



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified

1670 Whitehorse-Hamilton Square Rd.
Hamilton, New Jersey 08690
609-586-1141 fax 609-586-1143
www.RobertsEngineeringGroup.com

August 1, 2024

Nancy Tran
Land Use Board Secretary
Borough of Highlands Land Use Board
151 Navesink Avenue
Highlands, New Jersey 07732

Re: Completeness Review No. 2
Preliminary and Final Site Plan
60 Bay Ave Highlands, LLC
60 Bay Avenue
Block 42, Lot 1
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB2024-02

Dear Ms. Tran:

As requested, we have reviewed the above referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations sections entitled "Part III, Subdivision and Site Plan Review, Article VI, Application Procedure" and "Article VIII, Plat and Plan Details, section 21-58.E & F – Preliminary Site Plan and Final Site Plan" as well as the Borough of Highlands, NJ Central Business District Redevelopment Plan May 2018.

The applicant seeks to move and elevate an existing 3-story multi-family residential building, complete renovations, provide ground floor storage and garage parking, and construct two extensions, decks, and associated site improvements. The proposed multi-family residential building will increase its existing 4 units to 5 units and will include a one (1) car garage, two (2) 1-½ garages, and a two (2) car garage.

The residential building is situated on a 6,625 SF (0.147 Ac) lot in the Central Business District (CBD). It is located within the CDB Redevelopment Area Overlay 2 Zone - Gateway Parcels and is bounded by Bay Avenue, South Street, Shrewsbury Avenue, Lot 15 in the same zone, and residential Lot 7 within the R-2.02 District. The property is located in the AE Flood Hazard zone, partially in the Coastal A zone, and in the Limit of the Moderate Wave Action (LiMWa) delineation area.

The site was issued a Denial of Zoning Permit on February 14, 2024, and April 23, 2024, by Courtney Lopez, Zoning Officer for the Borough of Highlands. The site was denied for a proposed building coverage of 52.4% where 35% is permitted, 7 parking spaces where 10.1 spaces are required, and 19.09 feet of driveway width at the curb where only 18 feet is permitted.

We have reviewed the following documents submitted in support of the above referenced application for completeness purposes:

1. Copy of the Completeness Review No. 1 letter to Nancy Tran dated May 17, 2024.
2. Copy of the Response Letter from InSite Engineering, LLC dated June 12, 2024.
3. Copy of the Letter to Nancy Tran from InSite Engineering, LLC dated April 11, 2024.
4. Copy of the Land Use Board Application for Variance dated June 18, 2024.

5. Copy of the Denial of Zoning Permit issued on April 23, 2024, by Courtney Lopez, Zoning Officer for the Borough of Highlands.
6. Copy of the Engineer's Report prepared by InSite Engineering, LLC dated June 10, 2024.
7. Copy of plans entitled, "Preliminary & Final Major Site Plan for Proposed Multi-family Residence, Block 42, Lot 1, 60 Bay Avenue, Borough of Highlands, Monmouth County, New Jersey, prepared by InSite Engineering, LLC., last revised June 5, 2024". The set consists of 13 sheets.
8. Copy of report entitled, "Multi-Family Residence - Preliminary & Final Major Site Plan, Stormwater Management Statement of Compliance, 60 Bay Avenue, Block 42, Lot 1, Borough of Highlands, Monmouth County, New Jersey", prepared by InSite Engineering, LLC, dated April 11, 2024.
9. Copy of Architectural plans entitled, "60 Bay Ave Highland LLC, Multi-family Residence, 60 Bay Avenue, Highlands, New Jersey, prepared by Salvatore La Ferlita, R.A. issued April 5, 2024." The set consists of 5 sheets.
10. Copy of a plan entitled, "Boundary & Topographic Survey of Block 42, Lot 1, 60 Bay Avenue, Borough of Highlands, Monmouth County, New Jersey, prepared by InSite Surveying, LLC., last revised December 20, 2023."
11. Copy of the Borough of Highlands, NJ Central Business District Redevelopment Plan, prepared by Phillips Preiss Grygiel Leheny Hughes LLC, Planning and Real Estate Consultants, adopted May 18, 2022.
12. Copy of an Architectural plan entitled, "Ground Floor Preliminary Space Analysis, prepared by Salvatore La Ferlita, R.A., dated June 12, 2024".

We offer the following comments and recommendations for the Planning Board's consideration:

I. ZONING

1. This property is located in the CBD Redevelopment Overlay 2 Zone (C-RO-2) Gateway Parcels.
2. The proposed multi-family residential building is a permitted use.
3. The Applicant requires zero (0) bulk variances. The following bulk requirement summary is provided for the Board's reference.

Schedule I – Bulk and Area Requirements				
CBD Redevelopment Overlay 2 Zone (C-RO-2) Gateway Parcels				
	Required	Existing	Proposed	Variance
Min. Lot Area (sf)	-	6,425	6,425	No
Lot Frontage/Width (ft)	-	213.67	213.67	No
Principal Building				
Min. Front Yard Setback (ft)				
Bay Avenue	2	13.9	5.00	No
South Street	2	13.3	8.30	No
Shrewsbury Avenue	2	8.3	8.05	No
Min. Rear Yard Setback (ft)	12	–	N/A	
Min. Side Yard Setback (ft)	5	11.4	7.93	No
Max. Building Height (ft)	40	11.6	29.33	No
Max. Lot Coverage (%)	80	37.0	62.0	No
Max Building Coverage (%)	80	31.9	54.5	No
Max. Floor Area Ratio	N/A	N/A	N/A	N/A
Minimum Outdoor Living Space	100 sf/Unit Plus 50 sf/BR	N/A	1,981	No
Accessory Building				
Max. Ground Floor Area (%)	30	5.0	N/A	-
Max. Coverage Rear Yard (%)	40	N/A	N/A	-
Min. Yard Setback (ft)	3	3.6	N/A	-
On-Site Parking (spaces)		0	0	-

II. APPLICATION FEES (PART 6 FEE SCHEDULE ARTICLE XXIII, ORD. 21-107)

1. Site Plans

Major

Preliminary approval	\$1,000 plus \$50 per acre or part thereof, and \$20 per 1,000 Square foot of building floor area or part thereof or \$20 per dwelling unit.	\$ 1,103.80
Final approval	50% preliminary fee.	\$ 551.90
Total		\$ 1,655.70

III. CHECKLIST ITEMS

- Date, name, location of site, name of owner, scale, and reference meridian. **Provided.**
- Area of the lot and all lot line dimensions and bearings. **Provided.**

3. The location of all existing watercourses, wooded areas, easements, rights-of-way, streets, roads, highways, rivers, buildings, structures, and any other feature on the property and within seventy-five (75) feet of the property line. **Provided.**
4. Location, use, and ground floor area of all existing and proposed buildings, building setback, sideline, 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. **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. **Provided.**
8. Location of all structures within seventy-five (75) feet of the property. **Provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Provided.**
10. Stormwater 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. **Provided.**
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. **Provided.**
12. The location and treatment of proposed entrances and exits to 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. **Provided.**
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. **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. **Provided.**
17. Specific location and design of traffic control devices, signs, and lighting fixtures. The Board may require of the applicant expert testimony concerning the adequacy of proposed traffic control devices, signs, and lighting fixtures. **Not applicable.**
18. Preliminary architectural plans for the proposed buildings or structures, indicating typical floor plans, elevations, heights and general design or architectural styling. **Provided.**

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 are 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. **Provided.**
21. Soil borings, when required by the Board Engineer. **Not provided.**

May be required for footings for construction. The applicant has agreed to provide soil borings if and when required.

22. Certification statement for the required municipal signatures, stating:

Application No. _____ approved/disapproved by the Borough of Highlands Land Use Board as a Major Site Plan on (date). **Provided.**

Chairman

Secretary

23. Certification statement for the County Planning Board approval/disapproval, if required.
Not provided. Condition of approval.

Bay Avenue is County Route 8; therefore, County Planning Board approval will be required. The applicant has agreed to provide a certification statement if and when required.

24. The Board may require any additional information which is reasonably necessary to ascertain compliance with the provisions of this chapter. **Open.**

II. DESIGN WAIVERS

1. Relief is requested from Ordinance Subsection 21-65.5(C)(1) Maximum Driveway Width at Curb. Eighteen (18) feet is permitted, and 19.09 feet is proposed for the site.
2. Relief is requested from Ordinance Subsection 21-65(11)(E) Minimum Lighting Level. 0.3 fc is required, and 0.1 fc is proposed for the site.
3. Relief is requested from Ordinance Subsection 21-65(11)(F) Maximum Lighting Level at property line. 0.3 fc is permitted, and 1.7 fc is proposed for the site.

IV. COMPLETENESS

The application may be deemed complete with waivers requested.

V. GENERAL COMMENTS

1. Please confirm that the existing dwelling will be enlarged and extended closer to Bay Avenue. The Applicant to provide testimony on how the building has been expanded.

The Land Use Board Application, Rider, cover letter and reports do not indicate that the existing structure is to be located closer the Bay Avenue.

However, the Denial of Zoning Permit notes "Lift house up to flood requirements. Move forward toward Bay Ave...." The Boundary and Topographic Survey, Existing Conditions Plan, Site Plan and architectural plans were compared, and the common existing and proposed walls appear to be closer to Bay Avenue.

2. The site was issued a Denial of Zoning Permit on February 14, 2024, and April 23, 2024, by Courtney Lopez, Zoning Officer for the Borough of Highlands. The site was denied for proposed building coverage of 52.4% where 35% is permitted, 7 parking spaces where 10.1 spaces are required, and 19.09 feet of driveway width at the curb where only 18 feet is permitted.
3. The proposed site is located in the CBD Redevelopment Overlay 2 Zone (C-RO-2) Gateway Parcels which allows for a maximum building coverage of 80%. The Applicant is proposing 62%.
4. Eleven spaces (10.1 spaces per RSIS Midrise Apartments) per C-RO-2 are required for the proposed site. Per §VIIA Vehicular Parking, residential uses are permitted to first count any available on-street parking spaces before determining the number of parking spaces that must be provided off-street. The Applicant notes that there are more than 3.1 existing on street parking spaces within the immediate vicinity and therefore the project complies. The applicant is to provide testimony.
5. The Applicant is requesting a design waiver for the proposed a 19.01 ft width driveway with apron and sidewalk accessing Shrewsbury Avenue.

The applicant states a larger driveway entrance is proposed to accommodate two complete parking spaces fully within the driveway and on the property. However, these two parking spaces block access to and from the rear two-car garage, and we do not find these spaces practical and usable. The applicant is to provide testimony on how these two spaces as well as the garage parking will operate.

6. Applicant proposes downspouts to collect stormwater from the proposed building and proposes grading to direct stormwater away from the building and adjacent properties and towards the roadways.
7. There is existing 4 ft and 6 ft high fencing along Lot 15, as shown on the Boundary and Topographic Survey and the Existing Conditions Plan.

Applicant to provide testimony regarding ownership of the existing fences.

8. Plantings are shown on the northeast portion of the proposed dwelling beneath the decking and upper floors. The applicant states the area will receive ample morning sun exposure and add the potential for more exposure in the summer and fall months when the sun angle is lower, and therefore the plantings are appropriate.

9. The applicant proposes stone under the new decking.
10. "Proposed pavement and sidewalk repair (typ.)" note on sheet C400 is to include curb replacement/repair.
11. A Sanitary Sewer Connection fee will be required for the site.

As per N.J.S.A. 40A:26a-11.1, "A municipal sewerage facility may charge an additional connection fee for an addition, alteration, or change in use that materially increases the level of use (15% or more) and imposes a greater demand on the sewerage system but does not involve a new physical connection of the property to the sewerage system."

The proposed apartment units will increase the sanitary sewer flow by approximately 45%. Therefore, the applicant is subject to a sanitary sewer connection fee.

12. The applicant has stated the existing gas service was identified as to be abandoned and the proposed service has been identified on the plan as underground.
13. The Applicant is requesting relief from 2 Lighting Ordinances:

- a. Subsection 21-65(11)(E) Minimum Lighting Level. 0.3 fc is required, and 0.1 fc is proposed for the site.
- b. Subsection 21-65(11)(F) Maximum Lighting Level at property line. 0.3 fc is permitted, and 1.7 fc is proposed for the site.

We recommend the applicant provide the minimum lighting level required, and a decrease in lighting levels at the property line, along with testimony of why such highlighting levels are being requested.

14. Recycling and garbage areas have been included on the Site Plans.
15. As a condition of approval, it is recommended that the Applicant provide a plot plan for review and approval at the time of obtaining the building permit. The applicant shall provide a plot plan for review and approval by the Borough Engineer.
16. The property is located in the AE flood zone with a Base Flood Elevation of 11 feet and the proposed finished floor elevation is 14.00. In addition, enclosed garages are no longer permitted per FEMA/NJDEP regulations.

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

17. According to XI.E General Administrative Requirements Affordable Housing Provisions, the mandatory set-aside requirements in Section 26-2 of the Borough of Highlands Affordable Housing Ordinance apply to any multifamily residential development of five (5) dwelling units or more, including the residential portion of a mixed-use project.

The applicant is to address this and provide testimony related to the same.

V. APPROVALS

Approval of this application will be conditioned upon the Applicant obtaining or providing approved documents for the following:

1. Monmouth County Planning Board
2. Freehold Soil Conservation Service
3. Coastal Area Facilities Review Act (CAFRA) Zone

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Carmela Roberts, PE, CME, CPWM
Land Use Board Engineer

cc: Michael Muscillo, Borough Administrator, (mmuscillo@highlandsborough.org)
P. Austin Mueller, Assoc., Land Use Board Attorney (amueller@weiner.law)
Courtney Lopez, Zoning Officer (clopez@highlandsborough.org)
Donna M. Jennings, Esq., Applicant's Attorney (djennings@wilentz.com)
Douglas D. Clelland, P.E., Applicant's Engineer (doug@insiteeng.net)
Salvatore LaFerlita, R.A., A.I.A. Applicant's Architect (sallaferlita@aol.com)
Cameron Corini, P.E., C.M.E., C.P.W.M., Roberts Engineering Group, LLC
GS Bachman, E.I.T., Roberts Engineering Group, LLC
Kelly Pham, E.I.T., Roberts Engineering Group, LLC