



**BOROUGH OF HIGHLANDS
LAND USE BOARD MEETING**
22 Snug Harbor Avenue, Highlands NJ 07732
Thursday, August 10, 2023 at 7:00 PM

AGENDA

Please be advised that the agenda as shown may be subject to change. This meeting is a quasi-judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.

CALL TO ORDER

The chair reserves the right to change the order of the agenda.

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETING STATEMENT

As per requirement, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Land Use Board and all requirements have been met. Notice has been transmitted to the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board. Formal Action will be taken.

ROLL CALL

OPEN FOR PUBLIC COMMENTS

General Questions or Comments not pertaining to Applications

ACTION ON OTHER BUSINESS

1. LUB2021-01: LDN Real Estate, 49 Miller St., B54 L7.01 - Extension Request
2. LUB2022-06: Martin, 15 Barberie Ave, B77 L15 - Extension Request

RESOLUTIONS

3. LUB Res 2023-12: Catcherman 30 Seadrift Ave., Block 76 Lots 4, 5, & 7.01 - Subdivision
4. LUB Res 2023-13: Sea Grass - Conditional Use

HEARINGS ON NEW BUSINESS

5. LUB2023-04: Florit, 357 Shore Dr., B103 L8

APPROVAL OF MINUTES

6. June 8, 2023 LUB Meeting Minutes

COMMUNICATION AND VOUCHERS

7. LUB Annual Report 2022
- [8.](#) Community Energy Plan
9. Highlands Community Equity & Diversity Profile
- [10.](#) Seastreak Zoning Letter

Board Policy: • All meetings shall adjourn no later than 11:00 P.M. unless a majority of the quorum present at said hour vote to continue the meeting to a later hour. • No new hearing shall commence after 10:15 P.M. unless the Chairperson shall rule otherwise. • The Chair may limit repetitive comments or irrelevant testimony and may limit the time or number of questions or comments from any one citizen to ensure an orderly meeting and allow adequate time for members of the public to be heard.

ADJOURNMENT

HANLON NIEMANN & WRIGHT

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

JUNIPER BUSINESS PLAZA

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Christopher J. Hanlon, Esq.

Certified By The New Jersey Supreme
Court as a Civil Trial Attorney

Fredrick P. Niemann, Esq.

Bonnie M. Wright, Esq.

Richard C. Sciria, Esq.

Nicole C. Tomlin, Esq.

L.L.M. (Taxation)

Christopher Balioni, Esq.

Admitted in NJ and NY

Stephen W. Kornas, Esq.

Admitted in NJ

John C. Tassini, Esq.

Admitted in NJ

Eric D. Lee, Esq.

Admitted in NJ and NY

June 30, 2023

VIA ELECTRONIC AND REGULAR MAIL

Borough of Highlands Land Use Board

42 Shore Drive

Highlands, NJ 07732

Attn: Michelle Hutchinson, Board Secretary

Re: LDN Real Estate, LLC

49 Miller Street

Highlands, New Jersey 07732

Block 54, Lot 7.01

Final Major Subdivision Approval with Use Variance Relief

Dear Ms. Hutchinson:

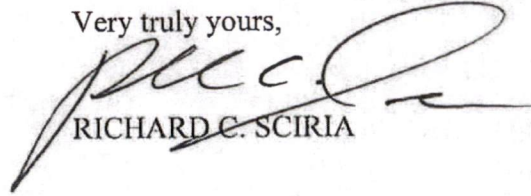
Please be advised that I represented the applicant LDN Real Estate, LLC, regarding their preliminary and final major subdivision approval with use variance relief memorialized by the Board on December 2, 2021.

Accordingly, I am kindly requesting an extension of time for the Board to sign off on the Final Plat which is currently on the Board's agenda for July 13, 2023. The reason for this extension request is that the Board misplaced the applicant's paperwork submitted for final plat approval in July of 2022, which had to be resubmitted by the applicant.

Should you have any questions or problems concerning the above, please feel free to contact me.

Thank you for your kind attention to this matter.

Very truly yours,



RICHARD C. SCIRIA

RCS:jbm

cc: Ron Cucchiaro, Esq. Land Use Board Attorney (via electronic mail)
Edward W. Herrman, P.E., P.P., Land Use Board Engr. (via electronic mail)
Paul Ricci, Planner (via electronic mail)
Ron Tringali, Richard E. Stockton Associates (via electronic mail)
Emily Bahrs Valentino (via electronic mail)
Dan Fers, DJF Construction, LLC (via electronic mail)

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2021-26
RESOLUTION OF MEMORIALIZATION
USE VARIANCE RELIEF WITH PRELIMINARY AND
FINAL MAJOR SUBDIVISION APPROVAL

Approved: November 4, 2021
Memorialized: December 2, 2021

IN THE MATTER OF LDN, LLC

APPLICATION NO. LUB2021-01

WHEREAS, an application for use variance relief with preliminary and final major subdivision approval has been made to the Highlands Land Use Board (hereinafter referred to as the “Board”) by LDN, LLC (hereinafter referred to as the “Applicant”) on lands known and designated as Block 54, Lot 7.01, as depicted on the Tax Map of the Borough of Highlands (hereinafter “Borough”), and more commonly known as 49 Miller Street in the CBD (Central Business District) Zone; and

WHEREAS, a complete application has been filed, the fees as required by Borough Ordinance have been paid, proof of service and publication of notice as required by law has been furnished and determined to be in proper order, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised; and

WHEREAS, a public hearing was held on November 4, 2021, at which time testimony and exhibits were presented on behalf of the Applicant and all interested parties were provided with an opportunity to be heard; and

NOW, THEREFORE, does the Highlands Land Use Board make the following findings of fact and conclusions of law with regard to this application:

1. The subject Property contains .30 acres (13,297 s.f.) with ninety feet (90ft) of frontage along the southeast side of Miller Street and approximately sixty feet (60ft) of frontage along the northwest side of North Street within the CBD (Central Business District) Zone district. The subject Property is currently unimproved, but is serviced by municipal water and waste systems.

2. The Applicant proposes to subdivide the subject Property into five (5) new lots as follows:

- Proposed Lot 7.011 will contain 3,729 s.f. with 30 feet of frontage along Miller Street to be improved with a proposed 2-story, single-family dwelling.
- Proposed Lot 7.012 will contain 2,392 s.f. with 30 feet of frontage along Miller Street to be improved with a proposed 2-story, single-family dwelling.
- Proposed Lot 7.013 will contain 2,392 s.f. with 30 feet of frontage along Miller Street to be improved with a proposed 2-story, single-family dwelling.
- Proposed Lot 7.014 will contain 2,392 s.f. with 30 feet of frontage along North Street to be improved with a proposed 2-story, single-family dwelling.
- Proposed Lot 7.015 will contain 2,392 s.f. with 30 feet of frontage along North Street to be improved with a proposed 2-story, single-family dwelling.

3. Counsel for the Applicant, Richard Sciria, Esq. stated the Applicant sought Major Sight Plan Approval to subdivide the subject Property into five smaller lots and to construct single family homes on those subdivided lots.

4. Mr. Sciria continued that single-family dwellings are not a permitted use in the CBD zone and, thus, that a (d)(1) "Use" variance was required. He noted that the subject

Property was previously located in the R-2.02 Residential zone where single-family homes are permitted and is, in fact, currently abutted by residential zones.

5. Mr. Sciria stated that despite this being a major subdivision application, the project was more akin to a minor subdivision because there were no proposed water retention basins, new roadways, or street lighting.

6. Mr. Sciria continued that each proposed new lot would have sufficient frontage and front an existing street.

7. Testimony was then taken from Emily Bahrs Valentino, who identified herself as the Managing Member of the Applicant. She stated that the Applicant has owned the subject Property since 2009 and that family members had owned it prior thereto.

8. Ms. Valentino testified that prior to Superstorm Sandy, the subject Property was improved with three structures, containing eight residential units. She explained that the dwellings were heavily damaged in Superstorm Sandy and that leaving them in a dilapidated state would have been unsafe.

9. Ms. Valentino further testified that in 2013, the residential dwellings were demolished and the subject Property was cleared. She stated that the Applicant now intends to subdivide the subject Property and build five single-family residential homes thereon with three (3) facing Miller Street and two (2) fronting North Street.

10. The Applicant's General Contractor Daniel Fers next testified that four (4) of the proposed homes would have three (3) bedrooms and one (1) would be a four-bedroom home

(located on Proposed Lot 7.011). Three of the proposed homes would front Miller Street and two would front North Street.

11. Mr. Fers provided further testimony that each of the homes would be two stories tall and have a rear deck, and that access to the homes would occur at ground level via an interior staircase.

12. Mr. Fers further testified that four (4) of the proposed lots: (Proposed Lots 7.012, 7.013, 7.014, and 7.015) would be thirty feet (30 ft) by eighty feet (80 ft) and that one lot (Proposed Lot 7.011) would have dimensions of thirty feet (30 ft) by one hundred and twenty feet (120 ft).

13. Mr. Fers provided additional testimony that each proposed home would have a six foot (6 ft) covered front deck accessed from the interior of the home, and an uncovered back deck accessed by an exterior stairwell.

14. Mr. Fers next explained that the homes would be elevated above BFE and be two stories tall. He continued that the bottom floor of the homes contains the garage and would be outfitted with flood vents.

15. Mr. Fers continued testifying that each home would have the required number of off-street parking spaces and would be appropriately landscaped. The Applicant would be open to working with the Borough's professionals to develop an appropriate landscaping plan.

16. Mr. Fers then stated that North Street is a one-way street without curbs and that Proposed Lots 7.014 and 7.015 fronting North Street would have driveways connected to the

street. He continued that Miller Street already has curb cuts and that for Proposed Lots 7.011, 7.012, and 7.013 fronting Miller Street, the Applicant would install new sidewalks and curb cuts.

17. Mr. Fers also testified that North Street does not have water access and that water access to homes fronting that street is received from Miller Street. He continued that, therefore, Proposed Lots 7.014 and 7.015 would need easements from Proposed Lots 7.012 and 7.013, respectively to obtain water access thereto.

18. Mr. Fers provided additional testimony that the HVAC systems would be located on the rear deck and, thus, be elevated above BFE.

19. The Board asked how far into the rear yard setback the stairwell to the proposed rear deck would protrude. Mr. Fers responded that the rear deck was ten feet (10 ft) deep and, therefore, he estimated that the rear stairwell would extend fourteen feet (14 ft) from the rear of the home.

20. The Applicant's Surveyor, Ronald Trinidad provided a history of the subject Property, stating that it had initially been two (2) lots (six and seven) but that it was joined at some time to form the subject Property, Lot 7.01.

21. Mr. Trinidad provided further testimony that subdividing the subject Property into five (5) smaller lots would create lots that were commensurate in size with others in the neighborhood. Mr. Trinidad next testified as to the dimensions of the proposed lots.

22. Mr. Trinidad stipulated that the Applicant agreed to comply with all aspects of the Board Engineer's Review Letter.

23. Mr. Trinidad additionally testified that project was RSIS compliant and that all proposed homes would have the required number of off-street parking spaces. He continued that the driveways would be approximately eighteen feet (18 ft) in width and twenty feet (20 ft) in length.

24. The Board Engineer testified that based upon the driveway dimensions, two (2) vehicles could be parked in the driveway and one (1) in the garage and, thus, three (3) off-street parking spaces were provided for, satisfying the RSIS requirements for both the proposed three-bedroom homes (which requires two parking spaces) and four-bedroom home (which requires two and one-half parking spaces).

25. The Board Engineer asked whether the Applicant had inquired as to whether any CAFRA permits and/or approvals were required from the NJDEP. Mr. Trinidad responded that they had not done so but agreed to make the necessary inquiries as to what the Applicant's obligations may be.

26. The Applicant's Planner, Paul Ricci, PP, AICP testified that the Applicant required (d)(1) variance relief because single-family homes are not permitted in the CBD Zone. Mr. Ricci continued that the Puleio case dictates that there are no bulk standards to be applied to a non-permitted use.

27. Mr. Ricci testified that the subject Property is particularly suitable to the proposed use and must, therefore, meet the "enhanced" criteria.

28. Mr. Ricci provided additional testimony concerning the Borough's Master Plan and the creation of the CBD Zone. He asserted that the subject Property was the only property along Miller Street zoned commercial, but the Board disputed that assertion, noting that the Borough Tax

Map shows multiple properties on Miller Street zoned for commercial use. Mr. Ricci continued that he was trying to demonstrate that the Borough was “in conflict” with how to zone this part of the community.

29. Mr. Ricci next testified that the subject Property is particularly suitable for residential use because it was previously used as such and developing it for commercial use would be problematic. He asserted that it would be easy to raise a residential home above the BFE but doing so with a commercial property would be difficult.

30. Mr. Ricci continued testifying that the neighboring property owners do not want to sell to the Applicant and that the subject Property lacks frontage on Bay Avenue, thereby making it a less appealing option for commercial use. To that end, Mr. Ricci also testified that commercial use as office space was contemplated but that demand for office space is lacking and, thus, not a good use of the subject Property. Mr. Ricci concluded that, to the extent the site was suitable for commercial use, it would likely be occupied by lower-end, less desirable establishments.

31. Mr. Ricci next testified that the Applicant razed structures and cleaned up the subject Property after Superstorm Sandy, not knowing that she could have kept the residential units in perpetuity as a pre-existing, nonconforming use. Mr. Ricci continued that maintaining the subject Property as a vacant parcel would not benefit the community but that subdividing the subject Property and improving the subdivided lots with aesthetically pleasing single-family homes would be beneficial thereto.

32. Mr. Ricci further testified about the prevailing neighborhood characteristics, stating that the proposed subdivision would be consistent with the community, creating lots similar in size to those in the area. He concluded that Applicant has satisfied the positive criteria because the

application furthers the goals of municipal planning by (a) promoting the general welfare; (g) providing adequate air and open space for citizens; and (i) creating homes that are in conformity with the neighborhood scheme.

33. Mr. Ricci next testified as to the negative criteria, stating that the density of the project would decrease from eight homes (which is what it was previously before the subject Property was cleared by the Applicant) to five homes (proposed). He added that the amount of required parking is being reduced by the project and that all off-street parking is provided on-site.

34. Mr. Ricci also stated that single-family homes are contemplated, although not allowed, in the CBD Zone and closed by asserting that the proposed application should be granted.

35. The Board Engineer then questioned whether the Board wanted to require the Applicant to install a new sidewalk and curb cuts to North Street as a condition of approval. The Board Engineer also inquired whether the Board would require the Applicant to repave both Miller Street and North Street in the disturbed areas.

36. The Board Engineer provided additional testimony that the proposed development would not likely cause any traffic impacts.

37. The hearing was then opened to the public at which time testimony was taken from Joanne Olszewsky of 27 Grand Tour who asked whether Andy's Shore Bar was on a double lot. The Applicant responded that lot Andy's Shore Bar is on a lot that is approximately three times as wide as the proposed, subdivided lots.

38. There were no other members of the public or Board expressing an interest in this application.

WHEREAS, the Highlands Land Use Board, having reviewed the proposed application and having considered the impact of the proposed application on the Borough and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Borough of Highlands; and upon the imposition of specific conditions to be fulfilled, hereby determines that the Applicant may be granted use variance relief pursuant to N.J.S.A. 40:58D-70d(1) along with preliminary major subdivision approval pursuant to N.J.S.A. 40:55D-48 and final major subdivision approval pursuant to N.J.S.A. 40:55D-50.

The Applicant requires use variance relief in order to permit the proposed single-family use within the CBD Zone. The New Jersey Courts have been willing to accept a showing of extreme hardship as sufficient to constitute a special reason. The courts have indicated that there is no precise formula as to what constitutes special reasons unless the use is determined to be inherently beneficial, and that each case must be heard on its own circumstances. Yet, for the most part, hardship is usually an insufficient criteria upon which the Board can grant a variance. In addition, special reasons have been found where a variance would serve any of the purposes of zoning as set forth in N.J.S.A. 40:55D-2. However, in the last analysis, a variance should only be granted if the Board, on the basis of the evidence presented before it, feels that the public interest, as distinguished from the purely private interests of the Applicant, would be best served by permitting the proposed use.

In these instances, the Board must also find that the granting of the variance will not create an undue burden on the owners of the surrounding properties. The Board also notes the special reasons requirement may be satisfied if the Applicant can show that the proposed use is peculiarly

suiting to the particular piece of property. With regard to the question of public good, the Board's focus is on the variance's effect on the surrounding properties and whether such effect will be substantial. Furthermore, in most "d" variance cases, the Applicant must satisfy an enhanced quality of proof and support it by clear and specific findings by this Board that the variance sought is not inconsistent with the intent and purpose of the Master Plan and Zoning Ordinance. The burden of proof is upon the Applicant to establish the above criteria.

The Board finds the Applicant has satisfied the positive criteria. The Board first finds that the subject Property is distinguishable from others in the CBD Zone. This is because it is vacant and surrounded by other residential uses. The subject Property therefore has characteristics of an infill development. Board also finds that the subject Property is currently oversized when compared to other lots in the area.

The proposed subdivided lots will be of a similar size and shape as others in the neighborhood and the proposed homes will also, similarly, be of the same type and size as other homes in the community. Moreover, the Board finds that the application and proposed construction of five, single-family homes furthers the goals of municipal planning by (a) promoting the general welfare; (g) providing adequate air and open space for citizens; and (i) creating homes that are in conformity with the neighborhood scheme. The Board finds that these goals will be promoted, because, consistent with the Master Plan, the proposed scale of infill development is consistent in with the character of the area and therefore does not disturb the neighborhood scheme. The Board further finds that the alternative would be for the Applicant to propose larger subdivided lots with larger homes, which provide less air and open space and which are less consistent with the neighborhood scheme. The addition of new and aesthetically pleasing single-family homes, of the

size and shape proposed, would visually enhance the area and create an aesthetically pleasing infill development. The Board therefore finds that the positive criteria has been satisfied.

The Board further finds that the enhanced criteria has also been satisfied. The Master Plan does not discourage infill development and further promotes harmonious compatible uses which complement each other and are appropriately sited in close proximity. Although located in the CBD Zone where the proposed use is not permitted, the Zoning Ordinances likely did not anticipate infill developments such as is proposed in the instant application. The Board further finds that the subject Property is particularly suitable for the proposed residential use and is distinguishable from other properties because, although located in the CBD Zone, the subject Property does not front Bay Avenue and is situated close to other residential properties. The Board therefore finds the enhanced criteria has been satisfied.

The Board also finds that the negative criteria has been satisfied. The proposed subdivision and construction of single-family homes will likely have negligible impact on the level of noise or traffic in the area. Moreover, the density of the project would decrease from eight residential units (which is what existed previously) to five single-family homes (which is what is proposed). The Board further finds that the amount of required parking is being reduced by the project and that all off-street parking is provided on-site. The proposed new lots and homes will also fit in seamlessly and be in harmony with the prevailing neighborhood scheme. The Board therefore finds there will be no substantial detriment to the zone plan, zoning ordinance or the public welfare. The negative criteria has therefore been satisfied. The Board further finds that the positive criteria substantially outweighs the negative criteria and that use variance relief may be granted in this instance pursuant to N.J.S.A. 40:55D-70d(1).

The Board also finds that any bulk variances and design waivers are subsumed within the granting of use variance relief. Puleio v. Tp. of North Brunswick Zoning Bd. of Adj., 375 N.J. Super. 413 (App. Div.) certif. den. 184 N.J. 212 (2005).

The Board relies on the above and finds that the proposed lots are substantially similar to other lots in the neighborhood. The proposed lots will also be similarly developed with single family homes. Again, based upon the above analysis, the Board finds that preliminary major subdivision approval pursuant to N.J.S.A. 40:55D-48 and final major subdivision approval pursuant to N.J.S.A. 40:55D-50 are appropriate in this instance.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Highlands on this 2nd day of December 2021, that the action of the Land Use Board taken on November 4th, 2021 granting Application No. LUB2021-01, for use variance relief with use variance relief pursuant to N.J.S.A. 40:55D-70d(1) along with preliminary major subdivision approval pursuant to N.J.S.A. 40:55D-46 and final major subdivision approval pursuant to N.J.S.A. 40:55D-50 is hereby memorialized as follows:

The application is granted subject to the following conditions:

1. All site improvement shall take place in the strict compliance with the testimony and with the plans and drawings which have been submitted to the Board with this application, or to be revised.
2. Except where specifically modified by the terms of this Resolution, the Applicant shall comply with all recommendations contained in the reports of the Board professionals.
3. The Applicant shall comply with the Map Filing Law. Failure to do so shall render this approval null and void.
4. The Applicant shall record this Resolution in the Office of the Monmouth County Clerk.
5. The architecture of the new homes shall be consistent with the exhibits presented to this Board.

6. All homes shall be serviced by public sewer and water. The Applicant shall submit easements for water service to (i) Proposed Lot 7.012 from Proposed Lot 7.014 and (ii) to Proposed Lot 7.013 from Proposed Lot 7.015 for review and approval of the Board Engineer and Board Attorney.
7. The Applicant shall obtain a jurisdictional determination from NJDEP regarding CAFRA requirements.
8. The Applicant shall comply with all sidewalk and curb requirements.
9. The Applicant shall submit a landscaping plan for review and approval by the Board's professionals.
10. The Applicant shall submit a grading plan for review and approval by the Board's professionals.
11. The Applicant shall comply with all RSIS requirements.
12. All HVAC units shall be located in the rear of the properties and be elevated subject to the review and approval of the Board Engineer.
13. Any future modifications to this approved plan must be submitted to the Board for approval.
14. The Applicant shall apply for all necessary Zoning Permit(s) and Demolition Permit(s).
15. The Applicant shall comply with all applicable Affordable Housing requirements.
16. The Applicant shall provide a certificate that taxes are paid to date of approval.
17. Payment of all fees, costs, escrows due and to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
18. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Highlands, County of Monmouth, State of New Jersey or any other jurisdiction.

BE IT FURTHER RESOLVED that the Board secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Applicant's expense and to send a certified copy of this Resolution to the Applicant and to the Borough Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.



Robert Knox, Chairman
Borough of Highlands Land Use Board

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ON MOTION OF: Mr. Kutosh

SECONDED BY: Vice Chair Tierney

ROLL CALL:

YES: Mr. Kutosh, Mr. Lee, Ms. Chang, Vice Chair Tierney, Chair Knox

NO:

ABSTAINED:

ABSENT: Councilmember Martin, Ms. LaRussa, Ms. Walsh, Ms. Nash, Ms. Pendleton

DATED: December 2, 2021

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Highlands Land Use Board, Monmouth County, New Jersey at a public meeting held on December 2, 2021.



Michelle Hutchinson, Secretary
Borough of Highlands Land Use Board

BOROUGH OF HIGHLANDS LAND USE BOARD

EXHIBITS

Case No. No. LUB2021/LDN, LLC
Major Subdivision with Use Variance Relief
November 4, 2021
December 2, 2021

- A-1 Packet consisting of four sheets (Exhibits 1 through 4) showing a colorized, existing land use map.
- A-2 Borough of Highlands Master Plan, dated 2016
- A-3 Borough of Highlands Zoning Map
- A-4 Land Use Board Application for Subdivision, dated March 12, 2021.
- A-5 Zoning Denial Letter, dated March 3, 2021.
- A-6 Proposed Subdivision Plan prepared by Richard E. Stockton & Associates, dated January 20, 2021.
- A-7 Proposed Architectural Plan for proposed lot 7.011, prepared by Salvatore La Ferlita, dated March 15, 2021.
- A-8 Proposed Architectural Plan for proposed lot 7.012, prepared by Salvatore La Ferlita, dated March 15, 2021.
- A-9 Proposed Architectural Plan for proposed lot 7.013, prepared by Salvatore La Ferlita, dated March 15, 2021.
- A-10 Proposed Architectural Plan for proposed lot 7.014, prepared by Salvatore La Ferlita, dated March 15, 2021.
- A-11 Proposed Architectural Plan for proposed lot 7.015, prepared by Salvatore La Ferlita, dated March 15, 2021.

INTEROFFICE REPORTS

- B-1 Board Engineer's Review of Major Subdivision, Plat Requirements (completeness) letter, dated June 8, 2021.
- B-2 Board Engineer's Review of Major Subdivision, Fee Calculation letter, dated June 8, 2021.
- B-3 Board Engineer's First Engineering Review letter, dated November 2, 2021.

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

June 22, 2023

Dear Ms. Tran,

I am requesting an extension for LUB 2022-06 application 15 Barberie Ave, extending another 180 days. The reason for the extension is to complete the filing with the county clerk due to delays with third-party approvals.

Marie Martin



90 Third street
Hazlet Township, NJ 07734
Home 732-787-2547
Mobile 732-900-8830
mariesellsnj@gmail.com



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2022-20

MEMORIALIZATION OF MINOR SUBDIVISION APPROVAL
WITH ANCILLARY VARIANCE RELIEF

Approved: October 13, 2022
Memorialized: December 20, 2022

IN THE MATTER OF MARTIN

APPLICATION NO. LUB2022-06

WHEREAS, an application for minor subdivision approval with ancillary variance relief has been made to the Highlands Land Use Board (hereinafter referred to as the “Board”) by Marie Martin (hereinafter referred to as the “Applicant”) on lands known and designated as Block 77, Lot 15, as depicted on the Tax Map of the Borough of Highlands (hereinafter “Borough”), and more commonly known as 15 Barberie Avenue in the R-2.01 (Single Family Residential) Zone; and

WHEREAS, a complete application has been filed, the fees as required by Borough Ordinance have been paid, proof of service and publication of notice as required by law has been furnished and determined to be in proper order, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised; and

WHEREAS, an in-person public hearing was held on October 13, 2022, at which time testimony and exhibits were presented on behalf of the Applicant and all interested parties were provided with an opportunity to be heard.

NOW, THEREFORE, does the Highlands Land Use Board make the following findings of fact and conclusions of law with regard to this application:

1. The subject Property contains 7,500 square feet with 100 feet of frontage along the southeast side of Barberie Avenue within the R-2.01 (Residential) Zone district. The subject Property has a Lot depth of 75 feet. The subject Property is currently improved with a two-story single-family dwelling serviced by municipal water and waste systems.

2. The dwelling on Lot 15 has a minimum front yard setback of 9 feet whereas 20 feet is required in the Zone and complies in all other respects with the Zoning Ordinance.

3. The Applicant proposes to subdivide the subject Property into two (2) new lots as follows:

- Proposed Lot 15.01 will contain 3,750 square feet with 50 feet of frontage along Barberie Avenue and will contain the existing two-story, single-family dwelling.
- Proposed Lot 15.02 will contain 3,750 square feet with 50 feet of frontage along Barberie Avenue to be improved with a proposed 2-story, single-family elevated dwelling.

4. The Applicant, Marie Martin, testified that the minimum lot size in the Zone is 3,750 square feet and, therefore, that the proposed subdivision will create two lots that conform to the Zoning Ordinance and are commensurate with other lots in the Zone and neighborhood.

5. The Applicant further testified that by virtue of the proposed subdivision, the dwelling on Proposed Lot 15.01 (which is not being affected by the application) will have a minimum front yard setback of 9 feet, whereas 20 feet is required in the Zone. Accordingly, variance relief is requested, but the deviation from the Zoning ordinance already exists.

6. The Applicant further testified that she needed additional variance relief for the maximum building coverage for Proposed Lot 15.01, where 35.56% is proposed and 33% is permitted in the Zone. The Applicant continued testifying that she was not altering the dwelling

at all and that the home would remain in its current location with regard to all setbacks. Accordingly, the Applicant testified that the variance relief requested occurred by virtue of the subdivision and existing dwelling, and not any proposed construction.

7. The Applicant testified that the subdivision complied in all other respects with the Zoning Ordinance, including as to building height for both the existing and proposed dwellings. The Applicant further testified that the dwelling to be constructed on Proposed Lot 15.02, as proposed, would comply with the Zoning Ordinance. The Applicant agreed that if the dwelling was not constructed in accordance with the Zoning Ordinance or the terms of this resolution that she would need to return for variance relief.

8. The Applicant agreed to comply with the Board Engineer's First Engineering Review Letter and to revise the plans to reflect a driveway length of 18 feet.

9. There were no members of the public expressing an interest in this application.

WHEREAS, the Highlands Land Use Board, having reviewed the proposed application and having considered the impact of the proposed application on the Borough and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Borough of Highlands; and upon the imposition of specific conditions to be fulfilled, hereby determines that the Applicant's request for minor subdivision approval pursuant to N.J.S.A. 40:55D-47 along with ancillary variance relief pursuant to N.J.S.A. 40:55D-70c should be granted in this instance.

The Board finds that the Applicant has proposed a minor subdivision which requires bulk variance relief. The Municipal Land Use Law, at N.J.S.A. 40:55D-70c provides Boards with the power to grant variances from strict bulk and other non-use related issues when the applicant satisfies certain specific proofs which are enunciated in the Statute. Specifically, the applicant may be entitled to relief if the specific parcel is limited by exceptional narrowness, shallowness or shape. An applicant may show that exceptional topographic conditions or physical features exist which uniquely affect a specific piece of property. Further, the applicant may also supply evidence that exceptional or extraordinary circumstances exist which uniquely affect a specific piece of property or any structure lawfully existing thereon and the strict application of any regulation contained in the Zoning Ordinance would result in a peculiar and exceptional practical difficulty or exceptional and undue hardship upon the developer of that property. Additionally, under the c(2) criteria, the applicant has the option of showing that in a particular instance relating to a specific piece of property, the purpose of the act would be advanced by allowing a deviation from the Zoning Ordinance requirements and the benefits of any deviation will substantially outweigh any detriment. In those instances, a variance may be granted to allow departure from regulations adopted, pursuant to the Zoning Ordinance.

Those categories specifically enumerated above constitute the affirmative proofs necessary in order to obtain “bulk” or (c) variance relief. Finally, an applicant must also show that the proposed variance relief sought will not have a substantial detriment to the public good and, further, will not substantially impair the intent and purpose of the zone plan and Zoning Ordinance. It is only in those instances when the applicant has satisfied both these tests, that a

Board, acting pursuant to the Statute and case law, can grant relief. The burden of proof is upon the applicant to establish these criteria.

The Board finds that the Applicant has satisfied the positive criteria with regard to the previously enumerated requests for variance relief from the minimum front yard setback for Proposed Lot 15.01 where 20 feet is required and 9 feet is proposed, and for the maximum building coverage for Proposed Lot 15.01 where a maximum building coverage of 33% is permitted and 35.56% is proposed.

The Board finds that the proposed subdivision and construction of a single-family dwelling on Proposed Lot 15.02 is a permitted use in the R-2.01 zone. The Board finds that the proposed subdivision will create two lots, which are consistent with the prevailing neighborhood scheme, and which comply with the Zoning Ordinance. The dwelling to be constructed on Proposed Lot 15.02 would comply with the Zoning Ordinance and, to the extent the Applicant or a subsequent owner of the subject Property sought to construct a dwelling that neither complied with this Resolution nor the Zoning Ordinance, they would need to seek relief from the Land Use Board.

The Board also accepts the Applicant's testimony that the proposed variance relief would be indiscernible to the public because it affects the existing two-story dwelling on Proposed Lot 15.01 and not the dwelling proposed to be constructed on Proposed Lot 15.02 (which will comply with the Zoning Ordinance). The Board, therefore, finds that the minimum front yard setback of 9 feet proposed for Proposed Lot 15.01 already exists and is not being exacerbated by the application. Similarly, the Board finds that although the maximum building coverage is increasing on a percentage basis, that occurs solely by virtue of the subdivision of Lot 15 and the existence

of the two-story dwelling thereon. Accordingly, the Board finds that proposed building coverage of Proposed Lot 15.01 of 35.56% is not excessive and satisfies the positive criteria.

Based on the foregoing, the Board finds that the application advances the goals of the Municipal Land Use Law as enumerated at N.J.S.A. 40:55D-2. The positive criteria has therefore been satisfied.

The Board also finds that the negative criteria has been satisfied. The proposed subdivision of the existing lot into two smaller lots creates lots that are more similar to other lots in the surrounding neighborhood and which comply with the Zoning Ordinance. The proposed development also does not violate any height requirements and therefore does not impair any view corridors. As previously stated, the proposed density and use also complies with Ordinance requirements. The proposed variance relief will also not create any perceptible additional traffic or noise. The Board finds that the grant of variance relief will not result in substantial impairment to the zone plan or zoning ordinance and will not create a substantial detriment to the public good. The Board therefore finds that the negative criteria has been satisfied.

The Board further finds that the positive criteria substantially outweighs the negative criteria and that variance relief pursuant to N.J.S.A. 40:55D-70c(2) is appropriate in this instance.

With the exception of the above relief, the Applicant has complied with all other zoning, subdivision and design criteria. The Applicant may therefore be granted minor subdivision approval pursuant to N.J.S.A. 40:55D-47.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Highlands on this 20th day of December 2022, that the action of the Land Use Board taken on October 8th, 2022 granting Application No. LUB2022-06, for minor subdivision approval pursuant to N.J.S.A. 40:55D-47 along with ancillary bulk variance relief pursuant to N.J.S.A. 40:55D-70c(2) as follows:

The application is granted subject to the following conditions:

1. The Subdivision Plat or Deed recorded memorializing this subdivision shall specifically refer to this Resolution and shall be subject to the review and approval of the Board Engineer and Board Attorney. The Applicant shall record the Subdivision Plat or Deed within 190 days of the memorializing Resolution being adopted. Failure to do so shall render this approval null and void.
2. All site improvement shall take place in the strict compliance with the testimony and with the plans and drawings which have been submitted to the Board with this application, or to be revised.
3. Except where specifically modified by the terms of this resolution, the Applicant shall comply with all recommendations contained in the reports of the Board professionals.
4. The Applicant shall obtain an Elevation Certificate.
5. Any future modifications to this approved plan must be submitted to the Board for approval.
6. The Applicant shall provide a certificate that taxes are paid to date of approval.
7. Payment of all fees, costs, escrows due and to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
8. The subject Property is located in a CAFRA Zone and, thus, the Applicant shall comply with all applicable NJDEP requirements and obtain all applicable approvals and/or waivers therefrom.
9. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Highlands, County of Monmouth, State of New Jersey or any other jurisdiction.

BE IT FURTHER RESOLVED that the Board secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Applicant’s expense and to send a certified copy of this Resolution to the Applicant and to the Borough Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.



Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF: Vice Chair Tierney

SECONDED BY: Mayor Broullon

ROLL CALL:

YES: Mayor Broullon, Ms. LaRussa, Mr. Montecalvo, Councilmember Olszewski, Vice Chair Tierney, Chair Knox

NO: None

INELIGIBLE: Chief Burton, Mr. Kutosh, Mr. Lee

ABSENT: None

DATED: December 20, 2022

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Highlands Land Use Board, Monmouth County, New Jersey at a public meeting held on December 20, 2022.

Nancy Tran, Secretary
Borough of Highlands Land Use Board

BOROUGH OF HIGHLANDS LAND USE BOARD

EXHIBITS

Case No. No. LUB2022-06/Martin

Minor Subdivision

October 13, 2022

December 20, 2022

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

INTEROFFICE REPORTS

- B-1 Board Engineer's Review of Minor Subdivision, First Completeness Review letter, dated August 16, 2022.
- B-2 Board Engineer's Fee and Escrow Calculation letter, dated August 16, 2022.
- B-3 Board Engineer's First Engineering Review letter, dated September 28, 2022.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2023-11

MEMORIALIZATION OF PRELIMINARY AND FINAL MAJOR SUBDIVISION APPROVAL WITH ANCILLARY VARIANCE RELIEF

**IN THE MATTER OF CATCHERMAN, LLC
APPLICATION NO. LUB2023-01**

**Approved: June 8, 2023
Memorialized: August 8, 2023**

WHEREAS, an application for preliminary and final major subdivision approval with ancillary variance relief has been made to the Highlands Land Use Board (hereinafter referred to as the “Board”) by Catcherman, LLC (hereinafter referred to as the “Applicant”) on lands known and designated as Block 76, Lots 4, 5, & 7.01, as depicted on the Tax Map of the Borough of Highlands (hereinafter “Borough”), and more commonly known as 30 Sea Drift Avenue in the R-2.01 (Residential Zone) Zone; and

WHEREAS, a complete application has been filed, the fees as required by Borough Ordinance have been paid, proof of service and publication of notice as required by law has been furnished and determined to be in proper order, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised; and

WHEREAS, a public hearing was held on June 8, 2023, at which time testimony and exhibits were presented on behalf of the Applicant and all interested parties were provided with an opportunity to be heard; and

NOW, THEREFORE, the Highlands Land Use Board makes the following findings of fact and conclusions of law with regard to this application:

1. The subject Property contains a total of 9,333 square feet (0.214 acres) consisting of three (3) existing lots and is located within the Residential 2.01 (R-2.01) Zone of the Borough. The subject Property is situated along the northwesterly side of Sea Drift Avenue between Cheerful Place and Recreation Place. Existing Lot 4 (3,500 square feet) and existing Lot 5 (1,750 square feet) are currently vacant. Existing Lot 7.01 (4,083 square feet) contains an existing 1-1/2 story single family dwelling.

2. The Applicant is seeking preliminary and final major subdivision approval to create three (3) new 2,333 square foot lots and one (1) new 2,334 square foot lot. The Applicant intends to construct three (3) new residential dwellings on proposed Lots 4.01, 5.01, & 5.02. The existing dwelling on proposed Lot 7.11 is to be renovated, with the addition of a front and rear deck.

3. The Applicant is seeking variance relief from the following:

- a. **Chapter 21 – Attachment 1** – the minimum lot area is 3,750 square feet, whereas 2,333 square feet is proposed for Lots 4.01, 5.01, and 5.02, and 2,334 square feet is proposed for proposed Lot 7.11
- b. **Chapter 21 – Attachment 1** – the minimum lot frontage/width is 50 feet, whereas a lot frontage/width of 33.33 feet is proposed for Lots 4.01, 5.01, 5.02, and 7.11.
- c. **Chapter 21 – Attachment 1** – the minimum lot depth is 75 feet, whereas a lot depth of 70 feet is existing and proposed for Lots 4.01, 5.01 5.02, and 7.11.
- d. **Chapter 21 – Attachment 1** – the minimum front yard setback is 20 feet (12 feet*), whereas 9.3 feet** is existing on Lot 7.01 and is proposed to remain for new Lot 7.11.
- e. **Chapter 21 – Attachment 1** – the minimum side yard setback is 6 feet and 8 feet, whereas 1.6 feet and 36.73 feet is existing for Lot 7.01 and a side yard setback of 1.6 feet and 11.7 feet proposed to remain for new Lot 7.11.
- f. **Chapter 21 – Attachment 1** – the minimum side yard setback is 6 feet and 8 feet, whereas a side yard setback of 6.1 feet and 6.2 feet is proposed for Lots 4.01, 5.01 and 5.02.
- g. **Chapter 21 – Attachment 1** – the minimum rear yard setback is 20 feet, whereas 16.3 feet is existing on Lot 7.01 and is proposed for Lot 7.11.
- h. **Chapter 21 – Attachment 1** – the minimum rear yard setback is 20 feet, whereas 17.8 feet is proposed for Lots 4.01, 5.01, and 5.02.
- i. **Chapter 21 – Attachment 1** – the maximum building coverage is 33%, whereas 24.7% is existing for Lot 7.01 and 38.0% is proposed for Lot 7.11.
- j. **Chapter 21 – Attachment 1** – the maximum building coverage is 33%, whereas 38.7% is proposed for Lots 4.01, 5.01, and 5.02.

* Or the average of the existing front yard setback within two hundred (200) feet in the same block and zone, per Ordinance Section 21-79B. 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 (2) nearest adjacent lots and in no case, less than half the required setback.

** Any deck that extends above the elevation of the first floor of the principal structure shall meet the setback requirements for that principal structure.

4. Counsel for the Applicant, Daniel J. O'Hern, Jr., stated that the subject Property contained three (3) existing lots of Lots 4, 5, and 7.01 with the address of 30-40 Sea Drift Avenue. Mr. O'Hern stated that the Applicant was seeking to create four (4) new lots. He stated that the existing dwelling located on Lot 7.01 would be renovated, whereas three (3) new dwellings would be constructed on the remaining three (3) lots. He stated that the subject Property was located within the R-2.01 Zone. He stated that the Applicant was seeking bulk variance relief for the proposed lots.

5. Testimony was taken from Robert Davis, a principal of the Applicant. Mr. Davis testified that there was an existing dwelling located on the subject Property that was partially renovated after Superstorm Sandy, but was not completed. He stated that the dwelling was now in disrepair.

6. Mr. Davis introduced Photographs of Constructed Homes on 25-foot wide Lots as Exhibit A-1. He explained that he intended to construct three (3) new dwellings on three (3) of the new lots with a garage setback underneath the first floor that would provide a driveway length to fit two (2) cars and a one (1) car garage similar to the dwellings depicted in Exhibit A-1. He explained that he would renovate the existing dwelling by retaining the foundation and most of the first floor, however, the garage would not be setback like the three (3) new dwellings. Mr. Davis submitted Photos of 5 Sea Drift Avenue and 7 Sea Drift Avenue as Exhibit A-2 to show the style of dwelling that he has constructed on Sea Drift Avenue, which the proposed new dwellings would be similar. He introduced a Photo of 3 Ocean Avenue as Exhibit A-3 to show the style of dwelling proposed for the existing dwelling. He introduced a Photo of the Existing Dwelling as Exhibit A-4.

7. In response to questions from the Board, Mr. Davis testified that the mechanical equipment would comply with the three (3) foot setback to the rear and side property lines. Mr. Davis also stated that he had construction experience, having constructed seven (7) new dwellings and renovated three (3) dwellings within the Borough. Mr. Davis explained that no architectural plans had been drawn because he was awaiting approval from this Board and the Borough, as well as input from buyers.

8. The Board Engineer, Edward Herrman, P.E., P.P., testified that the Board could condition the approval that the architectural plans be submitted to the Board prior to filing the plat. Mr. Herrman further testified that the Applicant required several bulk variances. He explained that the side yard setback required a minimum of six (6) feet on one side and a minimum of eight (8) feet on the other side for a combined minimum of fourteen (14) feet, whereas the Applicant was proposing a combined side yard setback of approximately twelve (12) feet. He stated that the proposed side yard setback would allow for a twenty-one (21) foot wide dwelling, which was a better design.

9. In response to questions from the Board Engineer, Mr. Davis explained that the deck on the first floor would include stairs to access the deck along the side, which would also have a meter platform. He stated that any decks above the first floor would be stepped back in order to be within the building envelope.

10. In response to questions from the Board, Mr. Davis testified that the exterior stairs were not the only access stairs and that there would be access stairs within the garage. He stated that the exterior stairs would be three (3) to four (4) feet wide and was permitted to be within the side yard setback. He stated that there would be pervious landscaping pebbles along the sides and rear of the dwelling. Mr. Davis testified that there were lots in the area with width of twenty-five (25) feet, so the proposed lot widths fit within the character of the area.

11. The Applicant's Engineer/Planner, Andrew Stockton, P.E., P.P., testified that the existing lots were Lots 4, 5, and 7.01 within Block 76 in the R-2.01 zone. Mr. Stockton testified that the existing subject Property was 133.33 feet wide with a depth of 70 feet, whereas the minimum permitted size was 50 feet width and 75 feet depth. He stated that the minimum lot area was 3,750 square feet, whereas 2,333 square feet was proposed for each lot having the

dimensions of 33.33 feet width by 70 feet depth. Therefore, the Applicant was seeking variance relief from the lot area, frontage, and depth.

12. Mr. Stockton next testified that there was an existing dwelling located on the northerly side of the subject Property. He stated that the existing side yard setback of the dwelling was 1.6 feet and a front yard setback of 9.3 feet. He explained that the front yard setback was based on the average of front yard setbacks within 200 feet in the same block and zone, which in this area was twelve (12) feet. He testified that the new dwellings would comply with this front yard setback. Mr. Stockton also testified that the proposed dwellings would comply with the minimum side yard setback of six (6) feet, but not the combined side yard setbacks. He stated that the proposed combined side yard setbacks was 12.3 feet. He stated that the variance relief for the combined side yard setbacks would allow a dwelling width of twenty-one (21) feet, which was a better design. Mr. Stockton also stated that the rear yard setback was the result of the existing shorter lot depth. Mr. Stockton explained that the Applicant was seeking variance relief for the lot coverage in anticipation of changes to the architectural plans. Mr. Stockton also stated that the Applicant was seeking waiver relief from providing street trees.

13. Mr. Stockton introduced a Lot Sizes Exhibit as Exhibit A-5. Mr. Stockton testified that there were a total of forty-seven (47) lots within 200 feet of the subject Property. He stated that nineteen (19) of those lots had an undersized width of twenty-five (25) feet. He stated that two (2) lots to the immediate north had widths of 33.33 feet, as the Applicant has proposed. He stated that there were eleven (11) lots that had undersized widths, but were wider than 33.33 feet. He stated that all lots in the area had undersized depths of seventy (70) feet. Mr. Stockton concluded that 68% of the lots in the area were undersized, therefore the proposed lots were not out of character for the area.

14. In response to questions from the Board, Mr. Stockton explained that the proposed dwellings would be similar to other dwellings in the area and would not be out character. He stated that there would be an eighteen (18) foot wide driveway to allow space for two (2) cars and a one (1) car garage. He further explained that there were some dwellings in the area that had not been renovated since Superstorm Sandy and remained non-compliant. Mr.

Stockton introduced a Photo of the Dwellings Across Sea Drift Avenue from the Subject Property dated June 8, 2023 as Exhibit A-6.

15. Mr. Stockton next testified that the variance and waiver relief would not have a substantial detriment to the master plan and zone. Mr. Stockton testified that the proposal advanced purposes c), e), g), and i) of the Municipal Land Use Law (MLUL). He stated that there would not be any substantial detriment to the public good. Mr. Stockton testified that the lot depth was an existing hardship, which would meet the c(1) criteria. He stated that the setbacks of the existing dwelling were also an existing hardship, which would meet the c(1) criteria.

16. Mr. Stockton next testified that the Applicant would comply with the comments within the Board Engineer's Report. He also stated that the subject Property was located within the AE Flood Zone, so the Applicant would obtain the permits from the Floodplain Manager and NJDEP. He explained that the subject Property was located within the CAFRA zone, however the development was not large enough to require CAFRA permits. He also stated that the Applicant would apply to the Monmouth County Planning Board because the four (4) lot subdivision, it was considered a major subdivision for purposes of the Monmouth County Planning Board.

17. In response to questions from the Board Engineer, Mr. Stockton testified that the Applicant was intending each dwelling to have three (3) bedrooms, therefore the number of parking spaces would comply with the Residential Site Improvement Standards (RSIS). Mr. Stockton also explained that the existing stormwater mostly flowed toward the street, whereas there was a small area located at the rear that flowed toward the northwest. He stated that the Applicant would grade the subject Property so all of the stormwater flowed toward the street. He further explained that there were no stormwater drains in the street near the subject Property, but the stormwater flowed down the street toward the waterfront.

18. The Board Engineer, Mr. Herrman, advised that the prevailing front yard setback in the zone was twenty (20) feet, however, he explained, the ordinance permitted an averaging of the existing front yard setback, which was approximately twelve (12) feet. He stated that the width variance relief was reasonable. Mr. Herrman asked what the depth of the proposed dwellings were and what the rear yard setback was. Mr. Stockton testified that the depth of the dwellings would be forty-three (43) feet and the rear yard setback was 14.8 feet, whereas a

minimum of twenty (20) feet was required. Mr. Herrman opined that the Applicant could reduce the depth of the dwelling to reduce the impact of the rear yard setback and the impervious coverage.

19. In response to questions from the Board, Mr. Herrman testified that the lots in the area that had widths of twenty-five (25) feet were created a long time ago. Mr. Herrman also explained that the building code permitted first floor decks and stairs to be within setbacks. He explained that with the proposed rear setback of 14.8 feet, a rear deck could be four (4) to five (5) feet from the rear property line.

20. The Board asked if the Applicant would consider a three (3) lot subdivision instead of four (4) lots. The Board opined that more conforming lots may be a better proposal. Mr. Davis argued that the proposed four (4) lots were more fitting with the character of the area than three (3) lots. He also argued that three (3) lots would still require the same variance relief. There was discussion amongst the Board, the Applicant, and the Board Engineer about the merits of reducing the number of lots. The Applicant maintained its proposal of four (4) lots, but agreed to not exceed a dwelling depth of forty (40) feet.

21. The hearing was the opened to the public, at which time Karen Jarmusz, 44 Sea Drift, expressed her concern with the density of four (4) lots instead of three (3) lots. Ms. Jarmusz also expressed her concern with parking and flooding.

22. There were no other members of the public expressing an interest in this application.

WHEREAS, the Highlands Land Use Board, having reviewed the proposed application and having considered the impact of the proposed application on the Borough and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Borough of Highlands; and upon the imposition of specific conditions to be fulfilled, hereby determines that the Applicant's request for preliminary and final major subdivision approval pursuant to N.J.S.A. 40:55D-48 and 50 along with ancillary variance relief pursuant to N.J.S.A. 40:55D-70c and design waiver relief pursuant to N.J.S.A. 40:55D-51 should be granted in this instance.

The Board finds that the Applicant has proposed a preliminary and final major subdivision which requires ancillary variance relief. The Municipal Land Use Law, at N.J.S.A. 40:55D-70c provides Boards with the power to grant variances from strict ancillary and other non-use related issues when the applicant satisfies certain specific proofs which are enunciated in the Statute. Specifically, the applicant may be entitled to relief if the specific parcel is limited by exceptional narrowness, shallowness or shape. An applicant may show that exceptional topographic conditions or physical features exist which uniquely affect a specific piece of property. Further, the applicant may also supply evidence that exceptional or extraordinary circumstances exist which uniquely affect a specific piece of property or any structure lawfully existing thereon and the strict application of any regulation contained in the Zoning Ordinance would result in a peculiar and exceptional practical difficulty or exceptional and undue hardship upon the developer of that property. Additionally, under the c(2) criteria, the applicant has the option of showing that in a particular instance relating to a specific piece of property, the purpose of the act would be advanced by allowing a deviation from the Zoning Ordinance requirements and the benefits of any deviation will substantially outweigh any detriment. In those instances, a variance may be granted to allow departure from regulations adopted, pursuant to the Zoning Ordinance.

Those categories specifically enumerated above constitute the affirmative proofs necessary in order to obtain “bulk” or (c) variance relief. Finally, an applicant must also show that the proposed variance relief sought will not have a substantial detriment to the public good and, further, will not substantially impair the intent and purpose of the zone plan and Zoning Ordinance. It is only in those instances when the applicant has satisfied both these tests, that a Board, acting pursuant to the Statute and case law, can grant relief. The burden of proof is upon the applicant to establish these criteria.

The Board will address the variance relief collectively. The Board finds that the proposed subdivision promotes appropriate population densities identified in the Borough Code and also promotes a desirable visual environment, while providing adequate light, air and open space. These attributes both promote the goals of planning identified at N.J.S.A. 40:55D-2 and benefit the entire community. The Applicant has therefore satisfied the positive criteria pursuant to N.J.S.A. 40:55D-70c(2).

The Board further finds that the Applicant has also satisfied the negative criteria. The proposed dimensions of the proposed lots are similar to the dimensions of other lots in the neighborhood. The proposed front-yard setback is similar to other front-yard setbacks in the neighborhood and, thus, granting the proposed subdivision will not result in increased traffic beyond what is contemplated by the Ordinance, increased noise or noxious odors. The Board finds that the proposed rear yard setback is triggered by the existing lot depth that all lots in the neighborhood. The Board therefore finds that the grant of variance relief will not result in substantial detriment to the public welfare or substantially impair the zone plan or zoning ordinance. The negative criteria has therefore been satisfied.

The Board concludes that the positive criteria substantially outweighs the negative criteria and that variance relief may be granted pursuant to N.J.S.A. 40:55D-70c(2).

The Board also finds that the existing design which does not include street trees is adequate and is also in conformance with the prevailing neighborhood scheme. The Board therefore determines that requiring strict compliance with the requirements of the Ordinance would create practicable difficulty in developing the subject Property with a permitted use. Design waiver relief pursuant to N.J.S.A. 40:55D-51 is therefore appropriate.

With the exception of the above relief, the Applicant complies with all other zoning, subdivision and design criteria ordinance requirements. Preliminary and final major subdivision approval pursuant to N.J.S.A. 40:55D-48 and 50 is therefore appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Highlands on this 10th day of August 2023, that the action of the Land Use Board taken on June 8, 2023 granting Application No. LUB2023-01, for preliminary and final major subdivision approval pursuant to N.J.S.A. 40:55D-48 and 50 along with ancillary bulk variance relief pursuant to N.J.S.A. 40:55D-70c(2) along with design waiver relief pursuant to N.J.S.A. 40:55D-51 is as follows:

The application is granted subject to the following conditions:

1. All site improvement shall take place in strict compliance with the testimony and with the plans and drawings which have been submitted to the Board with this application, or to be revised.
2. Except where specifically modified by the terms of this Resolution, the Applicant shall comply with all recommendations contained in the reports of the Board professionals.
3. The Applicant shall comply with the Map Filing Law.
4. All easements shall be depicted on the Subdivision Plan.
5. The depth of the proposed dwellings shall not exceed forty (40) feet.
6. Payment of all fees, costs, escrows due and to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
7. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Highlands, County of Monmouth, State of New Jersey or any other jurisdiction.

BE IT FURTHER RESOLVED that the Board secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Applicant' expense and to send a certified copy of this Resolution to the Applicant and to the Borough Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.

Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF:

SECONDED BY:

ROLL CALL:

YES:

NO:

ABSTAINED:

ABSENT:

DATED:

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Highlands Land Use Board, Monmouth County, New Jersey at a public meeting held on August 10, 2023.

Nancy Tran, Secretary
Borough of Highlands Land Use Board

BOROUGH OF HIGHLANDS LAND USE BOARD
EXHIBITS

Case No. LUB2023-01/CATCHERMAN, LLC
Preliminary and Final Major Subdivision with Ancillary Variance Relief
June 8, 2023

- A-1 Photographs of Constructed Homes on 25-foot wide Lots
- A-2 Photos of 5 Sea Drift Avenue and 7 Sea Drift Avenue
- A-3 Photo of 3 Ocean Avenue
- A-4 Photo of the Existing Dwelling
- A-5 Lot Sizes Exhibit
- A-6 Photo of the Dwellings Across Sea Drift Avenue from the Subject Property dated June 8, 2023.



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

LAND USE BOARD APPLICATION

FOR OFFICIAL USE		ck#172	ck#173
Date Rec'd: <u>June 28, 2023</u>	Application #: <u>LUB2023-04</u>	Fee: <u>\$125</u>	Escrow: <u>\$750</u>

1. APPLICANT

Name: Nicole Florit
 Address: 357 Shore Drive
 City: Highlands State: NJ Zip: 07732
 Phone: 7325837474
 Email: salfieri@cgajlaw.com
 Relation to property: owner

2. OWNER

Name: SAME AS APPLICANT
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____
 Email: _____

3. TYPE OF APPLICATION (Check all that apply)

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

4. PROPERTY INFORMATION

Block 103 Lot(s) 8 Address: 357 Shore Drive, Highlands, NJ
 Lot size 1,811 s.f. # of Existing Lots 1 # of Proposed Lots n/a
 Zone R-2.03 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 May 1, 2023 Sewer paid through May 1, 2023

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

Name: Salvatore Alfieri, Esq., Cleary Jacobbe Alfieri Jacobs, LLC
 Address: 955 Route 34; Suite 200, Matawan, NJ 07747
 Phone: 7325837474 Email: salfieri@cgajlaw.com

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



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

Name: Antonio Scalise, AIA
Address: 494 Broadway, Suite 3
Long Branch, NJ 07740
Phone: 7322294400
Email: ascalise@parallelgrp.com

Name: _____
Address: _____

Phone: _____
Email: _____

7. LAND USE

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

The property received bulk variance relief on 10/1/2015 to clear the existing singly family dwelling with flood-damage to construct a new single family dwelling. Due to age of the dwelling and extent of the flood-damage, the then-owner sought to construct a new home with a similar footprint to the damaged home. The existing structure was approved with all associated variances.

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.

Applicant seeks to construct an additional floor to the existing dwelling. Zoning permits and ancillary constructions permits were originally issued and Applicant commenced construction, pursuant to the issued permits for the expansion of the existing front porch, second story addition over existing first floor, proposed second floor balcony over first floor front porch.

The Borough Ordinance 21-98 allows the existing dwelling to be constructed without a variance due to the undersized nature of the subject lot. The STOP WORK ORDER was issued for VIOLATION OF PRIOR ZONING RESOLUTION.

Applicant is requesting the Board's interpretation of the resolution adopted on October 1, 2015. In the event the Board determines that the 2015 resolution imposed a use restriction on the property, the Applicant will require variance relief from the prior zoning resolution, in order to complete the construction for the second floor after the stop work order was issued on June 16, 2023.

C. ADDITIONAL INFORMATION:

	Existing	Proposed
Residential: How many dwelling units?	<u>1</u>	<u>1</u>
How many bedrooms in each unit?	<u>2</u>	<u>3</u>
How many on-site parking spaces?	<u>0</u>	<u>0</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>



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

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

	Req'd	Exist.	Prop'd
Minimum Lot Requirements			
Lot Area	5000	1811	same
Frontage	50	30	same
Lot Depth	100	61.5	same
Minimum Yard Requirements			
Front Yard Setback	20	15	7.17
2 nd Front Yard Setback	n/a	n/a	n/a
Rear Yard Setback	20	6.29	same
Side Yard Setback, right	see	zoning	chart
Side Yard Setback, left	see	zoning	chart
Building Height	30	6.83	32.42

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


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



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
23rd day of June 2023 (year)

 _____ (notary)
 (Seal)
SALVATORE ALFIERI
 ATTORNEY AT LAW OF N.J.

Nicole Florit 6/23/23
 Signature Date
 Nicole Florit
 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
23rd day of June 2023 (year)

 _____ (notary)
 (Seal)
SALVATORE ALFIERI
 ATTORNEY AT LAW OF N.J.

Nicole Florit 6/23/23
 Signature Date
 Nicole Florit
 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

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



Borough of Highlands
42 Shore Drive
Highlands, NJ 07732
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12B. BUSINESS ORGANIZATION OWNERSHIP DISCLOSURE STATEMENT

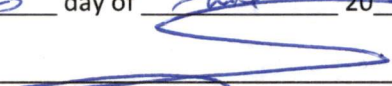
Name of Corporation, Partnership, LLC, LLP, S-Corp:

n/a

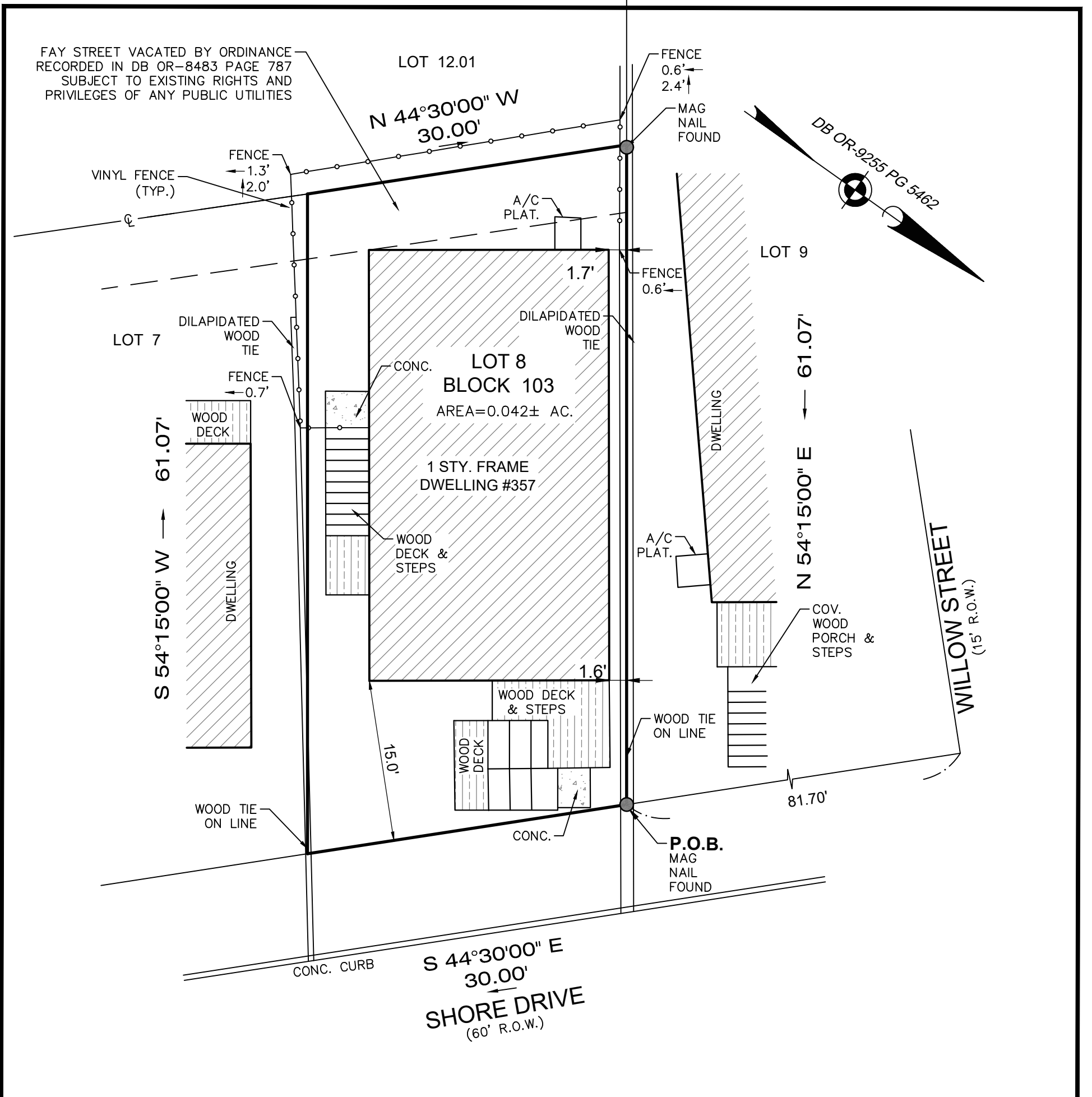
Listed below are the names and addresses of all owners of 10% or more of the stock/interest* in the above referenced business organization:

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
23rd day of June 2023 (year)
 (notary)
SALVATORE ALFIERI (Seal)
ATTORNEY AT LAW OF N.J.

Nicole Florit 6/23/23
 Signature (Officer/Partner) Date
Nicole Florit
 Print Full Name Title



PREPARED FOR: *NICOLE FLORIT*

TITLE INSURER: *BROAD STREET TITLE AGENCY, LLC (B2605)*
CHICAGO TITLE INSURANCE COMPANY
A ABSOLUTE ESCROW SETTLEMENT CO., INC.

MORTGAGE HOLDER: *LOANDEPOT.COM, LLC*
its successors and/or assigns, as their interest may appear.

BUYER'S ATTORNEY: *THE BURR LAW GROUP, LLC*

IMPORTANT NOTES, PLEASE REVIEW:

- I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE ON 10/04/21 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY BELOW GROUND ENCROACHMENTS, UTILITIES, SERVICES LINES OR STRUCTURES, WETLANDS, OR RIPARIAN RIGHTS. NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS, ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM A TITLE REPORT PROVIDED BY THE TITLE INSURER REFERENCED HEREON.
- PROPERTY CORNERS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT. (N.J.A.C. 13:40-5.1(D))

DB OR-9255 PG 5462

CERTIFICATE OF AUTHORIZATION: 24GA28229800



MORGAN
engineering & surveying

P.O. BOX 5232
TOMS RIVER, N.J. 08754
TEL: 732-270-9690
FAX: 732-270-9691
www.morganengineeringllc.com

David J. Von Steenburg

DAVID J. VON STEENBURG
PROFESSIONAL LAND SURVEYOR
N.J. LIC. No. 34500

SURVEY OF PROPERTY

LOT 8 BLOCK 103
BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH NEW JERSEY

Scale: 1"=10'	Drawn By: MS	Date: 10/04/21	JOB #: 21-12218	CAD File #: 21-12218	Sheet #: 1 OF 1
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494 Broadway, Suite 3
Long Branch, NJ 07140
V: 732.229.4400
F: 732.229.4488
www.ParallelGrp.com

ADDITIONS &
ALTERATIONS TO:
TRUETT RESIDENCE
357 Shore Drive
Highlands, NJ 07132
Block: 103 Lots: 8

Antonio Esposito, AIA
NJ 101699
NY 031733-1
PA RA409995
Certificate of Authorization
*AC000993

Title:
SITE PLAN
ZONING
SCHEDULE

Comm. No. 1984.22.0069
Date: JULY 20, 2022
Drawn By: KW
Checked By: AS
Scale: As Shown

Revisions		
No.	Date	Description

357 SHORE DRIVE
HIGHLANDS, NJ

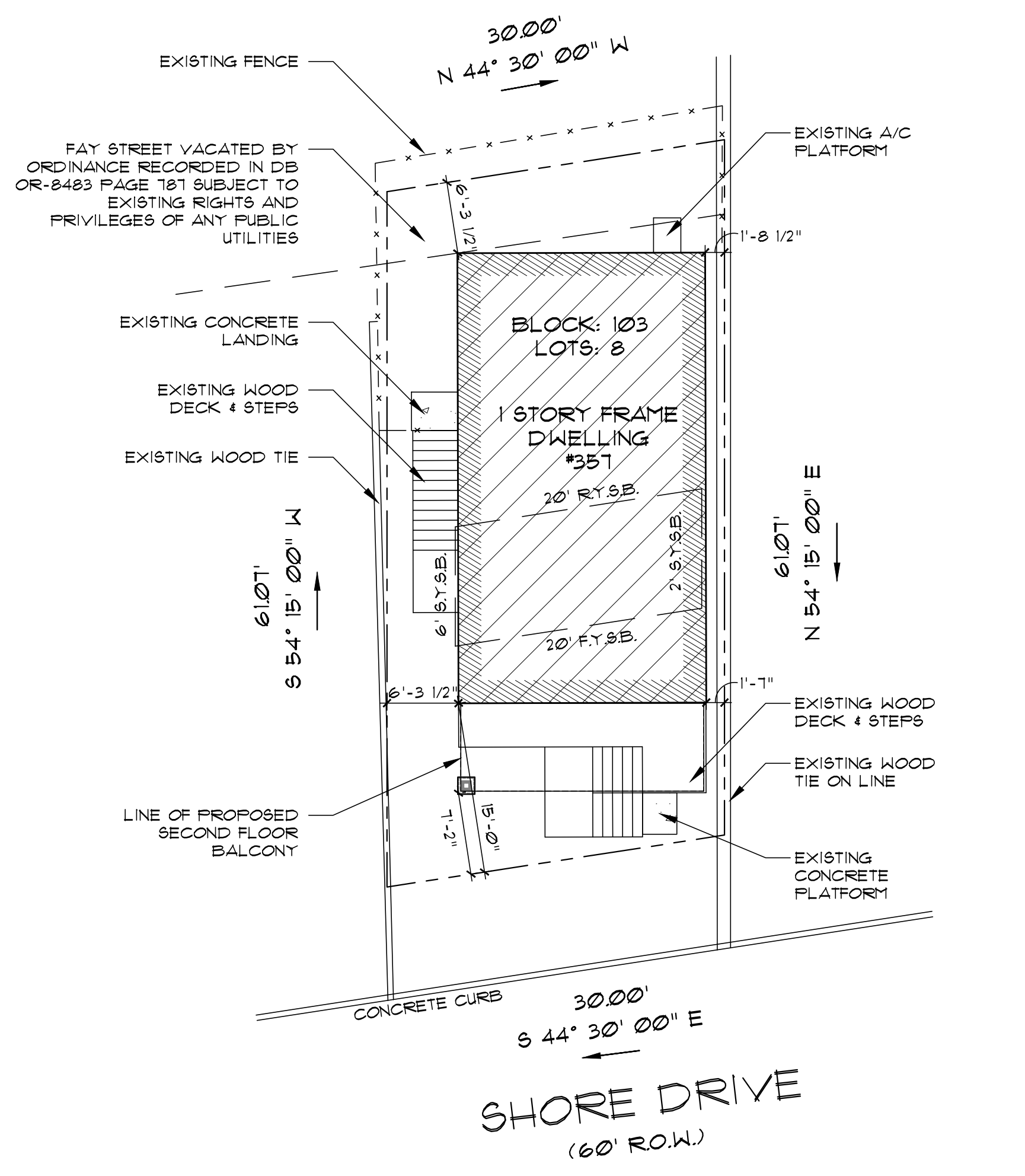
A=002
1 OF 4
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ZONING REQUIREMENTS : R-2.03	BLOCK: 103	LOT: 8	CODE COMPLIANCE		
	REQUIRED	EXISTING	PROPOSED	Y N	REMARKS
MIN. LOT AREA	5,000 SF.	1,811 SF.	NO CHANGE	●	EXISTING
MIN. LOT WIDTH	50'	30'	NO CHANGE	●	EXISTING
MIN. LOT DEPTH	100'	61'-1/2"	NO CHANGE	●	EXISTING
MIN. PRINCIPAL FRONT YARD	20'	15'-0"	1'-2" (TO BALCONY)	●	PROPOSED
MIN. PRINCIPAL SIDE YARD	6' (ONE) 8' (BOTH)	6'-3 3/4" (1) 3'-0 1/2" (BOTH)	NO CHANGE	●	EXISTING
MIN. PRINCIPAL REAR YARD	20'	6'-3.5"	NO CHANGE	●	EXISTING
PRINCIPAL BUILDING HT.	30'	21'-10"	32'-5"	●	PROPOSED
MAX. IMPERVIOUS COVERAGE	75%	51%	60%	●	PROPOSED
MAX. BUILDING COVERAGE	30%	47%	57%	●	PROPOSED

AREAS	EXISTING	PROPOSED	TOTALS
DWELLING FOOTPRINT	860 SF.		860 SF.
CONC. PLATFORMS	25 SF.		25 SF.
WOOD TIES	44 SF.		44 SF.
SECOND FLOOR BALCONY		165 SF.	165 SF.
TOTALS	929 SF.		1094 SF.

SCOPE OF WORK:

- EXPANSION OF EXISTING FRONT PORCH
- SECOND STORY ADDITION OVER EXISTING FIRST FLOOR
- PROPOSED SECOND FLOOR BALCONY OVER FIRST FLOOR FRONT PORCH



1 SITE PLAN
SCALE: 1"=10'-0"

SITE PLAN LEGEND	
---	PROPERTY LINE
---	WALL ABOVE
---	DEMO
---	OVERHEAD WIRE
---	SETBACK LINE
-x-x-x-	FENCE LINE
---	DRIVE/WALKS
▨	BUILDING FOOTPRINT
▨	CONCRETE


NOTE:
SITE PLAN BASED ON SURVEY BY:
MORGAN ENGINEERING & SURVEYING
DAVID J. VON STNBURG
N.J. PROFESSIONAL LAND SURVEYOR
LICENSE #34500
P.O. BOX 5232
TOMS RIVER, NEW JERSEY, 08754
DATED: OCTOBER 4, 2021
PROJECT No. 21-12218



2 200' MAP
SCALE: NTS

494 Broadway, Suite 3
Long Branch, NJ 07740
V: 732.229.4400
F: 732.229.4488
www.ParallelGrp.com

ADDITIONS &
ALTERATIONS TO:
TRUETT RESIDENCE
357 Shore Drive
Highlands, NJ 07732
Block: 103 Lots: 8



Anthony Scilise, AIA
NJ 010693
NY 03133-1
PA RA409995
Certificate of Authorization
*AC000953

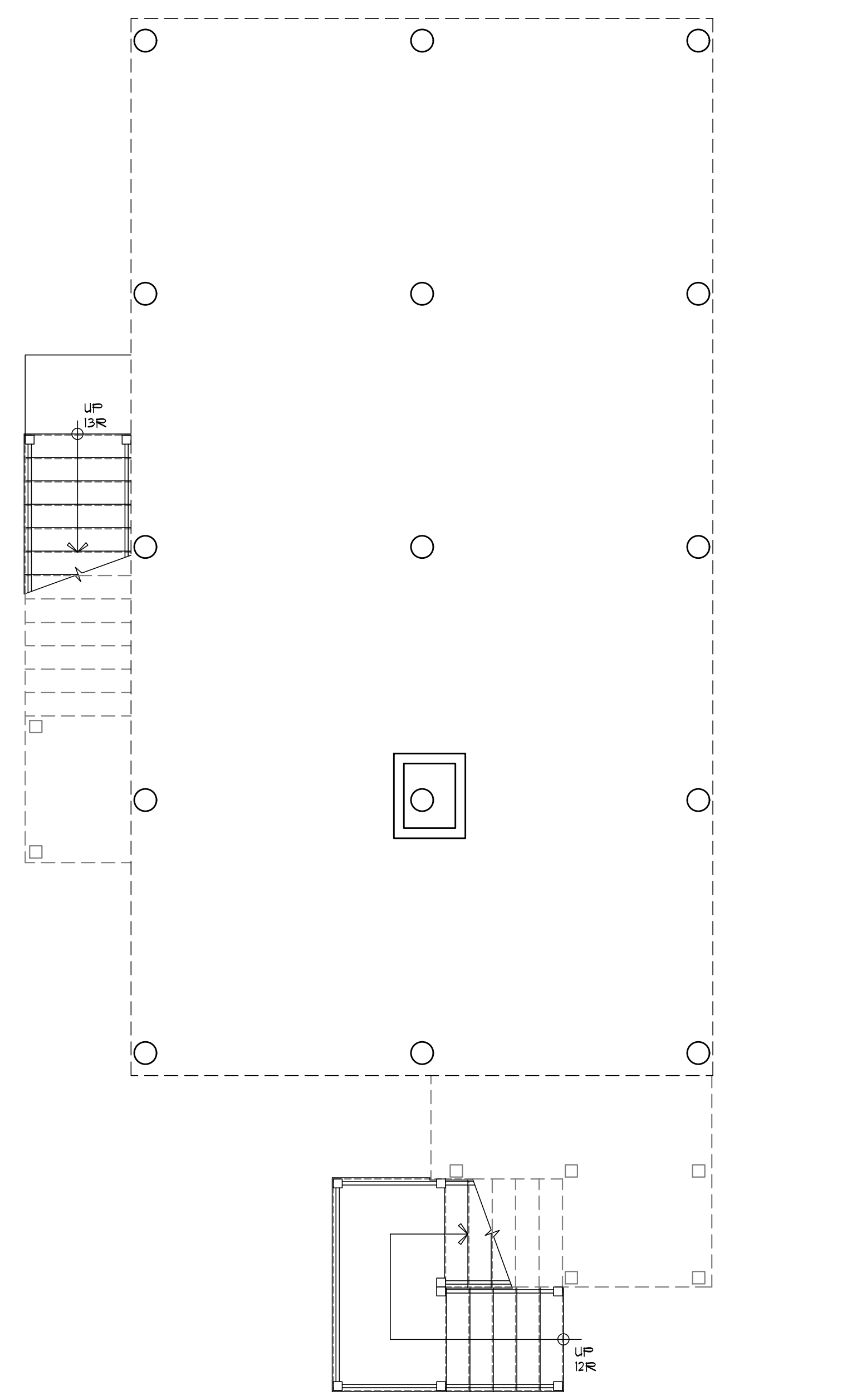
Title:
EXISTING FOUNDATION PLAN
PRELIM FOUNDATION PLAN

Comm. No. 1984.22.0069
Date: JULY 20, 2022
Drawn By: KW
Checked By: AS
Scale: As Shown

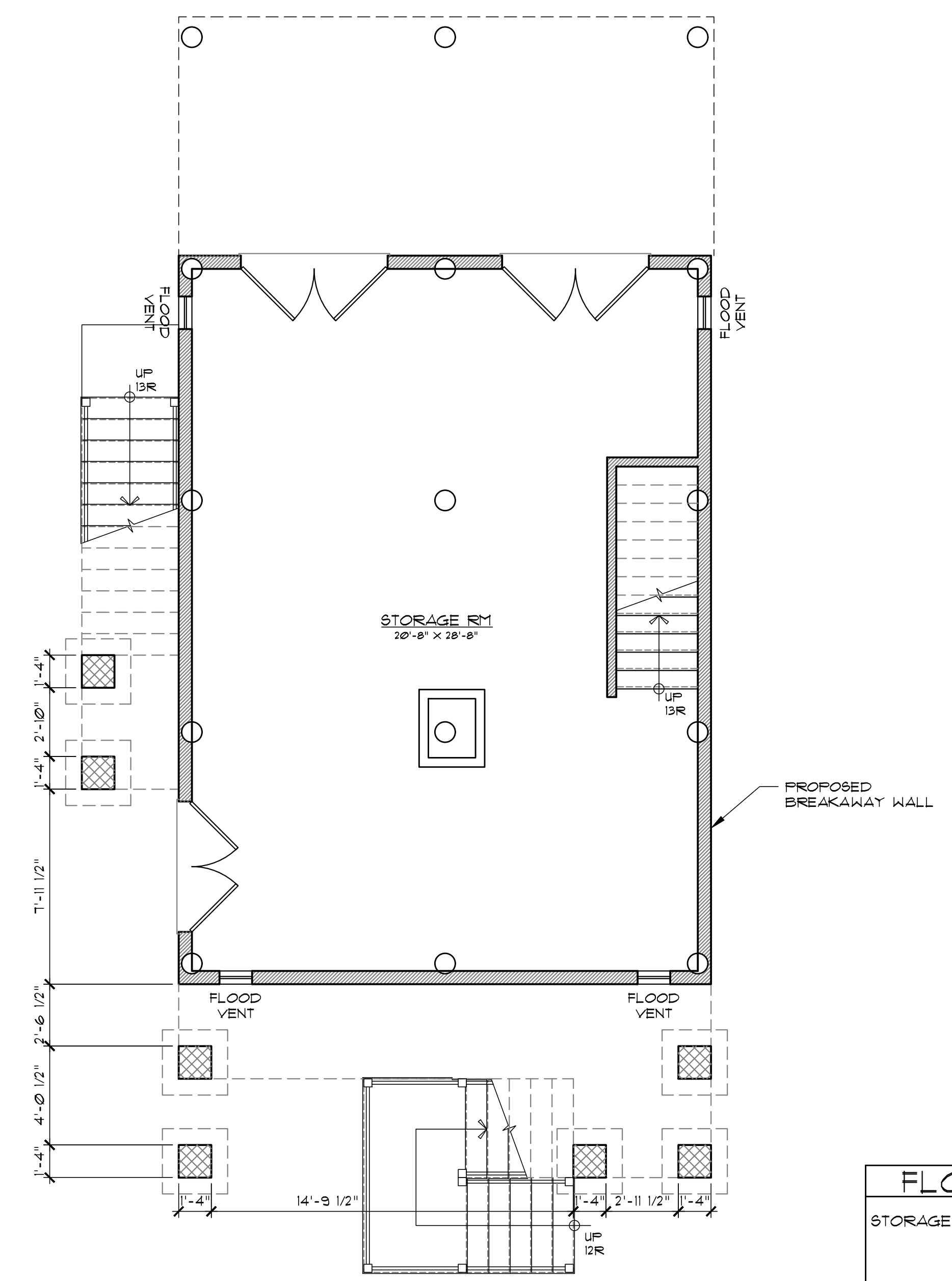
Revisions		
No.	Date	Description

357 SHORE DRIVE
HIGHLANDS, NJ

A-101
2 OF 4



1 EXISTING FOUNDATION PLAN
SCALE: 1/4"=1'-0"



2 PRELIM FOUNDATION PLAN
SCALE: 1/8"=1'-0"


FLOOD VENT CALCULATION	
STORAGE RM:	648 SF.
	± 200 SF.
	324 ± 4
TOTAL OF FLOOD VENTS REQUIRED (MIN.):	4 UNITS
TOTAL OF FLOOD VENTS :	4 UNITS

- FLOOD VENT NOTES**
1. INSTALL (1) "SMART VENT," MODEL # 1540-520 (16-1/4" X 8-3/4" FLOOD VENT PER 200 SQUARE FEET OF ENCLOSED CRAWL SPACE AND GARAGE AREAS.
 2. BOTTOM OF FLOOD VENTS SHALL BE INSTALLED 12" OF FINISHED EXTERIOR GRADE.
 3. INSTALL FLOOD VENTS IN ACCORDANCE WITH MANUFACTURERS' SPECIFICATIONS.
 4. MIN. 2 VENTS PER ROOM.

FLOOR PLAN LEGEND	
-----	LINE OF ITEM ABOVE
=====	NEW 5 1/2" WD. STUD EXTERIOR WALLS/ 3 1/2" WD. STUD INTERIOR WALLS (UNO.)

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Long Branch, NJ 07740
V: 732.229.4400
F: 732.229.4488
www.ParallelGrp.com

ADDITIONS &
ALTERATIONS TO:
TRUETT RESIDENCE
357 Shore Drive
Highlands, NJ 07732
Block: 103 Lots: 8



Anthony Scilise, AIA
NJ 101693
NY 03133-1
PA RA409995
Certificate of Authorization
*AC000953

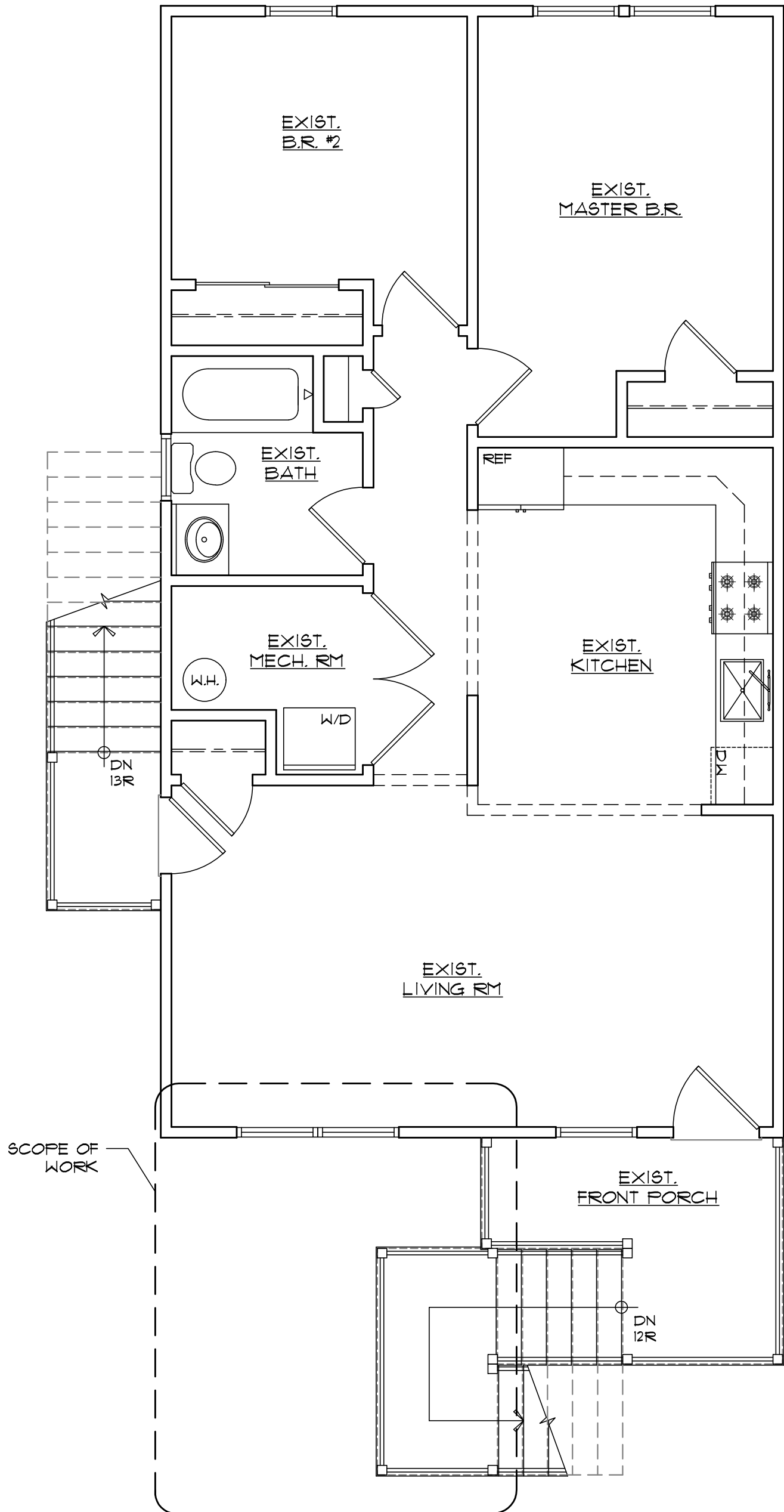
Title:
EXISTING FIRST FLOOR PLAN
PRELIM FIRST FLOOR PLAN
PRELIM SECOND FLOOR PLAN

Comm. No. 1984.22.0069
Date: JULY 20, 2022
Drawn By: KW
Checked By: AS
Scale: As Shown

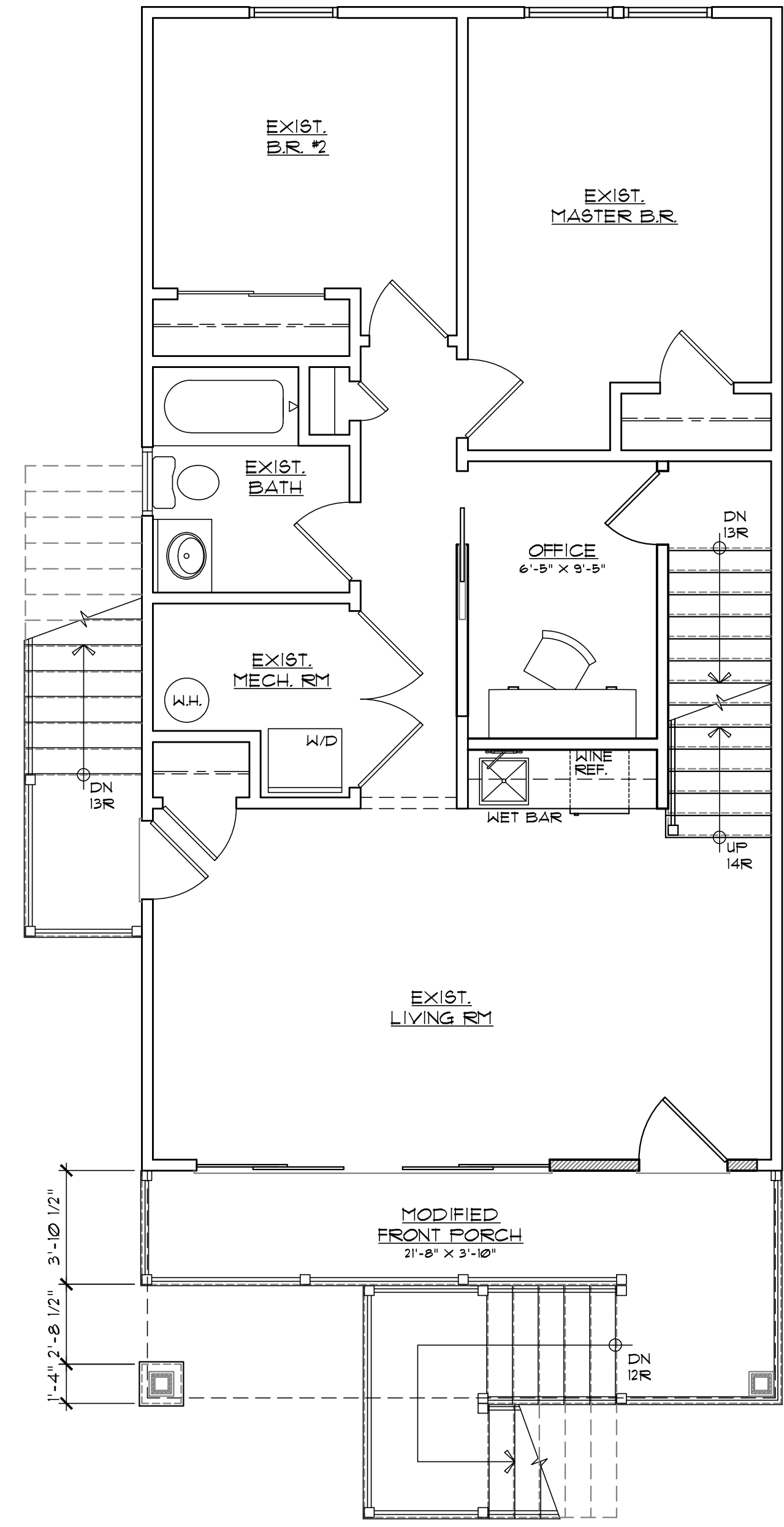
Revisions		
No.	Date	Description

357 SHORE DRIVE
HIGHLANDS, NJ

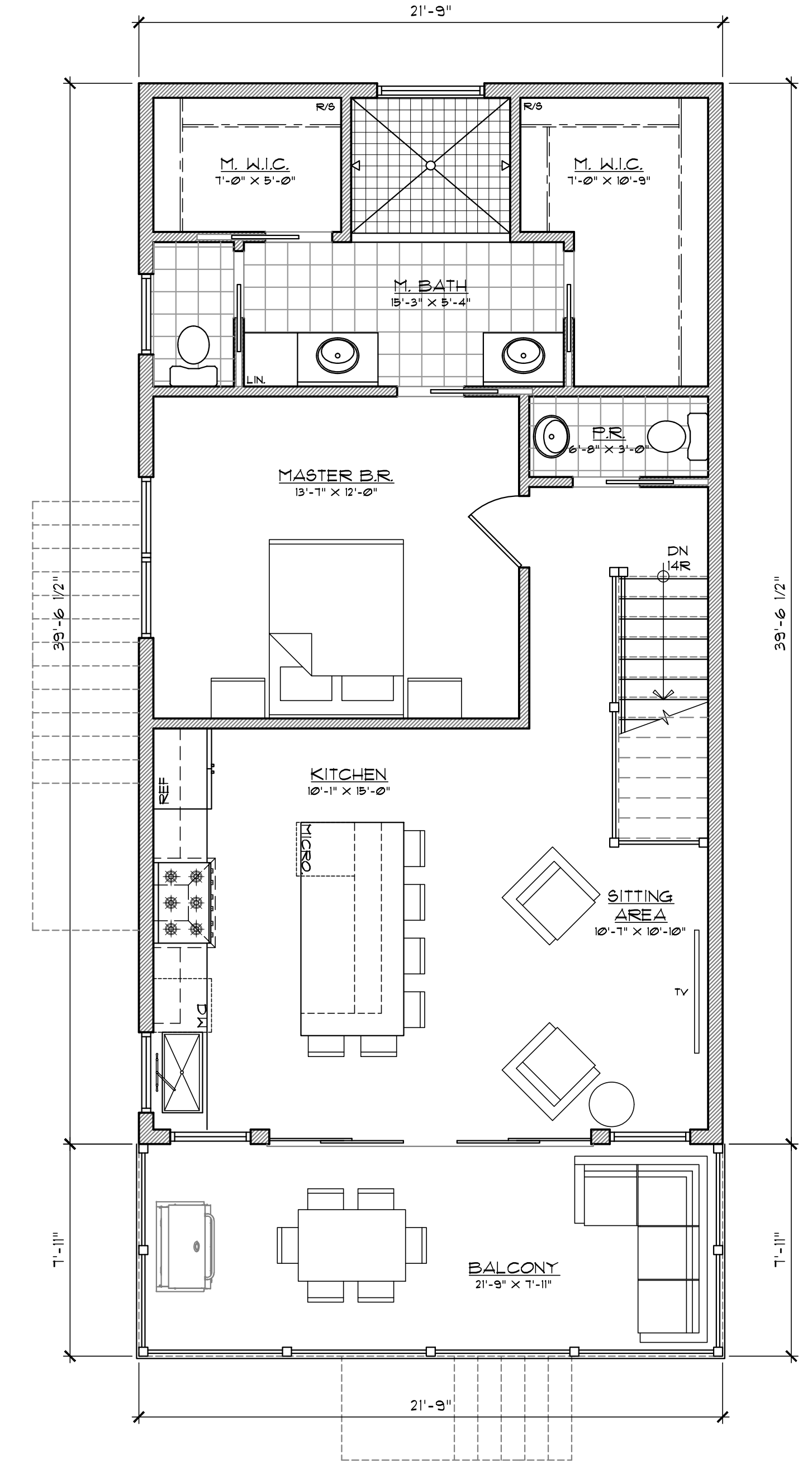
A-102
3 OF 4



1 EXISTING FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"



2 PRELIM FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"




3 PRELIM SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"

FLOOR PLAN LEGEND	
---	LINE OF ITEM ABOVE
—	NEW 5 1/2" WD. STUD EXTERIOR WALLS/ 3 1/2" WD. STUD INTERIOR WALLS (UNO.)

494 Broadway, Suite 3
Long Branch, NJ 07740
V: 732.229.4400
F: 732.229.4488
www.ParallelGrp.com

ADDITIONS &
ALTERATIONS TO:
TRUETT RESIDENCE
357 Shore Drive
Highlands, NJ 07732
Block: 103 Lots: 8



Anthony Scilise, AIA
NJ 07033
NY 02133-1
PA R4403995
Certificate of Authorization
*AC000593

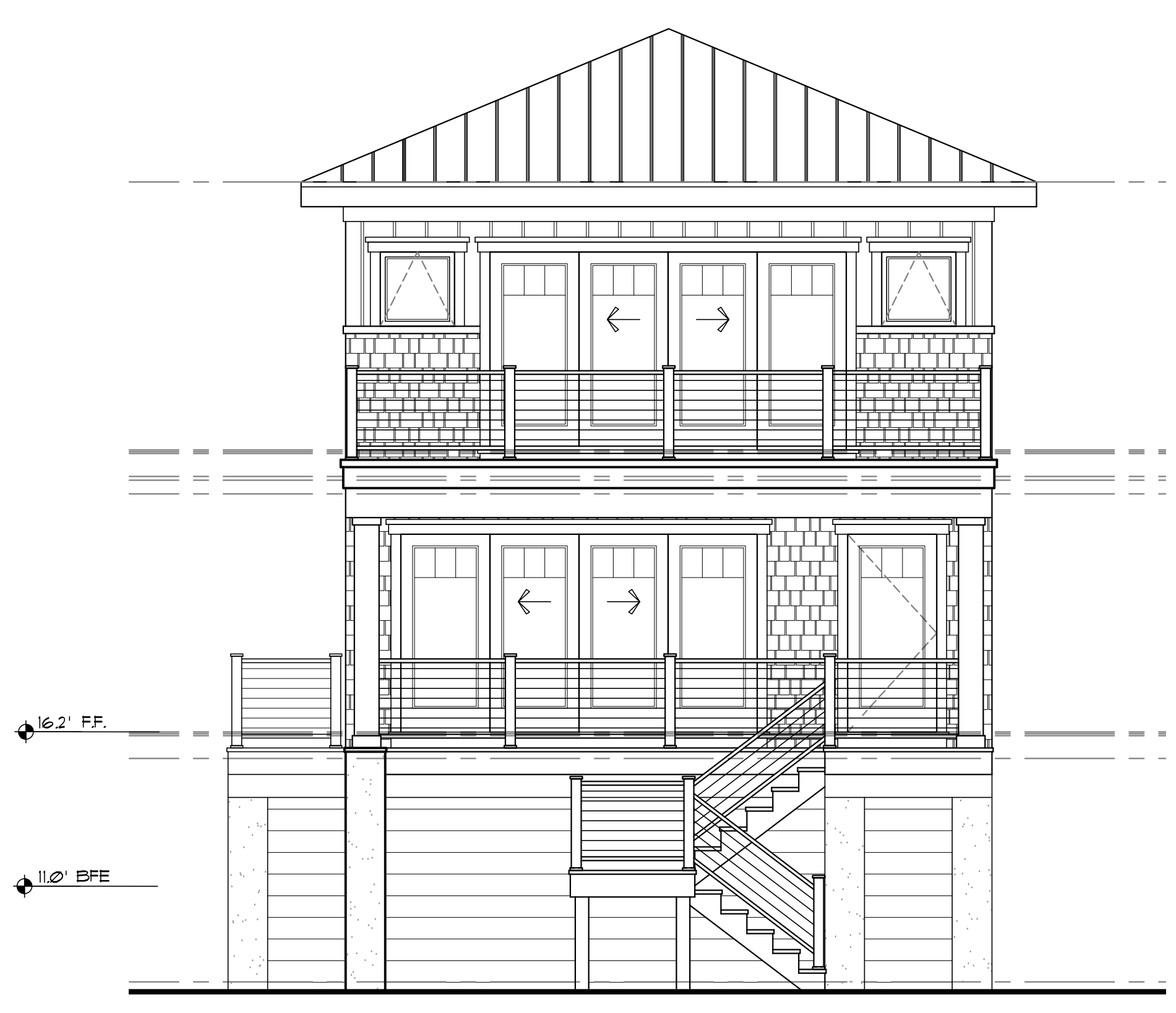
Title:
ELEVATIONS

Comm. No. 1984.22.0069
Date: JULY 20, 2022
Drawn By: KW
Checked By: AS
Scale: As Shown

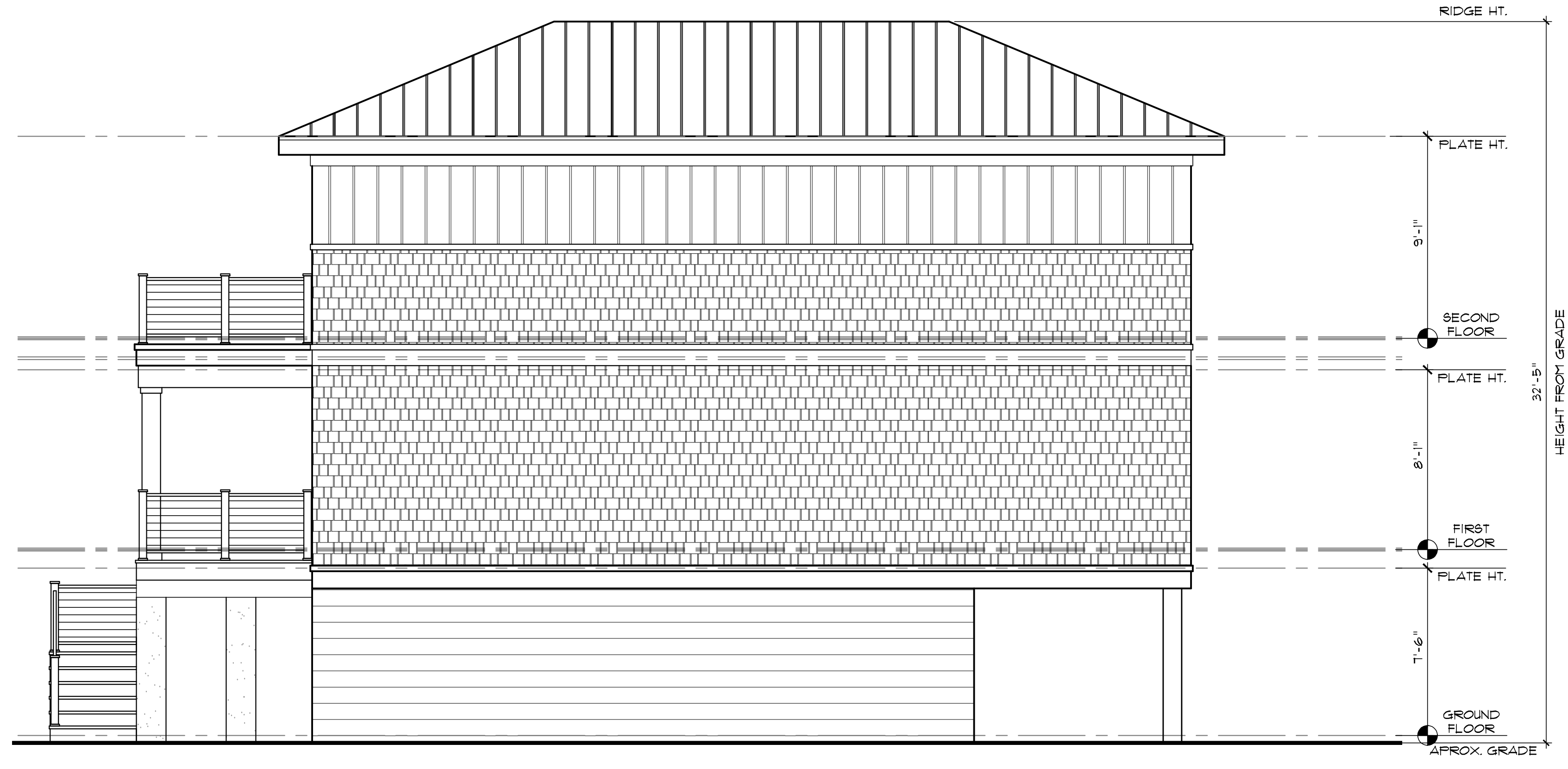
Revisions		
No.	Date	Description

357 SHORE DRIVE
HIGHLANDS, NJ

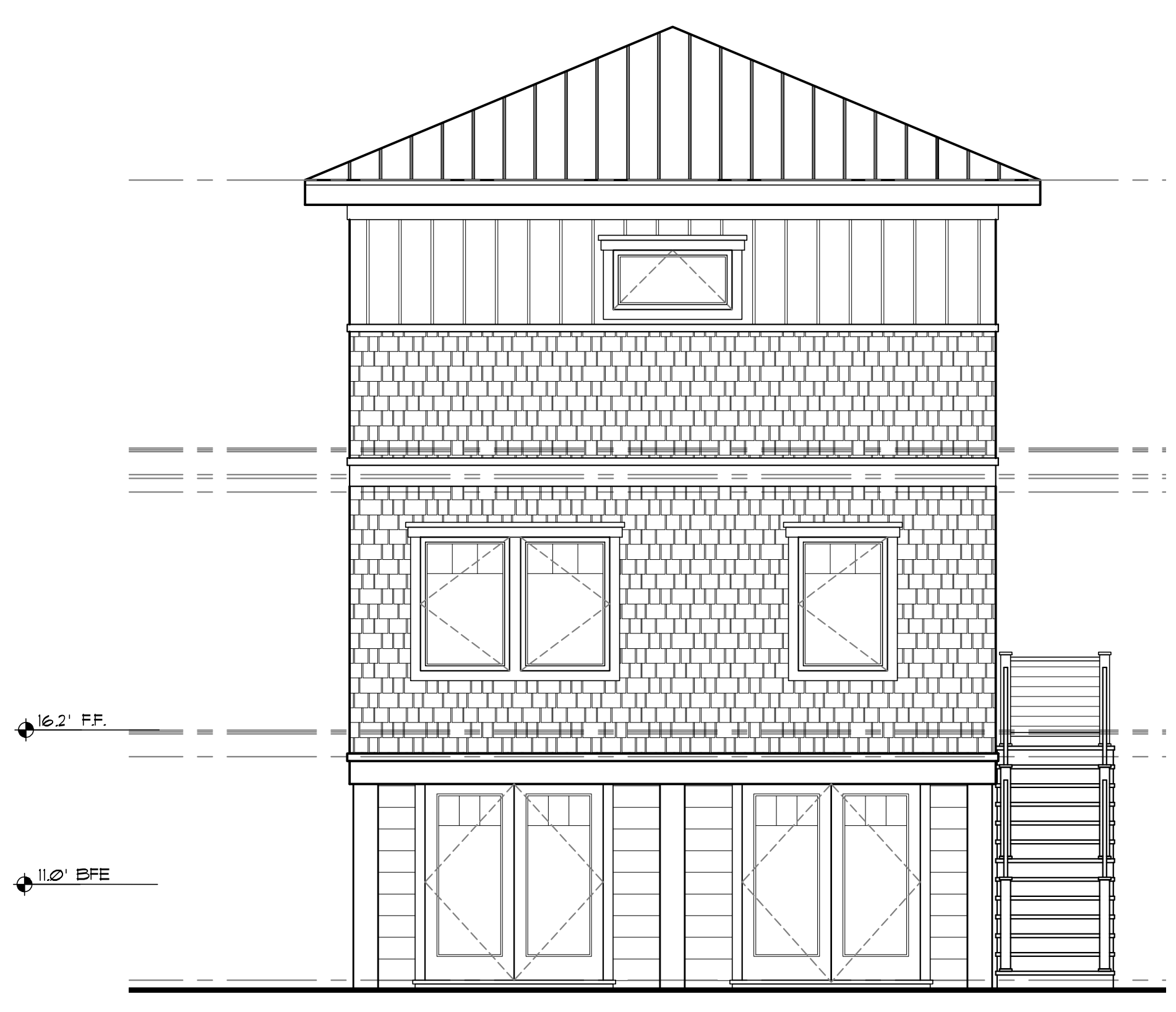
A-201
4 OF 4
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1 FRONT ELEVATION
SCALE: 1/4"=1'-0"



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



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



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



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 TBD day of _____, 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
357 Shore Drive

also known as Block 103, Lot(s) 8, on the Highlands Tax Map.

The property is located in the R-2.03 zone.

The applicant is seeking:

zoning board approval to construct a second floor addition to the existing one-floor single family dwelling.

For the purpose of (list reasons for Zoning denial):

The proposed addition will require bulk variance relief for deficient lot area, deficient lot frontage, deficient lot depth, exceeding front yard, rear yard, and side yard setback. the Ordinance permits

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.

Nicole Florit

[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.]



Block/Lot/Qual:	103. 8.	Tax Account Id:	2153
Property Location:	357 SHORE DRIVE	Property Class:	2 - Residential
Owner Name/Address:	FLORIT, NICOLE	Land Value:	57,500
	357 SHORE DRIVE	Improvement Value:	136,800
	HIGHLANDS, NJ 07732	Exempt Value:	0
		Total Assessed Value:	194,300
		Additional Lots:	None
Special Taxing Districts:		Deductions:	

Balance Includes any Adjustments to Your Account

Taxes Utilities

Click on the Utility Account Id to see more information or to make a payment.

Account	Service	Due Date	Current Bill	Current Balance	Delinquent Balance	Interest	Total
12230-0	Sewer	05/01/2023	140.00	0.00	0.00	0.00	0.00
	Account Total		140.00	0.00	0.00	0.00	0.00

[**Return to Home**](#)



Block/Lot/Qual:	103. 8.	Tax Account Id:	2153
Property Location:	357 SHORE DRIVE	Property Class:	2 - Residential
Owner Name/Address:	FLORIT, NICOLE	Land Value:	57,500
	357 SHORE DRIVE	Improvement Value:	136,800
	HIGHLANDS, NJ 07732	Exempt Value:	0
Special Taxing Districts:		Total Assessed Value:	194,300
		Additional Lots:	None
		Deductions:	

Balance Includes any Adjustments to Your Account

Taxes Utilities

Make a Payment		View Tax Rates		View Current Bill		Project Interest			
Year	Due Date	Type	Orig Billed	Adj Billed	Balance	Interest	Total Due	Status	
2023	02/01/2023	Tax	1,045.82	0.00	0.00	0.00	0.00	PAID	
2023	05/01/2023	Tax	1,045.82	0.00	0.00	0.00	0.00	PAID	
	Total 2023		2,091.64	0.00	0.00	0.00	0.00		
2022	02/01/2022	Tax	324.39	756.09	0.00	0.00	0.00	PAID	
2022	05/01/2022	Tax	324.39	756.08	0.00	0.00	0.00	PAID	
2022	08/01/2022	Tax	1,011.17	0.00	0.00	0.00	0.00	PAID	
2022	11/01/2022	Tax	1,011.16	0.00	0.00	0.00	0.00	PAID	
	Total 2022		2,671.11	1,512.17	0.00	0.00	0.00		
2021	02/01/2021	Tax	324.79	0.00	0.00	0.00	0.00	PAID	
2021	05/01/2021	Tax	324.78	0.00	0.00	0.00	0.00	PAID	
2021	08/01/2021	Tax	324.00	0.00	0.00	0.00	0.00	PAID	
2021	11/01/2021	Tax	323.99	6,052.34	0.00	0.00	0.00	PAID	
	Total 2021		1,297.56	6,052.34	0.00	0.00	0.00		
Last Payment: 04/11/23									

[Return to Home](#)

REQUEST FOR 200 FT. PROPERTY OWNERS LIST

**PROPERTY KNOWN AS
BLOCK: 103 LOT: 8
ADDRESS OF PROPERTY:**

357 SHORE DRIVE

REQUIRED FEE \$10.00 PER BLOCK & LOT

TO BE MAILED TO:

Cleary Giacobbe Alfieri Jacobs LLC
Attn: Catherine Kim, Esq.
955 Route 34
Suite 200
Matawan, NJ 07747

SALVATORE ALFIERI, Partner
salfieri@cgajlaw.com

Reply to: Matawan Office

June 27, 2023

Via FedEx

Borough of Highlands: Land Use Board
 Attn: Land Use Secretary
 42 Shore Drive
 Highlands, NJ 07732

Applicant: Nicole Florit
Application: Variance for Addition
Property: Block 103, Lot 8
357 Shore Drive

Dear Sir/Madam:

By way of introduction, this office represents Nicole Florit, Applicant and Owner, of the above-captioned property. On or about August 4, 2022, my client received an approved zoning permit for the proposed second story addition to her home located at 357 Shore Drive, which is located within the R-2.03 Residential Zone. Subsequently, my client filed for constructions permits for the addition to her new home. Copies of the zoning permit and construction permits are enclosed hereto.

On or about June 16, 2023, my client received a STOP CONSTRUCTION ORDER from the Borough Construction Official for "VIOLATION OF PRIOR ZONING RESOLUTION". We believe this STOP CONSTRUCTION ORDER was issued due to a complaint made by her neighbor, Neal Taber, who resides at 4 Fay Street, Highlands, NJ, also known as Block 103, Lot 12.01 in the official tax maps Borough of Highlands. Neal Taber alleges that the second story addition is in violation of the Borough of Highlands Zoning Board of Adjustment's "RESOLUTION APPROVING BULK VARIANCES FOR ANAULIS AT 357 SHORE DRIVE" dated October 1, 2015 and enclosed hereto. There is no language provided in the resolution that restricts the future addition for the second story.

The proposed second story addition is a permitted use within the R-2.03 Zone and consistent with the neighboring homes along Shore Drive. Neal Taber seeks to misapply the one (1) sentence description regarding the proposed home from the 2015 Resolution to impose fictitious restrictions onto my client, contrary to the clear language provided in the resolution. Enclosed hereto is Neal Taber's Certification filed with his Complaint in the Monmouth County Superior Court with exhibits showing the various

Matawan Office: 955 State Route 34, Suite 200, Matawan, NJ 07747 Tel 732 583-7474 Fax 732 290-0753
 Oakland Office: 169 Ramapo Valley Road, UL 105, Oakland, NJ 07436 Tel 973 845-6700 Fax 201 644-7601
 Somerville Office: 50 Division Street, Suite 501, Somerville, NJ 08876 Tel 732 583-7474 Fax 908 524-0096
 Haddonfield Office: 255 Kings Highway East, Haddonfield, NJ 08033 Tel 732 583-7474 Fax 732 290-0753

correspondences with Borough officials and staff confirming that there are no restrictions on the subject property and the proposed addition was in accordance with Borough Ordinances.

Based on the complaint filed by Neal Taber, my client seeks an interpretation of the October 1, 2015 Resolution to determine whether there are any restrictions on the property to prohibit future second story additions. In the event the Board determines that such restriction was imposed in the 2015 Resolution, my client will request variance relief from the restriction for the second story addition.

As part of our application for interpretation and variance relief (if applicable), we submit the following for the Board's review and consideration:

1. Three (3) copies of the Zoning and Construction Permits;
2. Three (3) copies of the Stop Construction Order;
3. Three (3) copies of Neal Taber Certification;
4. Three (3) copies of 2015 Resolution
5. Three (3) copies of the Land Use Board Application;
6. Three (3) copies of the Plot Plan;
7. Two (2) checks made payable to Freehold Township for the application and escrow fee.

Please place this matter on the next available agenda. Please mark your records to reflect representation and forward to this office any and all correspondence, professional reports, reviews, etc. as it relates to my client's application. Should you have any questions or concerns, please let me know.

Very truly yours,

/s/ Salvatore Alfieri
 Salvatore Alfieri
 Encl.



Building & Inspection
 1 Kings Highway
 Middletown, NJ 07748
 732-615-2106

STOP CONSTRUCTION ORDER

Application Date:
 Application ID:
 Permit Number:
 Date Permit Issued:
 Notice Date: 6/15/2023
 Violation Number: 2023-00001

Item 5.

IDENTIFICATION

Work Site Location:	<u>357 SHORE DRIVE</u>	Block:	<u>103</u>	Lot:	<u>8</u>	Qual:	_____
Owner in Fee:	<u>Nicole Florit</u>	Contractor/Agent:	<u>Elite Construction Services</u>				
Address:	<u>357 Shore Dr.</u>	Address:	<u>100 Main St., Suite 3</u>				
	<u>Highlands NJ 07732</u>		<u>Allenhurst NJ 07711</u>				
Telephone:	_____	Telephone:	_____				

To: Owner Other _____
 Contractor/Agent _____

Date of Inspection: 6/8/2023 Date of Notice: 6/15/2023

ACTION

You are hereby **ORDERED** to **STOP**

Building Electrical Plumbing Fire Protection Mechanical Elevator All CONSTRUCTION

at the above Location as of 6/8/2023 until further notice from this enforcing agency.

This **ORDER** is entered pursuant to N.J.A.C. 5:23-2.31(d) for violation of 5:23-2.31 **Compliance** which provides: **VIOLATION OF PRIOR ZONING RESOLUTION**

Permission to resume construction may be obtained from this enforcing agency after the following conditions are met: **MUST ADDRESS ZONING RESTRICTION**

Further, take NOTICE that failure to comply with this **ORDER** may result in the assessment of penalties up to \$2,000.00 per day per violation, and a certificate of occupancy will *not* be issued until such penalty has been paid.

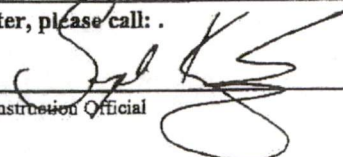
If necessary, the enforcing agency will concurrently seek the Order of a court of competent jurisdiction restraining further work at the above location.

If you wish to contest this **ORDER**, you may request a hearing before the Construction Board of Appeals of the Monmouth County Construction Board of Appeals within 15 days of receipt of this **ORDER** as provided by N.J.A.C. 5:23A-2.1. The Application to the Construction Board of Appeals may be used for this purpose.

Your application for appeal must be in writing, setting forth your name and address, the address of the building or site in question, the permit number, the specific sections of the Regulations in question, and the extent and nature of the relief sought by you. You may append any documents that you consider useful.

The fee for an appeal is \$100.00 and should be forwarded with your application to the Construction Board of Appeals Office at: P.O. Box 1255 Freehold NJ 07728

If you have any questions concerning this matter, please call: .

By Order of:  Date: 6/16/23
 Construction Official

Sent by Certified Mail: _____

U.C.C. F250

Item 5.



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

Zoning Permit Application

Note: All applications must be submitted with a property survey showing the sizes of the structure(s) and their location. Applications involving businesses must show the scope of the business and include all activities that will be a part of the business.

The following NON-REFUNDABLE fees shall apply: Residential Single & Two-Family \$25 Check # 3016 Cash
Commercial/Other residential \$50 Check # Cash

APPLICANT Name: Nicole Florit Date: 7/19/22
Address: 357 Shore Drive Highlands, NJ 07732
Phone# [REDACTED] Email: [REDACTED]

LOCATION OF PROPERTY
Block: 103 Lot(s): 8 Zone: R-2.03
Street Address: 357 Shore Drive Highlands, NJ 07732

DESCRIPTION OF THE WORK TO BE PERFORMED OR USE PROPOSED
Expansion of existing front porch. Second story addition over existing first floor. Proposed balcony over 1st floor porch.

Check one: New* Addition* Alteration Repair Other

I certify the attached survey is accurate relating to existing and proposed improvements. In addition, I grant permission to the Borough of Highlands and their Agents to come onto the subject property, for the purposes of conducting inspections, relating to the application.

YES NO
Signature: Nicole Florit Date: 7/19/22

OUTWARD AREA DETERMINATION
Check applicable Flood Zone: AE VE X
All applications within the AE and VE Flood Zones, as indicated upon the most recent FEMA Flood Maps, require submission of a determination from the NJDEP.

BOROUGH HALL USE ONLY
Determination: Approved Denied Zoning Officer: Brian O'Brien
If your application has been DENIED, it is due to the following: Date: 8-4-22
Ordinance Section Allowed/Required Proposed Proposed

Remarks: AS PER MORGAN SURVEY AND PARALLEL PLANS

Note: A Zoning Permit indicates that the proposed project conforms to the planning/zoning regulations of the Borough of Highlands. A building permit is required (per the requirements of the Uniform Construction Code of NJ) BEFORE beginning work. The Zoning Permit is valid for one year. If your application has been denied, you may appeal this denial to the Land Use Board as provided by the New Jersey Municipal Land Use Law. You must submit letter of appeal to the Land Use Board Secretary within 20 days.

* Note: Applications for New and Addition require a Flood Plain Review Application to the Borough Flood Administrator upon submission of this application.

Item 5.



Borough of Highlands
 Construction Department
 42 Shore Drive
 Highlands, NJ 07732
 Phone (32) 872-1224
 www.highlandsborough.org

Flood Development Permit Application

Instructions

This application must be completed! Lack of information or details on plans will result in the application not being processed.

Submit two (2) site plans drawn to scale showing actual size, dimensions, and shape of the lot with corner pins shown, existing and proposed buildings or structures, their distance to lot lines and other information that is essential to the permit and property. NOTE: Projects altering lot grade shall provide existing and proposed grading plan showing cut and fill. New building, alteration or addition shall submit floor plan showing cut section details adequate to determine flood proofing method, including basement and crawl space. All grades shall be related to mean sea elevations. Submit equalized assessed value of structure to validate substantial improvement values.

PLEASE PRINT

Construction Site Information

Street 357 Shore Drive Block 103 Lot 8 Flood Zone AE

Existing use of building or land: Vacant Residential Business Industrial

Please check all applicable:

Proposed Construction	Permit Holder	Proposed Use	Proposed Conditions
<input type="checkbox"/> New Home	<input type="checkbox"/> Owner	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Slab
<input type="checkbox"/> 1 st Floor Addition	<input type="checkbox"/> Contractor	<input type="checkbox"/> Business	<input type="checkbox"/> Basement
<input checked="" type="checkbox"/> 2 nd Floor Addition	<input type="checkbox"/> Applicant	<input type="checkbox"/> Industrial	<input type="checkbox"/> Crawl Space
<input type="checkbox"/> Basement			
<input type="checkbox"/> Shed <input type="checkbox"/> Grading			
<input type="checkbox"/> Pool <input type="checkbox"/> Demolition			
<input type="checkbox"/> Garage <input type="checkbox"/> Repair			

Estimated Construction Value: \$ 275,000

Owner Information

Name Nicole Florit Phone [REDACTED]

Email [REDACTED]

Address 357 Shore Drive City Highlands State NJ Zip 07732

Contractor Information

Name _____ Phone _____

Email _____

Address _____ City _____ State _____ Zip _____

Applicant Information (if not owner)

Name _____ Phone _____

Email _____

Address _____ City _____ State _____ Zip _____

I, the undersigned, do hereby certify that all of the above statements are true to the best of my knowledge, and understand the any deviation, change or alteration not included or shown on these plans will alter the approval so granted. I further understand that the permit, when issued, is valid for one (1) year.

Signature Nicole Florit Date 7/23/2022



2022-0301
Date Issued 4/21/23
Control #
Permit # 23-0076

CONSTRUCTION PERMIT NOTICE

Block 103 Lot 8 Qualification Code _____

Work Site Location: 357 SHORE DR

AUTHORIZED FOR:

- BUILDING
- PLUMBING
- ELEVATOR DEVICES
- OTHER _____
- ELECTRICAL
- FIRE PROTECTION
- DEMOLITION

Description of Work: ADDITION / RENOVATION

This notice shall be posted conspicuously at the work site and shall remain so until issuance of a certificate.

U.C.C. F180
(rev. 3/03)

For reorder call 609-390-1400 • Allegra Marketing Print Mail



BUILDING SUBCODE TECHNICAL SECTION



A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 103 Lot 8 Qualification Code _____
 Work Site Location 357 Shore Drive
Highlands
 Owner in Fee: Nicole Florit
 Tel. _____ e-mail _____
 Address 357 Shore Drive Highlands 07732
 Contractor: Elite Constnction Services LLC Tel. (732) 204-7003
 Address 100 Main Street e-mail josh@econscvs.com
Allenhurst, NJ 07711
 Contractor License No. or Builder Registration No. 13VH09785800 Exp. Date 03/31/2023
 Home Improvement Contractor Registration No. or Exemption Reason _____
 Federal Emp. ID No. 822144504 FAX: _____

Date Received
Control #

Date Issued
Permit #

Item 5.

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Sign here: _____

Print name here: Joshua Hall

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK

Installation of breakaway wall at ground floor.
 Renovation to existing 1st floor.
 Construction of new 2nd floor.

JOB SUMMARY (Office Use Only)

PLAN REVIEW	Date	Initial	INSPECTIONS			
			Type	Failure	Approval	Initial
<input type="checkbox"/> No Plans Required						
<input type="checkbox"/> All			Footing			
<input checked="" type="checkbox"/> Footings/Foundations			Footing Bonding			
<input checked="" type="checkbox"/> Structural/Framework			Foundation			
<input type="checkbox"/> Exterior			Slab			
<input type="checkbox"/> Interior			Frame			
Joint Plan Review Required:			Truss Sys./Bracing			
			Barrier-Free			
<input type="checkbox"/> Elec. <input type="checkbox"/> Plumb. <input type="checkbox"/> Fire <input type="checkbox"/> Elevator			Insulation			
SUBCODE APPROVAL for PERMIT			Finishes -Base Layer			
Date:			Finishes -Final			
Approved by:			Energy			
SUBCODE APPROVAL for CERTIFICATE			Mechanical			
<input type="checkbox"/> CO <input type="checkbox"/> CCO <input type="checkbox"/> CA			TCO			
Date:			Other			
Approved by:			Final			
			Barrier-Free			

TYPE OF WORK:

- New Building
- Addition
- Rehabilitation
- Roofing
- Siding
- Fence _____ Height (exceeds 6')
- Sign _____ Sq. Ft.
- Pool
- Retaining Wall _____ Sq. Ft.
- Asbestos Abatement Subchapter 8
- Lead Haz. Abatement NJAC 5:17
- Radon Remediation
- Other _____
- Demolition

FEE (Office Use Only)

\$	_____

B. BUILDING CHARACTERISTICS

Use Group Present R-5 Proposed R-5 Constr. Class Present 5B Proposed 5B
 No. of Stories _____ 2
 Height of Structure _____ 32 ft.
 Area — Largest Floor _____ 860 sq. ft.
 New Bldg. Area/All Floors _____ 1,720 sq. ft.
 Volume of New Structure _____ 9,419 cu. ft.
 Max. Live Load _____
 Max. Occupancy Load _____

If Industrialized Building:

State Approved _____ HUD _____

Est. Cost of Bldg. Work:

1. New Bldg. \$ _____
2. Rehabilitation \$ _____
3. Total (1+ 2) \$ 146,000

Administrative Surcharge \$ _____
 Minimum Fee \$ _____
 State Permit Surcharge Fee \$ _____
 TOTAL FEE \$ _____

U.C.C. F110 (rev. 11/09)
Internet version

Applicant: When submitting this form to your Local Construction Code Enforcement Office, please provide one original plus three photocopies.



FIRE PROTECTION SUBCODE TECHNICAL SECTION



Item 5.

Date Received
Control #

Date Issued
Permit #

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 1103 Lot 8 Qualification Code _____
Work Site Location 357 Shore Drive

Owner in Fee: Nicole Florit

Tel. _____ e-mail _____

Address 357 Shore Drive Highland 07732

Contractor: Elite Electric & Lighting LLC municipality _____ Tel. (732) 204-7003 via code _____

Address 100 Main Street e-mail josh@econscvs.com

Allenhurst, NJ 07711

Fire Protection Equipment, NJ Div of Fire Safety Permit No. _____

Fire Protection Equipment, NJ Div of Fire Safety Installer No. _____

Fire Alarm Contractor No. 1727200 Exp. Date 03/31/2023

Home Improvement Contractor Registration No. or Exemption Reason _____

Federal Emp. ID No. 814897796 FAX: _____

B. FIRE PROTECTION CHARACTERISTICS

Use Group: Present R-5 Proposed R-5 Fuel Storage Tank: _____

Constr. Class: Present 5B Proposed 5B Fuel Type: Flammable OR Combustible Capacity _____

Heating System: New OR Modification to Existing Fire Alarm System: New OR Existing
OR Conversion OR Replacement Location of Panel: _____

Fuel Type: Gas Oil Electric Solar Fire Suppression/Standpipe System: New OR Existing
 Other Location of Main Control Valve: _____

Location: _____
Total Cost of Fire Protection Work \$ 2200

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Applicant/Contractor sign here: [Signature]

Print name here: Joshua Hall

D. TECHNICAL SITE DATA Certified Contractor Exempt Applicant

DESCRIPTION OF WORK:
Water Supply Source smoke & carbon detectors
Method of Alarm/Suppression System Supervision _____

	NUMBER	FEE (Office Use Only)
Flammable/Combustible Tanks	_____	\$ _____
Alarm Systems	_____	_____
<input type="checkbox"/> System	_____	_____
<input type="checkbox"/> 110v Interconnected	_____	_____
<input type="checkbox"/> CO Detectors/110v	_____	_____
Alarm Devices (i.e., smoke, heat, pulls, water/flow)	<u>11</u>	_____
Supervisory Devices (i.e., tampers, low/high air)	_____	_____
Signaling Devices (i.e., horn/strobes, bells)	_____	_____
Other Devices	_____	_____
TOTAL	<u>11</u>	_____
Suppression Systems	_____	_____
Fire Pump _____ GPM Type _____	_____	_____
Dry Pipe/Alarm Valves	_____	_____
Pre-action Valves	_____	_____
Sprinkler Heads (Dry and Wet)	_____	_____
Standpipes	_____	_____
Pre-engineered Systems	_____	_____
Wet Chemical	_____	_____
Dry Chemical	_____	_____
CO ₂ Suppression	_____	_____
Foam Suppression	_____	_____
FM200 Suppression	_____	_____
Other _____	_____	_____
Other Systems	_____	_____
Kitchen Hood Exhaust System	_____	_____
Smoke Control System	_____	_____
Fuel-Fired Appliances <input type="checkbox"/> Gas <input type="checkbox"/> Oil <input type="checkbox"/> Solid	_____	_____
Fireplace Venting/Metal Chimney	_____	_____
Other _____	_____	_____

JOB SUMMARY (Office Use Only)	INSPECTIONS	Dates (Month/Day)			
PLAN REVIEW	Type:	Failure	Failure	Approval	Initial
<input type="checkbox"/> No Plans Required	Alarm System	_____	_____	_____	_____
<input type="checkbox"/> Partial - Underslab Utilities Approved	Suppression Sys.	_____	_____	_____	_____
Date: _____ Approved by: _____	Standpipe	_____	_____	_____	_____
<input type="checkbox"/> Fire Protection Plans Approved	Fire Pump	_____	_____	_____	_____
Date: _____ Approved by: _____	Pre-Eng. System	_____	_____	_____	_____
Joint Plan Review Required:	Mechanical	_____	_____	_____	_____
<input type="checkbox"/> Bldg. <input type="checkbox"/> Elec. <input type="checkbox"/> Plumb. <input type="checkbox"/> Elev.	Smoke Control	_____	_____	_____	_____
SUBCODE APPROVAL for PERMIT	TCO	_____	_____	_____	_____
Date: _____ Approved by: _____	Flam/Combust Tanks	_____	_____	_____	_____
SUBCODE APPROVAL for CERTIFICATE	Fireplace Venting	_____	_____	_____	_____
<input type="checkbox"/> CO <input type="checkbox"/> COO <input type="checkbox"/> CA	Finel	_____	_____	_____	_____
Date: _____ Approved by: _____	Other	_____	_____	_____	_____

U.C.C. F140 (rev. 02/11) Applicant: When submitting this form to your Local Construction Code Enforcement Office, please provide one Internet version original plus three photocopies.

Administrative Surcharge \$	_____
Minimum Fee \$	_____
State Permit Surcharge Fee \$	_____
TOTAL FEE \$	_____



ELECTRICAL SUBCODE TECHNICAL SECTION



Item 5.

Date Received
Control #
Date Issued
Permit #

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 103 Lot 8 Qualification Code _____

Work Site Location 357 Shore Drive
Highlands, NJ 07732

Owner in Fee: Nicole Florit

Tel. _____ e-mail _____

Address 4357 Shore Drive Highlands 07732

Contractor: Elite Electric & Lighting LLC Tel. 7327495858

Address 100 Main Street e-mail josh@econscvs.com

Allenhurst, NJ 07

Contractor License No. 34EB01727200 Exp. Date 03/31/2023

Home Improvement Contractor Registration No. or Exemption Reason _____

Federal Emp. ID No. 814897796 FAX: _____

B. ELECTRICAL CHARACTERISTICS

Use Group Present R-5 Proposed R-5

[] Pole/Pad # _____ [] Temporary [] Other _____

Building Occupied as Residence Utility Co. _____

Est. Cost of Elec. Work \$ 19,000

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application and perform the work listed on this application.

Applicant sign/Contractor sign and seal here: [Signature]

Print name here: Joshua Hall

Licensed Elec. Contractor [] Certif'd Landscape Irrigation Cont'r [] Exempt Applicant

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK:
New devices and fixtures.

QTY.	SIZE	ITEMS	FEE (Office Use Only)
47		Lighting Fixtures	
43		Receptacles	
24		Switches	
11		Detectors	
		Light Poles	
2		Motors—Fract. HP	
		Emergency & Exit Lights	
		Communications Points	
		Alarm Devices/F.A.C. Panel	
127		TOTAL NUMBERS	\$ _____
		Pool Permit/with UW Lights	
		Storable Pool/Spa/Hot Tub	
		KW Elec. Range/Receptacle	
		KW Oven/Surface Unit	
		KW Elec. Water Heater	
		KW Elec. Dryer/Receptacle	
		KW Dishwasher	
		HP Garbage Disposal	
		KW Central A/C Unit	
		HP/KW Space Heater/Air Handler	
		KW Baseboard Heat	
		HP Motors 1/+ HP	
		KW Transformer/Generator	
		AMP Service	
		AMP Subpanels	
		AMP Motor Control Center	
		KW Elec. Sign/Outline Light	

JOB SUMMARY (Office Use Only)		INSPECTIONS				
PLAN REVIEW		Type:	Dates (Month/Day)			
[] No Plans Required			Failure	Failure	Approval	Initial
[] Partial -Underslab Utilities Approved		Rough				
Date: _____ Approved by: _____		Barrier-Free				
[] Electric Plans Approved		Trench				
Date: _____ Approved by: _____		Temp. Serv.				
Joint Plan Review Required:		Constr. Serv.				
[] Bldg. [] Plumb. [] Fire. [] Elev.		TCO				
SUBCODE APPROVAL for PERMIT		Other				
Date: _____ Approved by: _____		Service				
SUBCODE APPROVAL for CERTIFICATE		Final				
[] CO [] GCO [] CA		Barrier-Free				
Date: _____ Approved by: _____		Temp. Cut-in-Card Date Issued				
Annual Pool Inspection		Final Cut-in-Card Date Issued				
Date of Grounding and Bonding Certification						

Administrative Surcharge \$ _____
 Minimum Fee \$ _____
 State Permit Surcharge Fee \$ _____
TOTAL FEE \$ _____

U.C.C. F120 (rev. 11/09) Internet version

Applicant: When submitting this form to your Local Construction Code Enforcement Office, please provide one original plus three photocopies.



**PLUMBING SUBCODE
TECHNICAL SECTION**



Date Received
Control #

Item 5.

Date Issued
Permit #

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 103 Lot 8 Qualification Code _____
Work Site Location 397 SHORE DRIVE

Owner in Fee: HIDDLE FLORET

Tel. _____ e-mail _____

Address 397 SHORE DRIVE HIGHLANDS 07132
municipality zip code

Contractor: PREFERRED PLUMBING Tel. _____

Address 1072 MADISON AVE e-mail OFFICE@PREFERRED.PLS
LAKENWOOD, NJ 08701

Contractor License No. 12477 Exp. Date 6/30/23

Home Improvement Contractor Registration No. or Exemption Reason _____

Federal Emp. ID No. 824771985 FAX: _____

B. PLUMBING CHARACTERISTICS

Use Group Present P5 Proposed P5

Building Sewer Size _____ Public Sewer _____ Private Septic _____

Water Service Size _____ Public Water _____ Private Well _____

Est. Cost of Plumbing Work \$ 7500

JOB SUMMARY (Office Use Only)						
PLAN REVIEW		INSPECTIONS		Dates (Month/Day)		
		Type:	Failure	Failure	Approval	Initial
<input type="checkbox"/>	No Plans Required	Slab	_____	_____	_____	_____
<input type="checkbox"/>	Partial -Underslab Utilities Approved	Rough	_____	_____	_____	_____
Date: _____	Approved by: _____	Water	_____	_____	_____	_____
<input type="checkbox"/>	Plumbing Plans Approved	Sewer	_____	_____	_____	_____
Date: _____	Approved by: _____	Fixtures	_____	_____	_____	_____
Joint Plan Review Required:		Gas Equipment	_____	_____	_____	_____
<input type="checkbox"/>	Bldg. <input type="checkbox"/>	Gas Piping	_____	_____	_____	_____
<input type="checkbox"/>	Elec. <input type="checkbox"/>	LPGas Tank	_____	_____	_____	_____
<input type="checkbox"/>	Fire. <input type="checkbox"/>	Fuel Oil Piping	_____	_____	_____	_____
<input type="checkbox"/>	Elev. <input type="checkbox"/>	Solar	_____	_____	_____	_____
SUBCODE APPROVAL for PERMIT		TCO	_____	_____	_____	_____
Date: _____	Approved by: _____	Final	_____	_____	_____	_____
SUBCODE APPROVAL for CERTIFICATE						
<input type="checkbox"/>	CO <input type="checkbox"/>					
<input type="checkbox"/>	CCO <input type="checkbox"/>					
<input type="checkbox"/>	CA <input type="checkbox"/>					
Date: _____	Approved by: _____					

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application and perform the work listed on this application.

Applicant sign/Contractor sign and seal here: Gene Vonder Linden

Print name here: Gene Vonder Linden Licensed Contractor Exempt Applicant

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK
New water, waste & vent for kitchen

QTY.	FIXTURE/EQUIPMENT	FEE (Office Use Only)
<u>3</u>	Water Closet	\$ _____
	Urinal/Bidet	_____
	Bath Tub	_____
<u>4</u>	Lavatory	_____
<u>1</u>	Shower	_____
	Floor Drain	_____
<u>2</u>	Sink	_____
<u>1</u>	Dishwasher	_____
	Drinking Fountain	_____
	Washing Machine	_____
	Hose Bibb	_____
	Water Heater	_____
	Fuel Oil Piping	_____
	Gas Piping	_____
	LPGas Tank	_____
	Steam Boiler	_____
	Hot Water Boiler	_____
	Sewer Pump	_____
	Interceptor/Separator	_____
	Backflow Preventer	_____
	Greasetrap	_____
	Sewer Connection	_____
	Water Service Connection	_____
	Stacks	_____
	Other	_____

Administrative Surcharge	\$ _____
Minimum Fee	\$ _____
State Permit Surcharge Fee	\$ _____
TOTAL FEE	\$ _____



**PLUMBING SUBCODE
TECHNICAL SECTION**



1 OF 2

Date Received
Control #
Date Issued
Permit #

4/21/22
2022-0301
23-0076

Item 5.

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 103 Lot 8 Qualification Code _____

Work Site Location 397 SHORE DRIVE

Owner in Fee: Nicole Florent

Tel. _____ e-mail _____

Address 397 Shore Drive _____

Contractor: Profecto Plumbing Tel. _____

Address 1070 W. 17th St e-mail _____

Contractor License No. 12477 Exp. Date 6/30/23

Home Improvement Contractor Registration No. or Exemption Reason _____

Federal Emp. ID No. 824771985 FAX: _____

B. PLUMBING CHARACTERISTICS

Use Group Present 2 Proposed 15

Building Sewer Size _____ Public Sewer _____ Private Septic _____

Water Service Size _____ Public Water _____ Private Well _____

Est. Cost of Plumbing Work \$ 750

JOB SUMMARY (Office Use Only)

PLAN REVIEW		INSPECTIONS				
[] No Plans Required		Type:	Dates (Month/Day)			
[] Partial -Under-slab Utilities Approved			Failure	Failure	Approval	Initial
Date: _____	Approved by: _____	Slab	_____	_____	_____	_____
[] Plumbing Plans Approved	Date: _____	Rough	_____	_____	_____	_____
Date: _____	Approved by: _____	Water	_____	_____	_____	_____
Joint Plan Review Required:	[] Bldg. [] Elec. [] Fire. [] Elev.	Sewer	_____	_____	_____	_____
SUBCODE APPROVAL for PERMIT		Fixtures	_____	_____	_____	_____
Date: _____	Approved by: _____	Gas Equipment	_____	_____	_____	_____
SUBCODE APPROVAL for CERTIFICATE		Gas Piping	_____	_____	_____	_____
[] CO [] CCO [] CA	Date: _____	LPGas Tank	_____	_____	_____	_____
Date: _____	Approved by: _____	Fuel Oil Piping	_____	_____	_____	_____
		Solar	_____	_____	_____	_____
		TCO	_____	_____	_____	_____
		Final	_____	_____	_____	_____

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application and perform the work listed on this application.

Applicant sign/Contractor sign and seal here: _____

Print name here: Alex Vondra

[X] Licensed Contractor [] Exempt Applicant

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK
New water, waste & vent for kitchen

QTY.	FIXTURE/EQUIPMENT	FEE (Office Use Only)
<u>3</u>	Water Closet	\$ _____
_____	Urinal/Bidet	_____
_____	Bath Tub	_____
<u>4</u>	Lavatory	_____
<u>1</u>	Shower	_____
_____	Floor Drain	_____
<u>2</u>	Sink	_____
<u>1</u>	Dishwasher	_____
_____	Drinking Fountain	_____
_____	Washing Machine	_____
_____	Hose Bibb	_____
_____	Water Heater	_____
_____	Fuel Oil Piping	_____
_____	Gas Piping	_____
_____	LPGas Tank	_____
_____	Steam Boiler	_____
_____	Hot Water Boiler	_____
_____	Sewer Pump	_____
_____	Interceptor/Separator	_____
_____	Backflow Preventer	_____
_____	Greasetrap	_____
_____	Sewer Connection	_____
_____	Water Service Connection	_____
_____	Stacks	_____
_____	Other	_____

All work shall conform to the requirements of the code

Administrative Surcharge	\$ <u>275</u>
Minimum Fee	\$ _____
State Permit Surcharge Fee	\$ _____
TOTAL FEE	\$ _____



**FIRE PROTECTION SUBCODE
TECHNICAL SECTION**



Date Received 4/21/23 Item 5.
Control # 2022-030
Date Issued _____
Permit # 23-0076

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 1103 Lot 8 Qualification Code _____
Work Site Location 357 Shore Drive

Owner in Fee: Nicole Florit

Tel. _____ e-mail _____

Address 357 Shore Drive Highland 07732

Contractor: Elite Electric & Lighting LLC municipality _____ Tel. (732) 204-7003

Address 100 Main Street e-mail josh@econscvs.com

Allenhurst, NJ 07711

Fire Protection Equipment, NJ Div of Fire Safety Permit No. _____

Fire Protection Equipment, NJ Div of Fire Safety Installer No. _____

Fire Alarm Contractor No. 1727200 Exp. Date 03/31/2023

Home Improvement Contractor Registration No. or Exemption Reason _____

Federal Emp. ID No. 814897796 FAX: _____

B. FIRE PROTECTION CHARACTERISTICS

Use Group: Present R-5 Proposed R-5

Constr. Class: Present 5B Proposed 5B

Heating System: [] New OR [] Modification to Existing
OR [] Conversion OR [] Replacement

Fuel Type: [] Gas [] Oil [] Electric [] Solar
[] Other _____

Location: _____
Total Cost of Fire Protection Work \$ 2,200

Fuel Storage Tank:
Fuel Type: [] Flammable OR [] Combustible
Capacity _____

Fire Alarm System: [] New OR [] Existing

Location of Panel: _____

Fire Suppression/Standpipe System:

[] New OR [] Existing

Location of Main Control Valve: _____

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Applicant/Contractor sign here: [Signature]

Print name here: Joshua Hall

D. TECHNICAL/SITE DATA Certified Contractor [] Exempt Applicant

DESCRIPTION OF WORK:
Water Supply Source smoke & carbon detectors
Method of Alarm/Suppression System Supervision _____

	NUMBER	FEE (Office Use Only) \$
Flammable/Combustible Tanks	_____	_____
Alarm Systems		
[] System	_____	_____
[] 110v Interconnected	_____	_____
[] CO Detectors/110v	_____	_____
Alarm Devices (i.e., smoke, heat, pulls, water/flow)	11	_____
Supervisory Devices (i.e., tampers, low/high air)	_____	_____
Signaling Devices (i.e., horn/strobes, bells)	_____	_____
Other Devices _____	_____	_____
TOTAL	11	_____
Suppression Systems		
Fire Pump _____ GPM Type _____	_____	_____
Dry Pipe/Alarm Valves _____	_____	_____
Pre-action Valves _____	_____	_____
Sprinkler Heads (Dry and Wet) _____	_____	_____
Standpipes _____	_____	_____
Pre-engineered Systems		
Wet Chemical _____	_____	_____
Dry Chemical _____	_____	_____
CO ₂ Suppression _____	_____	_____
Foam Suppression _____	_____	_____
FM200 Suppression _____	_____	_____
Other _____	_____	_____
Other Systems		
Kitchen Hood Exhaust System _____	_____	_____
Smoke Control System _____	_____	_____
Fuel-Fired Appliances [] Gas [] Oil [] Solid _____	_____	_____
Fireplace Venting/Metal Chimney _____	_____	_____
Other _____	_____	_____

JOB SUMMARY (Office Use Only)	INSPECTIONS	Dates (Month/Day)			
		Type:	Failure	Approval	Initial
PLAN REVIEW	Alarm System	_____	_____	_____	_____
[] No Plans Required	Suppression Sys.	_____	_____	_____	_____
[] Partial -Underslab Utilities Approved	Standpipe	_____	_____	_____	_____
Date: _____ Approved by: _____	Fire Pump	_____	_____	_____	_____
[4] Fire Protection Plans Approved	Pre-Eng. System	_____	_____	_____	_____
Date: <u>3/3/23</u> Approved by: <u>[Signature]</u>	Mechanical	_____	_____	_____	_____
Joint Plan Review Required:	Smoke Control	_____	_____	_____	_____
[] Bldg. [] Elec. [] Plumb. [] Elev.	TCO	_____	_____	_____	_____
SUBCODE APPROVAL for PERMIT	Flam/Combust Tanks	_____	_____	_____	_____
Date: <u>3/3/23</u>	Fireplace Venting	_____	_____	_____	_____
Approved by: <u>[Signature]</u>	Final	_____	_____	_____	_____
SUBCODE APPROVAL for CERTIFICATE	Other	_____	_____	_____	_____
[] CO [] CCO [] CA					
Date: _____					
Approved by: _____					

Administrative Surcharge \$ 85
Minimum Fee \$ _____
State Permit Surcharge Fee \$ _____
TOTAL FEE \$ _____

U.C.C. F140 (rev. 02/11) Internet version Applicant: When submitting this form to your Local Construction Code Enforcement Office, please provide one original plus three photocopies.



**ELECTRICAL SUBCODE
TECHNICAL SECTION**



Date Received 4/21/23
Control # 2022-030
Date Issued
Permit # 23-0076

Item 5.

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 103 Lot 8 Qualification Code _____

Work Site Location 357 Shore Drive
Highlands, NJ 07732

Owner in Fee: Nicole Florit

Tel. _____ e-mail _____

Address 4357 Shore Drive Highlands 07732

Contractor: Elite Electric & Lighting LLC Tel. 7327495858

Address 100 Main Street e-mail josh@econscvs.com.

Allenhurst, NJ 07

Contractor License No. 34EB01727200 Exp. Date 03/31/2023

Home Improvement Contractor Registration No. or Exemption Reason _____

Federal Emp. ID No. 814897796 FAX: _____

B. ELECTRICAL CHARACTERISTICS

Use Group Present R-5 Proposed R-5

[] Pole/Pad # _____ [] Temporary [] Other _____

Building Occupied as Residence Utility Co. _____

Est. Cost of Elec. Work \$ 10,000

JOB SUMMARY (Office Use Only)		INSPECTIONS		Dates (Month/Day)		
PLAN REVIEW		Type:	Failure	Failure	Approval	Initial
[] No Plans Required		Rough	_____	_____	_____	_____
[] Partial -Underslab Utilities Approved		Barrier-Free	_____	_____	_____	_____
Date: _____ Approved by: _____		Trench	_____	_____	_____	_____
[X] Electric Plans Approved		Temp. Serv.	_____	_____	_____	_____
Date: _____ Approved by: _____		Constr. Serv.	_____	_____	_____	_____
Joint Plan Review Required:		TCO	_____	_____	_____	_____
[] Bldg. [] Plumb. [] Fire. [] Elev.		Other	_____	_____	_____	_____
SUBCODE APPROVAL for PERMIT		Service	_____	_____	_____	_____
Date: _____ Approved by: _____		Final	_____	_____	_____	_____
		Barrier-Free	_____	_____	_____	_____
SUBCODE APPROVAL for CERTIFICATE		Temp. Cut-in-Card Date Issued	_____	_____	_____	_____
[] CO [] CCO [] CA		Final Cut-in-Card Date Issued	_____	_____	_____	_____
Date: _____ Approved by: _____		Annual Pool Inspection	_____	_____	_____	_____
		Date of Grounding and Bonding Certification	_____	_____	_____	_____

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application and perform the work listed on this application.

Applicant sign/Contractor sign and seal here: Joshua Hall

Print name here: Joshua Hall

Licensed Elec. Contractor [] Certif'd Landscape Irrigation Cont'r [] Exempt Applicant

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK:
New devices and fixtures.

QTY.	SIZE	ITEMS	FEE (Office Use Only)
<u>47</u>		Lighting Fixtures	
<u>43</u>		Receptacles	
<u>24</u>		Switches	
<u>11</u>		Detectors	
		Light Poles	
<u>2</u>		Motors—Fract. HP	
		Emergency & Exit Lights	
		Communications Points	
		Alarm Devices/F.A.C. Panel	
<u>127</u>		TOTAL NUMBERS	\$ _____
		Pool Permit/with UW Lights	
		Storable Pool/Spa/Hot Tub	
		KW Elec. Range/Receptacle	
		KW Oven/Surface Unit	
		KW Elec. Water Heater	
		KW Elec. Dryer/Receptacle	
		KW Dishwasher	
		HP Garbage Disposal	
		KW Central A/C Unit	
		HP/KW Space Heater/Air Handler	
		KW Baseboard Heat	
		HP Motors 1/+ HP	
		KW Transformer/Generator	
		AMP Service	
		AMP Subpanels	
		AMP Motor Control Center	
		KW Elec. Sign/Outline Light	

Administrative Surcharge \$ 350
Minimum Fee \$ _____
State Permit Surcharge Fee \$ _____
TOTAL FEE \$ _____



BUILDING SUBCODE TECHNICAL SECTION



Item 5.

Date Received 4/21/23
Control # 2022-0201
Date Issued
Permit # 23-0076

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 103 Lot 8 Qualification Code
Work Site Location 357 Shore Drive Highlands

Owner in Fee: Nicole Florit
Tel. e-mail

Address 357 Shore Drive Highlands 07732

Contractor: Elite Construction Services LLC Tel. (732) 204-7003
Address 100 Main Street e-mail josh@econsrvs.com
Allenhurst, NJ 07711

Contractor License No. or Builder Registration No. 13VH09785800 Exp. Date 03/31/2023
Home Improvement Contractor Registration No. or Exemption Reason
Federal Emp. ID No. 822144504 FAX:

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent or) owner of record and am authorized to make this application.

Sign here: [Signature]
Print name here: Joshua Hall

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK
Installation of breakaway wall at ground floor.
Renovation to existing 1st floor.
Construction of new 2nd floor.
All work shall conform to the requirements of the code

Table with columns: PLAN REVIEW, Date, Initial, INSPECTIONS, Type, Failure, Dates (Month/Day), Approval, Initial. Includes rows for No Plans Required, All, Footings/Foundations, Structural/Framework, Exterior, Interior, etc.

B. BUILDING CHARACTERISTICS

Use Group Present R-5 Proposed R-5
No. of Stories 2
Height of Structure 32 ft.
Area - Largest Floor 860 sq. ft.
New Bldg. Area/All Floors 1,720 sq. ft.
Volume of New Structure 9,419 cu. ft.
Max. Live Load
Max. Occupancy Load

TYPE OF WORK:
[] New Building
[X] Addition
[X] Rehabilitation
[] Roofing
[] Siding
[] Fence Height (exceeds 6')
[] Sign Sq. Ft.
[] Pool
[] Retaining Wall Sq. Ft.
[] Asbestos Abatement Subchapter 8
[] Lead Haz. Abatement NJAC 5:17
[] Radon Remediation
[] Other
[] Demolition

FEE (Office Use Only)
\$

Administrative Surcharge \$ 2217
Minimum Fee \$
State Permit Surcharge Fee \$
TOTAL FEE \$

BLOCK 103

LOT 8

QUALIFICATION CODE

ADDRESS (SITE)

PERMIT NO.

Item 5.



CONSTRUCTION PERMIT APPLICATION

Applicant Completes: Sections I, II, III (optional), IV, VI, and VII

I. IDENTIFICATION

1. Proposed Work Site at: 357 Shore Drive

2. Name of Owner in Fee: Nicole Florit
 Tel. _____ e-mail _____
 Address 357 Shore Drive Highlands 07732
street municipality zip code

3. Ownership in Fee: Public _____ Private municipality _____ zip code _____

4. Principal Contractor: Elite Construction Services LLC Tel. (732) 204-7003
 Address 100 Main Street, Suite 3 e-mail josh@econs cvs.com
Allenhurst, NJ 07711

License No. OR, if new home, Builder Reg. No. 13VH09785800 Exp. Date 03/31/2023

Home Improvement Contractor Registration No. or Exemption Reason _____
 Federal Emp. ID No. 822144504 FAX: _____

5. Architect or Engineer Parallel Architect Group Contact Antonio Scalise
 Address 494 Broadway, Long Brancg e-mail ascalise@parallelgrp.com
 Tel. (732) 229-4400 FAX: _____

6. Responsible Person in Charge once Work has Begun Joshua Hall
 Tel. (732) 204-7003 FAX: _____

V. FEE SUMMARY (for office use only)

	Update	Update
1. Building		
2. Electrical		
3. Plumbing		
4. Fire Protection		
5. Elevator Devices		
6. Subtotal		
7. Less 20% for State Plan Review		
8. Subtotal		
9. State Permit Surcharge Fee		
10. Subtotal		
11. Cert. of Occupancy		
12. Other		
13. TOTAL		

VI. BUILDING/SITE CHARACTERISTICS

1. Number of Stories	<u>2</u>	(office use only)
2. Height of Structure	<u>32</u> ft.	
3. Area — Largest Floor	<u>860</u> sq. ft.	
4. New Building Area	<u>1,720</u> sq. ft.	
5. Volume of New Structure	<u>9,419</u> cu. ft.	
6. Max. Live Load		
7. Max. Occupancy Load		
8. If Industrialized Building: State Approved	<u>HUD</u>	
9. Total Land Area Disturbed		sq. ft.
10. Flood Hazard Zone		
11. Base Flood Elevation		ft.
12. Wetlands	yes _____ no _____	

IIa. PROPOSED WORK

Minor Work New Building Addition Demolition
 Repair Alteration Renovation Reconstruction
 Asbestos Abat. -Subch. 8 Lead Hazard Abatement Radon Remediation Annual Permit

IIb. SUBCODES
(Check all that apply)

	Est. Cost	FOR OFFICE USE ONLY (Optional)							
		Plans Rec'd by	Date Rec'd	Rejection Date	Approval Date	Re-viewer	Resubmission Dates Approval	Rejection	Re-viewer
<input checked="" type="checkbox"/> Building	<u>146000</u>								
<input checked="" type="checkbox"/> Electrical	<u>10000</u>								
<input checked="" type="checkbox"/> Plumbing	<u>7500</u>								
<input checked="" type="checkbox"/> Fire Protection	<u>2200</u>								
<input type="checkbox"/> Elevator									
TOTAL COST	<u>165700 \$0</u>								

VII. DESCRIPTION OF BUILDING USE

A. RESIDENTIAL (primary use)

1. State Specific Use: Residence

2. Use Group, Proposed: R-5

3. Change in Use Group, Indicate Present: R-5

4. No. of dwelling units: Total Units Income-restricted

Gained, Sale	
Gained, Rental	
Lost, Sale	
Lost, Rental	

B. NON-RESIDENTIAL (primary use)

1. State Specific Use: _____

2. Use Group, Proposed: Select Group Select Group

3. Change in Use Group, Indicate Present _____

C. MIXED USE -List secondary use(s): _____

D. Construct. Classification: Present _____ Proposed _____

III. PLAN REVIEW (optional)

DO YOU WANT:

1. Partial Releases

2. Prototype Processing

IV. DOES OR WILL YOUR BUILDING CONTAIN ANY OF THE FOLLOWING?

1. <input type="checkbox"/> Elevators/Escalators/Lifts/ Dumbwaiters/Moving Walks	4. <input type="checkbox"/> Refrigeration Systems	8. <input type="checkbox"/> Smoke Control Systems in Open Wells	12. <input type="checkbox"/> Fire Alarm
2. <input type="checkbox"/> High Pressure Boilers	5. <input type="checkbox"/> Cross-Connections/Backflow Preventers	9. <input type="checkbox"/> Underground Storage Tanks	
3. <input type="checkbox"/> Pressure Vessels	6. <input type="checkbox"/> Hazardous Uses/Places of Assembly	10. <input type="checkbox"/> Swimming Pools, Spas and Hot Tubs	
	7. <input type="checkbox"/> Sprinklers/Standpipes	11. <input type="checkbox"/> LPGas Tanks	

OFFICE DATE RECEIVED: _____

VIII. PRIOR APPROVALS CHECKLIST (office use only)	LOCAL APPROVAL		COUNTY APPROVAL		REGIONAL APPROVAL		STATE APPROVAL		COMMENTS
	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	
<input type="checkbox"/> Zoning Officer									
<input type="checkbox"/> Planning Board									
<input type="checkbox"/> Zoning Board									
<input type="checkbox"/> Sewer Authority									
<input type="checkbox"/> Water Authority									
<input type="checkbox"/> Police Department									
<input type="checkbox"/> Health Department									
<input type="checkbox"/> Soil Conservation									
<input type="checkbox"/> N.J. Department of Community Affairs									
<input type="checkbox"/> N.J. Department of Transportation									
<input type="checkbox"/> N.J. Department of Environmental Protection									
<input type="checkbox"/> Utility Dig No.									
<input type="checkbox"/>									
<input type="checkbox"/>									

IX. SUBCODES AND SPECIAL REGULATIONS APPLICABLE (office use only—optional)

Name of Code & Edition		Name of Code & Edition	
Building _____	Energy _____	Barrier Free _____	Other _____
Electrical _____	Flood Hazard _____	As Built Elevation Cert. _____	
Plumbing _____	Other _____		
Fire Protection _____			
Mechanical _____			

X. CERTIFICATES ISSUED (office use only)

	No.	DATE ISSUED	DATE EXPIRED	DATE REISSUED	DATE EXPIRED
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	_____	_____	_____	_____
<input type="checkbox"/> Temporary Certificate of Compliance	_____	_____	_____	_____	_____
<input type="checkbox"/> Continued Certificate of Occupancy	_____	_____	_____	_____	_____
<input type="checkbox"/> Certificate of Compliance	_____	_____	_____	_____	_____
<input type="checkbox"/> Certificate of Occupancy	_____	_____	_____	_____	_____
<input type="checkbox"/> Certificate of Approval	_____	_____	_____	_____	_____
<input type="checkbox"/> Lead Abatement Clearance Certificate	_____	_____	_____	_____	_____

Mr. Mullen offered the following Resolution and moved on its adoption:
10/1/15

**RESOLUTION APPROVING BULK VARIANCES
FOR ANASOULIS AT 357 SHORE DRIVE**

WHEREAS, the applicant, SANDRA ANASOULIS is the owner of a single-family home at 357 Shore Drive, Highlands, New Jersey (Block 103, Lot 8); and

WHEREAS, the property owner filed an application to demolish her existing flood-damaged home and construct a new single-family dwelling; and

WHEREAS, all jurisdictional requirements have been met, and proper notice has been given pursuant to the Municipal Land Use Law and Borough Ordinances, and the Board has jurisdiction to hear this application; and

WHEREAS, the Board considered the application at a public hearing on September 3, 2015; and

WHEREAS, the following persons testified before the Board: The applicant, SANDRA ANASOULIS; her engineer, GREGORY BAKER; the board engineer, ROBERT KEADY, and the following neighbors: NEAL TABER, MARY RYAN and ELLEN WILLIAMS; and

WHEREAS, the applicant submitted the following documents in evidence:

- A-1: Variance application (3 pages);
- A-2: Elevation certificate by RICHARD E. STOCKTON dated 3/28/13 (2 pages);
- A-3: Zoning Officer denial email dated 6/15/15;

A-4 Topographic survey by MARK A. CONOVER dated 8/9/14 (2 pages);

A-5 Plot plan by GREGORY S. BAKER of Penn Valley Engineering, LLC dated 7/21/15;

A-6 Photo of existing house from street;

A-7 Photo of existing house from street, looking to right;

AND, WHEREAS, the following exhibit was also marked into evidence:

B-1: Board Engineer review letter dated 8/20/15 (4 pages with aerial photo).

WHEREAS, the Board, after considering the evidence, has made the following factual findings and conclusions:

1. The applicant is the owner of a single-family home located in the R-2.03 Zone.

2. This home was damaged during Super Storm Sandy. As a result of the damage, and considering the age of the structure and the cost of raising and rehabilitating it, the applicant felt it would be more prudent to demolish the existing structure and rebuild.

3. The applicant proposes a complete rebuild. None of the existing structure, including the foundation, will be retained. The footprint of the new structure, however, will be almost identical to the existing one.

4. The new structure will be raised in order to comply with the flood regulations and will be placed on pilings.

5. There will be only one floor of living space.

6. The current home does not meet the requirements of the zone. Neither will the new home; however, there will be some improvements to the existing setbacks.

7. There will be no roof on either porch.

8. There will be a slab under the house where parking will be provided.

9. The applicant intends to maintain the front yard (from the imaginary line of the front of the house forward to the street); however, the balance of the property will not have stone or any other pavement. It will be grass.

10. The new driveway will be stone.

11. Three neighbors (NEAL TABER, MARY RYAN and ELLEN WILLIAMS) testified and supported the application. They all felt that the applicant keeps her property very nicely, and that the raising of the house, with a new home, will be an improvement---both to the property and to the neighborhood.

12. All three neighboring residents, however, did raise questions regarding the large number of feral cats and raccoons that are on the property and, as a result, come on to their properties, a situation which all were concerned about. The Board determined that this was not an issue that the Board could address from a zoning standpoint, and referred the neighbors, as well as the property owner, to the Borough Administrator and Animal Control Board.

13. The applicant seeks the following bulk variances:

(a) Lot area of 1,811 s.f. where 5,000 s.f. are required (same as existing condition);

(b) lot frontage of 30 feet where 50 feet are required (same as existing condition);

(c) lot depth of 60 feet, where 100 feet are required (same as existing condition);

(d) front yard setback of 11.73 feet for the dwelling, where 20 feet are required (a very slight improvement over the existing setback of 11.65 feet);

(e) rear yard setback of 6.0 feet, where 20 feet are required (a slight improvement to the existing setback of 4.01 feet);

(f) side yard setback of 1.89 (left)/5.76 (right) feet, where 6/8 feet are required (these dimensions are very slightly less than the existing conditions of 3.98/4.38 feet);

(g) building coverage of 48.59%, where 30% is required (a slight improvement over the existing 49.64%);

(h) side yard setback for accessory structure (front stairs) of 1.89 feet where 3 feet are required;

(i) side yard setback for accessory structure (side stairs/deck) 1.5 feet, where 3 feet are required.

14. The proposed use as a single-family home is in conformance with the R-2.03 Zone requirements.

15. The prior dwelling encroached over the rear property line as a result of an existing shed. That shed, however, will be removed and not replaced, removing the encroachment.

16. This home has been approved by the REM Program because of the substantial damage to the home as a result of Superstorm Sandy and the need for reconstruction.

17. This property has a narrow width and narrow depth, creating a hardship for any single family home. According to the applicant's engineer, the applicant has selected an "off the shelf" modular home, which is conservative in size and very similar to the size of the existing structure. The home chosen by the applicant is approved by the REM Program.

18. The current layout does not provide the required off-street parking. As a result of the raising of the structure, there will be space for two vehicles, a significant improvement to the existing layout.

19. Height is not an issue.

20. Many homes in this neighborhood have undergone or are undergoing construction or reconstruction as a result of Superstorm Sandy.

21. Because of the dimensions of the property and the fact that this is an existing single-family home in a zone permitting single-family homes, the applicant has met the requirements of proving a hardship under N.J.S.A. 40:55D-70c(1)(a).

22. There will not be a substantial detriment to the public good, nor will the new home be out of character in the neighborhood. All three neighbors so testified.

23. The rebuilding of an old home, meeting new construction requirements, will be a significant improvement to the lot, as well as to the neighborhood and the borough as a whole. As a result, the applicant's plan will serve the purposes advanced by the Municipal Land Use Law, particularly (b) secure safety on the property from flood and other natural and manmade disasters; and (i) promoting a desirable visual environment. In addition, the positive and negative criteria have been met.

WHEREAS, the application was heard by the Board at its meeting on September 3, 2015, and this resolution shall memorialize the Board's action taken at that meeting;

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Borough of Highlands that the application of SANDRA ANASOULIS to rebuild her existing flood-damaged single-family home and construct a new dwelling in accordance with the exhibits and testimony provided be and the same is hereby approved. Bulk variance relief is hereby given for lot area, lot frontage, lot depth, front yard setback, rear yard setback, side yard setback, building coverage, accessory structure side

setback for both the front stairs and side stairs, all as more specifically set forth in paragraph 13 and its subparagraphs herein.

AND BE IT FURTHER RESOLVED that this approval is subject to the following conditions:

A. The existing shed shall be removed and not replaced.

B. There will not be any stone or driveway-type surface beyond the imaginary line of the front of the house, going to the rear.

C. The fence at the rear of the property will be removed.

D. Any damage caused during construction to the existing pavement, sidewalk and curb will be repaired or replaced by the applicant, to the satisfaction of the Borough.

Seconded by Mr. Fox and adopted on the following roll call vote:

ROLL CALL:

AYE: Mr. Fox, Mr. Mullen, Mr. Braswell

NAY: None

ABSTAIN: None

DATE: October 1, 2015

Carolyn Cummins
Board Secretary

I hereby certify this to be a true copy of the Zoning Board Resolution adopted by the Borough of Highlands Zoning Board on October 1, 2015.

Board Secretary

R.S. GASIOROWSKI, ESQ. ID#244421968
GASIOROWSKI & HOLOBINKO
54 Broad Street
Red Bank, New Jersey 07701
732-212-9930
732-212-9980
Attorneys for Plaintiff, Neal Tabor

NEAL TABER,	:	SUPERIOR COURT OF NEW JERSEY
	:	CHANCERY DIVISION
Plaintiff,	:	MONMOUTH COUNTY
v.	:	
	:	Docket No.: MON-C- 64-23
NICOLE FLORIT Individually and	:	
BOROUGH OF HIGHLANDS, a	:	
Municipal Corporation,	:	CERTIFICATION OF NEAL TABER
	:	
Defendants,	:	

1. I am the named Plaintiff in the above captioned matter. I also participated in the hearing which took place before the Zoning Board of Adjustment in October 2015.

2. As can be seen from the Resolution, I along with other neighbors attended that hearing and expressed our concerns. That was why this restriction was placed in the Resolution.

3. Subsequently, in 2020, when I learned that possibly the owner of the property was coming in for an approval to construct a house that was greater than one story, my attorney wrote to the Construction Official in the Highlands raising

that issue (**Exhibit A**) and received a response from that official that no application had been filed (**Exhibit B**). I note this only to express the fact that I was concerned about this and tried to monitor it.

4. Despite my attorney earlier writing, one day I observed construction starting on the premises. I immediately went to town hall and attempted to get a copy of the application for the Building Application and was rebuffed. I also attempted to get a copy of the Building Permit itself and was rebuffed.


5. I exchanged emails with Brian O'Callahan. His response was that despite the language of the Resolution, the property owner was permitted to construct the additional story. (**Exhibit C**).

6. I have made numerous requests from the staff in the Borough of Highlands and received a copy of a Zoning Permit Application that was filed for this property in 2020. On August 4, 2020 an Application was made to add 1 1/3 stories to the house in question. That Application was denied. (**Exhibit D**) The letter referred to by the Zoning Officer is also dated August 4, 2020. (**Exhibit E**)

7. I immediately sought assistance from an attorney and the within lawsuit has been filed.

8. I am also enclosing as a part of my Certification a photograph showing the ongoing construction and as can be seen, my house which is immediately adjacent will be impacted as far as my views of the water.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


NEAL TABER

Dated: June 1, 2023

EXHIBIT A

GASIOROWSKI & HOLOBINKO
ATTORNEYS AT LAW
54 BROAD STREET
RED BANK, NEW JERSEY 07701
(732) 212-9930
FACSIMILE (732) 212-9980

R. S. GASIOROWSKI
JOHN E. HOLOBINKO

CHRISTIE A. GASIOROWSKI
CATHY S. GASIOROWSKI
ALEXIS L. GASIOROWSKI

July 22, 2020

VIA EMAIL: zoningfloodplain@highlandsborough.org

Marianne Dunn, Zoning Officer
1 Kings Highway
Johnson Gill Anex
Middletown, New Jersey 07748

Re: Taber – Highlands ZBA (357 Shore Drive)

Dear Ms. Dunn:

This office has a client named Neal Taber who lives in the immediate vicinity of property known as 357 Shore Drive. In 2015 by Resolution dated October 1, 2015 the Zoning Board of Adjustment/Planning Board gave approval for bulk variances on property known as 357 Shore Drive the owner being Anasoulls. That Resolution specifically stated in paragraph 5 "There will be only one floor of living space".

It is my understanding, that a new purchaser has acquired the property and has been advised by someone from the municipality, that they do not have to come back for a new variance for the additional stories being proposed but rather the old Resolution covers that.

Would you please be so kind as to review the Resolution in question and advise me whether or not anyone is filing for a building permit on the property in question.

If so, please treat this as an appeal of any decision from the Zoning Officer or other administrative person in the Borough of Highlands.

Page 2
July 22, 2020
Marianne Dunn, Zoning Officer

Would you please be so kind as to get back to me.

Very truly yours,

R.S. GASIOROWSKI

RSG/cb

cc: Gregory S. Baxter, Esq. (via email)
Neal Taber (via email)

EXHIBIT B

7/24/2020

Gmail - RE: [EXTERNAL]Taber, Neal - Highlands ZBA (357 Shore Drive)



Gasiorowski & Holobinko <gasiorowsklaw@gmail.com>

RE: [EXTERNAL]Taber, Neal - Highlands ZBA (357 Shore Drive)

1 message

Dunn, Marianne <mdunn@middletownj.org>

Thu, Jul 23, 2020 at 11:14 AM

To: Gasiorowski & Holobinko <gasiorowsklaw@gmail.com>, "zoningfoodplain@highlandsborough.org" <zoningfoodplain@highlandsborough.org>

Cc: Gregory Baxter <gbaxterlaw@verizon.net>, Neal Taber <nmt6j@virginia.edu>

Mr. Gasiorowski,

There have been no permits issued for this property for any additions.

Marianne Dunn

Zoning Officer

From: Gasiorowski & Holobinko [mailto:gasiorowsklaw@gmail.com]

Sent: Thursday, July 23, 2020 9:52 AM

To: zoningfoodplain@highlandsborough.org

Cc: Gregory Baxter <gbaxterlaw@verizon.net>; Neal Taber <nmt6j@virginia.edu>

Subject: [EXTERNAL]Taber, Neal - Highlands ZBA (357 Shore Drive)

See attached letter.

R. S. Gasiorowski, Esq.

Gasiorowski & Holobinko

54 Broad Street

Red Bank, NJ 07701

Telephone: (732) 212-9930

Telefax: (732) 212-9980

gasiorowsklaw@gmail.com

EXHIBIT C

6/2/23, 12:20 PM

Gmail - FW: FW: Taber, Neal - Highlands ZBA (357 Shore Drive)

From: Landuse Secretary
Sent: Friday, May 19, 2023 11:23 AM
To: O'Callahan, Brian <bocallahan@middletownnj.org>
Subject: RE: [External] FW: Taber, Neal - Highlands ZBA (357 Shore Drive)

Thanks for following up, Brian 🙏

From: O'Callahan, Brian <bocallahan@middletownnj.org>
Sent: Friday, May 19, 2023 11:11 AM
To: Landuse Secretary <landuse@highlandsborough.org>; William F. Brunt, Jr. <code@highlandsborough.org>
Cc: Mayor Carolyn Broullon <CBroullon@highlandsborough.org>
Subject: RE: [External] FW: Taber, Neal - Highlands ZBA (357 Shore Drive)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Broullon,

The owners applied for a permit for the addition in August 2022. It was approved at that time, as there are no notes or attachments in the GovPilot program indicating any prohibitions, and it otherwise fits within the R2.03 guidelines.

That resolution included here only mentions the height of the building in two places.

Factual finding 5. There will be only one floor of living space. This refers to the submitted plans having one floor of living space. It does not specifically prohibit any additions in the future.

Factual finding 19. Height is not an issue. This obviously refers back to 5; but again, makes no prohibition for an addition in the future.

If the limiting the height in the future was any sort of condition or requirement, I do not see it there.

Therefore, it seems to me that if the addition was not prohibited, and meets R2.03 guidelines, it is allowable.

Sincerely,

Brian O'Callahan

From: Landuse Secretary <landuse@highlandsborough.org>
Sent: Friday, May 19, 2023 10:37 AM
To: O'Callahan, Brian <bocallahan@middletownnj.org>; William F. Brunt, Jr. <code@highlandsborough.org>
Subject: [External] FW: Taber, Neal - Highlands ZBA (357 Shore Drive)

Howdy, can you please weigh in? I found a Land Use/Zoning Board application folder resulting in an approval in 2015. I also found another folder among the Land Use files for a 2020 Development

6/2/23, 12:20 PM

Gmail - FW: FW: Taber, Neal - Highlands ZBA (357 Shore Drive)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Denial that included the 2015 adopted ZB resolution (attached). Current owners are not the same as the 2020 applicant.

PS – I don't know who gets the zoningfloodplain@highlandsborough.org emails?

Thanks.

From: Mayor Carolyn Broullon <CBroullon@highlandsborough.org>
Sent: Thursday, May 18, 2023 9:16 PM
To: Landuse Secretary <landuse@highlandsborough.org>
Subject: Fw: Taber, Neal - Highlands ZBA (357 Shore Drive)

FYI



Mayor Carolyn Broullon
Borough of Highlands
42 Shore Drive
Highlands, NJ 07732
cbroullon@highlandsborough.org

www.highlandsborough.org Mobile:732-291-4009

From: Neal Taber <nmt6j@virginia.edu>
Sent: Thursday, May 18, 2023 8:29 PM
To: Zoningfloodplain <zoningfloodplain@highlandsborough.org>
Cc: Gbaxterlaw@verizon.net <Gbaxterlaw@verizon.net>; Mayor Carolyn Broullon <CBroullon@highlandsborough.org>
Subject: Taber, Neal - Highlands ZBA (357 Shore Drive)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

Can you please advise status of this location? It seems to again be an issue so construction should be halted immediately if they intend to build any higher as a condition of the variance is that the location remains one story as contemplated in the plans.

EXHIBIT D



Zoning Permit Application

42 Shore Drive
Highlands, N.J. 07732
732-872-1224 Ext. 202

APPLICATION FOR ZONING PERMIT - Z RT-203 72000-03

Note: All applications must be accompanied by a property survey showing the sizes of the structure(s) and their location. Applications involving businesses must show the scope of the business and include all activities that will be a part of the business.

The Following Fees Shall Apply:

Residential Applications: New Construction single or two-family - \$50. Fence - \$15.00
Renovations/Additions/Alterations/Repairs - \$10, Other Residential - \$100/unit Shed - \$25.00
Non-Residential Applications - New Construction - \$100, Renovations/Additions - \$25

OWNER/APPLICANT

Name: Casim Mahon
Address: 357 Shore Drive Highlands NJ 07732
Telephone: Home: _____ Work: _____
Date: 7/23 Fee: \$ 50 Check Cash

LOCATION OF THE WORK

Block: 103 Lot(s): 2 Zone 2.03 Street Address 357 Shore Drive Highlands NJ 07732

DESCRIPTION OF THE WORK TO BE PERFORMED (OR USE PROPOSED)

adding 1 1/3 story

CHECK ONE: New _____ Addition: Alteration _____ Repair _____ Other _____

To the applicants knowledge, has this property ever been the subject of any prior application to the Planning Board of the Borough of Highlands?

Signature: [Signature] Date: 7/23/20 Yes No

FLOOD HAZARD AREA DETERMINATION

Check Applicable Flood Zone:: AE: VE: _____ X: _____

All applications within the AE and VE Flood Zoned, as indicated upon the most recent FEMA Flood Maps, require submission to an applicability determination from the NJDEP.

FOR BOROUGH USE ONLY

Determination: APPROVED _____ DENIED

If your application has been DENIED, it is due to the following:

Ordinance Section _____ Allowed/Required _____ Proposed _____

see attached

Remarks:

Zoning Officer [Signature]

Date 8/4/20

NOTE: A Zoning Permit indicates that the proposed project conforms to the planning/zoning regulations of the Borough of Highlands; A building permit is required (per the requirements of the Uniform Construction Code of NJ) BEFORE beginning work. The zoning permit is valid for one year, and may be extended for three years by action of the Planning Board.

If your application has been denied, you may appeal this denial to the Planning Board as provided by the New Jersey Municipal Land Use Law. You must submit letter of appeal to Planning Board secretary within 20 days.

If your application has been denied, you may seek relief from the Highlands Planning Board.

Note: If the following box is checked, you must submit a Flood Review Application to the Borough Flood Administrator prior to submitting to the Planning Board.

Local Flood Review Required

EXHIBIT E

BOROUGH OF HIGHLANDS, N.J.
INCORPORATED 1900

42 SHORE DRIVE
07732
COUNTY OF MONMOUTH
PHONE: 732-872-1224
FAX: 732-872-0670
WWW.HIGHLANDBOROUGH.ORG



HISTORIC "TWIN LIGHTS"

RICHARD W. O'NEIL
MAYOR
KIMBERLY GONZALES
ADMINISTRATOR
BONNIE BROOKES
BOROUGH CLERK.

DENIAL OF DEVELOPMENT PERMIT

August 4, 2020

Casey Mahon
357 Shore Drive
Highlands, NJ 07732

RE: 357 Shore Drive
Block 103, Lots 8

Please be advised that the above referenced application to construct a 1 1/3 story addition to the existing dwelling has been reviewed for compliance with the Borough of Highlands Zoning Ordinance. The property is located in the R-203 zone and had received variances from the Zoning Board of Adjustment in 2015.

This application will require the following approvals:

#21-98F2b Minimum standard to enlarge a single family dwelling on an undersized lot: 2,500 s.f. is required, 1,811 s.f. exists

Please contact the Land Use Board Secretary, Michelle Hutchinson, at 732-872-1224 to proceed with an application. Should you have any questions, feel free to contact me.

Sincerely,

Marianne Dunn
Zoning Officer

COPY

The Borough of Highlands Community Energy Plan



June 2023



Prepared by:
Kristin J. Russell
Kristin J. Russell, PP, AICP
License No. 585300
CED project 22002028A



This report was made possible through a grant from New Jersey's Clean Energy Program™. New Jersey's Clean Energy Program is brought to you by the New Jersey Board of Public Utilities.

ABOUT THE NEW JERSEY BOARD OF PUBLIC UTILITIES (NJBPU)

The New Jersey Board of Public Utilities ("NJBPU" or "Board") is the state agency with authority to oversee the regulated utilities, which provide critical services such as natural gas, electricity, water, telecommunications, and cable television. The law requires the Board to ensure safe, adequate, and proper utility services at reasonable rates for customers in New Jersey.

ABOUT THE NEW JERSEY CLEAN ENERGY PROGRAM (NJCEP)

NJCEP, established on January 22, 2003, in accordance with the Electric Discount and Energy Competition Act (EDECA), provides financial and other incentives to the State's residential customers, businesses and schools that install high-efficiency or renewable energy technologies, thereby reducing energy usage, lowering customers' energy bills and reducing environmental impacts. The program is authorized and overseen by the New Jersey Board of Public Utilities (NJBPU).

ABOUT SUSTAINABLE JERSEY

Sustainable Jersey is a certification program for municipalities in New Jersey. Launched in 2009, Sustainable Jersey is a nonprofit, nonpartisan organization that supports community efforts to reduce waste, cut greenhouse gas emissions, and improve environmental equity. It provides tools, training and financial incentives to support and reward communities as they pursue sustainability programs. Sustainable Jersey is one hundred percent voluntary and each town can choose whether it wants to get certified and the actions it wants to do in order to achieve enough points to get certified.

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I. Introduction

Borough of Highlands is committed to addressing climate change and reducing greenhouse gas emissions. This Community Energy Plan details the specific strategies Highlands will pursue in the coming years to reduce greenhouse gas emissions from the local energy system. The Plan covers public policies and programs designed to support the community in reducing emissions.

In November 2022, a Community Energy Plan kickoff was held with municipal staff to set a timeline and big-picture goals for the project. In January 2023, a Planning Team was assembled and met to review the Sustainable Jersey [Guide for Sustainable Energy Communities](#) and [Community Energy Plan Workplan Template](#) to determine how to prioritize and implement the initiatives. Relevant community data was gathered from the [Sustainable Jersey Data Center](#).

A public hearing was held on February 16, 2022, at which time the desire to broaden clean energy opportunities borough-wide was discussed. As a result of that discussion, the Borough Council decided to pursue the Community Energy Planning Grant, discussed and approved at a March 2, 2022, public hearing. A third public hearing was held on September 7, 2022, when the authorization to execute the grant was approved, specifically addressing the need for community-level action to achieve New Jersey state goals.

The final community Energy Plan was adopted by municipal resolution at a public hearing with an additional opportunity for public comment on June 21, 2023.

Highlands’ Community Energy Plan establishes how the municipality will promote the transition to sustainable energy over the next several years. Initiatives were selected based on demonstrated effectiveness, unique local opportunities, community co-benefits, and streamlining the permitting processes through zoning amendments.

As a shore community, climate change is one of the greatest threats to our future prosperity in Highlands, and globally. New Jersey is both a significant source of greenhouse gas (GHG) emissions and a state particularly vulnerable to climate change. Increasing heat waves, intense storms, and sea-level rise caused by climate change will dramatically alter our coastal state for many years to come (NJDEP, *Scientific Report on Climate*

Co-benefits of Sustainable Energy

The sustainable energy transition offers an opportunity to realize various co-benefits in our community and beyond. Besides reducing GHG emissions, implementing this plan will improve:

- Public health
 - Lower concentrations of ground-level outdoor air pollutants
 - Removal of indoor air pollution sources
- Social equity
 - Better affordable transportation
 - More affordable renewable energy
- Resiliency
 - More dependable electric grid
 - Decreased reliance on imported energy

Change). According to the New Jersey Department of Environmental Protection’s [NJ Greenhouse Gas Emissions Inventory Report](#), New Jersey adds almost 100 million metric tons of CO₂e to the atmosphere annually. New Jersey can mitigate the local and global impacts of climate change with a rapid transition from the current GHG-intensive energy system to one that optimizes energy use and produces energy with minimal GHG emissions.

Recognizing New Jersey’s role in climate change mitigation, the State of New Jersey has established a goal of 100% clean energy in the state by 2050. [The New Jersey Energy Master Plan: Pathway to 2050](#) outlines the state’s strategies for achieving that goal while also addressing issues of social and economic inequity. To promote action at the local level in support of the state’s goals, the New Jersey Board of Public Utilities (NJBPU) launched the Community Energy Plan Grant Program, offering support and funding for municipalities to develop a Community Energy Plan. Borough of Highlands received the Community Energy Plan Grant and completed this Plan as a participant of the grant program.



Photo 1: Aerial view of Highlands.
Source: Highlands Borough, Code_zero_drone

II. Community Overview

Highlands Borough is a 0.9-square mile suburban community of 2,671 households located in Monmouth County. According to the 2020 US Census American Community Survey, the racial composition of Highlands’ 4,746 residents is 91% White, 1% Black, 4% Asian or Pacific Islander, and 4% “other”; 3% of the population is Hispanic/Latinx.

Highlands’ median household income is \$76,263, with 5.3% of households below the U.S. poverty threshold. Highlands’ Municipal Revitalization Index (MRI) score, a measure of a municipality’s economic conditions, is 34 out of a possible 100, which ranks 156th of New Jersey’s 564 municipalities (Sustainable Jersey Community Profile Data by Municipality). In other words, Highlands’ overall economic conditions are in the top third relative to other New Jersey municipalities.

Population Characteristics for Highlands, NJ

Population	Households	Median Household Income	Percent of Population in Poverty	NJ DCA MRI Score*	NJ DCA MRI Rank*
4,746	2,671	\$76,263	5.3%	34	156

Table 1. 2020 Population Characteristics

Source: Sustainable Jersey. Community Profile Data by Municipality

*MRI = Municipal Revitalization Index (MRI)

Electricity and Natural Gas Usage Data

Most electricity and natural gas use is currently associated with buildings. Utility companies generally organize electricity and natural gas use into four sectors – residential, commercial, industrial, and street lighting. The commercial sector includes nonprofits and government entities such as schools and municipal buildings, as well as businesses.

As illustrated in the charts on the next page, the residential sector accounts for the majority of electricity and natural gas use in Highlands. In other words, residential buildings present the greatest opportunity for energy use reductions.

Amount of Electricity Purchased by Sector (kWh)

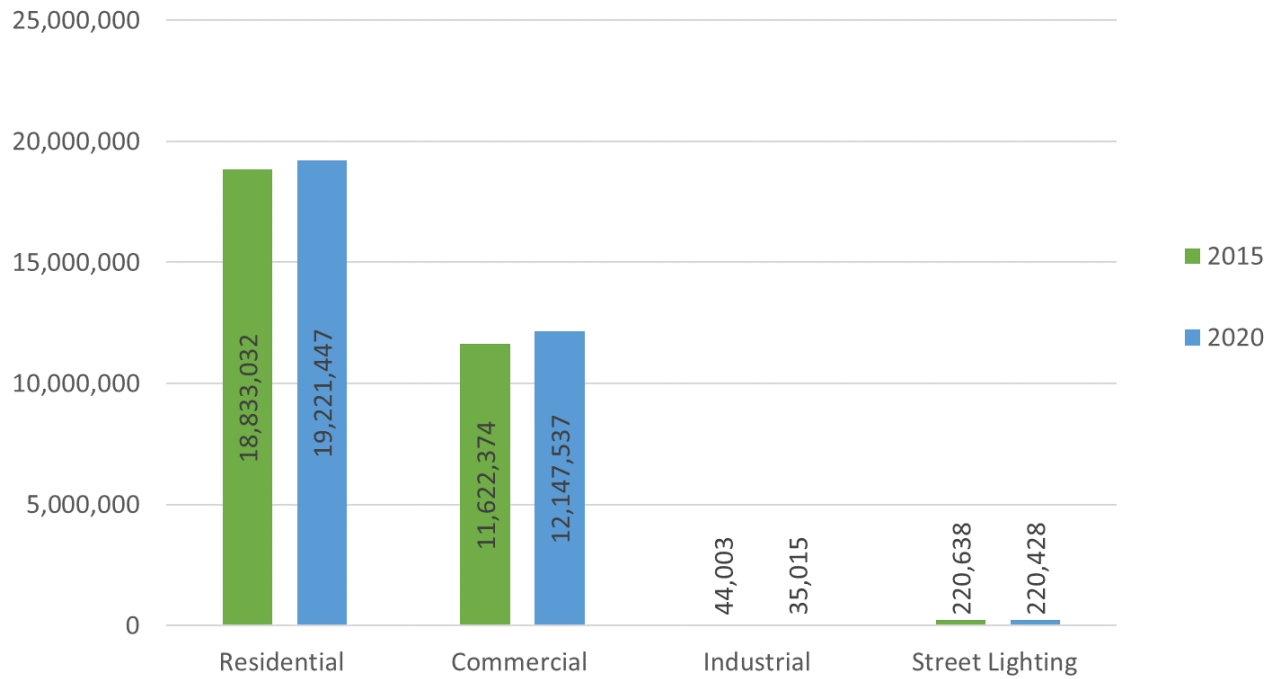


Chart 1. Amount of Electricity Purchased by Sector (kWh)

Source: Sustainable Jersey. Aggregated Community-Scale Utility Energy Data

Note: electricity values represent purchased electricity and do not include customer-generated electricity, such as from rooftop solar.

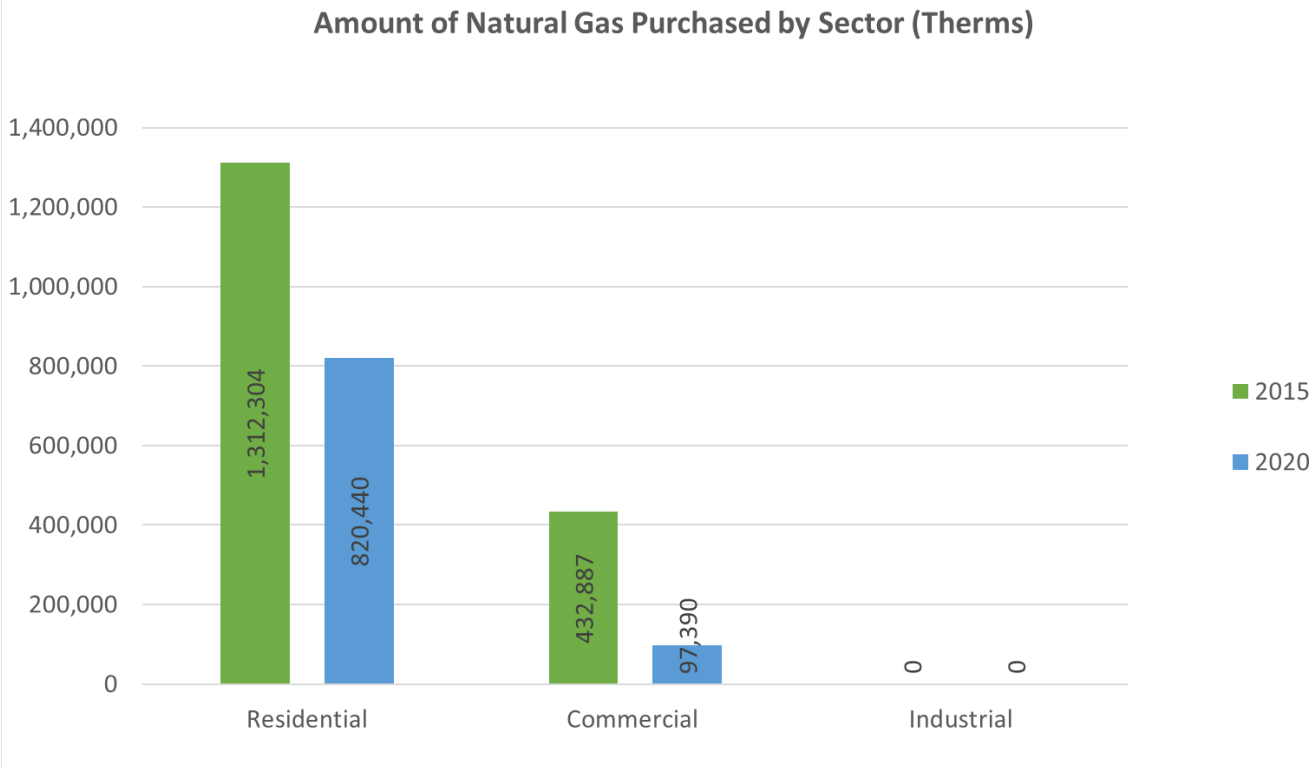


Chart 2. Amount of Natural Gas Purchased by Sector (Therms)
Source: Sustainable Jersey. Aggregated Community-Scale Utility Energy Data

Community GHG Emissions from Energy Use

In 2020, the total community-wide greenhouse gas emissions from electricity, natural gas/heating fuel, and transportation energy use in Highlands was **30,270 metric tons CO₂e**. The largest share of community emissions came from On-Road Vehicles, followed by Residential Natural Gas use.

2020 Community-Scale Energy-Related GHG Emissions by Sector and Energy Type (MT CO2e)

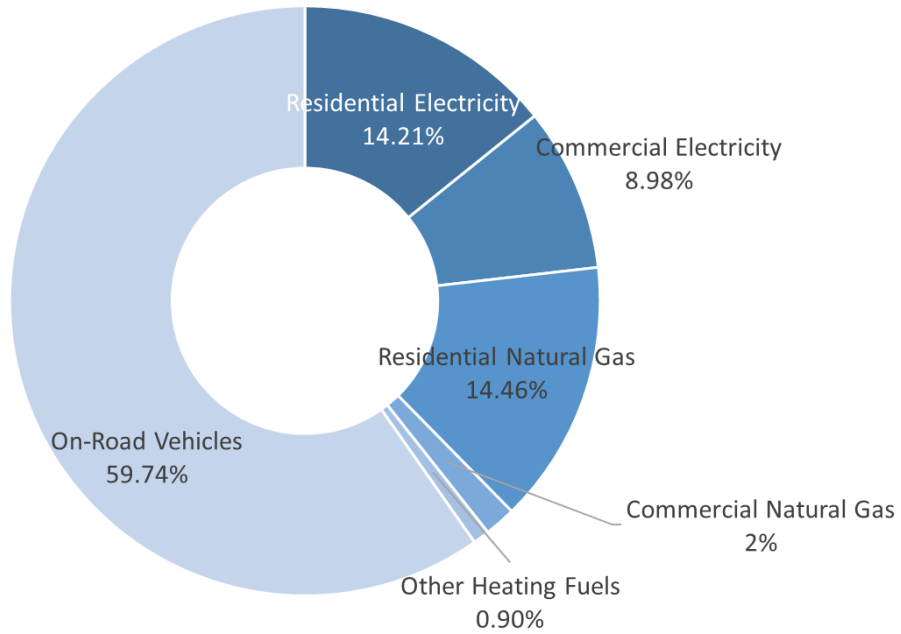


Chart 3. Overall GHG Emissions of Highlands by Subsector

Source: Sustainable Jersey. Community-Scale Greenhouse Gas (GHG) Emissions Data

III. Work Plan

The Highlands Community Energy Plan is primarily an implementation and action plan. This section details all of the initiatives selected as borough priorities for the next four years (2023-2027). These initiatives will make energy-efficient development within Highlands more streamlined, safe, and straightforward, providing numerous local co-benefits, such as improved air quality and creation of local jobs.

The initiatives are organized by the Strategies of the [New Jersey Energy Master Plan: Pathway to 2050](#). Each Strategy section includes one or more initiatives. Implementation details are provided for each initiative, including the initiative lead person/entity, the time frame for implementation, and any significant obstacles to successful implementation.

Strategy 1: Reduce Energy Consumption and Emissions from the Transportation Sector

- 1.1 Adopt Supportive Zoning and Regulations for EV Infrastructure
- 1.2 Train First Responders on EVs and EVSE
- 1.6 Install Public EV Charging Infrastructure

Strategy 2: Accelerate Deployment of Renewable Energy and Distributed Energy Resources

- 2.1 Adopt Supportive Zoning and Permitting for Solar
- 2.4 Train First Responders on Solar

Strategy 3: Maximize Energy Efficiency and Conservation and Reduce Peak Demand

- 3.1 Upgrade Energy Efficiency for Municipal Facilities

Strategy 4: Reduce Energy Consumption and Emissions from the Building Sector

- 4.1 Construct New Municipal Buildings as Model Green Buildings

Strategy 1: Reduce Energy Consumption and Emissions from the Transportation Sector

Transportation accounts for over 40% of New Jersey’s greenhouse gas emissions, primarily due to on-road gasoline consumption (NJDEP, “Transportation & Emissions”). Fossil fuel-powered transportation also produces local air pollution that significantly harms the health and quality of life of residents. Highlands can promote transportation electrification in the community to lessen the negative impact of our transportation system on our community and the world.



Photo 2: Existing EV infrastructure

Initiative 1.1: Adopt Supportive Zoning and Regulations for EV Infrastructure

Description: Pass NJDCA’s Model Statewide Municipal EV Ordinance specifying electric vehicle charging stations as a permitted accessory use, establishing the permitting process for charging stations, and requiring Make-Ready and EVSE (Electric Vehicle Supply Equipment) parking in new multifamily developments and parking lots. Modify the model ordinance standards for safety, signage, etc. as needed.

Lead	Start Date	Priority	Anticipated Length	Funding Sources
Municipal Planner	immediate	High	6 Months	N/A

Departments involved:

- Code Enforcement
- Planning
- Legal Department

Obstacles/Barriers:

- No significant barriers were identified

Community notes:

The Model Statewide Municipal EV Ordinance went into effect in September 2021 as specified by state law, but the policies in the ordinance are not integrated into Highlands’s municipal code. Code Enforcement currently requires applications for new developments to comply with the Model Ordinance.

Vehicles and Electric Vehicles in Highlands			
Year Updated	Estimated Total Passenger Vehicles	# of EVs	% Electric
2015	3,394	17	.5%
2019	3,519	35	1%

Table 2. Vehicles and Electric Vehicles in Highlands
Source: Sustainable Jersey. Community Profile Data by Municipality

As of 2019, 1% of passenger vehicles in Highlands were electric. As EV adoption accelerates, demand for charging infrastructure will also accelerate.

Measures of Success:

The goals for this initiative are new regulations regarding EVSE site design, such as accessibility and signage, and integration of the Model Statewide Municipal EV Ordinance into Highlands’s land-use code and permitting documents.

Next steps:

1. Highlands-specific information to be added to the Model Statewide Municipal EV Ordinance, and “Reasonable Standards” section made to fit municipal needs.
2. Governing body to review and approve.

Initiative 1.2: Train First Responders on EVs and EVSE

Description: Require training for local first responders on electric vehicles and associated infrastructure, furthering public confidence and maintaining emergency preparedness.

Lead	Start Date	Priority	Anticipated Length	Funding Sources
Deputy Fire Marshal	May 2023	Medium	Ongoing, annually	N/A

Departments involved:

- First Aid Squad
- Fire Department
- Police Department

Obstacles/Barriers:

- NJ State Fire Code (NJAC 5:70), NJ PEOSH (NJAC 12:100-8), and Federal Regulations (CFR 29) do not mandate required repetitive training for firefighters on EVs.
- Municipal staff may perceive additional training as an unnecessary burden.
 - The Police Chief will build support for EV safety training by creating awareness that EVs have unique first-response protocols.

Community notes:

To be done collectively with Initiative 2.4. Free online training resources are available.

As of 2020, there were 17 passenger electric vehicles in Highlands; the number of EVs in town has likely increased since then (Sustainable Jersey, Electric Vehicle Ownership Data). There are also two public EV charging stations in the township (NJDEP, Charging Map).

Measures of Success:

The goal of this initiative is that all first responders will be regularly trained in how to deal with emergencies involving electric vehicles and EV infrastructure.

Next steps:

1. Lead will compile list of available training courses
2. Lead will coordinate with departments involved, distribute training resources or options
3. A list of all participating (trained) members will be compiled
4. At the 6-month mark, lead will evaluate participation of members and make recommendations going forward.

Initiative 1.6: Install Public EV Charging Infrastructure

Description: Install electric vehicle charging infrastructure, including chargers, signage, and safety and accessibility features, for public use.

Lead	Start Date	Priority	Anticipated Length	Funding Sources
DPW	October 2022	Medium	Q2 2023	Municipal budget, NJBPU EV Tourism grant

Departments involved:

- Department of Public Works
- Finance Department
- Borough Administrator
- Governing Body
- Mayor’s Office

Obstacles/Barriers:

- Choice of parking space was limited in order to connect to electricity (where are existing poles and lines, access with angled spaces, etc.)
- Attention must be paid to risk of flooding

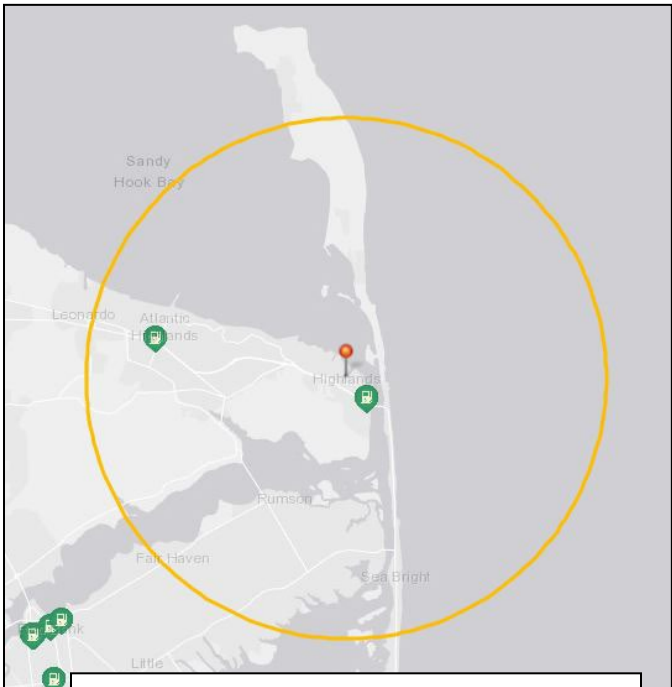
Community notes:

There are two Level 4 public EV charging stations within Highlands and two within a five-mile radius. There are no Level 3/DCFC public charging stations within five miles of Highlands.

Public EV Charging Station Locations:

1. Bahrs Landing Station 01. 12 Bay Avenue, Highlands, NJ. (2)
2. Bahrs Landing Station 01. 12 Bay Avenue, Highlands, NJ. (2)
3. Starbucks. 999 NJ-36, Atlantic Highlands, NJ. (2)

Map Legend.
Light green tags (not shown) – Level 1
Medium green – Level 2
Dark green (not shown) – Level 3/DCFC



Map 1. Public EV Charging Stations in Highlands Area
 Source: NJDEP. Public EV Charging Locator Map

Measures of Success:

The goal of this initiative is to install an additional public charging station in Highlands. Use of EV stalls will demonstrate success.

Next steps:

1. Installation at parking lot opposite 171 Bay Avenue.

Strategy 2: Accelerate Deployment of Renewable Energy and Distributed Energy Resources

Expanding renewable energy generation is necessary to eliminate greenhouse gas emissions from our energy system. New Jersey’s most readily available renewable resource is sunlight, which more and more utility customers can now access thanks to declining prices and new systems like community solar. Highlands can continue to refine local policies regarding solar and other renewable resources to promote local growth of renewable generation capacity.



*Photo 3: examples of solar installations in Highlands.
Source: Google Aerial*

Initiative 2.1 Adopt Supportive Zoning and Permitting for Solar

Description: Provide clear guidance/standards for solar developers and limit barriers to solar adoption such as lengthy permitting and multiple reviews.

Lead	Start Date	Priority	Anticipated Length	Funding Sources
Municipal planner	Q3 2023	High	Q1 2024	N/A

Departments involved:

- Code Enforcement
- Planning
- Legal Department

Obstacles/Barriers:

- None at present.

Community notes:

The borough does not currently regulate solar energy systems. A new solar ordinance will allow for building-integrated, roof mounted, canopy, and ground-mounted solar. Solar in all zones may be considered as accessory uses.

Measures of Success:

The goals for this initiative are new regulations regarding solar regulations, such as accessibility and signage, and integration of the Model Statewide Municipal EV Ordinance into Highlands’s land-use code and permitting documents.

Next steps:

1. Solar ordinance to be drafted by law office and/or municipal planner.
2. Governing body to review and approve.

Initiative 2.4 Train First Responders on Solar

Description: To further public confidence and maintain emergency preparedness, require training on solar infrastructure for first responders.

Lead	Start Date	Priority	Anticipated Length	Funding Sources
Deputy Fire Marshal	May 2023	Medium	Ongoing, annually	N/A

Departments involved:

- First Aid Squad
- Fire Department
- Police Department

Obstacles/Barriers:

- NJ State Fire Code (NJAC 5:70), NJ PEOSH (NJAC 12:100-8), and Federal Regulations (CFR 29) do not mandate required repetitive training for firefighters on EVs.
- Municipal staff may perceive additional training as an unnecessary burden.
 - The Police Chief will build support for EV safety training by creating awareness that EVs have unique first-response protocols.

Community notes:

To be done collectively with Initiative 1.2. Free online training resources are available. As of 2020, there were 46 solar installations in Highlands.

Measures of Success:

The goal of this initiative is that all first responders will be regularly trained in how to deal with emergencies involving solar infrastructure.

Next steps:

1. Lead will compile list of available training courses
2. Lead will coordinate with departments involved, distribute training resources or options
3. A list of all participating (trained) members will be compiled
4. At the 6-month mark, lead will evaluate participation of members and make recommendations going forward.

Strategy 3: Maximize Energy Efficiency and Conservation and Reduce Peak Demand

Energy efficiency and conservation are the most cost-effective methods of reducing greenhouse gas emissions from the energy system. Improving energy efficiency also generates local jobs, reduces local pollution, improves health and comfort, and adds resiliency to the energy system. Highlands can utilize energy efficiency to lower costs in municipal operations and encourage the community to follow suit to realize these many benefits.



Figure 1 Highlands
Source: EQ Roy, Shutterstock 1788844139

Initiative 3.1 Upgrade Energy Efficiency for Municipal Facilities

Description: Upgrade municipal facilities to be more energy efficient. New Jersey's Clean Energy Program and electric and natural gas utilities offer incentive programs that guide municipalities through the upgrade process, starting with free audits to establish the most effective measures to reduce energy use. Following implementation, showcase upgrades in energy efficiency outreach to local businesses.

Lead	Start Date	Priority	Anticipated Length	Funding Sources
DPW	Q3 2023	Medium	3-5 years	NJ Natural Gas

Departments involved:

- DPW

Obstacles/Barriers:

- Navigating programs and funding.

Community notes:

The Green Team is happy to consider all programs to help the Borough become more "green." Improving energy efficiency is already a priority of the Green Team so seeing those goals become a reality is their mission.

The Green Team will look into technical assistance through Sustainable Jersey to determine next steps for improving energy efficiency in municipal facilities.

Measures of Success:

The goal of this initiative is for the Borough to familiarize itself more thoroughly on programs offered, with the assistance of Sustainable Jersey. This may lead to assessments for all municipal buildings.

Next steps:

1. Coordinate with Sustainable Jersey to receive Technical Assistance, identifying meter discrepancies, billing inconsistencies, etc.
2. Consider NJ Natural Gas' SaveGreen Project initiatives (<https://savegreenproject.com/businesses>)

Strategy 4: Reduce Energy Consumption and Emissions from the Building Sector

According to New Jersey’s Energy Master Plan, 62% of the state’s total end-use energy consumption is associated with buildings, with space heating, water heating, appliances, and industrial uses accounting for 28% of New Jersey’s greenhouse gas emissions. Decisions made during new construction and building retrofits have significant and long-lasting impacts on this energy use. Highlands can reduce energy use and emissions from buildings by prioritizing green design in new construction and utilizing municipal buildings as models for the community.



Figure 2: Welcome to the Highlands

Initiative 4.1 Construct New Municipal Buildings as Model Green Buildings

Description: Implement a policy encouraging or requiring consideration of green building practices for any new municipal construction project. Highlight incentives from NJCEP's New Construction Energy Efficiency program. Following construction, showcase green building features with on-site kiosks and digital webpages to encourage others to follow suit.

Lead	Start Date	Priority	Anticipated Length	Funding Sources
DPW	Q3 2023	Medium	ongoing	N/A

Departments involved:

- Department of Public Works

Obstacles/Barriers:

- Cost

Community notes:

Highlands is looking to repurpose the Police Department trailers into a permanent raised structure. In addition to the resiliency benefits of doing so, a variety of green initiatives including Energy Star will be considered. This is a mid- to long-term project.

Highlands is also looking to start using green products in cleaning and janitorial services, switch to LED lights in all municipal buildings, etc. This can be done in the short- to mid-term.

Measures of Success:

The goal of this initiative is to upgrade existing municipal facilities and build new municipal facilities that have improved efficiency over aging buildings.

Next steps:

1. Coordination with Sustainable Jersey where appropriate.
2. Inventory buildings to target for improvements (recreation building, etc.).

IV. References

- EIA (U.S. Energy Information Administration). 2021. *New Jersey State Profile and Energy Estimates*. <https://www.eia.gov/state/analysis.php?sid=NJ>.
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- NJDEP. 2020. "Transportation and Emissions." <https://www.nj.gov/dep/ages/opea-trans-emissions.html>.
- NJDEP. 2021. *New Jersey Environmental Justice Mapping Tool*. <https://njdep.maps.arcgis.com/apps/webappviewer/index.html?id=34e507ead25b4aa5a5051dbb85e55055>.
- NJDEP. 2022. *NJ Greenhouse Gas Emissions Inventory Report Years 1990-2019*. https://dep.nj.gov/wp-content/uploads/ghg/2022-ghg-inventory-report_final-1.pdf
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- SEIA (Solar Energy Industries Association). 2022. "Top 10 Solar States." <https://www.seia.org/research-resources/top-10-solar-states-0>.
- State of New Jersey. 2018. *New Jersey's Railroad Network*. <https://www.state.nj.us/transportation/refdata/gis/maps/RailRoadlines.pdf>.
- State of New Jersey. 2020. *2019 New Jersey Energy Master Plan: Pathway to 2050*. State of New Jersey. https://nj.gov/emp/docs/pdf/2020_NJBPU_EMP.pdf.

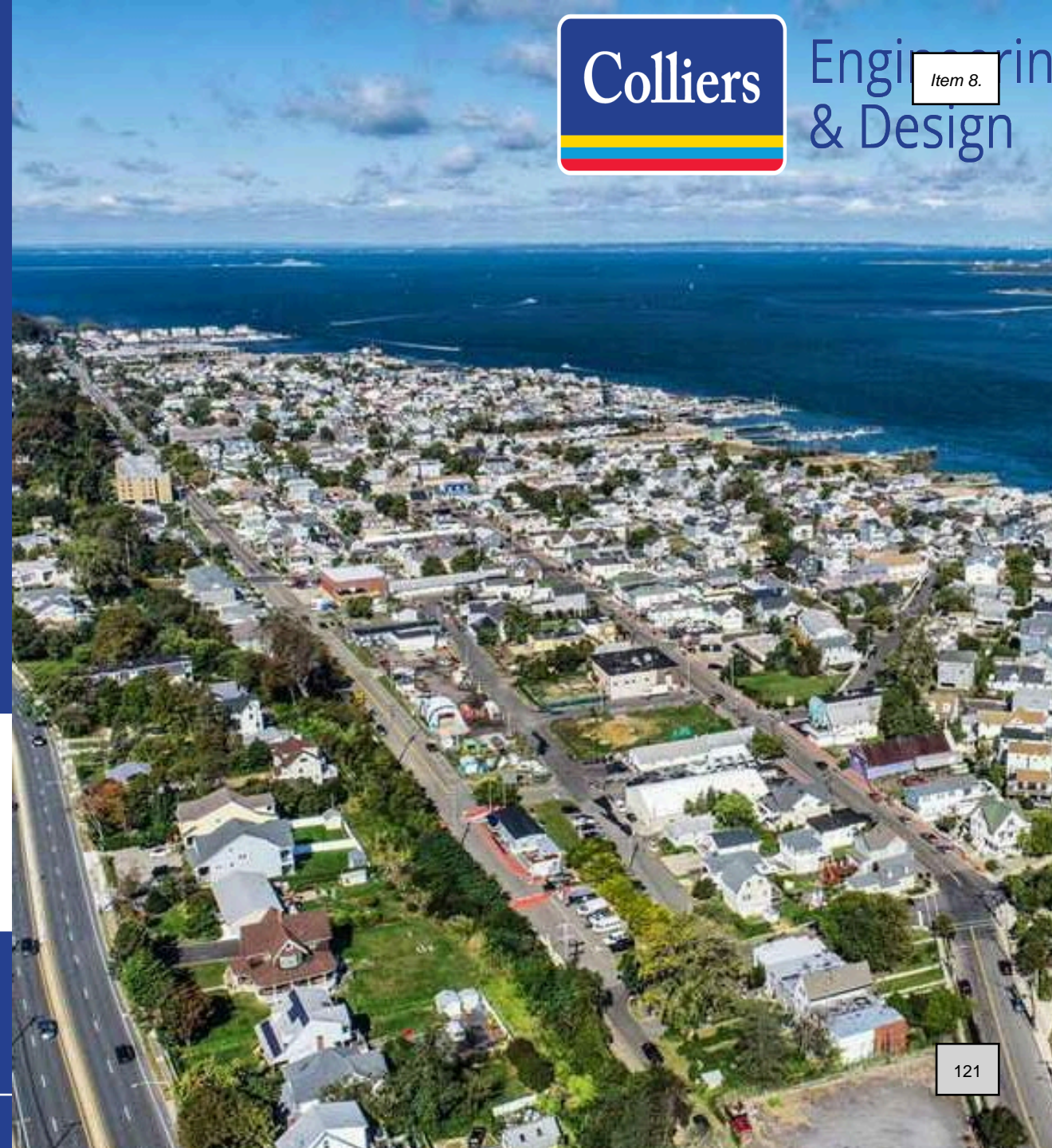
Appendix. Data Sources

Almost all data used in this plan is sourced from the [Sustainable Jersey Data Center](#).

Community Overview Data		
Section, Map, or Table	Original Source(s)	Link to data
General Information Section	U.S. Census American Community Survey (ACS)	SJ Community Profile Data by Municipality
Current Housing Units by Year Built Chart	U.S. Census ACS	SJ Community Profile Data by Municipality
Number of Units by Structure Type Chart	U.S. Census ACS SJ Community Profile Data by Municipality	SJ Community Profile Data by Municipality
Commercial & Industrial Properties Map	NJ MOD IV Tax Data	SJ Commercial & Industrial Properties Map
Commercial & Industrial Properties Data	NJ MOD IV Tax Data	SJ Commercial & Industrial Properties Data

Energy Use Data		
Section, Map, or Table	Original Source(s)	Link to data
Amount of Electricity Used by Sector (kWh) Chart	NJ Investor-Owned Utilities	SJ Aggregated Community-Scale Utility Energy Data
Amount of Natural Gas Used by Sector (Therms) Chart	NJ Investor-Owned Utilities	SJ Aggregated Community-Scale Utility Energy Data
Number of Occupied Housing Units by Primary Heating Fuel	U.S. Census ACS	SJ Community Profile Data by Municipality
Greenhouse Gas (GHG) Emissions Charts	SJ GHG Emissions by Municipality	SJ Community-Scale Greenhouse Gas (GHG) Emissions Data

Energy Efficiency and Renewable Energy Data		
Section, Map, or Table	Original Source(s)	Link to data
Solar Installations Chart	NJCEP Solar Installation Data	SJ Solar Installation Data
Commercial Energy Efficiency Program Participation Data	New Jersey Clean Energy Program (NJCEP) Data	SJ Energy Efficiency Program Participation (2008-2021) Data - Lifetime Commercial Participation
Residential Program Participation Data	NJCEP Data	SJ Energy Efficiency Program Participation (2008-2021) - Lifetime Commercial Participation
Energy Efficiency Projects Completed by Municipality Data	NJCEP Data	SJ NJCEP Local Government Projects 2008-2021



Highlands Community Energy Plan

Highlands Borough

June 21, 2023

Presented to: Borough Council
Presented by: Kristin Russell, PP, AICP

What is a Community Energy Plan?

- The State of NJ has created the NJ Energy Master Plan as a way to address climate change and guide the reduction of greenhouse gases.
- Municipalities are encouraged to create their own plans, aligning with the state's goals and focus areas, with projects that are relevant and specific to each town.
- The Community Energy Plan is supported by Sustainable Jersey and the NJ BPU
- As with the NJ Energy Master Plan, municipal Community Energy Plans are a tool to prioritize initiatives toward energy efficiency and resilience, the reduction of transportation emissions, and to support renewable energy.
- Community Energy Plans look 3 to 5 years into the future, targeting community needs and taking advantage of community opportunities.

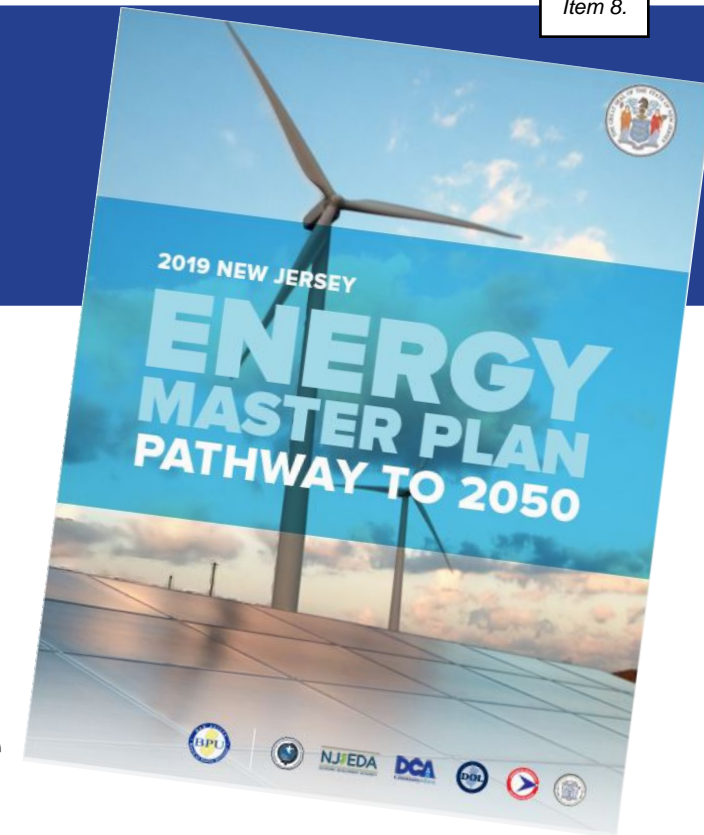
Background work

- The idea of a Community Energy Plan was first explored at a public hearing in February 2022, with discussion around the need to broaden clean-energy opportunities in and for the borough. At a hearing the next month, March 2022, the Borough Council voted to pursue a Clean Energy Grant.
- At a third public hearing in September 2022, it was announced that the grant had been awarded and authorization to execute the grant was approved.
- A Planning Team of 9 community members and municipal representatives was convened, with meetings held in January and February of 2023. Discussed was the purpose of the project and selection of initiatives relevant to the borough.

2019 NJ Energy Master Plan

Sets forth key strategies which guide municipalities

1. Transportation – reduce energy consumption and emissions, EV adoption
2. Renewable Energy and Distributed Energy Resources – solar, offshore wind, etc.
3. Energy Efficiency and conservation – improve energy efficiency / reduce peak demand
4. Reduction of Energy Consumption in Buildings – green buildings, zero carbon homes
5. Support of Participation by Underserved Communities – N/A for Highlands
6. Clean Energy Innovation Economy – support job development in clean energy sector



Planning Team's Work

- Considered 38 initiatives set forth by the state, narrowing down the list to our top choices based on the realities of Highlands:
 - Projects that can happen in 3-5 years
 - Realistically affordable and implementable
 - Would have an impact on the community
 - Relevant based on the demographics, geography, and unique characteristics of Highlands

Community Energy Plan Application Checklist

Community Energy Plan Initiatives	Mark if interested
Strategy 1: Reduce Energy Consumption and Emissions from the Transportation Sector	
1.1 Adopt Supportive Zoning and Regulations for EV Charging Infrastructure Pass NJDCA's model ordinance specifying EV charging infrastructure as a permitted accessory use	<input type="checkbox"/>
1.2 Train First Responders on EVs and EV Charging Infrastructure Require training on EVs and EV charging infrastructure for local first responders	<input type="checkbox"/>
1.3 Train Non-Emergency Staff on EVs and EV Charging Infrastructure Initiate training on EVs and EV charging infrastructure for municipal code officials, etc.	<input type="checkbox"/>
1.4 Purchase Alternative Fuel Vehicles Strategically replace gasoline/diesel municipal vehicles with EVs or other alternative fuel vehicles	<input type="checkbox"/>
1.5 Improve Municipal Fleet Efficiency Replace older municipal vehicles with more efficient versions, downsize fleet, improve driver efficiency	<input type="checkbox"/>
1.6 Install Public EV Charging Infrastructure Install public EV charging infrastructure with appropriate signage and safety/accessibility features	<input type="checkbox"/>
1.7 Encourage Non-Municipal Fleets to Improve Efficiency Encourage fleet operators to improve fleet efficiency via electrification, downsizing, driver training	<input type="checkbox"/>
1.8 Encourage Workplace EV Charging Infrastructure Encourage local businesses to install EV charging infrastructure; offer incentive such as "ribbon cutting"	<input type="checkbox"/>
Other:	
Strategy 2: Accelerate Deployment of Renewable Energy and Distributed Energy Resources	
2.1 Adopt Supportive Zoning and Permitting for Private Solar Provide reasonable permitting standards and procedure for solar developers	<input type="checkbox"/>
2.2 Post Solar Permitting Checklist Provide permitting checklist for solar developers on municipal website	<input type="checkbox"/>
2.3 Adopt Zoning and Permitting for Community Solar Allow large-scale solar in some zoning districts; help community solar developers with permitting	<input type="checkbox"/>
2.4 Train First Responders on Solar Require training on solar for local first responders	<input type="checkbox"/>
2.5 Train Non-Emergency Staff on Solar Initiate training on solar for non-emergency municipal staff such as inspectors	<input type="checkbox"/>
2.6 Install On-site Municipal Renewable Generation Host solar, wind, or geothermal project on municipal property	<input type="checkbox"/>
2.7 Buy Renewable Electricity for Municipal Facilities Sign contract with third-party supplier to supply municipal facilities with renewable electricity	<input type="checkbox"/>
2.8 Offer a Solar Employee Benefit Program Offer solar installation discount to municipal employees	<input type="checkbox"/>

Initiative 1.1 – Adopt Supportive Zoning and Regulations for EV Infrastructure

- Collaborative effort with borough code enforcement, legal department, planning
- Will address growing EV ownership
- Low-cost to execute

Vehicles and Electric Vehicles in Highlands			
Year Updated	Estimated Total Passenger Vehicles	# of EVs	% Electric
2015	3,394	17	.5%
2019	3,519	35	1%

Initiative 1.2 – Train first responders on EVs and EVSE

- Collaborative effort with first aid squad, police, and fire departments
- Low-cost to execute
- At 6-month mark, participation will be evaluated and recommendations made for future training

Initiative 1.6 – Install public EV charging infrastructure

- Collaborative effort with DPW, finance, borough administrator, governing body, mayor's office
- Underway at 171 Bay Avenue
- Will address growing need - EV ownership is on the rise, but few public charging spaces exist locally (two at Bhar's).



Map 1. Public EV Charging Stations in Highlands Area
Source: NJDEP. Public EV Charging Locator Map

Initiative 2.1 – Adopt supportive zoning and permitting for solar

- Collaborative effort with borough code enforcement, legal department, planning
- Borough does not currently regulate solar energy systems
- Can be written to allow for building-integrated, roof mounted, canopy, and/or ground-mounted solar
- Excellent fit for shore community
- Low-cost to execute



Initiative 2.4 – Train first responders on solar

- Collaborative effort with first aid squad, police, and fire departments
- Can be done with the EV training, as a two-part effort
- Low-cost to execute
- At 6-month mark, participation will be evaluated and recommendations made for future training

Initiative 3.1 – Upgrade energy efficiency for municipal facilities

- DPW effort with Green Team
- Consider programs to help the borough become more "green," in line with existing priorities.
- The Green Team will look into technical assistance through Sustainable Jersey to determine next steps for improving energy efficiency in municipal facilities.

Initiative 4.1 – Construct new municipal buildings as Model Green Buildings

- DPW effort with Green Team
- Project to repurpose the Police Department trailers into a permanent raised structure should keep green building components in mind.
- Green initiatives including Energy Star will be considered. This is a mid- to long-term project.
- Highlands is looking to start using green products in cleaning and janitorial services, switch to LED lights in all municipal buildings, etc.

Next Steps

- Open floor to public comment, questions, and Council discussion
- Adoption

BOROUGH OF HIGHLANDS, N. J.

INCORPORATED 1900



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HIGHLANDS, NJ 07732
COUNTY OF MONMOUTH

(732) 872-1224 PH
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CAROLYN BROULLON
MAYOR

MICHAEL MUSCILLO
ADMINISTRATOR

NANCY TRAN
BOROUGH CLERK

Seastreak, LLC
2 First Avenue
Atlantic Highlands, NJ 07716

7/13/2023

Sandbox at Seastreak
326 Shore Drive
Highlands, NJ 07732

Dear Seastreak,

There have been complaints filed about ongoing activity at your ferry terminal property at 326 Shore Drive. It would seem that you have been adding businesses and hours of operation to the facility at that location without the proper permits or hearings and in violation of Borough Ordinances. Specifically,

1. Seastreak now operates two 600 passenger ships and three 505 passenger ships at the 326 Shore Drive location. There are nine departures from Highlands with a conservative estimate of 2660 passenger seats. There are currently 957 parking spaces at both 326 and 348 Shore Drive. Borough Ordinance **21-65.14 Off-Street Parking. D-7-a-2** states that ferry transportation services are required to have 0.7 space for every passenger seat on all departing boats during a regular 24-hour period. Since $2,660 \times .7$ equals 1,863 the required number of parking spots needed is 1,862, leaving Seastreak operating with slightly over half of the required parking in violation of **21-65.14 Off-Street Parking. D-7-a-2**
2. Seastreak (And Sandbox at Seastreak) has a liquor license that restricts liquor sales to the barge location only, and several new locations for liquor sales have been added without applying for the proper zoning application or approval. This is in violation of Borough ordinance **21-96- A-2 WC-2 Waterfront Commercial**
3. Seastreak (And Sandbox at Seastreak) has added a new business usage of a concert venue without the proper zoning application or approval. This is in violation of Borough ordinance **21-96- A-2 WC-2 Waterfront Commercial**

Please be advised that you have 30-days, to make an application to the land use board to amend the parking, and to the ABC to amend the liquor license.

Brian O'Callahan

Brian O'Callahan
Zoning Officer

(732) 615-2286