



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: 6/22/2022 Application #: 2022-05 Fee: \$375 Escrow: \$750

1. APPLICANT

Name: David Link
 Address: 72 4th Street
 City: Highlands State: NJ Zip: 07732
 Phone: (848) 468 7998
 Email: ddlson3@yahoo.com
 Relation to property: owner

2. OWNER

Name: David Link
 Address: 72 4th St
 City: Highlands State: NJ Zip: 07732
 Phone: (848) 468-7998
 Email: DDLson3@yahoo.com

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 105 Lot(s) 25 Address: 72 Fourth Street, 07732
 Lot size 27.5 x 100 # of Existing Lots one # of Proposed Lots one
 Zone R-202 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 2021 Sewer paid through 2021

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

Name: N/A
 Address: _____
 Phone: _____ Email: _____

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

Name: Salvatore La Ferlita
Address: 115 University Dr
Lincroft NJ 07738
Phone: 732 1073 1347
Email: SALLAFERLITA@aol.com
(Architect)

Name: Andrew Stockton
Address: 31 Grand tour
Highlands NJ 07732
Phone: 732 872 7736
Email: ARSTOCKTON@gmail.com
(engineer)

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.

Abandoned house / Bank owned

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.

Proposed use: New home construction
Not for subdividing, Not for sale, single family,
trash disposal by township regulations, grass/stone
landscaping, primary residence

C. ADDITIONAL INFORMATION:

	Existing	Proposed
Residential: How many dwelling units?	<u>0</u>	<u>one</u>
How many bedrooms in each unit?	<u>0</u>	<u>3 one unit</u>
How many on-site parking spaces?	<u>0</u>	<u>two four</u>
Commercial: How many commercial uses on site?	<u>N/A</u>	<u>N/A</u>
How many on-site parking spaces?	<u>N/A</u>	<u>N/A</u>

(SL)

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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	4,000 sqf		2750 sqf
Frontage	50 ft		27.5 ft
Lot Depth	75 ft		100 ft
Minimum Yard Requirements			
Front Yard Setback	20 ft		20 ft
2 nd Front Yard Setback			
Rear Yard Setback	20 ft		30 ft
Side Yard Setback, right	6/8 ft		2/3 ft
Side Yard Setback, left	6/8 ft		2/3 ft
Building Height	32.5 ft		40.75 ft

	Req'd	Exist.	Prop'd
Accessory Structures			
Fence/Wall Height			
Garage/Shed Height			
Garage/Shed Area			
Pool Setback			
Parking Requirements			
On-site Parking Spaces			4
Other (please add)			

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

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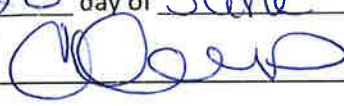
LAND USE BOARD




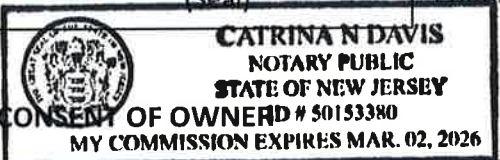
Borough of Highlands
42 Shore Drive
Highlands, NJ 07732
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10. NOTARIZED SIGNATURE OF APPLICANT

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
20 day of June 2022 (year)
 (notary)
(Seal)



Signature 6-20-2022 Date
DAVID LINK
Print Full Name

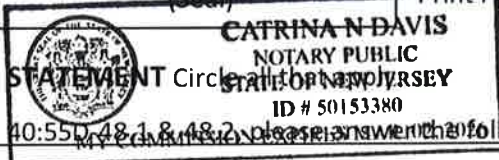


11. NOTARIZED CONSENT OF OWNER

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

SWORN & SUBSCRIBED to before me this
20 day of June 2022 (year)
 (notary)
(Seal)


Signature 6-20-22 Date
DAVID LINK
Print Full Name



12A. DISCLOSURE STATEMENT

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

- Is this application to subdivide a parcel of land into six (6) or more lots? Yes 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:

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

N/A

*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
_____ day of _____ 20____ (year)
_____(notary)
(Seal)

Signature (Officer/Partner) Date

Print Full Name Title

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LAND USE BOARD
landuse@highlandsborough.org

BOROUGH OF HIGHLANDS, N. J.

INCORPORATED 1900

42 SHORE DRIVE
HIGHLANDS, NJ 07732
COUNTY OF MONMOUTH

(732) 872-1224 PH
(732) 872-0670 FX

WWW.HIGHLANDBOROUGH.ORG



HISTORIC "TWIN LIGHTS"

CAROLYN BROU
MAYOR

MICHAEL MUSC
ADMINISTRATI

NANCY TRAI
BOROUGH CLE

David Link

Ddlson3@yahoo.com

Salvatore La Ferlita, RA

115 University Drive

Lincroft NJ 07738

RE: 72 Fourth St

Block 65, Lot 25

Please be advised that the above referenced application for a single-family residence has been reviewed for compliance with the Borough of Highlands Zoning Ordinance.

The property is located in the R-202 zone.

The following approvals will be necessary:

- Minimum side setbacks required by ordinance should be 6'8", while the plans call for a shorter 2'3'.
- Maximum building height required by ordinance is 30' plus 2 ½' for parking, while the plans call for 41'9".
- Maximum building coverage required by ordinance is 30%, while the plans call for 41%

To proceed with an application/appeal of this decision to the Land Use Board, please contact the

Nancy Tran, Board Secretary via email at landuse@highlandsborough.org or by phone at 732-872-1224.

Should you have any questions, feel free to contact me at 732-615-2278.

Sincerely,

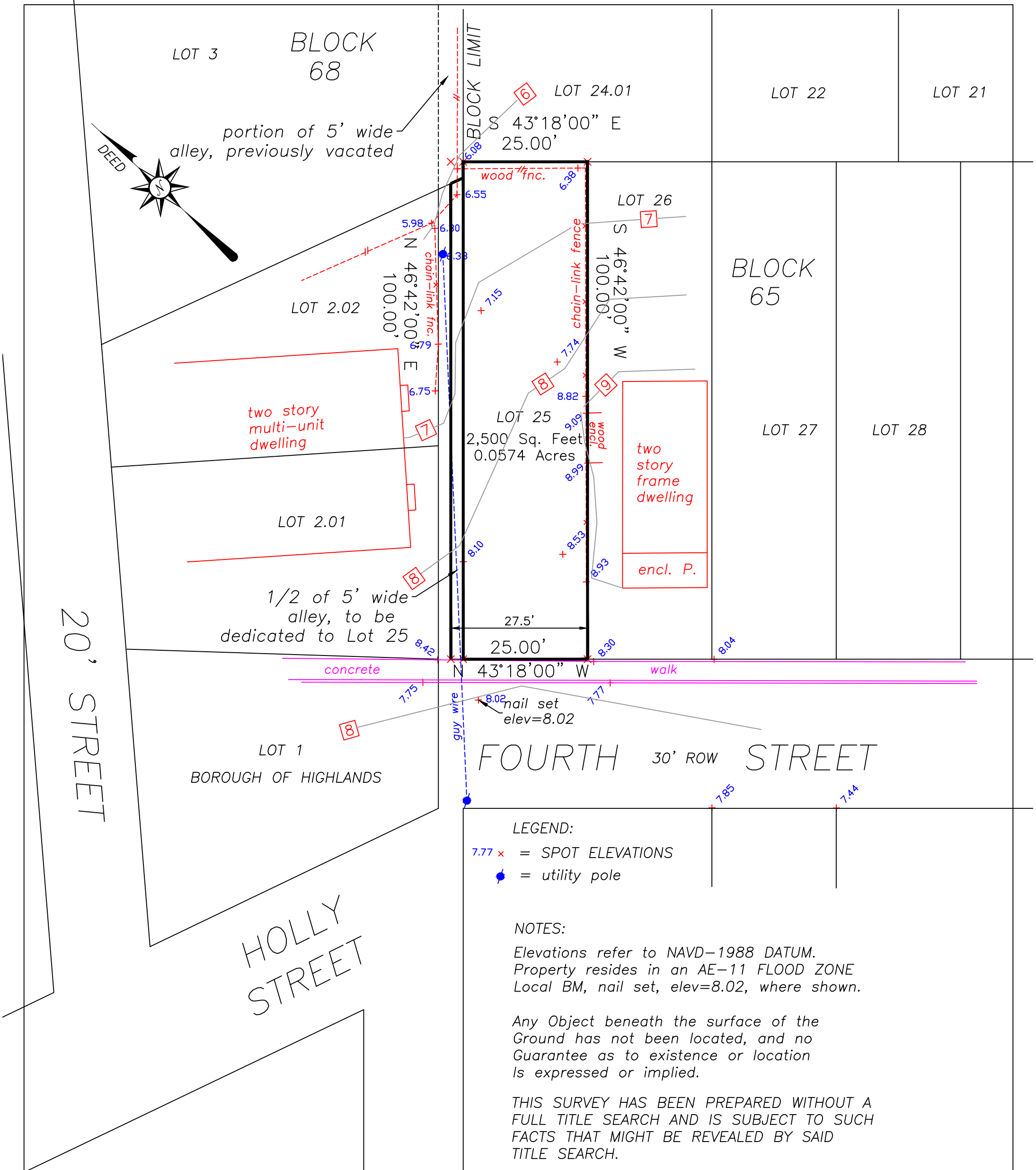


Brian O'Callahan
Zoning Officer
(732) 615-2286

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TOPOGRAPHICAL SURVEY FOR:

DAVID LINK

Being Lot 25 Block 65, as shown on the tax assessment map for the Borough of Highlands, Monmouth County, New Jersey. More commonly known as 72 Fourth Street, Highlands, New Jersey.

I hereby certify to the above mentioned owner, David Link.

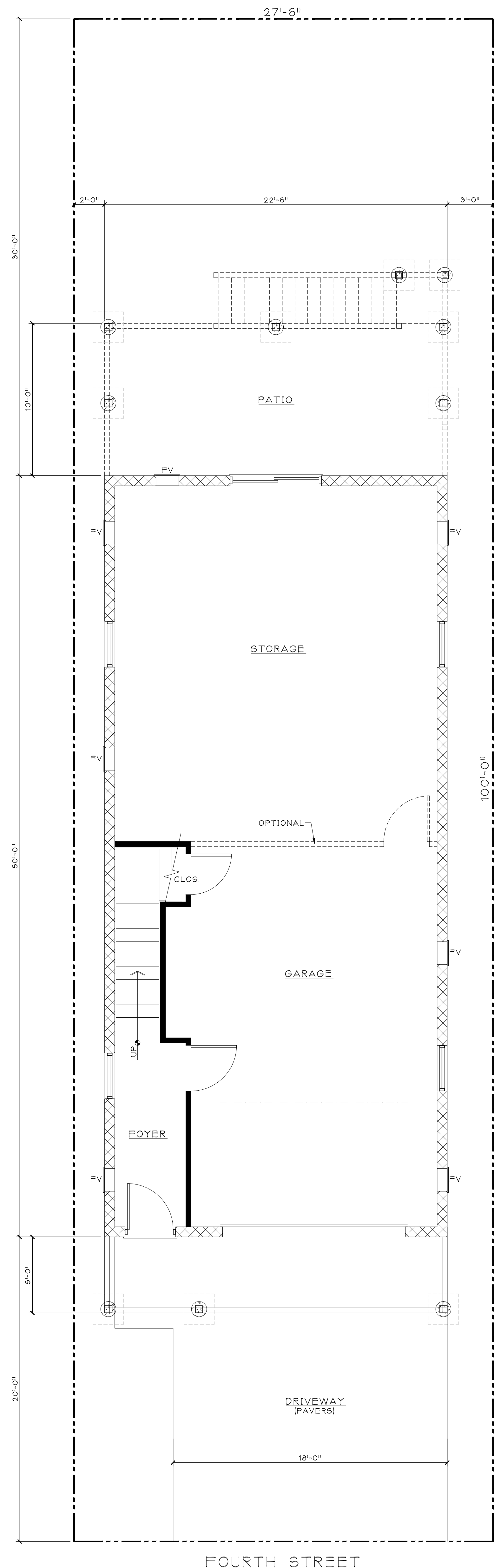
This survey has been accurately prepared with the best of my information, knowledge and belief. No apparent encroachments exist either way across property lines except as shown hereon.

R & T LAND SURVEYING
 LAND SURVEYING * CONSTRUCTION LAYOUT * MAPPING
 942 STATE HIGHWAY ROUTE 36, LEONARDO, NJ

JOB: 8303
 SCALE: 1" = 20'
 CAD: L-8303.dwg

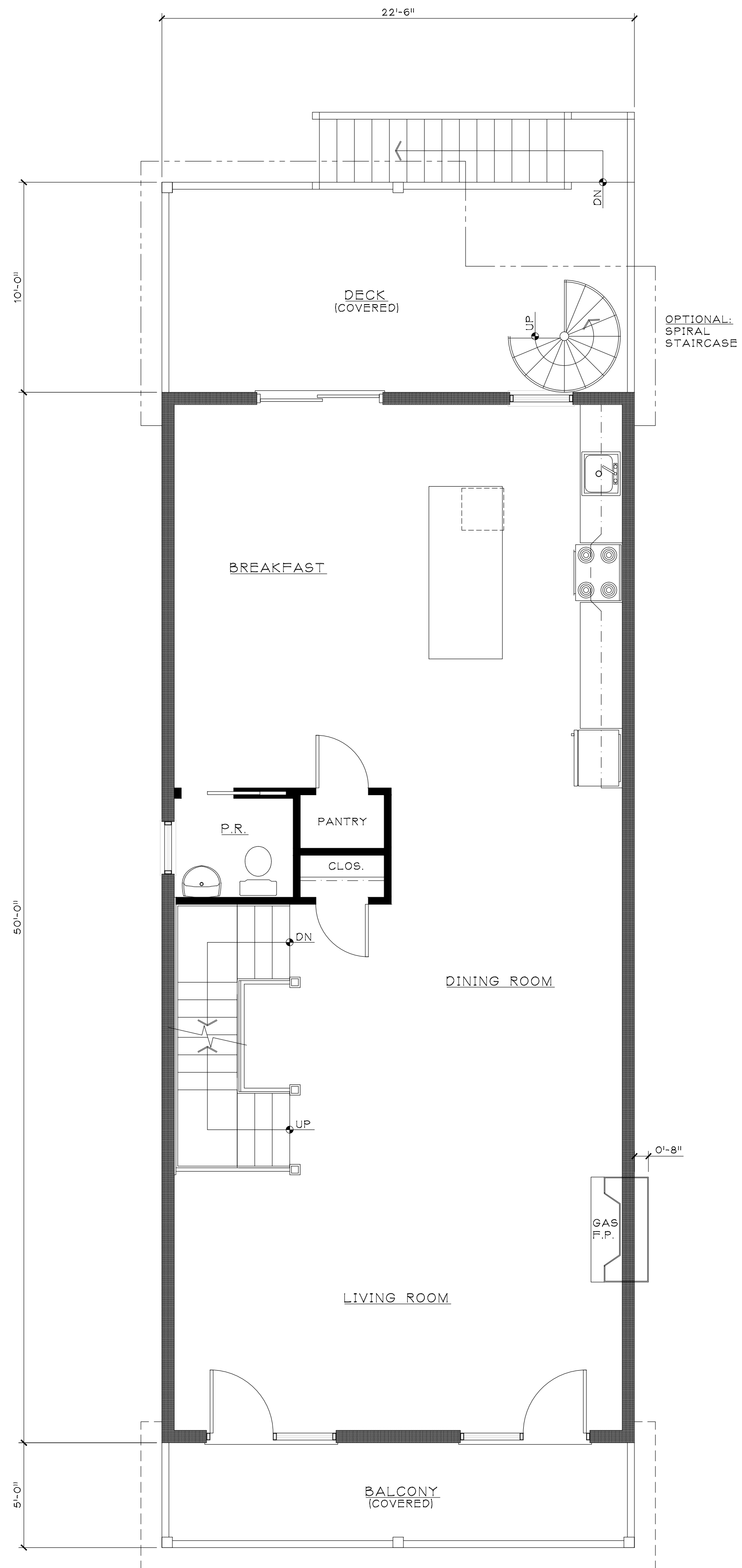
RONALD L. TRINIDAD
 LICENSED PROFESSIONAL LAND SURVEYOR
 NJ LICENSE No. 24GS04337000

DATE: 6-01-22
 DWG: B-2785



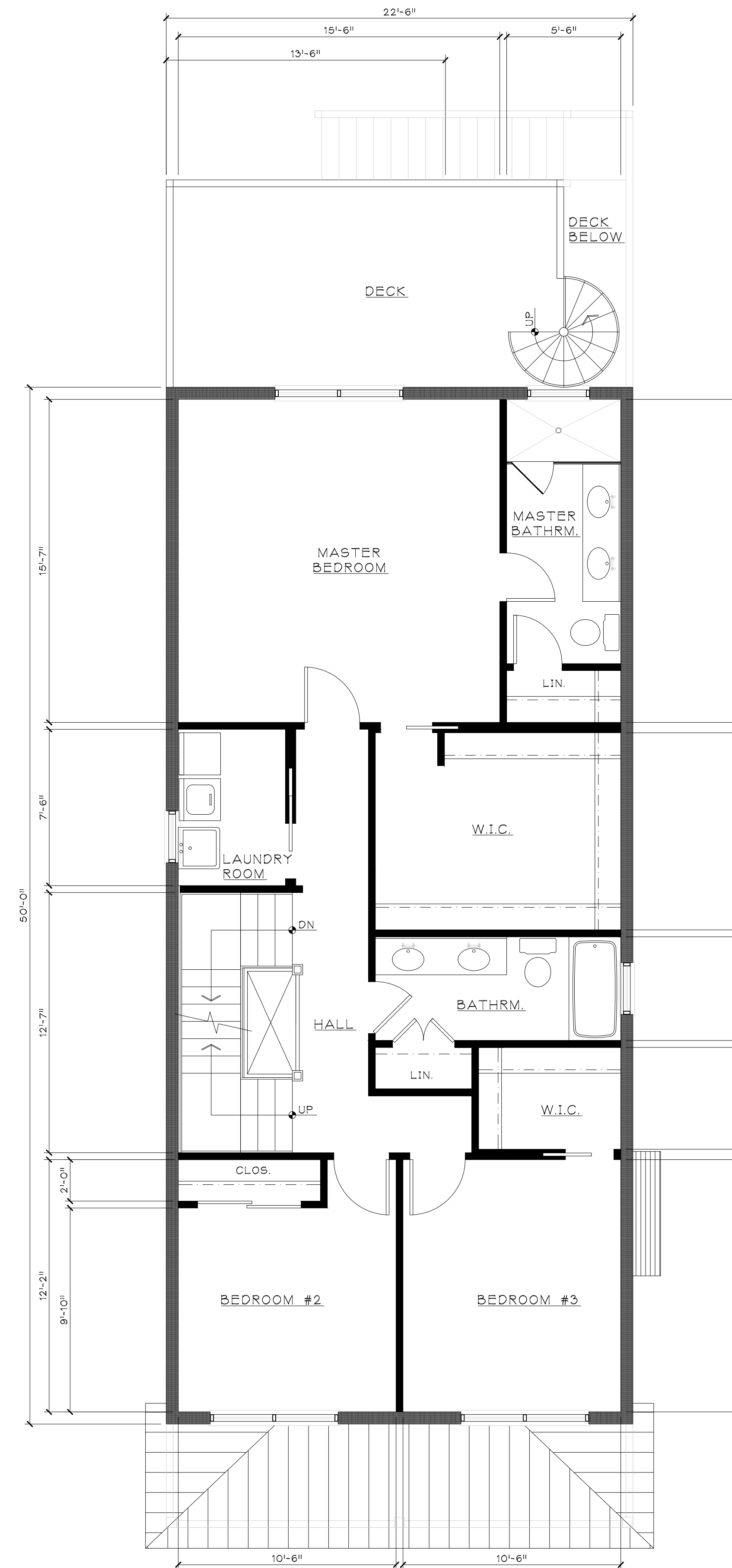
A
A-100 FOUNDATION PLAN
1,030 S.F.

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



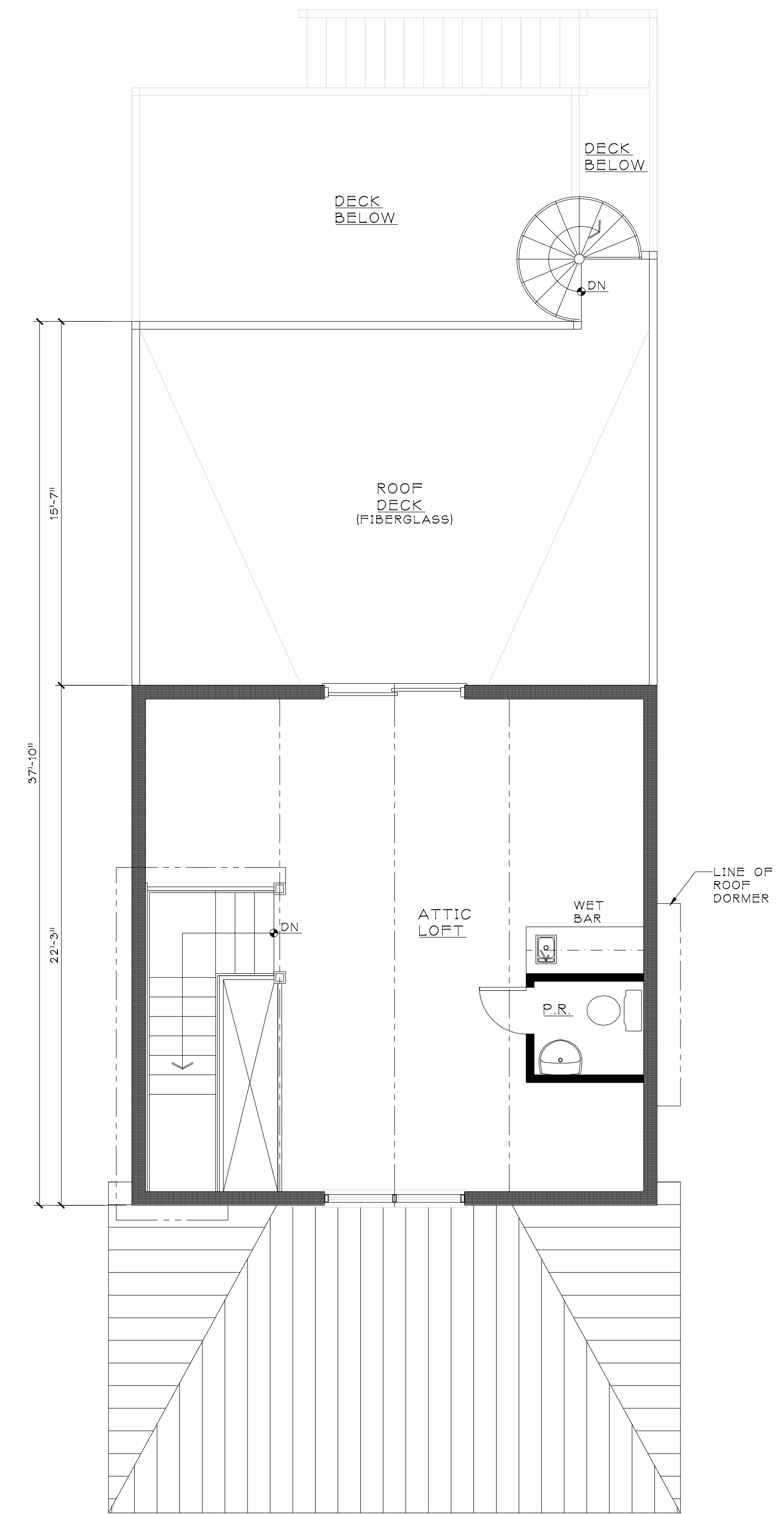
B
A-100 FIRST FLOOR PLAN
1,042 S.F.

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



C
A-100 SECOND FLOOR PLAN
1,042 S.F.

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



D
A-100 ATTIC FLOOR PLAN
342 S.F.

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

APPLICABLE CODES			
BUILDING	NJIRC 2018		
- CONSTRUCTION CLASS: RB			
- USE GROUP CLASSIFICATION: R3 RESIDENTIAL			
- FOUNDATION PLAN & DETAILS ARE DRAWN IN ACCORDANCE WITH ASCE 24			
- 10 MPH EXPOSURE B1 WIND ZONE			
BUILDING DATA			
HABITABLE AREA	EXISTING AREA	NEW AREA	TOTAL AREA
GROUND FLOOR		1,030	1,030
FIRST FLOOR		1,042	1,042
SECOND FLOOR		1,042	1,042
ATTIC		342	342
TOTAL		2,426	2,426
HABITABLE AREA	EXISTING VOLUME	NEW VOLUME	TOTAL VOLUME
GROUND FLOOR			
FIRST FLOOR		8,378 CF	8,378 CF
SECOND FLOOR		8,336 CF	8,336 CF
ATTIC		2,736 CF	2,736 CF
TOTAL		29,450 CF	29,450 CF

FOR ZONING
ISSUED: 9/23/2022

SALVATORE LA FERLITA, R.A.
Architectural Services
Construction Management

115 University Drive
Lincroft, N.J. 07738
732-741-5105
Sallaferlita@aol.com

Revised	Issued
No.	DATE
No.	DATE DESCRIPTION

Client
**LINK RESIDENCE
72 FOURTH STREET
HIGHLANDS, NEW JERSEY**

Title
**PROPOSED FLOOR
PLANS**

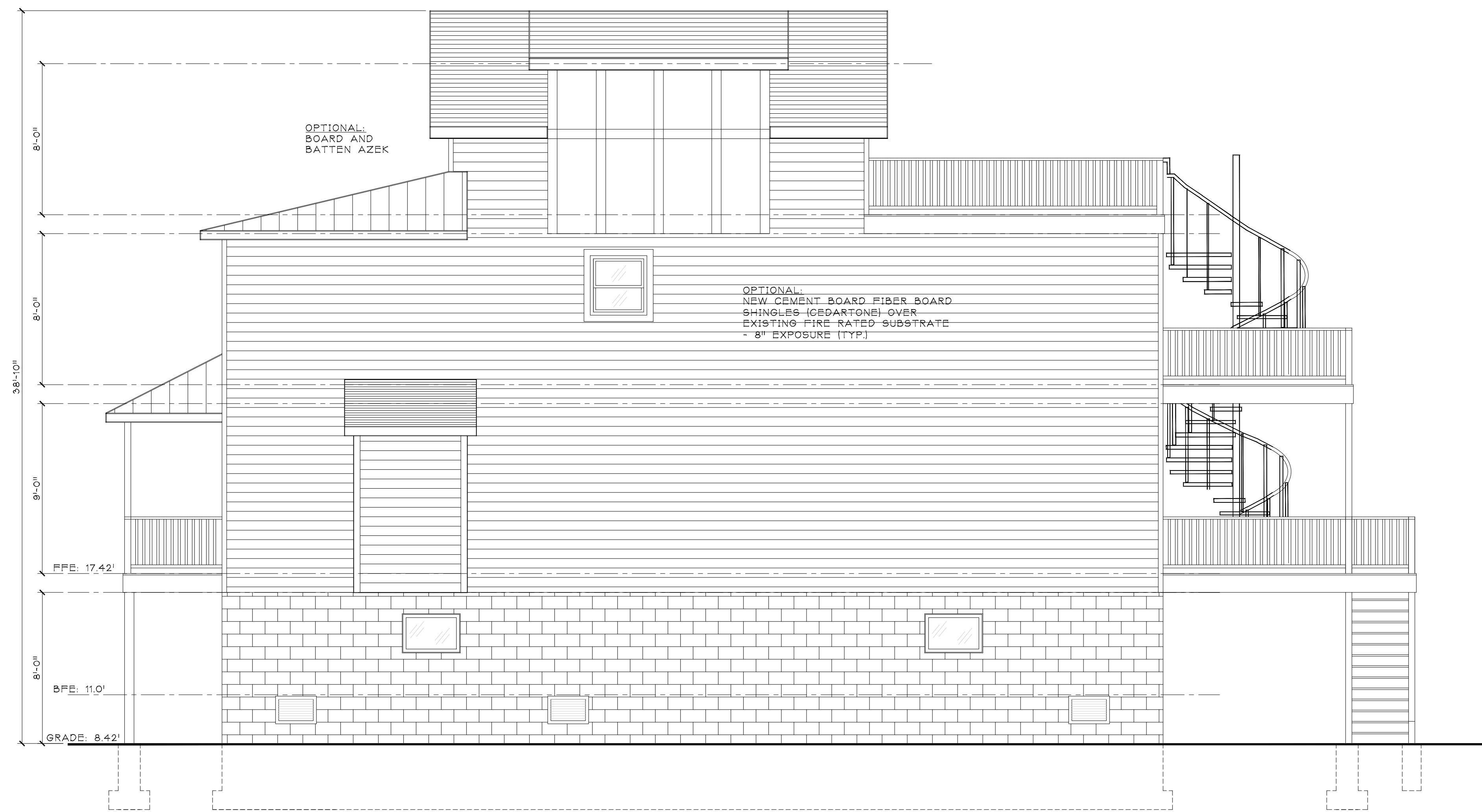
Seal & Signature:	Job Type:
	Project No.:
	Scale: AS NOTED
	Date:
	Drawn By:
	Reviewed By:
	Drawing No.:

A-100

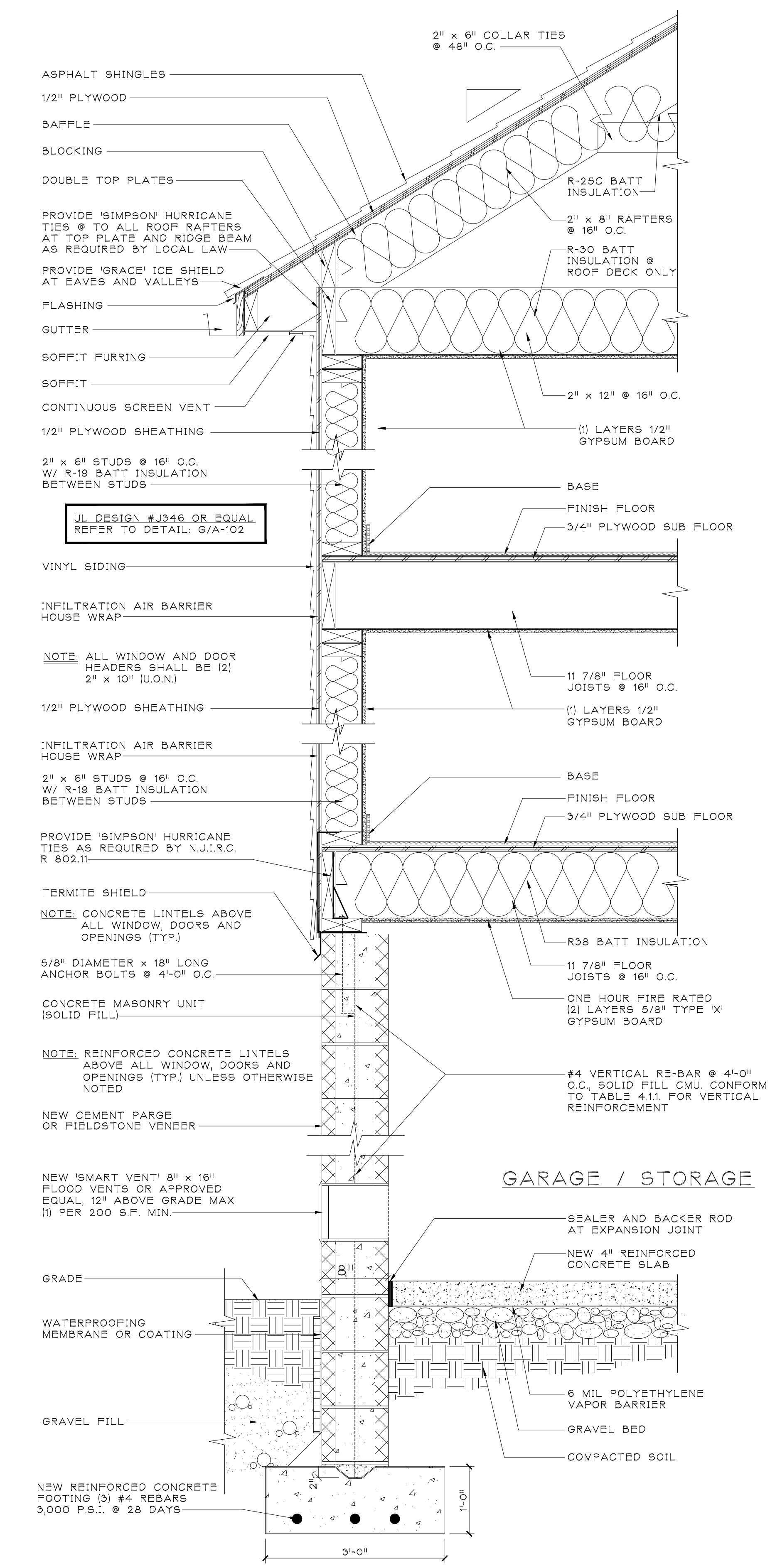
N.J. LIC. #A115228 SHEET No. 1 OF 2



1 FRONT ELEVATION

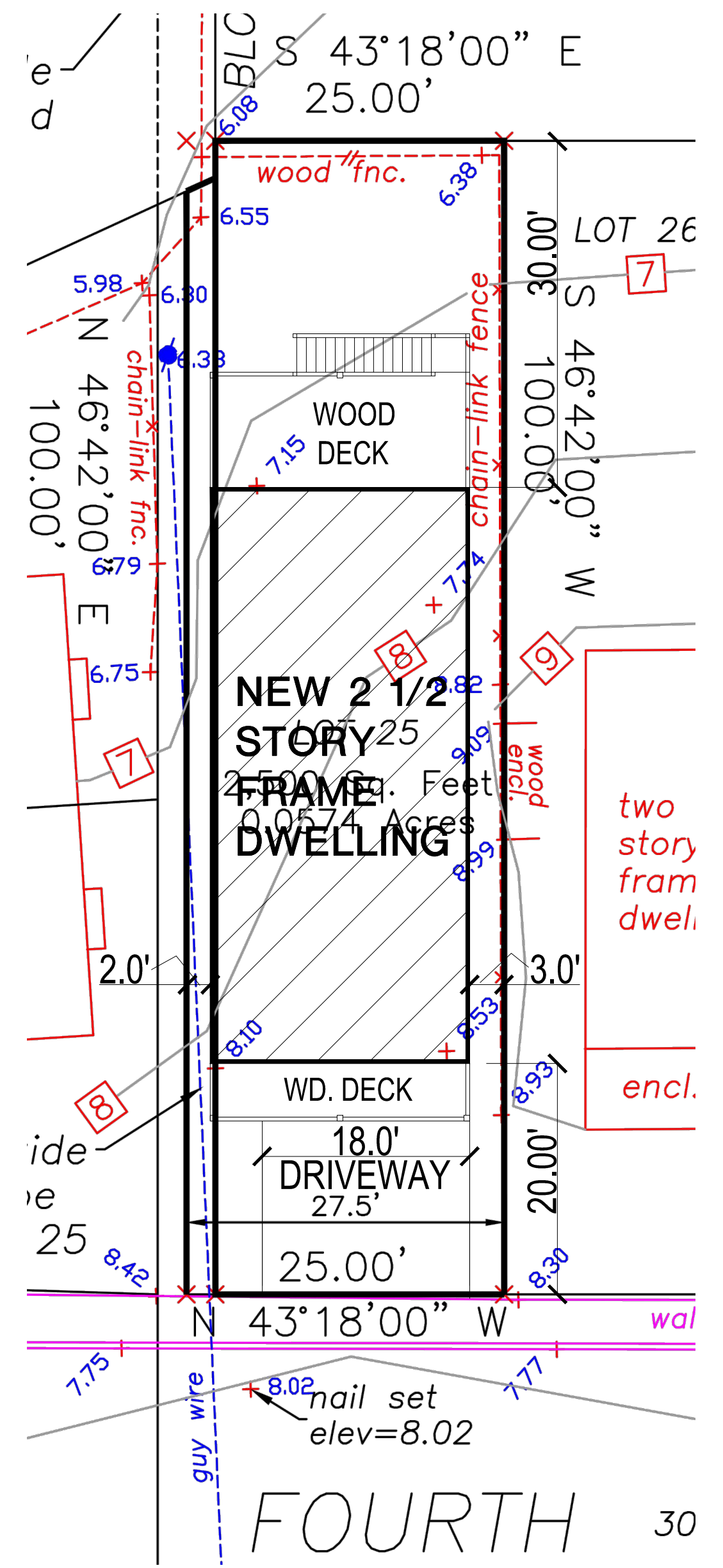


2 RIGHT SIDE ELEVATION

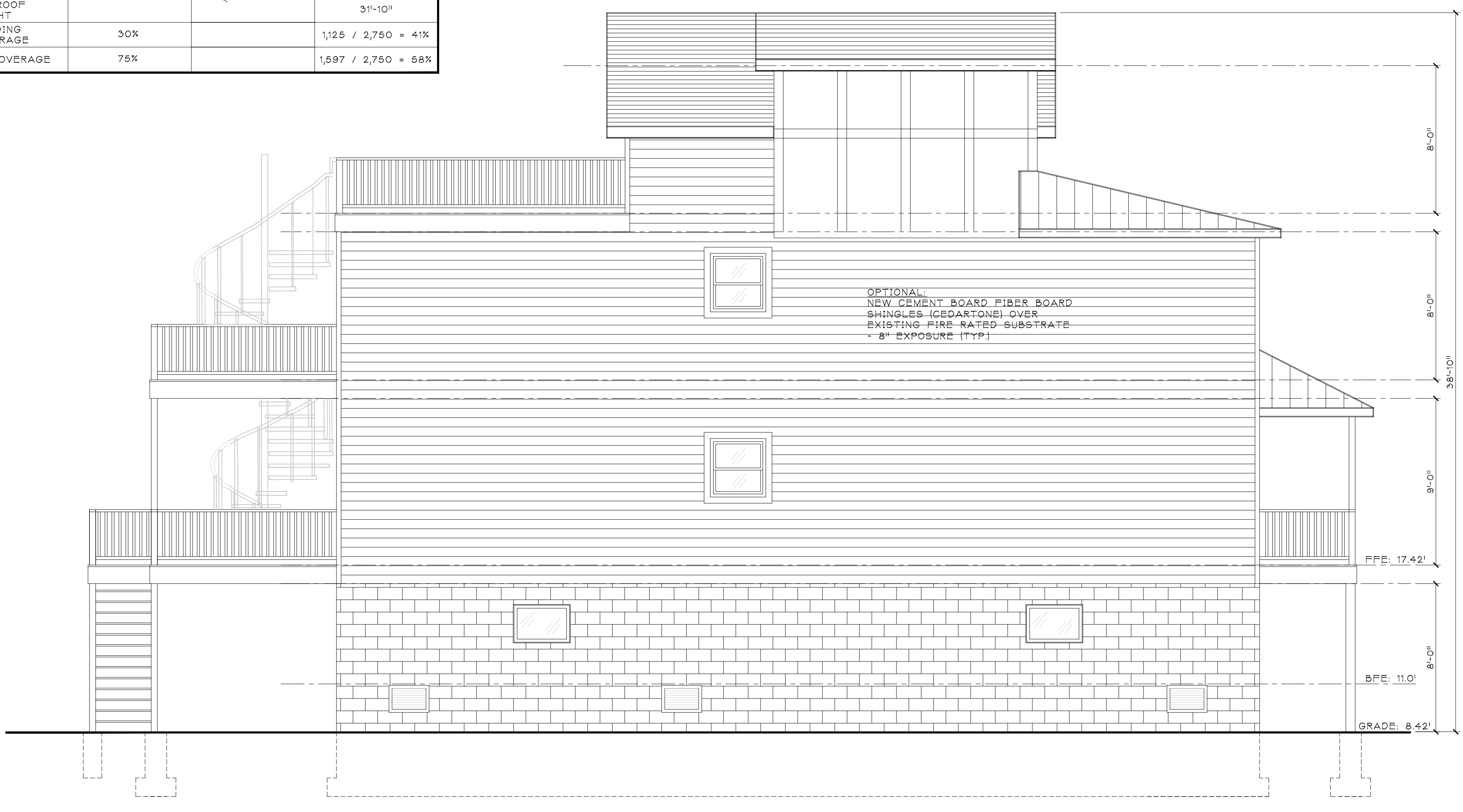


A FOUNDATION / WALL SECTION

	ZONING DATA			
	ZONE R2.02	BLOCK 65	LOT 25	
	REQUIRED	EXISTING	PROVIDED	
LOT AREA	4,000 S.F.		2,750 S.F.	
LOT FRONTAGE	50.0'		27.5'	
LOT DEPTH	75.0'		100.0'	
FRONT YARD SETBACK	20.0'		20.0'	
REAR YARD SETBACK	20.0'		30.0'	
SIDE YARD SETBACK	6.0' / 8.0'		2.0' / 3.0'	
ROOF HEIGHT	30.0'	NOT APPLICABLE	38'-10"	
MID ROOF HEIGHT			31'-10"	
BUILDING COVERAGE	30%		1,125 / 2,750 = 41%	
LOT COVERAGE	75%		1,597 / 2,750 = 58%	



C SITE PLAN



D LEFT SIDE ELEVATION

FOR ZONING
ISSUED: 9/23/2022

A-101

SHEET No.: 2 OF 2

N.J. LIC. #A115228

SALVATORE LA FERLITA, R.A.
Architectural Services
Construction Management
115 University Drive
Lincroft, N.J. 07738
732-741-5105
Sallaferlita@aol.com

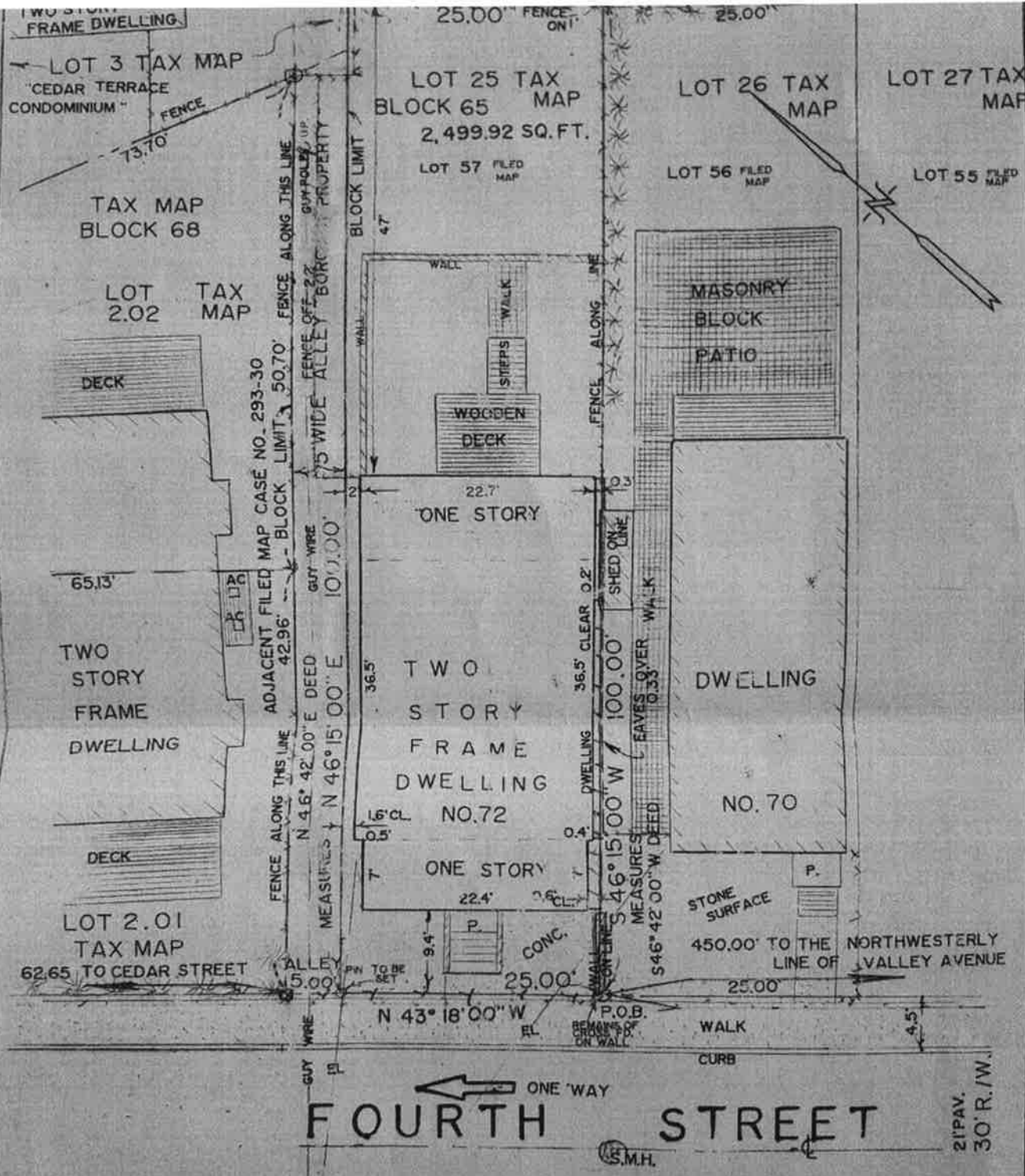
Revised	Issued
No.	DATE
No.	DATE DESCRIPTION

Client: **LINK RESIDENCE**
72 FOURTH STREET
HIGHLANDS, NEW JERSEY

Title: **PROPOSED EXTERIOR ELEVATION**

Job Type: -
Project No.: -
Scale: AS NOTED
Date: -
Drawn By: -
Reviewed By: -
Drawing No.: -

NOTE: THE SITE PLAN INFO WAS TAKEN FROM A SURVEY PROVIDED BY: R & T LAND SURVEYING, PROFESSIONAL LAND SURVEYOR - 942 STATE HIGHWAY ROUTE 36 LEONARDO N.J.



FILED MAP REFERENCE:

Being known as Lot 57 on Map Entitled: Map of Lands of Cecelia F. Howell and Ella R. Charleer at Seaside, Highlands of Navesink, New Jersey By R.S. Snyder C.E. Dated August 11, 1893 and Filed in the Monmouth County Clerk's Office on August 16, 1893 in case 47-11.

CERTIFIED TO:

DAVID LINK

Note: a written waiver and direction not to be set corner markers had been obtained from the Ultimate user pursuant to P.L. 2003, c. 14 (045:16-2) and N.J.A.C. 17-10-5.1 (d) & 5.2

NO. 72 FOURTH STREET

LOCATION LAND SURVEY ON LOT 25 IN BLOCK 65 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY

TAX MAP PAGE 14

THOMAS CRAIG FINNEGAN LAND SURVEYING

Thomas Craig Finnegan

THOMAS CRAIG FINNEGAN P.L.S. LIC. # 38601

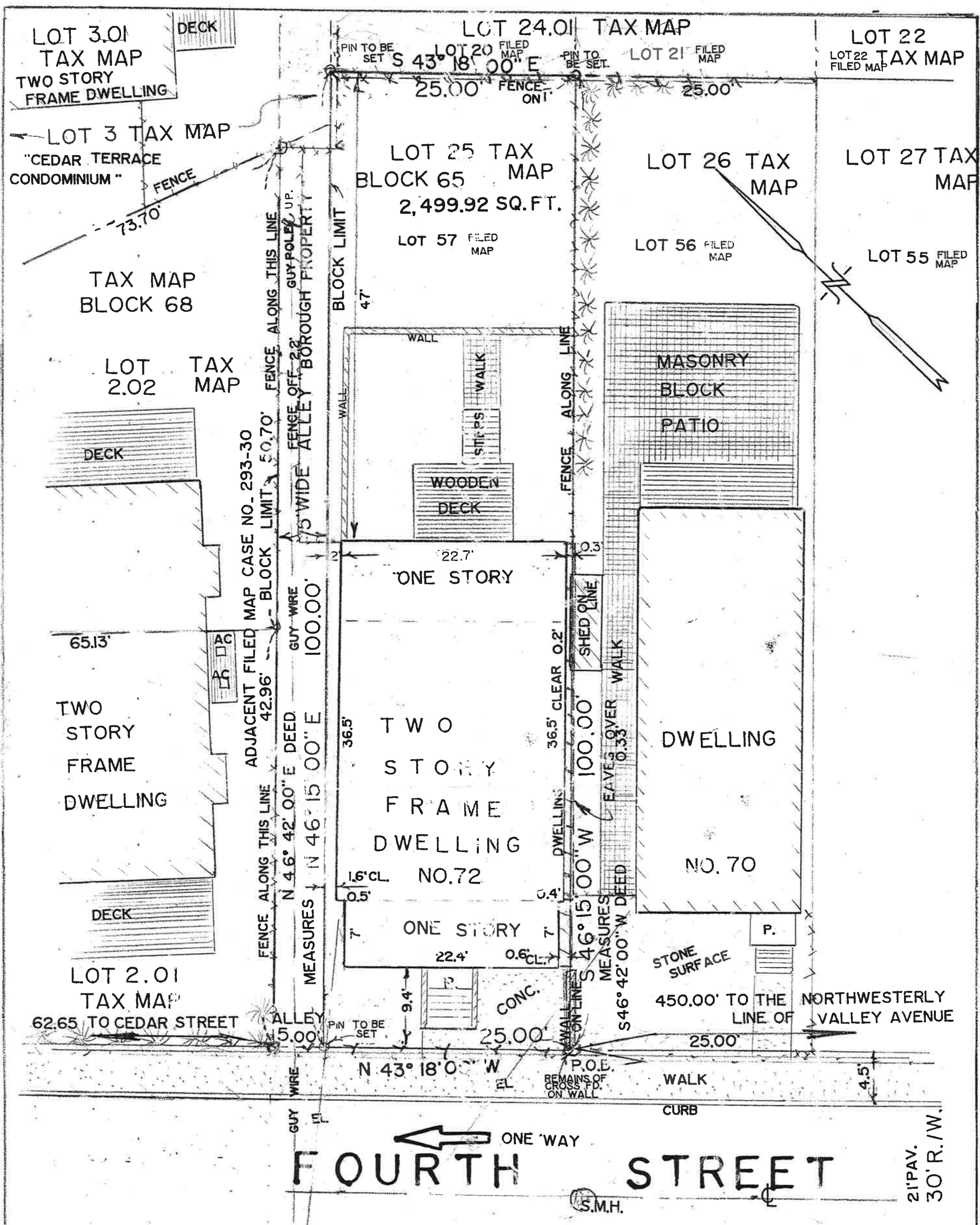
PROFESSIONAL LAND SURVEYOR

245 EAST END AVENUE, BELFORD, N.J. 07711

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FILED MAP REFERENCE:

Being known as Lot 57 on Map Entitled: Map of Lands of Cecelia F. Howell and Ella R. Charleer at Seaside, Highlands of Navesink, New Jersey By R.S. Snyder C.E. Dated August 11, 1893 and Filed in the Monmouth County Clerk's Office on August 16, 1893 in case 47-11.

CERTIFIED TO:

DAVID LINK

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LAND USE BOARD

Note: a written waiver and direction not to be Set corner markers had been obtained from the Ultimate user pursuant to P.L. 2003, c. 14 (C45:36.2) and N.J.A.C., 13-40-5.1 (d) & 5.2

Note: Subject to any requirement of record Note: building offsets are not to be used in Re-establishing property lines

NO. 72 FOURTH STREET

LOCATION LAND SURVEY ON LOT 25 IN BLOCK 65 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY

TAX MAP PAGE 14

THOMAS CRAIG FINNEGAN LAND SURVEYING

Thomas Craig Finnegan
THOMAS CRAIG FINNEGAN P.L.S. LIC. # 38601

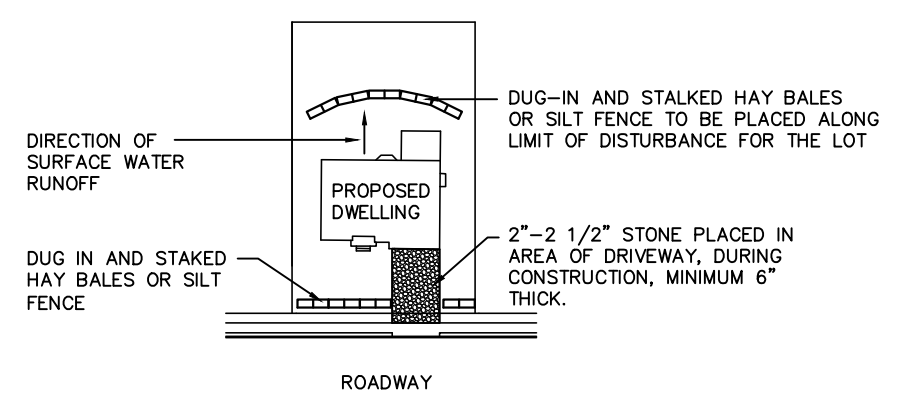
PROFESSIONAL LAND SURVEYOR,

245 EAST END AVENUE, BELFORD, N.J. 0771

PH. # 732-787-0318, Cell Ph. 732-856-2821

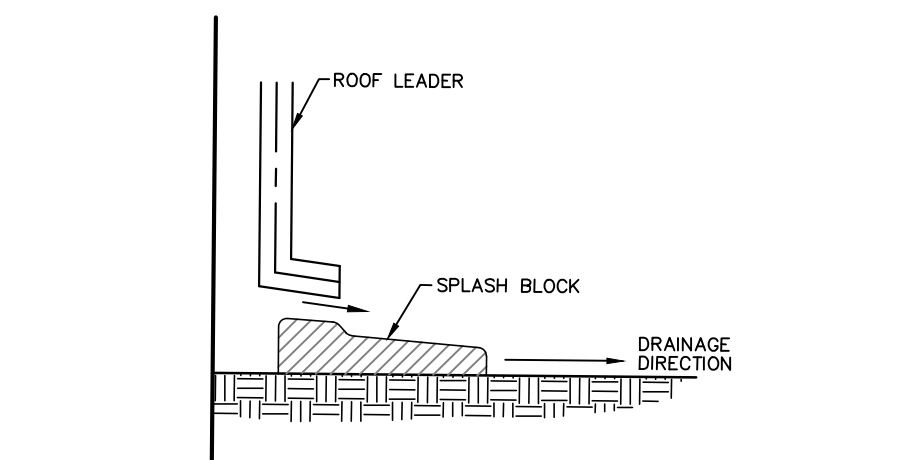
Tfinn58810@aol.com or Thomascfinnegan@gmail.com

SCALE 1" = 10' NOVEMBER 22, 2021



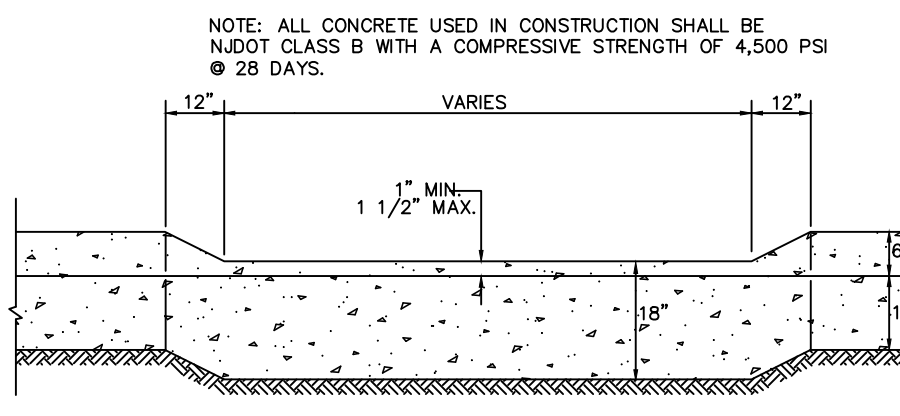
TYPICAL LOT DETAIL

N.T.S.
NOTE: RESPONSIBILITY FOR PLACEMENT AND MAINTENANCE OF SOIL EROSION MEASURES ON ANY GIVEN LOT BELONGS TO THE PERSON(S) DOING THE DISTURBANCE OR CONSTRUCTION.



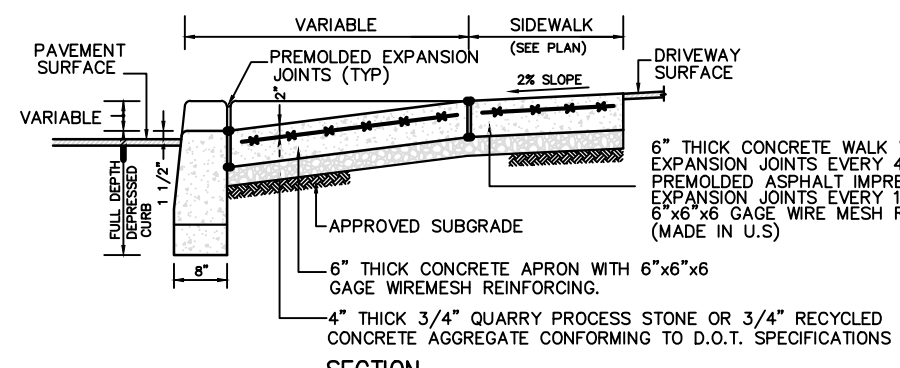
ROOF LEADER DETAIL

N.T.S.
NOTE: ALL CONCRETE USED IN CONSTRUCTION SHALL BE NJDOT CLASS B WITH A COMPRESSIVE STRENGTH OF 4,500 PSI @ 28 DAYS.



DEPRESSED CURB SPOT REPAIR

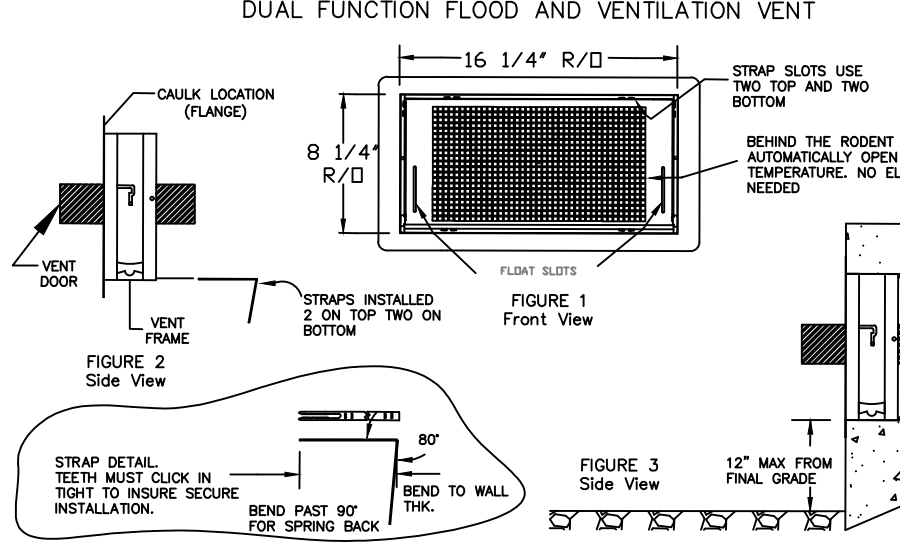
N.T.S.
NOTE: THERE SHALL BE NO "SHAVING" OF EXISTING CURB TO CREATE DEPRESSED CURB



CONCRETE DRIVEWAY APRON SPOT REPAIR

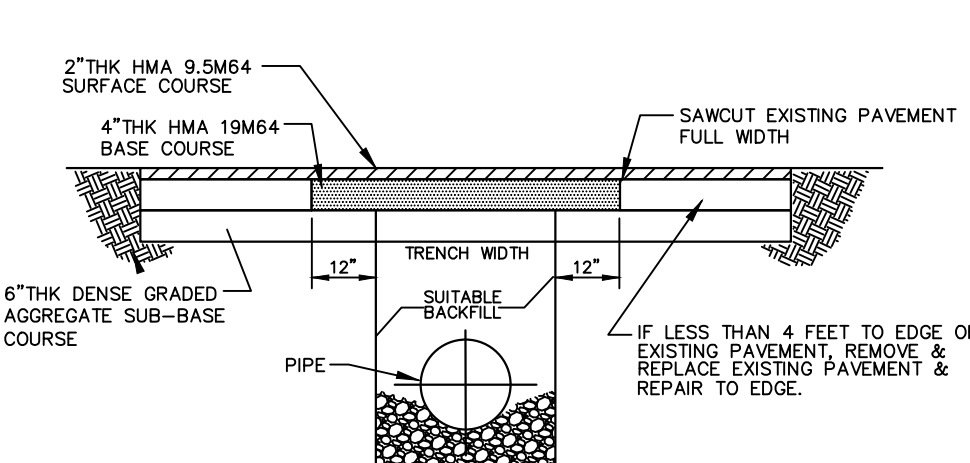
N.T.S.
NOTE: ALL CONCRETE USED IN CONSTRUCTION SHALL BE NJDOT CLASS B WITH A COMPRESSIVE STRENGTH OF 4,500 PSI @ 28 DAYS.

REQUIRED NUMBER OF FLOOD VENTS:
ENCLOSED FOOTPRINT AREA = 1,125 SF
SMARTVENT MODEL No. 1540-510 PROVIDES EQUALIZATION OF FLOOD WATERS WITH 1 VENT PER 200 SF OF FOOTPRINT AREA AS VERIFIED AND APPROVED BY FEMA AND NJDEP.
REQUIRED # VENTS = 1,125 SF X 1 VENT/200 SF = 5.6
TOTAL # VENTS PROVIDED = 7



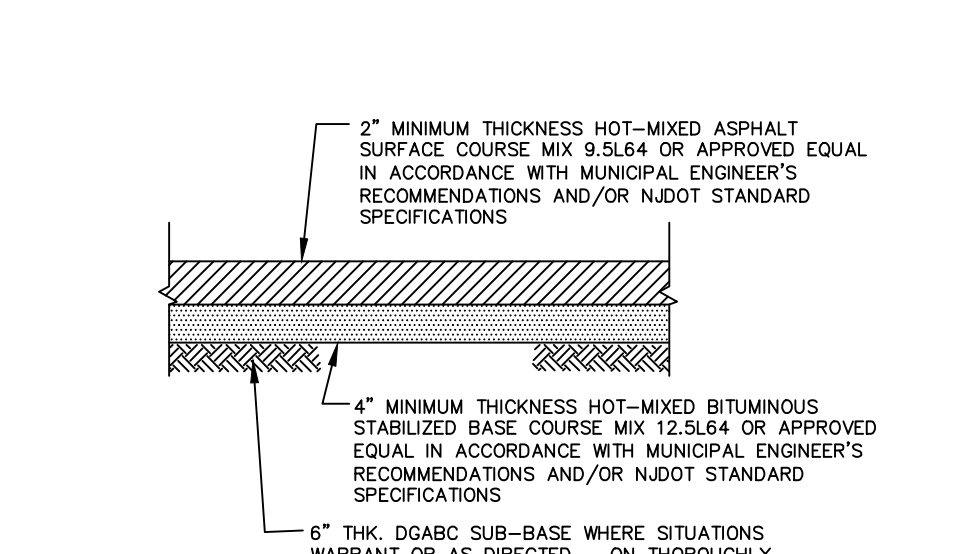
FLOOD VENT DETAIL

N.T.S.
NOTE: FOR FLOOD VENTS INSTALLED IN GARAGE DOOR PANELS USE SMART VENT MODEL No. 1540-574.



MUNICIPAL PAVEMENT REPAIR

N.T.S.
SUPERFICIAL SURFACE DAMAGE CAUSED BY THE CONTRACTOR OUTSIDE THE LIMIT SHOWN, SHALL BE PAVED WITH SURFACE COURSE. IF THE BASE COURSE OF THE EXISTING PAVEMENT IS DAMAGED BEYOND THE LIMIT SHOWN, THE CONTRACTOR SHALL EXCAVATE 6" BEYOND THE DAMAGED AREA AND REPLACE IT WITH BITUMINOUS STABILIZED BASE COURSE.



DRIVEWAY PAVEMENT SECTION

N.T.S.

LOT COVERAGE COMPUTATIONS

EXISTING LOT COVERAGE	EXISTING BUILDING FOOTPRINT AREA (TBR)	EXISTING WALKWAY & DECK FOOTPRINT AREAS (TBR)	TOTAL EXISTING LOT COVERAGE
	1,008 SF = 36.6 % COVERAGE	270 SF	1,278 SF
		1,278 SF = 46.7 % COVERAGE	
PROPOSED LOT COVERAGE	PROPOSED BUILDING FOOTPRINT AREA	PROPOSED COVERED FRONT DECK FOOTPRINT AREA	PROPOSED COVERED REAR DECK FOOTPRINT AREA
	1,125 SF = 41.1 % COVERAGE	112 SF	196 SF
		225 SF (29 SF)	282 SF
		1,744 SF = 63.7 % COVERAGE	1,744 SF

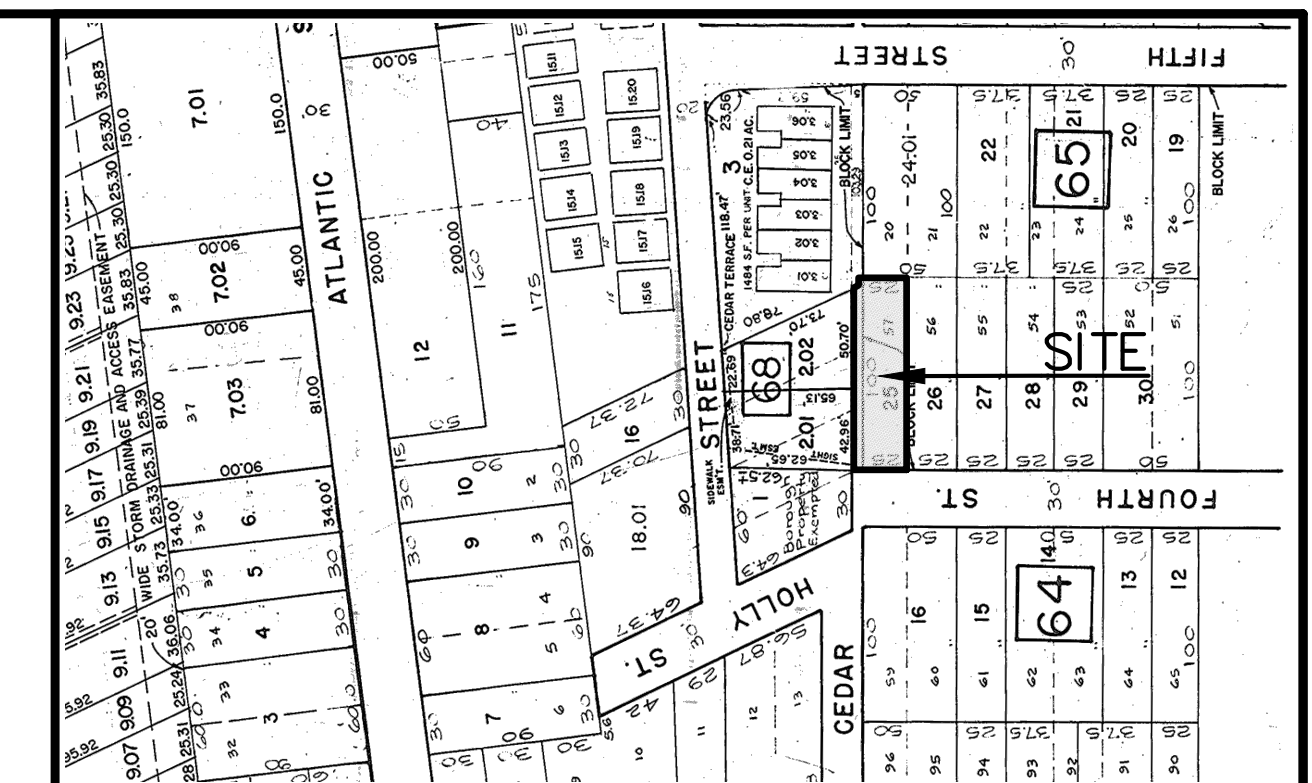
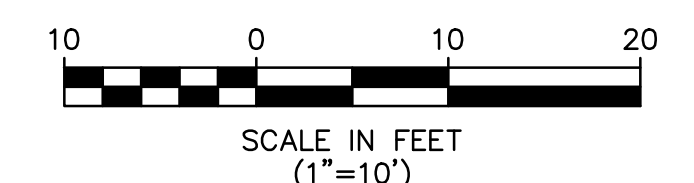
PROPOSED CHANGE IN IMPERVIOUS COVERAGE = 1,744 SF(EXIST) - 1,278 SF(PROP) = 466 SF
PROPOSED AREA OF DISTURBANCE = 2,739 SF = 0.063 Ac.

ZONE DATA

R-2.02 RESIDENTIAL ZONE DISTRICT REQUIREMENTS

	REQUIRED	EXISTING	PROVIDED
MINIMUM LOT AREA	4,000 SF	2,739 SF(E)	NO CHANGE
MINIMUM LOT FRONTAGE	50 FT	27.5 FT(E)	NO CHANGE
MINIMUM LOT DEPTH	75 FT	100.0 FT	NO CHANGE
PRINCIPAL BUILDING			
MINIMUM FRONT YARD SETBACK	20 FT**	9.4 FT(E)	20.0 FT(1)
MINIMUM SIDE YARD SETBACK	6 FT*	0.2 FT(E)	2.5 FT(V)
TOTAL TWO SIDE YARD SETBACKS	14 FT*	1.8 FT(E)	5.0 FT(V)
MINIMUM REAR YARD SETBACK	20 FT	47.1 FT	30.0 FT(2)
MAXIMUM BUILDING HEIGHT	32.5 FT	22.0 FT	32.25 FT
ACCESSORY BUILDING/STRUCTURE			
MINIMUM SIDE YARD SETBACK	3 FT	N/A	N/A
MINIMUM REAR YARD SETBACK	3 FT	N/A	N/A
MAXIMUM BUILDING COVERAGE	33 %	36.6 % (E)	41.1 % (V)
MAXIMUM IMPERVIOUS LOT COVERAGE	75 %	46.7 %	63.7 %

(E) = PRE EXISTING NON-CONFORMING CONDITION
(V) = VARIANCE PREVIOUSLY GRANTED (RESOLUTION No. 2021-09)
* = REFER TO ORD. SECT. 21-98 FOR ADDITIONAL INFORMATION PERTAINING TO EXISTING UNDERSIZED LOTS IN RESIDENTIAL ZONE DISTRICTS.
** = OR PREVAILING SETBACKS WITHIN 200 FT AND WITHIN SAME BLOCK AND ZONE
(1) = 20.0 FT MEASURED TO LINE OF HOUSE OR 15.0 FT MEASURED TO LINE OF COVERED FRONT PORCH DECK.
(2) = 30.0 FT MEASURED TO LINE OF HOUSE OR 20.0 FT MEASURED TO LINE OF COVERED REAR DECKS.



KEY MAP

1" = 100'+-

GENERAL NOTES

- THE SUBJECT PROPERTY IS KNOWN AS LOT 25 IN BLOCK 65 AS SHOWN ON SHEET 14 OF THE CURRENT TAX MAP FOR HIGHLANDS BOROUGH, MONMOUTH COUNTY, NEW JERSEY.
- PROPERTY AND TOPOGRAPHIC SURVEY INFORMATION SHOWN HEREON IS TAKEN FROM A CERTAIN PLANS ENTITLED: "No. 72 FOURTH STREET LOCATION LAND SURVEY ON LOT 25 IN BLOCK 65." PREPARED BY THOMAS CRAIG FINNEGAN LAND SURVEYING, DATED 11-22-21; AND "TOPOGRAPHICAL SURVEY FOR DAVID LINK BEING LOT 25 BLOCK 65." PREPARED BY R & T LAND SURVEYING DATED 6-01-22. ELEVATIONS SHOWN HEREON REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988.
- THE SUBJECT PROPERTY IS AN EXISTING LOT LOCATED IN THE R-2.02 RESIDENTIAL ZONE DISTRICT. APPLICANT RECENTLY DEMOLISHED AND REMOVED THE EXISTING DWELLING IN ORDER TO CONSTRUCT A NEW SINGLE-FAMILY DWELLING IN ITS PLACE. TOGETHER WITH NEW DRIVEWAY AND NEW UTILITY SERVICE CONNECTIONS FOR WATER, SEWER, ELECTRIC, GAS, PHONE, AND CABLE-TV. NEW UTILITIES SHALL BE INSTALLED UNDERGROUND.
- THE LIMITS OF WORK AT THE SUBJECT PROPERTY ARE SITUATED WITHIN FEMA FLOOD ZONE AE (BASE FLOOD ELEVATION 11 FT (NAVD88)) AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 34025C0088H DATED 6-15-22. CERTAIN ACTIVITIES IN FLOOD HAZARD AREAS ARE REGULATED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SOME ACTIVITIES MAY BE PROHIBITED ON THIS SITE OR MAY FIRST REQUIRE A PERMIT. CONTACT THE DIVISION OF LAND USE REGULATION AT (609) 292-0060 FOR MORE INFORMATION PRIOR TO ANY CONSTRUCTION ON SITE.
- THE FLOOD HAZARD AREA DESIGN FLOOD ELEVATION FOR THIS SITE IS ELEVATION 11 FT (NAVD88) AS DETERMINED BY METHOD 2 (FEMA TIDAL METHOD) ACCORDING TO NJDEP FLOOD HAZARD AREA RULES AT NJAC 7:13-3.4(d).
- CONSTRUCTION IN FEMA FMA FLOOD ZONE AE SHALL BE IN ACCORDANCE WITH ASCE24. THE NEW BUILDING CONSTRUCTION SHALL BE ELEVATED ON ENCLOSED FOUNDATION SUCH THAT THE FIRST FLOOR LIVING SPACE IS SET AT LEAST 1-FT ABOVE THE FLOOD HAZARD AREA DESIGN FLOOD ELEVATION AS REQUIRED BY CODE. THE AREA BENEATH THE DWELLING SHALL BE ENCLOSED AS PERMITTED BY NJDEP FLOOD HAZARD AREA RULES AT NJAC 7:13-11.5(N)(O)&(P) AND AS PERMITTED BY FEMA COASTAL CONSTRUCTION GUIDELINES. THE ENCLOSED AREA SHALL BE UN-FINISHED SPACE USED SOLELY FOR PARKING OF VEHICLES, BUILDING ACCESS, OR FOR INCIDENTAL STORAGE. ENCLOSURES UNDER ELEVATED BUILDINGS IN FEMA FLOOD ZONE SHALL INCLUDE THE USE OF FLOOD DAMAGE RESISTANT MATERIALS AND THE INSTALLATION OF PERMANENT FLOOD VENT OPENINGS TO ALLOW FOR AUTOMATIC ENTRY AND EXIT OF FLOOD WATERS.
- PROPERTY OWNER'S GENERAL CONTRACTOR IS RESPONSIBLE FOR SITE GRADING AND CONSTRUCTION ACTIVITY. CONTRACTOR SHALL CONTACT NJ ONE CALL SYSTEM AT (800)272-1000 FOR UTILITY MARK-OUT PRIOR TO EXCAVATION ON-SITE OR WITHIN MUNICIPAL RIGHT-OF-WAY.
- ATTENTION OF THE CONTRACTOR IS DIRECTED TO THE FACT THAT APPROXIMATE LOCATIONS OF KNOWN UTILITY STRUCTURES AND FACILITIES THAT MAY BE ENCOUNTERED WITHIN OR ADJACENT TO THE SUBJECT PROPERTY OR LIMITS OF WORK ARE SHOWN ON THE PLANS. THE ACCURACY AND COMPLETENESS OF THIS INFORMATION IS NOT GUARANTEED BY THE ENGINEER. CONTRACTOR IS ADVISED TO VERIFY IN THE FIELD ALL THE FACTS CONCERNING THE LOCATION AND GRADE OF THESE UTILITIES OR OTHER CONSTRUCTION OBSTACLES PRIOR TO STARTING WORK. CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES THAT MAY AFFECT THE PROJECT DESIGN.
- CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY, INCLUDING PROVISIONS FOR APPROPRIATE SAFETY DEVICES AND REQUIRED TRAINING.
- SILT FENCE SHALL BE PLACED AROUND THE PERIMETER OF THE LIMITS OF WORK AS SHOWN ON THE PLAN AND SHALL REMAIN IN PLACE UNTIL THE LIMITS OF WORK ARE PERMANENTLY STABILIZED.
- SOIL SHALL BE PERMANENTLY STABILIZED (SEEDED/SODDED) IN ACCORDANCE WITH CURRENT NJ SOIL EROSION AND SEDIMENT CONTROL STANDARDS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- ROOF LEADER DOWNSPOUTS SHALL DISCHARGE TO SPLASH BLOCKS AT GRADE TO DIRECT RUNOFF TOWARD THE STREET AND/OR INTO EXISTING ESTABLISHED DRAINAGE PATTERNS, SO AS TO NOT IMPACT ADJACENT PROPERTIES.
- SPECIAL ATTENTION SHALL BE GIVEN TO SWALES TO ENSURE POSITIVE RUNOFF AND NO PONDING ON PROPERTY.
- A MINIMUM 2 % SLOPE SHALL BE MAINTAINED AWAY FROM BUILDING FOUNDATION.
- ANY EXISTING CURB, SIDEWALK, PAVEMENT, UTILITY LINES AND/OR STORM DRAINAGE INFRASTRUCTURE DAMAGED AS A RESULT OF THIS PROJECT SHALL BE REPLACED AT THE DIRECTION OF THE MUNICIPAL ENGINEER PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- A ROAD OPENING PERMIT IS REQUIRED FROM THE DEPARTMENT OF PUBLIC WORKS PRIOR TO STARTING WORK IN THE RIGHT-OF-WAY, INCLUDING CURB, DRIVEWAY APRON, AND/OR SIDEWALK IMPROVEMENTS.
- IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE ADHERENCE TO MUNICIPAL ORDINANCES AND TO FRESHFIELD SOIL CONSERVATION DISTRICT REGULATIONS REGARDING SOIL EROSION AND SEDIMENT CONTROL MEASURES. APPLICANT SHALL COMPLY WITH FEDERAL, STATE, COUNTY, NJDEP AND LOCAL REGULATIONS PRIOR TO ANY CONSTRUCTION ON THE PROPERTY.
- SHOULD ANY PORTION OF THE POST-DEVELOPMENT IMPROVEMENTS NEEDED DRAINAGE CONDITIONS ON THE LOT OR ADJACENT PROPERTIES, THE APPLICANT WILL BE REQUIRED TO SUBMIT ADDITIONAL AS-BUILT SURVEYS AND SUBSEQUENTLY CORRECT ANY DEFICIENCIES AT THE DIRECTION OF THE BOROUGH ENGINEER.
- ANY DEVIATIONS FROM THE APPROVED GRADING PLAN, INCLUDING FLIPPING HOUSE AND DRIVEWAY MODIFICATIONS, REQUIRE WRITTEN NOTICE TO THE BOROUGH ENGINEER'S OFFICE AND ARE SUBJECT TO REVIEW.
- ALL CONSTRUCTION APPROVALS AND THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY ARE SUBJECT TO FINAL INSPECTION BY THE BOROUGH ENGINEER AND BUILDING DEPARTMENT OFFICIALS.

OWNER / APPLICANT:
DAVID LINK
72 FOURTH STREET
HIGHLANDS, NJ 07732

No.	DATE	REVISION	BY

EASTERN CIVIL ENGINEERING, LLC
CIVIL ENGINEERING - SURVEYING & MAPPING - LAND USE PLANNING - SITE DESIGN

31 GRAND TOUR , HIGHLANDS NJ 07732 PHONE: 732.872.7736

GRADING PLAN FOR
DAVID LINK
BLOCK 65 LOT 25
TAX MAP SHEET No. 14

HIGHLANDS BOROUGH, MONMOUTH COUNTY, NEW JERSEY

ANDREW R. STOCKTON
PROFESSIONAL ENGINEER & LAND SURVEYOR
NEW JERSEY LIC. NO. 35405

DATE: 8-10-22	SCALE: 1" = 10'	DESIGN BY: ARS	PROJECT NO.:	SHEET NO.:
			2202092	1 of 1



HGPB- R1950

September 27, 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: Link Residence
72 4th Street
Block 65, Lot 25
Single-Family Residential (R-2.02) Zone
Minor Site Plan
First Completeness Review**

Dear Ms. Tran:

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

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

1. Land Use Board Application for Minor Site Plan, dated June 22, 2022.
2. Architectural Plan prepared by Salvatore La Ferlita, R.A., dated June 14, 2022, consisting of two (2) sheets.
3. Topographical Survey prepared by Ronald L. Trinidad, P.L.S., of R & T Land Surveying, dated June 1, 2022, consisting of one (1) sheet.
4. Location Land Survey prepared by Thomas C. Finnegan, P.L.S., dated November 22, 2021, consisting of one (1) sheet.
5. Sketch of Cedar Street Road Vacation, part of Lot 25 Block 65, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 2022, consisting of one (1) sheet.
6. Sketch of Cedar Street Road Vacation, part of Lot 2.01 Block 68, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 2022, consisting of one (1) sheet.
7. Sketch of Cedar Street Road Vacation, part of Lot 2.02 Block 68, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 2022, consisting of one (1) sheet.

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

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.**



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

**Re: Link Residence
72 4th Street
Block 77, Lot 15
Single-Family Residential (R-2.02) Zone
Minor Site Plan
First Completeness Review**

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.**
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. **Partially provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Not applicable.**
10. 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.**
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.**



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

**Re: Link Residence
72 4th Street
Block 77, Lot 15
Single-Family Residential (R-2.02) Zone
Minor Site Plan
First Completeness Review**

- 17. Specific location and design of traffic control devices, signs and lighting fixtures. The Board may require of the applicant expert testimony concerning the adequacy of proposed traffic control devices, signs and lighting fixtures. **Not applicable.**
- 18. Preliminary architectural plans for the proposed buildings or structures indicating typical floor plans, elevations, heights and general design or architectural styling. **Provided.**
- 19. The present and past status 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: Link Residence
72 4th Street
Block 77, Lot 15
Single-Family Residential (R-2.02) Zone
Minor Site Plan
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)
Brian O'Callahan, Zoning Officer (bocallahan@middletownnj.org)
Andrew Stockton, P.L.S., Applicant's Planner (arstockton@gmail.com)
Salvatore La Ferlita, R.A., Applicant's Architect (sallaferlita@aol.com)
David Link, Applicant (ddlson3@yahoo.com)

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HGPB- R1950

September 27, 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: Link Residence
72 4th Street
Block 65, Lot 25
Single-Family Residence (R-2.02) Zone
Minor Site Plan
Fee Determination**

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 for Minor Site Plan, dated June 22, 2022.
2. Architectural Plan prepared by Salvatore La Ferlita, R.A., dated June 14, 2022, consisting of two (2) sheets.
3. Topographical Survey prepared by Ronald L. Trinidad, P.L.S., of R & T Land Surveying, dated June 1, 2022, consisting of one (1) sheet.
4. Location Land Survey prepared by Thomas C. Finnegan, P.L.S., dated November 22, 2021, consisting of one (1) sheet.
5. Sketch of Cedar Street Road Vacation, part of Lot 25 Block 65, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 2022, consisting of one (1) sheet.
6. Sketch of Cedar Street Road Vacation, part of Lot 2.01 Block 68, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 2022, consisting of one (1) sheet.
7. Sketch of Cedar Street Road Vacation, part of Lot 2.02 Block 68, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 2022, consisting of one (1) sheet.

Please note the following fee calculations:

1. **Application fee: \$1,175.00**
2. **Escrow fee: \$2,350.00**

The applicant shall post the balance of fees.



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

**Re: Link Residence
Block 65, Lot 25
Single-Family Residence (R-2.02) Zone
Minor Site Plan
Fee Determination**

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)
Brian O'Callahan, Zoning Officer (bocallahan@middletownnj.org)
Andrew Stockton, P.L.S., Applicant's Planner (arstockton@gmail.com)
Salvatore La Ferlita, R.A., Applicant's Architect (sallaferlita@aol.com)
David Link, Applicant (ddlson3@yahoo.com)

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HGPB-R1950

DETERMINATION OF FEES
Link Residence - 72 4th Street
Block 65 Lot 25

A. APPLICATION FEES (Ord. 21-107)

A. Variances

3. Residential "c" (minimum lot area)	1	EA	\$	125.00	\$	125.00
Residential "c" (minimum lot frontage)	1	EA	\$	125.00	\$	125.00
Residential "c" (minimum side yard setback)	2	EA	\$	125.00	\$	250.00
Residential "c" (maximum building coverage)	1	EA	\$	125.00	\$	125.00
4. Residential "d" (building height)	1	EA	\$	150.00	\$	150.00

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	\$	2,350.00	\$	2,350.00
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Application fees subtotal \$ 1,175.00

Escrow fee subtotal \$ 2,350.00

Total \$ 3,525.00



HGPB- R1950

September 30, 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: Link Residence
72 4th Street
Block 65, Lot 25
Single-Family Residential (R-2.02) Zone
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 for Minor Site Plan, dated June 22, 2022.
2. Architectural Plan prepared by Salvatore La Ferlita, R.A., dated September 23, 2022, consisting of two (2) sheets.
3. Topographical Survey prepared by Ronald L. Trinidad, P.L.S., of R & T Land Surveying, dated June 1, 2022, consisting of one (1) sheet.
4. Location Land Survey prepared by Thomas C. Finnegan, P.L.S., dated November 22, 2021, consisting of one (1) sheet.
5. Grading Plan prepared by Andrew R. Stockton, P.E., P.L.S., of Eastern Civil Engineering, LLC, dated August 10, 2022, consisting of one (1) sheet.
6. Sketch of Cedar Street Road Vacation, part of Lot 25 Block 65, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 2022, consisting of one (1) sheet.
7. Sketch of Cedar Street Road Vacation, part of Lot 2.01 Block 68, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 2022, consisting of one (1) sheet.
8. Sketch of Cedar Street Road Vacation, part of Lot 2.02 Block 68, prepared by Robert K. Sanchez, P.L.S., of CME Associates, dated June 21, 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 2,750 square feet property is currently vacant and per the applicant previously contained a two-story single-family dwelling and wooden deck. The site is located in the Single Family Residential (R-2.02) Zone of the Borough with frontage along 4th Street. With this application, the applicant is seeking minor site plan and bulk variance approval to construct a new elevated two-and-a-half-story single family dwelling.

B. Planning and Zoning

In accordance with Section 21-86 of the Ordinance existing/proposed bulk criteria are noted as follows:



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

**Re: Link Residence
 72 4th Street
 Block 65, Lot 25
 Single-Family Residential (R-2.02) Zone
 Minor Site Plan
 First Engineering Review**

R-2.02 Zone	Required	Existing	Proposed
Min. Lot Size	4,000 SF	2,739 SF ^(E)	2,739 SF ^{(E)(V)}
Min. Lot Frontage	50'	25' ^(E)	27.5' ^{(E)(V)}
Min. Lot Depth	75'	100'	100'
Min. Front Yard Setback*	20' (10' min)	NA	15' (porch)
Minimum Rear Yard Setback	20'	NA	20' (elev. deck)
Minimum Side Yard Setback	6'8"	NA	2'3" ^(V)
Maximum Building Height**	30' (32.5')	NA	+/-33.5' ^{(V)(C)}
Maximum Building Coverage	33%	NA	+/-45% ^{(V)(C)}
Maximum Lot Coverage	75%	NA	63.7%

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

*Per Section 21-79.B and Schedule 1 of Section 21 of the Ordinance, in areas where at least 75% of the lots within 200 feet are already developed, the front yard setback may be either the required setback or the prevailing setback. The prevailing setback shall be the average setback of buildings on the same block in the same zone, but not less than the average of the setbacks of the buildings on the two nearest adjacent lots and in no case less than half the required setback.

**Per Schedule 1 of Section 21 of the Ordinance, where a dwelling is constructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2-1/2) feet.

1. The applicant shall provide testimony on the proposed dwelling height. Building height calculations in accordance with the Borough’s definition of “Building Height” and “Grade Plane” as noted in Section 21-8 of the Ordinance shall be provided. It appears that the applicant measured to the average height of the second highest roof surface, as opposed to the highest roof surface which is required by Ordinance. Using the mean height of the upper (smaller) roof



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

**Re: Link Residence
72 4th Street
Block 65, Lot 25
Single-Family Residential (R-2.02) Zone
Minor Site Plan
First Engineering Review**

- surface results in a height approximately one (1) foot taller than the Ordinance allows. This can either be clarified/modified to comply, or a bulk “c” variance could be sought.
2. The applicant shall confirm the building coverage calculation. Per the Ordinance, covered porches shall be included. We calculated approximately 45%.
 3. 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.

C. Technical Engineering Review

1. Table 4.4 of Section 5:21-4.14 of R.S.I.S. requires two (2) off-street parking spaces for a three-bedroom single family dwelling, and Section 21-65.14.C.1 of the Ordinance requires a minimum of two (2) off-street parking spaces for a residential dwelling. The applicant shall confirm the proposed number of bedrooms for the new dwelling, as a loft room with wet bar and bathroom has been proposed within the attic space. The applicant provides two (2) off-street parking spaces for the dwelling.
2. The Architectural Plans indicate a paver driveway width with a width of 18 feet, whereas the Grading Plan indicates a paved driveway with a width of 14 feet. This discrepancy shall be addressed, and the appropriate plan revised.
3. The plans shall be revised to show the limits of concrete sidewalk replacement.
4. The proposed development will not disturb an area exceeding 1 acre, nor will it create more than a quarter acre of new impervious surfaces. Therefore, the project is not considered a “major development” as defined by NJAC. 7:8 and is not subject to the NJDEP Stormwater Management quantity, quality, and recharge requirements of a major development.



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

**Re: Link Residence
72 4th Street
Block 65, Lot 25
Single-Family Residential (R-2.02) Zone
Minor Site Plan
First Engineering Review**

5. While the project is not considered a major development, the applicant appears to increase impervious coverage by approximately 1,260 square feet. The applicant shall provide testimony on how the increase from pre- to post-development stormwater runoff will not have a negative impact on the site and downstream off-site stability affected by stormwater runoff.
6. The applicant shall provide testimony on any adverse drainage impacts to the adjacent properties as a result of the proposed improvements.
7. The applicant shall provide testimony regarding the suitability of existing utility connections and/or additional utility connections or improvements necessitated by the subject application. Proper trench restoration for all proposed utilities shall be shown on the plans.
8. Per Ordinance O-22-13 a portion of the western adjacent alley between 72 4th Street and 26 Cedar Street was vacated and is proposed as a permanent utility easement/reservation. This increased the original 2,500 SF lot area of Lot 25 to 2,739 SF. The applicant shall provide testimony on all easements associated with this project.
9. A note shall be added to the plans indicating that all utilities are to be installed underground.
10. The applicant shall also be aware that a sanitary sewer connection fee must be paid prior to issuance of building permits.
11. Section 21-65.10A of the Ordinance indicates that 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. No landscaping has been provided as part of this application. The Board should determine if a landscaping plan is required.
12. Section 21-65.10B of the Ordinance indicates that if feasible 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 street trees are required for this application.
13. It should be noted that this property is located within the AE flood zone with a Base Flood Elevation (BFE) of 11 feet. The applicant has indicated that the proposed finished floor elevation is 17.42 feet. Additionally, it is recommended that the applicant obtains an Elevation Certificate for the subject property.

We defer further review to the Flood Plain Administrator and Construction Official for any applicable building requirements accordingly.

14. 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



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

**Re: Link Residence
72 4th Street
Block 65, Lot 25
Single-Family Residential (R-2.02) Zone
Minor Site Plan
First Engineering Review**

specific restrictions and/or permitting requirements accordingly. We recommend a jurisdictional determination be provided. We defer further review to NJDEP.

15. The applicant shall provide testimony on proposed flood mitigation measures.
16. The Zoning Table shall be revised to correctly indicate all existing and proposed bulk conditions. Additionally, there are multiple discrepancies between the Zoning Tables of the Architectural Plan and Grading Plan. These plans shall be revised, and the appropriate bulk conditions shall be provided in each Zoning Table.
17. The Building Department should review the architectural plans for ADA compliance.
18. A note shall be added to the plans stating that any/all existing curb, sidewalk, roadway, and other off-site objects either in poor condition or damaged by construction should be repaired and/or replaced to the satisfaction of the Borough Engineer.
19. The applicant shall provide testimony regarding any mechanical equipment proposed, such as A/C units and backup power generators, as well as any requirements for electric and other meters including any required platforms.
20. Approvals or waivers should be obtained from any outside agencies or departments having jurisdiction. These may include, but shall not be limited to, the following:
 - a. New Jersey Department of Environmental Protection
 - i. CAFRA
 - b. Freehold Soil Conservation District

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



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

**Re: Link Residence
72 4th Street
Block 65, Lot 25
Single-Family Residential (R-2.02) Zone
Minor Site Plan
First Engineering Review**

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)
Andrew Stockton, P.L.S., Applicant's Planner (arstockton@gmail.com)
Salvatore La Ferlita, R.A., Applicant's Architect (sallaferlita@aol.com)
David Link, Applicant (ddlson3@yahoo.com)

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The Two River
75 West Fr
Red Bank,
Affidavit of

State of New Jersey } ss.
Monmouth County

Personally appeared Stephen Appezzato

of The Two River Times, a newspaper published in
being duly sworn, deposes and saith that the adve
copy, has been published in the said newspaper 1 t

September 29, 2022

Stephen Appezzato

(Employee Signature)

Sworn and subscribed before me this day 29 of September 2022

Notary Public of New Jersey

Fees: \$25.23 Ad: 22533
Advertisement (attached)

MELISSA INDIVIGLIO
Notary Public, State of New Jersey
Commission # 50048224
My Commission Expires 10/24/2026

Melissa Indiviglio

1205 Public Notice

Borough of Highlands Land Use Board
42 Shore Drive
Highlands, NJ 07732
Phone: (732) 872-1224
Fax: (732) 872-0670
www.highlandsborough.org

Notice to be Published in Official Newspaper

Notice of Hearing
Land Use Board

TAKE NOTICE that on Thursday evening at 7:00 p.m. on the 13th day of October a hearing will be held before the Borough of Highlands Land Use Board in the Community Center, 22 Snug Harbor, Highlands New Jersey on the application of the undersigned that has been made to the Borough of Highlands Land Use Board, at which time and place all interested persons will be given an opportunity to be heard.

The property in question is located at 72 4th St Highlands NJ 07732 also known as Block 45 Lot(s) 28 on the Highlands Tax Map. The property is located in the R 202 zone. The applicant is seeking: build new construction home

For the purpose of living there

A copy of the application and documents are on file with the Board Secretary, and may be inspected Monday through Friday, 9:00 a.m. to 4:00 p.m.

David Link
(Name of Applicant, and/or applicant's attorney)

[This notice must be published at least 30 days prior to the hearing in the Asbury Park Press or the Two River Times.]

indec@highlandsborough.org | 6

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