



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: <u>7/19/2022</u>	Application #: <u>2022-06</u>	Fee: <u>\$ 225</u> ck# 120	Escrow: <u>750</u> ck# 133

1. APPLICANT

Name: MARIE MARTIN
 Address: 90 3RD ST
 City: Hazlet Township State: NJ Zip: 07734
 Phone: 732-900-8830
 Email: MARIESELLSNJ@gmail.com
 Relation to property: OWNER

2. OWNER

Name: Bruce & MARIE MARTIN
 Address: 90 3RD St.
 City: Hazlet Township State: NJ Zip: 07734
 Phone: 732-900-8830
 Email: MARIESELLSNJ@gmail.com

3. TYPE OF APPLICATION (Check all that apply)

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

4. PROPERTY INFORMATION

Block 77 Lot(s) 15 Address: 15 BARBERIE AVE
 Lot size 75x100 # of Existing Lots 1 # of Proposed Lots 2
 Zone SF-0 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 8/1/22 Sewer paid through 8/19/22

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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JUL 19 2022

LAND USE BOARD



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

Name: THOMAS FINNEGAN Surveyor
Address: 245 E. End Ave
Belford, N.J. 07718
Phone: 732-787-0318
Email: thomascfinnegan@gmail.com

Name: _____
Address: _____

Phone: _____
Email: _____

7. LAND USE

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

2 family Residential

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.

1) Portion to be subdivided 2) sell lot only

C. ADDITIONAL INFORMATION:

		Existing	Proposed
Residential:	How many dwelling units?	<u>2</u>	<u>lot 75 x 50</u>
	How many bedrooms in each unit?	<u>3 4 2</u>	_____
	How many on-site parking spaces?	<u>0</u>	_____
Commercial:	How many commercial uses on site?	_____	_____
	How many on-site parking spaces?	_____	_____

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

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

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

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

N/A

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JUL 19 2022

LAND USE BOARD

landuse@highlandsborough.org



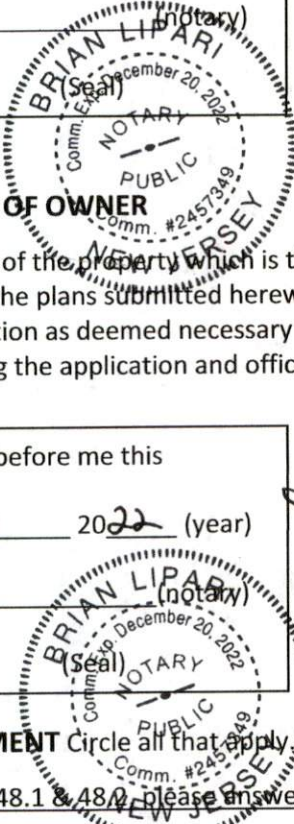
Borough of Highlands
 42 Shore Drive
 Highlands, NJ 07732
 (732) 872-1224
 www.highlandsborough.org

10. NOTARIZED SIGNATURE OF APPLICANT

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

SWORN & SUBSCRIBED to before me this
 18 day of July 2022 (year)
 [Signature]

[Signature] 7/18/22
 Signature Date
 MARIE MARTIN
 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
 18 day of July 2022 (year)
 [Signature]

[Signature] July 18, 2022
 Signature Date
 Bruce R. Martin
 Print Full Name

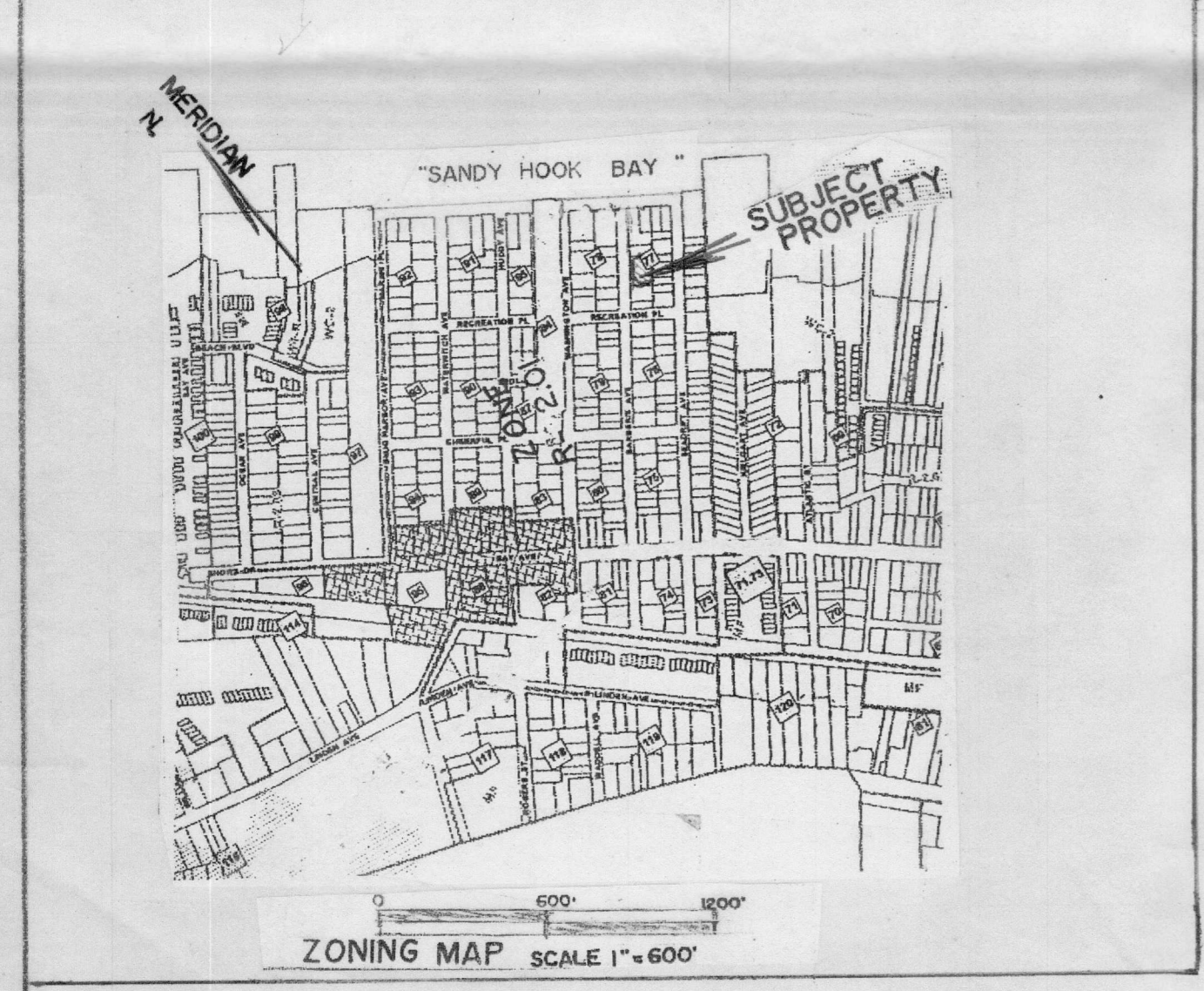
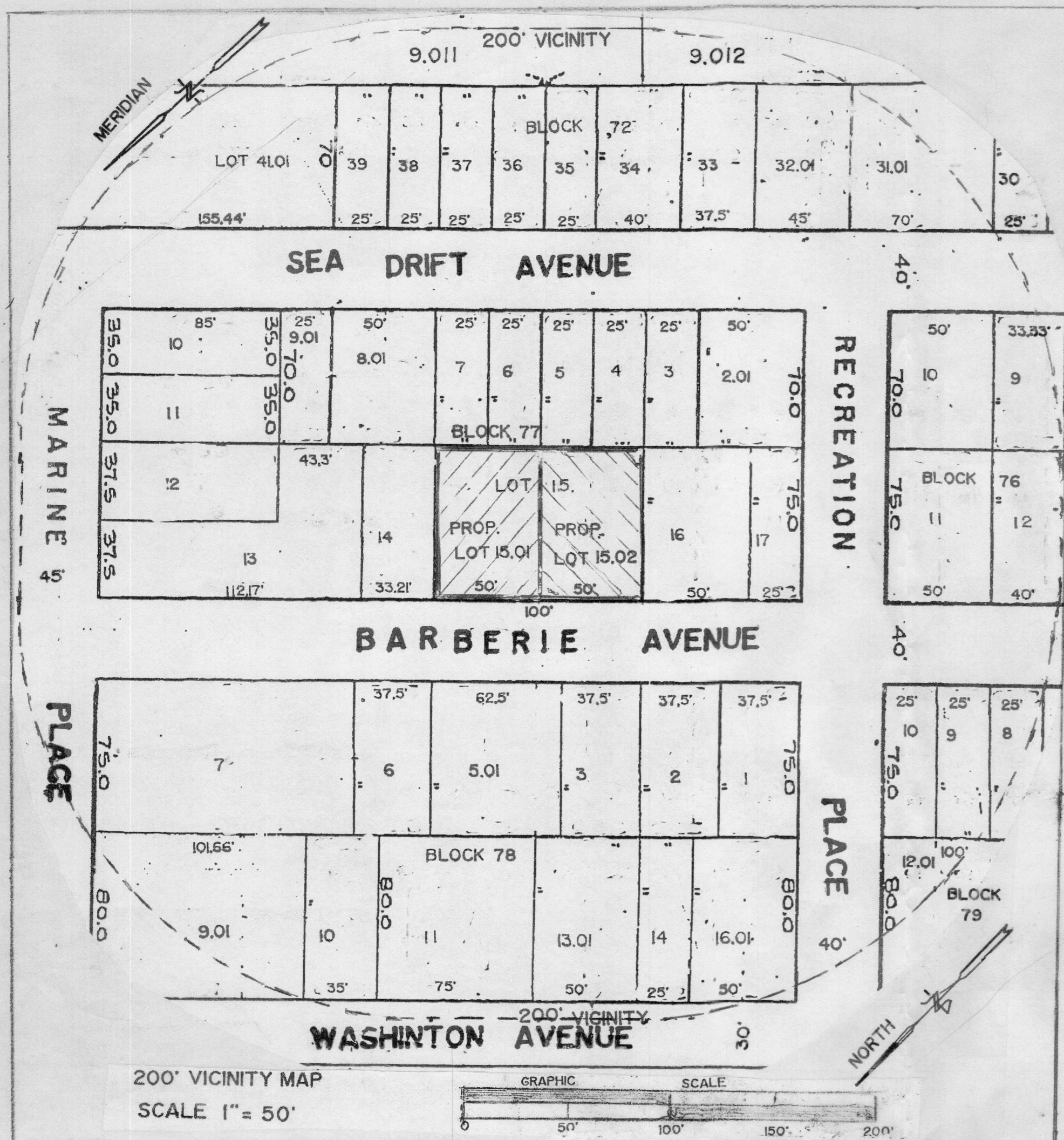
12A. DISCLOSURE STATEMENT Circle all that apply

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

- Is this application to subdivide a parcel of land into six (6) or more lots? Yes No
- Is this application to construct a multiple dwelling of 25 or more units? Yes No
- Is this an application for approval of a site(s) for non-residential purposes? Yes No
- Is this Applicant a corporation? Yes No
- Is the Applicant a limited liability corporation? Yes No
- Is the Applicant a partnership? Yes No

RECEIVED

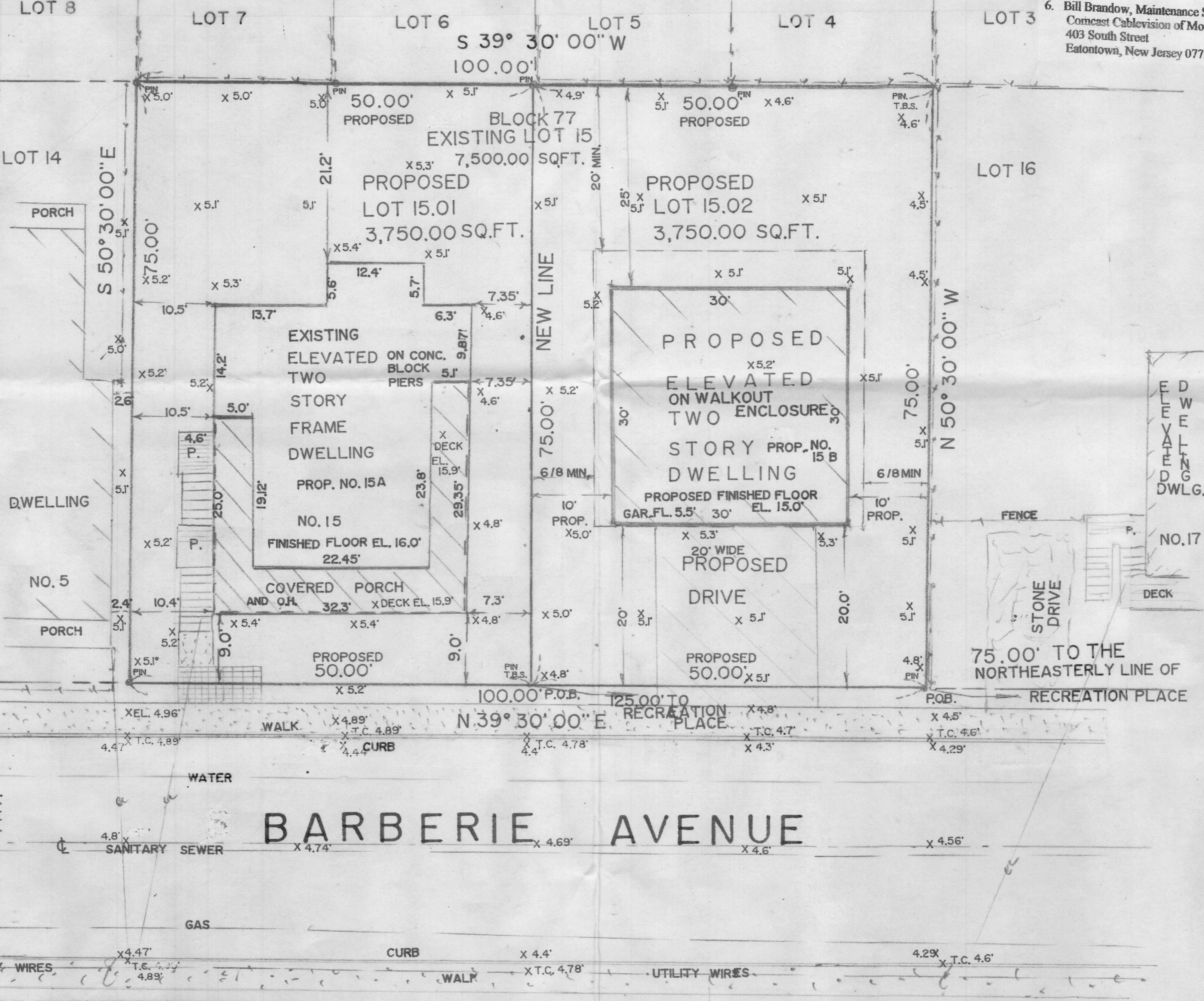
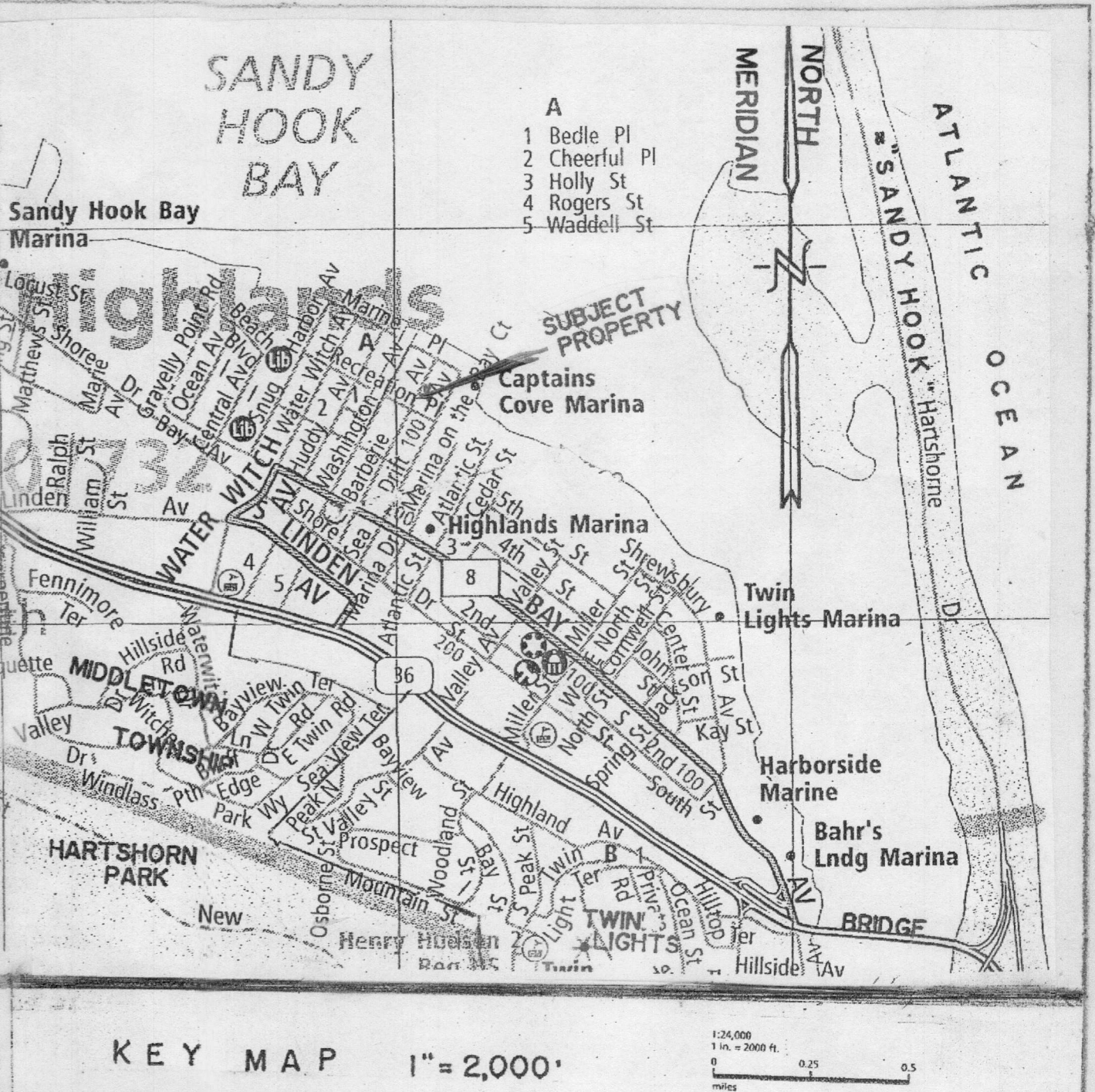
If you circled **YES** to any of the above, please complete the following Ownership Discloser Statement (use additional sheets if necessary).



BOROUGH OF HIGHLANDS Schedule I - Bulk and Area Requirements										
Zone	Lot Size sq. feet	Minimum					Maximum			
		Lot Frontage /Width feet	Lot Depth feet	Front Setback feet	Side Setback feet	Rear Setback feet	Height feet	Lot Coverage	Building Coverage	FAR
RESIDENTIAL Single Family R-2.01	3,750	50	75	20	6/8	20	30	75%	33%	
EXISTING LOT 15.01	3,750	50'	75'	9'	7/10'	21.2'	30'	39.65%	35.65%	
LOT 15.02	3,750	50'	75'	20'	10'	25'	30'	34.66%	24%	

OWNERS WITH IN 200 FEET									
Block	Lot	Qual	Owner Name	Address	Town				
72	31.01		SHANNON ENTERPRISES LLC	21-23 SEADRIFT AVENUE	HIGHLANDS				
72	32.01		ARIJKA PROPERTY, INC	19 SEADRIFT AVENUE	HIGHLANDS				
72	33		HOLLEMBEAK, PHILIP N	17 SEADRIFT AVENUE	HIGHLANDS				
72	34		KAJJIL SHAMA	15 SEADRIFT AVENUE	HIGHLANDS				
72	35		CONNERTY, KIERA P	11 SEADRIFT AVENUE	HIGHLANDS				
72	36		FLYNN, COLLEEN	9 SEADRIFT AVENUE	HIGHLANDS				
72	37		NESKE,	7 SEADRIFT AVENUE	HIGHLANDS				
72	38		O'MALLEY, BERNARD	5 SEADRIFT AVENUE	HIGHLANDS				
72	39		HAMILTON, WAYNE T & ANNET	3 SEADRIFT AVENUE	HIGHLANDS				
72	41.01		SCARANO, GERARD D & PATRICIA G	1 SEADRIFT AVENUE	HIGHLANDS				
76	9		MALLOY, BRIAN K	25 SEADRIFT AVENUE	HIGHLANDS				
76	10		CRECO, STEPHEN	22 SEADRIFT AVENUE	HIGHLANDS				
76	11		JOHNSON,	21	HIGHLANDS				
76	12		MICOT, DEBORAH E	27 BARBERIE AVENUE	HIGHLANDS				
77	2.01		ROSSETTI, WILLIAM & TOMMIE JOY	18 SEADRIFT AVENUE	HIGHLANDS				
77	3		HEBRANK, RONALD	16 SEADRIFT AVENUE	HIGHLANDS				
77	4		OLIVEIRA, PAUL	14 SEADRIFT AVENUE	HIGHLANDS				
77	5		DARRIGO, CLAUDETTE C & LOPEZFAUSTO	12 SEADRIFT AVENUE	HIGHLANDS				
77	6		SEADRIFT HIGHLANDS, LLC	10 SEADRIFT AVENUE	HIGHLANDS				
77	7		GLADISH, MARY A	8 SEADRIFT AVENUE	HIGHLANDS				
77	8.01		GALLAGHER, DANIEL J & PETER & JOHN	4 SEADRIFT AVENUE	HIGHLANDS				
77	9.01		DIGALETS, JOHN	2 SEADRIFT AVENUE	HIGHLANDS				
77	10		GUENTHER, WALTER B & LYNDAL	2 MARINE PLACE	HIGHLANDS				
77	11		GUENTHER, WALTER P.	4 MARINE PLACE	HIGHLANDS				
77	12		SCHORK, EDWARD & BARBARA	5 MARINE PLACE	HIGHLANDS				
77	13		GIL, PAUL J	1-3 BARBERIE AVENUE	HIGHLANDS				
77	14		GARRISON, JACQUELINE	5 BARBERIE AVENUE	HIGHLANDS				
77	15		MARTIN, BRUCE & MARIE	15 BARBERIE AVENUE	HIGHLANDS				
77	16		HAGER, STEVEN	17 BARBERIE AVENUE	HIGHLANDS				
77	17		ROSSETTI, TOMMIE J.	BARBERIE AVENUE	HIGHLANDS				

- Lorraine Gorman, SR/WA Verizon New Jersey Inc. 5100 Balmor Boulevard Farmingdale, NJ 07727
- Lance Hendrickson, Operations NJ American Water Company 661 Shrewsbury Avenue Shrewsbury, New Jersey 07702
- Supervisor Township of Middletown Sewer Authority P.O. Box 205 Belford, New Jersey
- New Jersey Natural Gas Company 1415 Wyckoff Road P.O. Box 1464 Wall, New Jersey 07719 Attention: John B. Wyckoff, P.E. Manager-Distribution Engineering
- Corporate Secretary Jersey Central Power & Light Company 300 Madison Avenue Morris town, New Jersey 07962-1911
- Bill Brandow, Maintenance Supervisor Comcast Cablevision of Monmouth County, Inc. 403 South Street Eatontown, New Jersey 07724



OWNERS WITH IN 200 FEET									
Block	Lot	Qual	Owner Name	Address	Town				
78	1		KELLEHER, JOSEPH	20 BARBERIE AVENUE	HIGHLANDS				
78	2		DIBARI, EMANUEL	16 BARBERIE AVENUE	HIGHLANDS				
78	3		ARIJKA PROPERTY INC	14 BARBERIE AVENUE	HIGHLANDS				
78	5.01		ROWE, CRAIG	10 BARBERIE AVENUE	HIGHLANDS				
78	6		ROHRIG, LESLIE W & ALICE ROSE	8 BARBERIE AVENUE	HIGHLANDS				
78	7		ARIJKA PROPERTY INC	7 MARINE PLACE	HIGHLANDS				
78	9.02		STATE OF NEW JERSEY DEPARTMENT OF C	9 MARINE PLACE	HIGHLANDS				
78	9.03		CHELAK, YAROSLAW & KAREN	3 WASHINGTON AVENUE	HIGHLANDS				
78	10		RESILIENCYLLC	5 WASHINGTON AVENUE	HIGHLANDS				
78	11		MONGILLO, ALBERT JR & KATHRYN	9 WASHINGTON AVENUE	HIGHLANDS				
78	13.01		KAMPE, JOHN & MARY ANN	13 WASHINGTON AVENUE	HIGHLANDS				
78	14		GRAHAM, MARK S	15 WASHINGTON AVENUE	HIGHLANDS				
78	16.01		ROGA, WYBES N	17 WASHINGTON AVENUE	HIGHLANDS				
79	8		HUGHES, ROBERT W & JOANNE	26 BARBERIE AVENUE	HIGHLANDS				
79	9		BROWNING, VALERIE	24 BARBERIE AVENUE	HIGHLANDS				
79	12.01		JODZIEWICZ, DAVID & CLITHEREO, ANYA	23 WASHINGTON AVENUE	HIGHLANDS				

Note: If adjacent to State Highway (Route 35 or 36) Notify: Commissioner of Transportation, Dept. of Transportation, 1035 Parkway Ave. P.O. Box 101, Trenton, N.J. 08625

If adjacent to County or adjoining County Land; notify Monmouth County Planning Board, P.O. Box 1255, Freehold, N.J. 07728.

If situated within 200 feet of another Municipal boundary, you must also serve owners in that municipality.

N.J. Dept. of Environmental Protection, Land Use Regulation Element, Bureau of Regulation, P.O. Box 439, 501 East State Street, Trenton, N.J. 08625-0439 Attn: Monmouth County Section Chief.

PROPOSED LOT 15.01
3,750.00 SQ.FT.
EXISTING DWELLING IS 1,337 SQ.FT.
AT 35.65% COV.
EXISTING PORCH AND WALKS
ARE 150 SQ.FT. AT 4% COV.
TOTAL COVERAGE AT
39.65% COV.

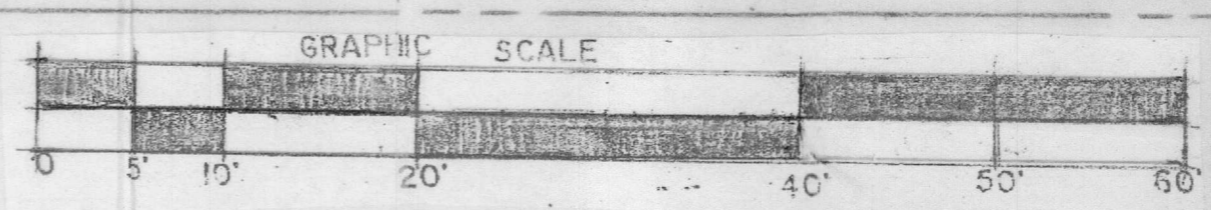
PROPOSED LOT 15.02
3,750.00 SQ.FT.
PROPOSED DWELLING IS 900 SQ.FT.
AT 24% COV.
PROPOSED DRIVE IS 400 SQ.FT.
AT 10.66% COV.
PROPOSED TOTAL COVERAGE AT
34.66% COV.

OWNER / APPLICANT: MARIE MARTIN AND BRUCE MARTIN
90 THIRD STREET
HAZLET, N.J. 07734
732-900-8830

MINOR SUBDIVISION OF LOT 15
PROPOSED LOT 15.01 AND LOT 15.02, BLOCK 77
ON TAX MAP SHEET 16, BOROUGH OF HIGHLANDS,
MONMOUTH COUNTY, NEW JERSEY.

THOMAS CRAIG FINNEGAN LAND SURVEYING LLC.
THOMAS CRAIG FINNEGAN P.L.S. N.J. LIC. 38601
PROFESSIONAL LAND SURVEYOR
245 EAST END AVENUE, BELFORD, N.J. 07718
PH. 732-787-0318, FAX 732-495-6217, CELL 732-856-2821
SCALE 1"=10' E-MAIL TFINNS8810@AOL.COM MAY 16, 2022
OR THOMASCFINNEGAN@GMAIL

NOTE: SPOT ELEVATIONS ARE ON NAVD 88 DATUM
THE PROPERTY IS IN FEMA ZONE AE ELEVATION 11FT.
HIGHLANDS BOROUGH 345297
FEMA MAP 34025C 0086 G
DATED 06/20/2018



Certification statement for the required municipal signatures, stating:
Application No. _____ approved/disapproved by the Highlands Borough Planning Board/Board of Adjustment as a Minor Subdivision on _____ (date)
Chairman _____
Secretary _____



HGPB- R1940

August 16, 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: Martin Residence
15 Barberie Avenue
Block 77, Lot 15
Single-Family Residence (R-2.01) Zone
Minor Subdivision
First Completeness Review**

Dear Ms. Tran:

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

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

1. Land Use Board Application for Subdivision, dated July 19, 2022.
2. Minor Subdivision Plan prepared by Thomas C. Finnegan, P.L.S., of Thomas Craig Finnegan Land Surveying, LLC, dated May 16, 2022, consisting of one (1) sheet.

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

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

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



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

**Re: Martin Residence
15 Barberie Avenue
Block 77, Lot 15
Single-Family Residence (R-2.01) Zone
Minor Subdivision
First Completeness Review**

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

Chairman

Secretary

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

Although several 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: Martin Residence
15 Barberie Avenue
Block 77, Lot 15
Single-Family Residence (R-2.01) Zone
Minor Subdivision
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)
Thomas C, Finnegan, P.L.S., Applicant's Planner (thomascfinnegan@gmail.com)
Bruce & Marie Martin, Applicant (mariesellsnj@gmail.com)

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HGPB- R1940

August 16, 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: Martin Residence
15 Barberie Avenue
Block 77, Lot 15
R-2.01 Zone
Minor Subdivision
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 Subdivision, dated July 19, 2022.
2. Minor Subdivision Plan prepared by Thomas C. Finnegan, P.L.S., of Thomas Craig Finnegan Land Surveying, LLC, dated May 16, 2022, consisting of one (1) sheet.

Please note the following fee calculations:

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

The applicant shall post the balance of fees.

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)
Thomas C. Finnegan, P.L.S., Applicant's Planner (thomascfinnegan@gmail.com)
Bruce & Marie Martin, Applicant (mariesellsnj@gmail.com)

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HGPB-R1940

DETERMINATION OF FEES
Martin Residence - 15 Barberie Avenue
Block 77, Lot 15

A. APPLICATION FEES (Ord. 21-107)

A. Variances

3. Residential "c" (minimum front yard setback, lot 15.01)	1	EA	\$	125.00	\$	125.00
3. Residential "c" (maximum building coverage, lot 15.01)	1	EA	\$	125.00	\$	125.00

B. Subdivisions

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-R1940

September 28, 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: Martin Residence
 15 Barberie Avenue
 Block 77, Lot 15
 Single-Family Residential (R-2.01) Zone
 Minor Subdivision
 First Engineering Review**

Dear Ms. Tran:

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

1. Land Use Board Application for Subdivision, dated July 19, 2022.
2. Minor Subdivision Plan prepared by Thomas C. Finnegan, P.L.S., of Thomas Craig Finnegan Land Surveying, LLC, dated May 16, 2022, consisting of one (1) sheet.

Based on our review of the submitted documents, and a recent site visit, we offer the following comments for the Board’s consideration:

A. Project Description

The 7,500 square feet property is currently developed with an existing elevated two-story single-family dwelling. The site is located in the Single Family Residential (R-2.01) Zone of the Borough with frontage along Barberie Avenue. With this application, the applicant is seeking minor subdivision and bulk variance approval to subdivide the property into two new lots. Proposed Lots 15.01 and 15.02 will contain 3,750 square feet with frontage on Barberie Avenue. The applicant proposes to maintain the existing dwelling on proposed Lot 15.01 and construct a new elevated two-story single-family dwelling on proposed Lot 15.02.

B. Planning and Zoning

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

R-2.01 Zone	Required	Existing Lot 15	Proposed Lot 15.01	Proposed Lot 15.02
Min. Lot Size	3,750 SF	7,500 SF	3,750 SF	3,750 SF
Min. Lot Frontage	50’	100’	50’	50’
Min. Lot Depth	75’	75’	75’	75’



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

**Re: Martin Residence
 15 Barberie Avenue
 Block 77, Lot 15
 Single-Family Residential (R-2.01) Zone
 Minor Subdivision
 First Engineering Review**

R-2.01 Zone	Required	Existing Lot 15	Proposed Lot 15.01	Proposed Lot 15.02
Min. Front Yard Setback*	20' (10')	9' ^(E)	9' ^(V)	20'
Minimum Rear Yard Setback	20'	21.2'	21.2'	25'
Minimum Side Yard Setback	6'8'	7'10'	7'10'	10'
Maximum Building Height**	30' (32.5')	30'	30'	30'
Maximum Building Coverage	33%	17.82% ^(C)	35.65% ^(V)	24%
Maximum Lot Coverage	70%	19.82% ^(C)	39.65%	34.66%

(E) – Existing Non-conformity

(C) – Calculated

(V) – Variance

*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. Section 21-65.5.C.1 of the Ordinance permits a maximum residential driveway of 18 feet at curb, whereas 20 feet is proposed. The plans shall be revised, or a design waiver will be required.
2. The applicant shall provide testimony on the existing dwelling height on proposed Lot 15.01 and proposed dwelling height on proposed Lot 15.02. 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.
3. The applicant shall confirm a garage will be provided underneath the proposed dwelling and how many parking spaces it will hold.
4. 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:



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

**Re: Martin Residence
15 Barberie Avenue
Block 77, Lot 15
Single-Family Residential (R-2.01) Zone
Minor Subdivision
First Engineering Review**

- 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 and has appeared to have provided two (2) parking spaces for the new development on proposed Lot 15.02. The applicant shall provide testimony on the existing parking conditions of dwelling on proposed Lot 15.01. A design waiver may be required.
2. 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 stormwater quantity, quality and recharge requirements of a major development.
3. While the project is not considered a major development, the applicant is proposing to increase impervious coverage by approximately 1,300 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.
4. The applicant shall provide testimony on any adverse drainage impacts to the adjacent properties as a result of the proposed improvements.
5. The applicant shall provide testimony regarding the suitability of existing utility connections and/or additional utility connections or improvements necessitated by the subject application. All proposed utility improvements shall be shown on the plans including proper trench restoration.



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6. A note shall be added to the plans indicating that all utilities shall be installed underground.
7. The applicant shall be aware that a sanitary sewer connection fee must be paid prior to issuance of building permits.
8. 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.
9. 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.
10. The applicant shall confirm whether the subdivision will be filed by deed or map. If it is to be filed by deed, copies of the deeds and associated metes and bounds descriptions should be submitted to our office and the Board attorney for review and approval. If the subdivision is to be filed by map, the following items must be addressed so the plat is in conformance with the Map Filing Law including but not limited to:
 - a. Section 46:26B-2.b.3 of the Map Filing Law indicates that lot designations shall conform with the municipal tax map. The applicant proposes to subdivide Block 77, Lot 15, into two (2) new lots 15.01 and 15.02, respectively. While this appears to be the correct approach to the proposed number designation, the applicant's surveyor is directed to correspond with the Borough's Tax Assessor's office to request confirmation that this proposed lot numbering in accordance with the Assessor's preference and to assure that that there is no conflict with the Assessor's tax parcel data base numbering system.
 - b. Section 46:26.B-2.b.8 of the Map Filing Law requires all monumentation, including monuments found, set, and to be set, be clearly shown on the plat. Appropriate certification that monuments have been set, or will be set at a later date, shall be included on the plat. A minimum of three corners distributed around the tract shall indicate coordinate values. This coordinate base needs to be either assumed or based on the New Jersey Plane Coordinate System and shown on the map.
 - c. Section 46:26.B-3.10 of the Map Filing Law requires on minor subdivisions a monument be set at each intersection of an outside boundary line of the newly created lot or lots with the right of way line of any side of an existing street.
 - d. Typical setback lines need to be shown with at least one sample (TYP.) of each of the setbacks.



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- e. All appropriate certifications as deemed necessary in Section 46:26.B-2.b of the Map Filing Law including but not limited to surveyor preparing the map, surveyor who prepared the boundary survey, municipal clerk, Land Use Board, owner, and applicant, with appropriate titles, shall be provided on the plan.
11. Classification as a minor subdivision shall expire one hundred ninety (190) days from the date of approval unless within such period a plat in conformity with such approval and the provisions of the Map Filing Law, P.L. 1960, c. 141 (N.J.S.A. 46:23-9.9 et seq.), or a deed clearly describing the minor subdivision is filed by the developer with the County Recording Officer, the Borough Engineer, and the Borough Tax Assessor. Any such plat or deed accepted for such filing shall have been signed by the Chairman and Secretary of the Board. In reviewing the application for a minor subdivision, the Board shall be permitted to accept a plat not in conformity with the Map Filing Act, P.L. 1960, c. 141 (N.J.S.A. 46:23-9.9 et seq.), provided that, if the developer chooses to file the minor subdivision as provided herein by plat rather than deed, such plat shall conform with the provisions of said act.
12. The applicant has only shown a generic proposed dwelling as part of this subdivision submission. The Board should determine whether a detailed plot plan will be required at this time for their review. Should the minor subdivision be approved, detailed plot plans demonstrating all proposed improvements, site grading, and stormwater management will be required prior to any construction, in addition to a zoning permit. Should any bulk variances be required at that time, the applicant shall return to the Board for approval.
13. It should be noted that both proposed Lots are located within the AE flood zone with a Base Flood Elevation (BFE) of 11 feet, and Proposed Lot 15.01 is partially located within the AE flood zone with a BFE of 12 feet. The applicant has indicated that the existing finished floor elevation of Proposed Lot 15.01 is 16 feet and the proposed finished floor elevation of Proposed Lot 15.02 is 15 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 specific restrictions and/or permitting requirements accordingly. We recommend a jurisdictional determination be provided. We defer further review to NJDEP.
15. Architectural plans shall be provided for review including but not limited to floor plan and elevations.
16. The Building Department should review the architectural plans for ADA compliance.
17. The following construction details shall be provided and comply with the standards of the Borough Ordinance, including but not limited to:



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- a. Driveway
 - b. Concrete Apron
 - c. Depressed Curb
 - d. Concrete Sidewalk
 - e. Utility Trenching
 - f. Utility Connections
18. A note shall be added to the plans indicating that all improvements are to be ADA compliant, where applicable.
19. 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.
20. 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.
21. Approvals or waivers should be obtained from any outside agencies 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: Martin Residence
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Minor Subdivision
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)
Thomas C, Finnegan, P.L.S., Applicant's Planner (thomascfinnegan@gmail.com)
Bruce & Marie Martin, Applicant (mariesellsnj@gmail.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 Appezato

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

September 29, 2022



(Employee Signature)

Sworn and subscribed before me this day 29 of September 2022

Notary Public of New Jersey

Fees: \$25.23 Ad: 22534
Advertisement (attached)

MELISSA INDIVIGLIO
Notary Public, State of New Jersey
Commission # 60048224
My Commission Expires 10/24/2026



1206 Public Notice



Borough of Highlands Land Use Board
42 Shore Drive
Highlands, NJ 07732
Phone: (732) 872-2224
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 2022
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
15 Barberie Ave.
also known as Block 77, Lot(s) 15, on the Highlands Tax Map.
The property is located in the R-2.01 zone.
The applicant is seeking: A Subdivision

For the purpose of to sell the lot

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.

Mauro Martin
[Name of Applicant, and/or applicant's attorney]

[This notice must be published at least 10 days prior to the hearing
in the Asbury Park Press or the Two River Times.]

landuse@highlandsborough.org | 6

Sept 29, 2022
Ad #22534

\$25.23