How many bedrooms in each unit?	<u>N/A</u>	<u> </u>
	How many on-site parking spaces?	<u>N/A</u>	<u> </u>
Commercial:	How many commercial uses on site?	<u>N/A</u>	<u> </u>
	How many on-site parking spaces?	<u>N/A</u>	<u> </u>



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

	Req'd	Exist.	Prop'd
Minimum Lot Requirements			
Lot Area	5,000	N/A	N/A
Frontage	50	47.5	47.5
Lot Depth	100	147.7	147.7
Minimum Yard Requirements			
Front Yard Setback	35	68.5*	68.5*
2 nd Front Yard Setback		55**	55**
Rear Yard Setback	25	44*	44*
Side Yard Setback, right			
Side Yard Setback, left			
Building Height	30		

	Req'd	Exist.	Prop'd
Accessory Structures			
Fence/Wall Height	N/A	N/A	N/A
Garage/Shed Height	15	14.83	10.5
Garage/Shed Area			
Pool Setback	N/A	N/A	N/A
Parking Requirements			
On-site Parking Spaces	N/A	N/A	N/A
Other (please add)			
*House			
**Covered Porch			

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

Applicant is reconstructing the garage over the existing concrete slab for the original garage and the side yard setback is 0.90 feet existing and proposed. As set forth under #7, applicant does not believe a front yard setback variance is required, however, requests same if the Board determines it's required for some reason.



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10. NOTARIZED SIGNATURE OF APPLICANT

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

SWORN & SUBSCRIBED to before me this
24 day of April 2023 (year)
Barbara D. McArthur (notary)
(Seal)

Kerry M Farrell 4/24/23
Signature Date

Kerry M. Farrell

BARBARA D. McARTHUR
Notary Public, State of New Jersey
Comm. # 50072671
My Commission Expires 11/28/2027

11. NOTARIZED CONSENT OF OWNER

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

SWORN & SUBSCRIBED to before me this
24th day of April 2023 (year)
Barbara D. McArthur (notary)
(Seal)

Kerry M Farrell 4/24/23
Signature Date

Kerry M. Farrell

BARBARA D. McARTHUR
Notary Public, State of New Jersey
Comm. # 50072671
My Commission Expires 11/28/2027

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).

**Request for Taxpayer
Identification Number and Certification**

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Give Form to the requester. Do not send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

LAND USE BOARD

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Kerry M. Farrell

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
PO Box 129

6 City, state, and ZIP code
Spring Lake NJ 07762

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

or

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶ *Kerry M Farrell*

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

THOMAS J. HIRSCH

ATTORNEY AT LAW

AUTUMN RIDGE OFFICE PARK
3350 ROUTE 138, BUILDING 1, SUITE 214
WALL, NEW JERSEY 07719

(732) 280-2100
TELEFAX (732) 280-2104
email: thomasjirsch@aol.com

April 27, 2023

Ms. Nancy Tran
Land Use Board Secretary
Borough of Highlands
42 Shore Drive
Highlands, NJ 07732

Re: 32 Shrewsbury Avenue
Block 43, Lot 7
Kerry M. Farrell

RECEIVED
APR 28 2023
LAND USE BOARD

Dear Ms. Tran:

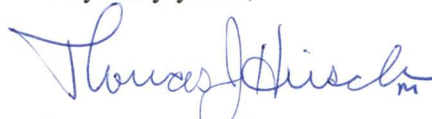
I represent the applicant, Kerry M. Farrell, in the above matter. Enclosed please find the following documents pertaining to her application for a variance:

1. Original plus 3 copies of application
2. 4 sets of sealed architectural plans
3. Check #259 in the amount of \$250 made payable to the Borough of Highlands representing the required application fee
4. Check #260 in the amount of \$750 made payable to the Borough of Highlands representing the required escrow fee

When the application has been deemed complete, please advise as to a date for the hearing.

If you have any questions, please don't hesitate to contact me.

Very truly yours,



THOMAS J. HIRSCH

TJH:bm
Enclosures

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 WITH BREAK AWAY WALL PANELS AND V-ZONE CONSTRUCTION. 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 (AREA TO REMAIN)	DETACHED GARAGE (COVERED BY CANOPY)	FRONT PORCH (AREA TO REMAIN)	DECK (AREA 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	10' - 6" (GARAGE ROOF HEIGHT)
AREA-LARGEST FLOOR	914 SF. (EXIST. HOUSE FIRST FLOOR) 212 SF. (DETACHED GARAGE)
CONSTRUCTION CLASSIFICATION	5B IBC 2018
FEWA FLOOD ZONE	AE-15 (V-ZONE CONSTRUCTION)

ZONING SCHEDULE

W/F/R	WATERFRONT RECREATION-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.	147.70 FT.	147.70 FT.
	MAX. LOT COVERAGE	4,976.00 SF. (55%)	2,984.00 SF. (36.35%)	2,984.00 SF. (36.35%)
	MAX. BLDG. COVERAGE	2,192.00 SF. (25%)	1,978.00 SF. (19.99%)	1,402.00 SF. (19.72%)
BUILDING:	MIN. FRONT SETBACK	35.00 FT.	64.80 FT. (HOUSE) 55.00 FT. (COV. PORCH)	64.80 FT. (HOUSE) 55.00 FT. (COV. PORCH)
	MIN. SIDE SETBACK	8.00 FT.	8.50 FT.	8.50 FT.
	MIN. CORN. SETBACK	20.00 FT.	21.00 FT.	21.00 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. * * (ROOF CANOPY)
	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)	10.50 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 (471 SF. - NOT COVERED BY CANOPY)
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 (94 SF. - NOT COVERED BY CANOPY)	EXISTING PAVEMENT (94 SF. - NOT COVERED BY CANOPY)
	PROPOSED CANOPY (24 SF.)

NOTES:
1. ACCESSORY STRUCTURES FRONT SETBACKS: EXISTING NON-CONFORMING CONDITION WITH ACCESSORY STRUCTURE IN THE FRONT YARD, AS PER THE HIGHLANDS ZONING ORDINANCE, SECTION 21-78A.3. 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

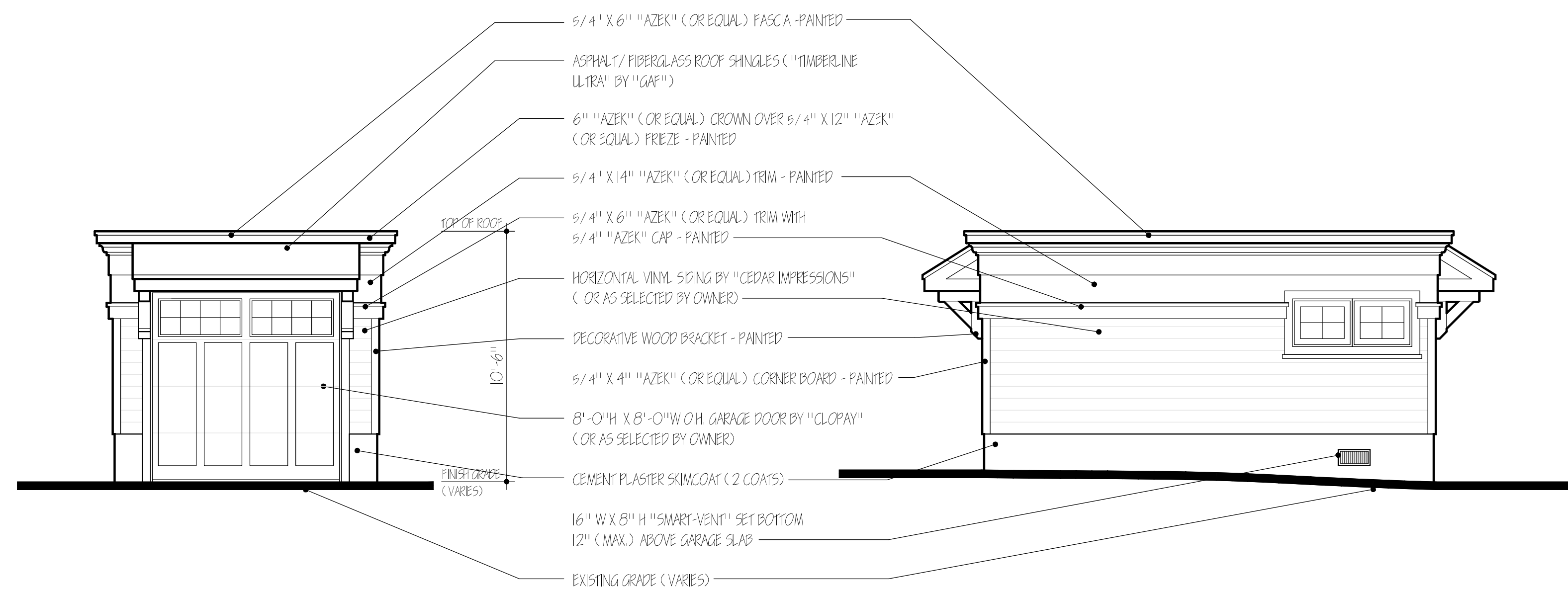
REVISED:
FEBRUARY 15, 2023
APRIL 9, 2023

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

RWA
1049 Broadway West Long Branch, NJ 07764

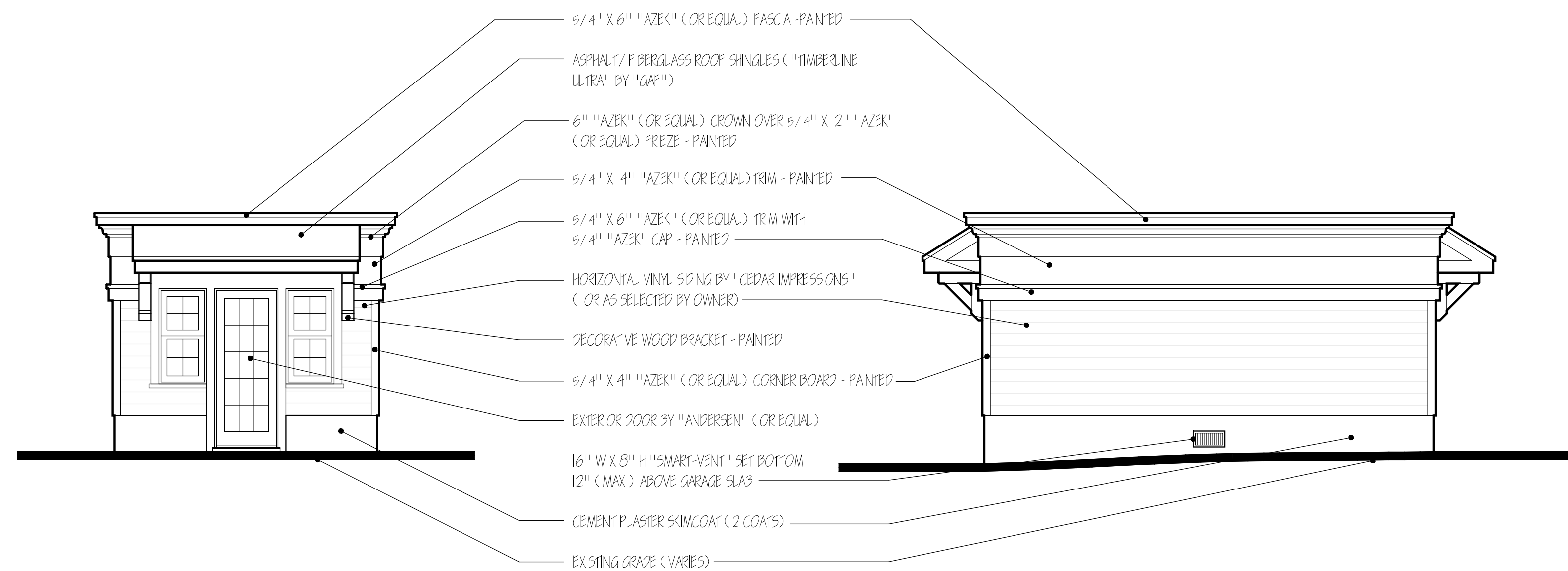
LICENSES:
NJ 10795
NY 02685J
MD 9678
PA RA-012365-B
FL AR-100474

1 OF 3



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

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



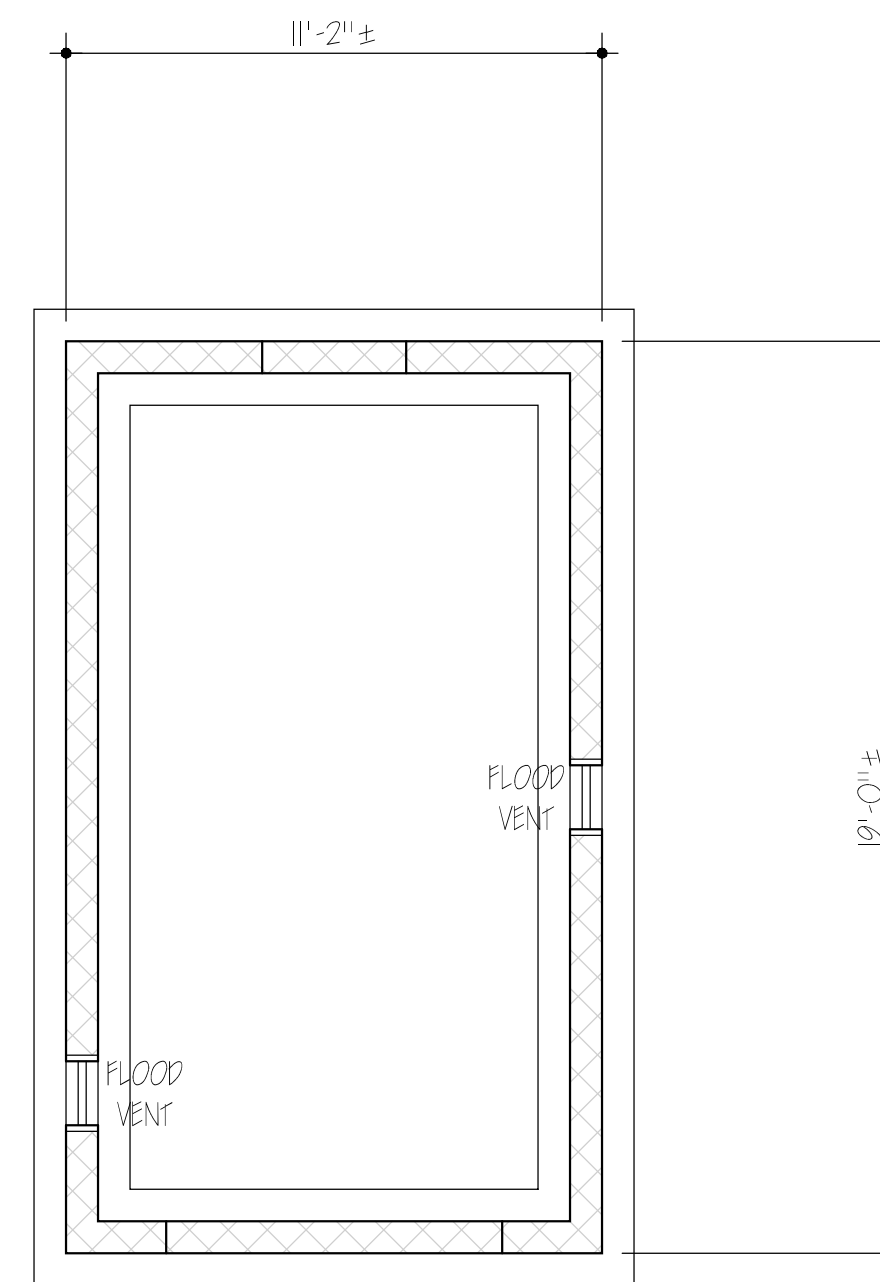
GARAGE REAR ELEVATION
SCALE: 1/4" = 1'-0"

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

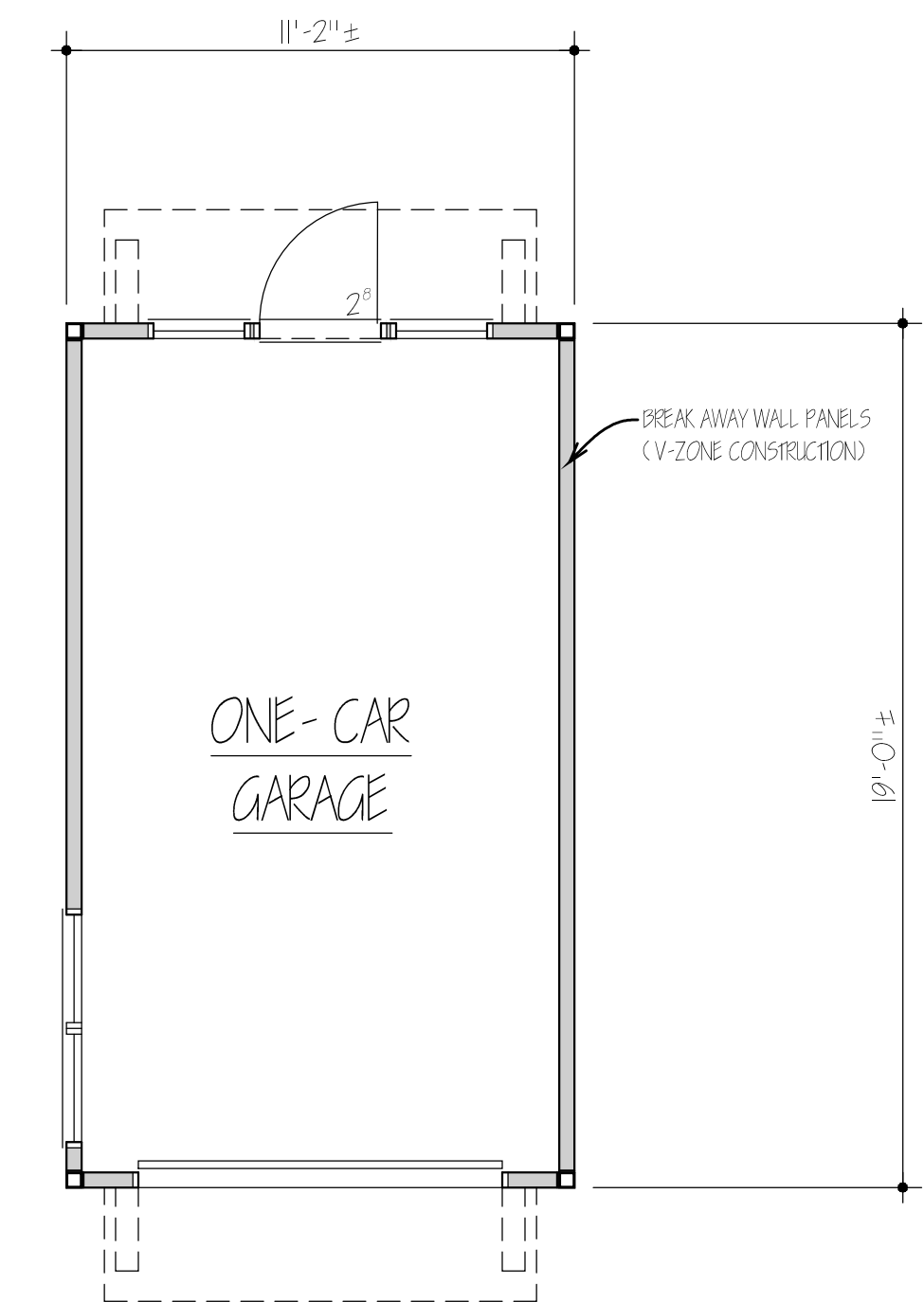
BLOCK VENT NOTE:

PROVIDE "SMART VENT" MODEL #1940-920 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"

PROPOSED GARAGE RECONSTRUCTION FOR
FARRELL
52 FREYBERG AVE.
HIGHLANDS, NJ

DRAWING:
FOUNDATION PLAN
GARAGE FLOOR PLAN
GARAGE ELEVATIONS

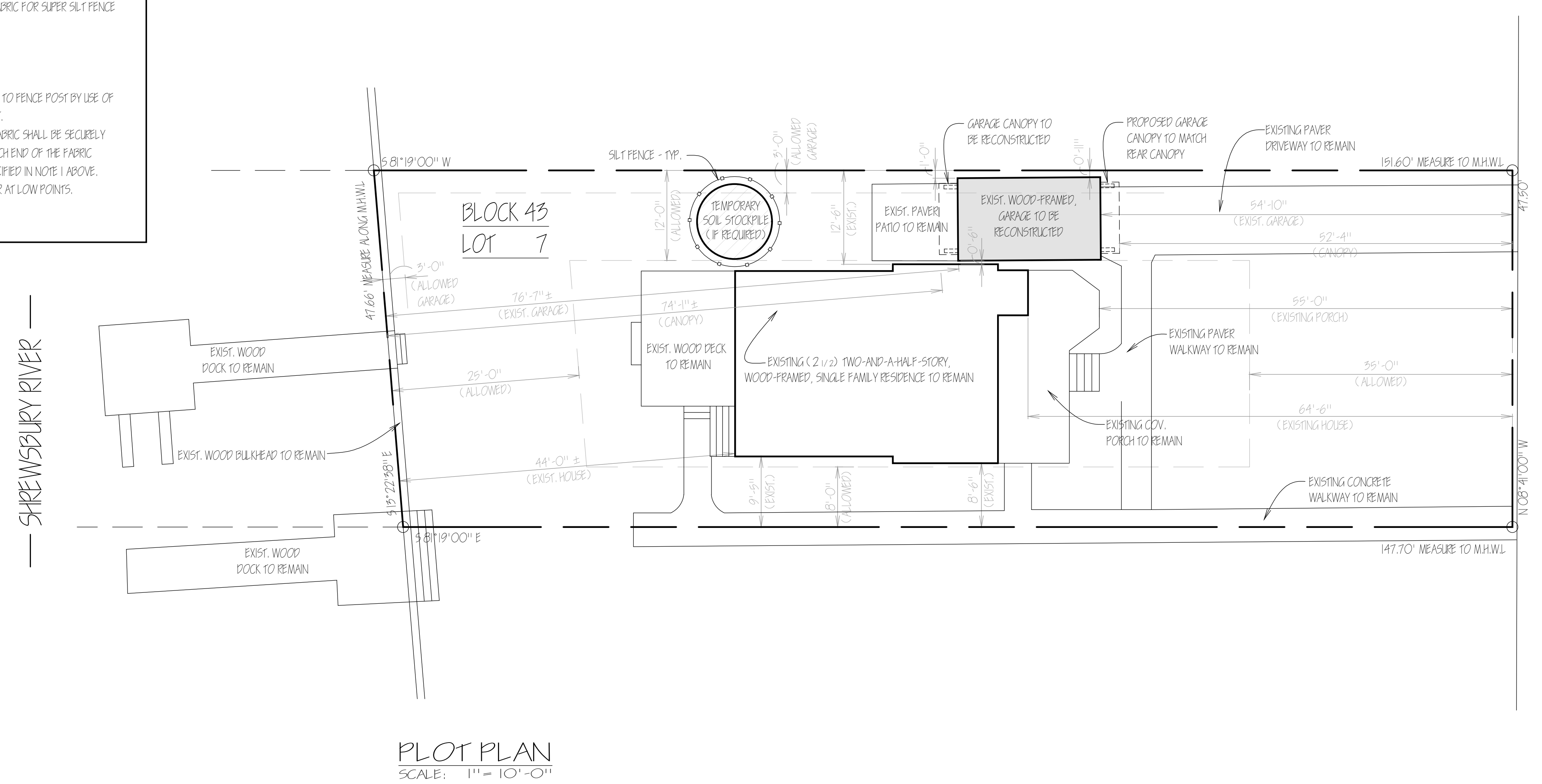
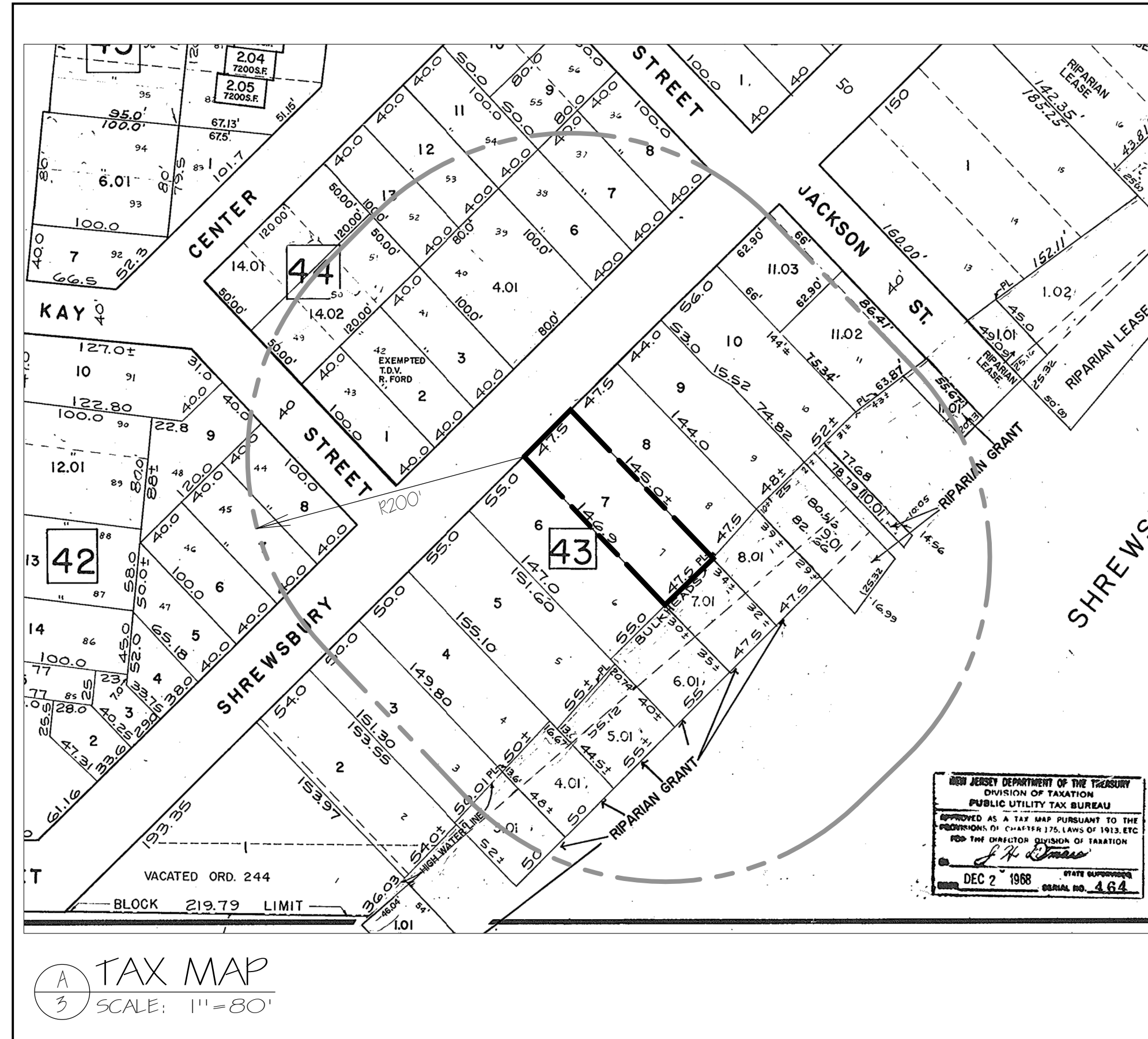
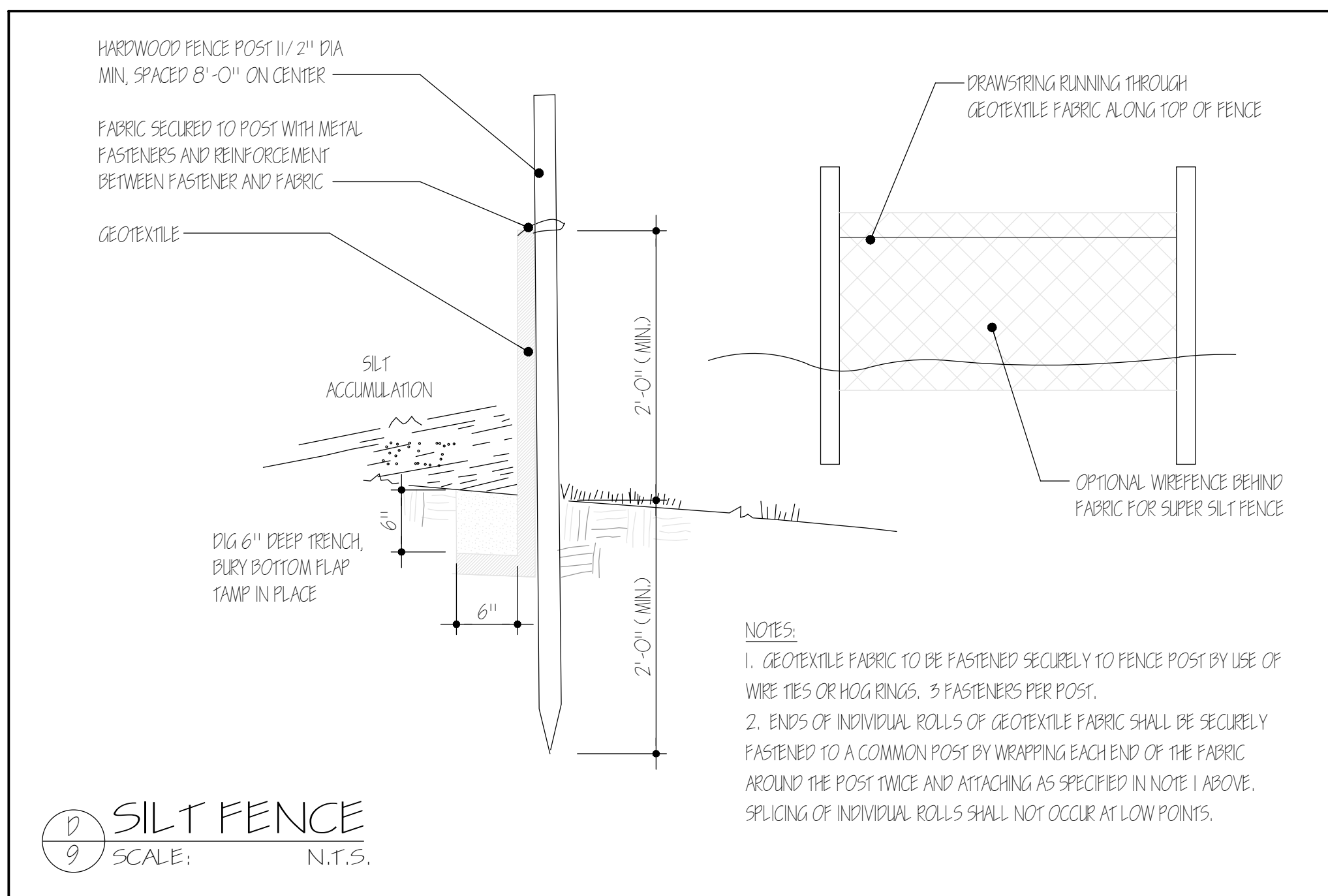
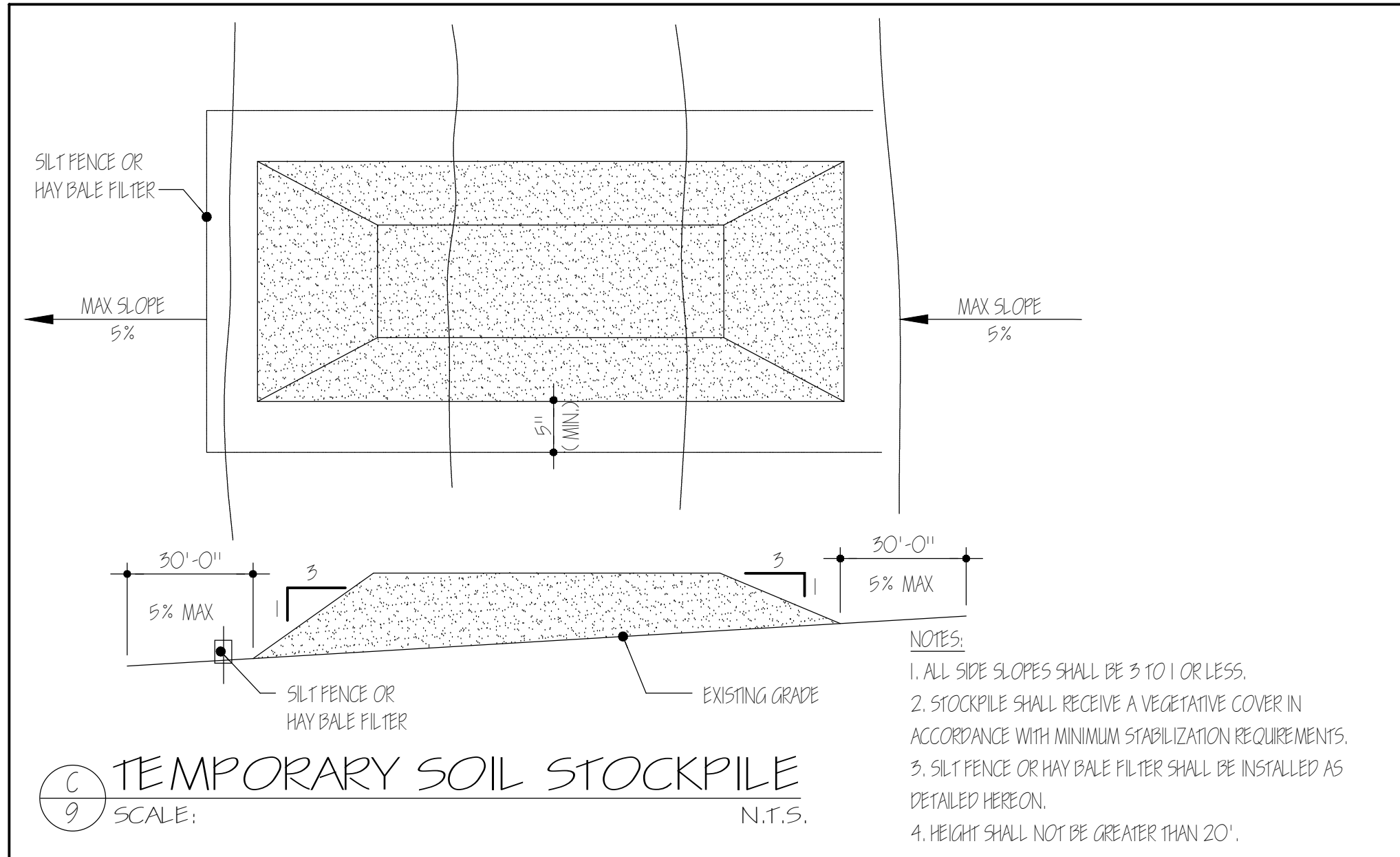
DATE:
NOVEMBER 11, 2021

REVISED:
FEBRUARY 19, 2023
APRIL 9, 2023

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



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



NOTE:
INFORMATION TAKEN FROM SURVEY, PROVIDED BY OWNER, DONE BY, "THOMAS PINNEGAN 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, 2023

REVISED:
FEBRUARY 15, 2023
APRIL 9, 2023

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
MD 9678
PA RA-012365-B
FL AR-100474

3 OF 3



HGPB- R1901

June 15, 2023

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 April 24, 2023.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, last revised May 3, 2023, 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. **Partially provided. The applicant shall revise the plot plan to include existing/proposed building setbacks and required setback lines.**
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.**



**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**

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, but not particularly relevant to this application.**
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 applicable.**
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. The applicant shall confirm that existing utilities will be reused, and no new utilities lines or service connections are proposed.**
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,**



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

Re: Farrell Residence
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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.

- 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 applicable.**
- 22. Certification statement for the required municipal signatures, stating: **Not applicable.**
 - 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 some of the 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 applicant shall also provide the following prior to the Board Hearing;

- 1. Updated plan showing the existing and proposed setbacks and required setback lines.
- 2. The plan shall include additional detailing of the roof drains associated with the proposed garage including location and direction of discharge.



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

Re: Farrell Residence
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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 have been properly posted.**

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:EJC

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)
Thomas J. Hirsch, Applicant's Attorney (thomasjhirsch@aol.com)



HGPB- R1901

June 15, 2023

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
Determination of Fees**

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 April 24, 2023.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, last revised May 3, 2023, consisting of three (3) sheets.

Please note the following fee calculations:

- | | |
|----------------------------|-------------------|
| 1. Application fee: | \$650.00 |
| 2. Escrow fee: | \$1,300.00 |

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:GTG:EJC

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)
Thomas J. Hirsch, Applicant's Attorney (thomasjhirsch@aol.com)

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HGPB-R1901

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



HGPB- R1901

July 11, 2023

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, stamped received on April 28, 2023.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, last revised April 3, 2023, 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 7,108 square foot 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. The applicant applied to the Board previously seeking approval for a detached garage that was 14’-10” from the ground to the midline of a side dormer on a typical A-frame structure. The current proposal is for a detached garage in the same general location, with a single-story flat-roofed structure with a total height from ground to top of roof of 10’-6”.

B. Planning and Zoning

In accordance with Section 21-93 of the Ordinance existing/proposed bulk conditions 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	47.5 ^(E)	47.5 ^(E)



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WT-R Zone (continued)	Required	Existing	Proposed
Minimum Lot Depth (ft)	100	147.7	147.7
Minimum Front Yard Setback (ft)	35	55	55
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%	19.72%
Minimum Front Yard Setback, Accessory (ft)	55 (principal)	54.8^(V)	54.8^(V)
Minimum Side Yard Setback, Accessory (ft)	3	0.92^(V)	0.92^(V)
Minimum Rear Yard Setback, Accessory (ft)	3	76.58	76.58
Maximum Building Height, Accessory (ft)	15	NA	10.5

- (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



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Borough of Highlands Land Use Board**

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First Engineering Review**

would cause such damage to the character of the neighborhood as to constitute a substantial detriment to the public good.

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 applicant notes an eleven-inch (11”) side yard setback to the proposed accessory garage from the southerly side property line abutting lot 6. It is presumed that this dimension is to the lower foundation wall. The elevations show additional eaves/decorative trim that expand the total width of the proposed building. The applicant should provide testimony and a sketch of the front elevation detailing the setbacks at the top of the building, including any gutters so that the outer limit of the structure and appurtenances is identified in relation to the side property line.
3. 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.
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. The applicant shall provide testimony on how the garage was damaged and the need for its reconstruction.
6. 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.



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

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7. 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.
8. The applicant shall provide testimony on any drainage impacts to the adjacent residential properties as a result of this application. Gutters/downspouts should be shown if proposed. It is unclear how the flat roof will be drained.
9. 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.
10. 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

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 Chairwoman (annemarie@liquidadvisors.com)
Thomas J. Hirsch, Applicant’s Attorney (thomasjhirsch@aol.com)
Robert Adler, AIA, Applicant’s Architect (radler@rwadlerassociates.com)



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

**Re: Farrell Residence
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Photo taken from Shrewsbury Avenue 2-23-22