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May 17, 2024

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

Re: Completeness Review No. 1
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. section 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" and 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 (4 units), renovate, construct two extensions, decks, provide ground floor storage and garage parking and associated site improvements. The proposed multi-family residential building will consist of 5 units, one (1) car garage, two (2) – 1 ½ garages, and two (2) car garages.

The residential building is situated on a 6,625 sf (0.147 Ac) lot in the Central Business District (CBD) within the CDB Redevelopment Area Overlay 2 Zone - Gateway Parcels 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 and partially in the Coastal A Zone area and the Limit of the Moderate Wave Action (LiMWa) delineation.

The Applicant received a Denial of Zoning Permit on February 14, 2024, for non-compliance of bulk requirements for exceeding building coverage, decrease of required parking and increase of driveway width at the curb and must seek Planning Board approval.

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

1. Copy of Land Use Board Application for Variance, dated April 15, 2024.
2. Copy of a Denial of Zoning Permit issued on February 14, 2024, by Courtney Lopez, Zoning Officer for the Borough of Highlands.
3. 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., dated February 5, 2024, and last revised April 9, 2024, consisting of 12 sheets.

4. 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.
5. 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, consisting of 5 sheets.
6. Copy of 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., dated November 30, 2023, and last revised December 20, 2023.
7. 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.

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.
4. 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		TBD	TBD
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	\$1000 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

1. Date, name, location of site, name of owner, scale, and reference meridian. **Provided.**
2. Area of the lot and all lot line dimensions and bearings. **Provided.**
3. The location of all existing watercourses, wooded areas, easements, rights-of-way, streets, roads, highways, rivers, buildings, structures, and any other feature on the property and within seventy-five (75) feet of the property line. **Partially provided.**

Provide existing features and information as described within seventy-five feet of the property lines.

4. Location, use and ground floor area of all existing and proposed buildings, with the building setback, sideline, and rear yard distance. **Partially provided.**

Provide ground floor area(s) on the site plans.

5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Partially provided.**

Provide additional elevations on the site plans.

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. **Partially provided.**

Provide location of all structures within seventy-five feet of the property.

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. **Partially provided.**

Applicant has provided stormwater management report.

Provide existing and proposed sanitary sewer report, locations, and total average daily sewage flow. Please see general comments.

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. **Partially provided.**

Provide existing contours for seventy-five (75) feet outside the property.

Provide additional proposed spot elevations in the flood hazard area.

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. **Partially provided.**

Provide location of recycling bins. Provide location of garbage disposal pick up.

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.
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.
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 to be determined.

V. GENERAL COMMENTS

1. Please confirm that the existing dwelling will be moved closer to Bay Avenue.

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.

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, the common existing and proposed walls appear to be closer to Bay Avenue.

Please provide a note on the plans clearly indicating that the dwelling is to be relocated.

2. The site was issued a *Denial of Zoning Permit* on February 14, 2024, by Courtney Lopez, Zoning Officer for the Borough of Highlands. The site was denied for non-compliance for having a building coverage of 52.4% where 35% is permitted: proposed parking spaces at 7 where 10.1 spaces are required and proposed driveway at curb is 19.09 feet where 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 80% building coverage. The Applicant is proposing 62%.
4. Please indicate on the plans the elevation and square footage of the floors and the required minimum outdoor living per 100 sf/unit plus 50 sf/BR. Please update the bulk requirements summary
5. 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 count first 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.

Bay Avenue, South Street and Shrewsbury Avenue have no parking areas that are designated by yellow painted curbing.

Please indicate and dimension the available on-street parking spaces on the plans and confirm that the parking requirement has been met. Please update the parking chart.

6. The Applicant is requesting a design waiver for the proposed a 19.01 ft width driveway with apron and sidewalk accessing Shrewsbury Avenue.

Please explain why an 18 ft width driveway is not sufficient for the proposed driveway. An 18 ft. driveway is required per § 21-65.5.

Please provide spot elevations for the proposed apron and sidewalk ramps. Confirm ADA compliant.

7. Please provide proposed spot elevations indicating positive drainage between the rear driveway and the landscape buffer towards the roadway. Flow arrows and spot elevations are shown in the landscaped area, which cannot be relied on for long term positive flow.

8. 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.

The fencing is missing from the site plans. Please confirm ownership of the fence and place on the site plans.

9. Please provide proposed spot elevations indicating positive drainage between and along the existing fence with Lot 15, paved walkway and building to the roadway.
10. The ground elevations on the Architectural plans are 4.00 whereas the grading plan is 5.00. Please confirm the elevation and correct.
11. There are elevation five- and six contours shown in the southeast corner of the lot between the proposed dwelling, under the deck and the existing sidewalk. The ground elevation at the dwelling is 5.00. Please provide positive drainage and spot elevations.
12. Provide proposed spot elevations at all the corners of the proposed building, walkways, driveway, and aprons.
13. Please revise the building height per architectural plans from 29.25 ft to 29.33 ft.
14. Plantings are shown on the northeast portion of the proposed dwelling beneath the decking and upper floors.

Please confirm that the proposed plantings will thrive with minimum sun exposure.

Please place landscaping details on the Landscape Plan.

15. Please indicate if there is lawn or stone under the proposed decking. Please update the stormwater calculation if necessary.
16. Provide a note on the plans that the Applicant is responsible for any damages to any/all existing curb, sidewalk, roadway, and other off-site objects made during construction and must be repaired and/or replaced to the satisfaction of the Borough Engineer and costs paid by the Applicant.
17. Indicate the pavement replacement areas for the installation of all utilities and proposed driveways.
- Update pavement details according to § 21-65.15.
18. Indicate the areas of concrete sidewalk and paver walkway repair for the installation of utilities and provide details.
19. Indicate inverts, cleanouts, roof leader connections and splash blocks on the plans for the roof leader collection system that discharges to an existing inlet located on South Street. Provide size and material type on the plans.
20. A proposed sanitary sewer connection within a proposed driveway is shown connecting to the sanitary sewer line in Bay Avenue.

It is recommended that the lateral not be placed in the driveway and a cleanout provided near the dwelling and near the curb.

Provide the size and type of material for the lateral.

Provide cleanout protection box details for paved or unpaved areas.

21. An existing cleanout is shown approximately 4.5 ft within an asphalt area of sidewalk near one of the two pairs of proposed driveways accessing Bay Ave.

Please indicate the location of the existing sanitary sewer connection (size and material) and its intent as to whether it is to be abandoned or to serve in conjunction with the proposed sanitary lateral.

Please provide note on plan.

22. 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 additional dwelling unit and increased number of overall bedrooms is anticipated to increase the flow by over 15%.

The Applicant is requested to provide the existing and projected increased total daily sanitary sewer flow to calculate the connection fee.

The projected average daily sanitary flow shall be based upon NJDEP criteria N.J.A.C. 7:14A-23.3(a).

Please provide a table of calculations on the plan.

23. An existing water meter is shown approximately 1.5 ft within the existing paver sidewalk near one of the two pairs of proposed driveways accessing Bay Ave.

Please indicate the location of the existing water service (size and material) and its intent as to whether it is to be abandoned or to serve in conjunction with the proposed water service.

Please provide the size and material type for the proposed water service on the plan.

24. There is an existing gas service line in Bay Avenue on the Boundary and Topographic survey but is not shown on the site plans.

Please indicate the location of the existing gas service and its intent as to whether it is to be abandoned or to serve in conjunction with the proposed gas service.

Please provide note on plan.

There is a gas valve at the existing rear driveway on Shrewsbury Avenue. Provide the existing gas service line on the plans. Provide a note regarding its service to the proposed building.

25. There are two existing overhead services on Bay Avenue and Shrewsbury Avenue as shown on the Boundary and Topographic Survey and the Existing Conditions Plan. A proposed and existing overhead service is shown for Bay Avenue on the Grading, Drainage and Utility Plan, however the existing service on Shrewsbury is not shown.

Please indicate the existing service on the plan and note if it is to be removed.

All proposed utilities are required to be underground per § 21-65.26 B, however the section allows overhead service with the provision of:

Lots which abut existing streets where overhead electric or telephone distribution supply lines and service connections have heretofore been installed may be supplied with electric and telephone service from these overhead lines, but any new service from these overhead lines shall be installed underground.

Provide a note on the plans.

26. An existing decorative streetlight is located within one of the proposed driveway aprons along Bay Avenue. Please provide a design solution for the conflict and location for the relocated pole.

27. 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.

The Applicant did not include existing lighting in the analysis.

The existing decorative streetlight (see comment above) and street lighting need to be included for an overall analysis.

It is unknown if the existing fencing along Lot 15 has factored into the analysis. The proposed light facing Lot 15 does not seem to have the same intensity as those of the other proposed lights.

There is a lighting void area for the main entrance and sidewalk to the proposed building along Bay Avenue. Please provide sufficient lighting for the entrance and sidewalk.

Please provide the manufacturer's specifications.

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.

28. There is a rear entrance and a doorway for a storage unit on the north side of the building which access to a lawn and gravel area, respectively. It is recommended that a sidewalk be provided to connect the rear entrance with the walkway area for the garbage bin area and the rear gravel driveway.

29. Please indicate where the recycling bins are to be placed.
30. Please indicate if there is a dedicated area for garbage and recycling pickup.
31. Please revise the concrete vertical curb to indicate the depressed curb.
32. 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.
33. 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.

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

34. 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, P.E., C.M.E., C.P.W.M.
Land Use Board Engineer

cc: Michael Muscillo, Borough Administrator, (mmuscillo@highlandsborough.org)
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