



**BOROUGH OF HIGHLANDS  
LAND USE BOARD MEETING**  
22 Snug Harbor Avenue, Highlands NJ 07732  
Thursday, April 13, 2023 at 7:00 PM

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## **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**

1. Kevin Cody

### **ROLL CALL**

### **OPEN FOR PUBLIC COMMENTS**

*General Questions or Comments not pertaining to Applications*

### **ACTION ON OTHER BUSINESS**

2. Review of O-23-07 EV Ordinance for Master Plan Compliance
3. Review of O-23-08 Solar Ordinance for Master Plan Compliance

### **RESOLUTIONS**

4. Subdivision - LUB2022-09: Borough of Highlands Block 101 Lot 3, Locust St.

### **HEARINGS ON OLD BUSINESS**

5. Conditional Use - LUB2022-011: Sea Grass

### **HEARINGS ON NEW BUSINESS**

### **APPROVAL OF MINUTES**

6. March 9, 2023 LUB Meeting Minutes

## COMMUNICATION AND VOUCHERS

### 7. LUB Annual Report 2022

*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





BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## ORDINANCE O-23-07

### ADDING SECTION 21-65.6A OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS TO AUTHORIZE AND ENCOURAGE ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES

**WHEREAS**, This Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the Borough of Highlands of Monmouth County.

**WHEREAS**, supporting the transition to electric vehicles contributes to the Borough of Highlands' commitment to sustainability and is in the best interest of public welfare; and

**WHEREAS**, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

**WHEREAS**, the Borough of Highlands encourages increased installation of EVSE and Make Ready parking spaces; and

**WHEREAS**, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

**WHEREAS**, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

**WHEREAS**, adoption of this ordinance will support the Master Plan of Borough of Highlands adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goals of Economic Development/Redevelopment and Community Facilities and Utility Infrastructure of the Master Plan as well as the land use, circulation, and utilities elements of the Master Plan; and

**WHEREAS**, the Borough of Highlands encourages greater ownership and use of electric vehicles, thus the Borough of Highlands is amending the Zoning and Land Use Regulations to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Borough of Highlands, County of Monmouth, State of New Jersey as follows:

**SECTION I.** Chapter 21 (Zoning and Land Use Regulations), Section 21-65.6A (Electric Vehicle Supply/Service Equipment) is hereby added as follows:

**21-65.6A Electric Vehicle Supply/Service Equipment.**

**A. Purpose**

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

**B. Definitions**

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are

typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.).

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

### **C. Approvals and Permits**

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.

3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The Zoning Officer shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of Borough of Highlands' land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
  - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
  - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
  - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:
  - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
  - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
  - c. a one-time written correction notice is not issued by the Zoning Officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.

8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

**D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces**

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
  - a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
  - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
  - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
  - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
  - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
  - a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
  - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
  - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.

- d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
- e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
- f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
- g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
- h. Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

#### **E. Minimum Parking Requirements**

- 1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to Section 21-65.14, Off-Street Parking.
- 2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
- 3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
- 4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

#### **F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces**

- 1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.

## 2. Installation:

- a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
- b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
- c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

## 3. EVSE Parking:

- a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE.
- b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- c. **Public Parking.** Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be is subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of this Municipal Code. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
- d. **Private Parking.** The use of EVSE shall be monitored by the property owner or designee.

#### 4. Safety

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with Borough of Highlands' ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, Borough of Highlands shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.



## 5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.
- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
  - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
  - 2) Usage fees and parking fees, if applicable; and
  - 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

## 6. Usage Fees

- a. For publicly-accessible municipal EVSE: The fee to use parking spaces within the municipality identified as EVSE spaces shall be an initiation fee of \$2.99 plus \$0.49 per kWh for each hour that the electric vehicle is connected to the EVSE. There shall be no parking fee while vehicle is actively charging, but a parking fee of \$5 per hour shall apply 15 minutes after the electrical vehicle stops charging.
- b. This fee may be amended by a resolution adopted by the governing body.
- c. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

**SECTION II. SEVERABILITY.**

If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

**SECTION III. REPEAL OF PRIOR ORDINANCES.**

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IV. EFFECTIVE DATE.**

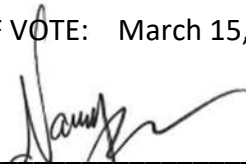
This ordinance shall take effect after final passage and publication as provided by law.

First Reading and Set Hearing Date for O-23-07:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES		X	X			
CHELAK			X			
MELNYK			X			
OLSZEWSKI	X		X			
BROULLON			X			

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF VOTE: March 15, 2023

  
 Nancy Tran, Municipal Clerk  
 Borough of Highlands

Public Hearing for O-23-07:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF VOTE: May 17, 2023

Nancy Tran, Municipal Clerk  
 Borough of Highlands  
 Carolyn Broullon, Mayor



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

**ORDINANCE O-23-08**

**ADDING CHAPTER 21 (ZONING AND LAND USE REGULATIONS), SECTION 21-65.19A (“SOLAR ENERGY”) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS RELATED TO SOLAR ENERGY SYSTEMS**

**WHEREFORE**, the Borough of Highlands Revised General Ordinances does not currently regulate solar panel systems; and

**WHEREFORE**, the Borough of Highlands believe it is in the best interests of the health, safety and welfare of the citizens of the Borough of Highlands for the Borough to regulate this use.

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the Borough of Highlands as follows:

**SECTION I.** Borough Code Chapter 21, Section 65.19A entitled “Solar Energy” is hereby added to read as follows:

§ 21-65.19A Solar Energy.

Purpose. The purpose of this section is to provide a regulatory framework for the construction of Solar Energy Systems in the Borough of Highlands, subject to reasonable restrictions, which will preserve the public health, safety, and welfare, while also maintaining the character of the Borough of Highlands.

§ 21-65.19A.1 Definitions.

The following terms, when used in this section, shall have the following meanings:

- (1) SOLAR ENERGY SYSTEM — A solar energy system consisting of one (1) or more photovoltaic or solar hot water devices either building integrated, roof-mounted, or as a canopy as well as related equipment which is intended for the purpose of reducing or meeting the energy needs of the property's on-site principal use. Solar energy systems may generate energy in excess of the energy requirements of a property only if it is to be sold back to a public utility in accordance with the NJ Net Metering law.
- (2) SOLAR ENERGY FACILITY — An energy facility that consists of one or more ground-mounted, free-standing, or building-integrated solar collection devices, solar energy related equipment and other associated infrastructure with the primary intention of

generating electricity or otherwise converting solar energy to a different form of energy for primarily off-site use.

§ 21-65.19A.2 General Regulations.

(1) Regulations Applicable in All Residential Zones.

(a) Solar Energy Systems.

- (i) Solar energy systems shall be considered a permitted accessory use.
- (ii) Permitted types of solar energy systems: roof-mounted in the form of photovoltaic panels or roof tiles, canopy systems, ground-mounted systems.
- (iii) Photovoltaic panels or roof tiles shall be the same color.
- (iv) Edges of photovoltaic panels and arrays shall be parallel to the edges of the rooflines.
- (v) Solar energy systems shall meet all electrical, building and fire safety requirements in the New Jersey Construction Code.
- (vi) For a roof-mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached as allowed by bulk requirements.

(2) Regulations Applicable to All Non-Residential Zones.

(a) Solar Energy Systems.

- (i) Solar energy systems shall be considered an accessory use.
- (ii) Permitted types of solar energy systems: roof-mounted in the form of photovoltaic panels or roof tiles and canopy systems.
- (iii) Photovoltaic panels or roof tiles shall be the same color.
- (iv) Edges of photovoltaic panels and arrays shall be parallel to the edges of the rooflines.
- (v) Solar energy systems shall meet all electrical and fire safety requirements in the New Jersey Construction Code.

- (vi) For a roof-mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached as allowed by bulk requirements.
- (vii) For a roof-mounted system installed on a flat roof, the highest point of the system shall be permitted in accordance with Section 21-78.
- (viii) For parking canopies, a solar energy system may exceed the applicable maximum accessory structure height if it will cover an impervious surface parking area. Height may not exceed the height of the primary structure that the parking area serves. Minimum height of the parking canopy must allow clearance for emergency service and service vehicles.

**SECTION III. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

**SECTION IV. REPEALER.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

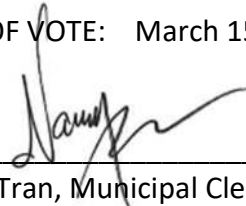
**SECTION V. EFFECTIVE DATE.** This Ordinance shall take effect after final passage as provided by law.

First Reading and Set Hearing Date for O-23-08:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES			X			
CHELAK			X			
MELNYK		X	X			
OLSZEWSKI			X			
BROULLON	X		X			

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF VOTE: March 15, 2023



Nancy Tran, Municipal Clerk  
Borough of Highlands

Public Hearing for O-23-08:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

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DATE OF VOTE: May 17, 2023

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Nancy Tran, Municipal Clerk  
Borough of Highlands

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Carolyn Broullon, Mayor



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## LAND USE BOARD RESOLUTION 2023-09

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

Approved: February 9, 2023

Memorialized: April 13, 2023

**IN THE MATTER OF BOROUGH OF HIGHLANDS  
APPLICATION NO. LUB2022-09**

**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 Borough of Highlands (hereinafter referred to as the “Applicant”) on lands known and designated as Block 101, Lot 3, as depicted on the Tax Map of the Borough of Highlands (hereinafter “Borough”), and more commonly known as Locust Street in the WC-2 (Waterfront Commercial 2) 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 live public hearing was held on February 9, 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 0.66 acres and is located within the Waterfront Commercial 2 (WC-2) Zone of the Borough. The Applicant currently owns the subject Property by way of a prior foreclosure. The Applicant seeks to subdivide small portions of the subject Property in order to reconcile certain longstanding building encroachments with adjacent neighboring properties. The Applicant intends to ultimately sell these small properties to the affected adjacent owners such that the encroachments will be addressed.

2. The Applicant is proposing to create three (3) new lots and retain a remainder lot for a total of four (4) lots. This number of lots would require classification as a “major” subdivision. While technically a “major” subdivision, the characteristics of the application are more similar to a minor subdivision, because there are no proposed roadways, stormwater basins and lighting improvements.

3. The proposal would result in isolated, land-locked lots identified as Lots 3.02 and 3.04. Proposed Lots 3.01 and 3.03 would technically have ten (10) feet of frontage on Mathews Street, which is identified as having a twenty (20) foot wide right of way. The Applicant is proposing a ten (10) foot wide flag stem connecting Mathews Street to proposed Lot 3.01 (the large remainder lot), but this technically would not be considered a public street. This flag stem would be preserved for access to the lands remaining parcel.

4. Counsel for the Applicant, Andy Ball, Esq., stated that the subject Property contained approximately 29,000 square feet. He stated that the Applicant was seeking have the subject Property preserved as open space and listed on the NJDEP’s Recreation and Open Space Inventory (ROSI). He explained that the Applicant had obtained the subject Property through an



In Rem tax foreclosure action in 2001. Mr. Ball represented that the Applicant was seeking to subdivide the southern portion of the subject Property which abut other residential properties with encroachments onto the subject Property.

5. Mr. Ball represented that the Applicant was seeking to create subdivision lines where the encroachments were located in order to create three (3) small lots and a remainder fourth lot, which would remain Borough property. Mr. Ball stated that the Applicant would then seek to sell each of the small lots to the adjacent property owners at fair market value. He also represented that the encroachments were depicted on a 1977 survey and had been created in the 1940s.

6. Mr. Ball next represented that the Applicant was seeking to have the subject Property listed on NJDEP's ROSI. He explained that one of the requirements to be listed on the ROSI was to be free of all encroachments. He further explained that the proposed subdivision would resolve the encroachment issue. Mr. Ball further represented that the Applicant would maintain the remaining lot as it exists presently.

7. Mr. Ball next stated that the Applicant was seeking variance relief for the proposed Lots 3.01 and 3.03. Mr. Ball also stated that a ten (10) foot wide flag stem to the remaining land was being provided in order to maintain public access. He then explained that NJDEP required public access to the beach in order to be listed on the ROSI. Mr. Ball next stated that subdividing the subject Property was an intermediate step. He explained that the sale of public property would typically be put to an open bid, however, there was an exception for undersized lots and that undersized lots could be sold exclusively to adjacent property owners. Mr. Ball represented

that the Applicant was seeking to utilize this exception and sell the newly subdivided lots to the adjacent property owners. He stated that after the sale, the subdivided lots would be merged with the adjacent property, so there would not be any land locked parcels.

8. In response to questions from the Board Engineer, Mr. Ball represented that if the adjacent property owners chose not to purchase, the Applicant would retain ownership of the undersized lots.

9. In response to questions from the Board, Mr. Ball clarified that the flag stem was not an easement. He stated that the ten (10) foot width of the flag stem was less than the right-of-way of Mathews Street. Mr. Ball explained that the width of the right-of-way of Mathews Street was twenty (20) feet. He then clarified that the flag stem was not a road and was not part of the right-of-way of Mathews Street. He clarified that it was only to provide to public access. The Board was still uncertain as to why the flag stem was only ten (10) feet wide and not as wide as the right-of-way.

10. In response to further questions from the Board, Mr. Ball stated that the encroachments of the buildings were approximately ten (10) feet. He stated that one (1) property has a deck that encroaches further than ten (10) feet.

11. Mr. Ball next introduced the Outbound Survey dated August 2, 2022 as Exhibit A-1. He introduced a Google Earth Aerial as Exhibit A-2. He also introduced an Amended Subdivision Plat with an original date of January 16, 2023 and amended date of January 20, 2023 as Exhibit A-3.

12. The Applicant's Engineer, Ben Matlack, P.E., CME, CFM, testified that the encroachments on the subject Property included buildings, decks, patios, and fencing. Mr. Matlack stated that the encroachments had existed for decades. He stated that the purpose of the application was to resolve the encroachments and confirmed that fifty-two (52) feet of encroachments exist.

13. Mr. Matlack next testified that the Mathews Street terminated prior to the subject Property and the proposed access flag stem. He stated that the access was a ten (10) foot wide gravel path to the beach.

14. In response to questions from the Board, Mr. Matlack testified that it was not necessary for a fire truck to be able to access the property through the gravel access path. He also explained that there was no right-of-way being given away. Mr. Matlack stated that the encroachments required the flag stem to be only ten (10) feet wide. He also testified that the proposed lots would not be stand alone lots. He explained that two (2) were approximately 1,800 square feet and the third was approximately 1,300 square feet and that they would not be buildable. Mr. Matlack also testified that the proposed property lines were one (1) foot beyond the encroaching concrete patio.

15. Mr. Matlack next testified that there was a discrepancy regarding the property line with the adjacent Bayview Condominiums. He explained that he had examined documents dating as far back as 1907 to find the correct property line. Mr. Matlack testified that the discrepancy with Bayview Condominiums regarding its bulkhead had now been resolved and that there was no longer an issue.

16. Mr. Matlack next testified in regard to the variance relief the Applicant was seeking. He stated that the Applicant was seeking variance relief from the lot size, minimum frontage, minimum width, and minimum depth. He stated that the frontages on Lots 3.01 and 3.03 were on Mathews Street. He also stated that the minimum width of Lots 3.01 and 3.03 were non-compliant. Mr. Matlack testified that Lot 3.01 had a width of 99.77 feet and Lot 3.03 had a width of 35 feet, both where a minimum width of 100 feet was required. He further explained that proposed Lots 3.02 and 3.04 would not have any frontage. Mr. Matlack further testified that proposed Lot 3.03 required variance relief for minimum lot depth where a minimum of 150 feet was required, whereas 51.37 feet was proposed.

17. In response to further questions from the Board, Mr. Matlack confirmed that proposed Lot 3.04 had encroachments from two (2) adjacent properties, one (1) a building and the other a concrete patio. Mr. Ball in response, represented that the concrete patio would be removed. Mr. Matlack, in response to further questions, testified that this was the best approach to resolve the encroachment issues and advance the Applicant's goal of including the subject Property on the ROSI. Mr. Matlack further testified that forcing the property owners to remove the encroachments would be more difficult and likely involve litigation. He also stated that the Borough Council was drafting an Ordinance restricting parking on the access pathway.

18. Mr. Ball next argued that the proposal advanced the purposes of the MLUL. He stated that specifically, the proposal advanced purpose "a" because it was an appropriate use of land that promoted the general welfare. He argued that the proposal also advanced purpose "g" by providing sufficient space for residential uses and preserving open space. Mr. Ball further

argued that there were no negative impact to the surrounding area or the master plan because the proposal was just to recognized the existing way the land is used.

19. In response to further questions from the Board, Mr. Ball stated that the Applicant had not considered leasing the subdivided lots if the adjacent property owner chose not to purchase. He stated that the Applicant could take enforcement action against the encroachments, but the Applicant preferred to work out a solution with the adjacent property owners.

20. The Board Engineer advised that the proposal made sense and was the best way to achieve the Borough's goals. He explained that the subdivision as proposed was only a temporary situation. He recommended that the Board vote favorably to the application.

21. The hearing was then opened to the public for questions, at which time Robert Munck, 338 Shore Drive, asked how parking was regulated on the access driveway and why the Applicant was giving ten (10) feet of it to the adjacent property and where there were no encroachments. Mr. Matlack clarified that the access was not a right-of-way. Mr. Matlack also stated that the proposed property lines would eliminate encroachments. He explained that encroachments were not just buildings, but also fences and walkways. Mr. Munck further asked if the Applicant would force the adjacent property owners to remove the encroachments and why were some of the proposed lots landlocked.

22. Mr. Ball wanted to clarify that the Applicant was not "giving away" the properties, but would be selling the properties at fair market value.

23. In response to follow up questions from the Board, Mr. Matlack testified that fences existed on either side of the access pathway. He measured the distance between the fences and found the distance to be fourteen (14) feet and the proposed access flag stem would be ten (10) of those feet. The Board asked why the Applicant was not keeping the full fourteen (14) feet for the access. Mr. Ball represented that four (4) feet of the existing access was part of an easement conveyed to Lot 4, which was created prior to the Applicant's acquisition of the subject Property. Mr. Ball stated that the easement was to permit the owner of Lot 4 to access the deck, etc. for maintenance. Mr. Ball represented that the proposed property line was based upon the location of the easement. Mr. Ball argued that it was his position that the easement survived the In Rem foreclosure action and was still in force.

24. The Board Attorney informed the Board that the easement was dated December 10, 1999 and was conveyed from previous owner to the adjacent property. The Board Attorney stated that the easement consisted of a ten (10) foot perimeter around the deck and patio. She stated that the easement should be on the subdivision plat. The Board Attorney asked if the Applicant could move the easement. Mr. Ball, in response, stated that the Applicant was seeking to maintain the easement and the adjacent property owner was in agreement. Mr. Ball represented that the proposed access was sufficient to satisfy NJDEP's standards for the subject Property to be listed on the ROSI.

25. Gerald Gates, 20 Cornwall Terrace, asked how access to the public property was guaranteed. The Board stated that enforcing access was a matter for code enforcement and the police department to keep cars from being parked within the access pathway.

26. Robert Munck, 338 Shore Drive, asked for further clarification on the easement. Mr. Ball reiterated that the easement existed before the Applicant acquired the subject Property.

27. In response to questions from the Board, Mr. Ball represented that if an adjacent property owner could not build on the smaller lot, but could once the smaller lot was merged. He stated that if the property owner wanted to build, then the property owner would have to come before the Board.

28. In response to further questions from the Board, Mr. Ball represented that there was a Memorandum of Understanding (MOU) in place between the Applicant and property owners. He stated that the Borough Council would sell the subdivided lots to the adjacent property owners, which would be before the Borough Council at a public hearing at that time.

29. John Caruso, 24 Gravelly Point Road, asked if the Applicant had any appraisals done on the subdivided lots. Mr. Ball explained that the adjacent property owner made an offer, which the Applicant had rejected. Mr. Ball further explained that the Borough Tax Assessor then appraised the proposed lot and presented the counteroffer to the property owner. Mr. Ball explained that after some negotiation, it was agreed upon on a value of \$20,000 for Lot 3.03. Mr. Ball stated that the other lots had yet to be appraised, but they would be appraised the Borough Tax Assessor in the same fashion as Lot 3.03. Mr. Caruso asked if the subdivision and sale of the lots could set a precedent. The Board informed the public that each application is considered separately on its own merits and without any consideration of previous or future applications.

30. Martin Kiely, 39 Shore Drive, asked if the Borough Tax Assessor accepted the property owner's offer. Mr. Ball clarified that the property owner's offer was rejected. Mr. Kiely

further asked why the Applicant did not use a private third-party appraiser. Mr. Ball stated that that was the decision made by the Borough Council.

31. In response to request for clarification from the Board, Mr. Ball confirmed that the purpose for seeking this subdivision was to obtain grants for the Borough. He stated that the subject Property could not be eligible for the ROSI grants from NJDEP with the encroachments.

32. The hearing was then opened to the public for comment, at which time Robert Munck, 338 Shore Drive, testified that he was still unclear about the ten (10) foot perimeter easement. He stated that the Board should look further into the easement. He also stated that the access should be maintained. Mr. Munck also stated that he did not trust that the Applicant would actually seek the grants or the Applicant may chose to sell the subject Property.

33. Mr. Ball, in response, represented that the Applicant was seeking to preserve the subject Property as open space and have it registered on the NJDEP's ROSI. Mr. Ball stated that it was almost impossible to reverse the designation once property was registered on the ROSI.

34. 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 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 has the purpose of eliminating multiple existing encroachments onto public land. The elimination of these encroachments is critical because the Borough seeks to include the proposed remainder lot on its ROSI list. As previously stated, NJDEP regulations require all encroachments to be eliminated in order for this preservation to occur. The preservation of open space is a goal of planning enumerated in 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. As an initial matter, it is anticipated that the creation of the three (3) new lots will be temporary and that the lots will ultimately be sold to the adjoining property owners and merged into their lots. Even if the intended lot mergers do not occur, the proposed subdivision will not create any buildable lots, will not increase traffic, noise, odors or population density and will remain in public ownership. The Board therefore finds that the grant of variance relief will not result in substantial detriment to the public good or substantial impairment to 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 Applicant requires a Planning Variance because two (2) of the proposed lots will be landlocked. See N.J.S.A. 40:55D-34,35. The Board once again recognizes that the landlocked lots will likely be temporary. These lots will also remain under municipal ownership until such sale and merger and emergency vehicles and personnel have appropriate access. Planning Variance relief is therefore granted.

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 13<sup>th</sup> day of April 2023, that the action of the Land Use Board taken on February 9, 2023 granting Application No. LUB2022-09, 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 planning variance relief pursuant to N.J.S.A. 40:55D-35, 36 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 concrete patio shall be removed.
- 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 April 13, 2023.

---

Nancy Tran, Secretary  
Borough of Highlands Land Use Board

BOROUGH OF HIGHLANDS LAND USE BOARD

EXHIBITS

Case No. LUB2022-09/BOROUGH OF HIGHLANDS  
Preliminary and Final Major Subdivision with Ancillary Variance Relief  
April 13, 2023

- A-1 Outbound Survey dated August 2, 2022
- A-2 Google Earth Aerial
- A-3 Amended Subdivision Plat, originally dated January 16, 2023, amended date January 20, 2023.

# FOSS, SAN FILIPPO & MILNE, LLC

*Counselors at Law*

ROGER J. FOSS  
GREGORY R. MILNE†  
JANE R. PATIWELL  
JOHN B. ANDERSON, III  
NJ & NY BARS

†CERTIFIED BY THE SUPREME  
COURT OF NEW JERSEY AS  
CIVIL TRIAL ATTORNEY

BRITTANY P. TARABOUR  
JOHN C. TASSINI  
OF COUNSEL  
MARTIN A. MCGANN, JR.

PHILIP E. SAN FILIPPO  
(RETIRED)  
JOHN W. CHRISTIE  
(RETIRED)

December 6, 2022

*Via Hand Delivery and email*

Borough of Highlands  
Land Use Board  
42 Shore Drive  
Highlands, NJ 07732  
**ATTN: NANCY TRAN, Land Use Secretary**

Re: Sea Grass NJ, LLC  
272 Bay Avenue, Block: 72, Lot: 12  
And: Seadrift Avenue, Block: 73, Lot: 2  
Highlands, New Jersey  
Our File Number: 9344.00001

Dear Ms. Tran:

This office represents Sea Grass NJ, LLC in regard to the above referenced property and the Zoning Permit approval issued by you on November 3, 2022. Please be advised that the applicant, Sea Grass NJ, LLC, is seeking to change the use of the building located on 272 Bay Avenue (Block 72, Lot 12) and to obtain a conditional use permit to allow 272 Bay Avenue (Block 72, Lot 12) to be utilized as a conditionally permitted cannabis retailer under the Highlands Borough Ordinances Section 21-91 A. 3. D. and 21-97 M. This application will involve interior improvements to the building as well as cosmetic improvements to the exterior of the existing building. This application will also involve landscaping and other enhancements to an existing gravel parking lot located on Block 73, Lot 2, which will conform to the use as parking following the change of use. In that regard, enclosed please find the following:

1. Original and one (1) copy of the completed Land Use Board Application;
2. One (1) copy of the Zoning Permit Approval, dated November 3, 2022;
3. Original Narrative of Development;

December 6, 2022

Page - 2 -

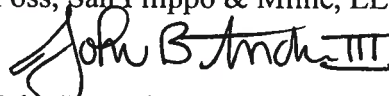
Sea Grass

4. A copy of the Owner's Consent signed by Leonel Cervantes and dated November 2, 2022;
5. Proof that 4<sup>th</sup> quarter real estate taxes have been paid;
6. Resolution 22-217 in support of Cannabis Establishment;
7. Cannabis Regulatory Commission Approval of Conditional License Application;
8. One (1) original, sealed and signed Interior Renovations/Commercial Fit-Out architectural plan prepared by Shissias Design + Development, dated December 2, 2022;
9. One (1) original, sealed and signed Preliminary and Final Major Site Plan prepared by East Point Engineering, LLC, dated November 21, 2022;
10. Check no. 1005, in the sum of \$350.00 made payable to the Borough of Highlands, representing the application filing fees; and
11. Check no. 1006, in the amount of \$750.00 made payable to the Borough of Highlands, representing the escrow deposit required by the Borough.

Kindly acknowledge receipt of the above items on the copy of this letter enclosed, and return it to the person hand delivering this submission to you. Please advise us when this application has been deemed complete, and scheduled for a public hearing before the Land Use Board of the Borough of Highlands.

Thank you for your attention to this matter.

Very truly yours,  
Foss, San Filippo & Milne, LLC



John B. Anderson, III, Esq.

For the Firm

janderson@fsfm-law.com

JBA:hs/Encs./Ltr to Borough trans application  
cc: Client (via email, w/encls.)

Receipt of the above items is hereby acknowledged this \_\_\_\_\_ day of December, 2022.

Print Name: \_\_\_\_\_





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

### LAND USE BOARD APPLICATION

**FOR OFFICIAL USE**  
Date Rec'd: \_\_\_\_\_ Application #: \_\_\_\_\_ Fee: \_\_\_\_\_ Escrow: \_\_\_\_\_

#### 1. APPLICANT

Name: Sea Grass NJ, LLC  
Address: c/o S. James Whelan, 135 Maple Ave.  
City: Red Bank State: NJ Zip: 07701  
Phone: 732-595-6700  
Email: idrwhelan@gmail.com  
Relation to property: Contract purchaser

#### 2. OWNER

Name: Leonel Cervantes  
Address: [REDACTED]  
City: Asbury Park State: NJ Zip: 07712  
Phone: [REDACTED]  
Email: [REDACTED]

#### 3. TYPE OF APPLICATION (Check all that apply)

- Minor Subdivision
- Major Subdivision – Preliminary
- Major Subdivision – Final
- Minor Site Plan
- Major Site Plan – Preliminary
- Major Site Plan – Final
- Variance
- Use Variance
- Appeal – Zoning Denial date \_\_\_\_\_
- Appeal – Land Use Decision date \_\_\_\_\_
- Informal Concept Plan Review
- Extension of Approval
- Revision/Resubmission of Prior Application
- Other Change of Use with Conditional Use Permit

#### 4. PROPERTY INFORMATION

Block 72 Lot(s) 12 Address: 272 Bay Avenue (+ "Seadrift Avenue", Block 73, Lot 2)  
Lot size 2300 sq. feet # of Existing Lots 2 # of Proposed Lots 2  
Zone CBD 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 4th Quarter Sewer paid through 4th Quarter

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

Name: Foss, San Filippo & Milne, LLC (John B. Anderson, III, Esq.)  
Address: 225 Broad Street, PO Box 896, Red Bank, NJ 07701  
Phone: 732-741-2525 Email: janderson@fsfm-law.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: Shissias Design & Development  
 Address: 27 1st Ave.  
Rumson, NJ 07760  
 Phone: 908-601-2647  
 Email: kevin966@gmail.com

Name: East Point Engineering, LLC  
 Address: 11 South Main Street  
Marlboro, NJ 07746  
 Phone: 732-577-0180  
 Email: bpapi@eastpointeng.com

**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.

\_\_\_\_\_  
 See attached Narrative of Development.  
 \_\_\_\_\_  
 \_\_\_\_\_

**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.

\_\_\_\_\_  
 See attached Narrative of Development.  
 \_\_\_\_\_  
 \_\_\_\_\_

**C. ADDITIONAL INFORMATION:**

		Existing	Proposed
<b>Residential:</b>	How many dwelling units?	<u>1</u>	<u>0</u>
	How many bedrooms in each unit?	<u>2</u>	<u>0</u>
	How many on-site parking spaces?	<u>17 (on Block 73, Lot 2)</u>	<u>no change</u>
<b>Commercial:</b>	How many commercial uses on site?	<u>1</u>	<u>1</u>
	How many on-site parking spaces?	<u>17 (on Block 73, Lot 2)</u>	<u>no change</u>



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

	Req'd	Exist.	Prop'd
<b>Minimum Lot Requirements</b>			
Lot Area	n/a	2300	no change
Frontage	n/a	23'	no change
Lot Depth	n/a	100'	no change
<b>Minimum Yard Requirements</b>			
Front Yard Setback	2'	1.78'	no change
2 <sup>nd</sup> Front Yard Setback	0'	1.3'	no change
Rear Yard Setback	12'	10.8'	no change
Side Yard Setback, right	0'	.61'	no change
Side Yard Setback, left	0'	1.3'	no change
Building Height	40'	<40'	no change

	Req'd	Exist.	Prop'd
<b>Accessory Structures</b>			
Fence/Wall Height	n/a	n/a	n/a
Garage/Shed Height	n/a	n/a	n/a
Garage/Shed Area	n/a	n/a	n/a
Pool Setback	n/a	n/a	n/a
<b>Parking Requirements</b>			
On-site Parking Spaces	4	17	17
<b>Other (please add)</b>			

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

See Narrative of Development.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



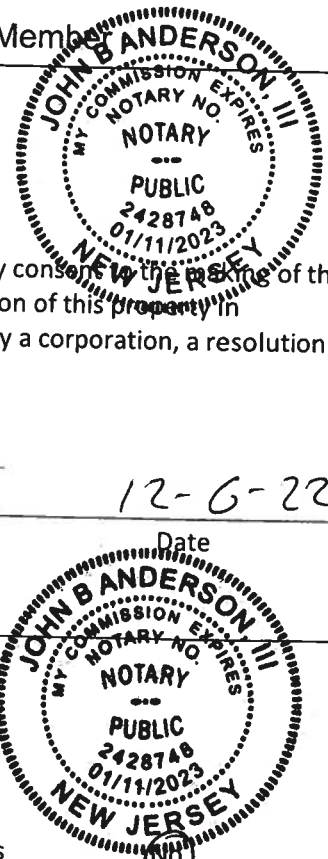
Borough of Highlands  
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Highlands, NJ 07732  
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**10. NOTARIZED SIGNATURE OF APPLICANT**

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

SWORN & SUBSCRIBED to before me this  
6<sup>th</sup> day of December 2022 (year)  
John B. Anderson, III, Esq. (notary)  
(Seal)

[Signature] 12-6-22  
Signature Date  
Stephen James Whelan, Member  
Print Full Name

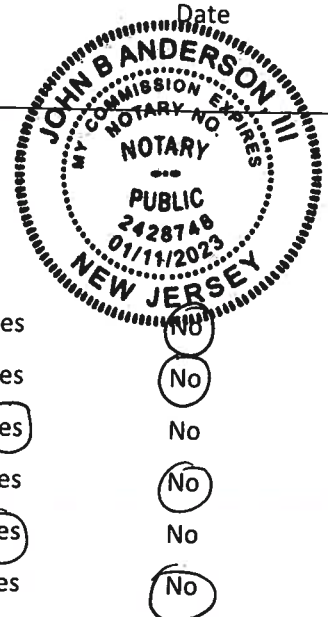


**11. NOTARIZED CONSENT OF OWNER**

I certify that I am the Owner of the property which is the subject of this application, hereby consent to the 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  
6<sup>th</sup> day of December 2022 (year)  
John B. Anderson, III, Esq. (notary)  
(Seal)

[Signature] 12-6-22  
Signature Date  
Leonel Cervantes  
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  
(732) 872-1224  
www.highlandsborough.org

**12B. BUSINESS ORGANIZATION OWNERSHIP DISCLOSURE STATEMENT**

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

Sea Grass NJ, LLC

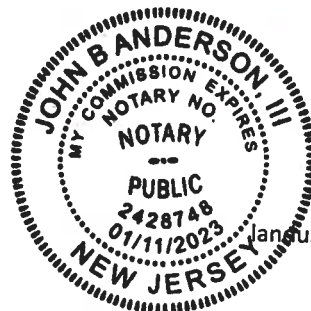
Listed below are the names and addresses of all owners of 10% or more of the stock/interest\* in the above referenced business organization:

NAME	ADDRESS
Stephen James Whelan	135 Maple Ave., Unit A, Red Bank, NJ 07701
Nicholas Frangipane, III	93 Black Point Rd., Rumson, NJ 07760

\*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% ownership criterion established have been listed.

SWORN & SUBSCRIBED to before me this  
6<sup>th</sup> day of December 2022 (year)  
John B. Anderson, III, Esq. (notary)  
 (Seal)

*Stephen James Whelan* 12-6-2022  
 Signature (Officer/Partner) Date  
Stephen James Whelan, Member  
 Print Full Name Title



Owner: Leonel Cervantes  
 Applicant: Stephen James Whelan/Sea Grass NJ, LLC  
 272 Bay Avenue (Block 72, Lot 12) and "Sea Drift Avenue" (Block 73, Lot 2)  
 CBD Zone District (C-RO-1 Overlay)  
 Highlands, New Jersey

### NARRATIVE OF DEVELOPMENT

Leonel Cervantes owns 272 Bay Avenue (Block 72, Lot 12) ("Property No. 1"). Property No. 1 is fully-developed with a two-story building (the "Building"). The first floor of the Building is a restaurant. The second floor of the Building is a residential apartment.

Leonel Cervantes also owns "Sea Drift Avenue" (Block 73, Lot 2) ("Property No. 2"). Property No. 2 is utilized as a parking lot in connection with the restaurant on Property No. 1.

Both properties are located within the CBD Zone District which conditionally permits cannabis retailers.

Stephen James Whelan/Sea Grass NJ, LLC (the "Applicant") is seeking to change the use of the Building located on Property No. 1 and to obtain a conditional use permit to allow Property No. 1 to be utilized as a conditionally permitted cannabis retailer under the Highlands Borough Ordinances Section 21-91 A. 3. D. and 21-97 M. This application will involve interior improvements to the Building as well as cosmetic improvements to the exterior of the existing Building. Applicant is **not** proposing to enlarge the existing Building or alter any setbacks or buffers.

The interior improvements the Building on Property No. 1 consist of:

- 1) Removal of the existing bar, two (2) existing bathrooms and an existing walk-in refrigerator;
- 2) Construction of a new retail sales floor accessible by means of a new ADA ramp and vestibule;
- 3) Construction of a new unisex bathroom;
- 4) Construction of a secure packing and receiving (backroom) area; and
- 5) Renovation of the existing second floor kitchen and bathroom for use with two (2) new offices on the second floor.

The exterior improvements to the Building on Property No. 1 consist of:

- 1) Installation of a barrier free ramp at the front entry on Bay Avenue;
- 2) Replacement of the existing awnings;
- 3) A new gated refuse area in place of the former walk-in refrigerator;
- 4) A fresh coat of paint; and
- 5) The installation of a new wall sign on the Bay Avenue frontage bearing the words "sea grass" and the company logo.

Property No. 1 meets the conditional use requirements for a cannabis retailer because: a) it is located in the CBD zone district; b) the proposed use will **not** contain any cannabis consumption area; and c) the property is located greater than 1,000 feet from any schools.

Applicant proposes to continue to utilize Property No. 2 as off-street parking in support of the cannabis retailer just as it is presently being used as off-street parking in connection with the existing restaurant on Property No. 1.

Property No. 2 will be improved through the removal of an existing shed and fenced in area. This will enable the lot to be striped for seventeen (17) parking spaces inclusive of one (1) ADA space nearest the corner of Bay Avenue and Sea Drift Avenue. The parking lot will also be improved through the installation of five (5) deciduous trees, twenty (20) shrubs, decorative grasses and perennial flowers. The existing parking sign will be re-faced at the same location. The existing Borough historic sign with placards for adjacent businesses will remain as well.

Applicant will comply with all prevailing hours of operation limitations for cannabis retailers. Applicant will obtain required licensure as a cannabis retailer and display the licensed at the premises.

The parking requirement in connection with the proposed use (first 1,000 square feet exempt and 1 space per 600 square feet thereafter) is less intense than required of the existing use (one per four seats or stools) and there is adequate parking on Property No. 2 to avoid any parking variance. More specifically, Property No. 2 contains seventeen (17) parking spaces where the use only requires four (4) or less parking spaces.





Borough of Highlands  
42 Shore Drive, Highlands, NJ 07732  
Phone: (82) 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 # \_\_\_\_\_ Cash \_\_\_\_\_  
Commercial/Other residential \$50  Check # \_\_\_\_\_ Cash \_\_\_\_\_

APPLICANT Name: S. James Whelan / Sea Grass NJ, LLC Date: 11/3/2022  
Address: 135 Maple Ave. Red Bank, NJ 07701  
Phone# 732-595-6700 Email: JDR Whelan@gmail.com

Block: 72 Lot(s): 12 Zone: CBD (+ Block 73, Lot 2)  
Street Address: 272 Bay Ave. (+ Sea Drift Avenue)

See attached

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: [Signature] Date: 11/3/2022

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.

Determination: Approved  Denied  Zoning Officer: [Signature]  
If your application has been DENIED, it is due to the following: Date: 11-3-22  
Ordinance Section Allowed/Required Proposed

Remarks: \_\_\_\_\_

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.



Owner: Leonel Cervantes  
 Applicant: Stephen James Whelan/Sea Grass NJ, LLC  
 272 Bay Avenue (Block 72, Lot 12) and “Sea Drift Avenue” (Block 73, Lot 2)  
 CBD Zone District (C-RO-1 Overlay)  
 Highlands, New Jersey

### NARRATIVE OF DEVELOPMENT

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Both properties are located within the CBD Zone District which conditionally permits cannabis retailers.

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FOSS SAN FILIPPO & MILNE, LLC  
 225 Broad Street  
 P.O. Box 896  
 Red Bank, New Jersey 07701-0896  
 (732)-741-2525- Phone  
 (732)-741-2192- Fax  
 janderson@fsfm-law.com  
 Attorneys for Applicant, Stephen James Whelan/Sea Grass NJ, LLC

IN THE MATTER OF THE APPLICATION

Leonel Cervantes/Highlands  
 272 Bay Avenue (and 270 Bay Avenue)  
 Block 72, Lot 12 (and Block 73, Lot 2)  
 Highlands, New Jersey 07732

OWNER'S CONSENT

STATE OF NEW JERSEY :  
 : SS  
 COUNTY OF Monmouth :

I, Leonel Cervantes, of full age, do hereby certify:

1. I am the owner of real property, located at 272 Bay Avenue, Highlands, New Jersey, and shown as Block 72, Lot 12, on the municipal Tax Map of the Borough of Highlands. I am also the owner of real property, located at 270 Bay Avenue, Highlands, New Jersey, and shown as Block 73, Lot 2, on the municipal Tax Map of the Borough of Highlands. As such, I have full knowledge of the facts contained in this Owner's Consent.

2. As the owner of aforesaid properties, I hereby authorize Stephen James Whelan/Sea Grass NJ, LLC to file one or more applications and/or appeals to the Land Use Board of the Borough of Highlands and also to file any necessary County and State agencies applications (as applicable) for the proposed development of these properties.

3. As the owner of aforesaid properties, I hereby authorize the applicant, their duly authorized representatives, agents and all professionals or experts retained by it to advance the development application and any and all Federal, State, County or Municipal Officials to enter upon the land in order to inspect the same in furtherance of the development application of Stephen James Whelan/Sea Grass NJ, LLC. These persons include, but are not limited to, members of the Land Use Board (as applicable), engineers, health inspectors, Fire and Police Departments, Planners, Zoning Officers, County, State and Federal Officials, and their duly authorized representatives. Authorization is hereby granted to the Borough of Highlands, its agents, employees and representatives to inspect, all or any part of the above properties, whether interior or exterior, at any reasonable hour of the day with respect to any matters relating to the development application, within the judgment of the Borough of Highlands, or such representatives, related thereto. This Authorization shall permit representatives to take photographs, and to make sketches and notes with respect to the subject properties.

4. As the owner of aforesaid properties, I hereby authorize the applicant to attach a "certified to be true copy" of this Owner's Consent to any and all development applications which it is required to file as part of any federal, state, county or municipal permit applications.

5. Throughout this document and unless the context otherwise requires, the singular number shall include the plural, and vice versa.

I certify that the foregoing is true and correct to the best of my knowledge and belief; I are aware that if any of the foregoing is willfully false, I am subject to punishment.

DocuSigned by:  
  
17F7079682694CF  
LEONEL CERVANTES

Dated: 11/2/2022, 2022

CURRENT

BLOCK

72

DATE

12/6/22

LOT

12

~~72 Bay Ave~~

~~390.55~~  
DEC 6 2022  
BY

~~0434~~

BOROUGH OF HIGHLANDS - TAX OFFICE  
171 BAY AVENUE HIGHLANDS, N.J.



BLOCK 73

CURRENT

DATE 12/6/22

LOT 2

Seadrift Ave

~~DATA~~  
DEC 6 2022  
BY SEC. 20

~~0431~~

BOROUGH OF HIGHLANDS - TAX OFFICE  
171 BAY AVENUE HIGHLANDS, N.J.



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **RESOLUTION 22-217**

### **IN SUPPORT OF CANNABIS ESTABLISHMENT**

**WHEREAS**, on January 18, 2010, Governor Jon Corzine signed the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1 et seq., which provided for the legalization of medical marijuana and creation of a program to allow persons suffering from qualifying debilitating medical conditions to obtain medical marijuana in a safe, timely and compassionate manner; and

**WHEREAS**, the State of New Jersey in 2018 amended its regulatory scheme so as to expand the scope of citizens to whom medical marijuana may be prescribed and so as to make medical marijuana more accessible and available to many of the citizens who need it; and

**WHEREAS**, on November 3, 2020, the Marijuana Legalization Amendment was approved by voters in New Jersey, which legalized the possession and use of cannabis for residents twenty-one years of age or older;

**WHEREAS**, on February 22, 2021, Governor Phil Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Act, which established the adult use cannabis program in the State of New Jersey.

**WHEREAS**, the Borough of Highlands endorses the adult use cannabis program in the State of New Jersey, as well as the medical use program, which provides needed relief to the many persons suffering from chronic and/or debilitating illnesses who may benefit from this program; and

**WHEREAS**, the Borough of Highlands supports the safe and appropriate siting of an adult-use cannabis dispensary within the Central Business District zone(s) of the Borough of Highlands to the extent consistent with applicable state and local statutes, rules, regulations, and ordinances, including but not limited to the cannabis retailer licensing provisions of Borough Code Section 4-18 and the conditional use zoning requirements of Section 21-97(M); and

**WHEREAS**, Sea Grass NJ LLC has expressed interest in the siting of such a facility within the Borough of Highlands.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council supports the safe and appropriate siting of an adult-use cannabis dispensary within the Central Business District zone(s) of the Borough of Sea Grass NJ LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances, including but not limited to the cannabis retailer licensing provisions of Borough Code Section 4-18 and the conditional use zoning requirements of Section 21-97(M).

**BE IT FURTHER RESOLVED**, that due to the Borough's limit of a single Cannabis Retailer License, upon submission of a complete license application, the license applicant that receives Cannabis Regulatory Commission approval first in time shall be deemed approved by the Borough.



Motion to Approve R 22-217:

	INTRODUCED	SECOND	AYE	NAY	RECUSE	ABSENT
CERVANTES			X			
CHELAK			X			
MELNYK				X		
OLSZEWSKI		X	X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: October 5, 2022

  
\_\_\_\_\_  
Nancy Tran, Municipal Clerk  
Borough of Highlands



State of New Jersey  
CANNABIS REGULATORY COMMISSION

P.O. BOX 216  
TRENTON, N.J. 08625-0216

PHILLIP D. MURPHY  
Governor

SHEILA Y. OLIVER  
Lt. Governor

DIANNA HOUEYOU, *Chair*  
SAMUEL DELGADO, *Vice Chair*  
KRISTA NASH, *Commissioner*  
MARIA DEL CID-KOSSO, *Commissioner*  
CHARLES BARKER, *Commissioner*  
JEFF BROWN, *Executive Director*

July 29, 2022

Sea Grass NJ  
Nicholas Frangipane  
[nick.frang@gmail.com](mailto:nick.frang@gmail.com)  
135 Maple Ave.  
Red Bank, NJ 07701

*Re: FINAL AGENCY DECISION  
APPROVAL OF CONDITIONAL LICENSE APPLICATION*

Dear Nicholas Frangipane:

Congratulations! The New Jersey Cannabis Regulatory Commission (“NJ-CRC”) has received and reviewed your application for a Class 5 Cannabis Retailer to operate an adult personal-use cannabis business in the state of New Jersey. Upon the completion of the NJ-CRC’s review, your application for a conditional license has been approved.

Pursuant to N.J.A.C. 17:30-7.2(f), the NJ-CRC shall approve a conditional license application where the applicant (1) has submitted a complete conditional license application in accordance with N.J.A.C. 17:30-7.3 and the notice of application acceptance pursuant to N.J.A.C. 17:30-6.1; (2) has scored sufficiently high to be issued a conditional license in accordance with the criteria included in the notice of application acceptance pursuant to N.J.A.C. 17:30-6.1 and 7.3; (3) is qualified to hold a conditional license pursuant to N.J.A.C. 17:30-7.4; and (4) has submitted application fees pursuant to N.J.A.C. 17:30-7.17. The above-referenced entity has satisfied all criteria.

Following this written notice of approval, the license applicant must notify the NJ-CRC within five (5) business days whether it will accept the license, or if it will abandon the license. Acceptance or abandonment of the license can be supplied by a letter from the applicant’s listed primary contact, submitted electronically to [crc.licensing@crc.nj.gov](mailto:crc.licensing@crc.nj.gov). Pursuant to N.J.A.C. 17:30-7.5(c), failure of the applicant to notify the NJ-CRC of its decision to accept or abandon the license by the specified deadline shall result in the license being deemed abandoned.

Should you choose to accept this license, the NJ-CRC will continue to verify information contained in your application and notify you when to submit the required conditional license application approval fee established at N.J.A.C. 17:30-7.17. Following receipt of the conditional license application approval fee,

the NJ-CRC will issue the conditional license and provide the same to the applicant.

Acceptance of the license, submission of the conditional license application approval fee, and issuance of the conditional license by the NJ-CRC to the applicant triggers the beginning of the conditional license phase as established at N.J.A.C. 17:30-7.6. During the conditional license phase, the conditional license holder must (1) establish control of the proposed site; (2) gain municipal approval; and (3) develop and submit a conditional license conversion application. The conditional license phase commences on the date the conditional license is issued to the license applicant and expires after 120 calendar days. Pursuant to N.J.S.A. 24:6I-36b.(2)(d)(i) the NJ-CRC may extend the conditional license phase of any applicant for an additional 45 calendar days at its discretion. **To create better efficiency and to support new applicants, the NJ-CRC will automatically extend the conditional license phase for the above-listed applicant for an additional 45 calendar days.** The applicant may satisfy the conditional license phase and begin the process to convert to an annual license at any time prior to the end date for the conditional license phase. The additional 45 calendar days are offered as a courtesy and to prevent the necessity of the applicant submitting a formal request for extension.

**During the conditional license phase, the conditional license holder shall not engage in purchasing, possessing, selling, cultivating, manufacturing, or selling cannabis or cannabis products.** N.J.A.C. 17:30-7.6(e). Failure to adhere to this restriction may subject the applicant to adverse action by the Commission and may expose the applicant to law enforcement action.

The following activities are permitted during the conditional license phase:

1. The conditional license holder may obtain additional funding by adding new loans or gifts from new or existing financial sources not listed in the conditional license application. Conditional license applicants are reminded, however, that during the conversion phase, the NJ-CRC may investigate and may conduct probity review of the license applicant, its owners, principals, and related entities and their finances, ownership, and control structure (See N.J.A.C. 17:30-7.7(e)), and conditional license holders are therefore advised to not execute any additional financing agreements that have not been received and reviewed by the NJ-CRC;
2. The conditional license holder may change the proposed location of the cannabis business, and such new location shall be reflected in the conditional license conversion application;
3. The conditional license holder may notify the NJ-CRC of its intention to abandon the license, which will then be returned to the Commission; and
4. The majority share of the ownership interest in the license holder shall remain the same as at the time of license issuance, however:
  - a. An owner or passive investor of the conditional license holder may transfer ownership interest to another qualified party; and
  - b. The conditional license holder may add new qualified owners and principals.

Certain businesses are subject to the following additional restrictions:

1. A Diversely-Owned Business conditional license holder shall not make any ownership interest transfer that causes the license applicant to no longer comply with the Diversely-Owned business criteria, pursuant to N.J.A.C. 17:30-6.4;
2. An Impact Zone Business conditional license holder shall not make any ownership interest transfer that causes the license applicant to no longer comply with the Impact Zone Business criteria, pursuant to N.J.A.C. 17:30-6.5;

3. A Social Equity Business conditional license holder shall not make any ownership interest transfer that causes the license applicant to no longer comply with the Social Equity Business criteria, pursuant to N.J.A.C. 17:30-6.6;
4. A Microbusiness conditional license holder shall not make any ownership interest transfer that causes the license applicant to no longer comply with the Microbusiness criteria, pursuant to N.J.A.C. 17:30-6.7; and
5. A conditional license holder shall not violate the limitations on owners and principals, pursuant to N.J.A.C. 17:30-6.8.

Prior to the end of the conditional license phase, the applicant must submit its conditional cannabis business conversion application pursuant to N.J.A.C. 17:30-7.8. If granted, the license will be converted from a conditional license to an annual license, subject to all conditions set forth in N.J.A.C. 17:30-7.9 through 7.14.

As a conditional license awardee, you are subject to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization (“CREAMM”) Act as well as all regulations implementing the CREAMM Act, set forth at N.J.A.C. 17:30. The NJ-CRC recommends that you familiarize yourself with those sections of the regulation pertaining to conditional cannabis licenses, specifically N.J.A.C. 17:30-7.2 through 7.8.

Again, congratulations on your successful application and thank you for your interest in working with the NJ-CRC to establish a safe and equitable cannabis industry for the state of New Jersey. Should you have any questions regarding this correspondence, please submit your inquiry to the NJ-CRC Licensing inbox at [crc.licensing@crc.nj.gov](mailto:crc.licensing@crc.nj.gov).

Sincerely,



Dianna Houenou  
Chairperson  
New Jersey Cannabis Regulatory Commission

# Sea Grass NJ

Interior Renovations / Commercial Fit-Out  
 272 Bay Avenue, Borough of Highlands, NJ 07732  
 Block 72, Lot 12

## PROJECT DESCRIPTION

PROJECT: INTERIOR RENOVATIONS / COMMERCIAL FIT-OUT  
 272 BAY AVENUE, BLOCK 72, LOT 12  
 MONMOUTH COUNTY, NEW JERSEY  
 PROJECT USE: COMMERCIAL (S.B. & OCCUPANCY)  
 PROJECT DESCRIPTION: INTERIOR RENOVATIONS AND FIT-OUT INCLUDING RELOCATING AND REPAIRING EXISTING WALLS, CEILING, FLOOR, ELECTRICAL, PLUMBING, AND MECHANICAL SYSTEMS. DEMOLITION OF EXISTING WALLS, CEILING, FLOOR, ELECTRICAL, PLUMBING, AND MECHANICAL SYSTEMS TO ACCOMMODATE NEW FLOOR FINISHES.

## DRAWING LIST

- A1 COVER SHEET & DEMO
- A2 PROPOSED FLOOR PLANS
- A3 EXTERIOR ELEVATIONS

**SHISSIAS**  
 DESIGN + DEVELOPMENT  
 154 445 0565  
 www.shissias.com  
 1000 Highway 202, Suite 100  
 Marlton, NJ 08053  
 27 1st Floor, NJ 07702



ALL WORK SHALL BE IN ACCORDANCE WITH THE NEW JERSEY CONSTRUCTION CODE, N.J.A.C. 17:27, AND ALL APPLICABLE LOCAL ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND ADJACENT PROPERTIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSING OF ALL DEMOLITION DEBRIS IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.

DATE: 12/21/2023

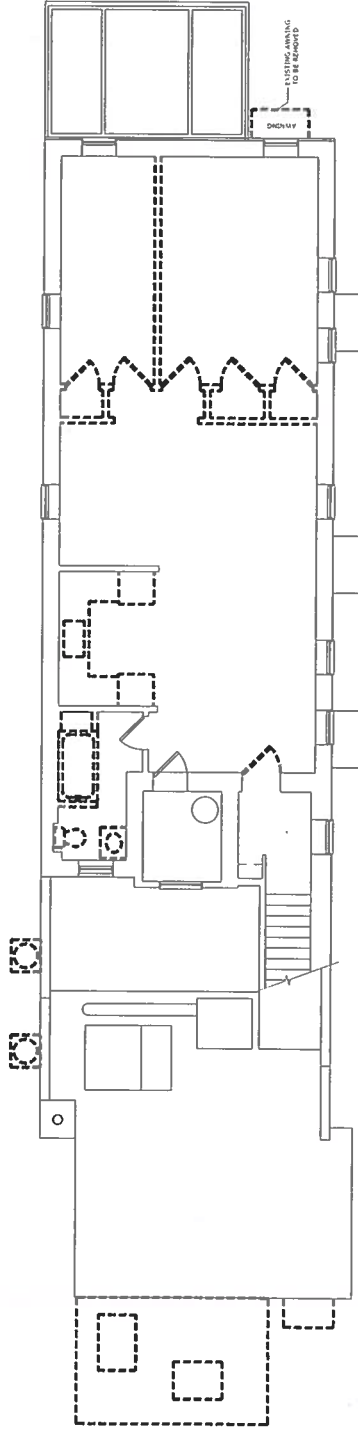
**Sea Grass NJ**  
 Interior Renovations / Commercial Fit-Out  
 272 Bay Avenue, Borough of Highlands, NJ 07732  
 Block 72, Lot 12

Rev. No. 2023.1  
 Issued For: Board Approval  
 Date: 12/21/2023

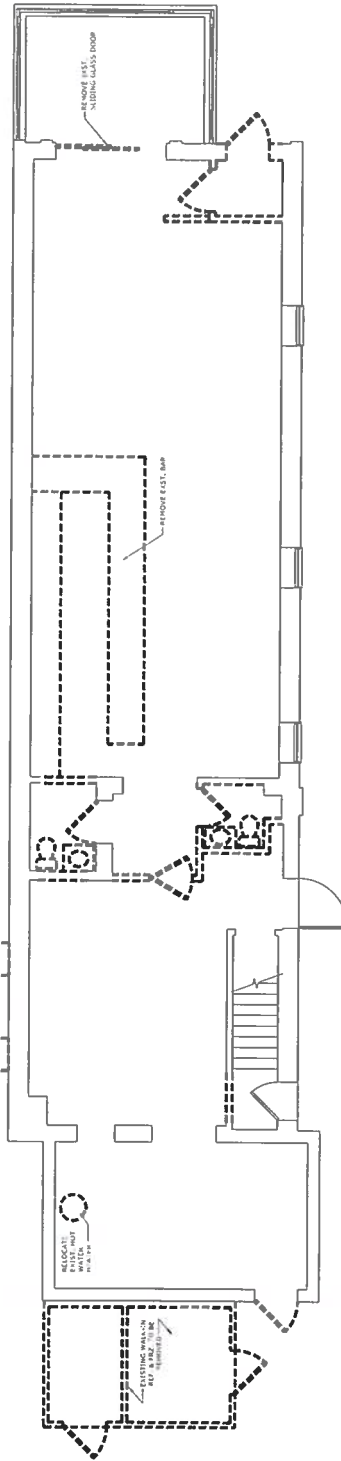
**COVER SHEET & DEMO**

**A1**  
 1 of 1

Item 5.



**2 SECOND FLOOR DEMOLITION PLAN**  
 1/4" = 1'-0"



**1 FIRST FLOOR DEMOLITION PLAN**  
 1/4" = 1'-0"

### DEMOLITION LEGEND

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- EXISTING DOOR TO REMAIN
- EXISTING DOOR TO BE DEMOLISHED

### DEMOLITION NOTES

VERIFY ALL EXISTING CONDITIONS IN FIELD PRIOR TO DEMOLITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND ADJACENT PROPERTIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSING OF ALL DEMOLITION DEBRIS IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.





ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS APPLICABLE TO THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.

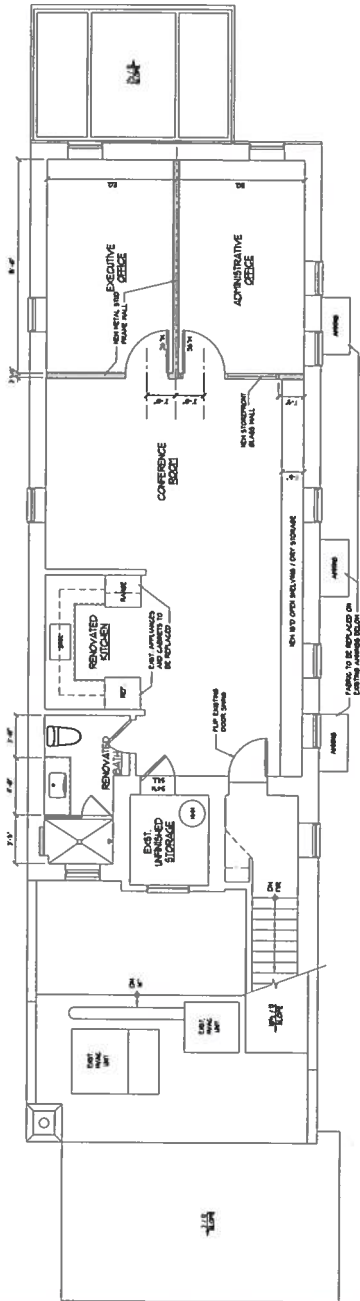
**Sea Grass NJ**  
 Interior Renovations / Comerica Fit-Out  
 272 Bay Avenue, Borough of Highlands, NJ 07732  
 Block 72, Lot 12

Proj. No. 2022.01  
 Issued For: Board Approval  
 Date: 11/2/2022

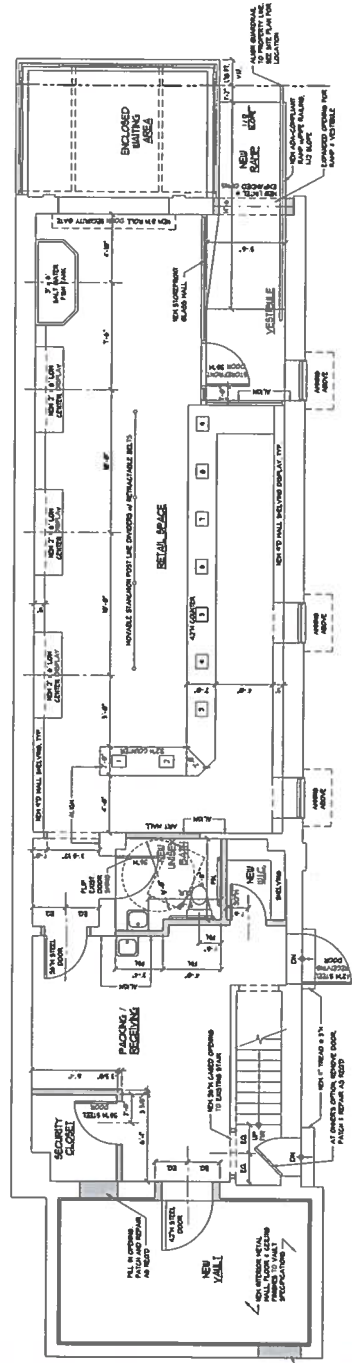
PROPOSED  
 FLOOR PLANS

**A2**  
 2 of 1

Item 5.



**2 SECOND FLOOR PLAN**  
 1/4" = 1'-0"



**1 FIRST FLOOR PLAN**  
 1/4" = 1'-0"



**SEA GRASS NJ**  
Interior Renovations / Commercial Fit-Out  
272 Bay Avenue, Borough of Highlands, NJ 07732

Sea Grass NJ  
Interior Renovations / Commercial Fit-Out  
272 Bay Avenue, Borough of Highlands, NJ 07732

Project No. 2023.01  
Issued For Board Approval  
Date 12/17/2022

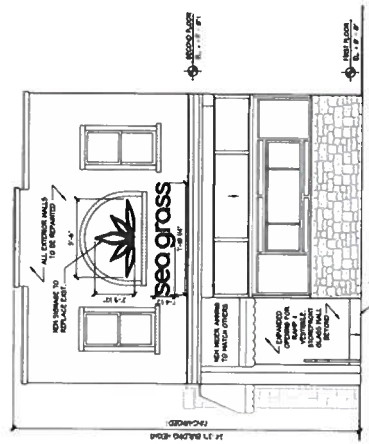
**EXTERIOR ELEVATIONS**

**A3**  
3 of 3

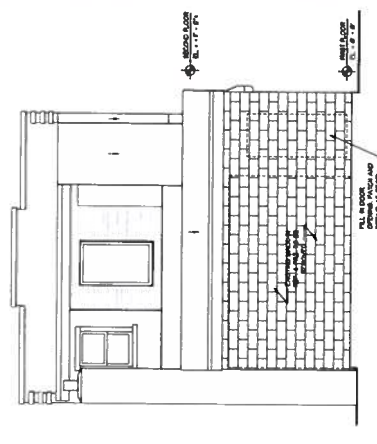
Item 5.



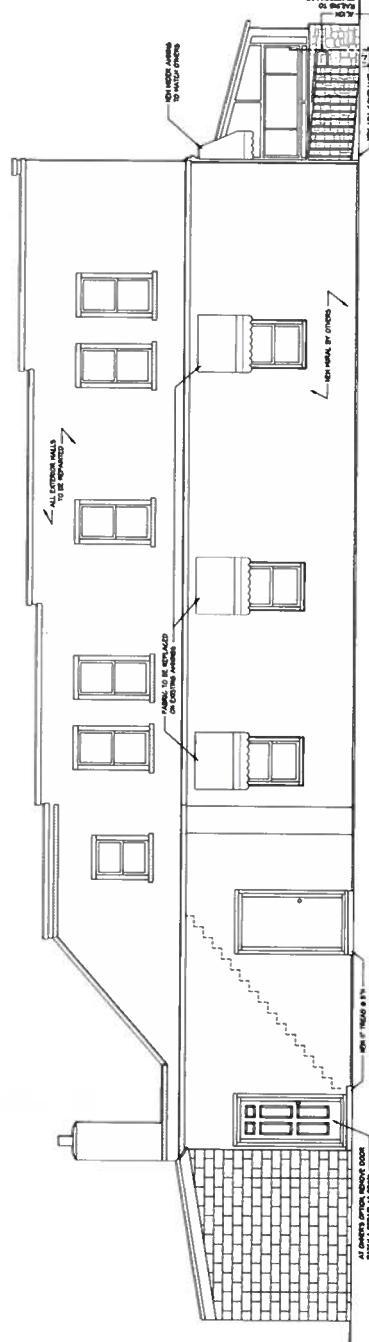
1 SIGNAGE DETAIL  
1/4" = 1'-0"



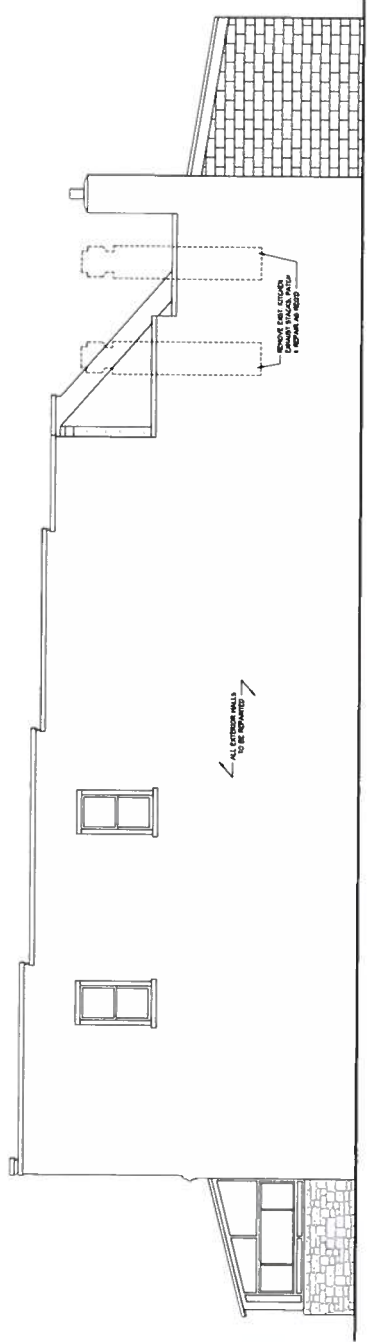
2 FRONT (BAY AVE.) ELEVATION  
1/4" = 1'-0"



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



4 SIDE (SEA DRIFT AVE.) ELEVATION  
1/4" = 1'-0"



5 SIDE ELEVATION  
1/4" = 1'-0"



# PRELIMINARY & FINAL MAJOR SITE PLAN SEA GRASS NJ, LLC BLOCK 72, LOT 12 & BLOCK 73, LOT 2 BOROUGH OF HIGHLANDS MONMOUTH COUNTY, NEW JERSEY

**UTILITY COMPANY CONTACTS:**

**AT&T**  
PO Box 3311  
Hightstown, NJ 08520  
1-800-451-4646  
www.att.com

**CONSUMER SERVICES**  
PO Box 3311  
Hightstown, NJ 08520  
1-800-451-4646  
www.att.com

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PO Box 3311  
Hightstown, NJ 08520  
1-800-451-4646  
www.att.com

**CONSUMER SERVICES**  
PO Box 3311  
Hightstown, NJ 08520  
1-800-451-4646  
www.att.com

**PROPERTY OWNERS WITHIN 200' ±:**

**REDEVELOPMENT DISTRICT**  
MONMOUTH COUNTY  
PO Box 3311  
Hightstown, NJ 08520  
1-800-451-4646  
www.att.com

**REDEVELOPMENT DISTRICT**  
MONMOUTH COUNTY  
PO Box 3311  
Hightstown, NJ 08520  
1-800-451-4646  
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MONMOUTH COUNTY  
PO Box 3311  
Hightstown, NJ 08520  
1-800-451-4646  
www.att.com

**KEY MAP**  
SCALE: 1" = 2000'

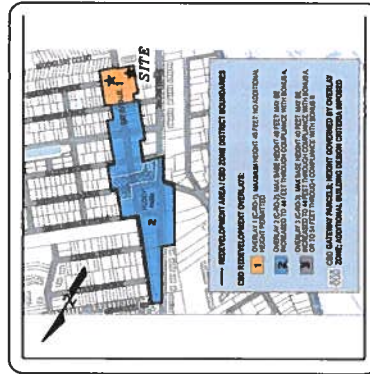


SCALE: 1" = 2000'

**TAX MAP #13 & #18**  
SCALE: 1" = 2000'



SCALE: 1" = 2000'



SCALE: 1" = 2000'

**SITE PLAN SHEET INDEX**

NO.	DRAWING TITLE	DATE	REVISION
1	KEY MAP	11/27/22	
2	TAX MAP #13 & #18	11/27/22	
3	REDEVELOPMENT ZONE MAP	11/27/22	
4	REDEVELOPMENT ZONE MAP	11/27/22	
5	REDEVELOPMENT ZONE MAP	11/27/22	
6	REDEVELOPMENT ZONE MAP	11/27/22	
7	REDEVELOPMENT ZONE MAP	11/27/22	
8	REDEVELOPMENT ZONE MAP	11/27/22	
9	REDEVELOPMENT ZONE MAP	11/27/22	
10	REDEVELOPMENT ZONE MAP	11/27/22	

I HEREBY CERTIFY THAT I AM OWNER OF RECORD OF THE SITE HEREIN DEPICTED AND THAT I CONCUR WITH THE PLANS OF THIS PLAN.

I HEREBY CERTIFY THAT I AM OWNER OF RECORD OF THE HIGHLANDS DISTRICT ZONING MAPS AND THAT I CONCUR WITH THE PLANS OF THIS PLAN.

NOVEMBER 16, 2022, PROVIDED BY THE TAX MAP REFERENCED LIST IS NOT TO BE USED FOR OFFICIAL NOTIFICATIONS.

**OWNER:**  
LEONEL CERVANTES  
272 BAY AVENUE  
HIGHLANDS, NJ 07732

**APPLICANT:**  
SEA GRASS NJ, LLC  
135 MAPLE AVENUE  
RED BANK, NJ 07701

OWNER	DATE	APPLICANT	DATE

**SIGNATURE BLOCKS**  
APPLICATION NO. \_\_\_\_\_ APPROVED  
BY THE BOROUGH OF HIGHLANDS  
ZONING BOARD AS A PRELIMINARY  
AND FINAL MAJOR SITE PLAN ON \_\_\_\_\_ DATE \_\_\_\_\_

**BOARD CHAIRMAN** \_\_\_\_\_  
**BOARD SECRETARY** \_\_\_\_\_  
**BOARD ENGINEER** \_\_\_\_\_

**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**COVER SHEET**  
BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
HIGHLANDS DISTRICT, NEW JERSEY  
UNIVERSITY HEIGHTS, U.S.A.

**EAST POINT**  
11 South New Street  
Red Bank, NJ 07701  
TEL: 732.731.0100

**ZONING BOARD**  
CASE NO. ZB-2022-XX  
SHEET NO. 1 OF 10

**PARKING REQUIREMENTS**  
BUSINESS/COMMERCIAL/RESIDENTIAL MIXED USE  
1 SPACE PER 400 SF OF GROSS FLOOR AREA  
2,400 SF G.F.A. / 400 SF = 4 SPACES REQUIRED

**SOIL REQUIREMENTS**  
SOIL SEC. 21-43.1-1  
MAX. 1% OF FRONT BUILDING FLOORAGE PERMITTED  
480 SF x 1% = 4.8 SF PROPOSED 28.2 SF  
DEFICIENCY: 23.4 SF (COMPLEXES)  
BROUGH HISTORIC SIGN = 26.7 SF (COMPLEXES)

**LOT COVERAGE TABLE**

LOT	LOT 12	LOT 2
TOTAL BUILDING AREA	1,792 SF	404 SF
TOTAL CONC. AREAS	500 SF	404 SF
TOTAL GRAVEL AREAS	5,012 SF	(NOT COUNTED)
TOTAL LOT COVERAGE (% OF LOT)	2,300 SF (100.0%)	404 SF (5.8%)

**LOT COVERAGE**  
The percentage of the plot or lot area covered by impervious and pervious surfaces, but exclusive of gravel areas as well as the area of the plot or lot area covered by water. The percentage of the plot or lot area covered by impervious and pervious surfaces in compliance with Section 21-43.1-1.

**CBD - CENTRAL BUSINESS DISTRICT ZONE**  
**CBO REDEVELOPMENT OVERLAY ZONE (C-RO-1)**  
**AREA, YARD & BUILDING REQUIREMENTS**

REDEVELOPMENT DISTRICT	BLOCK 72		BLOCK 73		COMMENTS
	REDEVELOPMENT DISTRICT	LOT 12	REDEVELOPMENT DISTRICT	LOT 2	
NA	2,300 SF	7,000 SF	NA	NA	NA
NA	23 FT	70 FT	NA	NA	NA
NA	10 FT	100 FT	NA	NA	NA
5 FT	5.15% (4)		EXISTING		COMPLEXES
0 FT (CBO)	0.81 FT (CBO)		COMPLEXES		COMPLEXES
12 FT	10.8 FT		COMPLEXES		COMPLEXES
80%	71.9%		COMPLEXES		COMPLEXES
80%	10.0% (4)		EXISTING		COMPLEXES
40 FT	540 FT		NA		NA
0.65	NA		NA		NA

NA = NOT APPLICABLE  
(4) = EXISTING NON-CORPORATE



**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SEA GRABB NJ, LLC**  
**GENERAL NOTES**  
 BLDG. FOOTPRINT AS SHOWN ON SHEET 10  
 40' SIDEWALKS AS SHOWN ON SHEET 10  
 40' SIDEWALKS AS SHOWN ON SHEET 10  
 40' SIDEWALKS AS SHOWN ON SHEET 10

11/20/22

**EAST POINT CENTER**  
 1109 NEW YORK ST. ASBURY PARK, NJ 07002  
 856.222.8288

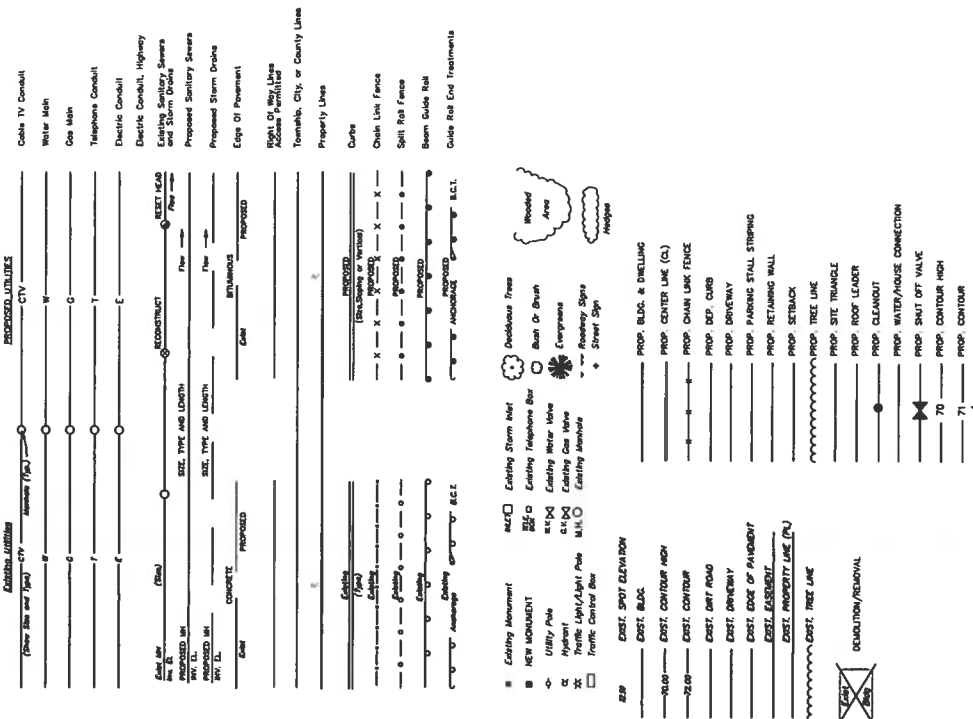
11/20/22

SHEET NO. 2 OF 10

- ### GENERAL NOTES
- THE PROPERTY IS SHOWN AS LOT 15, BLOCK 73 ON SHEETS 10 & 11 OF THE OFFICIAL MAP OF THE BOROUGH OF HIGHLAND, WASHINGTON COUNTY, NEW JERSEY.
  - CONTRACTOR SHALL VERIFY ALL CONDITIONS AT THE SITE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
  - CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES AT ALL TIMES.
  - CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES AT ALL TIMES.
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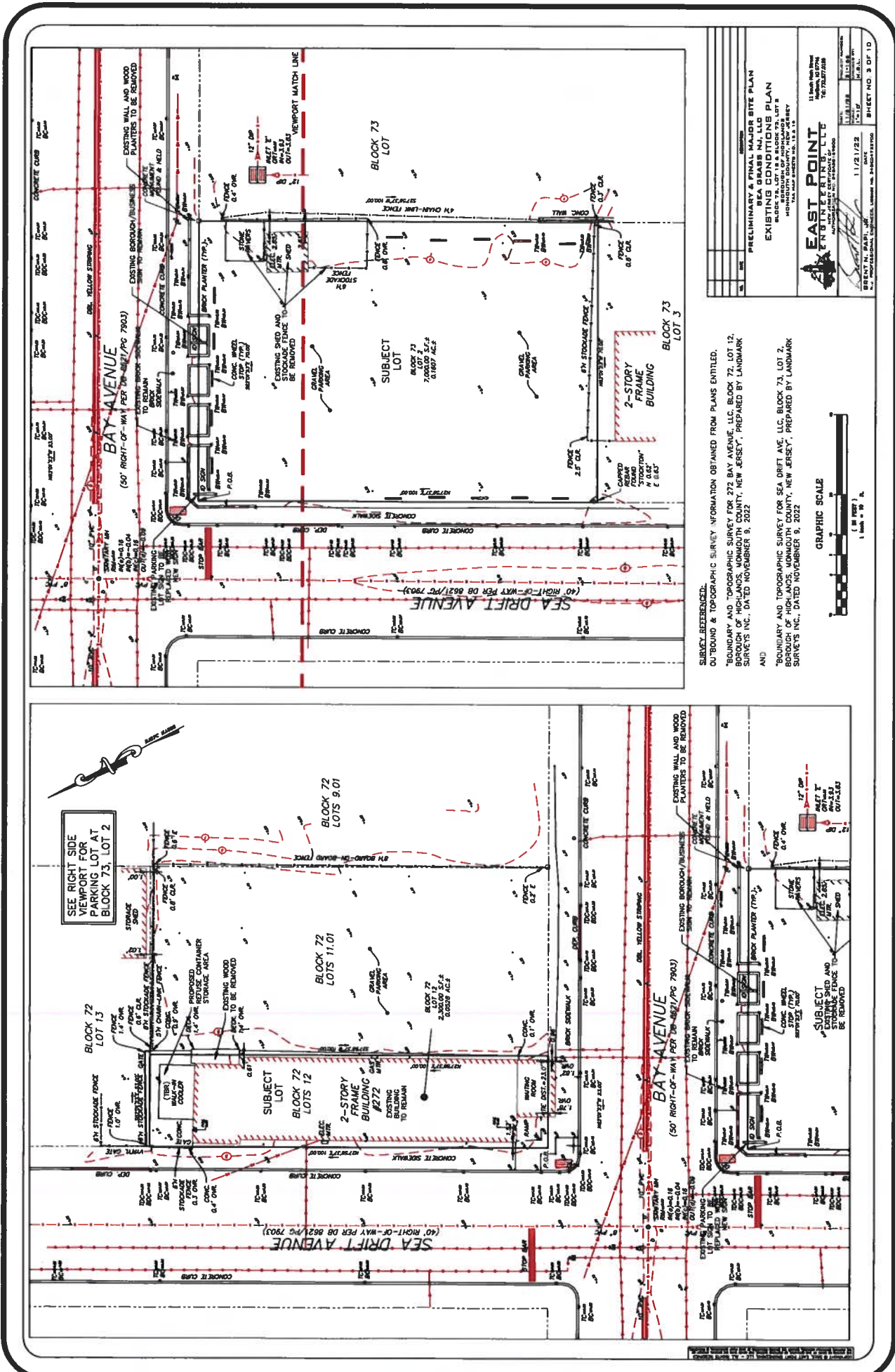
- ### GENERAL NOTES
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**GENERAL LEGEND**



**811**  
 Know what's below.  
 Call before you dig.

**SAFETY NOTE**  
 ALL CONSTRUCTION WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE SAFETY STANDARDS AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND DEPARTMENTS. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND DEPARTMENTS. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES AT ALL TIMES.

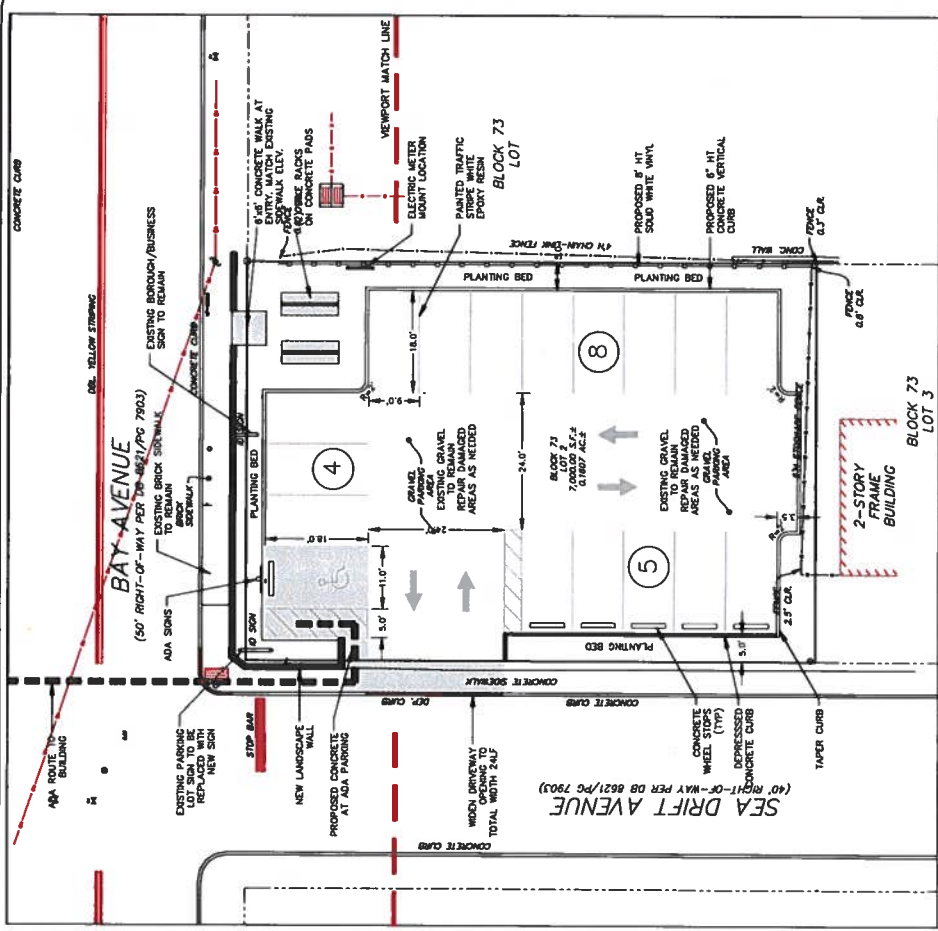


SURVEY REFERENCED:  
 "BOUNDARY AND TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM PLANS ENTITLED,  
 "BOUNDARY AND TOPOGRAPHIC SURVEY FOR 272 BAY AVENUE, U.S. BLOCK 72, LOT 12,  
 BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY", PREPARED BY LANDMARK  
 SURVEYS, INC., DATED NOVEMBER 9, 2022.  
 AND  
 "BOUNDARY AND TOPOGRAPHIC SURVEY FOR SEA DRIFT AVE, LLC, BLOCK 73, LOT 2,  
 BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY", PREPARED BY LANDMARK  
 SURVEYS, INC., DATED NOVEMBER 9, 2022.



<p>PRELIMINARY &amp; FINAL MAJOR SITE PLAN                  BEA BRASS N.J. LLC                  EXISTING CONDITIONS PLAN                  11/2/22</p>	<p>11 South Street                  East Point                  NJ 08045                  762.7207268</p>
<p><b>EAST POINT ENGINEERING, LLC</b>                  PROFESSIONAL ENGINEERING LICENSE NO. 12200                  11/2/22</p>	<p>11 South Street                  East Point                  NJ 08045                  762.7207268</p>
<p>SHEET NO. 3 OF 10</p>	

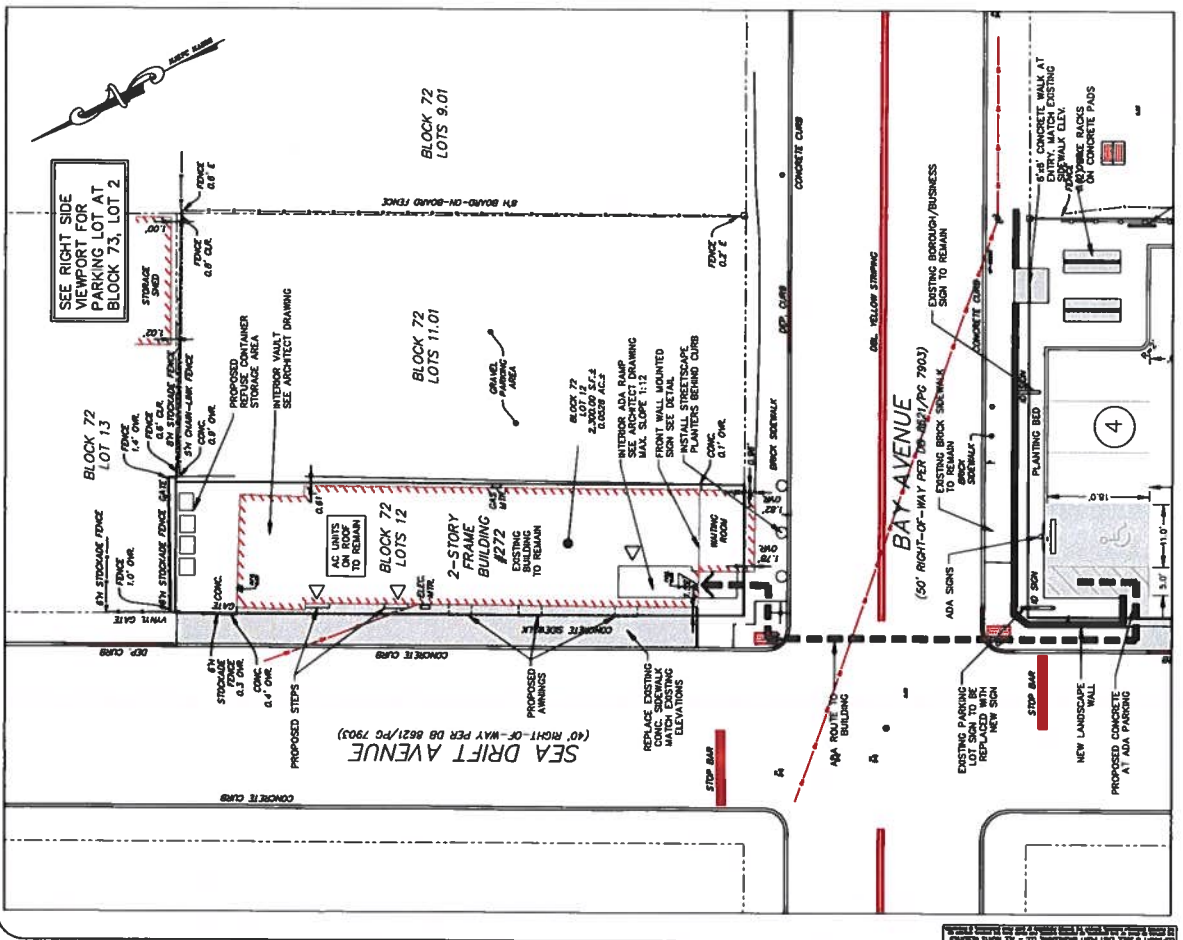




**SITE IMPROVEMENT NOTES**

1. ALL SIGN, STRIPES, AND SIGNS FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) LATEST EDITION.
2. ALL SIGN AND STRIPES SHALL BE CONSTRUCTED OF ALUMINUM OR GALVANNEED STEEL WITH A STRIPING MATERIAL, INCLUDING AN ADHESIVE JOINT AS SPECIFIED IN THE CONTRACT DOCUMENTS.
3. ALL SIGNAGE SHALL BE 4' x 16' UNLESS OTHERWISE NOTED ON THE PLAN.
4. SIGNAGE, LAMP, AND CURBS TO BE CONSTRUCTED OF ALUMINUM OR GALVANNEED STEEL.
5. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION FOR SIGNAGE AND APPROVAL, PER THE CONTRACT DOCUMENTS.
6. ALL CURBS SHALL BE CONSTRUCTED OUT OF CONCRETE.
7. ANY CURBS OR SIGNAGE REMOVED BY THE MAJOR DURING CONSTRUCTION SHALL BE REPLACED.

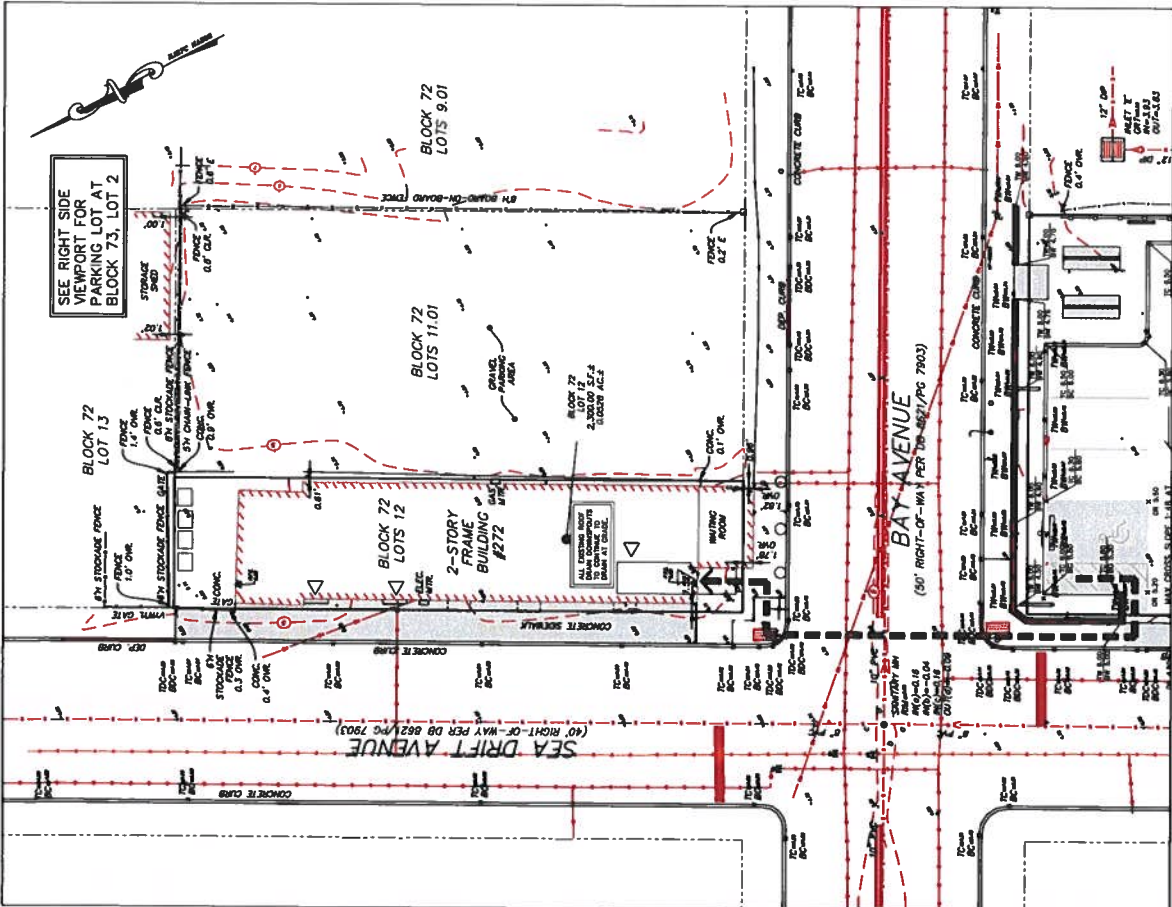
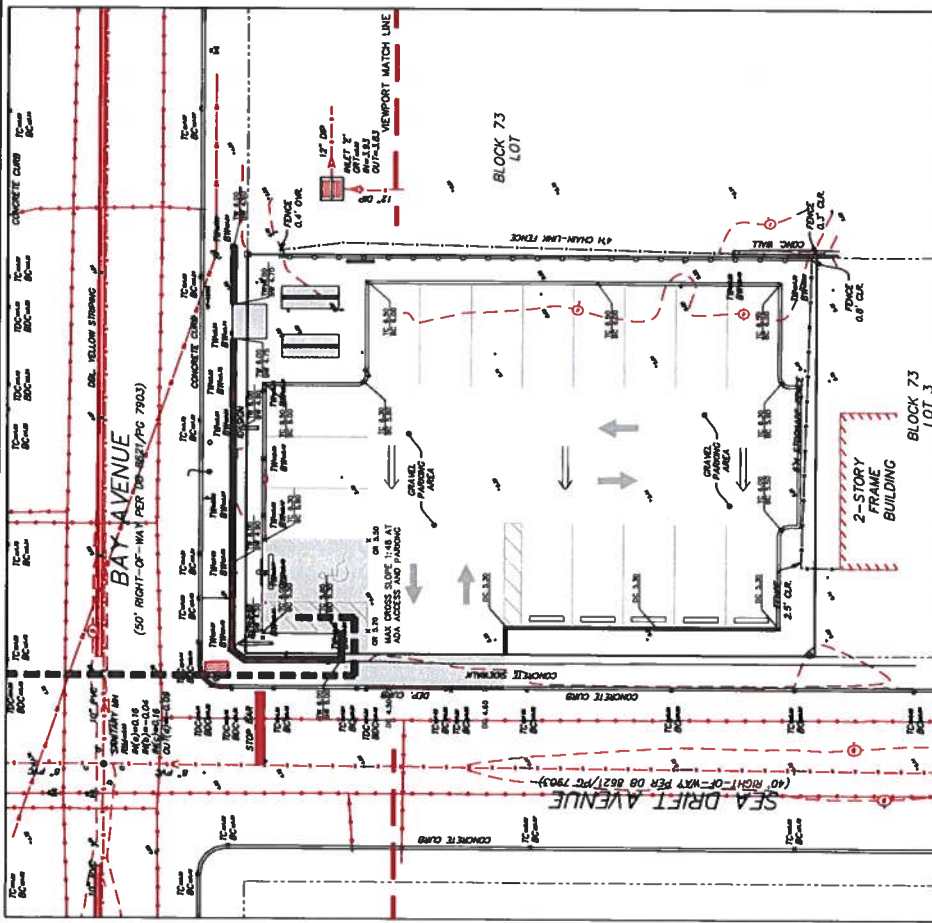
**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SITE LAYOUT / SIGNAGE & STRIPING PLAN**  
 SEA GRABBS NA, LLC  
 11000 WILSON ROAD, SUITE 100  
 WILSON, VA 23153  
 PHONE: 804.546.1100  
 FAX: 804.546.1101  
 1/12/22  
 EAST POINT ENGINEERING, LLC  
 11000 WILSON ROAD, SUITE 100  
 WILSON, VA 23153  
 PHONE: 804.546.1100  
 FAX: 804.546.1101  
 SHEET NO. 4 OF 10



**SITE IMPROVEMENT NOTES**

1. ALL SIGN, STRIPES, AND SIGNS FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) LATEST EDITION.
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7. ANY CURBS OR SIGNAGE REMOVED BY THE MAJOR DURING CONSTRUCTION SHALL BE REPLACED.

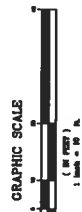
**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SITE LAYOUT / SIGNAGE & STRIPING PLAN**  
 SEA GRABBS NA, LLC  
 11000 WILSON ROAD, SUITE 100  
 WILSON, VA 23153  
 PHONE: 804.546.1100  
 FAX: 804.546.1101  
 1/12/22  
 EAST POINT ENGINEERING, LLC  
 11000 WILSON ROAD, SUITE 100  
 WILSON, VA 23153  
 PHONE: 804.546.1100  
 FAX: 804.546.1101  
 SHEET NO. 4 OF 10



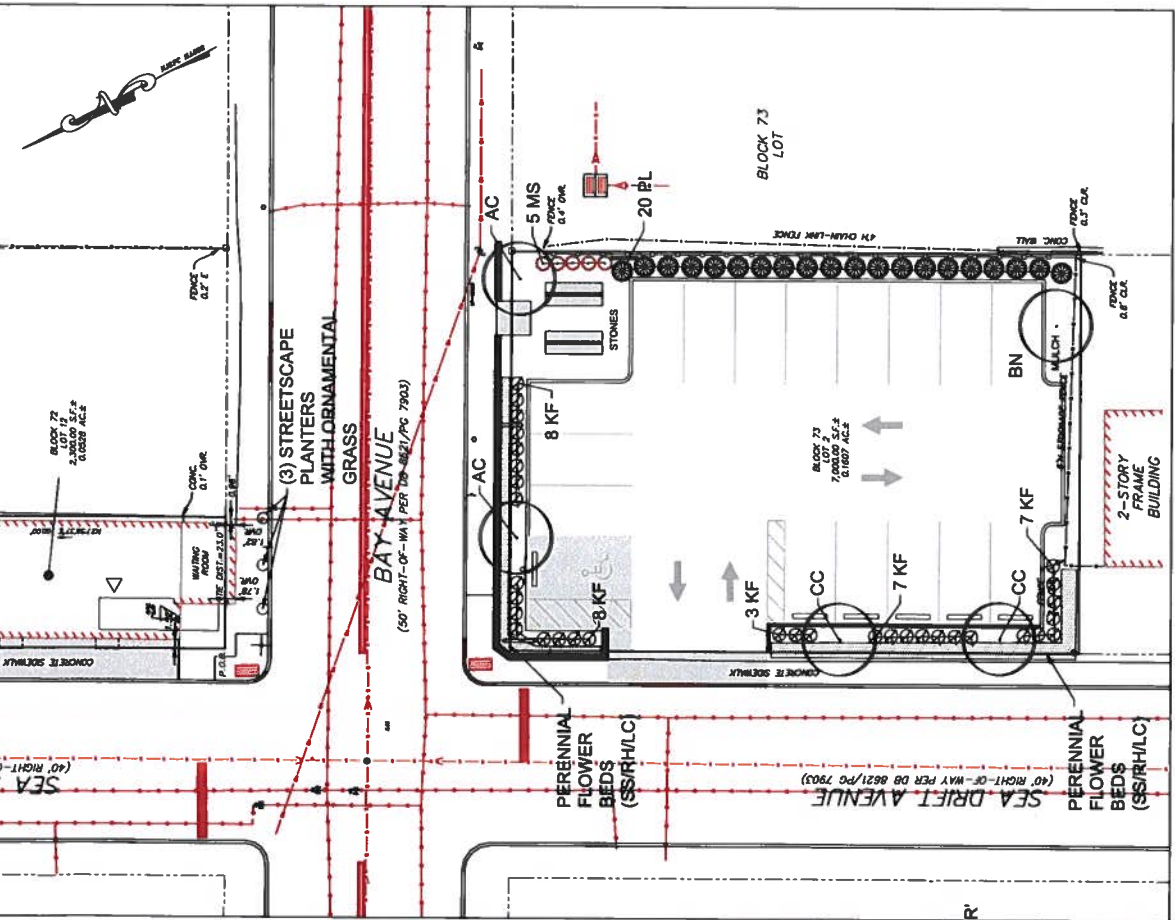
PRELIMINARY & FINAL MAJOR SITE PLAN  
 SEA HARBOR MARINA  
 GRADING PLAN  
 BLOCK 72, LOT 13 & BLOCK 73, LOT 3  
 HIGHWAY 101, NEW JERSEY  
 HILLSBORO, NEW JERSEY 08041-1010

**EAST POINT ENGINEERING, LLC**  
 11 South High Street  
 Hillsborough, NJ 08041  
 TEL: 732.277.8338  
 FAX: 732.277.8339  
 www.eastpointeng.com

DATE: 11/21/22  
 SHEET NO. 5 OF 10



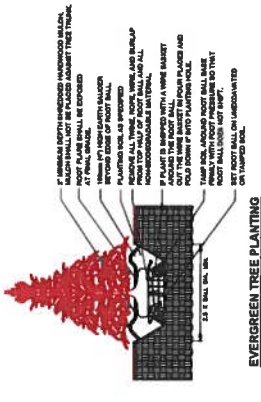
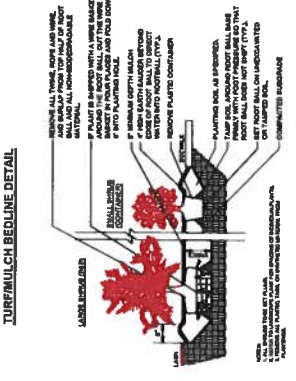
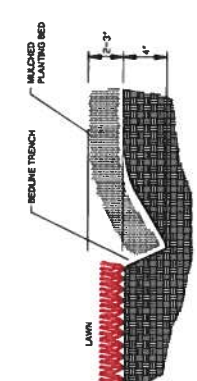
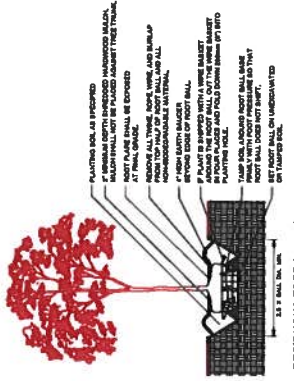




KEY	QTY	BOTANICAL NAME	COMMON NAME	HT./CONTAINER SIZE	REMARKS
<b>Deciduous Trees</b>					
BN	1	Betula Nigra 'Culm'	Hellgate Blue Birch	2.5" - 3.0' cal.	B&B, Straight Central Leader
CC	2	Cercis Canadensis	Eastern Redbud	4-5' Ht.	B&B, Straight Central Leader
AC	2	Ampelancher Canadensis	Shoebow Sen-Acrobary	4-5' Ht.	B&B, Straight Central Leader
<b>Shrubs</b>					
PL	20	Punus Leucocarpa 'Schubertii'	Slip Cherry Laurel	3 Gal.	
<b>Ornamental Grasses</b>					
MS	5	Miscanthus Sinensis 'Silchus'	Parrotail Grass	3 Gal.	
KF	33	Cobernagrostis x Acutiflora	Karl Foerster's Feathered Reed Grass	3 Gal.	
<b>Perennial Flowers (M&amp;S)</b>					
SS		Soldado SemperVirens	Seaside Goldenrod	3 Gal.	
RH		Rubusida Hirta	Black-eyed Susan	3 Gal.	
LC		Labelia Canadensis	Candidal Flower	3 Gal.	

**PLANTING NOTES:**

1. ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DETAILS, NOTES AND CONTRACT REVISED DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SEASIDE AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.
2. CONTRACTOR SHALL CONTACT UTILITY ENTITIES FOR MARK-OUT OF EXISTING UTILITIES PRIOR TO ANY EXCAVATION ACTIVITIES. THE PROJECT MANAGER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SEASIDE AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.
3. SHRUBS AND EVERGREEN TREES SHALL BE FIELD ADJUSTED TO BE PLANTED AT THE CORRECT PLANTING DEPTH AND LOCATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SEASIDE AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.
4. ALL PLANT MATERIAL AND LOCATION OF PLANTING SHALL BE IN ACCORDANCE WITH THE DESIGN UNLESS OTHERWISE INDICATED BY THE ARCHITECT AND/OR PROJECT MANAGER. SMALL ASSETS SHALL BE PLANTED AT THE CORRECT PLANTING DEPTH AND LOCATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SEASIDE AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.
5. ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DETAILS, NOTES AND CONTRACT REVISED DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SEASIDE AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.
6. ANY LANDSCAPING WHICH IS NOT RESISTANT TO THE ENVIRONMENT OR THAT DIES WITHIN TWO YEARS OF PLANTING, SHALL BE REPLACED BY THE DEVELOPER, PLANT AND MATERIAL SHALL BE PROVIDED BY THE LANDSCAPE CONTRACTOR. MATERIALS SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR. MATERIALS SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR. MATERIALS SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR.
7. THE CONTRACTOR SHALL KEEP THE AREA CLEAN DURING DELIVERY AND INSTALLATION OF PLANT MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SEASIDE AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.
8. IN THE EVENT THAT PLANT QUANTITY, DISCREPANCIES OR MATERIAL DISCREPANCIES OCCUR IN THE PLANTING SCHEDULE, THE PLANT SHALL SUPPLEMENT.



**PRELIMINARY & FINAL MAJOR SITE PLAN LANDSCAPE PLAN**

BLOCK 73, LOT 1 & 2, SEA DRIFT AVENUE, SEASIDE, CALIFORNIA

**EAST POINT ENGINEERING, LLC**

11 South Beach Blvd, Seaside, CA 94138  
 415-426-1111  
 415-426-1112

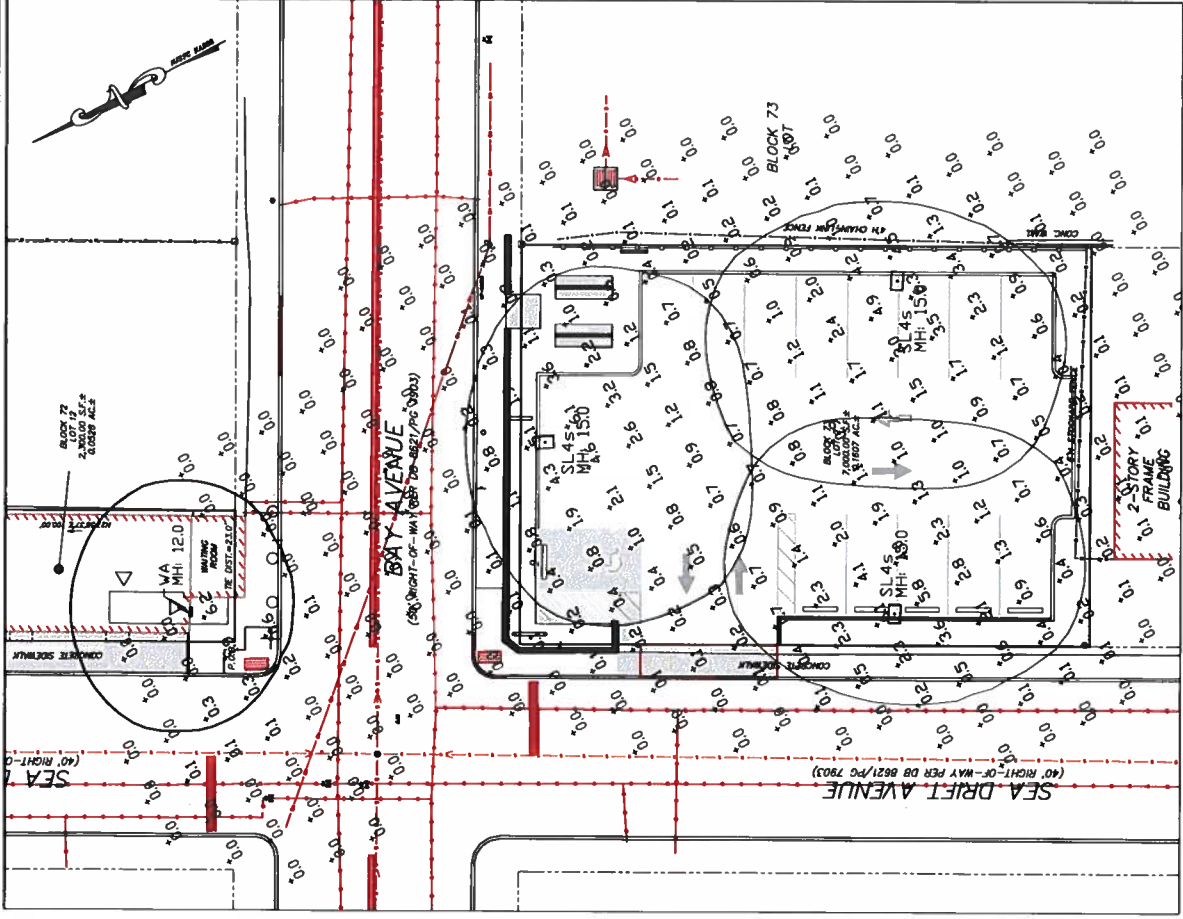
DATE: 11/21/22  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NUMBER: [Number]  
 SHEET NO. 6 OF 10

Luminaire Data - DB Lighting Consultation	Description	LLF	Watts	MH
Label Qty Symbol	MANUFAC			
VA	SSVP-SPS-SVI-20V-400K IESNA2002	0.850	18,909	272L
SL4s	SMT4040J-14-wrth_black_side_shield	0.850	74,244	4764L

Calculation Values - DB Lighting Consultation	Units	Min	Avg/Min	Max/Min
All Values Project Area	FC	0.68	6.3	0.0
Parading	FC	1.65	6.3	0.3
			5.50	21.00

**NOTES:**  
 1. The calculated results of the lighting simulation represent a prediction of luminaire performance based on the input data provided. The actual results may vary due to site conditions and other factors.  
 2. Actual measured results may vary from the anticipated performance and are subject to items and conditions which are beyond the control of DB Lighting Consultation.  
 3. Calculations are based on a 10' x 10' grid.  
 4. Mounting height is 27'-0".  
 5. All calculations are based on a 10' x 10' grid.  
 6. All calculations are based on a 10' x 10' grid.

- LIGHTING NOTES**
- ALL SITE LIGHTING SHALL BE PROVIDED BY THE ELECTRICAL CONTRACTOR.
  - THE CLIENT SHALL PROVIDE THE NECESSARY ELECTRICAL SERVICE TO THE SITE LIGHTING. THE NECESSARY SERVICE AND WIRING SHALL BE PROVIDED BY THE ELECTRICAL CONTRACTOR.
  - THE ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING ALL LIGHTING FIXTURES AND WIRING. LIGHTING SHALL BE INSTALLED IN ACCORDANCE WITH THE ILLUMINANCE REQUIREMENTS SET FORTH IN THESE SPECIFICATIONS. ESSENTIAL SECURITY LIGHTING SHALL NOT TURN OFF UNTIL ONE-HALF HOUR AFTER DARK.
  - THE ELECTRICAL CONTRACTOR SHALL PROVIDE ANY NECESSARY CONDUITS FOR POWER, AND GROUNDING.
  - THE ELECTRICAL CONTRACTOR SHALL FURNISH AND INSTALL THE REQUIRED BRANCH CIRCUIT WIRING AND CONNECT TO THE ELECTRICAL SERVICE PROVIDED BY THE ELECTRICAL CONTRACTOR.
  - THE ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONNECTIONS TO THE ELECTRICAL SERVICE PROVIDED BY THE ELECTRICAL CONTRACTOR.
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**ABOVE-ALL**

**SELECTABLE SUB WALL PACK**  
 Superior control and adjustment

**PERFORMANCE**

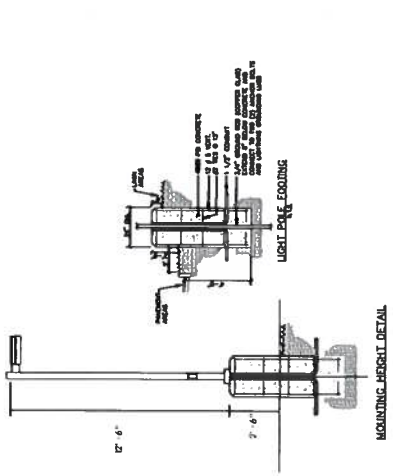
- 100% Dimmable
- 100% Adjustable
- 100% Programmable
- 100% Configurable
- 100% Customizable
- 100% Scalable
- 100% Expandable
- 100% Upgradeable
- 100% Replaceable
- 100% Repairable
- 100% Maintainable
- 100% Serviceable
- 100% Accessible
- 100% Visible
- 100% Audible
- 100% Tactile
- 100% Olfactory
- 100% Gustatory
- 100% Vestibular
- 100% Proprioceptive
- 100% Interoceptive
- 100% Exteroceptive
- 100% Intraceptive
- 100% Interceptive
- 100% Transceptive
- 100% Superceptive
- 100% Hyperceptive
- 100% Megaceptive
- 100% Gigaceptive
- 100% Teraceptive
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- 100% Zettaceptive
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- 100% Brontoceptive
- 100% Petaceptive
- 100% Exaceptive
- 100% Zettaceptive
- 100% Yottaceptive
- 100% Brontoceptive

**ABOVE-ALL**

**SELECTABLE SUB WALL PACK**  
 Superior control and adjustment

**PERFORMANCE**

- 100% Dimmable
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- 100% Petaceptive
- 100% Exaceptive
- 100% Zettaceptive
- 100% Yottaceptive
- 100% Brontoceptive



**EAST POINT ENGINEERING, LLC**

11 South Main Street  
 Portland, ME 04101  
 Tel: 603.733.1111  
 Fax: 603.733.1112  
 Email: info@eastpointeng.com  
 Website: www.eastpointeng.com

DATE: 11/21/22  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT: [Signature]

SHEET NO. 7 OF 10

**EMPIRE LIGHTING**

100% Dimmable  
 100% Adjustable  
 100% Programmable  
 100% Configurable  
 100% Customizable  
 100% Scalable  
 100% Expandable  
 100% Upgradeable  
 100% Replaceable  
 100% Repairable  
 100% Maintainable  
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 100% Gigaceptive  
 100% Teraceptive  
 100% Petaceptive  
 100% Exaceptive  
 100% Zettaceptive  
 100% Yottaceptive  
 100% Brontoceptive



SOIL EROSION & SEDIMENT CONTROL NOTES

1. ALL SOIL EXPOSED TO WEATHERING SHOULD BE PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT SOIL EROSION.
2. ALL SOIL EXPOSED TO WEATHERING SHOULD BE PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT SOIL EROSION.
3. ALL SOIL EXPOSED TO WEATHERING SHOULD BE PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT SOIL EROSION.
4. ALL SOIL EXPOSED TO WEATHERING SHOULD BE PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT SOIL EROSION.
5. ALL SOIL EXPOSED TO WEATHERING SHOULD BE PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT SOIL EROSION.

STANDARDS FOR TOPSOILING

1. ALL TOPSOIL SHOULD BE PLACED IN THE SPACES BETWEEN CURBS AND DRIVEWAYS AND UNDER DRIVEWAYS.
2. ALL TOPSOIL SHOULD BE PLACED IN THE SPACES BETWEEN CURBS AND DRIVEWAYS AND UNDER DRIVEWAYS.
3. ALL TOPSOIL SHOULD BE PLACED IN THE SPACES BETWEEN CURBS AND DRIVEWAYS AND UNDER DRIVEWAYS.
4. ALL TOPSOIL SHOULD BE PLACED IN THE SPACES BETWEEN CURBS AND DRIVEWAYS AND UNDER DRIVEWAYS.
5. ALL TOPSOIL SHOULD BE PLACED IN THE SPACES BETWEEN CURBS AND DRIVEWAYS AND UNDER DRIVEWAYS.

PERMANENT VEGETATIVE COVER (SECTION 4)

1. ALL PERMANENT VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
2. ALL PERMANENT VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
3. ALL PERMANENT VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
4. ALL PERMANENT VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
5. ALL PERMANENT VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.

TEMPORARY VEGETATIVE COVER (SECTION 7)

1. ALL TEMPORARY VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
2. ALL TEMPORARY VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
3. ALL TEMPORARY VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
4. ALL TEMPORARY VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
5. ALL TEMPORARY VEGETATIVE COVER SHOULD BE PLANTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.

SEEDING SCHEDULE (PERMANENT & TEMPORARY) - ZONE 7A

1. ALL SEEDING SHOULD BE COMPLETED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
2. ALL SEEDING SHOULD BE COMPLETED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
3. ALL SEEDING SHOULD BE COMPLETED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
4. ALL SEEDING SHOULD BE COMPLETED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.
5. ALL SEEDING SHOULD BE COMPLETED WITHIN SIX (6) MONTHS OF THE COMPLETION OF THE PROJECT.

ROOT PROTECTION DURING CONSTRUCTION GUIDE

1. ALL ROOT PROTECTION MEASURES SHOULD BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
2. ALL ROOT PROTECTION MEASURES SHOULD BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
3. ALL ROOT PROTECTION MEASURES SHOULD BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
4. ALL ROOT PROTECTION MEASURES SHOULD BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
5. ALL ROOT PROTECTION MEASURES SHOULD BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.

MULCH AND MULCH ANCHORING SPECIFICATIONS

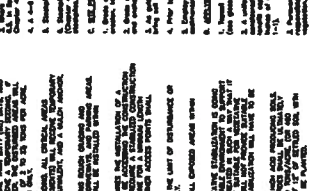
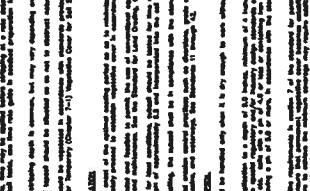
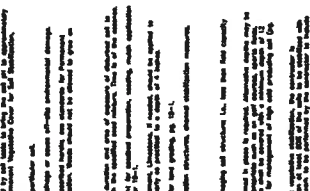
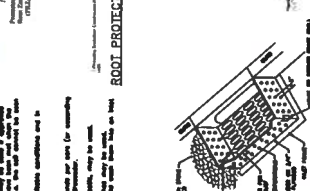
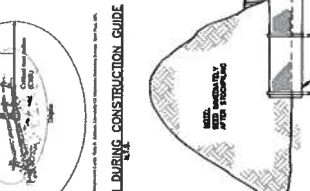
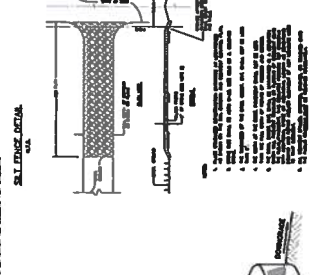
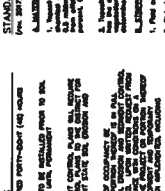
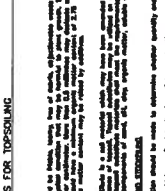
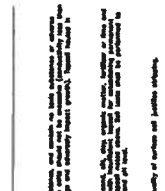
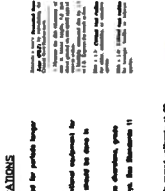
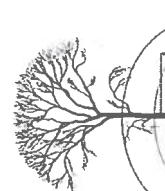
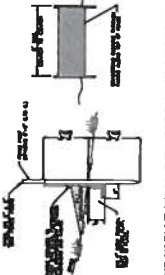
1. ALL MULCH SHOULD BE APPLIED AT A DEPTH OF TWO (2) INCHES.
2. ALL MULCH SHOULD BE APPLIED AT A DEPTH OF TWO (2) INCHES.
3. ALL MULCH SHOULD BE APPLIED AT A DEPTH OF TWO (2) INCHES.
4. ALL MULCH SHOULD BE APPLIED AT A DEPTH OF TWO (2) INCHES.
5. ALL MULCH SHOULD BE APPLIED AT A DEPTH OF TWO (2) INCHES.

STABILIZED CONSTRUCTION ENTRANCE

1. ALL STABILIZED CONSTRUCTION ENTRANCES SHOULD BE INSTALLED AT ALL ACCESS POINTS TO THE SITE.
2. ALL STABILIZED CONSTRUCTION ENTRANCES SHOULD BE INSTALLED AT ALL ACCESS POINTS TO THE SITE.
3. ALL STABILIZED CONSTRUCTION ENTRANCES SHOULD BE INSTALLED AT ALL ACCESS POINTS TO THE SITE.
4. ALL STABILIZED CONSTRUCTION ENTRANCES SHOULD BE INSTALLED AT ALL ACCESS POINTS TO THE SITE.
5. ALL STABILIZED CONSTRUCTION ENTRANCES SHOULD BE INSTALLED AT ALL ACCESS POINTS TO THE SITE.

CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES

1. ALL CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES SHOULD BE FOLLOWED.
2. ALL CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES SHOULD BE FOLLOWED.
3. ALL CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES SHOULD BE FOLLOWED.
4. ALL CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES SHOULD BE FOLLOWED.
5. ALL CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES SHOULD BE FOLLOWED.



Item No.	Description	Quantity	Unit
1	Concrete Curb	100	Linear Feet
2	Stabilized Surface	100	Sq. Yards
3	Root Barrier	100	Linear Feet
4	Dust Barrier	100	Linear Feet
5	Mulch	100	Sq. Yards

**STABILIZED CONSTRUCTION ENTRANCE**

1. ALL STABILIZED CONSTRUCTION ENTRANCES SHOULD BE INSTALLED AT ALL ACCESS POINTS TO THE SITE.

**ROOT PROTECTION DURING CONSTRUCTION**

1. ALL ROOT PROTECTION MEASURES SHOULD BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.

**TYPICAL UPSLOPE STOCKPILE**

1. ALL TYPICAL UPSLOPE STOCKPILES SHOULD BE PROTECTED WITH EROSION CONTROL MEASURES.

**DUST CONTROL STRUCTURE**

1. ALL DUST CONTROL STRUCTURES SHOULD BE INSTALLED AT ALL ACCESS POINTS TO THE SITE.

**MULCH APPLICATION**

1. ALL MULCH SHOULD BE APPLIED AT A DEPTH OF TWO (2) INCHES.

**ROOT PROTECTION DURING CONSTRUCTION**

1. ALL ROOT PROTECTION MEASURES SHOULD BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.

**STABILIZED CONSTRUCTION ENTRANCE**

1. ALL STABILIZED CONSTRUCTION ENTRANCES SHOULD BE INSTALLED AT ALL ACCESS POINTS TO THE SITE.

**CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES**

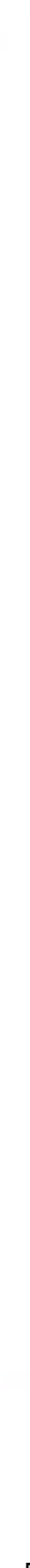
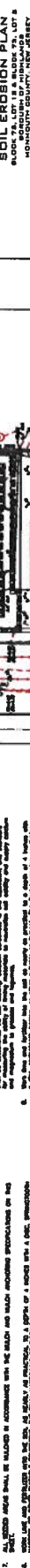
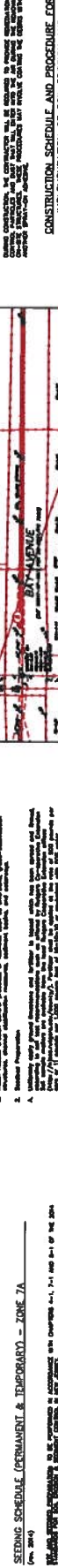
1. ALL CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES SHOULD BE FOLLOWED.
2. ALL CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES SHOULD BE FOLLOWED.
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**PRELIMINARY FINAL MAJOR SITE PLAN**

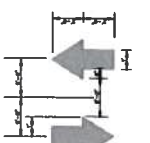
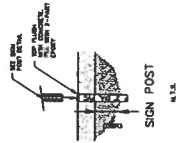
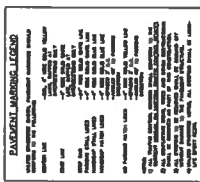
SOIL EROSION PLAN

11 South Main Street  
 800-742-1000  
 40-HUNTER STREET, NEW JERSEY  
 07102-3300

DATE: 1/21/22  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 SHEET NO. 8 OF 10

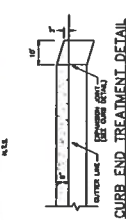


DETAILS FOR PAVEMENT MARKINGS AND TRAFFIC SIGNS

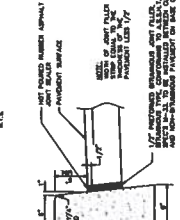


NOTES: 1. ALL SIGNS SHALL BE 4" MINIMUM OF FREE SPACE ABOVE THE SIGN... 2. SIGNS SHALL BE 1/2" MINIMUM OF FREE SPACE AT THE BOTTOM... 3. SIGNS SHALL BE 1/4" MINIMUM OF FREE SPACE AT THE SIDES... 4. SIGNS SHALL BE 1/4" MINIMUM OF FREE SPACE AT THE CORNERS...

ACCESSIBLE PARKING STRIPING LAYOUT

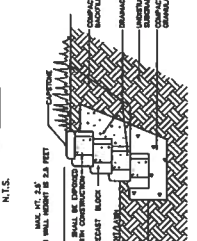


CURB END TREATMENT DETAIL



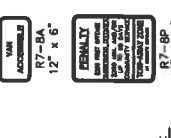
NOTES: 1. CURB SHALL BE 4\"/>

CONCRETE VERTICAL CURB

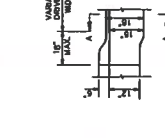


NOTES: 1. CURB SHALL BE CONSTRUCTED IN ACCORDANCE WITH... 2. POINT OF WALL SHALL BE 4\"/>

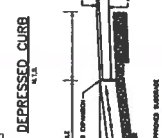
LANDSCAPE WALL DETAIL



DEPRESSED CURB



DEPRESSED CURB, APRON AND DRIVEWAY DETAIL



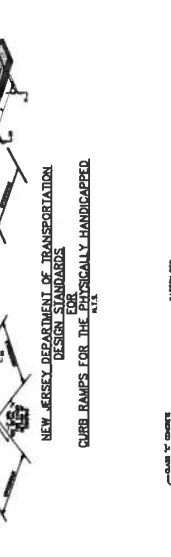
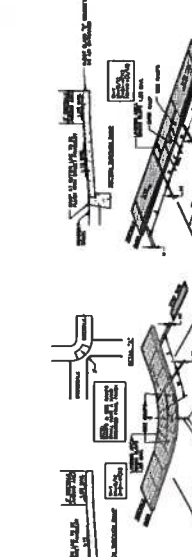
NOTES: 1. CURB SHALL BE 4\"/>

BIKE RACK DETAIL

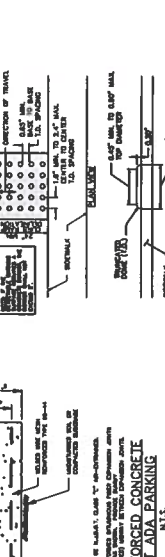


NOTES: 1. CURB SHALL BE 4\"/>

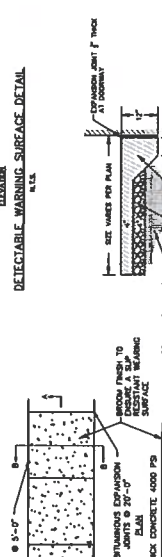
NEW JERSEY DEPARTMENT OF TRANSPORTATION DESIGN STANDARDS CURB RAMP FOR THE PHYSICALLY HANDICAPPED



DETECTABLE WARNING SURFACE DETAIL



CONCRETE DRIVEWAY APRON, 6\"/>



NOTES: 1. CONCRETE TO BE 4\"/>

CONCRETE SIDEWALK, 4\"/>



NOTES: 1. CONCRETE SHALL BE 4\"/>

PREFABRICATED CONCRETE WHEEL STOP



NOTES: 1. WHEEL STOP SHALL BE 4\"/>

Project information including: PRELIMINARY & FINAL MAJOR SITE PLAN, MECA CONSTRUCTION DETAILS, EAST POINT ENGINEERING & CONSULTING, INC., 11 South High Street, Bldg. 79, Lot 7 & 8, Newark, NJ 07102, 973.777.7777, SHEET NO. 9 OF 10.



BUILDING WALL MOUNTED SIGN AT LOT 12, BLOCK 72



SIGN REQUIREMENTS — ORD. SEC. 21-102

BUILDING WALL MOUNTED SIGN — REPLACE EXISTING

MAX 15% OF FRONT BUILDING FACADE —

PERMITTED 460 SF x 15% = 69 SF — PROPOSED 28.2 SF

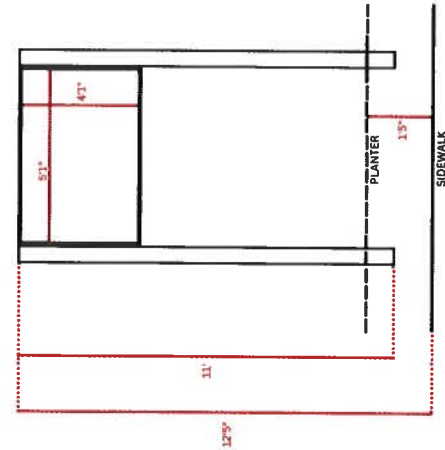
OFF-PREMISE GROUND MOUNTED SIGNS TO REPLACE EXISTING

MAX PERMITTED SIZE 24 SF

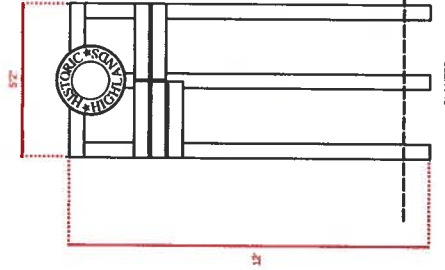
PARKING LOT SIGN = 20.8 SF (COMPLIES)

BOROUGH HISTORIC SIGN = 20.7 SF (COMPLIES)

OFF-PREMISE GROUND MOUNTED PARKING LOT SIGNS AT LOT 2, BLOCK 73



PARKING LOT SIGN



BOROUGH HISTORIC SIGN

PRELIMINARY & FINAL SIGNAGE SITE PLAN  
SEA BEARS NJ, LLC  
SIGN PLAN  
BLOCK 72, LOT 8 & BLOCK 73, LOT 8  
MORRIS COUNTY, NEW JERSEY  
PLANNING DEPARTMENT, U.S.A. INC.

**EAST POINT**  
11 South High Street  
Morris County, NJ 07970  
Tel: 908.527.0000  
Fax: 908.527.0000

DATE OF PLAN: 11/21/22  
BY: MICHAEL J. GIBLIN, P.E., L.L.M., L.S., L.P.E.  
SCALE: AS SHOWN  
SHEET NO. 10 OF 10



### BOROUGH OF HIGHLANDS CANNABIS RETAILER LICENSE APPLICATION

Date of initial submission \_\_\_\_\_

Date of approval by Borough Administrator \_\_\_\_\_

Applicant Business Name Sea Grass NJ LLC

**Contact Information**

Contact Name Stephen James Whelan

Phone No: 732-595-6700 E-Mail: idrwhelan@gmail.com

**1. Business Entity Type**

A. ( ) Individual

List name, address and interest in business \_\_\_\_\_

\_\_\_\_\_

B. ( ) Partnership

List name, address and percentage of interest in Partnership \_\_\_\_\_

\_\_\_\_\_

C.  Corporation/LLC

List name, address and interest of all stockholders Nicholas Frangipane 51%

James Whelan 44%, Hannah LaRose 2%, Anthony Locascio 3%

\_\_\_\_\_

2. Name as it will appear on the State License Sea Grass NJ LLC

\_\_\_\_\_

3. N.J. Sales Tax Certificate of Authority No: 88-2250376

4. Trade names under which the business is to be conducted. Each and every trade name

\_\_\_\_\_



must be listed and registered with the N.J. Secretary of State (if a corporation) or the Monmouth County Clerk (if a partnership or sole proprietor) \_\_\_\_\_

5. Business Marketing Information

- a. Business phone number \_\_\_\_\_
- b. Cell phone number of chief operating officer or executive of the business that will be the principal contact with the Borough 704-956-7807
- c. E-mail for business seagrassnj@gmail.com
- d. Website for business (if any) www.njseagrass.com

6. Business location where cannabis will be sold to consumers

Street address: 272 Bay Avenue  
 Block 72 Lot 12  
 Zone:  Central Business District or ( ) Highway Oriented Business Zone

7. Does the applicant have Conditional Use Approval from the Land Use Board? ( ) Yes  No

- a. If yes, attach copy of the Resolution of Approval.
- b. If no, provide the status of any application to the Land Use Board:  
Application is submitted hearing date is January 12, 2023

8. Describe building and attach a picture Two story, CBD zoned on corner lot  
Approximately 2,373sf retail level

9. Does the applicant own the building? ( ) Yes  No Property is under contract for purchase Owner's Consent is attached to DPA

- a. If yes, attach a copy of the deed to the premises.
- b. If no, attach a copy of the lease agreement. It is the duty of the applicant to advise the landlord that if the license is issued to the applicant, it is not transferable.

10. Fully describe the business operation with an emphasis on:

a. Will there be non-cannabis uses on site? No





b. How will the operations remain separate from non-cannabis operations?  
Under no circumstance shall another operation be permitted.

c. How will cannabis be secured? In a DEA cage inside of an access controlled vault.

11. Explain how the Highlands Police Department is to be advised of all security measures.  
~~Highlands Police Department will have 24 hour access to our security~~

12. Provide the location of all surveillance cameras on site. \_\_\_\_\_  
Please see attached security overlay

13. Will there be any special fire suppression equipment? No, unless the town requires

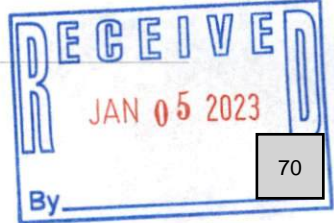
14. Will there be any exhausting of cannabis odors or particulate and how will they be eliminated?  
~~Class 5 retailers do not typically have odor issues, but as a precaution we will.~~

15. Will there be business offices in addition to the retail operations? If so, describe their size and location. \_\_\_\_\_  
~~Management offices and employee break area will be located on the second floor~~

16. Does the applicant have a New Jersey Conditional or Annual Cannabis Retailer License?  
a. If yes, please provide your license number: RE000107

b. If no, please provide the documents attached to your New Jersey Conditional or Annual Cannabis Retailer License Application.

17. Provide a signed and notarized Affidavit in Support of Cannabis License Application.



**AFFIDAVIT IN SUPPORT OF CANNABIS LICENSE APPLICATION**

STATE OF NEW JERSEY:

SS:

COUNTY OF MONMOUTH:

( ) Individual Applicant      ( ) Members of Partnership Applicant      (✓) Pres./V.P.

Nicholas Frangipane of Sea Grass NJ LLC (name of business)

Consent(s) that the licensed premises and all portion of the building constituting the licensed premises, including all rooms, cellars, closets, out-buildings, passageways, vaults, yards, attics and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in his/her/their possession or under his/her/their control, may be inspected and searched without warrant at all hours by the N.J. Cannabis Regulatory, Enforcement, Assistance and Marketplace Modernization Act, his or her duly authorized deputies, inspectors or investigators and all other sworn law enforcement officers, and being duly sworn according to law, upon his/her/their oath(s), depose(s) and say(s) that he/she is (they are) the person(s) duly authorized to sign the application, that in stance of corporate ownership, the signator is authorized by corporate resolution to sign on behalf of the corporations; and that the contents of this application represent complete disclosure of the fact, and that the contents of this application are true.

[Signature]  
Signature of Individual Agent/Sole Prop.

Sea Grass NJ LLC  
Partnership Name

**CORPORATIONS ONLY**  
Attestation by Corporate Secretary

[Signature]  
Signature of Partner

Attest: Sea Grass NJ LLC  
Corporate Name

[Signature]  
Signature of Partner

Secretary signature: [Signature]

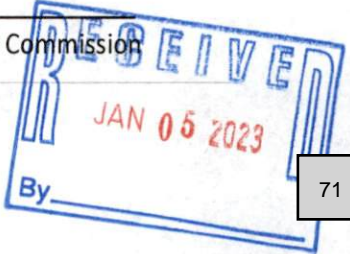
SWORN and SUBSCRIBED to before me this 5 day of Jan, 2023

[Signature]  
Signature of Officer Administering Oath  
Duly Authorized by Notary Public or Attorney at Law

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

Melissa Indiviglio  
Printed Name of Officer Administering Oath

10/24/26  
Date of expiration of Commission





HGPB- R2000

January 16, 2023

Nancy Tran, Land Use Board Secretary  
 Borough of Highlands Land Use Board  
 42 Shore Drive  
 Highlands, New Jersey 07732

*Via Email (ntran@highlandsborough.org)*

**Re: Sea Grass NJ, LLC  
 272 Bay Avenue  
 Block 78, Lot 12 & Block 73, Lot 3  
 Central Business District (CBD) Zone  
 Redevelopment Zone C-RO-1  
 Minor Site Plan  
 & Conditional Use  
 First Completeness Review**

Dear Ms. Tran:

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

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

1. Preliminary & Final Major Site Plans prepared by Brent N. Papi, Jr., PE, of East Point Engineering, LLC, dated November 21, 2022, consisting of ten (10) sheets.
2. Architectural Plans prepared Shissias Design + Development, dated December 2, 2022, consisting of three (3) sheets.
3. Land Use Board Application and supporting documents, dated December 6, 2022.
4. Zoning Permit Application and supporting documents, dated November 3, 2022.

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

**Preliminary Site Plan (Minor):** The preliminary site plan shall be drawn at a scale of not more than one hundred (100) feet to the inch and shall include such details as may be necessary to properly evaluate the application and determine compliance with this chapter. The site plan shall be drawn by a licensed New Jersey professional engineer and land surveyor and, where applicable to the proposed use or construction, the following information shall be clearly shown.

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



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

**Re:** Sea Grass NJ, LLC  
272 Bay Avenue  
Block 78, Lot 12 & Block 73, Lot 3  
Central Business District (CBD) Zone  
Redevelopment Zone C-RO-1  
Minor Site Plan  
& Conditional Use  
First Completeness Review

4. Location, use and ground floor area of all existing and proposed buildings, with the building setback, side line and rear yard distance. **Provided.**
5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Provided. It should be noted that no new buildings are proposed as the applicant intends to renovate the existing building.**
6. The location and widths of existing and proposed streets servicing the site plan. **Provided.**
7. Specifications for and location of proposed surface paving and curbing. **Provided. It should be noted that the applicant proposes to retain the existing gravel parking lot and repair as needed.**
8. Location of all structures within seventy-five (75) feet of the property. **Provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Provided.**
10. Storm water management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities plus all required design data supporting the adequacy of the existing or proposed facilities to handle future storm flows. **Not applicable. No storm water management features are proposed.**
11. Existing and proposed contours of the property and for seventy-five (75) feet outside the property at one (1) foot intervals when new buildings or parking areas are proposed. Spot elevations for any development in a flood hazard area. **Provided.**
12. The location and treatment of proposed entrances and exits to the public rights-of-way, including the possible utilization of traffic signals, channelization, acceleration, and deceleration lanes, additional widths and any other devices necessary to traffic safety and/or convenience. **Provided.**
13. The location and identification of proposed open space, parks or other recreation areas. **Not applicable.**
14. The location and design of landscaping, buffer areas and screening areas showing size, species and spacing of trees and plants and treatment of unpaved areas. **Provided.**
15. The location of sidewalks, walkways, traffic islands and all other areas proposed to be devoted to pedestrian use. **Provided.**





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

**Re: Sea Grass NJ, LLC  
272 Bay Avenue  
Block 78, Lot 12 & Block 73, Lot 3  
Central Business District (CBD) Zone  
Redevelopment Zone C-RO-1  
Minor Site Plan  
& Conditional Use  
First Completeness Review**

- 16. The nature and location of public and private utilities, including maintenance and solid waste disposal, recycling and/or storage facilities. **Provided. A trash enclosure area is shown. The applicant intends to utilize the existing building and retain all utility connections.**
- 17. Specific location and design of traffic control devices, signs and lighting fixtures. The Board may require of the applicant expert testimony concerning the adequacy of proposed traffic control devices, signs and lighting fixtures. **Provided.**
- 18. Preliminary architectural plans for the proposed buildings or structures indicating typical floor plans, elevations, heights and general design or architectural styling. **Partially provided. The existing building's first floor elevation is approximately elevation 6.0. The existing building is located within flood zone AE-11. Therefore, the building renovation plans should be designed in accordance with FEMA standards and the Borough of Highlands Flood Damage Prevention Ordinance requirements. I defer to the Borough Floodplain Manager for further review.**
- 19. The present and past status and use and contemplated use of the property and all existing buildings on the property. A cleanup plan where such is necessary because of the past or present use of the site. **Provided.**
- 20. A soil erosion and sediment control plan is required. Said plan shall be submitted to the Soil Conservation District and approval of the application shall be conditioned upon certification of the soil erosion and sediment control plan by the District. **Provided.**
- 21. Soil Borings, when required by the Board Engineer. **Not required.**
- 22. Certification statement for the required municipal signatures, stating: **Provided.**
  - o Application No. \_\_\_\_\_ approved/disapproved by the Highlands Land Use Board as a Minor Site Plan on \_\_\_\_\_.

(date)

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary
- 23. Certification statement for the County Planning Board approval / disapproval, if required. **Project fronts on a County Road, therefore approval or letter of no interest will ultimately be required from the County Planning Board.**
- 24. The Board may require any additional information which is reasonably necessary to ascertain compliance with the provisions of this chapter. **Informational.**





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

**Re:** Sea Grass NJ, LLC  
272 Bay Avenue  
Block 78, Lot 12 & Block 73, Lot 3  
Central Business District (CBD) Zone  
Redevelopment Zone C-RO-1  
Minor Site Plan  
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First Completeness Review

Per Section 21-97.M of the Ordinance, **one** cannabis retailer may be permitted in the Central Business District (CBD) Zone provided that applicable Article XI Design Standards are met together with any other requirements deemed necessary by the Land Use Board and applicable requirements of this chapter. **Prior to the public hearing the applicant shall provide a narrative outlining compliance with all Article XI Design Standards, and any applicable relief required/requested.**

**In addition, the cannabis retailer shall not be located within 1,000 feet of any school. As discussed in the technical review meeting, a legal determination will be required as the proposed parking lot supporting the retail operation may be within 1,000 feet of the Highlands Elementary School property. If the Article XI Design Standards cannot be met, or the determination that the parking lot falls within 1,000 feet of the school (and counts as part of the cannabis retailer operation), then a d(3) conditional use variance may be required.**

**It should be noted that this project is located within the Central Business District (CBD) Zone. The property is also located within the CBD Redevelopment Overlay 1 (C-RO-1) Zone. The applicant may elect to prepare the application in accordance with either the CBD Zone or C-RO-1 Zone criteria, but one or the other shall be identified.**

Adequate information has been provided in order to perform a technical review of the application. **The application shall therefore be deemed COMPLETE, pending confirmation from the Board Secretary that the balance of fees and escrows have been posted.**

**We will also commence technical review upon same notification.**

The application fee and escrow fee calculation letter will be provided under separate cover.

Should you have any questions or require any additional information, please call.

Very truly yours,

T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., P.P., C.M.E., C.F.M.  
LAND USE BOARD ENGINEER



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

**Re: Sea Grass NJ, LLC  
272 Bay Avenue  
Block 78, Lot 12 & Block 73, Lot 3  
Central Business District (CBD) Zone  
Redevelopment Zone C-RO-1  
Minor Site Plan  
& Conditional Use  
First Completeness Review**

EWH:KJO:KFJ

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)  
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@Weiner.law)  
Brian O'Callahan, Zoning Officer (bcallahan@middletownnj.org)  
Sea Grass NJ, LLC, Applicant (idrwhelan@gmail.com)  
Leonel Cervantes, Owner (leocervantes@hotmail.com)  
John B. Anderson, III, Esq., Applicant's Attorney (janderson@fsfm-law.com)  
Brent N. Papi, Jr., PE, Applicant's Engineer (bpapi@eastpointeng.com)  
Shissias Design & Development, Applicant's Architect (kevin966@gmail.com)

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HGPB- R2000

January 16, 2023

Nancy Tran, Land Use Board Secretary  
Borough of Highlands Land Use Board  
42 Shore Drive  
Highlands, New Jersey 07732

*Via Email (ntran@highlandsborough.org)*

**Re: Sea Grass NJ, LLC  
272 Bay Avenue  
Block 78, Lot 12 & Block 73, Lot 3  
Central Business District (CBD) Zone  
Redevelopment Zone C-RO-1  
Minor Site Plan  
& Conditional Use  
Fee and Escrow Calculation**

Dear Ms. Tran:

As requested, we have reviewed the above-referenced application in accordance with the Borough of Highlands Land Use Regulations Part 6 - Fee Schedule.

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

1. Preliminary & Final Major Site Plans prepared by Brent N. Papi, Jr., PE, of East Point Engineering, LLC, dated November 21, 2022, consisting of ten (10) sheets.
2. Architectural Plans prepared Shissias Design + Development, dated December 2, 2022, consisting of three (3) sheets.
3. Land Use Board Application and supporting documents, dated December 6, 2022.
4. Zoning Permit Application and supporting documents, dated November 3, 2022.

Please note the following fee calculations:

- 1. Application fee: \$1,600.00**
- 2. Escrow fee: \$3,200.00**

Please note that the initial application deposits shall be deducted from the total fees shown.

Should you have any questions or require any additional information, please call.

Very truly yours,

T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., P.P., C.M.E., C.F.M.  
LAND USE BOARD ENGINEER

EWH:KJO:KFJ  
Att.



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

**Re: Sea Grass NJ, LLC  
272 Bay Avenue  
Block 46, Lot 3  
Central Business District (CBD) Zone  
Minor Site Plan & Conditional Use  
Fee Determination**

**cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)  
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@Weiner.law)  
Brian O'Callahan, Zoning Officer (bcallahan@middletownnj.org)  
Sea Grass NJ, LLC, Applicant (idrwhelan@gmail.com)  
Leonel Cervantes, Owner (leocervantes@hotmail.com)  
John B. Anderson, III, Esq., Applicant's Attorney (janderson@fsfm-law.com)  
Brent N. Papi, Jr., PE, Applicant's Engineer (bpapi@eastpointeng.com)  
Shissias Design & Development, Applicant's Architect (kevin966@gmail.com)**

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HGPB-R2000

DETERMINATION OF FEES\*  
Sea Grass, LLC - 272 Bay Avenue  
Block 78, Lot 12 & Block 73, Lot 3

**A. APPLICATION FEES (Ord. 21-107)**

A. Variances

3. Nonresidential "c" (front yard setback)	1	EA	\$	250.00	\$	250.00
3. Nonresidential "c" (side yard setback per 21-91.A.4)	1	EA	\$	250.00	\$	250.00
3. Nonresidential "c" (lot coverage)	1	EA	\$	250.00	\$	250.00
4. Nonresidential "d3" (Section 21-97.M)	1	EA	\$	500.00	\$	500.00

C. Site Plans

1. Minor	1	LS	\$	100.00	\$	100.00
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E. Conditional Use Applications	1	EA	\$	250.00	\$	250.00
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**B. ESCROW FEES (Ord. 21-108)**

B. Escrow Deposits (twice Application Fee; Minimum \$750)	1	LS	\$	3,200.00	\$	3,200.00
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**Application fees subtotal** \$ 1,600.00

**Escrow fee subtotal** \$ 3,200.00

**Total** \$ 4,800.00

\*It should be noted that this application is being reviewed under the Central Business District (CBD) Zone criteria. The property is also located within the CBD Redevelopment Overlay 1 (C-RO-1) Zone. The applicant may elect to prepare the application in accordance with either the CBD Zone or C-RO-1 Zone criteria, but one or the other shall be identified.

# KLEIN

TRAFFIC CONSULTING, LLC

156 Walker Road  
West Orange, NJ 07052  
973-985-3464  
leekleintraffic@gmail.com

January 27, 2023

Nick Frangipane  
Jim Whelan  
Hannah LaRose  
C/O Sea Grass NJ LLC  
135 Maple Avenue  
Red Bank, NJ 07701

VIA EMAIL: [nick.frang@gmail.com](mailto:nick.frang@gmail.com)

**Re: Traffic Engineering and Parking Evaluation  
Proposed Cannabis Retailer  
272 Bay Avenue, Highlands, Monmouth County, NJ**

Dear Mr. Frangipane:

This Traffic Engineering and Parking Evaluation (TEPE) report outlines our findings and recommendations for the proposed change of use from a 1,575 square foot restaurant and 1 apartment dwelling to a 1,525 square foot cannabis retailer and 848 square foot small office.

### **Familiarization with the Application**

We have reviewed the architectural plan set dated 12/2/2022, prepared by Shissias Design + Development. We reviewed the site plan set dated 11/21/22, prepared by East Point Engineering, LLC. We referenced Google street view and aerial photographs to become familiar with the area.

**Bay Avenue (County Route 8)** is under the jurisdiction of Monmouth County. Bay Avenue is relatively flat, level, and straight near the subject site. Bay Avenue extends from S. Bay Avenue and Shore Drive in the east to Gravelly Point Road in the west. Bay Avenue runs parallel to and connects with Shore Drive at several intersecting streets. Near the subject site, Bay Avenue has one travel lane in each direction, with a posted speed limit of 25 MPH. Parking is permitted on both sides of the street with restrictions of “No Parking Friday between 7 AM and 8 AM” and “No Parking When Road is Snow Covered”. There are sidewalks on both sides of the street. There are curb ramps at the intersection of Bay Avenue with Sea Drift Avenue. In the Google street view images from September and October 2019, there are no painted crosswalks across Bay Avenue at the intersection of Bay Avenue with Sea Drift Avenue.

**Sea Drift Avenue** is a local roadway under the jurisdiction of Highlands Borough. Sea Drift Avenue extends from Shore Drive in the south to Marine Place in the north. Sea Drift Avenue is STOP-controlled at Bay Avenue with a northbound and southbound, single lane approach to Bay Avenue. Parking is permitted on both sides of the street. The statutory speed limit is 25 MPH. There are sidewalks on both sides of the street with no posted restrictions. In the Google street view images from September and October 2019, there are no painted crosswalks across Sea Drift Avenue at the intersection with Bay Avenue.

Mass Transportation

The number 834 bus line runs along Bay Avenue and stops at Washington Avenue and at Atlantic Street. The number 834 bus provides service between Highlands, Atlantic Highlands, Leonardo, New Monmouth, Middletown, and portions of Red Bank including the NJ Transit Rail Station. The available mass transportation provides a potential option for employees or customers to access the facility.

**Trip Generation Calculations**

According to the Trip Generation Manual, 11<sup>th</sup> Edition published by the Institute of Transportation Engineers (ITE), a High-Turnover (Sit-Down) Restaurant “*use consists of sit-down, full-service eating establishments with a typical duration of stay of 60 minutes or less. This type of restaurant is usually moderately priced, frequently belongs to a restaurant chain, and is commonly referred to as casual dining. Generally, these restaurants serve lunch and dinner; they may also be open for breakfast and are sometimes open 24 hours a day. These restaurants typically do not accept reservations. A patron commonly waits to be seated, is served by wait staff, orders from a menu, and pays after the meal. Some facilities offer carry-out for a small proportion of its customers. Some facilities within this land use may also contain a bar area for serving food and alcoholic drinks.*” Trip generation for the existing High-Turnover (Sit-Down) Restaurant was calculated using the current ITE Trip Generation, 11<sup>th</sup> Edition based on square footage and number of seats, as well as based on the “Peak of the Generator” and the “Peak of the Adjacent Street” (on a weekday the highest one hour of adjacent street traffic between 7-9 AM and 4-6 PM, and the highest one hour of street traffic a Saturday). We chose the larger of the trip generation values, “Peak of Generator” for 1,525 square feet.

According to the Trip Generation Manual, 11<sup>th</sup> Edition published by the ITE, Multifamily Housing (Low-Rise) *includes apartments, townhouses, and condominium located within the same building with at least three other dwelling units and that have two or three (floors) levels.* Trip generation for the existing 1-unit of multifamily housing (low-rise) was calculated using the current ITE Trip Generation, 11<sup>th</sup> Edition.

According to the Trip Generation Manual, 11<sup>th</sup> Edition published by the ITE, “*a Marijuana Dispensary is a stand-alone facility where cannabis is sold to patients or retail consumers in a legal manner.*” Trip generation for the proposed 1,525 square foot cannabis retailer was calculated using the current ITE Trip Generation, 11<sup>th</sup> Edition based on square footage for the

“Peak of the Generator” and the “Peak of the Adjacent Street”. We chose the larger of the trip generation values, “Peak of Generator” for 1,525 square feet.

According to the *Trip Generation Manual, 11<sup>th</sup> Edition* published by the ITE, a Small Office Building “is the same as a general office building (Land Use 710) but with less than or equal to 10,000 square feet of gross floor area. The building typically houses a single tenant. It is a location where affairs of a business, commercial or industrial organization, or professional person or firm are conducted.” Trip Generation for the proposed 848 square foot small office was calculated using the current ITE *Trip Generation, 11<sup>th</sup> Edition*.

We calculated the trip generation for the existing restaurant and apartment and for the proposed cannabis retailer and supporting office space. The attached Table 1 – Trip Generation Comparison and Summary tabulates the trip generation of the former restaurant and apartment and the proposed cannabis retailer. The existing restaurant and one apartment would generate 22 vehicle trips during the weekday AM peak hour, 26 vehicle trips during the weekday PM peak hour, and 18 vehicle trips during a Saturday peak hour. The proposed cannabis retailer and small office would generate 27 vehicle trips during the weekday AM peak hour, 39 vehicle trips during the weekday PM peak hour, and 46 vehicle trips during the Saturday peak hour.

Table 1 also shows the change in the number of weekday AM and PM peak hour trips and Saturday peak hour trips. The increase in the number of peak hour trips is 5 vehicle trips during weekday AM peak hour trips, 13 vehicle trips during the weekday PM peak hour, and 28 vehicle trips during the Saturday peak hour.

According to Transportation Impact Analysis for Site Development, published by the Institute of Transportation Engineers (ITE), an increase of less than 100 vehicle trips would not change the level of service of the local street network nor appreciably increase the volume-to-capacity ratio of an intersection approach. Also, NJDOT Access Management Code considers a significant increase in trips greater than 100 peak hour trips AND greater than a 10 percent increase in previously anticipated daily trips. Therefore, the proposed development is not anticipated to significantly impact the operations of the local streets. Based on industry guidelines from the Institute of Transportation Engineers (ITE) as well as the NJDOT Access Code, the new vehicle trips generated by the proposed change of use from a restaurant and apartment to a cannabis retailer would not have a significant impact on traffic operations. Furthermore, the traffic generated to and from the property’s parking lot would be distributed on Sea Drift Avenue to Bay Avenue and to Shore Drive, further lessening any potential traffic impacts.

We were able to research the NJDOT website and find traffic volumes on Bay Avenue between Sea Drift Avenue and Atlantic Street from Monday, June 25 to Thursday, June 28, 2018. These traffic volumes show the two-way traffic volumes on Bay Avenue as between 250 and 325



vehicles per hour during the AM peak period and between 375 and 450 vehicles per hour during the PM peak hour. If all the trips generated by the proposed cannabis retailer were to use Bay Avenue only, those trips would be about 16 percent of the total traffic along Bay Avenue. The restaurant and apartment traffic were about 9 percent of the total traffic volumes on Bay Avenue. But again, the traffic to and from the parking lot would be distributed to Bay Avenue and Shore Drive, further lessening the traffic impacts generated by the property. Typically, traffic volumes can vary from day to day by more than 10 percent. The traffic volumes collected from the NJDOT website show that the traffic volumes during the AM and PM peak period fluctuate by 10 percent to 15 percent between Tuesday, June 26, 2018, and Wednesday, June 27, 2018. Therefore, the increase in traffic volumes generated by the change of use from a restaurant and apartment to a cannabis retailer would be insignificant and not noticed by drivers in the area.

### **Parking Requirements**

The total space within the building is 2,373 square feet. Based on the local parking requirement of 1 parking space per 600 square feet pursuant to the Borough's Ordinance 21-65.14.D(7a), the 2,373 square feet of business/commercial/retail store use would require 4 parking spaces. The parking lot provides 17 parking spaces, including 1 ADA parking space, more than 4 times the required parking.

### **Conclusion**

Based on the number of trips that would be generated during the weekday AM and PM peak hours being less than the industry standard of 100 peak hour trips, and the fact that there are two main roadways, Bay Avenue and Shore Drive, to distribute the traffic generated by the proposed cannabis retailer, the traffic generated by the proposed cannabis retailer would not have a significant impact on the operation of the surrounding streets.

Using the local Ordinance requirements for parking for the currently proposed cannabis retailer, the total parking requirement is 4 parking spaces, whereas 17 parking spaces are provided. The proposed parking supply of 17 parking spaces is over 4 times more than required by the local Ordinance.

Please contact me if you have any questions.

Sincerely,



---

Lee D. Klein, P.E., PTOE  
NJPE 24GE03710400  
PTOE Certification 1627

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**Table 1 - Trip Generation Comparison and Summary  
272 Bay Avenue, Highlands, Monmouth County, NJ**

CODE	LAND USE	AMOUNT	WEEKDAY						SATURDAY		
			AM PEAK HOUR			PM PEAK HOUR			PEAK HOUR		
			IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL
<b>EXISTING</b>											
932	H-T (Sit-Down) Restaurant (Peak of Generator)	1,525 SF	12	9	21	13	12	8	9	8	17
932	H-T (Sit-Down) Restaurant (Street Peak)	1,525 SF	8	7	15	8	5	8	9	8	17
932	H-T (Sit-Down) Restaurant (Peak of Generator)	30 Seats	11	7	18	12	11	8	8	8	16
932	H-T (Sit-Down) Restaurant (Street Peak)	30 Seats	7	6	14	7	5	8	8	8	16
220	Low-Rise Apartment (Average Rate)	1 units	0	1	1	1	0	0	0	1	1
<b>TOTAL EXISTING TRIP GENERATION</b>			<b>12</b>	<b>10</b>	<b>22</b>	<b>14</b>	<b>12</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>18</b>
<b>PROPOSED</b>											
882	Marijuana Dispensary (Peak of Generator)	1,525 SF	14	12	26	18	19	22	22	22	44
882	Marijuana Dispensary (Street Peak)	1,525 SF	8	8	16	14	15	22	22	22	44
712	Small Office Building (General Urban/Suburban)	848 SF	1	0	1	1	1	1	1	1	2
<b>TOTAL EXISTING TRIP GENERATION</b>			<b>15</b>	<b>12</b>	<b>27</b>	<b>19</b>	<b>20</b>	<b>23</b>	<b>23</b>	<b>24</b>	<b>46</b>
<b>CHANGE IN NUMBER OF VEHICLE TRIPS</b>			<b>3</b>	<b>2</b>	<b>5</b>	<b>5</b>	<b>8</b>	<b>13</b>	<b>13</b>	<b>14</b>	<b>28</b>

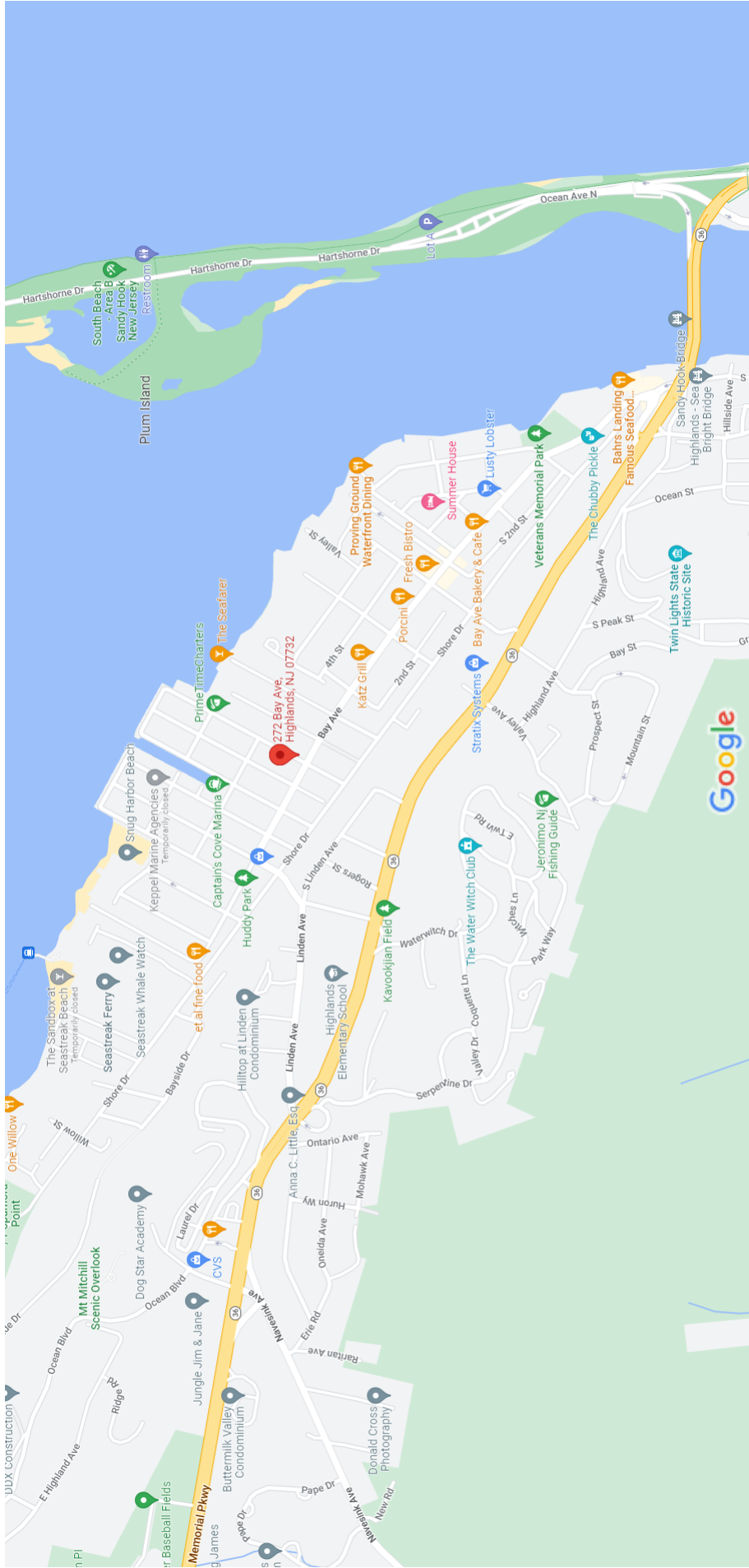
SOURCE: *Trip Generation, 11th Edition*, published by the Institute of Transportation Engineers (ITE)

NOTE: ## - Indicates an INCREASE in the number of trips from existing to proposed

# Google Maps

## 272 Bay Ave

LOCATION MAP



Map data ©2023 Google 500 ft

**PROJECT DESCRIPTION**

PROJECT: SEA GRASS NJ DISPENSARY  
 INTERIOR RENOVATIONS / COMMERCIAL FIT-OUT

272 BAY AVENUE  
 BOROUGH OF HIGHLANDS, NEW JERSEY  
 MONMOUTH COUNTY  
 BLOCK 72 - LOT 12

PROPOSED USE: COMMERCIAL (B & M OCCUPANCY)

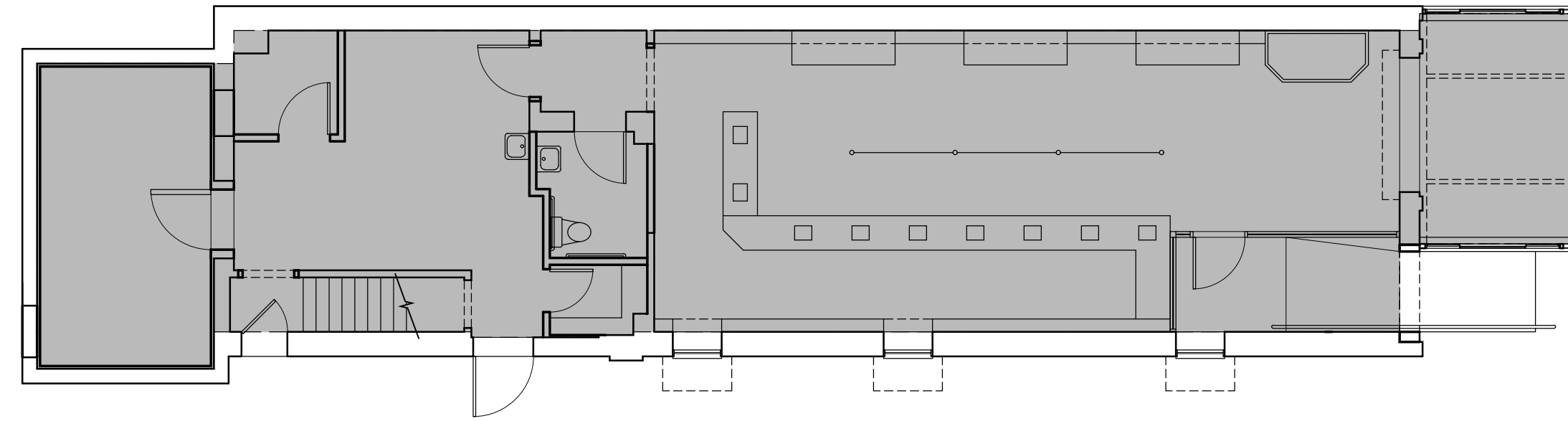
PROJECT DESCRIPTION: INTERIOR RENOVATION OF EXISTING FIRST FLOOR RESTAURANT INTO  
 MERCHANTILE SPACE AND INTERIOR RENOVATION OF EXISTING SECOND FLOOR  
 RESIDENTIAL APARTMENT INTO A TYPICAL USE (NON-HIGH-CONCENTRATION)  
 OFFICE SPACE TO ACCOMPANY FIRST FLOOR BUSINESS.

# Sea Grass NJ

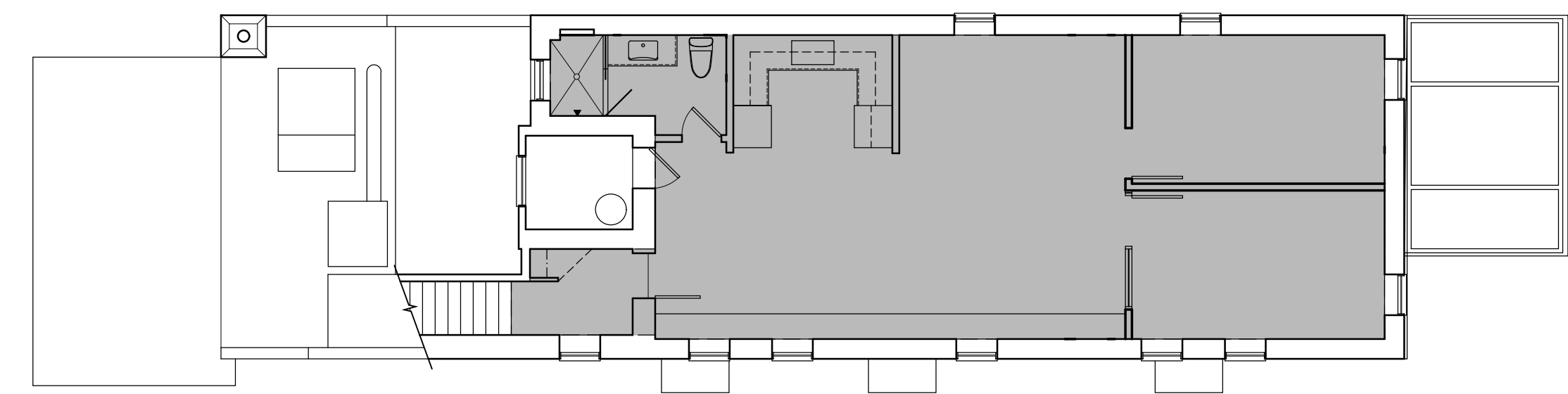
Interior Renovations / Commercial Fit-Out  
 272 Bay Avenue, Borough of Highlands, NJ 07732  
 Block 72, Lot 12

**DRAWING LIST**

- A1 COVER SHEET & DEMO
- A2 PROPOSED FLOOR PLANS
- A3 EXTERIOR ELEVATIONS

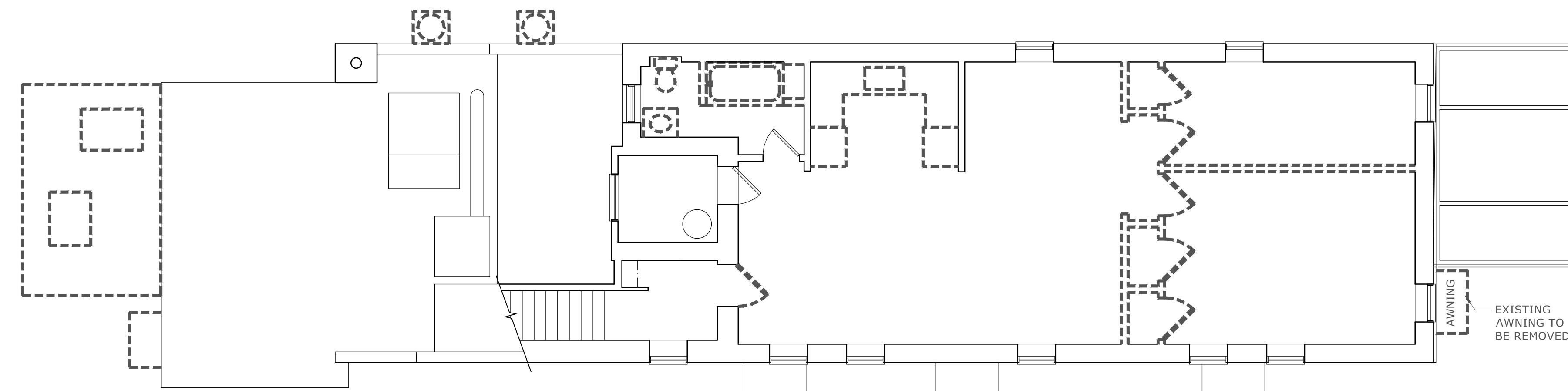


3 1ST FLOOR GROSS FLOOR AREA DIAGRAM  
 A2 1/8" = 1'-0"

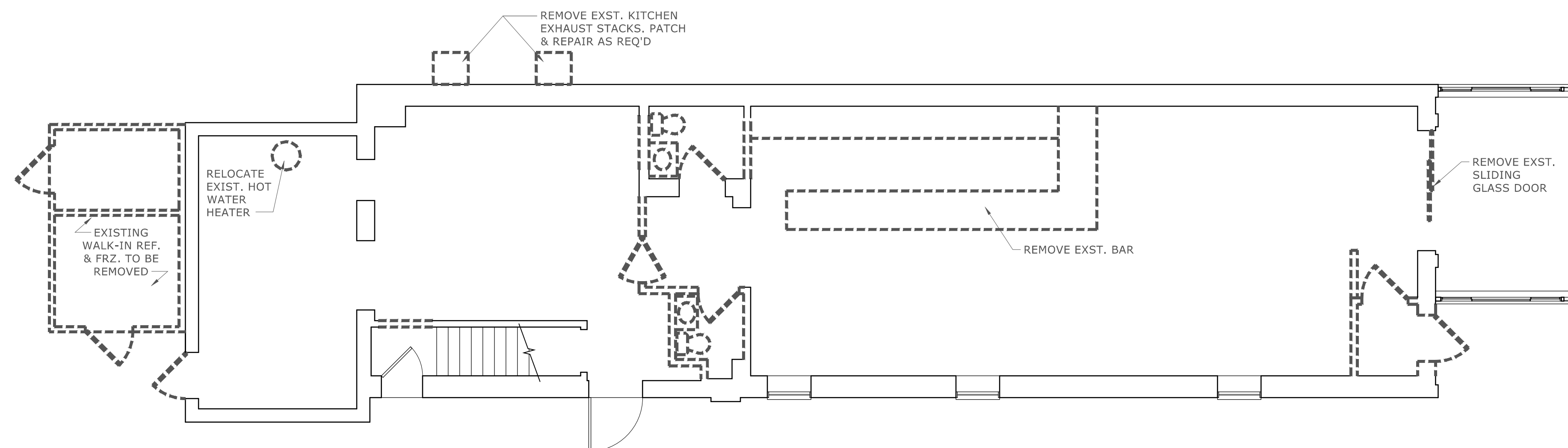


4 2ND FLOOR GROSS FLOOR AREA DIAGRAM  
 A2 1/8" = 1'-0"

1ST FL.	1,525 SF
2ND FL.	848 SF
<b>TOTAL G.F.A.</b>	<b>2,373 SF</b>



2 SECOND FLOOR DEMOLITION PLAN  
 A2 3/16" = 1'-0"



1 FIRST FLOOR DEMOLITION PLAN  
 A2 3/16" = 1'-0"

**DEMOLITION LEGEND**

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- EXISTING DOOR TO REMAIN
- EXISTING DOOR TO BE DEMOLISHED

**DEMOLITION NOTES**

VERIFY ALL EXISTING CONDITIONS IN FIELD PRIOR TO DEMOLITION. CONTRACTOR TO NOTIFY ARCHITECT IF EXISTING CONDITIONS VARY FROM DRAWINGS.

CONFIRM EXISTING STRUCTURE WITH ARCHITECT

CONTRACTOR TO PROVIDE TEMPORARY SUPPORT FOR ALL STRUCTURAL BEARING MEMBERS PRIOR TO ANY DEMOLITION.

CONTRACTOR TO REMOVE & CAP ALL EXISTING ELECTRICAL & PLUMBING AS REQUIRED FOR DEMOLITION AND NEW WORK.

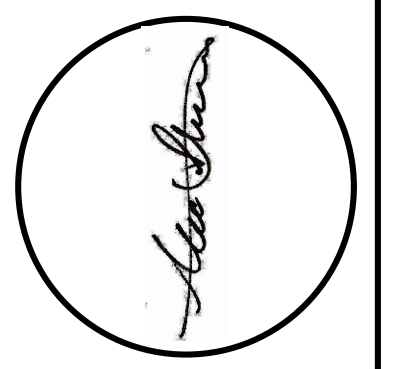
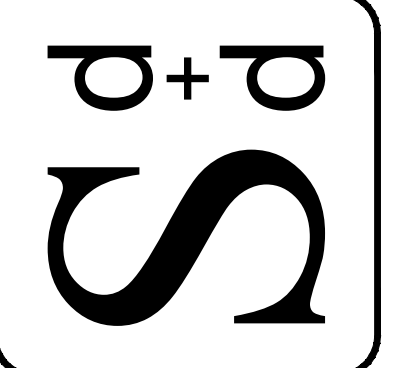
PATCH AND REPAIR EXISTING TO MATCH ADJACENT AS NECESSARY.

EXISTING WINDOWS TO REMAIN UNLESS NOTED OTHERWISE.

CONTRACTOR TO CONDUCT A WALK-THROUGH WITH THE OWNER PRIOR TO COMMENCING DEMOLITION TO CONFIRM WHAT IS TO BE DEMOLISHED, REMOVED, SALVAGED, ETC.

SEE PROPOSED PLANS AND ELEVATIONS TO HELP DETERMINE THE EXTENT OF DEMOLITION THAT IS REQUIRED.

**SHISSIAS**  
 DESIGN + DEVELOPMENT  
 Alec P. Shissias, P.A., R.A.  
 956.448.0665  
 www.shissias.com  
 ashissias@gmail.com  
 27 1st St. Rumson, NJ 07746  
 NJ Landscape Architect # 21A50011990



NOT FOR CONSTRUCTION UNLESS SIGNED & SEALED BY ARCHITECT & APPROVED BY ALL AGENCIES HAVING JURISDICTION.

USE OF THIS DESIGN OR DISSEMINATION IS PROHIBITED WITHOUT PRIOR WRITTEN CONSENT OF SHISSIAS DESIGN AND DEVELOPMENT. ALL COPYRIGHT LAWS ARE RESERVED. DRAWINGS ARE NOT INTENDED FOR PROTOTYPICAL USE. SHISSIAS DESIGN AND DEVELOPMENT © 2022.

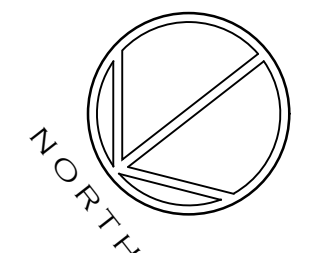
ISSUE	REVISIONS

**Sea Grass NJ**  
 Interior Renovations / Commercial Fit-Out  
 272 Bay Avenue, Borough of Highlands, NJ 07732  
 Block 72, Lot 12

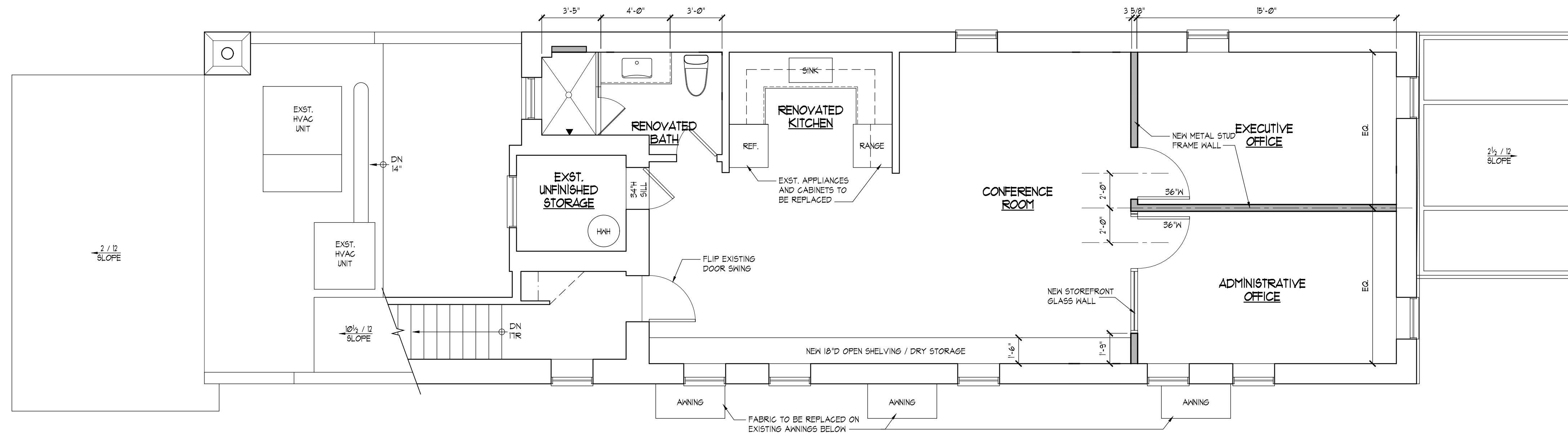
Proj. No: 2022.81  
 Issued For: Board Approval  
 Date: 1 / 25 / 2023

**COVER SHEET & DEMO**

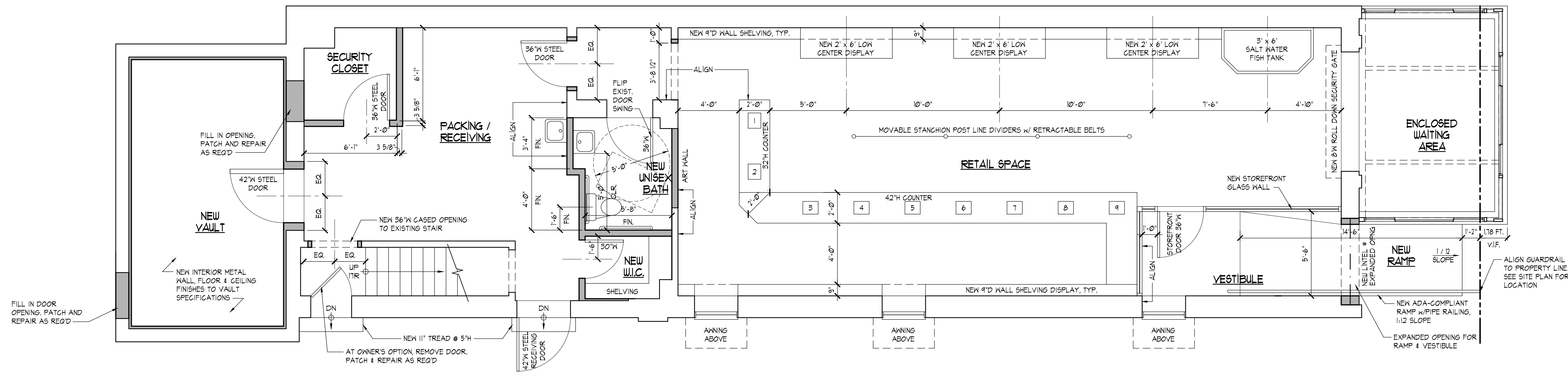
**A1**



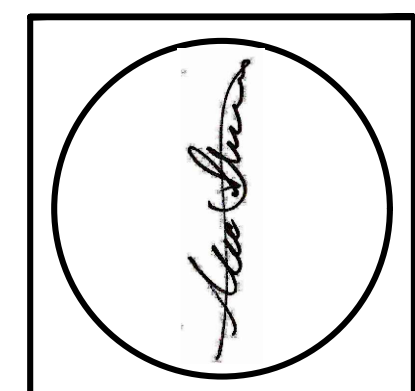
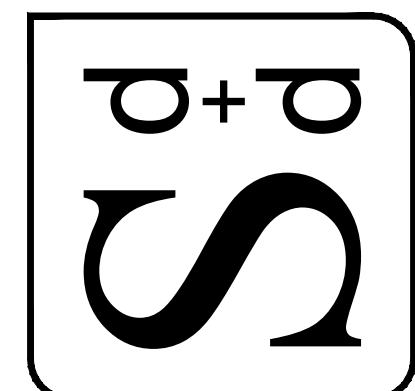




2 SECOND FLOOR PLAN  
A3 1/4" = 1'-0"



1 FIRST FLOOR PLAN  
A3 1/4" = 1'-0"

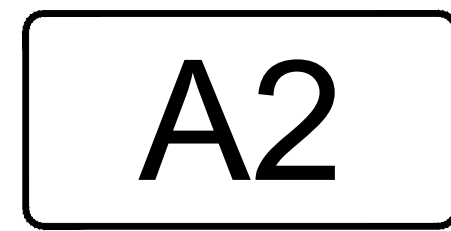


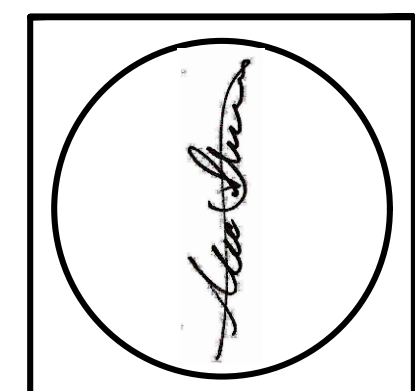
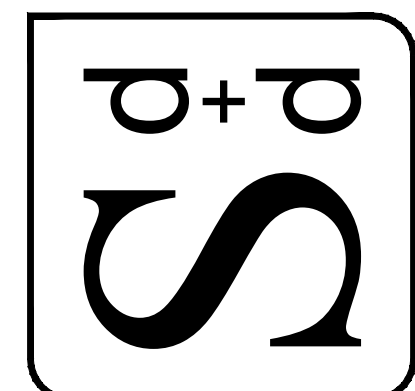
NOT FOR CONSTRUCTION UNLESS SIGNED & SEALED BY ARCHITECT & APPROVED BY ALL AGENCIES HAVING JURISDICTION.  
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Proj. No: 2022.81  
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Date: 1/25/2023

PROPOSED FLOOR PLANS





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ISSUE	REVISIONS

**Sea Grass NJ**  
 Interior Renovations / Commercial Fit-Out  
 272 Bay Avenue, Borough of Highlands, NJ 07732  
 Block 72, Lot 12

Proj. No: 2022.81  
 Issued For: Board Approval  
 Date: 1 / 25 / 2023

EXTERIOR ELEVATIONS

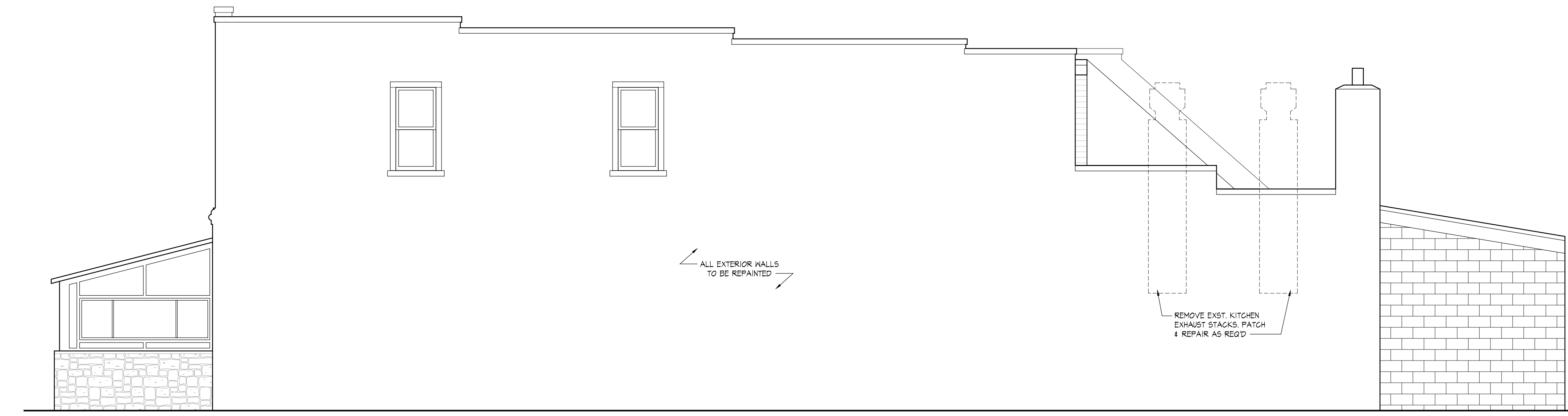
**A3**



5 SIGNAGE DETAIL  
 A4 1/2" = 1'-0"



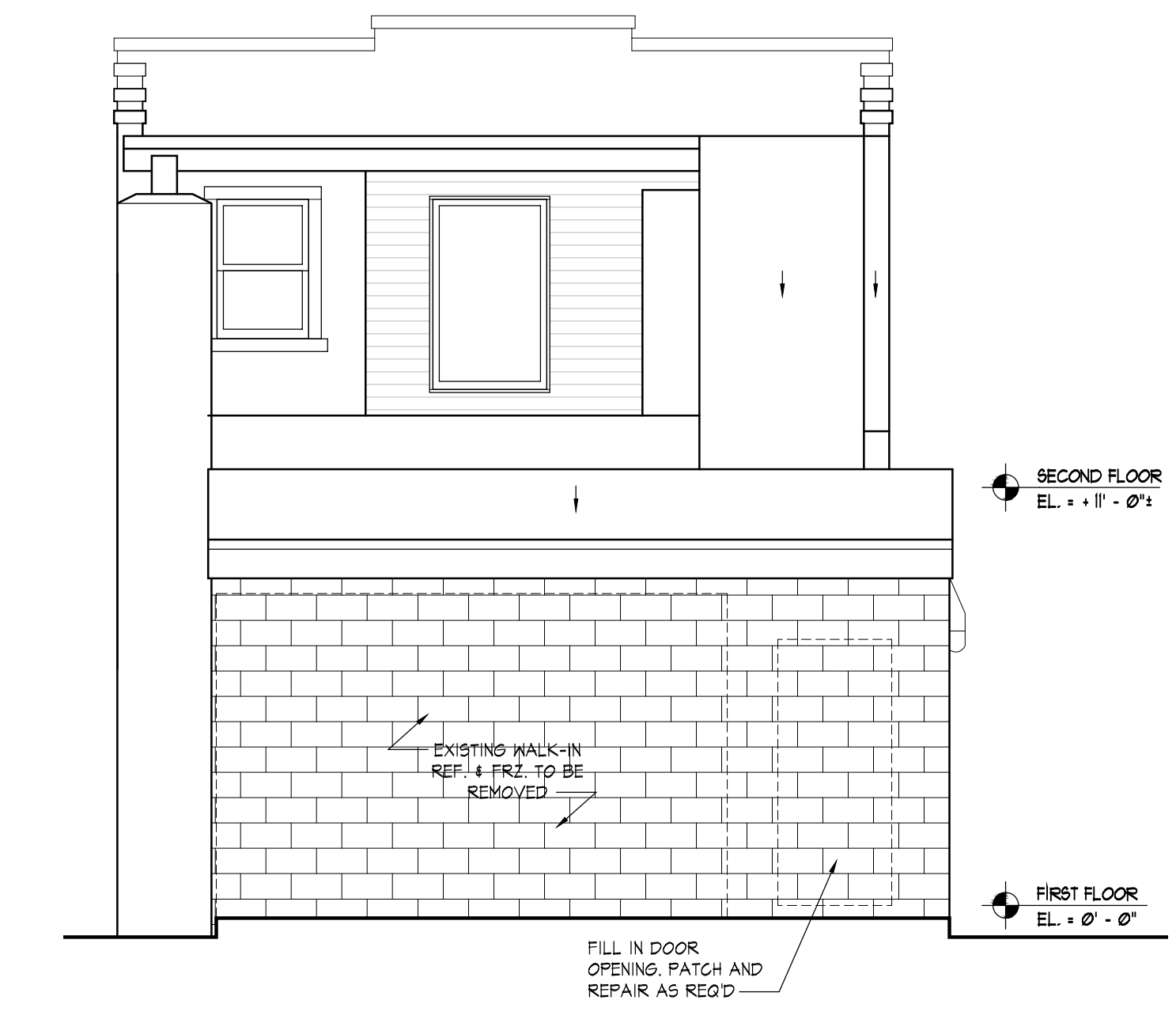
2 SIDE (SEA DRIFT AVE.) ELEVATION  
 A4 1/4" = 1'-0"



4 SIDE ELEVATION  
 A4 1/4" = 1'-0"



1 FRONT (BAY AVE.) ELEVATION  
 A4 1/4" = 1'-0"



3 REAR ELEVATION  
 A4 1/4" = 1'-0"

# KLEIN

TRAFFIC CONSULTING, LLC

156 Walker Road  
West Orange, NJ 07052  
973-985-3464  
leekleintraffic@gmail.com

January 27, 2023

Nick Frangipane  
Jim Whelan  
Hannah LaRose  
C/O Sea Grass NJ LLC  
135 Maple Avenue  
Red Bank, NJ 07701

VIA EMAIL: [nick.frang@gmail.com](mailto:nick.frang@gmail.com)

**Re: Traffic Engineering and Parking Evaluation  
Proposed Cannabis Retailer  
272 Bay Avenue, Highlands, Monmouth County, NJ**

Dear Mr. Frangipane:

This Traffic Engineering and Parking Evaluation (TEPE) report outlines our findings and recommendations for the proposed change of use from a 1,575 square foot restaurant and 1 apartment dwelling to a 1,525 square foot cannabis retailer and 848 square foot small office.

### **Familiarization with the Application**

We have reviewed the architectural plan set dated 12/2/2022, prepared by Shissias Design + Development. We reviewed the site plan set dated 11/21/22, prepared by East Point Engineering, LLC. We referenced Google street view and aerial photographs to become familiar with the area.

**Bay Avenue (County Route 8)** is under the jurisdiction of Monmouth County. Bay Avenue is relatively flat, level, and straight near the subject site. Bay Avenue extends from S. Bay Avenue and Shore Drive in the east to Gravelly Point Road in the west. Bay Avenue runs parallel to and connects with Shore Drive at several intersecting streets. Near the subject site, Bay Avenue has one travel lane in each direction, with a posted speed limit of 25 MPH. Parking is permitted on both sides of the street with restrictions of “No Parking Friday between 7 AM and 8 AM” and “No Parking When Road is Snow Covered”. There are sidewalks on both sides of the street. There are curb ramps at the intersection of Bay Avenue with Sea Drift Avenue. In the Google street view images from September and October 2019, there are no painted crosswalks across Bay Avenue at the intersection of Bay Avenue with Sea Drift Avenue.

**Sea Drift Avenue** is a local roadway under the jurisdiction of Highlands Borough. Sea Drift Avenue extends from Shore Drive in the south to Marine Place in the north. Sea Drift Avenue is STOP-controlled at Bay Avenue with a northbound and southbound, single lane approach to Bay Avenue. Parking is permitted on both sides of the street. The statutory speed limit is 25 MPH. There are sidewalks on both sides of the street with no posted restrictions. In the Google street view images from September and October 2019, there are no painted crosswalks across Sea Drift Avenue at the intersection with Bay Avenue.

Mass Transportation

The number 834 bus line runs along Bay Avenue and stops at Washington Avenue and at Atlantic Street. The number 834 bus provides service between Highlands, Atlantic Highlands, Leonardo, New Monmouth, Middletown, and portions of Red Bank including the NJ Transit Rail Station. The available mass transportation provides a potential option for employees or customers to access the facility.

**Trip Generation Calculations**

According to the Trip Generation Manual, 11<sup>th</sup> Edition published by the Institute of Transportation Engineers (ITE), a High-Turnover (Sit-Down) Restaurant “*use consists of sit-down, full-service eating establishments with a typical duration of stay of 60 minutes or less. This type of restaurant is usually moderately priced, frequently belongs to a restaurant chain, and is commonly referred to as casual dining. Generally, these restaurants serve lunch and dinner; they may also be open for breakfast and are sometimes open 24 hours a day. These restaurants typically do not accept reservations. A patron commonly waits to be seated, is served by wait staff, orders from a menu, and pays after the meal. Some facilities offer carry-out for a small proportion of its customers. Some facilities within this land use may also contain a bar area for serving food and alcoholic drinks.*” Trip generation for the existing High-Turnover (Sit-Down) Restaurant was calculated using the current ITE Trip Generation, 11<sup>th</sup> Edition based on square footage and number of seats, as well as based on the “Peak of the Generator” and the “Peak of the Adjacent Street” (on a weekday the highest one hour of adjacent street traffic between 7-9 AM and 4-6 PM, and the highest one hour of street traffic a Saturday). We chose the larger of the trip generation values, “Peak of Generator” for 1,525 square feet.

According to the Trip Generation Manual, 11<sup>th</sup> Edition published by the ITE, Multifamily Housing (Low-Rise) *includes apartments, townhouses, and condominium located within the same building with at least three other dwelling units and that have two or three (floors) levels.* Trip generation for the existing 1-unit of multifamily housing (low-rise) was calculated using the current ITE Trip Generation, 11<sup>th</sup> Edition.

According to the Trip Generation Manual, 11<sup>th</sup> Edition published by the ITE, “*a Marijuana Dispensary is a stand-alone facility where cannabis is sold to patients or retail consumers in a legal manner.*” Trip generation for the proposed 1,525 square foot cannabis retailer was calculated using the current ITE Trip Generation, 11<sup>th</sup> Edition based on square footage for the



“Peak of the Generator” and the “Peak of the Adjacent Street”. We chose the larger of the trip generation values, “Peak of Generator” for 1,525 square feet.

According to the *Trip Generation Manual, 11<sup>th</sup> Edition* published by the ITE, a Small Office Building “is the same as a general office building (Land Use 710) but with less than or equal to 10,000 square feet of gross floor area. The building typically houses a single tenant. It is a location where affairs of a business, commercial or industrial organization, or professional person or firm are conducted.” Trip Generation for the proposed 848 square foot small office was calculated using the current ITE *Trip Generation, 11<sup>th</sup> Edition*.

We calculated the trip generation for the existing restaurant and apartment and for the proposed cannabis retailer and supporting office space. The attached Table 1 – Trip Generation Comparison and Summary tabulates the trip generation of the former restaurant and apartment and the proposed cannabis retailer. The existing restaurant and one apartment would generate 22 vehicle trips during the weekday AM peak hour, 26 vehicle trips during the weekday PM peak hour, and 18 vehicle trips during a Saturday peak hour. The proposed cannabis retailer and small office would generate 27 vehicle trips during the weekday AM peak hour, 39 vehicle trips during the weekday PM peak hour, and 46 vehicle trips during the Saturday peak hour.

Table 1 also shows the change in the number of weekday AM and PM peak hour trips and Saturday peak hour trips. The increase in the number of peak hour trips is 5 vehicle trips during weekday AM peak hour trips, 13 vehicle trips during the weekday PM peak hour, and 28 vehicle trips during the Saturday peak hour.

According to Transportation Impact Analysis for Site Development, published by the Institute of Transportation Engineers (ITE), an increase of less than 100 vehicle trips would not change the level of service of the local street network nor appreciably increase the volume-to-capacity ratio of an intersection approach. Also, NJDOT Access Management Code considers a significant increase in trips greater than 100 peak hour trips AND greater than a 10 percent increase in previously anticipated daily trips. Therefore, the proposed development is not anticipated to significantly impact the operations of the local streets. Based on industry guidelines from the Institute of Transportation Engineers (ITE) as well as the NJDOT Access Code, the new vehicle trips generated by the proposed change of use from a restaurant and apartment to a cannabis retailer would not have a significant impact on traffic operations. Furthermore, the traffic generated to and from the property’s parking lot would be distributed on Sea Drift Avenue to Bay Avenue and to Shore Drive, further lessening any potential traffic impacts.

We were able to research the NJDOT website and find traffic volumes on Bay Avenue between Sea Drift Avenue and Atlantic Street from Monday, June 25 to Thursday, June 28, 2018. These traffic volumes show the two-way traffic volumes on Bay Avenue as between 250 and 325

vehicles per hour during the AM peak period and between 375 and 450 vehicles per hour during the PM peak hour. If all the trips generated by the proposed cannabis retailer were to use Bay Avenue only, those trips would be about 16 percent of the total traffic along Bay Avenue. The restaurant and apartment traffic were about 9 percent of the total traffic volumes on Bay Avenue. But again, the traffic to and from the parking lot would be distributed to Bay Avenue and Shore Drive, further lessening the traffic impacts generated by the property. Typically, traffic volumes can vary from day to day by more than 10 percent. The traffic volumes collected from the NJDOT website show that the traffic volumes during the AM and PM peak period fluctuate by 10 percent to 15 percent between Tuesday, June 26, 2018, and Wednesday, June 27, 2018. Therefore, the increase in traffic volumes generated by the change of use from a restaurant and apartment to a cannabis retailer would be insignificant and not noticed by drivers in the area.

### **Parking Requirements**

The total space within the building is 2,373 square feet. Based on the local parking requirement of 1 parking space per 600 square feet pursuant to the Borough's Ordinance 21-65.14.D(7a), the 2,373 square feet of business/commercial/retail store use would require 4 parking spaces. The parking lot provides 17 parking spaces, including 1 ADA parking space, more than 4 times the required parking.

### **Conclusion**

Based on the number of trips that would be generated during the weekday AM and PM peak hours being less than the industry standard of 100 peak hour trips, and the fact that there are two main roadways, Bay Avenue and Shore Drive, to distribute the traffic generated by the proposed cannabis retailer, the traffic generated by the proposed cannabis retailer would not have a significant impact on the operation of the surrounding streets.

Using the local Ordinance requirements for parking for the currently proposed cannabis retailer, the total parking requirement is 4 parking spaces, whereas 17 parking spaces are provided. The proposed parking supply of 17 parking spaces is over 4 times more than required by the local Ordinance.

Please contact me if you have any questions.

Sincerely,



Lee D. Klein, P.E., PTOE  
NJPE 24GE03710400  
PTOE Certification 1627

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**Table 1 - Trip Generation Comparison and Summary  
272 Bay Avenue, Highlands, Monmouth County, NJ**

CODE	LAND USE	AMOUNT	WEEKDAY						SATURDAY			
			AM PEAK HOUR			PM PEAK HOUR			PEAK HOUR			
			IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	
<b>EXISTING</b>												
932	H-T (Sit-Down) Restaurant (Peak of Generator)	1,525 SF	12	9	21	13	12	12	25	9	8	17
932	H-T (Sit-Down) Restaurant (Street Peak)	1,525 SF	8	7	15	8	5	14	9	8	17	
932	H-T (Sit-Down) Restaurant (Peak of Generator)	30 Seats	11	7	18	12	11	23	8	8	16	
932	H-T (Sit-Down) Restaurant (Street Peak)	30 Seats	7	6	14	7	5	12	8	8	16	
220	Low-Rise Apartment (Average Rate)	1 units	0	1	1	1	0	1	0	1	1	
<b>TOTAL EXISTING TRIP GENERATION</b>			<b>12</b>	<b>10</b>	<b>22</b>	<b>14</b>	<b>12</b>	<b>26</b>	<b>9</b>	<b>9</b>	<b>18</b>	
<b>PROPOSED</b>												
882	Marijuana Dispensary (Peak of Generator)	1,525 SF	14	12	26	18	19	37	22	22	44	
882	Marijuana Dispensary (Street Peak)	1,525 SF	8	8	16	14	15	29	22	22	44	
712	Small Office Building (General Urban/Suburban)	848 SF	1	0	1	1	1	2	1	1	2	
<b>TOTAL EXISTING TRIP GENERATION</b>			<b>15</b>	<b>12</b>	<b>27</b>	<b>19</b>	<b>20</b>	<b>39</b>	<b>23</b>	<b>24</b>	<b>46</b>	
<b>CHANGE IN NUMBER OF VEHICLE TRIPS</b>			<b>3</b>	<b>2</b>	<b>5</b>	<b>5</b>	<b>8</b>	<b>13</b>	<b>13</b>	<b>14</b>	<b>28</b>	

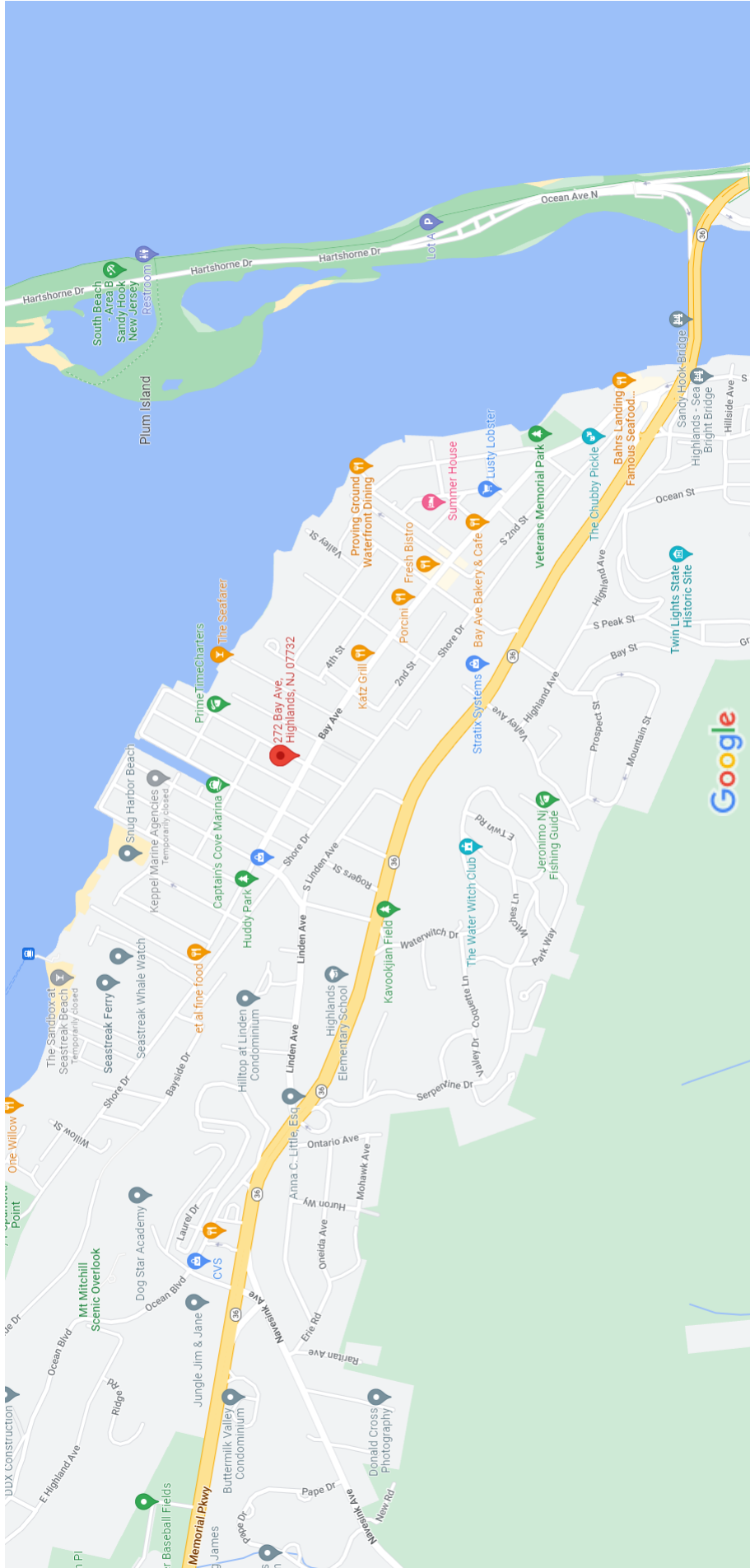
SOURCE: *Trip Generation, 11th Edition*, published by the Institute of Transportation Engineers (ITE)

NOTE: ## - Indicates an INCREASE in the number of trips from existing to proposed

# Google Maps

## 272 Bay Ave

LOCATION MAP



Map data ©2023 Google 500 ft



HGPB- R2000

February 3, 2023

Nancy Tran, Land Use Board Secretary  
 Borough of Highlands Land Use Board  
 42 Shore Drive  
 Highlands, New Jersey 07732

*Via Email (ntran@highlandsborough.org)*

**Re: Sea Grass NJ, LLC  
 272 Bay Avenue  
 Block 72, Lot 12 & Block 73, Lot 2  
 Central Business District (CBD) Zone  
 Redevelopment Zone C-RO-1  
 Minor Site Plan  
 & Conditional Use Variance  
 First Engineering Review**

Dear Ms. Tran:

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

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

1. Preliminary & Final Major Site Plans prepared by Brent N. Papi, Jr., PE, of East Point Engineering, LLC, dated November 21, 2022, and last revised January 23, 2023, consisting of ten (10) sheets.
2. Architectural Plans prepared Shissias Design + Development, dated January 25, 2023, consisting of three (3) sheets.
3. Land Use Board Application and supporting documents, dated December 6, 2022.
4. Zoning Permit Application and supporting documents, dated November 3, 2022.
5. Statement of Design Waivers, dated January 25, 2023.
6. Traffic Report prepared by Klein Traffic Consulting, LLC, dated January 27, 2023, consisting of six (6) sheets.

Based on our review of the submitted documents, we offer the following comments for the Board's consideration:

**A. Project Description**

The 2,300 square foot property is currently a developed corner lot with an existing commercial building (restaurant/bar) and a 7,000 square foot existing parking lot across the street. The site is located in the Central Business District (CBD) Zone of the Borough with frontage along Bay Avenue (County Route 8). With this application, the applicant is seeking minor site plan and conditional use (variance) approval and is proposing to renovate and convert the existing commercial building into a cannabis retail store and improve the existing parking lot across the street. The proposed cannabis retail use is a permitted conditional use in the CBD Zone.



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

**Re:** Sea Grass NJ, LLC  
272 Bay Avenue  
Block 72, Lot 12 & Block 73, Lot 2  
Central Business District (CBD) Zone  
Redevelopment Zone C-RO-1  
Minor Site Plan  
& Conditional Use Variance  
First Engineering Review

**B. Planning and Zoning**

1. The subject property is located within the CBD Zone. The applicant has elected to prepare the application in accordance with the CBD Zone requirements and is not seeking approval under the Redevelopment Plan.
2. In accordance with Section 21-91 of the Ordinance regarding CBD Zone criteria, existing/proposed bulk criteria are noted as follows:

CBD Zone	Required	Existing	Proposed
Minimum Lot Size (Lot 12, Block 72)	NA	2,300 SF	2,300 SF
Minimum Lot Size (Lot 2, Block 73)	NA	7,000 SF	7,000 SF
Minimum Lot Frontage – (Lot 12, Block 72)	NA	23’	23’
Minimum Lot Frontage – (Lot 2, Block 73)	NA	70’	70’
Minimum Lot Depth – (Lot 12, Block 72)	NA	100’	100’
Minimum Lot Depth – (Lot 2, Block 73)	NA	100’	100’
Minimum Front Yard Setback – Bay Avenue (County Route 8)	0’	-1.78’ <sup>(E)</sup>	-1.78’ <sup>(E)</sup>
Minimum Rear Yard Setback	12’	10.8’	10.8’
Minimum Side Yard Setback*	0’ or 5’ min.	0.61’ <sup>(E)</sup>	<b>0.61’</b> <sup>(E,V)</sup>
Maximum Building Height	36’	<36’	<36’
Maximum Building Coverage**	35%	83.0% <sup>(E)</sup>	<b>77.9%</b> <sup>(V)</sup>
Maximum Lot Coverage (Lot 12, Block 72)	80%	100% <sup>(E)</sup>	<b>100%</b> <sup>(E,V)</sup>
Maximum Lot Coverage (Lot 2, Block 73)	80%	2.8%	2.8%



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

**Re: Sea Grass NJ, LLC  
272 Bay Avenue  
Block 72, Lot 12 & Block 73, Lot 2  
Central Business District (CBD) Zone  
Redevelopment Zone C-RO-1  
Minor Site Plan  
& Conditional Use Variance  
First Engineering Review**

CBD Zone	Required	Existing	Proposed
Floor Area Ratio	0.65	1.31 <sup>(E)</sup>	<b>1.26<sup>(V)</sup></b>

- (E) – Existing Non-conformity
- (C) – Calculated
- (W) – Waiver
- (V) – Variance
- NA – Not Applicable

3. It is noted that the CBD zone considers principal use parking as a “conditional use.”
4. It is also noted that accessory uses are defined in the Ordinance as clearly incidental or subordinate to the principal building or use and *generally* located on the same lot with such principal building or use. In this proposal, the applicant is providing for parking on a separate lot. The Board shall determine the implications accordingly in conjunction with the Board Attorney.
5. Although cannabis retail is a conditionally permitted use in the CBD Zone, the development does not meet the following requirements of Section 21-97.M of the Ordinance:
  - a. Section 21-97.M of the Ordinance permits one (1) cannabis retailer in the CBD Zone provided that applicable Article XI Design Standards are met, whereas the applicant does not meet several applicable design standards.
  - b. It is noted that per Section 21-97.M.2 of the Ordinance, “the cannabis retailer shall not be located within 1,000 feet of any school”. The proposed retail building property appears to be greater than 1,000 feet from the elementary school. The separate parking lot may be within 1,000 feet. It is unclear whether the separate parking lot would count in this respect. The Board should determine if this requires any additional consideration under a d(3) conditional use variance.

**Since all of the conditional use requirements are not met, a “d(3)” use variance is therefore required.**

6. The following design waivers are required for the building lot:
  - a. Section 21-65.1.A of the Ordinance requires that he provisions of the zoning regulations with respect to height, minimum lot area, yard requirements, and the like



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

**Re: Sea Grass NJ, LLC  
272 Bay Avenue  
Block 72, Lot 12 & Block 73, Lot 2  
Central Business District (CBD) Zone  
Redevelopment Zone C-RO-1  
Minor Site Plan  
& Conditional Use Variance  
First Engineering Review**

shall be complied with. The existing building does not comply with multiple bulk standards.

- b. Section 21-65.5.C.1 of the Ordinance requires that commercial driveways be a minimum of 15' wide. The applicant proposes 10.8'.
- c. Section 21-65.10.C.1-2 of the Ordinance indicates that in non-residential zones landscape plans shall specify the location of the planting material, their minimum size at time of planting and size at full growth, quantity, variety, species (common name) and method of planting, and that a minimum of 10% of the area of the site shall be landscaped. The applicant cannot provide landscaping accordingly given that the balance of the site is pre-existing building and parking area.
- d. Section 21-65.11 of the Ordinance speaks to lighting requirements for drives, aisles, and parking areas. The applicant did not provide any explicit lighting evaluation for the rear driveway of the building nor documentation of compliance with the Ordinance standards there.

7. The following design waivers are required for the Sea Drift parking lot:

- a. Section 21-65.5.A of the Ordinance requires that driveways be located a minimum of 25' from any intersection, whereas the existing driveway entrance is less than 25'.
- b. Section 21-65.14.A of the Ordinance indicates that in conjunction with any principal building or any use of land, there shall be provided sufficient parking spaces to meet the minimum requirements specified herein. The required parking may either be provided on- or off-site. **Any part of the parking requirement located on a private lot other than the one on which the use is located shall be subject to a cross easement or agreements noted on the deed and recorded at the County Clerk's Office.** The applicant shall confirm how they plan to address this matter.
- c. Section 21-65.14.D.1 of the Ordinance indicates that all parking areas shall be paved, or constructed in accordance with CAFRA regulations with gravel or porous pavers, subject to the review and approval of the Borough or Board Engineer; shall be suitably drained and maintained in good condition; and all spaces and directional instructions shall be clearly marked and maintained so as to be clearly visible. The Sea Drift parking lot is currently gravel. The applicant's proposal is to add hard surface for ADA purposes, but to maintain the balance as gravel. The Board should determine if gravel is acceptable, or whether paving is required. If paving is required, the lot coverage by definition would increase and may require additional relief.





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- d. Section 21-65.14.D.2 of the Ordinance requires that parking spaces or access aisles shall have a minimum setback of at least one-half (1/2) the required setback for the principal building. This condition is not met, but is a pre-existing condition.
8. To be entitled to bulk variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A. 40: 55D-70c for the bulk variances:
- a. Positive Criteria. The applicant must prove either a hardship in developing the site in conformance to the zone standards due to exceptional narrowness, shallowness, or shape of the property; or due to exceptional topographic conditions or physical features uniquely affecting the property; or due to an extraordinary and exceptional situation affecting the property or its lawful existing structures. Alternatively, the applicant may satisfy the positive criteria by demonstrating that the variance relief will promote a public purpose as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D-2) and thereby provide improved community planning that benefits the public and the benefits of the variance substantially outweigh any detriment.
  - b. Negative Criteria. The applicant must also show that the bulk variances can be granted without substantial detriment to the public good or substantially impairing the intent and purpose of the zone plan. This requires consideration of the impact of the proposed variances on surrounding properties and a determination as to whether or not the variance would cause such damage to the character of the neighborhood as to constitute a substantial detriment to the public good.
9. In order for the Board to approve a "d(3)" variance, the applicant must satisfy the following:

With respect to the “positive criteria”, our courts have held that applicants seeking a conditional use variance must show that the site will accommodate the problems associated with the use even though the proposal does not comply with the conditions the Ordinance established to address those problems. This leaves the Board to focus on the *particular suitability* of the site in accommodating the use despite its failure to meet the conditions. The Board shall consider whether there are particular features of the site that lessen or entirely offset the failure to meet the Ordinance conditions and then whether there are conditions that the Board could require that would offset the failure.

With respect to the “negative criteria”, the applicant shall demonstrate that the variance can be granted without substantial detriment to the public good. The focus here should be on the impact of the proposed use variance on adjacent properties and a determination of whether or not it will cause such damage to the character of the neighborhood as to constitute substantial detriment to the public good.



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Additionally, the applicant shall demonstrate that the grant of the variance for this specific project at the designated site is reconcilable with the Borough’s legislative determination that the condition should be imposed on all conditional uses in that zoning district, such that it will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

- 10. If the applicant is pursuing consideration under the standard CBD Zone, **ad(4) use variance for floor area may also be implicated**. We note that this is a pre-existing building and condition, and it is unclear whether any prior approvals were granted.

**C. Site Requirements & Layout**

- 1. The applicant does not propose any off-site improvements as part of this application.
- 2. The site circulation includes one (1) driveway entrance on Sea Drift Ave. The driveway allows ingress and egress directly into the proposed parking facilities with no circulation around the site.
- 3. Under the CBD Zone, for the cannabis retail use, Section 21-65.14.D.7.a of the Ordinance requires one (1) off-street parking space per 600 square feet of gross floor area. The following is a summary of the required off-street parking spaces:

Cannabis Retail:	1 space/600 SF	@ 2,373 SF	<u>3.96 spaces</u>
Total Required Spaces:			4 spaces

A total of 4 parking spaces are required per CBD Zone criteria and 17 parking spaces are provided therefore no design waiver is required. Refer to comment 5.b above regarding reservation of parking spaces.

- 4. Table 208.2 of the 2010 ADA standards indicates that 1 ADA accessible parking space is to be provided when there are between 0 and 25 parking spaces. The applicant is proposing one van-accessible parking space on the Sea Drift parking lot.
- 5. The applicant shall provide testimony on whether employee parking spaces will be reserved on-site at the Sea Drift parking lot.
- 6. The applicant shall provide testimony on truck loading areas required as part of the proposed improvements. The applicant has indicated that a driveway will be constructed at the back of the building that will be suitable for use by the typical Sprinter-type vans that will provide deliveries.



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Borough of Highlands Land Use Board**

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**D. Traffic Impact**

1. The applicant provided a traffic impact report. The findings were that the proposed use is expected to only slightly increase the expected peak hour trip generation when compared to the pre-existing restaurant/bar and apartment use. The applicant's engineer shall provide testimony on the proposed traffic to be generated, circulation around the site, and whether any additional signage or pavement markings are necessary.
2. In our experience with cannabis retail facilities there can be a significant demand for on-site parking and pedestrian queuing along the facility's building and adjacent sidewalks. The applicant shall provide testimony on vehicular and pedestrian queuing expectations, logistics, and layout.
3. The applicant shall provide testimony as to the frequency and type of trucks that will access the site including those providing deliveries and garbage collection.
4. The applicant shall provide testimony on the trash and recyclables to be generated with the proposed use, along with the process, times, and frequency of refuse pickup.
5. We defer to the Borough Fire Official for review of the application with respect to emergency vehicle access and maneuvering, as well as traffic lane markings.

**E. Technical Engineering**

1. The proposed development will not disturb an area exceeding 1 acre, nor will it create more than a quarter acre of new impervious surfaces. Therefore, the project is not considered a "major development" as defined by NJAC. 7:8, and is not subject to the NJDEP Stormwater Management stormwater quantity, quality and recharge requirements of a major development.
2. The applicant shall provide testimony on existing drainage patterns and any potential changes or impacts.
3. The applicant shall provide testimony regarding the suitability of existing utility connections and/or additional utility connections or improvements necessitated by the subject application. All proposed utility improvements shall be shown on the plans including proper trench restoration.
4. The applicant shall confirm no sanitary sewer or water utilities will be impacted as a result of the subject application.
5. The applicant shall provide testimony on the existing fire service water line size and location. We defer to the Borough Fire Official for review.



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6. The applicant shall provide testimony on the existing lighting levels throughout the entire site and compliance with Section 21-65.11 of the Ordinance.
7. All outdoor lighting during non-operating hours of the business on site, not necessary for safety and security purposes, shall be reduced, activated by motion-sensor devices or turned off. The applicant shall provide testimony on the proposed lights and hours of operation. It is recommended they be placed on a timer.
8. The project site is located in the Coastal Area Facilities Review Act (CAFRA) Zone. The applicant shall comply with any applicable NJDEP requirements. The applicant has indicated that a permit is not required for this application. We defer further review to NJDEP.
9. The subject property is located within the “AE” Flood Zone with a Base Flood Elevation (BFE) of 11 feet. The applicant shall specify on the plans the proposed finished floor elevation. Additionally, it is recommended that the applicant obtains an Elevation Certificate for the subject property.  
  
We defer further review to the Flood Plain Administrator and Construction Official for any applicable building requirements accordingly.
10. The applicant shall provide testimony on any proposed flood mitigation measures.
11. The Building Department should review the architectural plans for ADA compliance.

**F. General**

1. The applicant shall consider all performance standards for the operations of the proposed facility including but not limited to noise, glare, pollutants, and refuse management, and provide testimony on said standards. Specifically, the applicant shall provide testimony on odor control.
2. The applicant shall provide testimony on any proposed signage. All signage shall be indicated on the plans and comply with Section 21-65.19 of the Ordinance.
3. The applicant shall provide testimony regarding any mechanical equipment proposed, such as A/C units and backup power generators, as well as any requirements for electric and other meters including any required platforms.
4. The applicant has indicated that no exterior renovations are proposed for the building. The applicant shall discuss interior renovations they have proposed.



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Borough of Highlands Land Use Board**

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5. A note shall be added to the plans indicating that all improvements are to be ADA compliant, where applicable.
6. A note shall be added to the plans stating that any/all existing curb, sidewalk, roadway, and other objects either in poor condition or damaged by construction should be repaired and/or replaced to the satisfaction of the Borough Engineer.
7. Testimony shall be provided regarding the proposed uses. The applicant shall be prepared to discuss the following:
  - a. Security and access.
  - b. Hours of operation.
  - c. Number of employees (total and maximum per shift).
  - d. Frequency and type of trucks that will access the site.
  - e. Type of goods to be sold.
8. Approvals or waivers should be obtained from any outside agencies having jurisdiction. These may include, but shall not be limited to, the following:
  - a. New Jersey Department of Environmental Protection
    - i. CAFRA
  - b. New Jersey Cannabis Regulatory Commission
  - c. Floodplain Official
  - d. Township of Middletown Sewerage Authority
  - e. New Jersey American Water
  - f. Borough Fire Official
  - g. Monmouth County Board of Health
  - h. Monmouth County Planning Board

We reserve the opportunity to further review and comment on this application and all pertinent documentation, pursuant to testimony presented at the public hearing. If you have any questions regarding this matter, please do not hesitate to contact our office.

Very truly yours,

T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., P.P., C.M.E., C.F.M.  
LAND USE BOARD ENGINEER



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

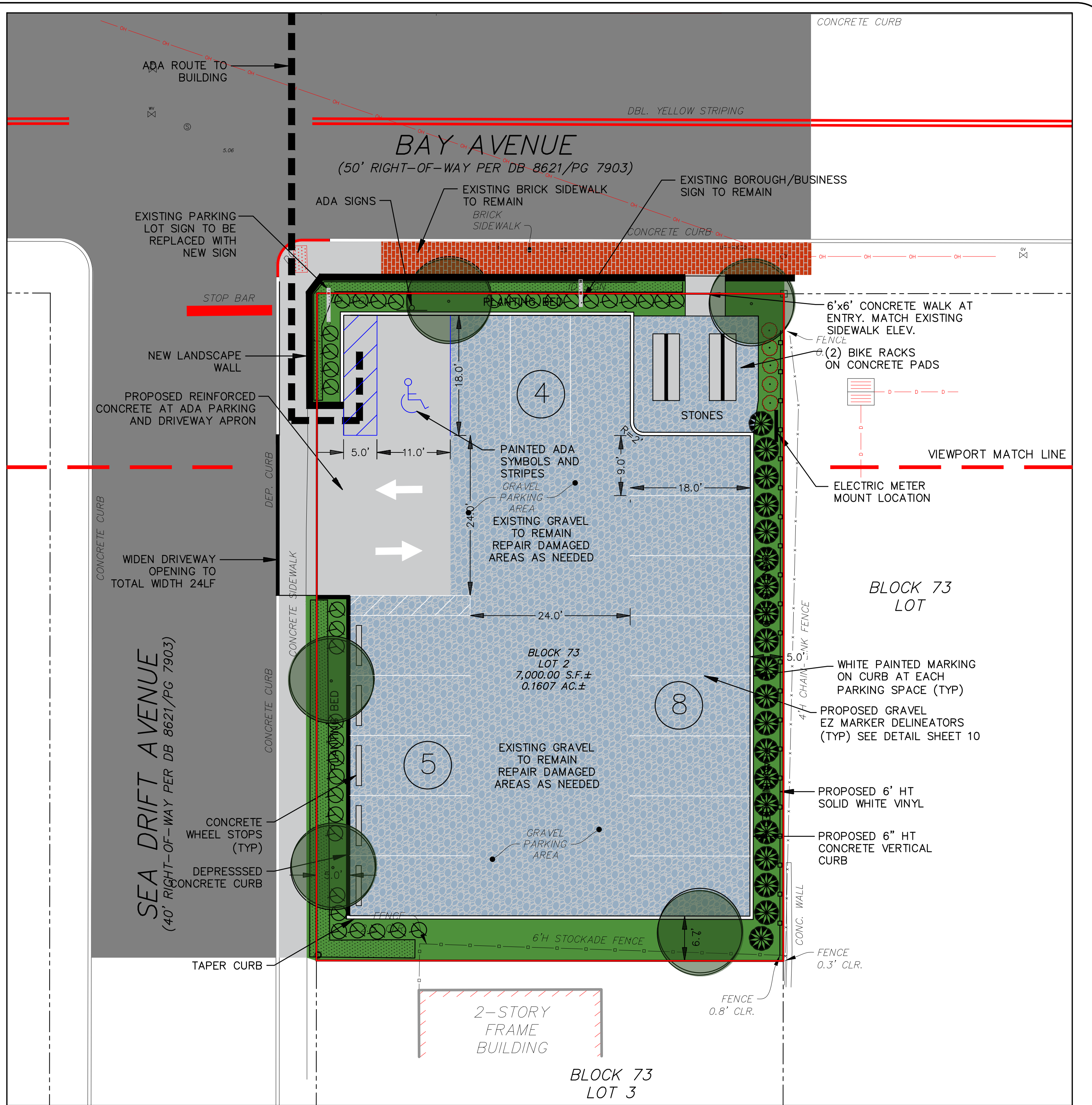
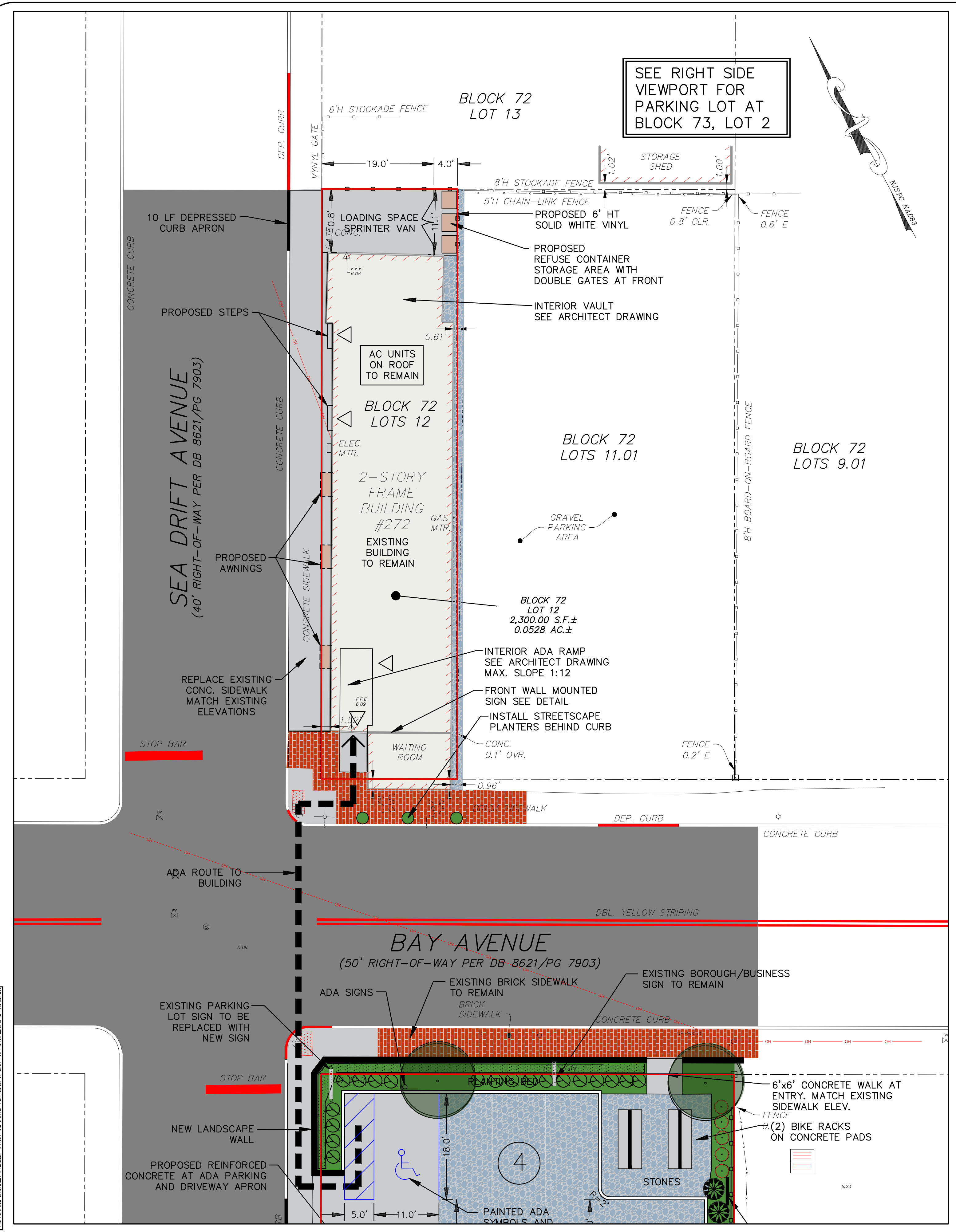
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EWH:EJC

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)  
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@Weiner.law)  
Brian O'Callahan, Zoning Officer (bcallahan@middletownnj.org)  
Sea Grass NJ, LLC, Applicant (idrwhelan@gmail.com)  
Leonel Cervantes, Owner (leocervantes@hotmail.com)  
John B. Anderson, III, Esq., Applicant's Attorney (janderson@fsfm-law.com)  
Brent N. Papi, Jr., PE, Applicant's Engineer (bpapi@eastpointeng.com)  
Shissias Design & Development, Applicant's Architect (kevin966@gmail.com)

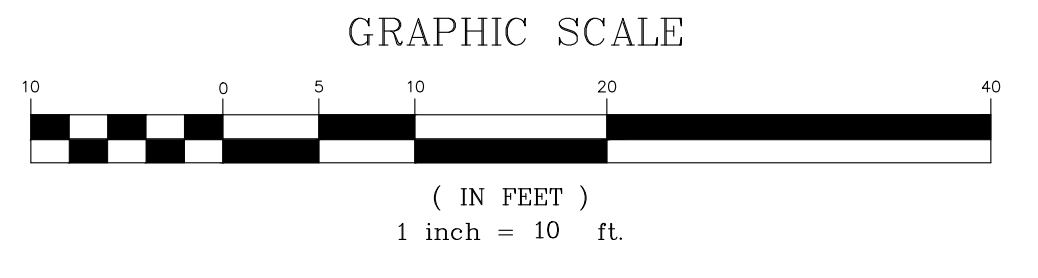
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**SITE IMPROVEMENT NOTES**

1. ALL SIGNS, STRIPING, AND DEVICES FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE IN ACCORDANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (M.U.T.C.D.), LATEST EDITION.
2. ALL JOINTS WITH EXISTING PAVED AREAS/ROADS SHALL BE CONSTRUCTED WITH A NEAT SAWCUT AND KEYWAY. JOINTS WITH EXISTING CONCRETE SHALL BE SAWCUT AND A BITUMINOUS MATERIAL PROVIDED AS AN EXPANSION JOINT FILLER.
3. ALL PARKING STALLS TO BE 9' x 18' UNLESS OTHERWISE NOTED ON THE PLANS.
4. SIDEWALKS, APRONS, RAMPS, AND CURBS TO BE CONSTRUCTED OF 4,500 PSI CONCRETE AS INDICATED ON THE CONSTRUCTION DETAILS.
5. SHOP DRAWINGS SHALL BE SUBMITTED TO THE MUNICIPAL ENGINEER FOR REVIEW AND APPROVAL PRIOR TO COMMENCING WORK.
6. DEPRESSED CURBS AT ALL CURB RAMPS SHALL BE CONSTRUCTED OUT OF CONCRETE.
7. ANY CURBING OR SIDEWALK FRONTING THE SITE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED.



**Exhibit A-3**

NO.	DATE	DESCRIPTION
1	1-23-23	REVISED PER BOROUGH TREC MEETING COMMENTS

**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SEA GRASS NJ, LLC**  
**SITE LAYOUT / SIGNAGE & STRIPING PLAN**  
 BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
 BOROUGH OF HIGHLANDS  
 MONMOUTH COUNTY, NEW JERSEY  
 TAX MAP SHEETS NO. 15 & 16

**EAST POINT ENGINEERING, LLC**  
 NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 24GA28169800

11 South Main Street  
 Marlboro, NJ 07746  
 Tel: 732.577.0180

<i>Brent N. Papi, Jr.</i>	DATE: 01/23/23	PROJECT NUMBER: 21-1166
BRENT N. PAPI, JR. N.J. PROFESSIONAL ENGINEER, LICENSE NO. 24GE04732700	DATE: 01/23/23	CHECKED BY: M.S.L.

**SHEET NO. 4 OF 10**

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Exhibit A4 (1 of 2)







Exhibit A4 (2 of 2)





**Exhibit A5 (1 of 2)**



**Exhibit A5 (2 of 2)**





# sea grass



FRONT (BAY AVE.) ELEVATION



SIDE (SEA DRIFT AVE.) ELEVATION

### EXTERIOR IMPROVEMENTS:

- REPAIRED STUCCO FACADE
- FULLY PAINTED EXTERIOR
- WOOD CLADDING DETAILS
- NEW AWNINGS
- NEW VESTIBULE & ADA RAMP
- COMMUNITY MURAL

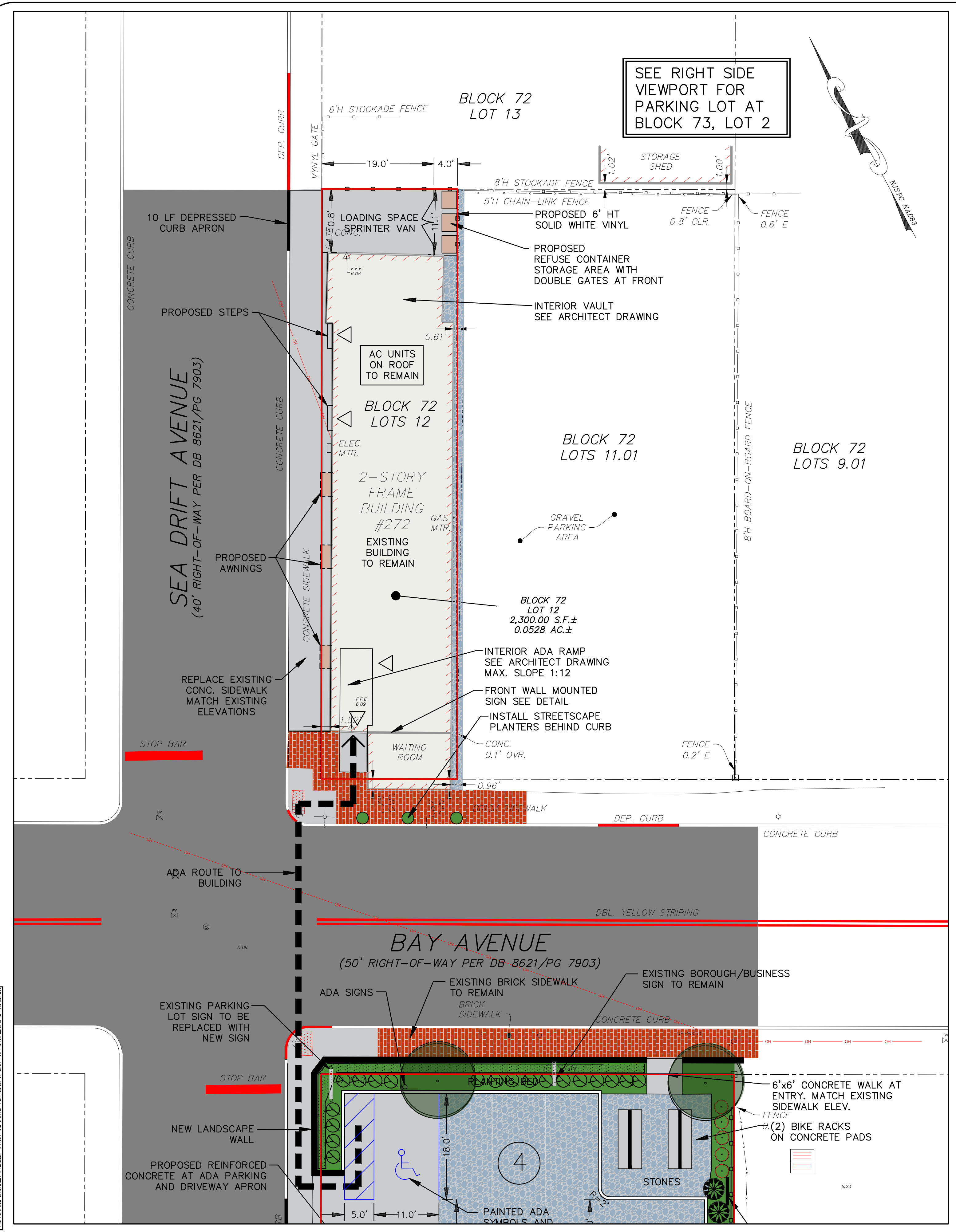
### MURAL NOTE:

THE EXISTING BUILDING CURRENTLY HAS A LARGE PAINTED MURAL ON THE SEA DRIFT AVENUE EXTERIOR WALL.

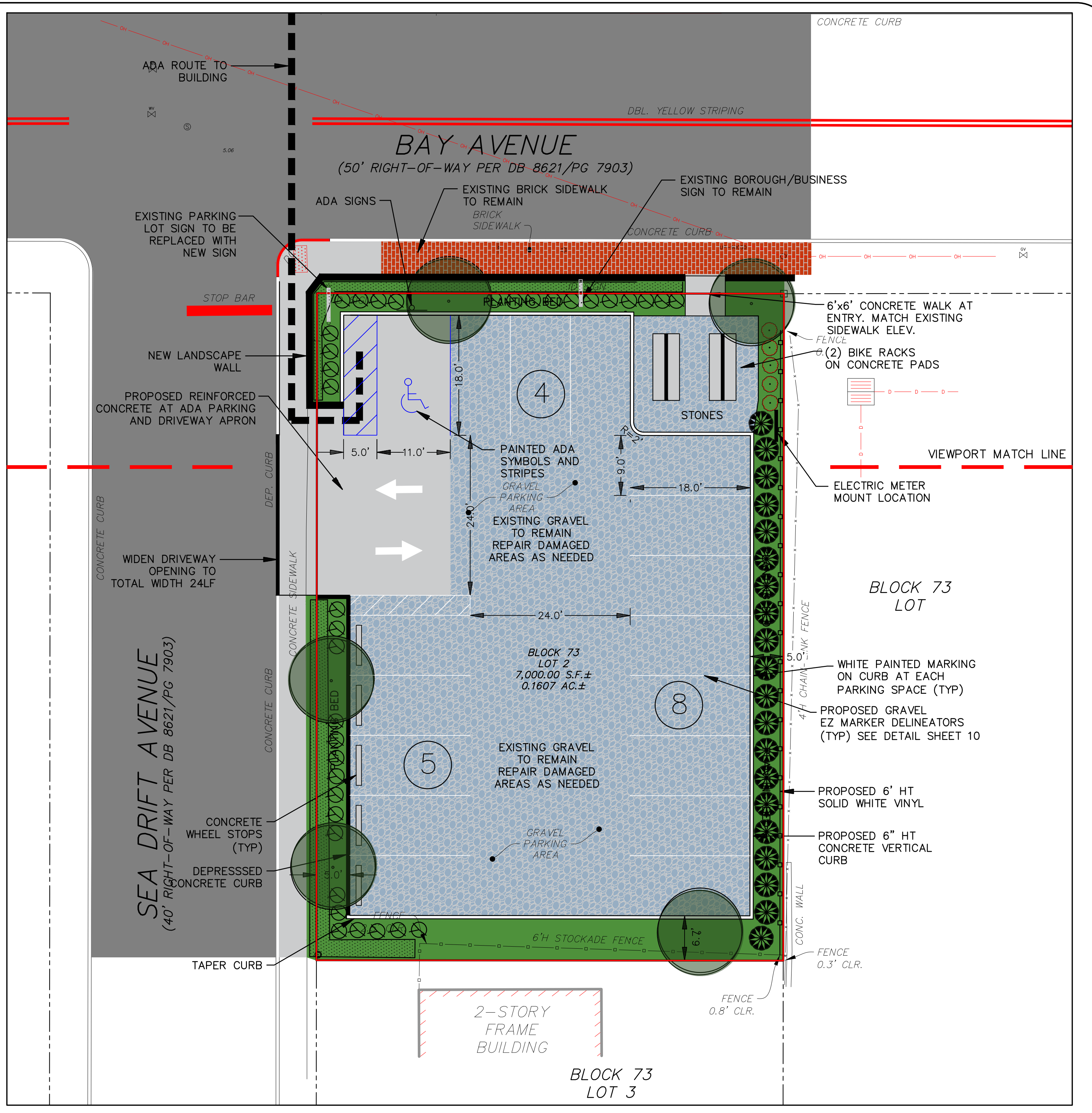
SEA GRASS OFFERS THE SEA DRIFT AVENUE EXTERIOR WALL FOR THE CREATION OF A PAINTED MURAL, WELCOMING INPUT FROM THE MUNICIPALITY AND COMMUNITY, TO BE COMPLETED BY A LOCAL ARTIST.





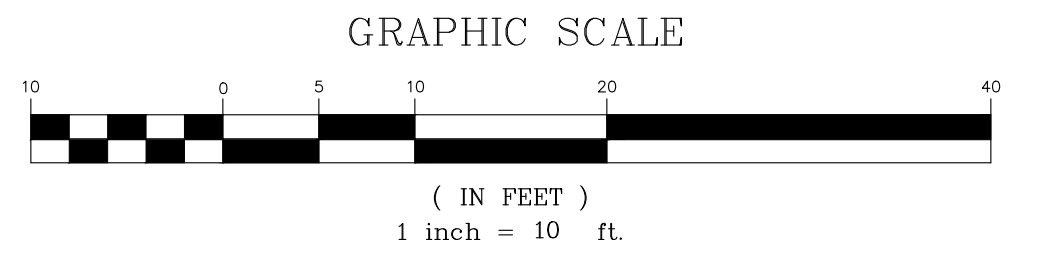


SEE RIGHT SIDE VIEWPORT FOR PARKING LOT AT BLOCK 73, LOT 2



**SITE IMPROVEMENT NOTES**

1. ALL SIGNS, STRIPING, AND DEVICES FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE IN ACCORDANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (M.U.T.C.D.), LATEST EDITION.
2. ALL JOINTS WITH EXISTING PAVED AREAS/ROADS SHALL BE CONSTRUCTED WITH A NEAT SAWCUT AND KEYWAY. JOINTS WITH EXISTING CONCRETE SHALL BE SAWCUT AND A BITUMINOUS MATERIAL PROVIDED AS AN EXPANSION JOINT FILLER.
3. ALL PARKING STALLS TO BE 9' x 18' UNLESS OTHERWISE NOTED ON THE PLANS.
4. SIDEWALKS, APRONS, RAMPS, AND CURBS TO BE CONSTRUCTED OF 4,500 PSI CONCRETE AS INDICATED ON THE CONSTRUCTION DETAILS.
5. SHOP DRAWINGS SHALL BE SUBMITTED TO THE MUNICIPAL ENGINEER FOR REVIEW AND APPROVAL PRIOR TO COMMENCING WORK.
6. DEPRESSED CURBS AT ALL CURB RAMPS SHALL BE CONSTRUCTED OUT OF CONCRETE.
7. ANY CURBING OR SIDEWALK FRONTING THE SITE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED.



NO.	DATE	DESCRIPTION
1	1-23-23	REVISED PER BOROUGH TREC MEETING COMMENTS
<p><b>PRELIMINARY &amp; FINAL MAJOR SITE PLAN</b>  <b>SEA GRASS NJ, LLC</b>  <b>SITE LAYOUT / SIGNAGE &amp; STRIPING PLAN</b>          BLOCK 72, LOT 12 &amp; BLOCK 73, LOT 2          BOROUGH OF HIGHLANDS          MONMOUTH COUNTY, NEW JERSEY          TAX MAP SHEETS NO. 15 &amp; 16</p>		
<p><b>EAST POINT ENGINEERING, LLC</b>          NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 24GA28169800</p>		11 South Main Street Marlboro, NJ 07746 Tel: 732.577.0180
BRENT N. PAPI, JR. N.J. PROFESSIONAL ENGINEER, LICENSE NO. 24GE04732700		DATE: 01/23/23 SCALE: 1"=10' PROJECT NUMBER: 21-1166 CHECKED BY: M.S.L. SHEET NO. 4 OF 10

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# sea grass



FRONT (BAY AVE.) ELEVATION



SIDE (SEA DRIFT AVE.) ELEVATION

### EXTERIOR IMPROVEMENTS:

- REPAIRED STUCCO FACADE
- FULLY PAINTED EXTERIOR
- WOOD CLADDING DETAILS
- NEW AWNINGS
- NEW VESTIBULE & ADA RAMP
- COMMUNITY MURAL

### MURAL NOTE:

THE EXISTING BUILDING CURRENTLY HAS A LARGE PAINTED MURAL ON THE SEA DRIFT AVENUE EXTERIOR WALL.

SEA GRASS OFFERS THE SEA DRIFT AVENUE EXTERIOR WALL FOR THE CREATION OF A PAINTED MURAL, WELCOMING INPUT FROM THE MUNICIPALITY AND COMMUNITY, TO BE COMPLETED BY A LOCAL ARTIST.



**PROJECT DESCRIPTION**

PROJECT: SEA GRASS NJ DISPENSARY  
 INTERIOR RENOVATIONS / COMMERCIAL FIT-OUT

272 BAY AVENUE  
 BOROUGH OF HIGHLANDS, NEW JERSEY  
 MONMOUTH COUNTY  
 BLOCK 72 - LOT 12

PROPOSED USE: COMMERCIAL (B & M OCCUPANCY)

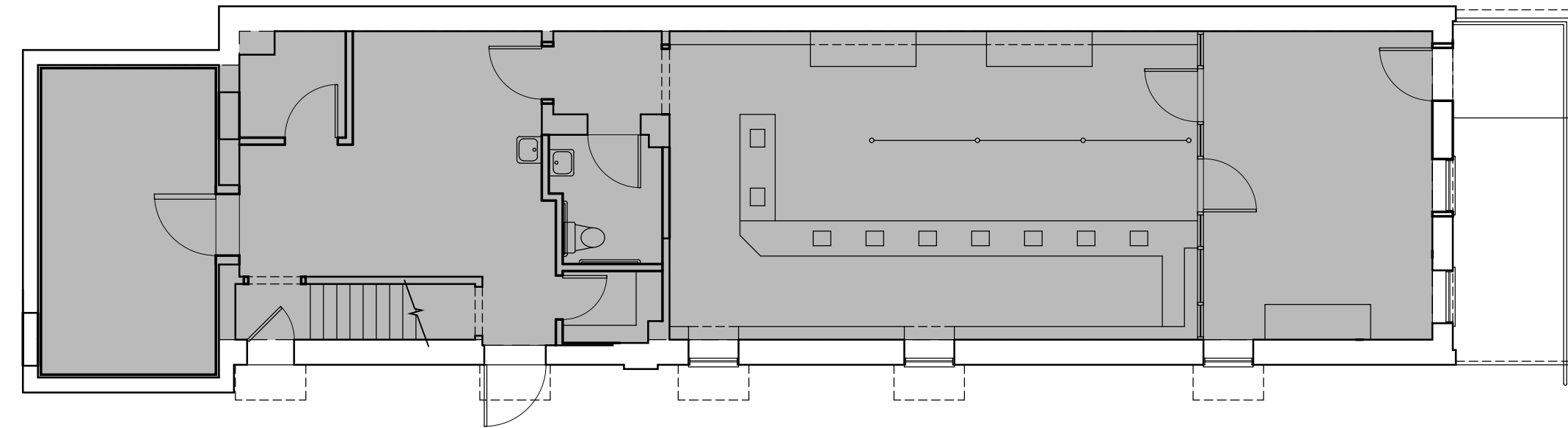
PROJECT DESCRIPTION: INTERIOR RENOVATION OF EXISTING FIRST FLOOR RESTAURANT INTO  
 MERCHANTILE SPACE AND INTERIOR RENOVATION OF EXISTING SECOND FLOOR  
 RESIDENTIAL APARTMENT INTO A TYPICAL USE (NON-HIGH-CONCENTRATION)  
 OFFICE SPACE TO ACCOMPANY FIRST FLOOR BUSINESS.

# Sea Grass NJ

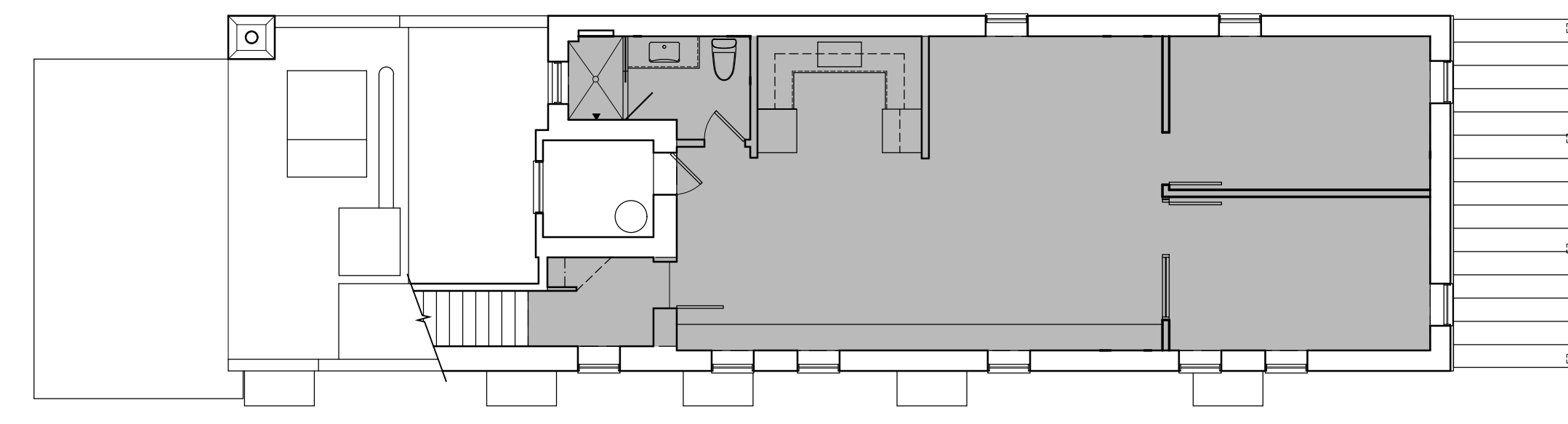
Interior Renovations / Commercial Fit-Out  
 272 Bay Avenue, Borough of Highlands, NJ 07732  
 Block 72, Lot 12

**DRAWING LIST**

- A1 COVER SHEET & DEMO
- A2 PROPOSED FLOOR PLANS
- A3 EXTERIOR ELEVATIONS
- A4 EXTERIOR RENDERINGS

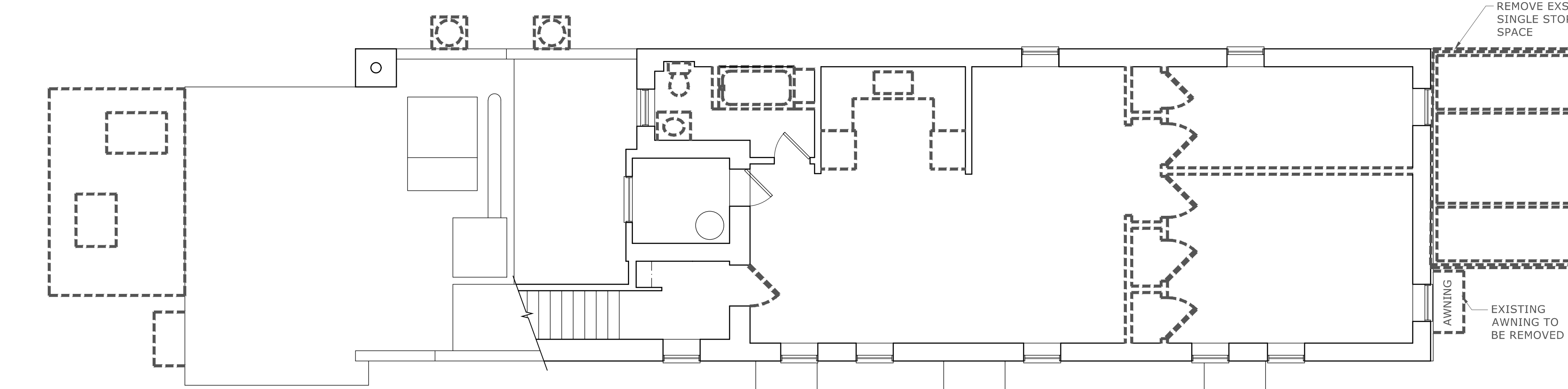


3 1ST FLOOR GROSS FLOOR AREA DIAGRAM  
 A2 1/8" = 1'-0"

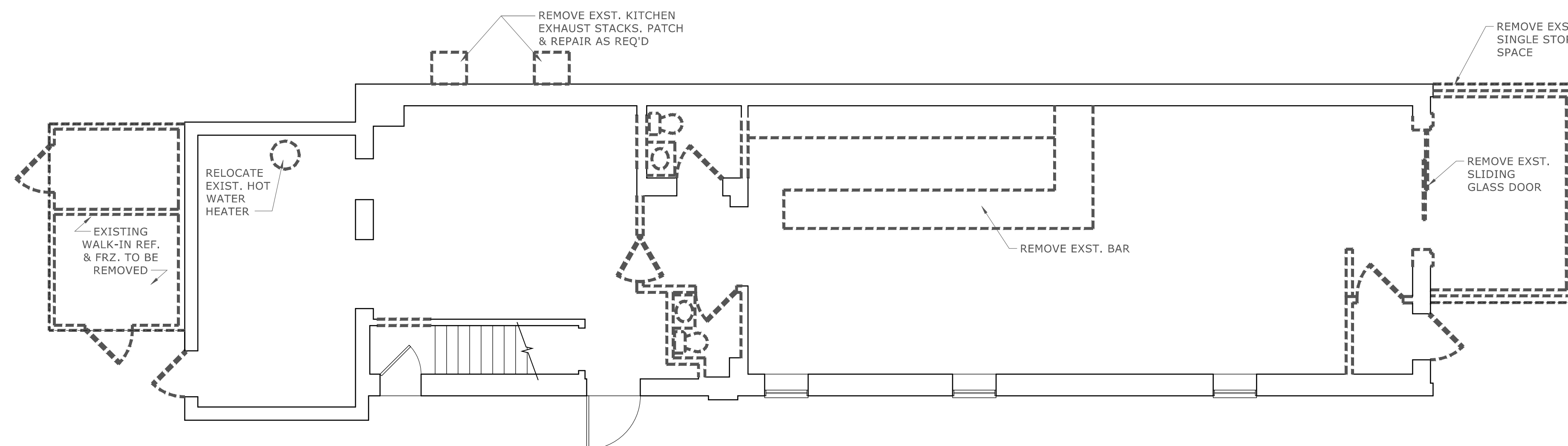


4 2ND FLOOR GROSS FLOOR AREA DIAGRAM  
 A2 1/8" = 1'-0"

1ST FL.	1,389 SF
2ND FL.	848 SF
<b>TOTAL G.F.A.</b>	<b>2,237 SF</b>



2 SECOND FLOOR DEMOLITION PLAN  
 A2 3/16" = 1'-0"



1 FIRST FLOOR DEMOLITION PLAN  
 A2 3/16" = 1'-0"

**DEMOLITION LEGEND**

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- EXISTING DOOR TO REMAIN
- EXISTING DOOR TO BE DEMOLISHED

**DEMOLITION NOTES**

VERIFY ALL EXISTING CONDITIONS IN FIELD PRIOR TO DEMOLITION. CONTRACTOR TO NOTIFY ARCHITECT IF EXISTING CONDITIONS VARY FROM DRAWINGS.

CONFIRM EXISTING STRUCTURE WITH ARCHITECT

CONTRACTOR TO PROVIDE TEMPORARY SUPPORT FOR ALL STRUCTURAL BEARING MEMBERS PRIOR TO ANY DEMOLITION.

CONTRACTOR TO REMOVE & CAP ALL EXISTING ELECTRICAL & PLUMBING AS REQUIRED FOR DEMOLITION AND NEW WORK.

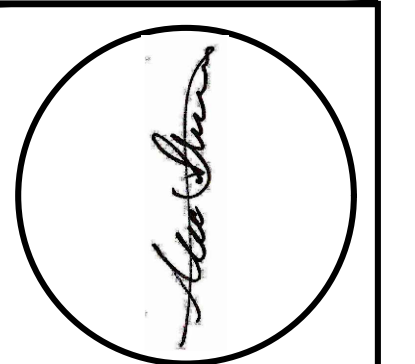
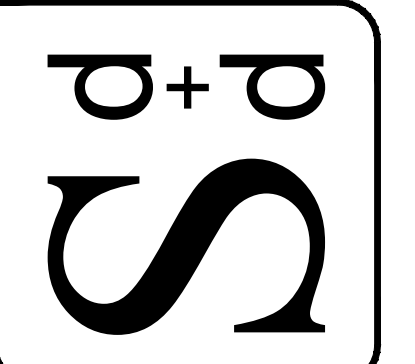
PATCH AND REPAIR EXISTING TO MATCH ADJACENT AS NECESSARY.

EXISTING WINDOWS TO REMAIN UNLESS NOTED OTHERWISE.

CONTRACTOR TO CONDUCT A WALK-THROUGH WITH THE OWNER PRIOR TO COMMENCING DEMOLITION TO CONFIRM WHAT IS TO BE DEMOLISHED, REMOVED, SALVAGED, ETC.

SEE PROPOSED PLANS AND ELEVATIONS TO HELP DETERMINE THE EXTENT OF DEMOLITION THAT IS REQUIRED.

**SHISSIAS**  
 DESIGN + DEVELOPMENT  
 Alex P. Shissias, P.A., R.L.A.  
 Professional Architect  
 NJ Landscape Architect # 21A50017900  
 908.448.0865  
 www.shissias.com  
 ashissias@gmail.com  
 27 1st St. Rumson, NJ 07746



NOT FOR CONSTRUCTION UNLESS SIGNED & SEALED BY ARCHITECT & APPROVED BY ALL AGENCIES HAVING JURISDICTION.

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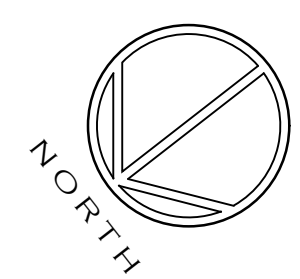
ISSUE	REVISIONS

**Sea Grass NJ**  
 Interior Renovations / Commercial Fit-Out  
 272 Bay Avenue, Borough of Highlands, NJ 07732  
 Block 72, Lot 12

Proj. No: 2022.81  
 Issued For: Board Approval  
 Date: 2/24/2023

COVER SHEET & DEMO

**A1**



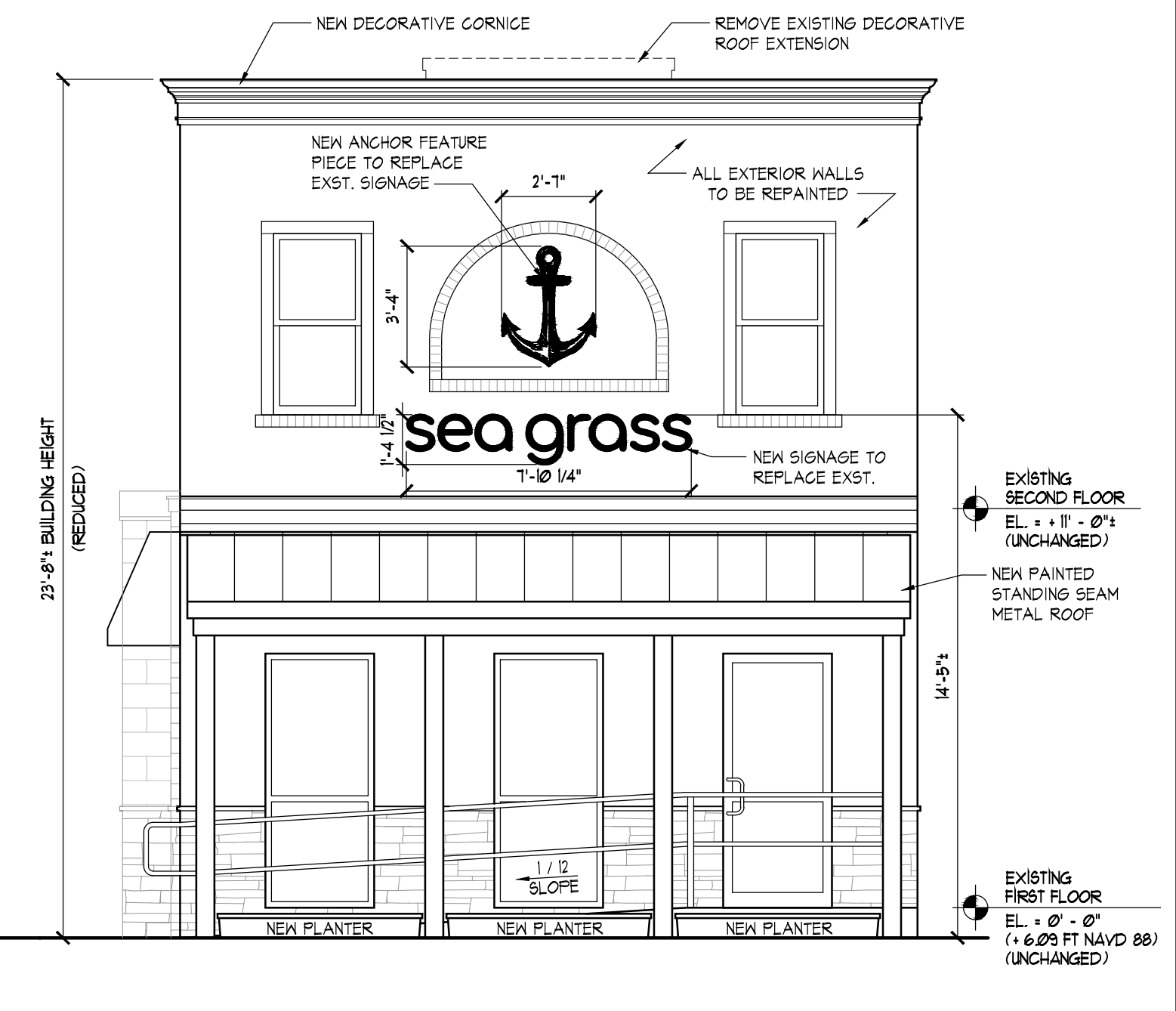




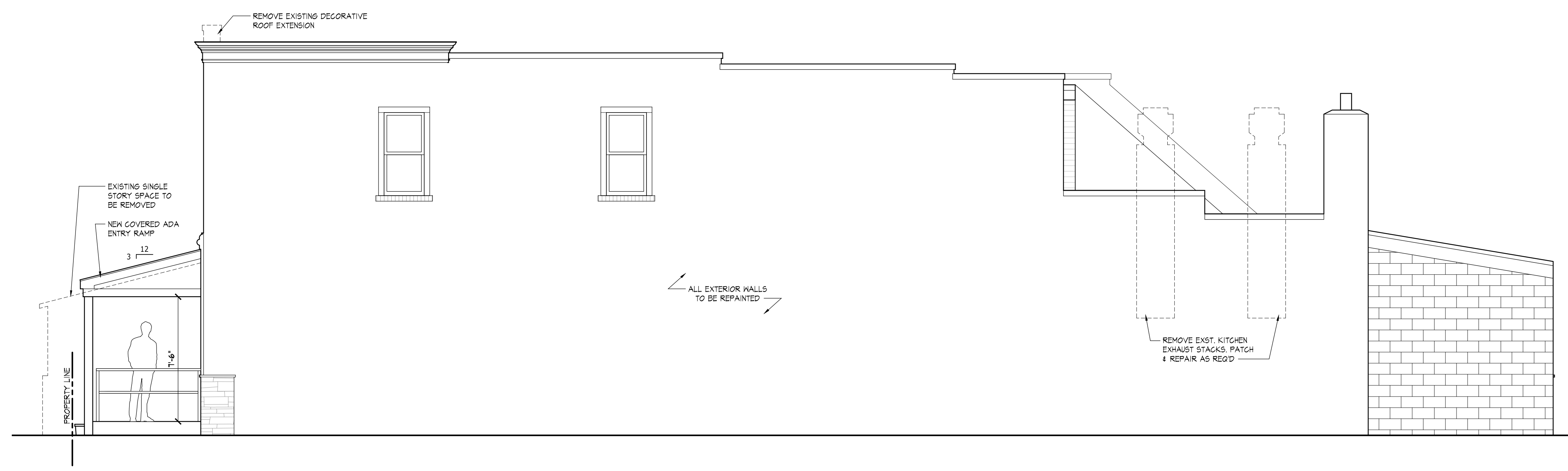




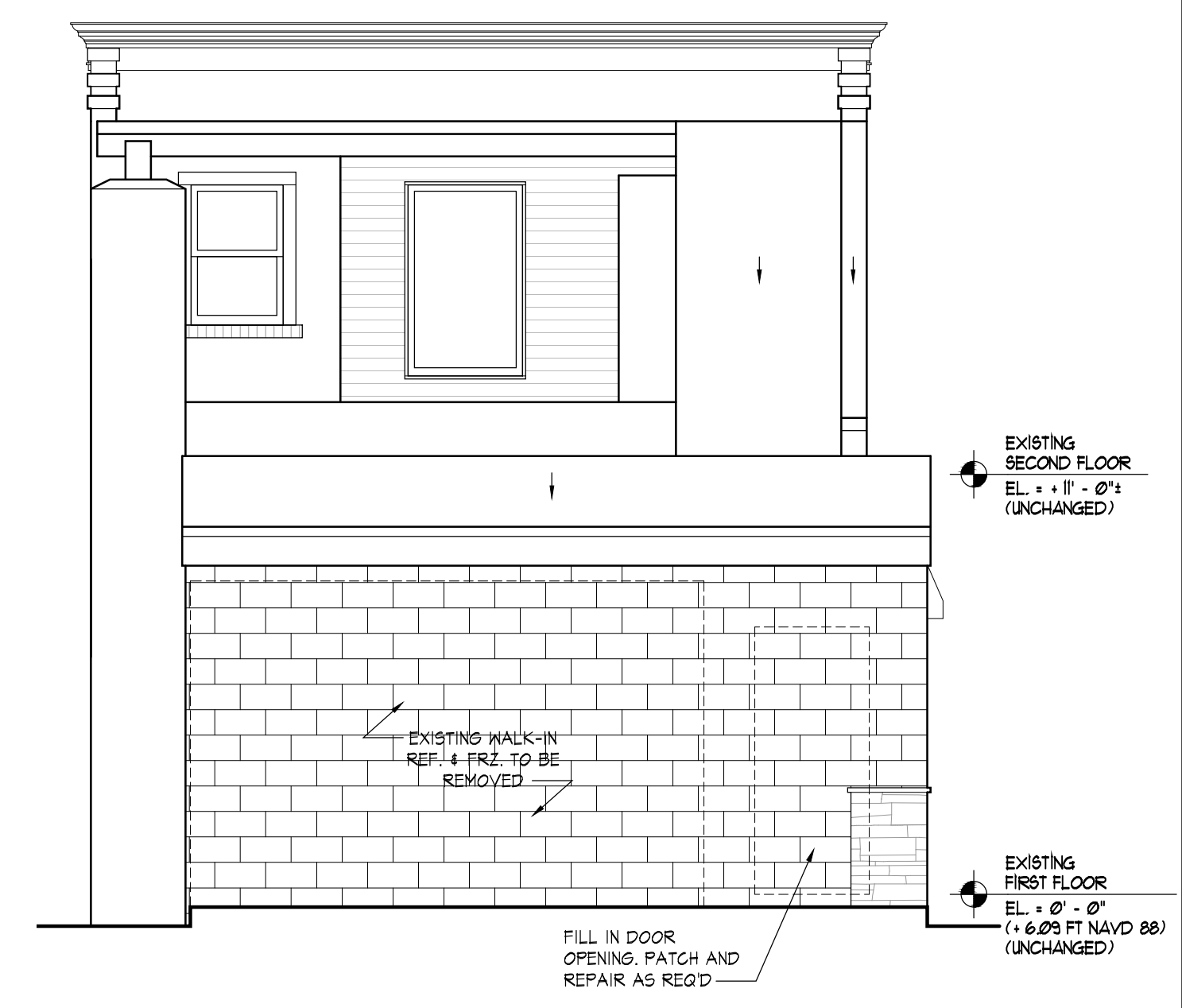
2 SIDE (SEA DRIFT AVE.) ELEVATION  
A3 1/4" = 1'-0"



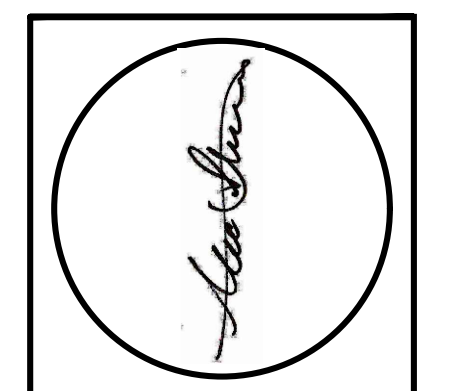
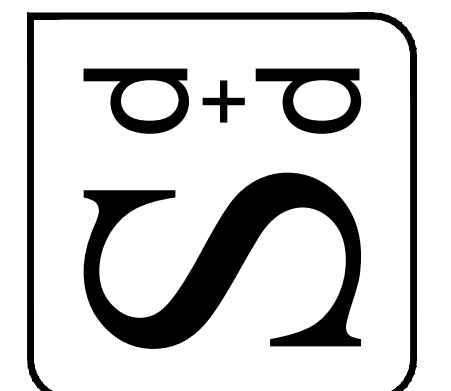
1 FRONT (BAY AVE.) ELEVATION  
A3 1/4" = 1'-0"



4 SIDE ELEVATION  
A3 1/4" = 1'-0"



3 REAR ELEVATION  
A3 1/4" = 1'-0"



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ISSUE	REVISIONS

Sea Grass NJ  
Interior Renovations / Commercial Fit-Out  
272 Bay Avenue, Borough of Highlands, NJ 07732  
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Proj. No: 2022.81  
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EXTERIOR ELEVATIONS

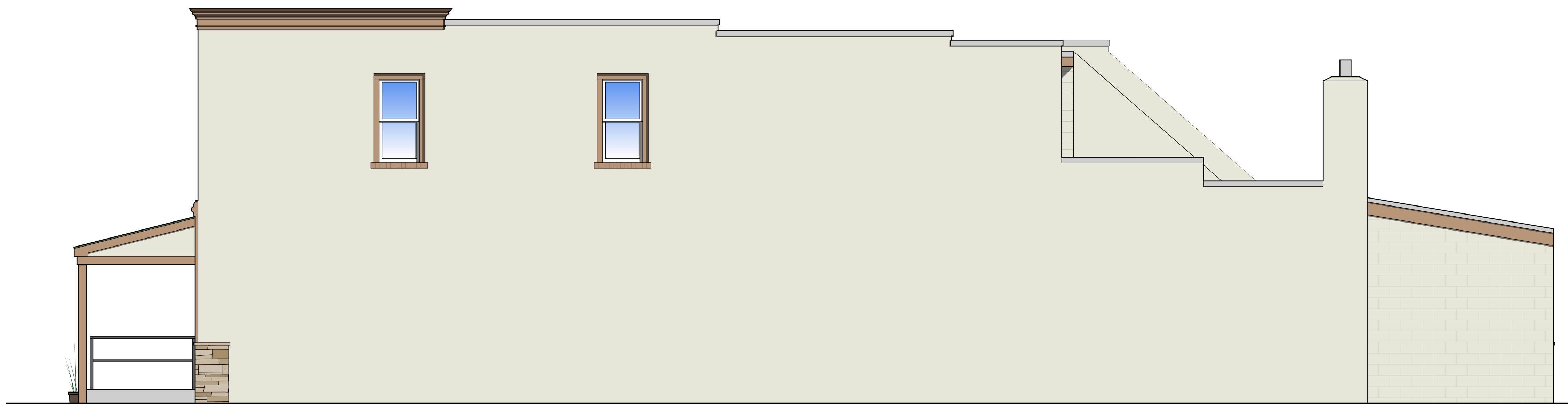
A3



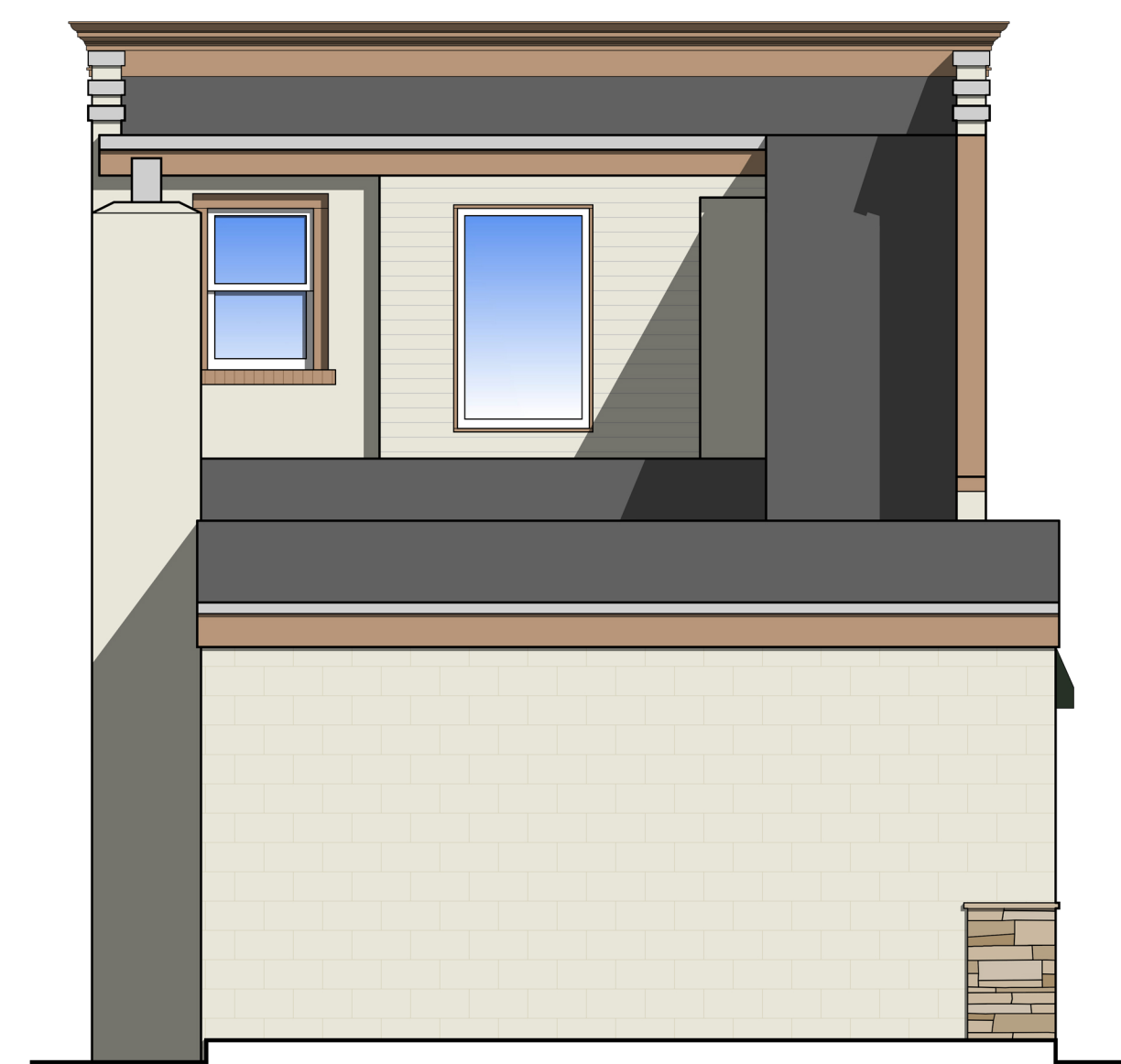
2 SIDE (SEA DRIFT AVE.) ELEVATION  
A4 1/4" = 1'-0"



1 FRONT (BAY AVE.) ELEVATION  
A4 1/4" = 1'-0"



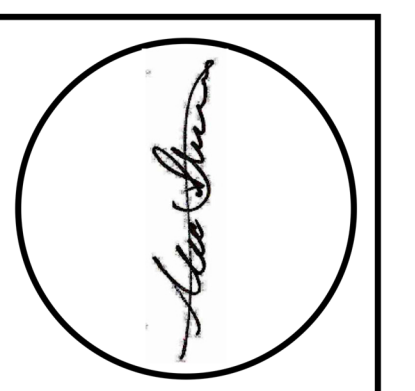
4 SIDE ELEVATION  
A4 1/4" = 1'-0"



3 REAR ELEVATION  
A4 1/4" = 1'-0"

**SHISSIAS**

DESIGN + DEVELOPMENT  
956.448.0865  
www.shissias.com  
ashissias@gmail.com  
27 1st St, Rumson, NJ 07764



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ISSUE	REVISIONS

**Sea Grass NJ**  
Interior Renovations / Commercial Fit-Out  
272 Bay Avenue, Borough of Highlands, NJ 07732  
Block 72, Lot 12

Proj. No: 2022.81  
Issued For: Board Approval  
Date: 2 / 24 / 2023

EXTERIOR RENDERINGS

**A4**



# PRELIMINARY & FINAL MAJOR SITE PLAN

## SEA GRASS NJ, LLC

### BLOCK 72, LOT 12 & BLOCK 73, LOT 2

## BOROUGH OF HIGHLANDS

# MONMOUTH COUNTY, NEW JERSEY

**UTILITY COMPANY CONTACTS:**

**JCP&L**  
300 Madison Avenue  
PO Box 1911  
Morristown, NJ 07960

**NEW JERSEY AMERICAN WATER COMPANY**  
Attn: Construction Department  
661 Shrewsbury Ave  
Shrewsbury, NJ 07702

**COMCAST COMMUNICATIONS OF MONMOUTH COUNTY**  
Ron Bertrand, Construction Foreman  
403 South St  
Eatontown, NJ 07724

**VERIZON COMMUNICATIONS**  
One Verizon Way  
Basking Ridge, NJ 07920

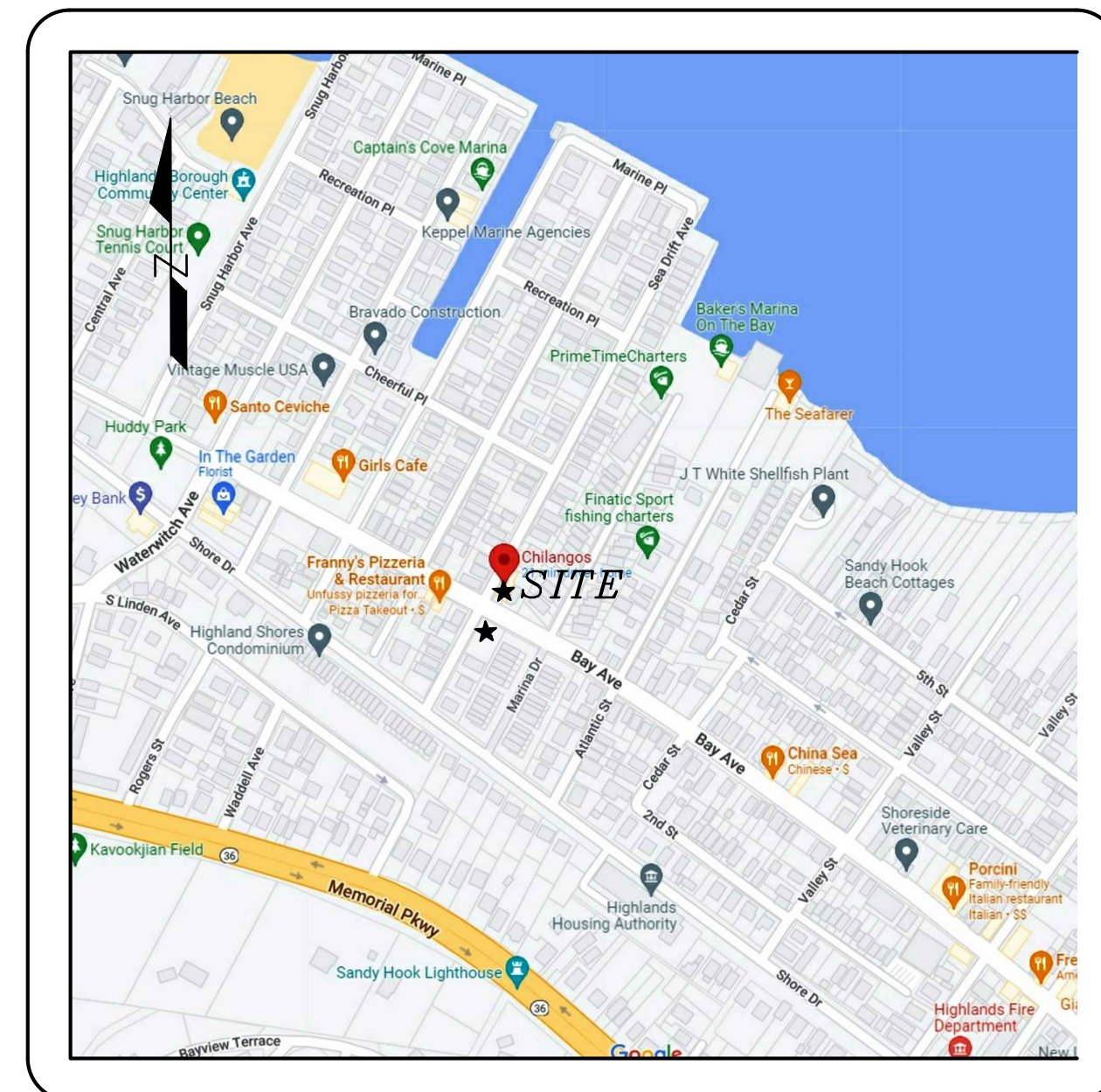
**TOWNSHIP OF MIDDLETOWN SEWERAGE AUTHORITY**  
Raymond J. Nierstedt, P.E., Executive Director  
PO Box 205, 100 Beverly Way  
Belford, NJ 07718

**NEW JERSEY NATURAL GAS COMPANY**  
Attn: Joan Purcaro  
PO Box 1464  
1415 Wyckoff Road  
Wall, NJ 07719

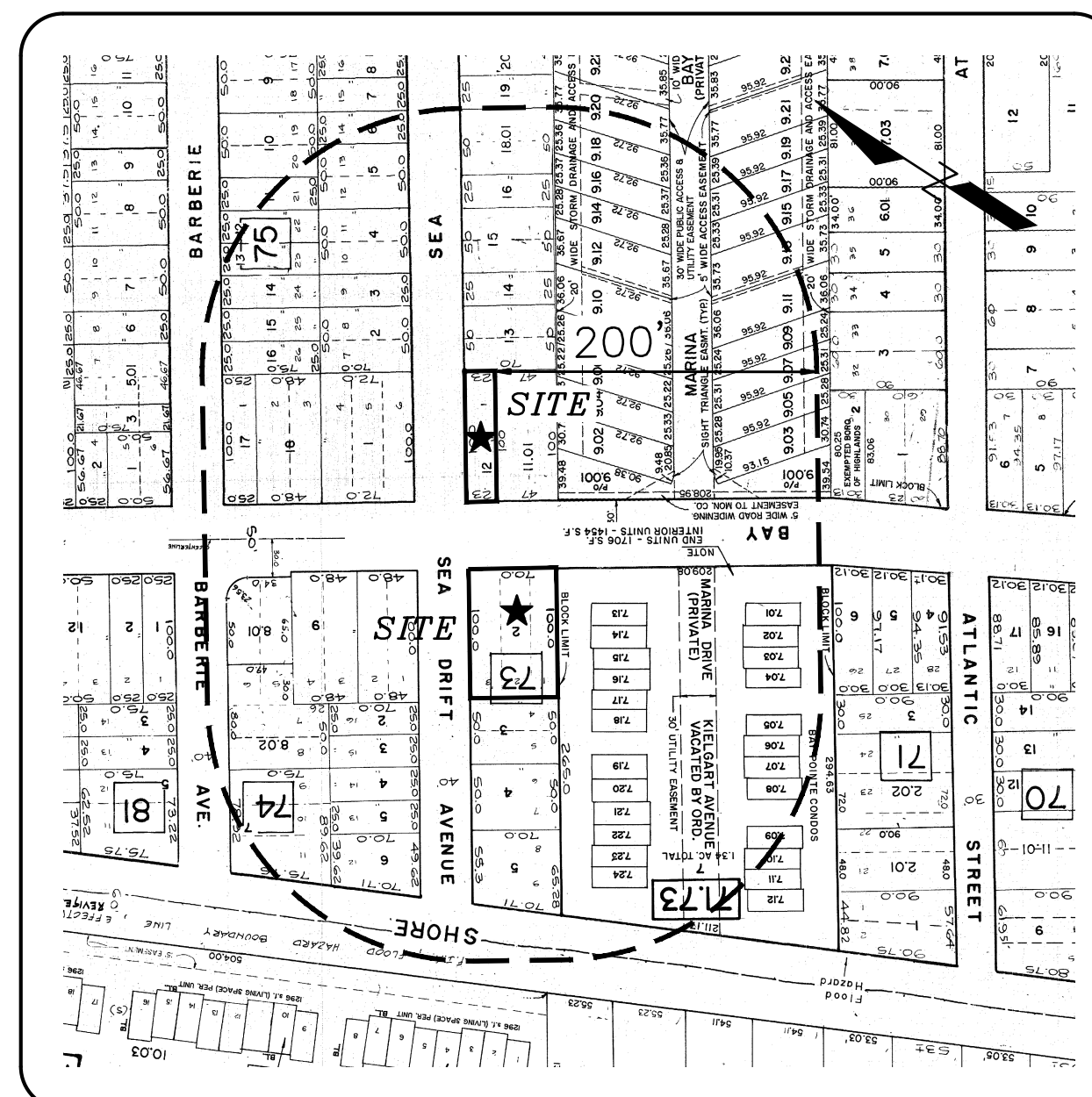
**MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY**  
Attn: Executive Director  
200 Harbor Way  
PO Box 384  
Belford, NJ 07718

**PROPERTY OWNERS WITHIN 200 FT.:**

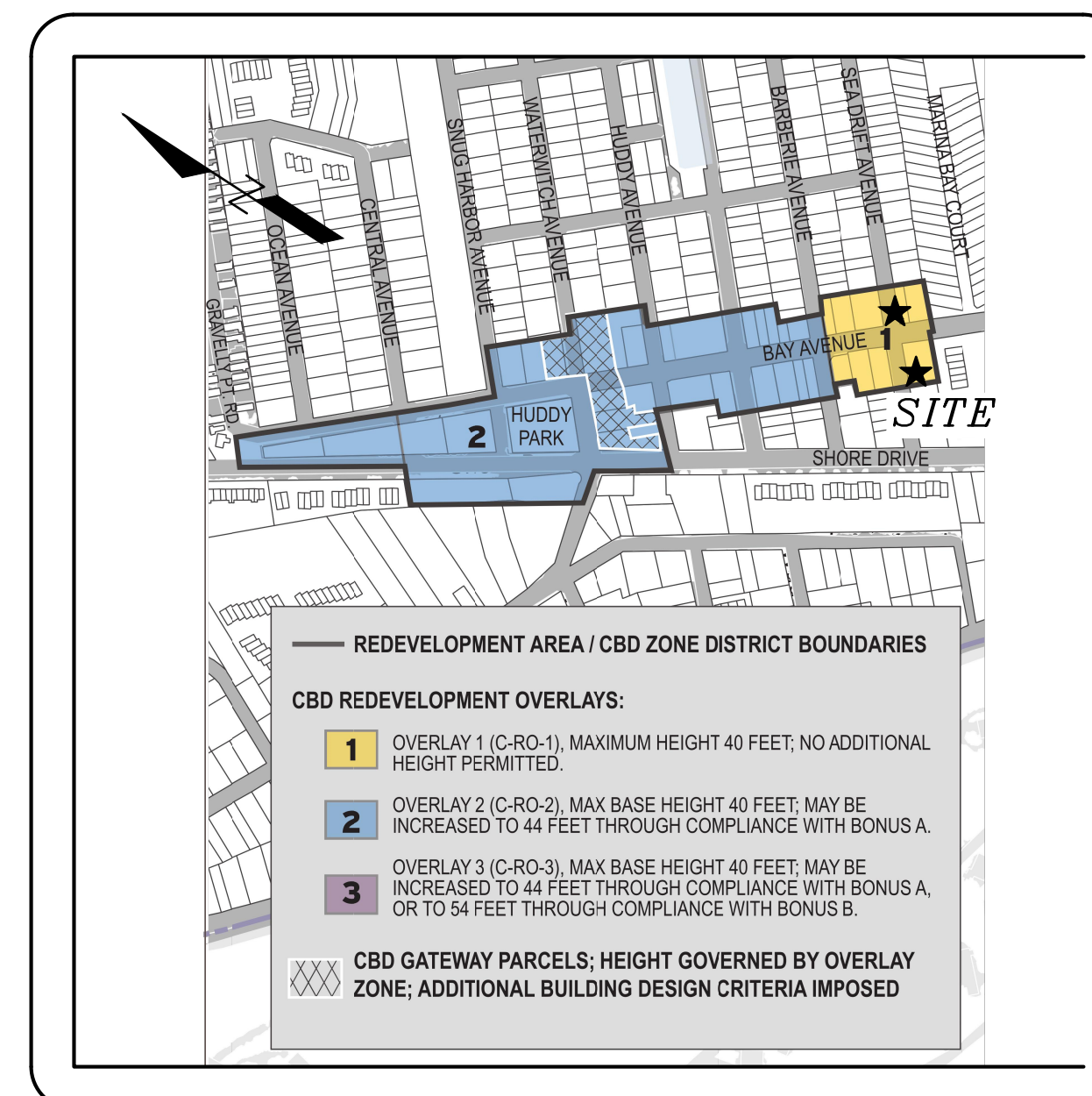
*(List of property owners and addresses within 200 feet of the site, including names like Snug Harbor Beach, Captain's Cove Marina, and Franny's Pizzeria.)*



**KEY MAP**  
SCALE: 1" = 200±'



**TAX MAP #15 & #16**  
SCALE: 1" = 200±'



**REDEVELOPMENT ZONE MAP**  
SCALE: 1" = 200±'

NO.	DRAWING TITLE	DATE	REVISION
1	COVER SHEET	11/21/22	02/22/23
2	GENERAL NOTES	11/21/22	02/22/23
3	EXISTING CONDITIONS PLAN	11/21/22	02/22/23
4	SITE PLAN	11/21/22	02/22/23
5	GRADING PLAN	11/21/22	02/22/23
6	LANDSCAPE PLAN	11/21/22	02/22/23
7	LIGHTING PLAN	11/21/22	02/22/23
8	SOIL EROSION PLAN	11/21/22	02/22/23
9	CONSTRUCTION DETAILS	11/21/22	02/22/23
10	SIGN PLAN	11/21/22	02/22/23

I HEREBY CERTIFY THAT I AM OWNER OF RECORD OF THE SITE HEREIN DEPICTED AND THAT I CONCUR WITH THE FILING OF THIS PLAN.

ALL ADDRESSES LOCATED IN THE BOROUGH OF HIGHLANDS 07723, EXCEPT WHERE NOTED, CERTIFIED LIST OF PROPERTIES WITHIN 200' OF BLOCK 72 - LOT 12 & BLOCK 73 - LOT 2, DATED NOVEMBER 18, 2022, PROVIDED BY THE TAX ASSESSOR, BOROUGH OF HIGHLANDS. THE REFERENCED LIST IS NOT TO BE USED FOR OFFICIAL NOTIFICATIONS.

**OWNER:**  
LEONEL CERVANTES  
272 BAY AVENUE  
HIGHLANDS, NJ 07732

**APPLICANT:**  
SEA GRASS NJ, LLC  
135 MAPLE AVENUE  
RED BANK, NJ 07701

**CBD - CENTRAL BUSINESS DISTRICT ZONE AREA, YARD & BUILDING REQUIREMENTS**

CBD REQUIREMENT	BLOCK 72 LOT 12		COMMENT	BLOCK 73 LOT 2		COMMENT
	EXISTING	PROPOSED		EXISTING	PROPOSED	
<b>LOT DIMENSIONS</b>						
MIN. LOT AREA	---	2,300 S.F.	NO CHANGE	7,000 S.F.	NO CHANGE	NA
MIN. LOT WIDTH	---	23 FT	NO CHANGE	70 FT	NO CHANGE	NA
MIN. LOT DEPTH	---	100 FT	NO CHANGE	100 FT	NO CHANGE	NA
<b>PRINCIPAL BUILDING SETBACKS</b>						
MIN. FRONT YARD (BAY AVE.)	0 FT	0 FT	1.3 FT	COMPLIES	NA	NO CHANGE
MIN. SIDE YARD	0 FT*	0.61 FT (e)	NO CHANGE	EXISTING	NA	NO CHANGE
MIN. REAR YARD	12 FT	2.1 FT (e)	10.8 FT (e)	IMPROVEMENT OVER EXISTING CONDITION	NA	NO CHANGE
<b>LOT COVERAGE</b>						
MAX. BUILDING COVERAGE PRINCIPAL AND ACCESSORY	35%	83.0% (e)	77.6% (e)	IMPROVEMENT OVER EXISTING CONDITION	NA	NO CHANGE
MAX. LOT COVERAGE ALL IMPROVEMENTS	80%	100.0% (e)	99.7% (e)	IMPROVEMENT OVER EXISTING CONDITION	2.8%	12.6% COMPLIES
MAX. BLDG. HEIGHT	36 FT	<36 FT	NO CHANGE	NA	NA	NO CHANGE
MAX. F.A.R.	0.65	1.31 (e)	1.26 (e)	IMPROVEMENT OVER EXISTING CONDITION	NA	NO CHANGE

\* SECTION 21-91 a.4.c. - SIDE YARDS. No side yard is required adjacent to the properties in the CBD zone, however, if any is to be provided, it shall be at least five (5) feet. Any side yard which serves as a boundary between that lot and any residence zone shall be at least five (5) feet and shall contain buffering in accordance with the requirements of this section.

NA = NOT APPLICABLE  
(e) = EXISTING NON-CONFORMITY

**PARKING REQUIREMENTS**

**ORD. SEC. 21-65.14.D(7a)**  
**BUSINESS/COMMERCIAL/RETAIL STORE USE**  
1 SPACE PER 600 SF OF GROSS FLOOR AREA  
2,373 SF G.F.A. / 600 SF = 3.955 ~ 4 SPACES REQUIRED  
17 SPACES PROVIDED (COMPLIES)

**SIGN REQUIREMENTS**

**ORD. SEC. 21-102**  
BUILDING WALL SIGN - MAX 15% OF FRONT BUILDING FACADE PERMITTED 460 SF x 15% = 69 SF - PROPOSED 28.2 SF  
OFF-PREMISE GROUND MOUNTED SIGNS - MAX PERMITTED SIZE 24 SF  
PARKING LOT SIGN = 20.8 SF (COMPLIES)  
BOROUGH HISTORIC SIGN = 20.7 SF (COMPLIES)

**IMPERVIOUS LOT COVERAGE TABLE**

	EXISTING LOT 12	PROPOSED LOT 12	EXISTING LOT 2	PROPOSED LOT 2
TOTAL BUILDING AREA	1,911 SF*	1,785 SF	103 SF	---
TOTAL CONC. AREAS	389 SF	508 SF	95 SF	884 SF
TOTAL GRAVEL AREAS	---	---	6,602 SF	4535 SF (NOT COUNTED)
<b>TOTAL LOT COVERAGE (% OF LOT)</b>	<b>2,300 SF (100.0%)</b>	<b>2,293 SF (99.7%)</b>	<b>198 SF (2.8%)</b>	<b>884 SF (12.6%)</b>

\*(INC. WALK-IN-COOLER)

**LOT COVERAGE**  
that percentage of the plot or lot area covered by impervious surface, inclusive of driveway areas containing asphalt and/or concrete surfaces, but exclusive of gravel areas as well as terraces and decks in conformance with subsection 21-65.27.

**SIGNATURE BLOCKS**

APPLICATION NO. \_\_\_\_\_ APPROVED BY THE BOROUGH OF HIGHLANDS ZONING BOARD AS A PRELIMINARY AND FINAL MAJOR SITE PLAN ON \_\_\_\_\_ DATE

BOARD CHAIRMAN \_\_\_\_\_

BOARD SECRETARY \_\_\_\_\_

BOARD ENGINEER \_\_\_\_\_

ZONING BOARD  
CASE NO. ZB-2022-XX

OWNER	DATE	APPLICANT	DATE
LEONEL CERVANTES		SEA GRASS NJ, LLC	

NO.	DATE	DESCRIPTION
2	2-23-23	REVISED PER BOROUGH ZONING BOARD MEETING COMMENTS
1	1-23-23	REVISED PER BOROUGH TRC MEETING COMMENTS

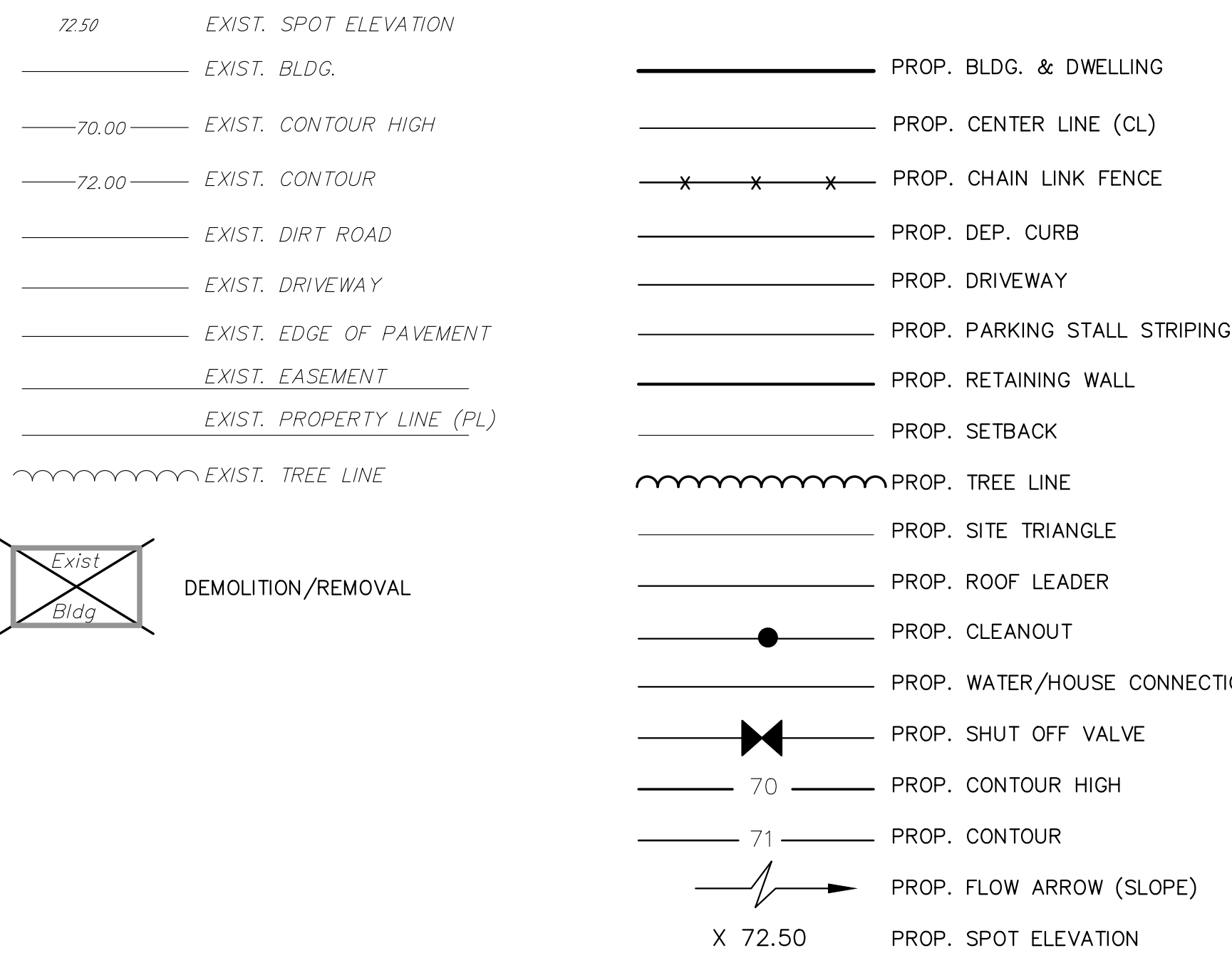
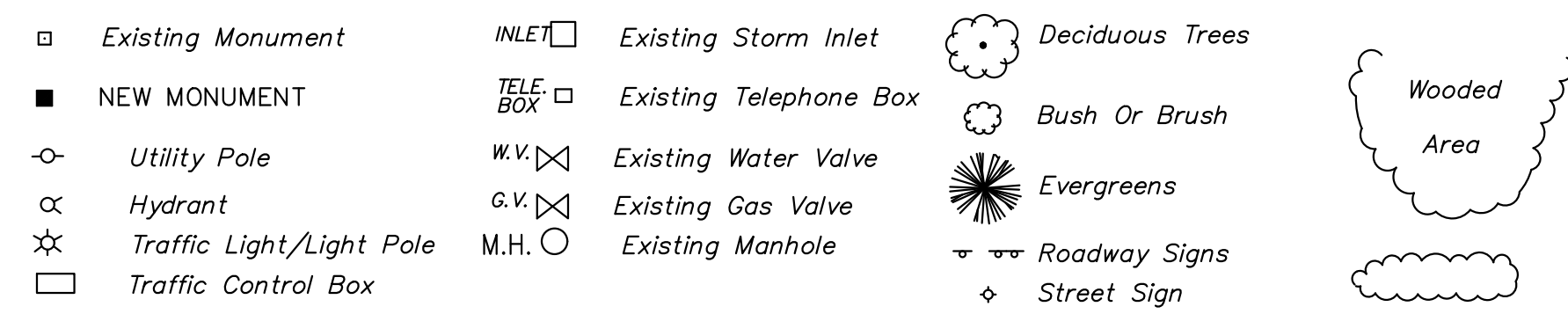
**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SEA GRASS NJ, LLC**  
**COVER SHEET**  
BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
BOROUGH OF HIGHLANDS  
MONMOUTH COUNTY, NEW JERSEY  
TAX MAP SHEETS NO. 19 & 16

	<b>EAST POINT ENGINEERING, LLC</b>		11 South Main Street Marlboro, NJ 07746 Tel: 732.577.0180	
	Brent N. Papi, Jr. N.J. PROFESSIONAL ENGINEER, LICENSE NO. 24624732700	DATE 02/22/23	SCALE AS SHOWN	PROJECT NUMBER 21-166 CHECKED BY M.S.L. SHEET NO. 1 OF 10

CONSULT: EAST POINT ENGINEERING, LLC, ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.



### GENERAL LEGEND



### SAFETY NOTE

ALL CONSTRUCTION WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE SAFETY CODES. APPLICABLE SAFETY CODES SHALL MEAN THE LATEST EDITION INCLUDING ANY AND ALL AMENDMENTS, REVISIONS AND ADDITIONS THERETO OF THE FEDERAL DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION'S "OCCUPATIONAL SAFETY AND HEALTH STANDARDS"(OSHA); "SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION" OF THE STATE OF NEW JERSEY, DEPARTMENT OF LABOR AND INDUSTRY, BUREAU OF ENGINEERING AND SAFETY; "CONSTRUCTION SAFETY CODE," AND "MAINTENANCE, CONSTRUCTION AND DEMOLITION," AND "BUILDING CODE."

### GENERAL NOTES

- THE PROPERTY IS KNOWN AS LOT 12, BLOCK 72 AND LOT 2, BLOCK 73 ON SHEETS 15 & 16 OF THE OFFICIAL TAX MAP OF THE BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY.
- OWNER: LEONEL CERVANTES 272 BAY AVENUE HIGHLANDS, NJ 07732 APPLICANT: SEA GRASS NJ, LLC 135 MAPLE AVENUE RED BANK, NJ 07701
- THE APPLICANT PROPOSES TO RENOVATE AND EXISTING COMMERCIAL BUILDING AT LOT 12 AS A DISPENSARY WITH A TOTAL GROSS FLOOR AREA OF (2,912 S.F.). THE PROJECT WILL ALSO INCLUDE IMPROVEMENTS TO THE EXISTING PARKING LOT ACROSS THE STREET AT LOT 2 TO PROVIDE SPACE FOR 17 VEHICLES.
- THE PROPERTY IS LOCATED WITHIN THE CBD "CENTRAL BUSINESS DISTRICT" ZONE WHICH IS ALSO AN APPROVED REDEVELOPMENT ZONE.
- PURSUANT TO THE N.F.I.P FLOOD INSURANCE RATE MAPS, THE PROJECT IS LOCATED WITHIN FLOOD ZONE "AE" AT ELEVATION 11 FT NAVD88.
- PURSUANT TO N.J.D.E.P. GEOWeb THERE ARE NO FRESHWATER WETLANDS WITHIN THE VICINITY OF THE PROJECT.
- DO NOT SCALE DRAWINGS WITH RESPECT TO THE LOCATION OF SURROUNDING EXISTING FEATURES, ADJACENT AND SURROUNDING PHYSICAL CONDITIONS, BUILDINGS, STRUCTURES, ETC., ARE SCHEMATIC ONLY EXCEPT WHERE DIMENSIONS ARE SHOWN THEREIN.
- THIS SET OF PLANS HAS BEEN PREPARED FOR THE APPLICANT NAMED HEREON FOR THE PURPOSE OF MUNICIPAL AND REGULATORY AGENCY REVIEW AND APPROVAL. THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION PLANS UNTIL ALL REQUIRED APPROVALS HAVE BEEN OBTAINED. NO OTHER PURPOSE IS INTENDED OR IMPLIED.
- THE CONTRACTOR SHALL STRICTLY ADHERE TO THESE CONSTRUCTION PLANS AND ANY ACCOMPANYING SPECIFICATIONS. ANY DEVIATION FROM THE APPROVED CONSTRUCTION DOCUMENTS, TECHNICAL SPECIFICATIONS AND MANUFACTURERS' SPECIFICATIONS SHALL BE AT THE EXPRESS WRITTEN CONSENT OF THE SUPERVISING ENGINEER.
- ONCE ENGINEERING PLANS ARE ISSUED FOR CONSTRUCTION, IT IS EXPLICITLY UNDERSTOOD THAT THE ENGINEER IS NOT RESPONSIBLE FOR THE PROSECUTION OF THE WORK, THE MEANS AND METHODS OF CONSTRUCTION, PROTECTION OF ADJACENT STRUCTURES OR PROPERTY, AND IS NOT TO BE HELD RESPONSIBLE FOR ANY DAMAGE WHATSOEVER TO ANY PROPERTY, INCLUDING OFFSITE LANDS, ASSOCIATED WITH CONSTRUCTION OF THE PROJECT.
- PROPOSED BUILDING DIMENSIONS ARE APPROXIMATE. REFERENCE ARCHITECTURAL BUILDING PLANS PREPARED BY SHISSIAS DESIGN AND DEVELOPMENT FOR BUILDING DETAILS.
- CONSTRUCTION OF SITE IMPROVEMENTS AND BUILDINGS SHALL BE IN COMPLIANCE WITH THE RESIDENTIAL SITE IMPROVEMENT STANDARDS (R.S.I.S.), APPLICABLE BUILDING CODES, FEDERAL AND STATE BARRIER FREE AND A.D.A. REQUIREMENTS, CITY DESIGN STANDARDS, AND NOISE CODE.

### A. SITE CONDITIONS

- EXISTING CONDITIONS ARE BASED ON SURVEY INFORMATION PREPARED BY: OUTBOUND & TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM PLANS ENTITLED, "BOUNDARY AND TOPOGRAPHIC SURVEY FOR 272 BAY AVENUE, LLC, BLOCK 72, LOT 12, BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY", PREPARED BY LANDMARK SURVEYS INC., DATED NOVEMBER 9, 2022 AND "BOUNDARY AND TOPOGRAPHIC SURVEY FOR SEA DRIFT AVE, LLC, BLOCK 73, LOT 2, BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY", PREPARED BY LANDMARK SURVEYS INC., DATED NOVEMBER 9, 2022
- HORIZONTAL CONTROL BASED ON ASSUMED (PROJECT). VERTICAL DATUM BASED ON NAVD 1988 BY GPS OBSERVATION CONTROL SET BY LANDMARK SURVEYS, LLC.
- ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED ENTIRELY WITHIN THE EXISTING TRACT LOT 12, BLOCK 72 AND LOT 2, BLOCK 73 AND WITHIN THE FRONTING RIGHT-OF-WAY ALONG BAY AVENUE AND SEA DRIFT AVENUE AS DEPICTED ON THE SITE PLANS.
- ALL ELEVATIONS SHOWN ARE FINISHED GRADE ELEVATIONS UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ALL EXISTING SITE ELEVATIONS AND INVERTS PRIOR TO THE START OF CONSTRUCTION AND ANY DISCREPANCY SHALL BE BROUGHT TO THE OWNER'S ATTENTION PRIOR TO THE START OF ANY WORK.
- ALL INFORMATION SHOWN OR NOTED FOR EXISTING FACILITIES, GRADES, ROADWAYS, AND MATERIALS IS APPROXIMATE AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING ALL INFORMATION WHICH MAY AFFECT HIS WORK. TEST PITS SHALL BE CONSTRUCTED BY THE CONTRACTOR AT ALL UTILITY CROSSING LOCATIONS PRIOR TO CONSTRUCTION.
- IN THE EVENT A SITUATION ARISES IN WHICH MATERIALS NOT SPECIFIED ON THE PLANS ARE TO BE USED, THEN THE MATERIALS SHALL CONFORM TO THE N.JDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, 2007 ED., AS CURRENTLY SUPPLEMENTED AND AMENDED OR LATEST EDITION.
- NO WORK SHALL BE DONE BETWEEN THE HOURS OF 6:00 P.M. AND 7:00 A.M., PREVAILING TIME, OR AS OUTLINED UNDER LOCAL ORDINANCE, WHICHEVER PROVIDES THE LATER START AND EARLIER FINISH.
- THE CONTRACTOR SHALL NOTIFY/COORDINATE ALL WORK WITH THE MUNICIPAL POLICE CHIEF, OWNER AND ENGINEER, 72 HOURS PRIOR TO START OF ANY WORK.
- THE CONTRACTOR IS RESPONSIBLE FOR THE PROVISION OF ALL MATERIALS, LABOR AND INSTALLATION OF ALL ITEMS OF CONSTRUCTION FOR THE SUCCESSFUL COMPLETION AND OPERATION OF THE PROJECT SATISFACTORY TO THE OWNER AND THEIR REPRESENTATIVE IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
- THE CONTRACTOR SHALL PROVIDE HIS OWN LAYOUT AND STAKEOUT OF ALL PROPOSED IMPROVEMENTS BOTH HORIZONTALLY AND VERTICALLY BY A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF NEW JERSEY. OFFSET LINES WITH STAKES SHALL BE SET AT APPROPRIATE INTERVALS TO FACILITATE CONSTRUCTION. CUT SHEETS SHALL BE SUBMITTED FOR APPROVAL TO THE CITY ENGINEER AT LEAST 48 HOURS PRIOR TO CONSTRUCTION. THE DESIGN ENGINEER SHALL NOT BEAR ANY RESPONSIBILITY OR LIABILITY FOR THE CONSTRUCTION OF ANY PROPOSED IMPROVEMENTS, SPECIFICALLY IF BUILT IN LOCATIONS OTHER THAN THOSE DEPICTED, OR AT ELEVATIONS THAT DIFFER FROM THE PLAN.
- THE CONTRACTOR SHALL OBTAIN SHOP DRAWING APPROVAL FOR ALL ITEMS PRIOR TO INSTALLATION OF EACH ITEM.
- PRIOR TO USE OF ANY PRODUCTS BY MANUFACTURERS OTHER THAN THOSE SPECIFIED ON THESE PLANS OR TECHNICAL SPECIFICATIONS MUST BE SUBMITTED FOR APPROVAL WITH DOCUMENTATION CERTIFIED BY A LICENSED N.J. PROFESSIONAL ENGINEER THAT THE PARTICULAR PROPOSED ALTERNATE PRODUCT MEETS OR EXCEEDS THE PHYSICAL CHARACTERISTICS OF THE SPECIFIED ACCEPTABLE PRODUCTS.
- ANY EXISTING AND NEW CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE SITE AND LAWFULLY DISPOSED OF BY THE CONTRACTOR.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR SITE SECURITY THROUGHOUT THE DURATION OF THE PROJECT AND SHALL PROVIDE AND MAINTAIN SECURITY FENCING, MEASURES, AND PERSONNEL AS REQUIRED AND AS DIRECTED BY THE CITY ENGINEER.
- ALL DEMOLITION ACTIVITIES TO BE IN ACCORDANCE WITH ALL APPLICABLE AUTHORITIES INCLUDING BUT NOT LIMITED TO COUNTY RULES AND REGULATIONS, THE MUNICIPAL ORDINANCE, N.JDEP RULES AND REGULATIONS, AND BOCA CODE.
- THE OWNER AND ENGINEER SHALL ASSUME NO RESPONSIBILITY AND/OR LIABILITY FOR THE SAFETY OF THE WORKERS WHERE THE WORK IS BEING PERFORMED OR DAMAGE TO ANY PROPERTY.
- THE CONTRACTOR SHALL PROTECT ALL BENCH MARKS AND MONUMENTS FROM DAMAGE AND SHALL ESTABLISH OFFSET POINTS AS REQUIRED FOR HIS WORK.
- DEPRESSED CURBING SHALL BE CONSTRUCTED AT ALL WALKWAY CROSSINGS. DEPRESSED CURBS FOR HANDICAP ACCESS SHALL BE FLUSH WITH PAVEMENT. ALL HANDICAP ACCESS FACILITIES MUST COMPLY WITH THE CURRENT AMERICAN WITH DISABILITIES ACT, PUBLIC RIGHT-OF-WAY ACCESSIBILITY GUIDELINES (PROWAG), 2010 ADA STANDARDS WITH CURRENT REVISIONS AND NEW JERSEY BARRIER-FREE SUB-CODE (NJAC 5:23-7.1). PROVIDE MATERIALS AND CONSTRUCTION MEETING THE REQUIREMENTS OF THE 2007 N.JDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION AS MODIFIED BY THE SUPPLEMENTAL SPECIFICATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL PERMITS AND APPROVALS GOVERNING THE CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL OBTAIN ALL BUILDING PERMITS, AND ANY OTHER PERMITS AND/OR APPROVALS AS MAY BE REQUIRED FOR THE PROSECUTION OF THE WORK.
- THE CONTRACTOR SHALL VERIFY ALL BENCHMARKS PRIOR TO THE START OF CONSTRUCTION.
- ALL JOINTS WITH EXISTING CONCRETE OR PAVEMENT SHALL BE SAWCUT.
- ALL NEW SURFACE CONCRETE SHALL BE PROTECTED FROM DE-ICING SALTS FOR AT LEAST 60 DAYS AFTER THE POUR DATE.
- ALL UNUSED SIGNS, SIGN POSTS, STORM SEWER CASTINGS AND GRATES REMOVED DURING CONSTRUCTION AND NOT REPLACED ELSEWHERE ON THIS PROJECT SHALL BECOME THE PROPERTY OF THE OWNER. IF THE OWNER DECLINES OWNERSHIP OF THE MATERIALS, THE CONTRACTOR SHALL REMOVE THE MATERIALS FROM THE SITE.
- CURBING AND SIDEWALKS SHALL BE CONSTRUCTED WITH N.JDOT CLASS 'B' CONCRETE.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO RESTORE ALL EXISTING AND PROPOSED SITE IMPROVEMENTS THAT MAY HAVE BEEN REMOVED AND/OR DAMAGED DURING THE COURSE OF CONSTRUCTION TO THEIR PRE CONSTRUCTION OR SPECIFIED CONDITION AS APPROVED BY THE CITY ENGINEER.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE FINAL AS-BUILT PLANS DEPICTING THE EXACT LOCATIONS OF THE PROPOSED IMPROVEMENTS WHICH ALSO INCLUDES ELECTRICAL CONDUIT RUNS, WATER LINES, DRAINAGE SYSTEM AND ALL UNDERGROUND UTILITIES.

### B. UTILITIES

- AVAILABLE INFORMATION AS TO THE LOCATION OF EXISTING UTILITIES HAS BEEN COLLECTED FROM VARIOUS SOURCES. THE RESULTS OF SUCH INVESTIGATIONS, AS MAY BE SHOWN ON THE CONTRACT DRAWING, ARE NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS. ALL EXISTING UTILITIES ARE SHOWN FOR INFORMATION ONLY. THE CONTRACTOR SHALL CONTACT NEW JERSEY ONE-CALL (1-800-272-1000) AT LEAST 3 BUSINESS DAYS PRIOR TO ANY CONSTRUCTION OR EXCAVATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE, IDENTIFY AND PROTECT UTILITIES WITHIN THE PROJECT LIMITS. IF ONE WILL NOT MARK OUT THE PROPERTY, THE CONTRACTOR MUST HIRE AN UNDERGROUND UTILITY LOCATING COMPANY TO INVESTIGATE ALL AREAS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL DIG TEST PITS TO LOCATE UTILITIES WITHIN THE PROJECT LIMITS AS NEEDED. NO SEPARATE PAYMENT SHALL BE MADE FOR THIS WORK. NEW JERSEY ONE-CALL PHONE # 1-800-272-1000.
- THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES AT LEAST TWO (2) WEEKS PRIOR TO CONSTRUCTION FOR PHYSICAL MARK OUTS OF UTILITIES.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO LOCATE, REPLACE, MAINTAIN, RELOCATE, AND/OR REMOVE ANY EXISTING ABOVEGROUND AND UNDERGROUND UTILITIES, CONDUITS, STRUCTURES, EQUIPMENT, FOUNDATIONS, PIPES, ETC. AS NECESSARY TO COMPLETE THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE OWNERS OF THE UTILITY PRIOR TO STARTING WORK.
- ALL PROPOSED UTILITIES SHALL BE INSTALLED BY THE CONTRACTOR AND SHALL BE LOCATED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RESPECTIVE UTILITY COMPANY. SAID UTILITIES INCLUDE ELECTRIC, GAS, CABLE, TELEPHONE, POTABLE WATER AND SANITARY SEWER SERVICES.
- THERE MAY BE UTILITY ADJUSTMENTS OR RELOCATION WHICH MAY BE NECESSITATED BY THE PROPOSED CONSTRUCTION. IF SO, THE CONTRACTOR SHALL COMPLETE SAID WORK AND COORDINATE HIS WORK WITH THE MUNICIPALITY, OWNER, AND THE UTILITY COMPANIES WITH FACILITIES IN THE PROJECT LIMITS. ALL CLEAN-OUTS, VALVE BOXES, ETC. SHALL BE SET FLUSH WITH GRADE AND CONSTRUCTED WITH CONCRETE COLLARS AS REQUIRED IN THE PROJECT SPECIFICATIONS.
- THE CONTRACTOR SHALL CONTACT THE UTILITY COMPANIES TO DETERMINE THEIR SCHEDULE FOR PERFORMING UTILITY RELOCATION AND INSTALLATION WORK AND HE SHALL SCHEDULE HIS WORK ACCORDINGLY SO AS NOT TO INTERFERE WITH THE WORK OF THE UTILITY COMPANIES. THE CONTRACTOR SHALL NOTIFY THE WATER AND SEWER COMPANIES AT LEAST 72 HOURS IN ADVANCE OF ANY WORK ON THEIR FACILITIES.
- EXCAVATIONS OR TRENCHING WITHIN CLOSE PROXIMITY TO UNDERGROUND FACILITIES OR UTILITY POLES WILL REQUIRE PROTECTION/SHORING TO PREVENT DAMAGE OR INTERRUPTION OF SERVICE TO THESE FACILITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE ALL REQUIRED UTILITY CONNECTIONS WITH THE RESPECTIVE UTILITY COMPANY.
- ALL PROPOSED WATER SERVICES SHALL BE LOCATED A MINIMUM OF SEPARATION DISTANCE OF 10 HORIZONTAL FEET AND 1.5 VERTICAL FEET FROM ALL SANITARY SEWER FACILITIES. A MINIMUM 4 FEET OF COVER SHALL BE PROVIDED OVER ALL WATER AND SANITARY SEWER LINES.
- ALL TRENCHES SHALL BE BACK FILLED WITHOUT DELAY. OPEN TRENCHES SHALL BE KEPT TO A MINIMUM. OPEN TRENCHES SHALL BE STEEL PLATED WHEN WORK IS NOT IN PROGRESS. NO EXCAVATION AREAS SHALL REMAIN OPEN OVERNIGHT.
- ALL NATURAL GAS FACILITY CONSTRUCTION, RESETTING AND/OR RELOCATION SHALL BE PERFORMED BY REPRESENTATIVES OF PUBLIC SERVICE (PSE&G).

### C. SITE CLEARING AND GRADING

- SITE CLEARING SHALL INCLUDE, BUT IS NOT LIMITED TO, THE REMOVAL OF ALL DEBRIS, RUBBLE, FENCES, TREES, EXISTING UTILITIES, EXISTING STRUCTURES, FOUNDATIONS, SUBSURFACE STRUCTURES, UNSUITABLE MATERIALS, EXISTING PAVEMENT, THE RELOCATION OF EXISTING UTILITIES AND COORDINATION, GRUBBING, ETC. AND ALL OTHER WORK REQUIRED TO COMPLETE THE PROJECT.
- THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ANY AND ALL EXISTING IRRIGATION FOR THE FIELD INCLUDING, BUT NOT LIMITED TO, VALVE BOXES, CONTROLS, SPRINKLER HEADS, PIPING AND ELECTRICAL CONTROLS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISPOSAL OF ALL MATERIALS EXCAVATED OF WHATEVER NATURE IN ACCORDANCE WITH APPROVED N.JDOT/NJDEP METHODS AND MEANS.
- EXISTING ON-SITE SUITABLE SOIL SHALL BE EXCAVATED, TRANSPORTED, SPREAD, GRADED, AND COMPACTED AS REQUIRED BY THE PROPOSED GRADES. ALL EARTHWORK OPERATIONS INVOLVING ON-SITE SOILS SHALL BE COMPLETED PRIOR TO IMPORTING ANY OFF-SITE MATERIALS.
- ALL AREAS OF REGRADING SHOULD BE SLOPED TO PROVIDE POSITIVE DRAINAGE AWAY FROM STRUCTURES AND BUILDINGS. ALL GRADING OF LAWNS SHOULD BE A MINIMUM OF 2% AND MAXIMUM 3' HORIZONTALLY TO 1' VERTICALLY.
- NO TOPSOIL IS TO BE REMOVED FROM THE PROJECT SITE UNLESS AUTHORIZED BY THE OWNER.

### D. SOIL EROSION, SEDIMENT, AND DUST CONTROL

- THE CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO MAINTAIN DUST CONTROL AS REQUIRED OR DIRECTED BY THE CITY ENGINEER AND LOCAL SOIL CONSERVATION DISTRICT. ALL VEHICLES SHALL BE CLEAN AND ALL ROADWAYS SHALL BE MAINTAINED FREE OF CONSTRUCTION DEBRIS AND SOIL.
- ALL SEDIMENT AND SOIL EROSION CONTROLS PRACTICES ARE TO BE INSTALLED IN CONFORMANCE WITH LOCAL AND SOIL CONSERVATION DISTRICT STANDARDS PRIOR TO ANY MAJOR SOIL DISTURBANCES. ALL WORK SHALL BE COMPLETED IN PROPER SEQUENCE AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED.
- THE SOIL EROSION AND SEDIMENT CONTROL PLAN SHEET INCLUDES ADDITIONAL NOTES WHICH SHALL BE ADHERED TO BY THE CONTRACTOR.

### E. PEDESTRIAN AND TRAFFIC FLOW

- THE CONTRACTOR IS REQUIRED TO ENSURE THE SAFE, ORDERLY, AND EXPEDITIOUS FLOW OF TRAFFIC (BOTH VEHICULAR AND PEDESTRIAN) AT ALL TIMES. THE CONTRACTOR SHALL EMPLOY ALL APPROPRIATE SAFETY PROCEDURES, PERSONNEL, AND DEVICES AS MAY BE NECESSARY DURING THE PROSECUTION OF THE WORK.
- ALL MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE COORDINATED WITH THE LOCAL MUNICIPALITY. WHERE TRAFFIC DIRECTORS ARE DEEMED NECESSARY BY THE MUNICIPALITY, THE CONTRACTOR SHALL REQUEST THAT THE LOCAL POLICE DEPARTMENT PROVIDE DIRECTORS.
- ALL EXISTING SIDEWALK SHALL BE MAINTAINED IN A SAFE AND ORDERLY MANNER BY THE GENERAL CONTRACTOR DURING THE COURSE OF CONSTRUCTION.
- ALL EXISTING INGRESS/EGRESS SHALL REMAIN UNOBSTRUCTED AT ALL TIMES DURING THE CONSTRUCTION OF ALL SITE IMPROVEMENTS.
- ALL DEVICES AND PROCEDURES FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE IN ACCORDANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS" AND THE "STANDARD HIGHWAY SIGNS". THE CONTRACTOR SHALL PLAN AND CARRY OUT HIS WORK TO PROVIDE FOR THE CONVENIENT AND SAFE PASSAGE OF ALL VEHICULAR AND PEDESTRIAN TRAFFIC.
- DURING CONSTRUCTION, ALL ROADS SHALL REMAIN OPEN AND BE PROPERLY MAINTAINED TO ACCOMMODATE EMERGENCY VEHICLES AT ALL TIMES.
- TRAFFIC FLOW SHALL BE MAINTAINED AT ALL TIMES ALONG THE VARIOUS STREET FRONTAGES DURING CONSTRUCTION. ROAD CLOSURE WILL NOT BE PERMITTED FOR THIS PROJECT.

### F. STORM SEWERS

- THE CONTRACTOR SHALL MAINTAIN SUFFICIENT COVER (TEMPORARY AND PERMANENT) OVER ALL PIPES DURING THE CONSTRUCTION OF THE PROJECT IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS.
- UNLESS OTHERWISE INDICATED, ALL GRATES ARE TO BE BICYCLE SAFE CAMPBELL FOUNDRY NO. 2618 ('B' INLET), 3405 ('A' INLET), 3425 ('E' INLET), OR EQUIVALENT.
- UNLESS OTHERWISE INDICATED, ALL STORMPIPES ARE TO BE ADS N-12 DUAL WALL OR APPROVED EQUAL.

2	2-22-23	REVISED PER BOROUGH ZONING BOARD MEETING COMMENTS
1	1-23-23	REVISED PER BOROUGH TRC MEETING COMMENTS
NO.	DATE	DESCRIPTION

**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SEA GRASS NJ, LLC**  
**GENERAL NOTES**  
 BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
 BOROUGH OF HIGHLANDS  
 MONMOUTH COUNTY, NEW JERSEY  
 TAX MAP SHEETS NO. 15 & 16

11 South Main Street  
 Marlboro, NJ 07746  
 Tel: 732.577.0180

BRENT N. PAPI, JR.  
 N.J. PROFESSIONAL ENGINEER, License No. 246E04732700

DATE: 02/22/23  
 SCALE: NA  
 CHECKED BY: M.S.L.

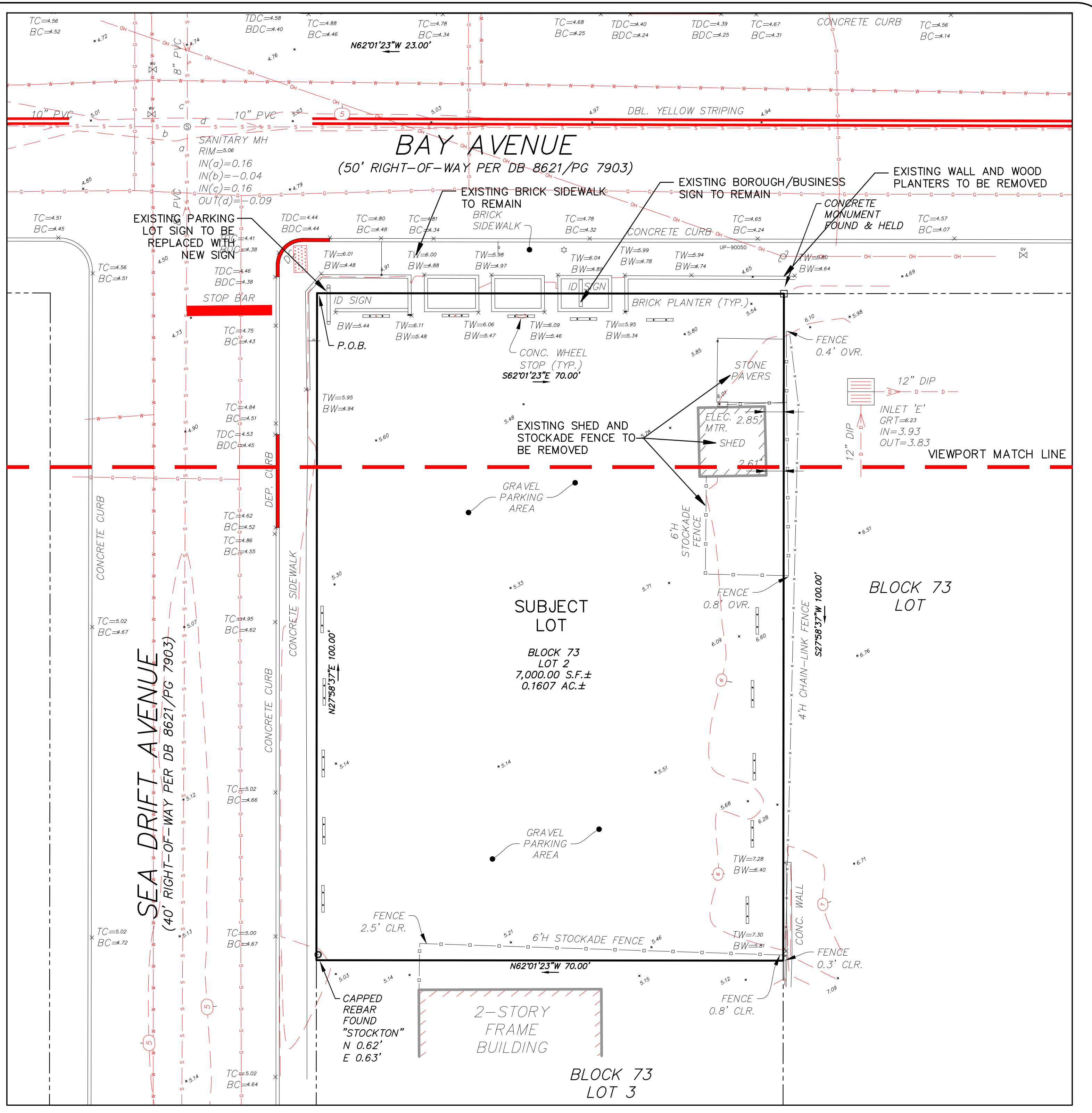
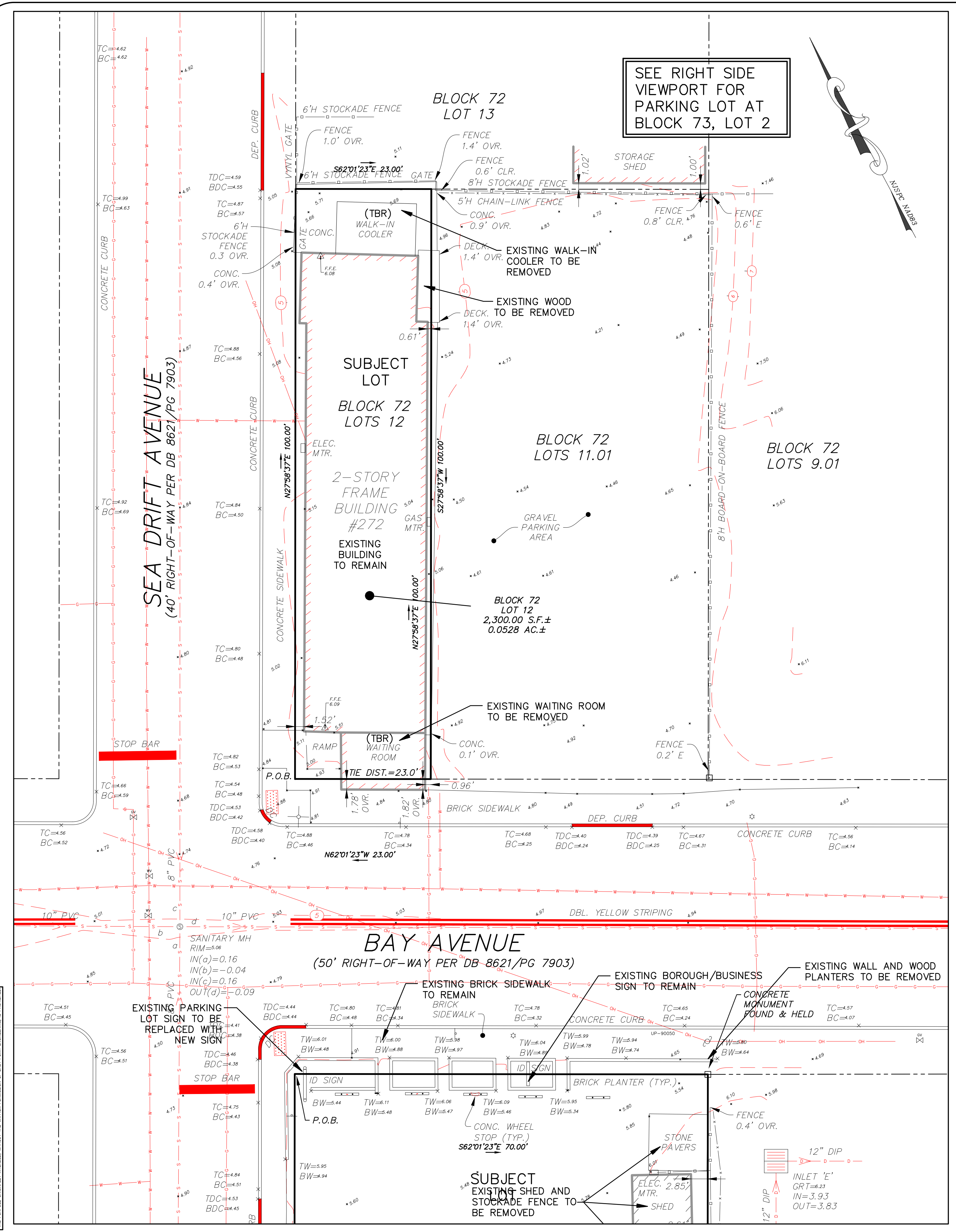
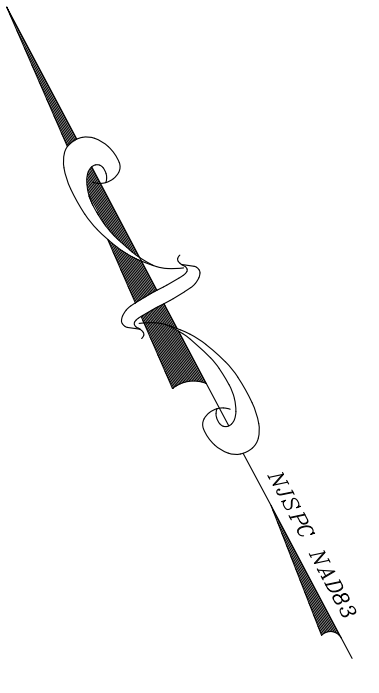
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 SHEET NO. 2 OF 10



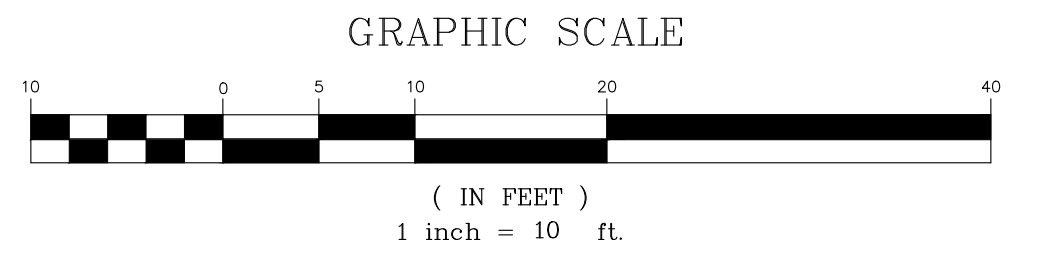
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SEE RIGHT SIDE VIEWPORT FOR PARKING LOT AT BLOCK 73, LOT 2



**SURVEY REFERENCED:**  
 OUTBOUND & TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM PLANS ENTITLED,  
 "BOUNDARY AND TOPOGRAPHIC SURVEY FOR 272 BAY AVENUE, LLC, BLOCK 72, LOT 12, BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY", PREPARED BY LANDMARK SURVEYS INC., DATED NOVEMBER 9, 2022  
 AND  
 "BOUNDARY AND TOPOGRAPHIC SURVEY FOR SEA DRIFT AVE, LLC, BLOCK 73, LOT 2, BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY", PREPARED BY LANDMARK SURVEYS INC., DATED NOVEMBER 9, 2022



NO.	DATE	DESCRIPTION
2	2-22-23	REVISED PER BOROUGH ZONING BOARD MEETING COMMENTS
1	1-23-23	REVISED PER BOROUGH TRC MEETING COMMENTS

**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SEA GRASS NJ, LLC**  
**EXISTING CONDITIONS PLAN**  
 BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
 BOROUGH OF HIGHLANDS  
 MONMOUTH COUNTY, NEW JERSEY  
 TAX MAP SHEETS NO. 15 & 16

**EAST POINT ENGINEERING, LLC**  
 NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 24GA28169800  
 11 South Main Street  
 Marlboro, NJ 07746  
 Tel: 732.577.0180

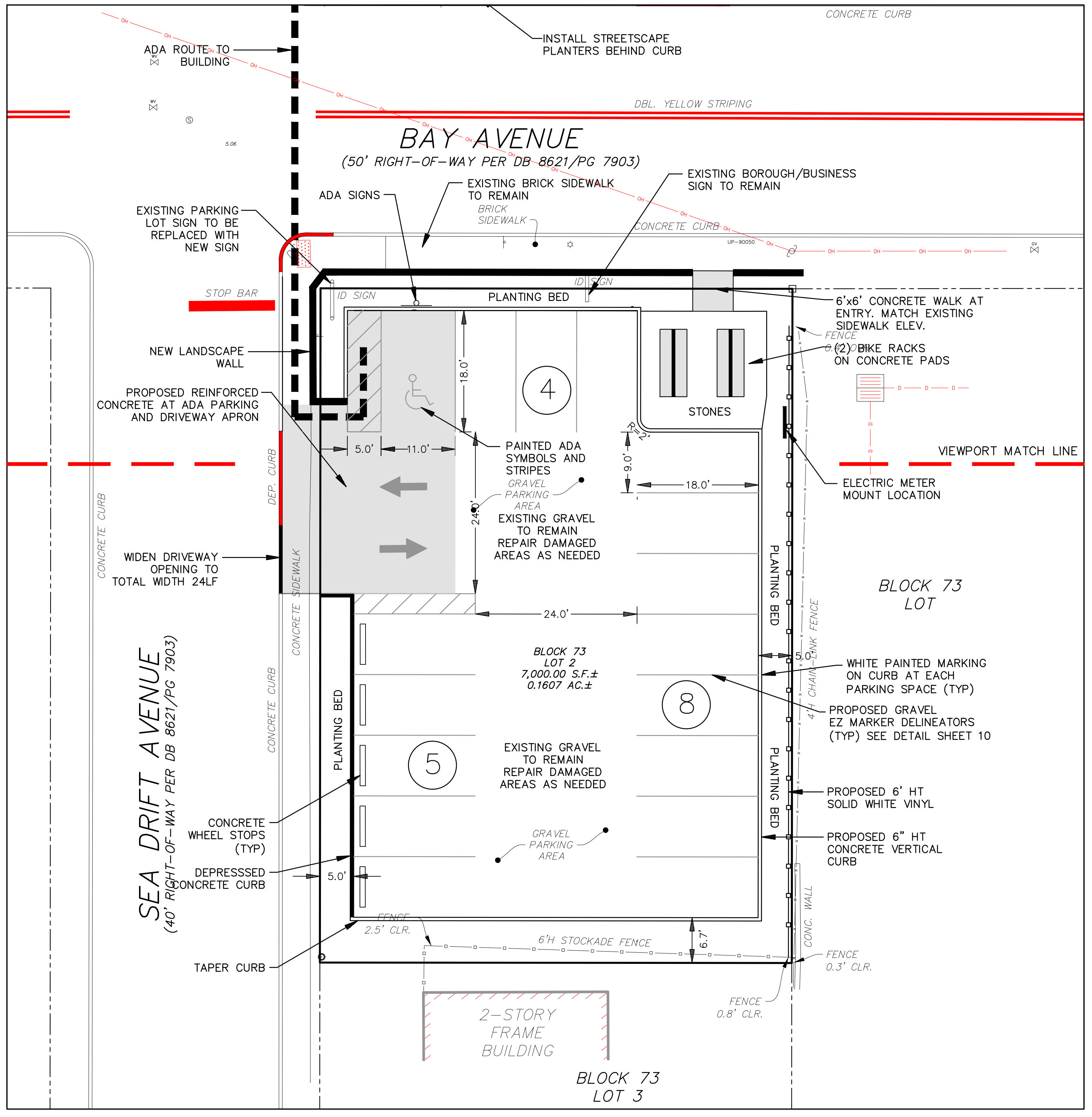
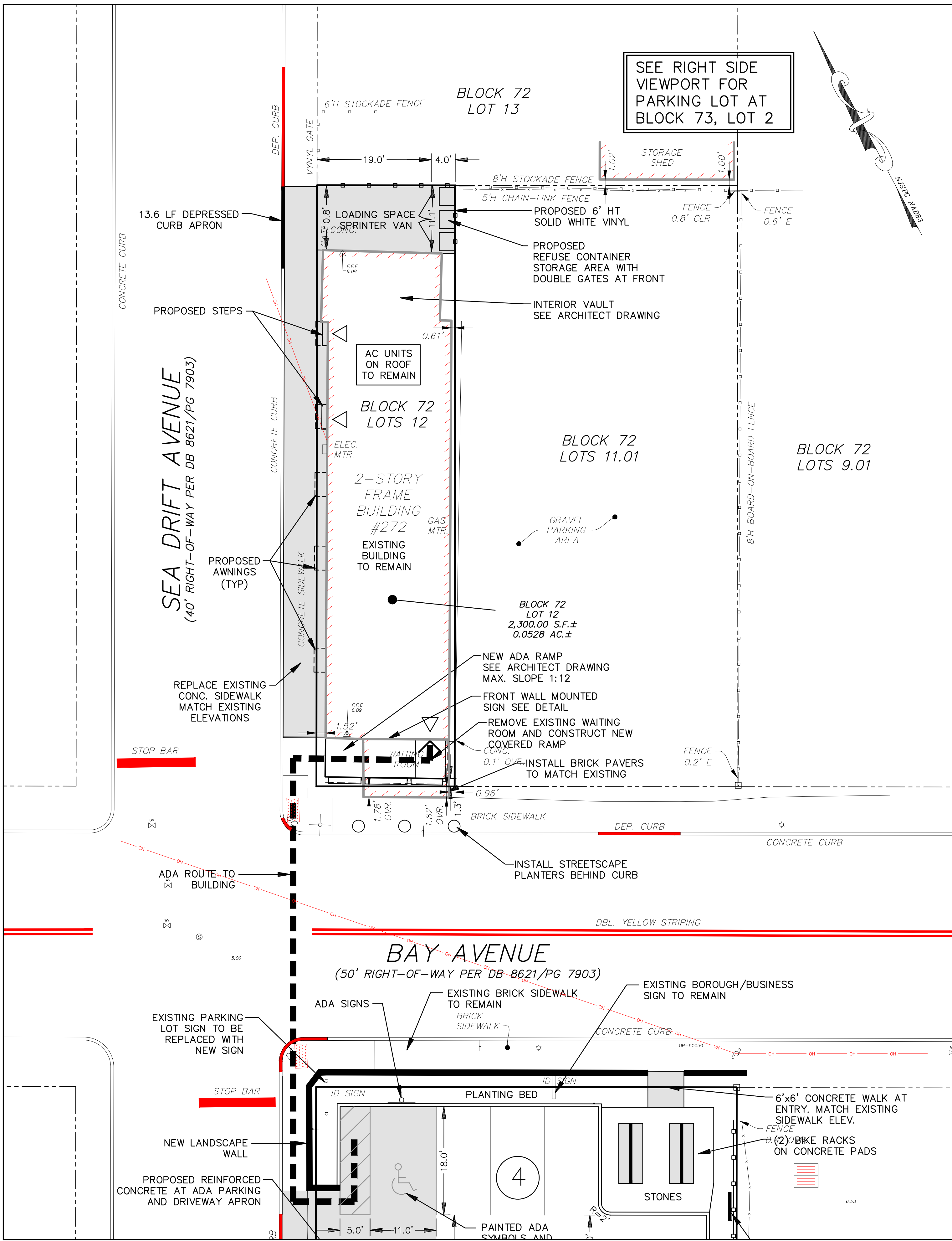
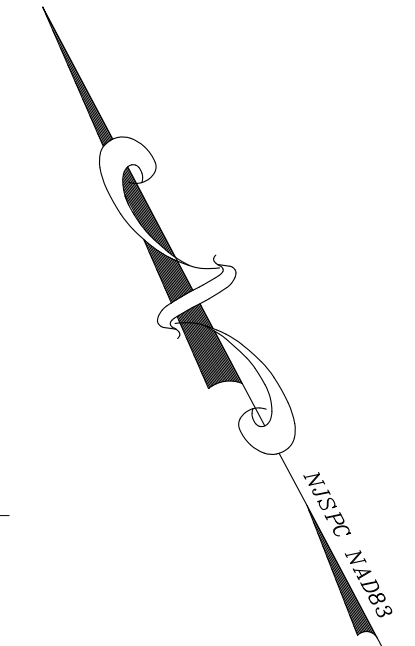
**BRENT N. PAPI, JR.**  
 N.J. PROFESSIONAL ENGINEER, LICENSE NO. 24GE04732700

DATE: 02/22/23  
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 PROJECT NUMBER: 21-1166  
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 SHEET NO. 3 OF 10

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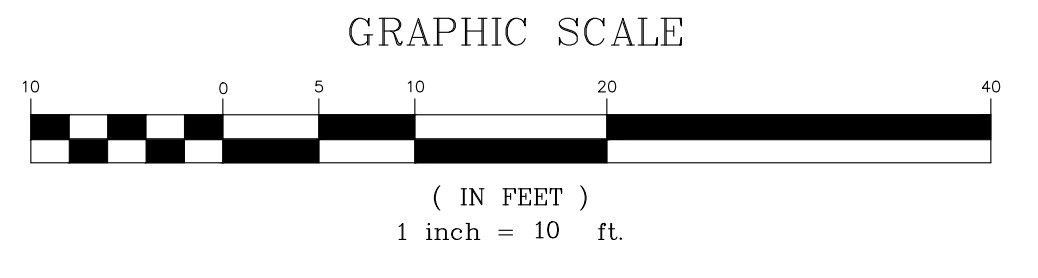


SEE RIGHT SIDE VIEWPORT FOR PARKING LOT AT BLOCK 73, LOT 2



SITE IMPROVEMENT NOTES

1. ALL SIGNS, STRIPING, AND DEVICES FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC SHALL BE IN ACCORDANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (M.U.T.C.D.), LATEST EDITION.
2. ALL JOINTS WITH EXISTING PAVED AREAS/ROADS SHALL BE CONSTRUCTED WITH A NEAT SAWCUT AND KEYWAY. JOINTS WITH EXISTING CONCRETE SHALL BE SAWCUT AND A BITUMINOUS MATERIAL PROVIDED AS AN EXPANSION JOINT FILLER.
3. ALL PARKING STALLS TO BE 9' x 18' UNLESS OTHERWISE NOTED ON THE PLANS.
4. SIDEWALKS, APRONS, RAMPS, AND CURBS TO BE CONSTRUCTED OF 4,500 PSI CONCRETE AS INDICATED ON THE CONSTRUCTION DETAILS.
5. SHOP DRAWINGS SHALL BE SUBMITTED TO THE MUNICIPAL ENGINEER FOR REVIEW AND APPROVAL PRIOR TO COMMENCING WORK.
6. DEPRESSED CURBS AT ALL CURB RAMPS SHALL BE CONSTRUCTED OUT OF CONCRETE.
7. ANY CURBING OR SIDEWALK FRONTING THE SITE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED.



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**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SEA GRASS NJ, LLC**  
**SITE LAYOUT / SIGNAGE & STRIPING PLAN**  
 BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
 BOROUGH OF HIGHLANDS  
 MONMOUTH COUNTY, NEW JERSEY  
 TAX MAP SHEETS NO. 15 & 16

**EAST POINT ENGINEERING, LLC**  
 NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 24GA28169800

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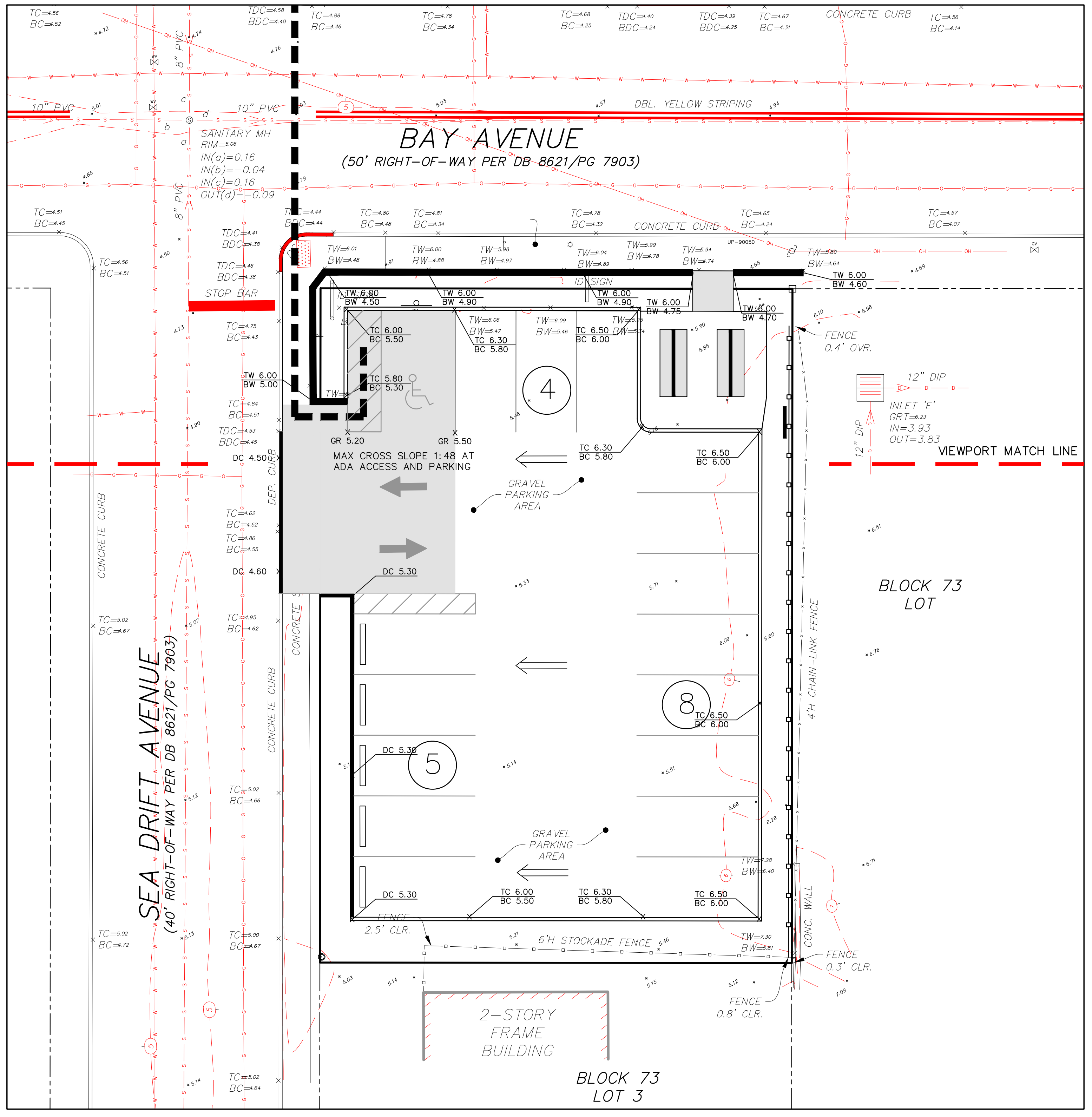
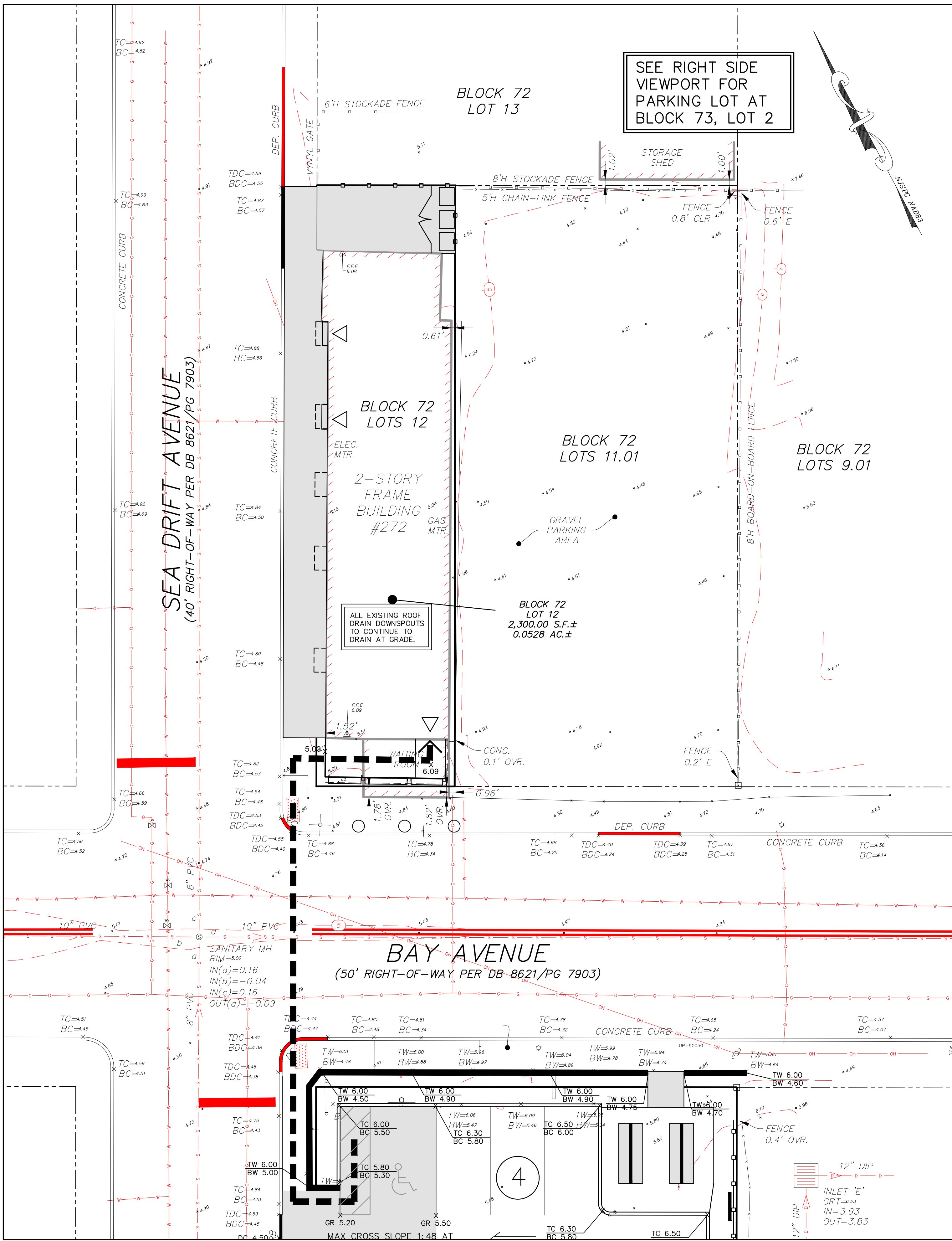
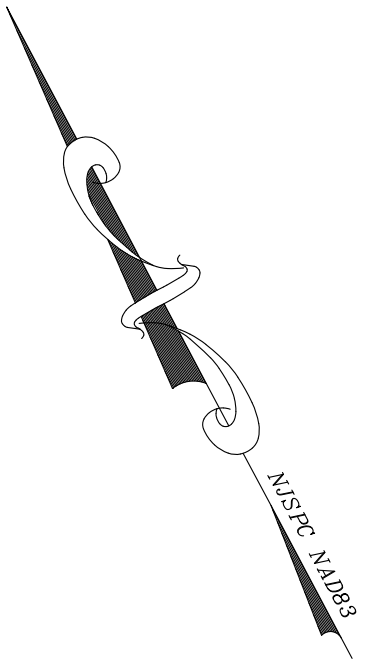
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 SHEET NO. 4 OF 10

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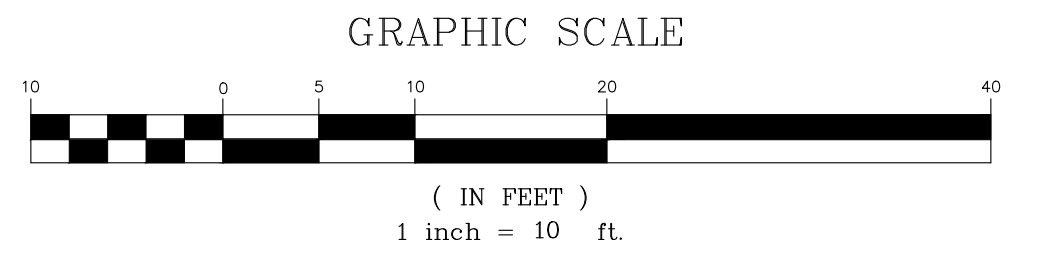
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SEE RIGHT SIDE VIEWPORT FOR PARKING LOT AT BLOCK 73, LOT 2



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NO.	DATE	DESCRIPTION
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1	1-23-23	REVISED PER BOROUGH TRC MEETING COMMENTS

PRELIMINARY & FINAL MAJOR SITE PLAN  
SEA GRASS NJ, LLC  
GRADING PLAN  
BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
BOROUGH OF HIGHLANDS  
MONMOUTH COUNTY, NEW JERSEY  
TAX MAP SHEETS NO. 13 & 16

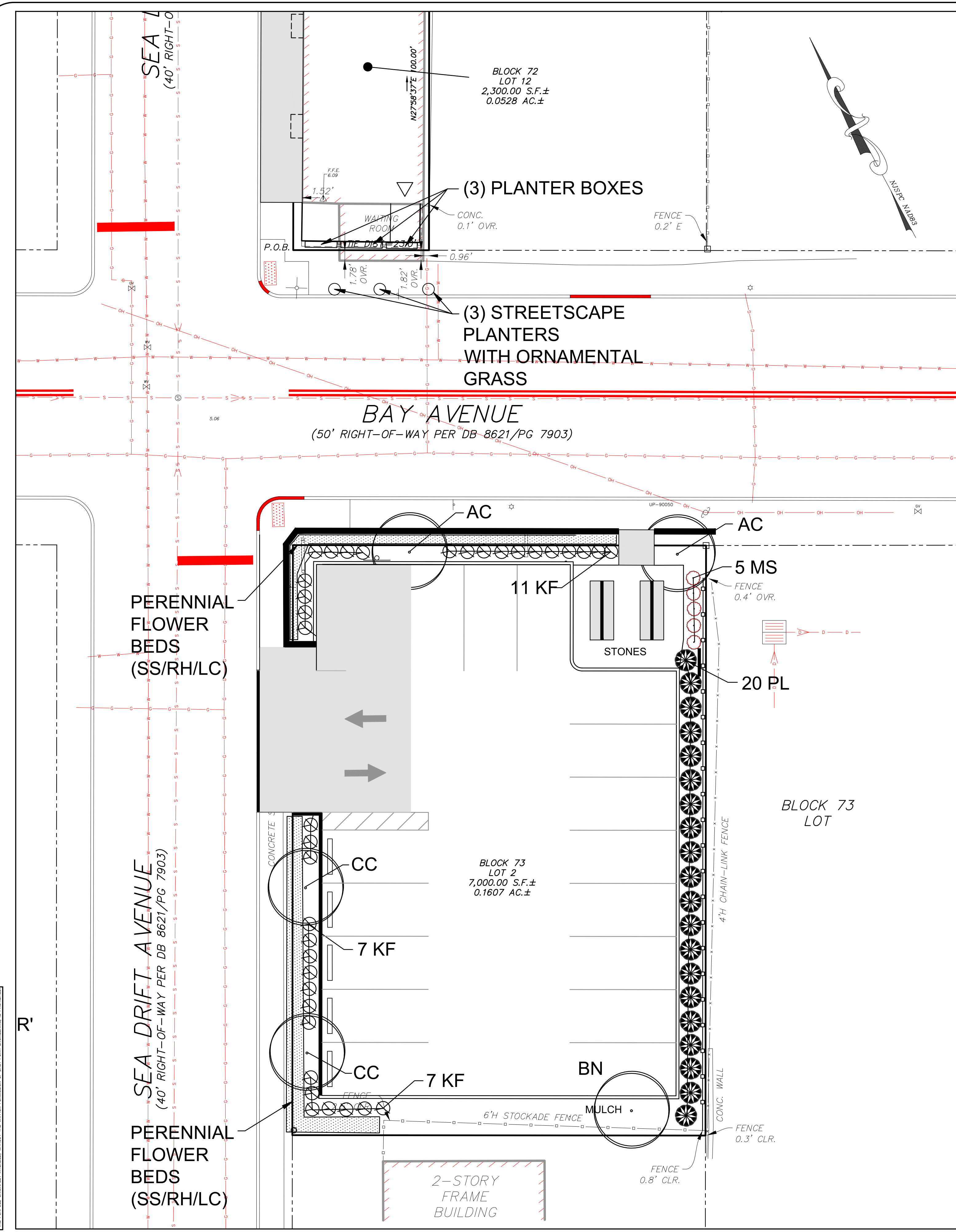
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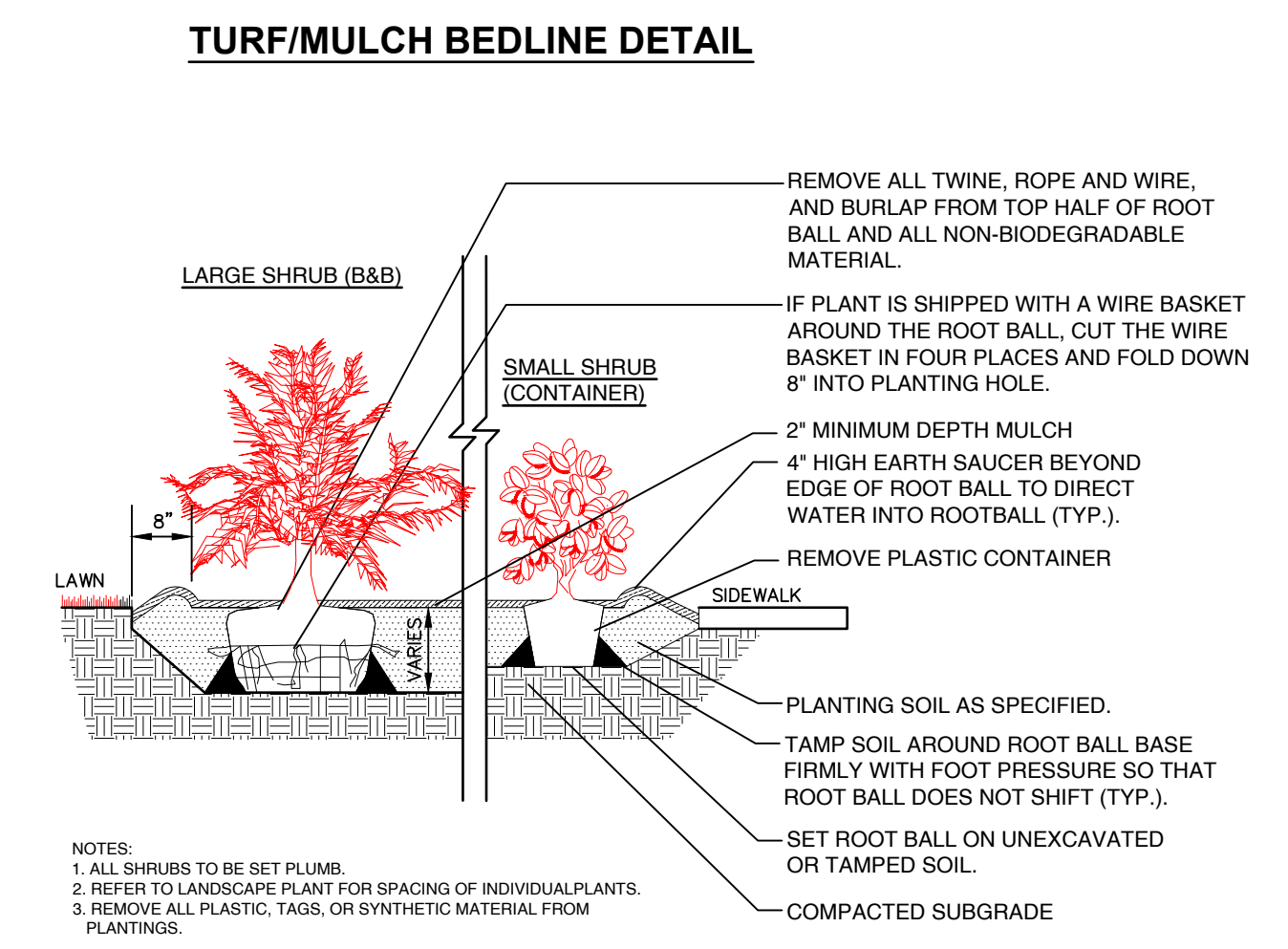
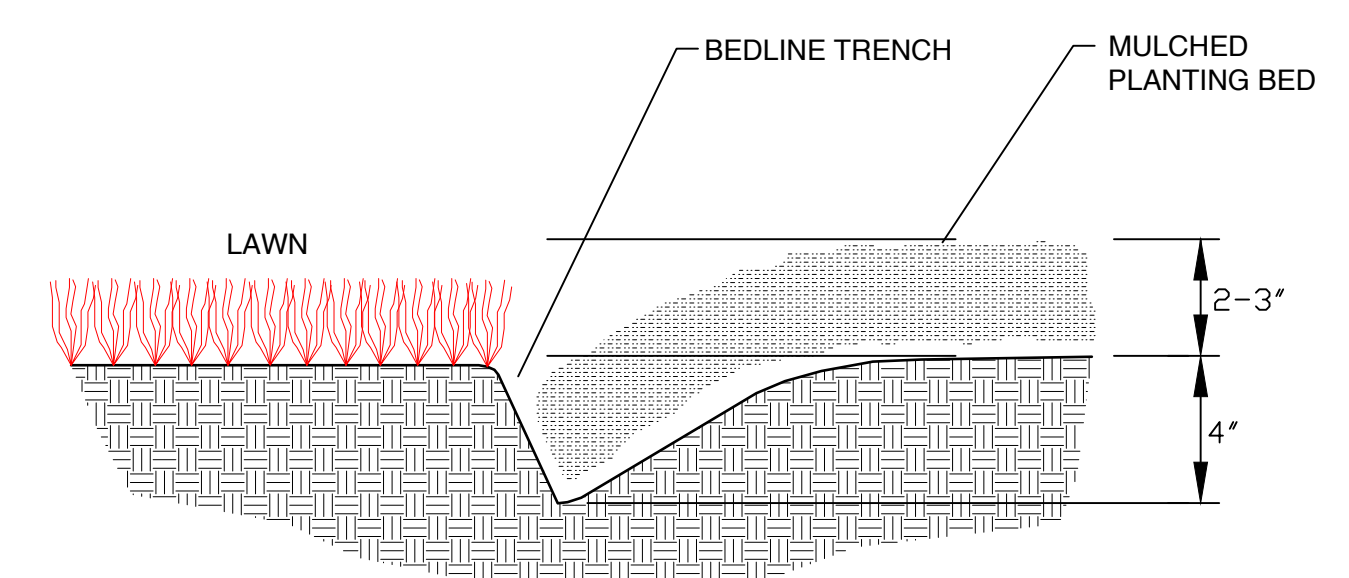
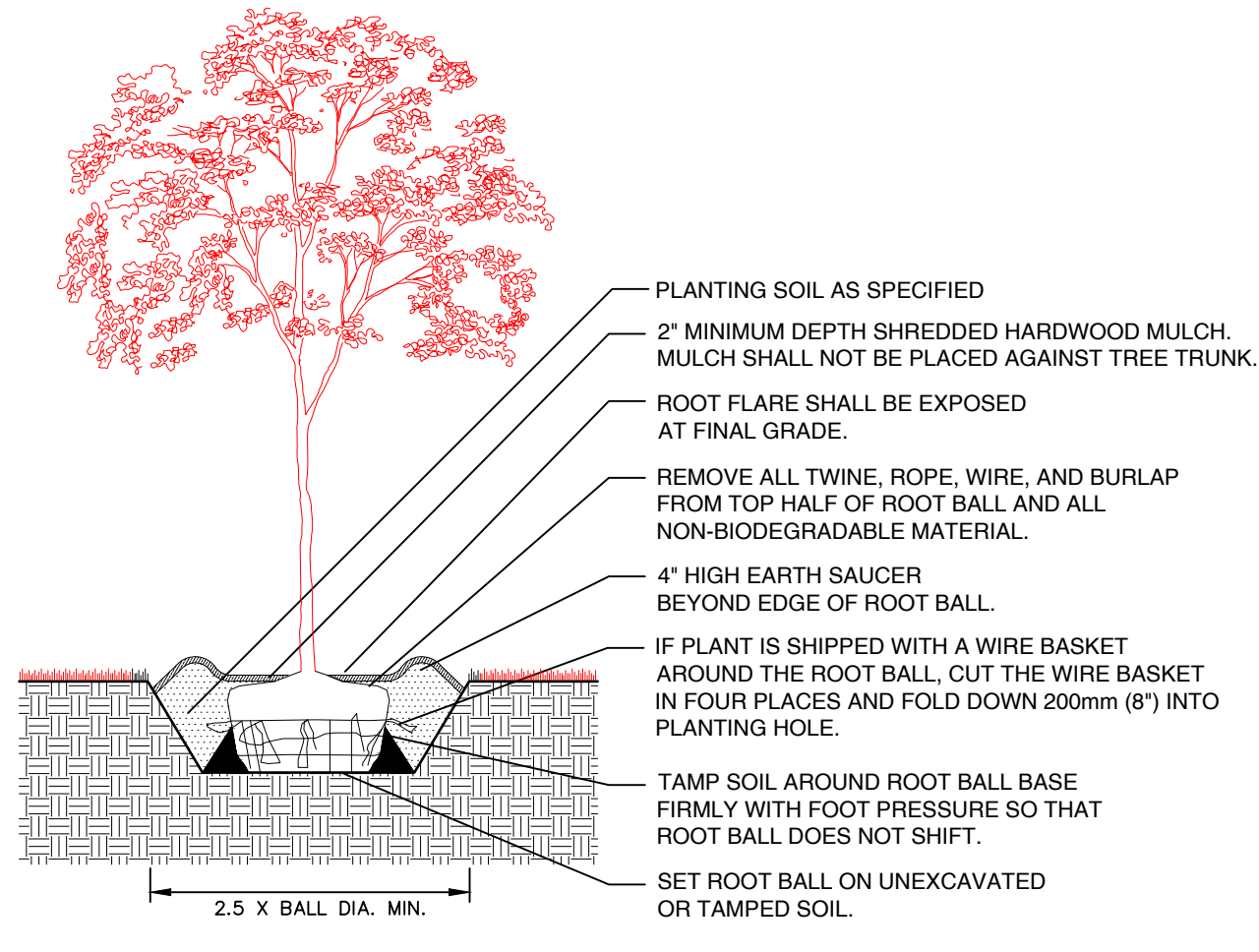
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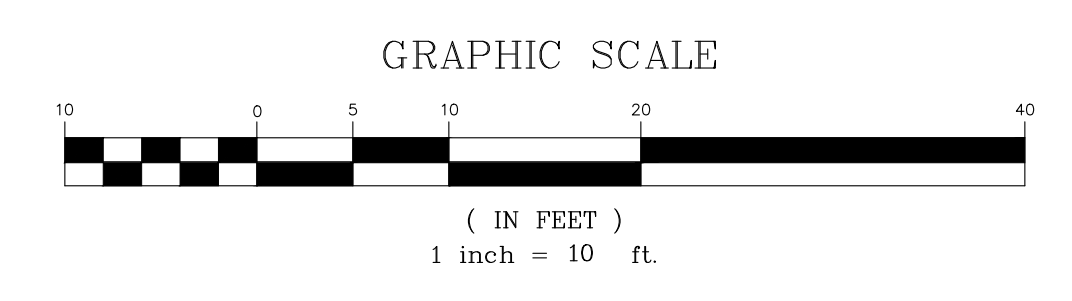
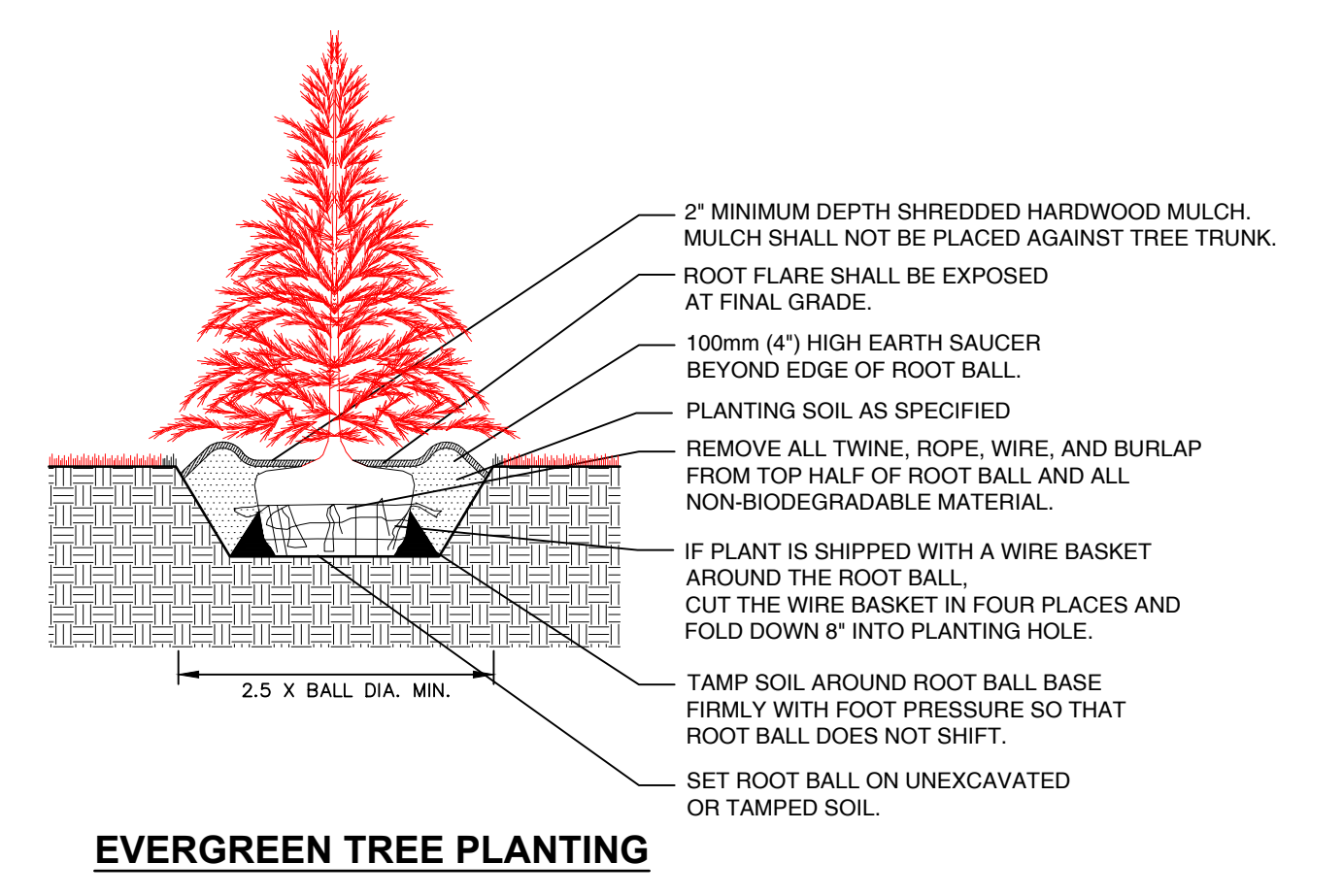


**PLANT SCHEDULE**

KEY	QTY	BOTANICAL NAME	COMMON NAME	HT./CONTAINER SIZE	REMARKS
<b>Deciduous Trees</b>					
BN	1	Betula Nigra 'Cully'	Heritage River Birch	2.5" - 3.0" cal.	B&B, Straight Central Leader
CC	2	Cercis Canadensis	Eastern Redbud	4-5' Ht.	B&B, Straight Central Leader
AC	2	Amelanchier Canadensis	Shadblow Serviceberry	4-5' Ht.	B&B, Straight Central Leader
<b>Shrubs</b>					
PL	20	Prunus Laurocerasus 'Schipkaensis'	Skip Cherry Laurel	3 Gal.	
<b>Ornamental Grasses</b>					
MS	5	Miscanthus Sinensis 'Strictus'	Porcupine Grass	3 Gal.	
KF	36	Calamagrostis x Acutiflora	Karl Foerster's Feathered Reed Grass	3 Gal.	
<b>Perennial Flowers (Mix)</b>					
SS		Solidago Sempervirens	Seaside Goldenrod	3 Gal.	
RH		Rudbeckia Hirta	Black-Eyed Susan	3 Gal.	
LC		Lobelia Cardinalis	Cardinal Flower	3 Gal.	



- PLANTING NOTES:**
- NEW PLANT MATERIAL SHALL BE NURSERY GROWN UNLESS SPECIFIED OTHERWISE. ALL PLANTS SHALL BE SET PLUMB AND SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANTS ORIGINAL GRADE BEFORE.
  - CONTRACTOR SHALL CONTACT UTILITY ENTITIES FOR MARK-OUT OF EXISTING UNDERGROUND UTILITY AND SEWER LINES PRIOR TO THE START OF EXCAVATION ACTIVITIES. NOTIFY THE PROJECT MANAGER IMMEDIATELY OF ANY DISCREPANCIES WITH PROPOSED PLANTING LOCATIONS.
  - SHADE AND EVERGREEN TREES SHALL BE FIELD ADJUSTED TO BE PLANTED AT LEAST 2 (TWO) FEET FROM ANY CURBING, PAVING OR SIDEWALK. THE LANDSCAPE ARCHITECT AND/OR PROJECT MANAGER SHALL ASSIST IN THE FINAL PLACEMENT OF ALL PLANT MATERIAL AND LOCATION OF PLANTING BEDS TO ENSURE COMPLIANCE WITH DESIGN INTENT UNLESS OTHERWISE INSTRUCTED.
  - SUBSTITUTIONS FOR PLANT MATERIAL IS ACCEPTABLE ONLY IF THE PLANT MATERIAL IS NOT OBTAINABLE AND THE SUBSTITUTIONS ARE APPROVED BY THE BOARD ENGINEER.
  - ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DETAILS, NOTES AND CONTRACT SPECIFICATIONS. THE LANDSCAPE ARCHITECT AND/OR PROJECT MANAGER MAY REVIEW/OVERSEE INSTALLATION PROCEDURES.
  - ANY LANDSCAPING WHICH IS NOT RESISTANT TO THE ENVIRONMENT, OR THAT DIES WITHIN TWO YEARS OF PLANTING, SHALL BE REPLACED BY THE DEVELOPER. PLANT MATERIAL FOUND TO DYING OR DEAD DUE TO NATURAL CAUSES SHALL BE REMOVED AND REPLACED BY THE LANDSCAPE CONTRACTOR. NATURAL CAUSES EXCLUDES UNDERWATERING/OVERWATERING BY OWNER(S) OR IRRIGATION MANAGER. IRRIGATION OF THE PLANTINGS AND SEEDED/SODDED AREAS ARE NOT THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.
  - THE CONTRACTOR SHALL KEEP THE AREA CLEAN DURING DELIVERY AND INSTALLATION OF PLANT MATERIALS AND REMOVE AND DISPOSE OF OFF-SITE ANY ACCUMULATED DEBRIS OR UNUSED MATERIALS.
  - IN THE EVENT THAT PLANT QUANTITY DISCREPANCIES OR MATERIAL OMISSIONS OCCUR IN THE PLANTING SCHEDULE, THE PLAN SHALL SUPERCEDE.



NO.	DATE	DESCRIPTION
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1	1-23-23	REVISED PER BOROUGH TRE MEETING COMMENTS

**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SEA GRASS NJ, LLC**  
**LANDSCAPE PLAN**  
BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
BOROUGH OF HIGHLANDS  
MONMOUTH COUNTY, NEW JERSEY  
TAX MAP SHEETS NO. 15 & 16

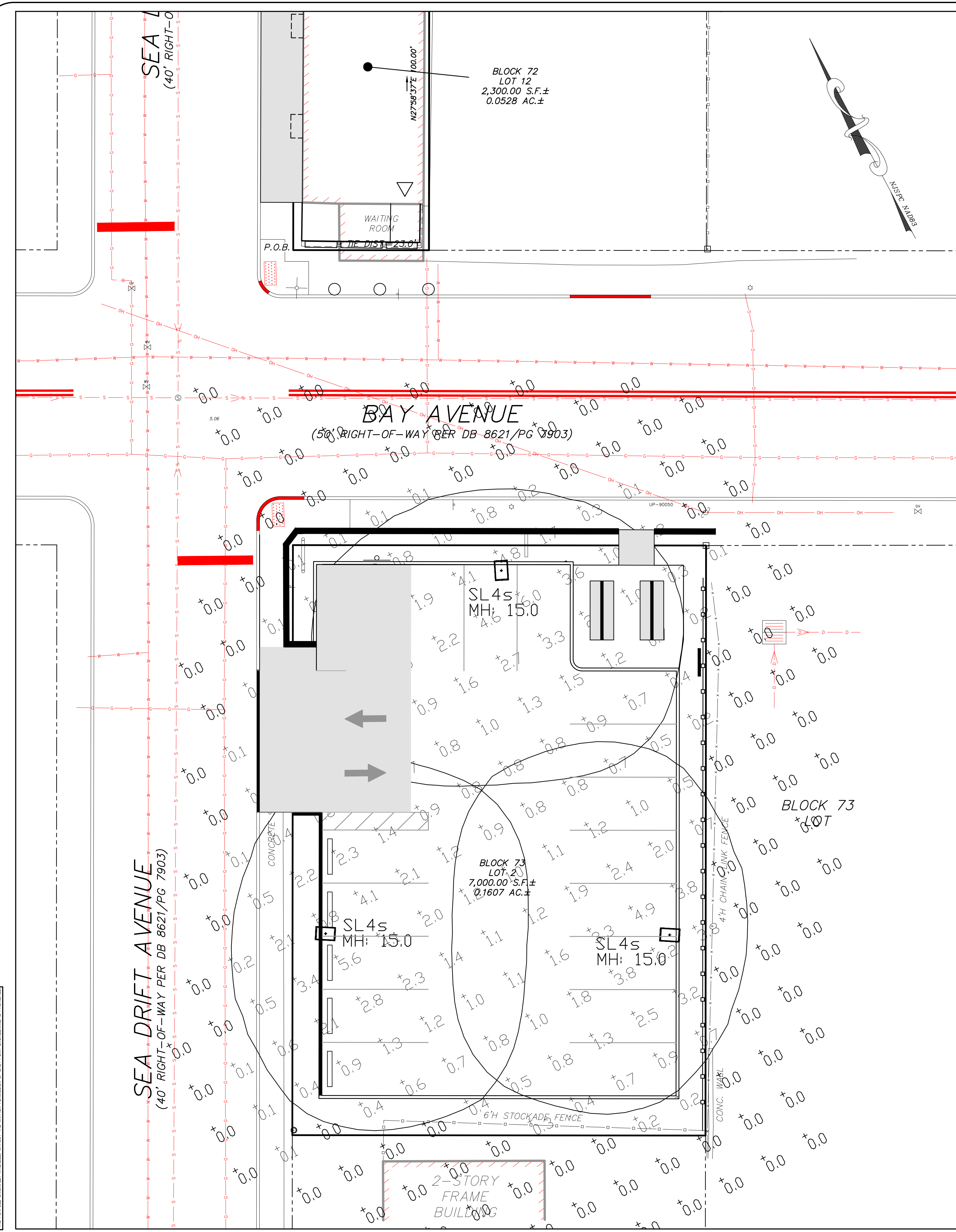
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NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 246A28169800  
11 South Main Street  
Marlboro, NJ 07746  
Tel: 732.577.0180

**BRENT N. PAPI, JR.**  
N.J. PROFESSIONAL ENGINEER, LICENSE NO. 246E04732700

DATE: 02/22/23  
SCALE: 1" = 10'  
PROJECT NUMBER: 21-1166  
CHECKED BY: M.S.L.  
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Label	Qty	Symbol	[MANUFAC]	Description	LLF	Watts	Lumens
SL4s	3		Above All Lighting	SMT40401-T4-with back side shield	0.850	74,244	4764
WA	1			SSWP-SPS-SW1-20W-4000K_IESNA2002	0.850	18,909	2721

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
All Values Project Area	Illuminance	Fc	0.66	6.2	0.0	N.A.	N.A.
Parking	Illuminance	Fc	1.69	6.2	0.4	4.23	15.50

- NOTES:
- The calculated results of this lighting simulation represent a prediction of system performance and are not guaranteed.
  - Actual measured results may vary from the anticipated performance and are subject to means and conditions which are beyond the control of DB Lighting Consultation.
  - Illumination values shown (in foot-candles) are horizontal at grade level based on Mounting Height 15'-0"
  - Calculation points are on an 8' x 8' spacing
  - Per fixture isolines shown represent 0.25 Fc and is for reference only

**LIGHTING NOTES**

- ALL SITE LIGHTING SHALL RECEIVE UNDERGROUND ELECTRICAL SERVICE.
- A TIME CLOCK TO CONTROL THE SITE LIGHTING SHALL BE PROVIDED FOR ALL SITE LIGHTING. THE NECESSARY CONTROLS AND WIRING SHALL BE PROVIDED BY THE ELECTRICAL CONTRACTOR.
- HOURS OF THE PROPOSED SITE LIGHTING SHALL BE ONE-HALF HOUR BEFORE SUNSET TO ONE-HALF HOUR AFTER SUNRISE. LIGHTING MAY BE WIRED IN SECTIONS WITH SOME SECTIONS TURNING OFF AFTER MIDNIGHT TO CONSERVE ENERGY. ESSENTIAL SECTIONS DESIGNATED SECURITY LIGHTING SHALL NOT TURN OFF UNTIL ONE-HALF HOUR AFTER SUNRISE.
- THE ELECTRICAL CONTRACTOR SHALL PROVIDE ANY NECESSARY CONDUITS FOR POWER, AND GROUNDING.
- THE ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING ALL LIGHTING FIXTURES, AND LAMPS.
- THE ELECTRICAL CONTRACTOR SHALL FURNISH AND INSTALL THE REQUIRED BRANCH CIRCUIT WIRING AND CONNECT THE SITE LIGHTING FIXTURES TO THE PROPER CIRCUITS AFTER THEY HAVE BEEN INSTALLED.
- THE NUMBER AND SIZE OF THE POWER CONDUITS SHALL BE PROVIDED BY THE ELECTRICAL CONTRACTOR.
- ALL SITE LIGHTING SHALL CONFORM TO THE REQUIREMENTS OF THE MUNICIPALITY, THE ELECTRIC UTILITY, AND THE RECOMMENDATIONS OF THE ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA).
- SITE LIGHTING SPECIFIED SHALL BE INSTALLED PER MANUFACTURER'S DETAILS AND SPECIFICATIONS.
- LUMINAIRES SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS.



**SMT LED AREA LIGHT**

**PRODUCT DESCRIPTION**  
The SMT series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is a better alternative for traditional street and area lighting with quick payback and improved performance. It is widely used for Roadway, parking lots, walkways and general area spaces.

**FEATURE**

- Low profile design, minimizing wind load.
- Heavy duty construction with die casting aluminum housing.
- Polycarbonate with tempered glass lens doesn't fade and discolor.
- Versatile mounting options for square pole, round pole and wall mounting.
- Option of controls for maximum energy savings.
- Full distributions to cover various applications.
- Integral 10kV surge suppression protection.

**ELECTRICAL SYSTEM**

- Input Voltage: 100-277V, 347-480V, 50/60Hz
- Power Factor: > 0.9 at 120V
- Total Harmonic Distortion: < 20% at 120V
- Integral 10kV surge suppression protection standard.
- Minimum Ambient: 40°F, maximum ambient 122°F

**PERFORMANCE**

CRI: 70+

CCT: 3000K - 4000K - 5000K

Dimming: 0-10V Dimming Standard

Projected Lifetime: L70 - 127,000 Hours

Working Temperature: -40-122°F (-40-50°C)

Certifications:

- ETL listed
- IP66 rated
- DLC Premium qualified
- RoHS compliant

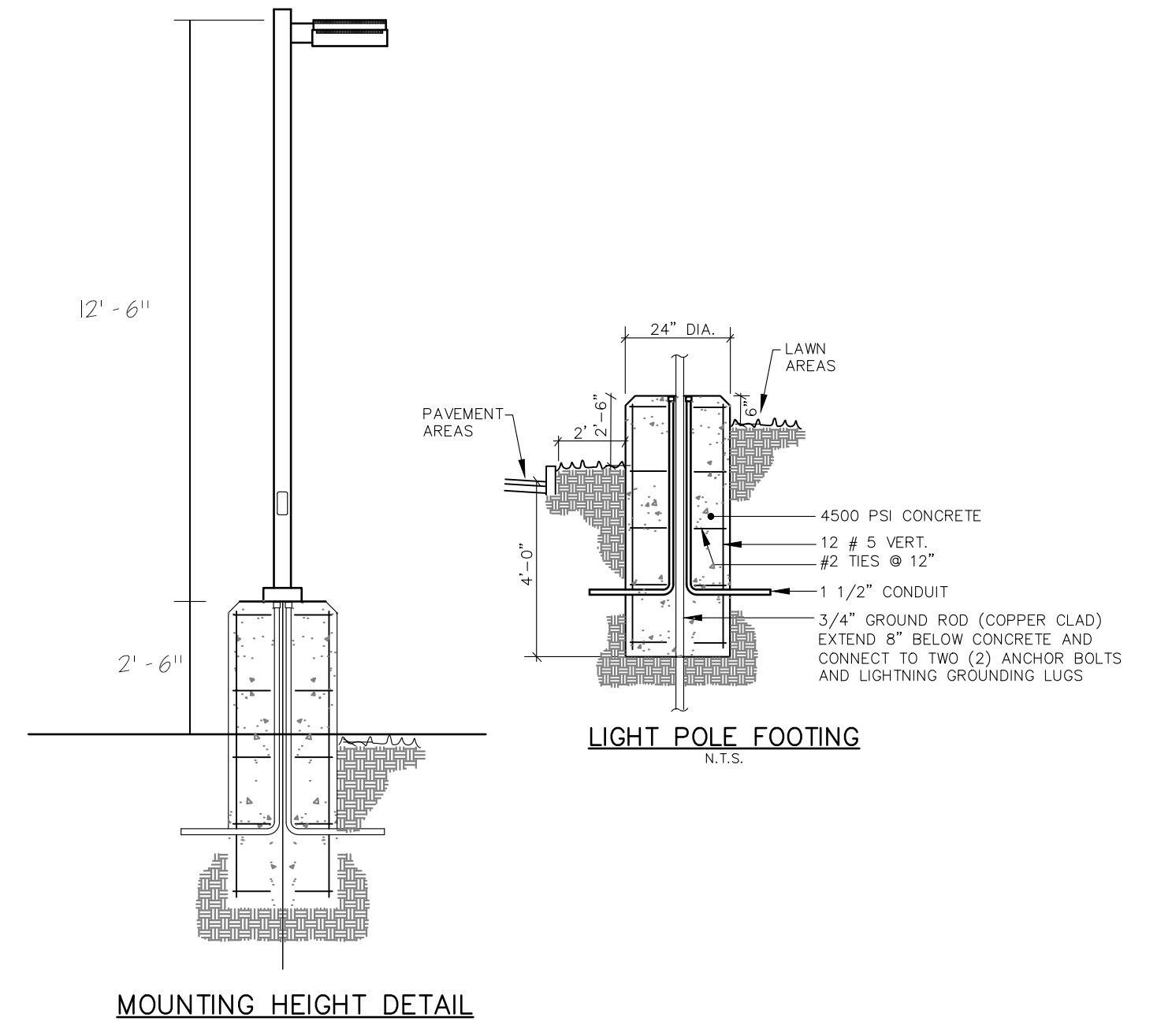
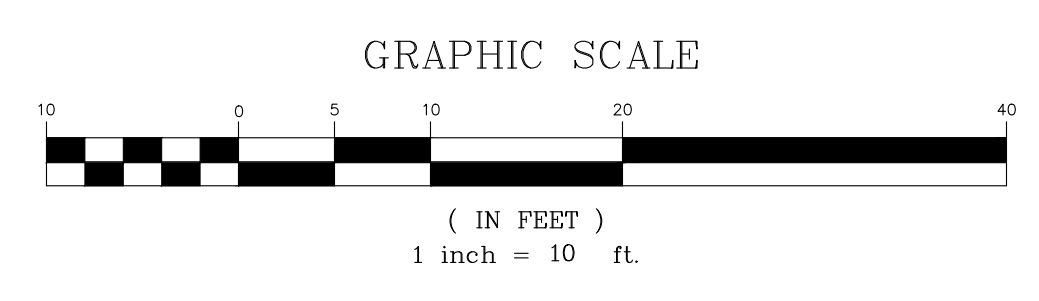
**SPECIFICATION**

Approximate Net Weight	10 lbs
Dimension W/O Mounting Brackets (L*W*H)	13.20" x 10.85" x 3.20"
Effective Project Area (EPA)	-with Arm, EPA = 0.55 Fc
	-with Signifier, EPA = 0.55 Fc
	-with Trunnion, EPA = 0.47 Fc
	-with Wall Bracket, EPA = 0.324F

1501 Industrial Way N.  
Toms River, NJ 08753  
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886-222-8888  
info@aboveallighting.com  
www.aboveallighting.com

**ABOVE ALL LIGHTING  
POLE MOUNTED FIXTURE (SL4s)**



2	2-22-23	REVISED PER BOROUGH ZONING BOARD MEETING COMMENTS
1	1-23-23	REVISED PER BOROUGH TRC MEETING COMMENTS
NO.	DATE	DESCRIPTION

**PRELIMINARY & FINAL MAJOR SITE PLAN  
SEA GRASS NJ, LLC  
LIGHTING PLAN**

BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
BOROUGH OF HIGHLANDS  
MONMOUTH COUNTY, NEW JERSEY  
TAX MAP SHEETS NO. 15 & 16

**EAST POINT  
ENGINEERING, LLC**  
NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 24GA28169800

11 South Main Street  
Marlboro, NJ 07746  
Tel: 732.577.0180

DATE: 11/21/22  
SCALE: 1" = 10'  
PROJECT NUMBER: 21-1166  
CHECKED BY: M.S.L.  
DATE: 02/22/23  
SHEET NO. 7 OF 10

BRENT N. PAPI, JR.  
N.J. PROFESSIONAL ENGINEER, LICENSE NO. 24GE04732700

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SOIL EROSION & SEDIMENT CONTROL NOTES

- 1. THE FREHOLD SOIL CONSERVATION DISTRICT SHALL BE NOTIFIED FORTY-EIGHT (48) HOURS IN ADVANCE OF ANY SOIL DISTURBING ACTIVITY.
2. ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES ARE TO BE INSTALLED PRIOR TO SOIL DISTURBANCE...
3. ANY CHANGES TO THE CERTIFIED SOIL EROSION AND SEDIMENT CONTROL PLANS WILL REQUIRE THE SUBMISSION OF REVISED SOIL EROSION AND SEDIMENT CONTROL PLANS TO THE DISTRICT FOR RE-CERTIFICATION...
4. N.J.S.A. 4:24-39 ET. SEQ. REQUIRES THAT NO CERTIFICATE OF OCCUPANCY BE ISSUED BEFORE THE DISTRICT DETERMINES THAT A PROJECT OR PORTION THEREOF IS IN FULL COMPLIANCE WITH THE CERTIFIED PLAN AND STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL IN NEW JERSEY...
5. ANY DISTURBED AREAS THAT WILL BE LEFT EXPOSED FOR MORE THAN SIXTY (60) DAYS, AND NOT SUBJECT TO CONSTRUCTION TRAFFIC, WILL IMMEDIATELY RECEIVE A TEMPORARY SEEDING...
6. IMMEDIATELY FOLLOWING INITIAL DISTURBANCE AND ROUGH GRADING, ALL CRITICAL AREAS SUBJECT TO EROSION (I.E. STEEP SLOPES AND ROADWAY EMBANKMENTS) WILL RECEIVE TEMPORARY SEEDING IN COMBINATION WITH STRAW MULCH OR A SUITABLE EQUIVALENT, AND A MULCH ANCHOR, IN ACCORDANCE WITH STATE STANDARDS...
7. A SUB-BASE COURSE WILL BE APPLIED IMMEDIATELY FOLLOWING ROUGH GRADING AND INSTALLATION OF IMPROVEMENTS TO STABILIZE STREETS, ROADS, DRIVEWAYS, AND PARKING AREAS...
8. THE STANDARD FOR STABILIZED CONSTRUCTION ACCESS REQUIRES THE INSTALLATION OF A PAD OF CLEAN CRUSHED STONE AT POINTS WHERE TRAFFIC WILL BE ACCESSING THE CONSTRUCTION SITE...
9. ALL SOIL WASHED, DROPPED, SPILLED, OR TRACKED OUTSIDE THE LIMIT OF DISTURBANCE OR ONTO THE PUBLIC RIGHT-OF-WAYS WILL BE REMOVED IMMEDIATELY...
10. PERMANENT VEGETATION IS TO BE SEEDED OR SODDED ON ALL EXPOSED AREAS WITHIN TEN (10) DAYS AFTER FINAL GRADING...
11. AT THE TIME THE SITE PREPARATION FOR PERMANENT VEGETATIVE STABILIZATION IS GOING TO BE ACCOMPLISHED, ANY SUITABLE SOIL THAT WILL NOT BE REMOVED OR TREATED IN SUCH A WAY THAT IT WILL PERMANENTLY ADJUST THE SOIL CONDITIONS AND RENDER IT SUITABLE FOR VEGETATIVE GROUND COVER...
12. IN ACCORDANCE WITH THE STANDARD FOR MANAGEMENT OF HIGH ACID PRODUCING SOILS, ANY SOIL HAVING A PH OF 4 OR LESS OR CONTAINING IRON SULFIDES SHALL BE ULTIMATELY PLACED OR BURIED WITH LIMESTONE APPLIED AT THE RATE OF 10 TONS/ACRE...
13. CONDUIT OUTLET PROTECTION MUST BE INSTALLED AT ALL REQUIRED OUTFALLS PRIOR TO THE DRAINAGE SYSTEM BECOMING OPERATIONAL...
14. UNFILTERED DETERGENTS IS NOT PERMITTED. NECESSARY PRECAUTIONS MUST BE TAKEN DURING ALL DETERGENT OPERATIONS TO MINIMIZE SEDIMENT TRANSFER...
15. SHOULD THE CONTROL OF DUST AT THE SITE BE NECESSARY, THE SITE WILL BE SPRINKLED UNTIL THE SURFACE IS WET, TEMPORARY VEGETATIVE COVER SHALL BE ESTABLISHED OR MULCH SHALL BE APPLIED AS REQUIRED BY THE STANDARD FOR DUST CONTROL...
16. STOCKPILE AND STAGING LOCATIONS ESTABLISHED IN THE FIELD SHALL BE PLACED WITHIN THE LIMIT OF DISTURBANCE ACCORDING TO THE CERTIFIED PLAN...
17. ALL SOIL STOCKPILES ARE TO BE TEMPORARILY STABILIZED IN ACCORDANCE WITH SOIL EROSION AND SEDIMENT CONTROL NOTE #6.
18. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR ANY EROSION OR SEDIMENTATION THAT MAY OCCUR BELOW STORMWATER OUTFALLS OR OFFSITE AS A RESULT OF CONSTRUCTION OF THE PROJECT.

SEEDING SCHEDULE (PERMANENT & TEMPORARY) - ZONE 7A

- (rev. 2014)
SITE AND SEEDBED PREPARATION: TO BE PERFORMED IN ACCORDANCE WITH CHAPTERS 4-1, 7-1 AND 8-1 OF THE 2014 STANDARDS FOR SOIL EROSION & SEDIMENT CONTROL IN NEW JERSEY.
1. TEMPORARY GRASS SEEDING SHALL CONSIST OF SPRING OTS APPLIED AT A RATE OF 2.0 LBS. PER 1,000 S.F. OPTIMUM SEEDING DATES ARE BETWEEN FEBRUARY 15 AND MAY 1 AND BETWEEN AUGUST 15 AND OCTOBER 15.
AN ALTERNATIVE TEMPORARY GRASS SEEDING SHALL CONSIST OF WINTER CEREAL RYE APPLIED AT A RATE OF 2.8 LBS. PER 1,000 S.F. OPTIMUM SEEDING DATES ARE BETWEEN AUGUST 1 AND DECEMBER 15.
TEMPORARY SEEDING SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE PERMANENTLY STABILIZED WITH PERMANENT SEEDING. IF ANY SERIOUS EROSION PROBLEM OCCURS, THE ERODED AREAS SHALL BE REPAIRED AND STABILIZED WITH A MULCH AS INDICATED IN NOTE 6.
2. PERMANENT SEEDING SHALL CONSIST OF THE FOLLOWING MIXTURE AS APPROVED BY THE FREHOLD SOIL CONSERVATION DISTRICT:
USDA PLANT HARDINESS ZONE 7a, TABLE 4-3
MIX NUMBER
ACCEPTABLE SEEDING DATES ARE BETWEEN FEBRUARY 1 AND APRIL 30
ACCEPTABLE SEEDING DATES ARE BETWEEN MAY 1 AND AUGUST 14
OPTIMUM SEEDING DATES ARE BETWEEN AUGUST 15 AND OCTOBER 30
SITE MIX DETAILS
58% HARD FESCUE (135 LBS/ACRE)
19% CHEWINGS FESCUE (45 LBS/ACRE)
19% STRONG CREEPING RED FESCUE (45 LBS/ACRE)
4% PERENNIAL RYE GRASS (10 LBS/ACRE)
\*APPLY AT A SEEDING RATE OF 230 LBS/ACRE OR 5.25 LBS/1000 S.F.
3. PERMANENT SEEDING TO BE APPLIED BY HYDROSEEDING AT A RATE OF 160 LBS. PER ACRE. SLOPED AREAS TO BE COVERED WITH MULCH AS INDICATED IN NOTE 6.
4. FERTILIZER FOR THE ESTABLISHMENT OF TEMPORARY AND PERMANENT VEGETATIVE COVER SHALL BE 10-10-10 APPLIED AT A RATE OF 11 LBS. PER 1,000 S.F. LIMESTONE FOR TEMPORARY OR PERMANENT SEEDING SHALL BE APPLIED BASED ON SOIL TEST RECOMMENDATIONS.
5. IF THE TIME OF YEAR PREVENTS THE ESTABLISHMENT OF TEMPORARY OR PERMANENT SEEDING, EXPOSED AREA TO BE STABILIZED WITH MULCH AS INDICATED IN NOTE 6.
6. MULCH TO CONSIST OF SMALL GRAIN STRAW OR SALT HAY ANCHORED WITH A WOOD AND FIBER MULCH BINDER OR AN APPROVED EQUAL AT A RATE OF 1,500 POUNDS PER ACRE. THIS MULCH SHALL NOT BE MIXED IN THE TANK WITH SEED.
7. ALL SEEDED AREAS SHALL BE MULCHED IN ACCORDANCE WITH THE MULCH AND MULCH ANCHORING SPECIFICATIONS ON THIS SHEET.
8. WORK LIME AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH A DISC, SPRINGTOOTH HARROW, OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OR DISKING OPERATION SHOULD BE ON THE GENERAL CONTOUR. CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM, FINE SEEDBED IS PREPARED. ALL BUT CLAY OR SILTY SOILS AND COARSE SANDS SHOULD BE ROLLED TO FIRM THE SEEDBED WHEREVER FEASIBLE.
9. REMOVE FROM THE SURFACE ALL STONES TWO INCHES OR LARGER IN ANY DIMENSION. REMOVE ALL OTHER DEBRIS, SUCH AS WIRE, CABLE, TREE ROOTS, PIECES OF CONCRETE, CLODS, LUMPS OR OTHER UNSUITABLE MATERIAL.
10. INSPECT SEEDBED JUST BEFORE SEEDING. IF TRAFFIC HAS LEFT SOIL COMPACTED, THE AREA MUST BE RETILLED AND FIRMED AS ABOVE.

STANDARDS FOR TOPSOILING

- (rev. 2017)
A. MATERIALS
1. Topsoil should be friable, loamy, free of debris, objectionable weeds and stones, and contain no toxic substance or adverse chemical or physical condition that may be harmful to plant growth. Soluble salts should not be excessive (conductivity less than 0.5 millimhos per centimeter. More than 0.5 millimhos may desiccate seedlings and adversely impact growth). Topsoil hauled in from offsite should have a minimum organic matter content of 2.75 percent. Organic matter content may be raised by additives.
2. Topsoil substitute is a soil material which may have been amended with sand, silt, clay, organic matter, fertilizer or lime and has the appearance of topsoil. Topsoil substitutes may be utilized on sites with insufficient topsoil for establishing permanent vegetation. All topsoil substitute materials shall meet the requirements of topsoil noted above. Soil tests shall be performed to determine the components of sand, silt, clay, organic matter, soluble salts and pH level.
B. STRIPPING AND STOCKPILING
1. Field exploration should be made to determine whether quantity and or quality of surface soil justifies stripping.
2. Stripping should be confined to the immediate construction area.
3. Where feasible, lime may be applied before stripping at a rate determined by soil tests to bring the soil pH to approximately 6.5. In lieu of soil tests, see lime rate guide in seedbed preparation for Permanent Vegetative Cover for Soil Stabilization, Chapter 4-1.
C. SITE PREPARATION
1. Grade at the onset of the optimal seeding period so as to minimize the duration and area of exposure of disturbed soil to erosion. Immediately proceed to establish vegetative cover in accordance with the specified seed mixture. Time is of the essence.
2. Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application and anchoring, and maintenance. See the Standard for Land Grading, Chapter 19-1.
3. As guidance for ideal conditions, subsoil should be tested for lime requirement. Limestone, if needed, should be applied to bring soil to a pH of approximately 6.5 and incorporated into the soil as nearly as practical to a depth of 4 inches.
4. Prior to topsoiling, the subsoil shall be in compliance with the standard for land grading, pg. 19-1.
5. Employ needed erosion control practices such as diversions, grade stabilization structures, channel stabilization measures, sedimentation basins, and waterways. See Standards 11 through 42.
D. APPLYING TOPSOIL
1. Topsoil should be handled only when it is dry enough to work without damaging soil structure; i.e., less than field capacity (see glossary).
2. A uniform application to a depth of 5.0 inches, minimum of 4 inches, firmed in place is required. Alternative depths may be considered where special regulatory and/or industry design standards are appropriate such as on golf courses, sports fields, landfill capping, etc. soils with a pH of 4.0 or less or containing iron sulfide shall be covered with a minimum depth of 12 inches of soil having a pH of 5.0 or more, in accordance with the standard for management of high acid producing soil (pg. 1-1).
3. Pursuant to the requirements in section 7 of the standard for permanent vegetative stabilization, the contractor is responsible to ensure that permanent vegetative cover becomes established on at least 80% of the soils to be stabilized with vegetation. Failure to achieve the minimum coverage may require additional work to be performed by the contractor to include some or all of the following: supplemental seeding, re-application of lime and fertilizers, and/or the addition of organic matter (i.e. compost) as a top dressing, such additional measures shall be based on soil tests such as those offered by Rutgers cooperative extension service or other approved laboratory facilities qualified to test soil samples for agronomic properties.

PERMANENT VEGETATIVE COVER (SECTION 4)

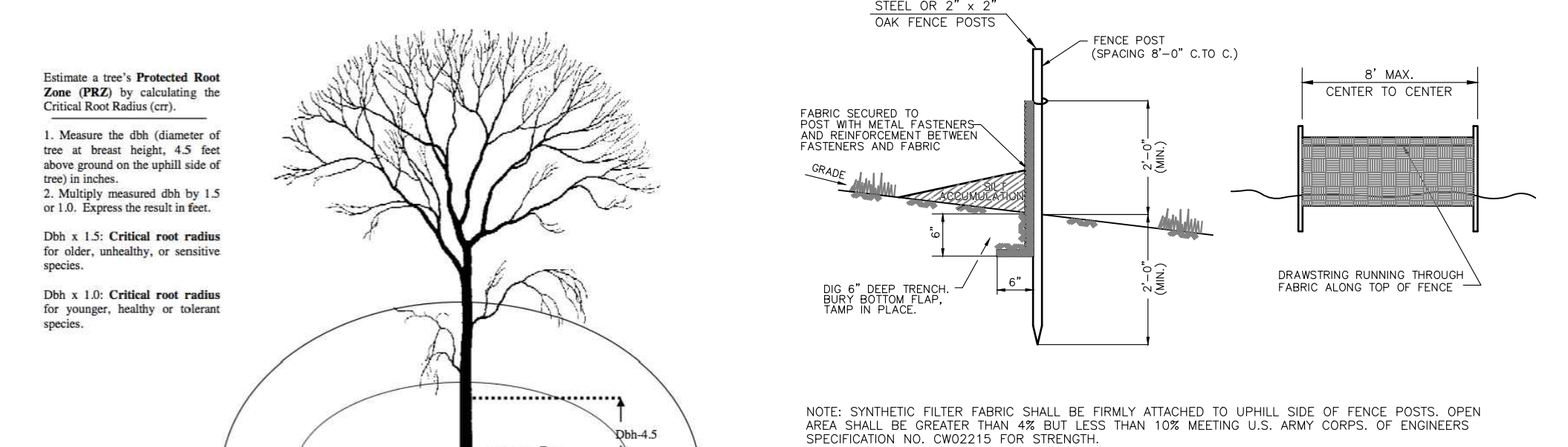
- 1. Site Preparation
A. Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. All grading should be done in accordance with Standard for Land Grading.
B. Immediately prior to seeding and topsoil application, the subsoil shall be evaluated for compaction in accordance with the Standard for Land Grading.
C. Topsoil should be handled only when it is dry enough to work without damaging the soil structure. A uniform application to a depth of 5 inches (unsettled) is required on all sites. Topsoil shall be amended with organic matter, as needed, in accordance with the Standard for Topsoiling.
D. Install needed erosion control practices or facilities such as diversions, grade-stabilization structures, channel stabilization measures, sediment basins, and waterways.
2. Seedbed Preparation
A. Uniformly apply ground limestone and fertilizer to topsoil which has been spread and firmed, according to soil test recommendations such as offered by Rutgers Co-operative Extension Soil sample mailers are available from the local Rutgers Cooperative Extension offices (http://n.jaes.rutgers.edu/county/). Fertilizer shall be applied at the rate of 500 pounds per acre or 11 pounds per 1,000 square feet of 10-10-10 or equivalent with 50% water insoluble nitrogen unless a soil test indicates otherwise and incorporated into the surface 4 inches. If fertilizer is not incorporated, apply one-half the rate described above during seedbed preparation and repeat another one-half rate application of the same fertilizer within 3 to 5 weeks after seeding.
B. Work lime and fertilizer into the topsoil as nearly as practical to a depth of 4 inches with a disc, spring-tooth harrow, or other suitable equipment. The final harrowing or disking operation should be on the general contour. Continue tillage until a reasonable uniform seedbed is prepared.
C. High acid producing soil. Soils having a pH of 4 or less or containing iron sulfide shall be covered with a minimum of 12 inches of soil having a pH of 5 or more before initiating seedbed preparation. See Standard for Management of High Acid-Producing Soils for specific requirements.

TEMPORARY VEGETATIVE COVER (SECTION 7)

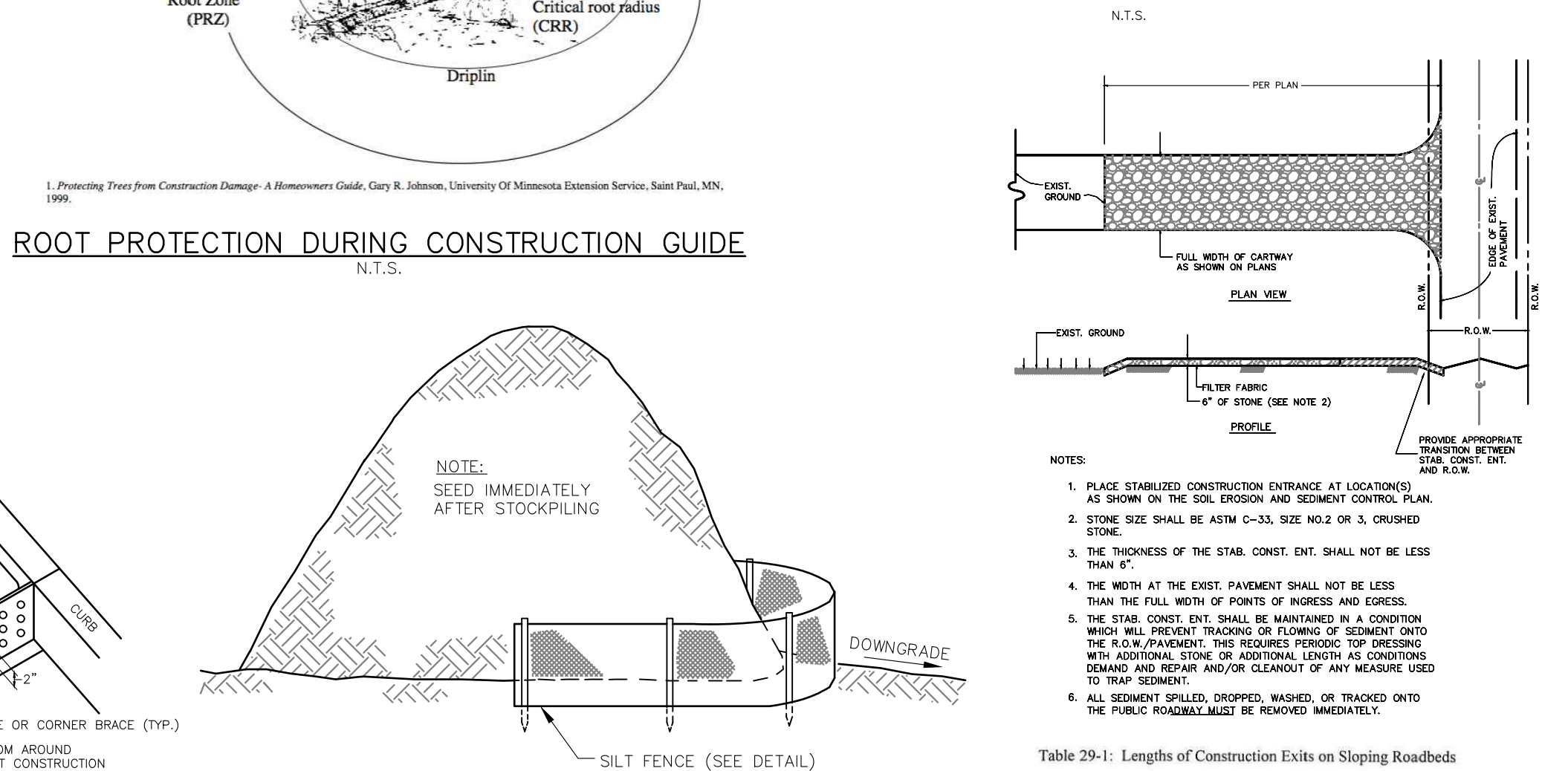
- 1. Site Preparation
A. Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. All grading should be done in accordance with Standards for Land Grading, pg. 19-1.
B. Install needed erosion control practices or facilities such as diversions, grade stabilization structures, channel stabilization measures, sediment basins, and waterways. See Standards 11 through 42.
C. Immediately prior to seeding, the surface should be scarified 6" to 12" where there has been soil compaction. This practice is permissible only where there is no danger to underground utilities (cables, irrigation systems, etc.).
2. Seedbed Preparation
A. Apply ground limestone and fertilizer according to soil test recommendations such as offered by Rutgers Co-operative Extension. Soil sample mailers are available from the local Rutgers Cooperative Extension offices. Fertilizer shall be applied at the rate of 500 pounds per acre or 11 pounds per 1,000 square feet of 10-20-10 or equivalent with 50% water insoluble nitrogen unless a soil test indicates otherwise. Liming rates shall be established via soil testing. Calcium carbonate is the equivalent and standard for measuring the ability of liming materials to neutralize soil acidity and supply calcium and magnesium to grasses and legumes.
B. Work lime and fertilizer into the soil as nearly as practical to a depth of 4 inches with a disc, springtooth harrow, or other suitable equipment. The final harrowing or disking operation should be on the general contour. Continue tillage until a reasonable uniform seedbed is prepared.
C. Inspect seedbed just before seeding. If traffic has left the soil compacted, the area must be retilled in accordance with the above.
D. Soils high in sulfides or having a pH of 4 or less refer to Standard for Management of High Acid Producing Soils, pg. 1-1.

MULCH AND MULCH ANCHORING SPECIFICATIONS

- (rev. 2017)
Stabilizing exposed soils with non-vegetative materials exposed for periods longer than 14 days.
Methods and Materials
A. SITE PREPARATION
1. Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. All grading should be done in accordance with Standards for Land Grading.
2. Install needed erosion control practices or facilities such as diversions, grade stabilization structures, channel stabilization measures, sediment basins, and waterways. See Standards 11 through 42.
B. PROTECTIVE MATERIALS
1. Unrotted small-grain straw, at 2.0 to 2.5 tons per acre, is spread uniformly on 90 to 115 pounds per 1,000 square feet and anchored with a mulch anchoring tool, liquid mulch binders, or netting the down. Other suitable materials may be used if approved by the Soil Conservation District. The approved rates above have been met when the mulch covers the ground completely upon visual inspection, i.e. the soil cannot be seen below the mulch.
2. Synthetic or organic soil stabilizers may be used under suitable conditions and in quantities as recommended by the manufacturer.
3. Wood-fiber or paper-fiber mulch at the rate of 1,500 pounds per acre (or according to the manufacturer's requirements) may be applied by a hydroseeder.
4. Mulch netting, such as paper jute, excelsior, cotton, or plastic, may be used.
5. Woodchips applied uniformly to a minimum depth of 2 inches may be used. Woodchips will not be used on areas where flowing water could wash them into an inlet and plug it.



ROOT PROTECTION DURING CONSTRUCTION GUIDE



INLET PROTECTION DETAIL



STABILIZED CONSTRUCTION ENTRANCE



DUST CONTROL NOTES

TO PREVENT BLOWING AND THE MOVEMENT OF DUST FROM EXPOSED SOIL SURFACES, CONSTRUCTION ACTIVITIES, AND TO REDUCE ON-SITE AND OFF-SITE DAMAGE AND HEALTH HAZARDS, DUST CONTROL MEASURES SHALL BE ENACTED ON THE PROJECT SITE.

CONSTRUCTION SCHEDULE AND PROCEDURE FOR IMPLEMENTATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES

- 1. INSTALL SILT FENCE AND PROVIDE CONSTRUCTION ENTRANCE. 1 DAY
2. CLEAR AND ESTABLISH ROUGH GRADES AS NECESSARY TO REGRADE PARKING STONE AREAS AND CONSTRUCT LANDSCAPE WALL. 1 WEEK
3. CONSTRUCT LANDSCAPE WALL AND ADA PARKING SPACE. 1 WEEK
4. INSTALL LANDSCAPE PLANTINGS AND ESTABLISH PERMANENT VEGETATIVE COVER ON LOT. 2 DAYS
5. REMOVE SILT FENCE AFTER ALL DISTURBED AREAS HAVE BEEN ADEQUATELY STABILIZED. 1 DAY

NOTE: IN THAT N.J.S.A. 4:24-39 et seq. REQUIRES THAT NO CERTIFICATE OF OCCUPANCY BE ISSUED BEFORE THE PROVISIONS OF THE CERTIFIED PLAN FOR SOIL EROSION AND SEDIMENT CONTROL HAVE BEEN COMPLIED WITH FOR PERMANENT MEASURES, ALL SITE WORK WILL HAVE TO BE COMPLETED PRIOR TO THE DISTRICT ISSUING A REPORT OF COMPLIANCE FOR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY BY THE MUNICIPALITY

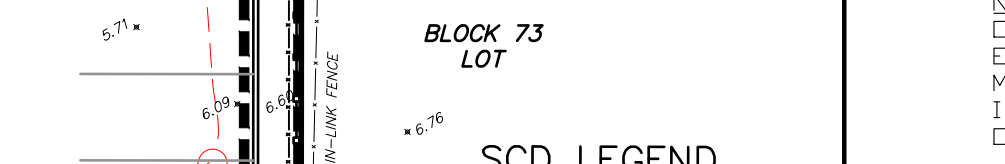


Table with 2 columns: No., Date. Rows for revision history.

PRELIMINARY & FINAL MAJOR SITE PLAN
SEA GRASS NJ, LLC
SOIL EROSION PLAN
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MONMOUTH COUNTY, NEW JERSEY
TAX MAP SHEETS NO. 13 & 16

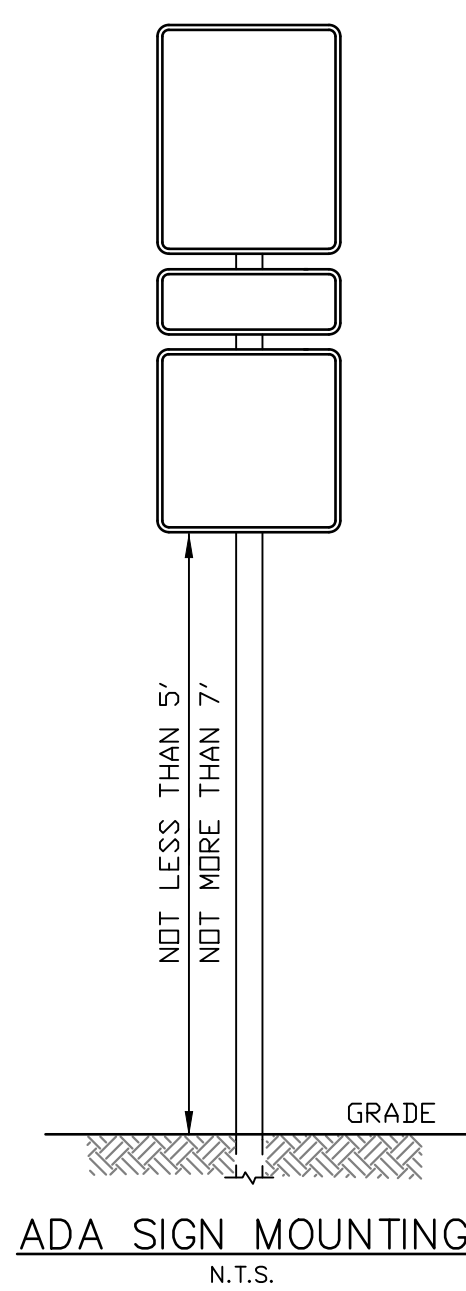
East Point Engineering, LLC logo and contact information: 11 South Main Street, Marlboro, NJ 07746, Tel: 732.577.0180

BRENT N. PAPI, JR. DATE 02/22/23 SHEET NO. 8 OF 10

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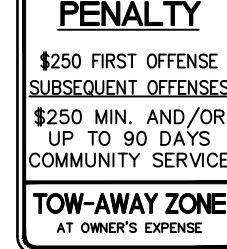
DETAILS FOR PAVEMENT MARKINGS AND TRAFFIC SIGNS



R7-8 12" x 18"

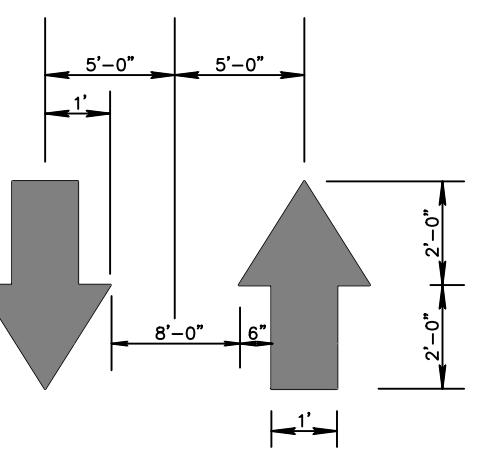
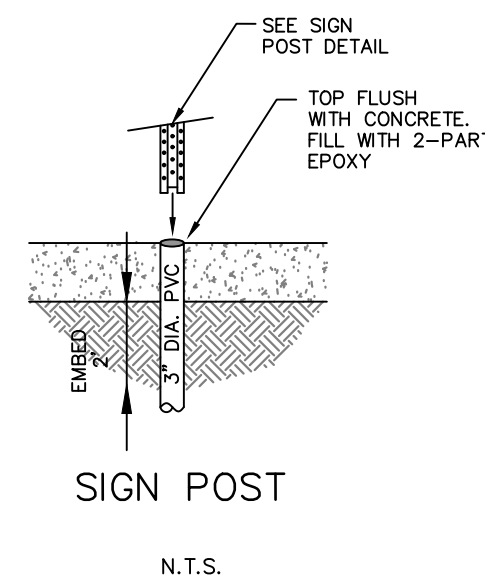


R7-8A 12" x 6"



R7-8P 10" x 12"

A.D.A. SIGNAGE N.T.S.



**PAVEMENT MARKING LEGEND**

UNLESS OTHERWISE SHOWN, PAVEMENT MARKINGS SHOULD CONFORM TO THE FOLLOWING:

CENTER LINE - 0.8L 4" WIDE SOLID YELLOW LINES, CARVED AT INTERSECTIONS ONLY

EDGE LINE - 4" WIDE SOLID WHITE LINE, CARVED AT INTERSECTIONS ONLY

STOP BAR - 24" WIDE SOLID WHITE LINE

PARKING STALL LINES - 4" WIDE SOLID WHITE LINE

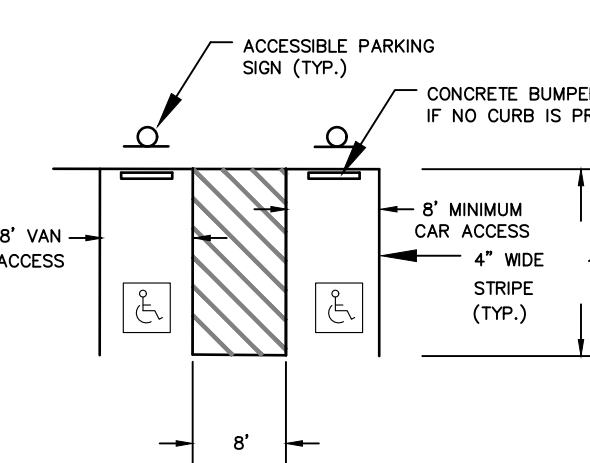
HANDICAP STALL LINES - 4" WIDE SOLID BLUE LINE

HANDICAP HATCH LINES - ANGGLED 45° TO PARKING DIRECTION

NO PARKING HATCH LINES - 4" WIDE SOLID YELLOW LINE - SPACED 2' O.C. - ANGGLED 45° TO PARKING DIRECTION

NOTES:

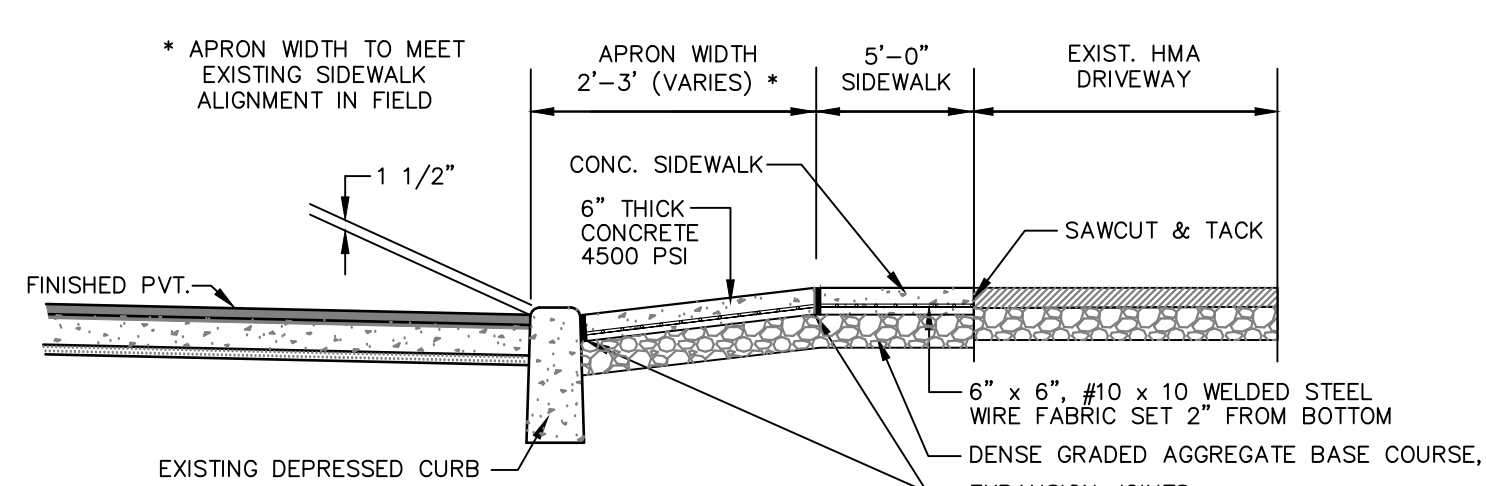
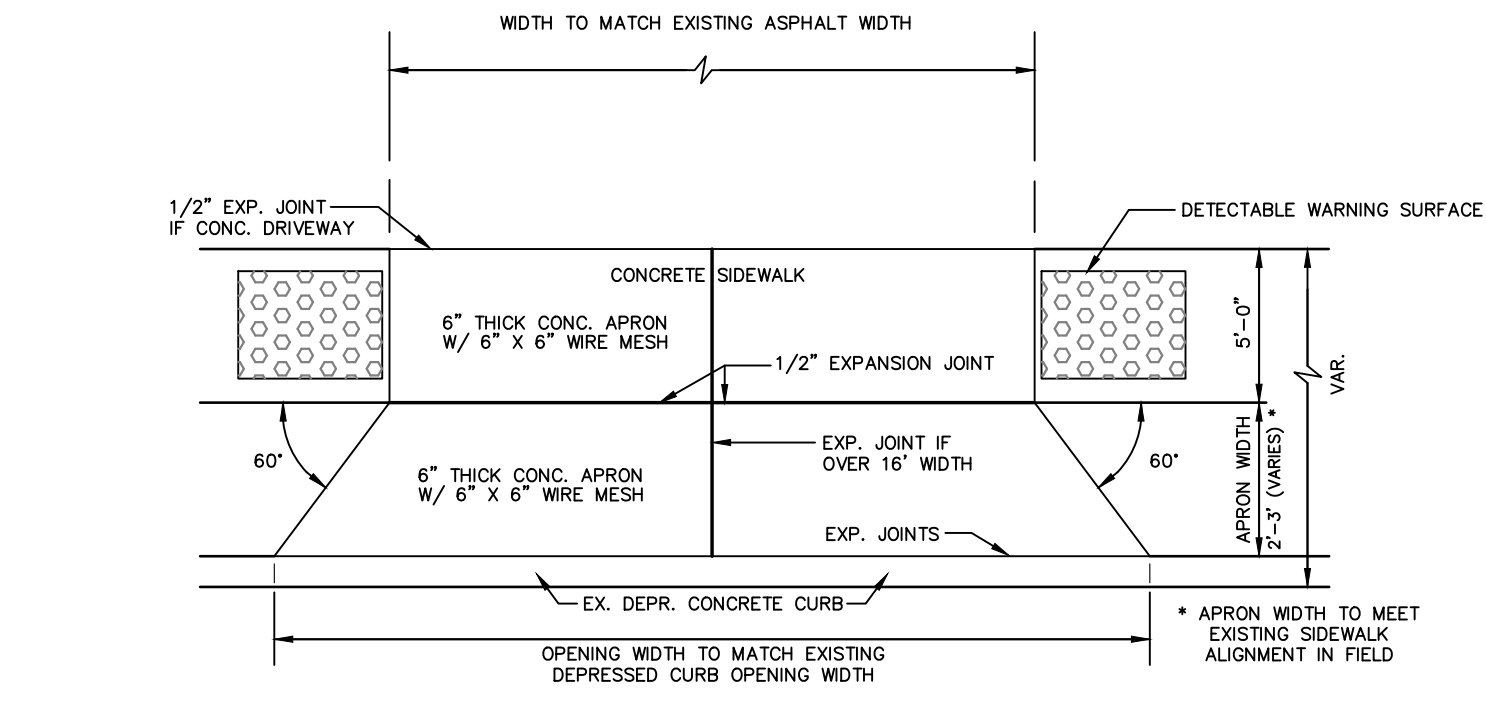
- 1) ALL TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE CURRENT MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES
- 2) ALL CONFLICTING SIGNS, TREES AND OTHER OBSTRUCTIONS SHALL BE REMOVED AS PART OF THIS CONSTRUCTION.
- 3) ALL STRIPING TO BE REMOVED SHALL BE GROUND OFF WITHOUT DAMAGE TO THE PAVEMENT STRUCTURE.
- 4) UNLESS OTHERWISE NOTED, ALL STRIPING SHALL BE LONG-LIFE EPOXY RESIN.



NOTES:

1. ALL STALLS SHALL BE A MINIMUM OF 8'X18'.
2. SPACES DESIGNATED AS BEING "VAN ACCESSIBLE" SHALL BE ADJACENT TO ACCESS ISLES WITH A MIN. WIDTH OF 5 FEET.
3. PROPOSED STRIPING SHALL BE BLUE IN COLOR.
4. STRIPING SHALL BE LONG-LIFE EPOXY RESIN.

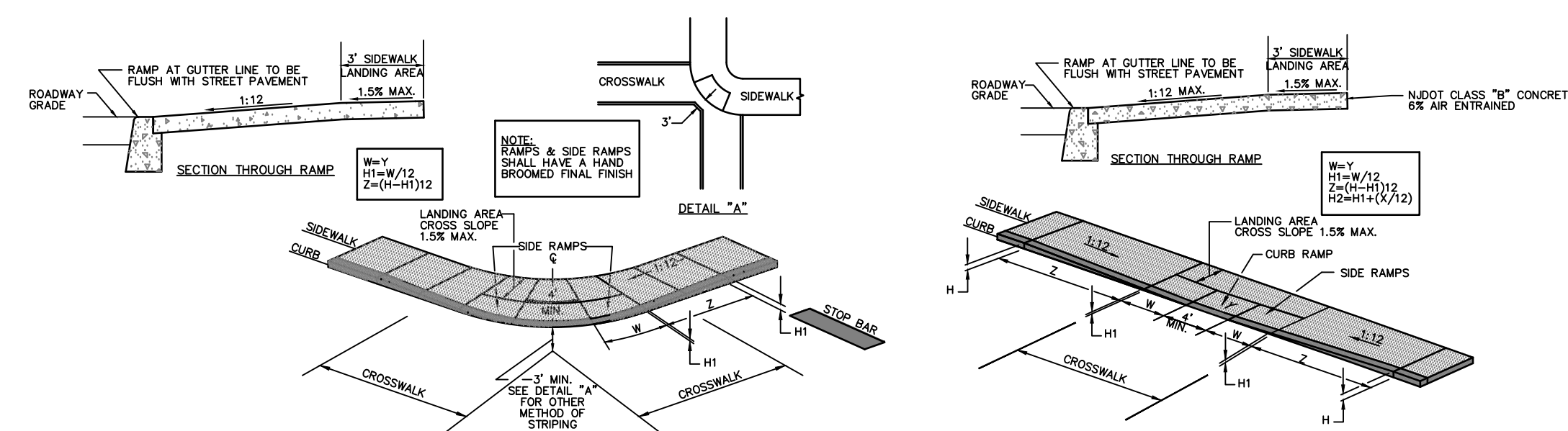
ACCESSIBLE PARKING STRIPING LAYOUT



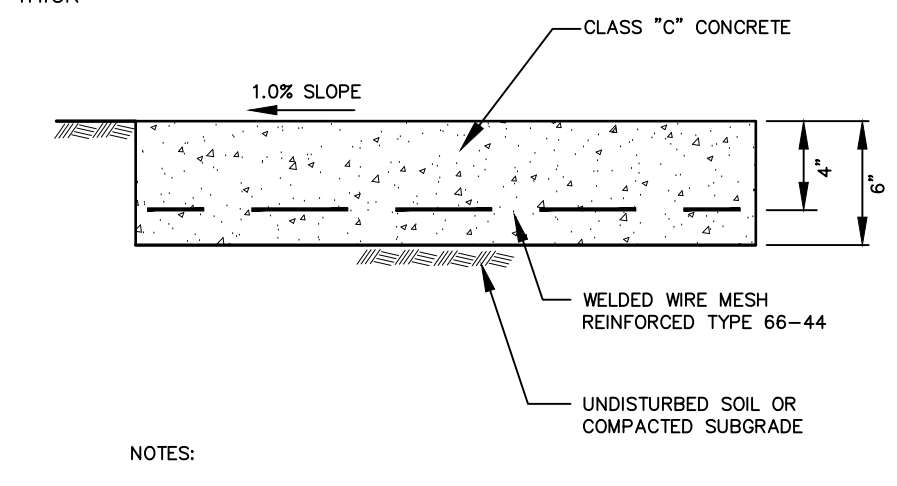
NOTES:

1. CONCRETE TO TEST 4500 POUNDS PER SQUARE INCH MINIMUM ON 28 DAY COMPRESSIVE TEST.
2. TRANSVERSE EXPANSION JOINTS, 1/2" WIDE SHALL BE PROVIDED AT INTERVALS OF NOT MORE THAN 8' AND FILLED WITH PREFORMED BITUMINOUS CELLULAR TYPE JOINT FILLER.
3. LONGITUDINAL JOINTS, 1/2" WIDE SHALL BE PROVIDED BETWEEN CURBS AND ADJUTING SIDEWALKS, AND SHALL BE FILLED WITH PREFORMED BITUMINOUS TYPE JOINT FILLER.
4. THE TOP OF ALL JOINT FILLER SHALL BE 1/2" BELOW THE TOP OF THE SIDEWALK AND FILLED WITH JOINT SEALER (SIKAFLEX-1A OR APPROVED EQUAL).

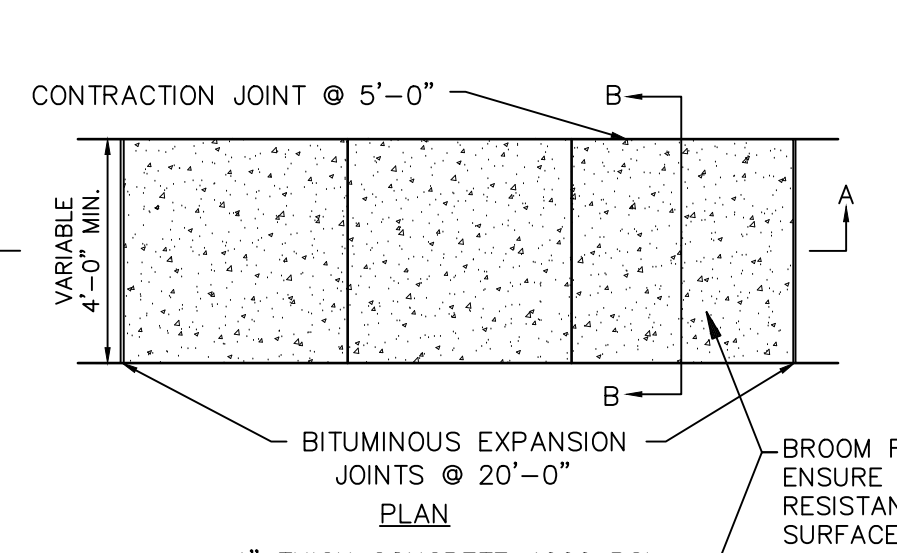
CONCRETE DRIVEWAY APRON, 6" THICK, REINFORCED



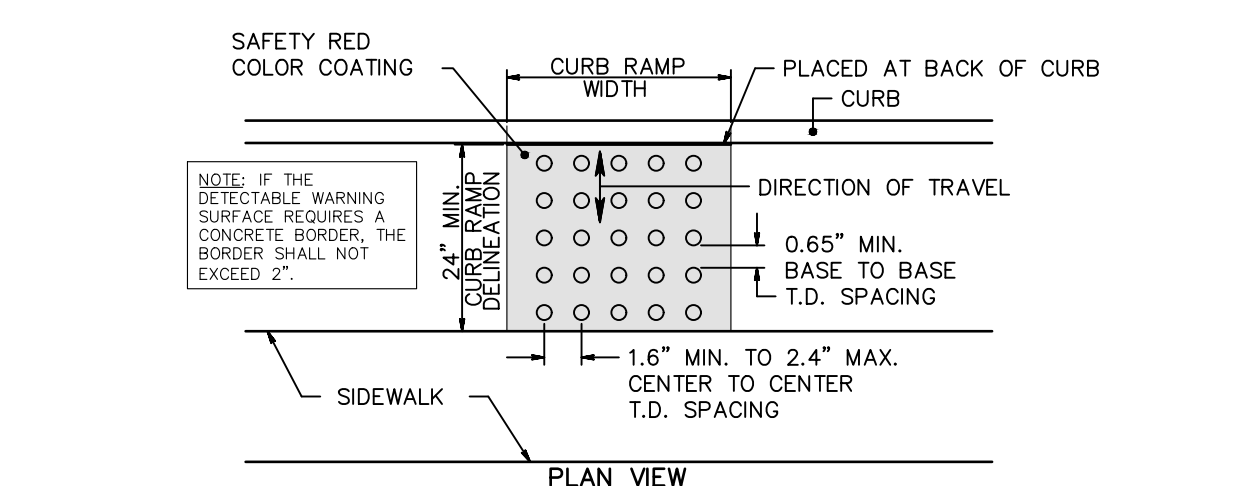
NEW JERSEY DEPARTMENT OF TRANSPORTATION DESIGN STANDARDS FOR CURB RAMPS FOR THE PHYSICALLY HANDICAPPED



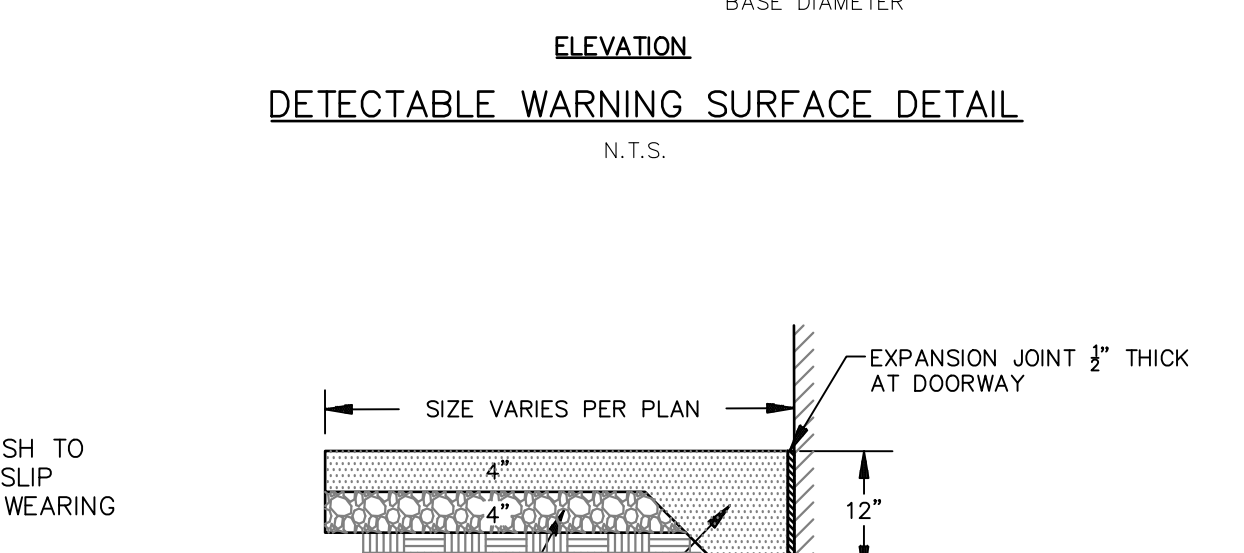
REINFORCED CONCRETE AT ADA PARKING



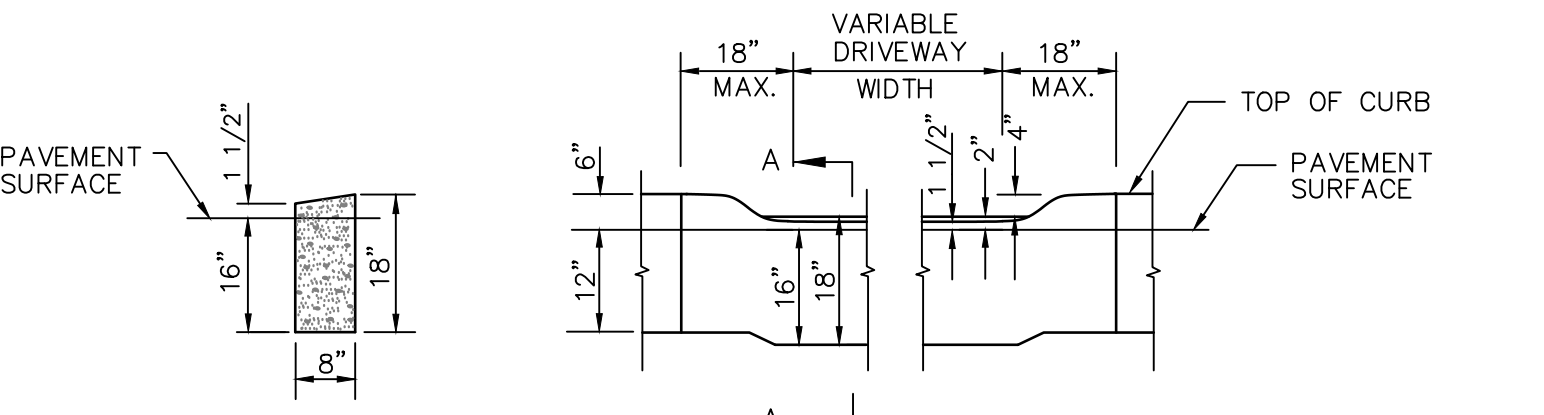
CONCRETE SIDEWALK 4" THICK



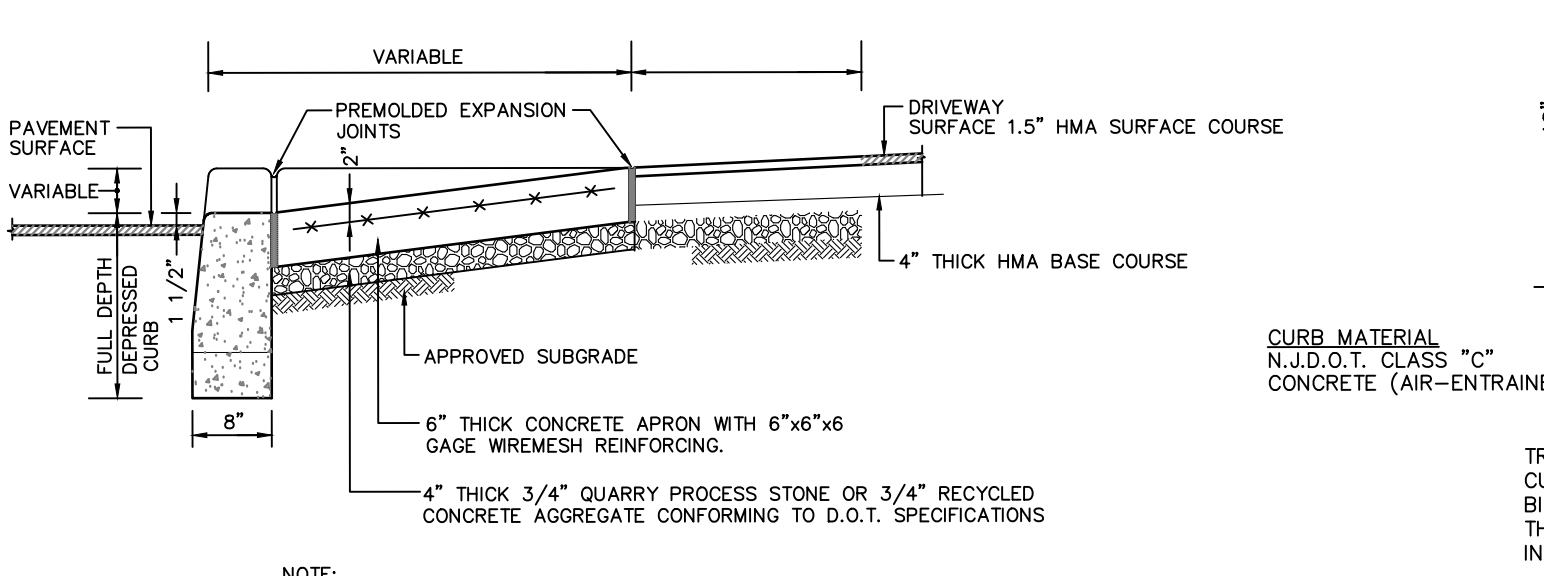
DETECTABLE WARNING SURFACE DETAIL



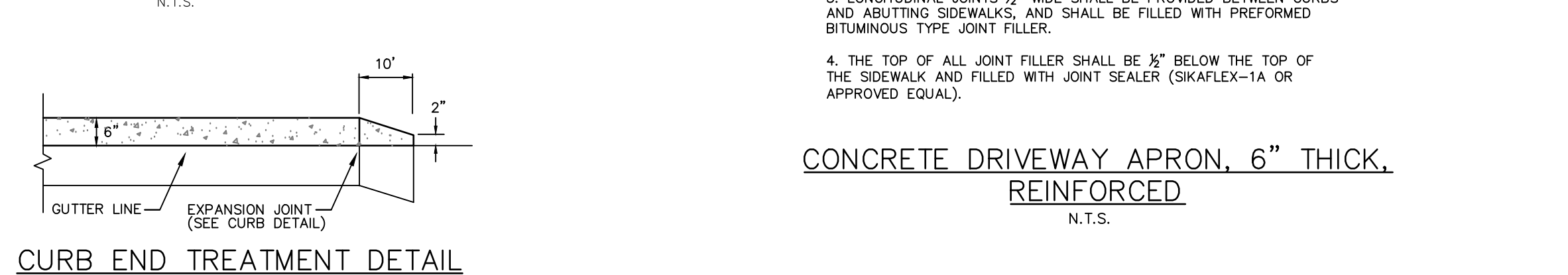
CONCRETE LANDING PAD



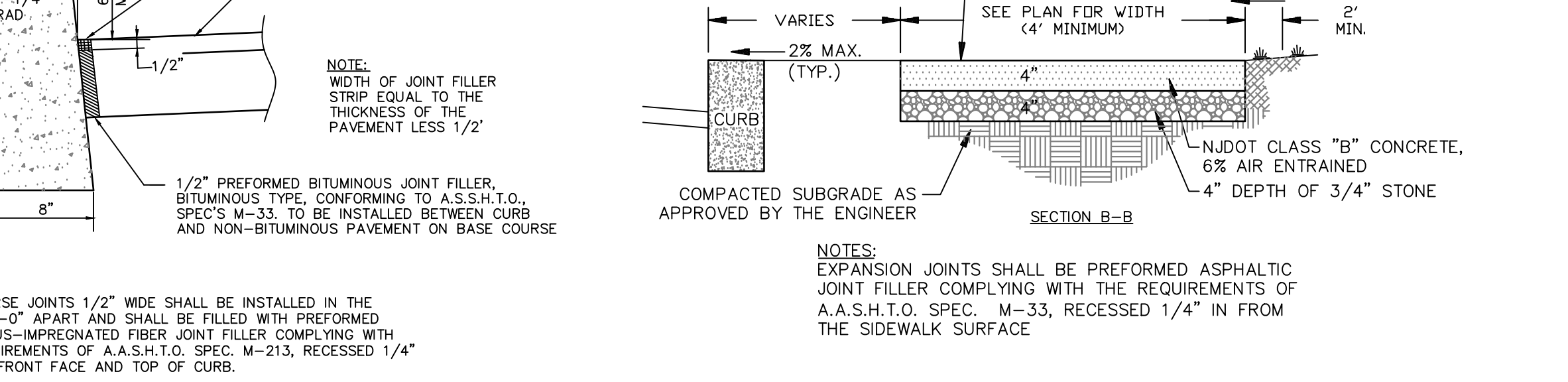
DEPRESSED CURB



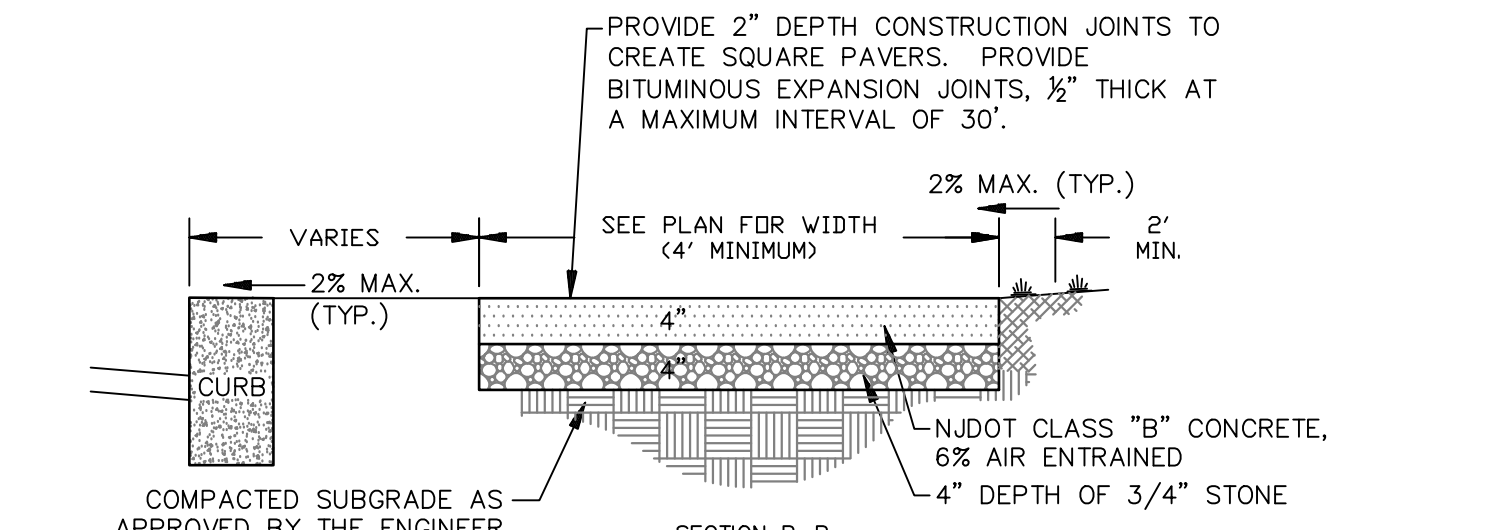
DEPRESSED CURB, APRON AND DRIVEWAY DETAIL



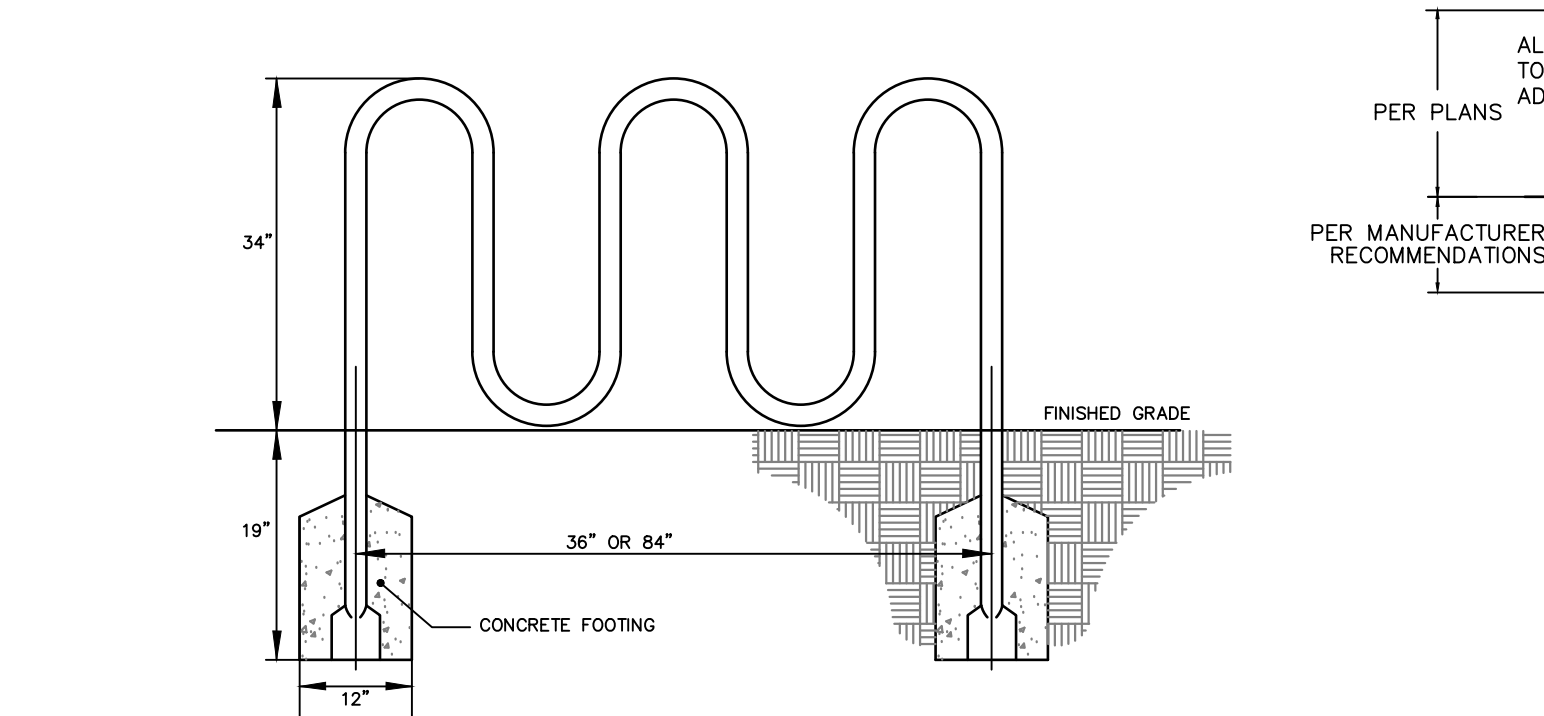
CURB END TREATMENT DETAIL



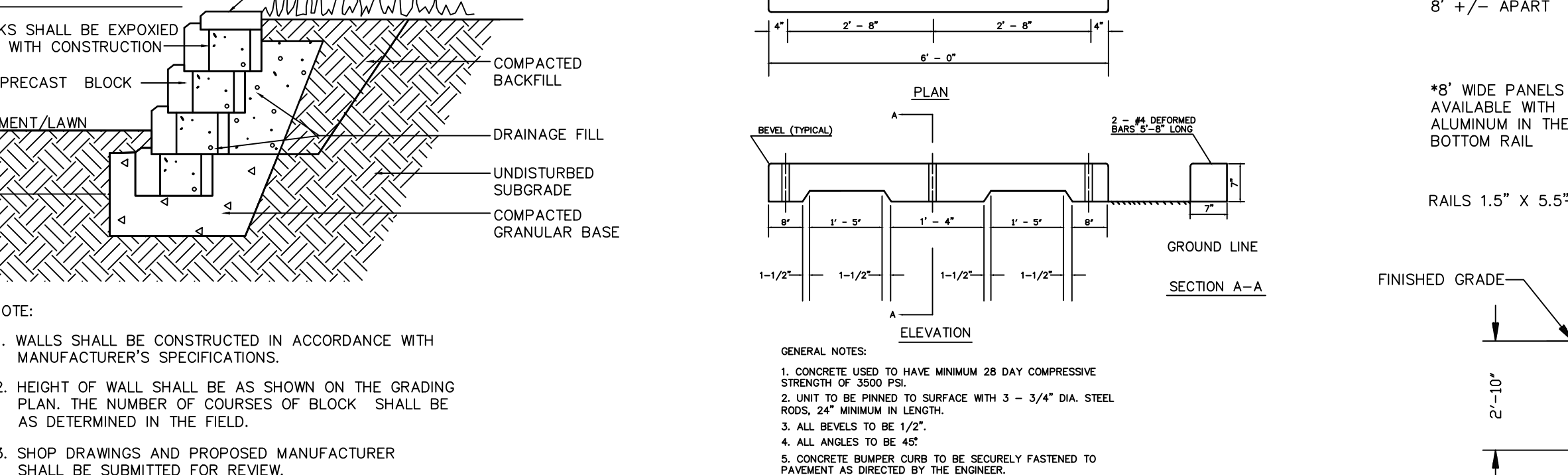
CONCRETE VERTICAL CURB



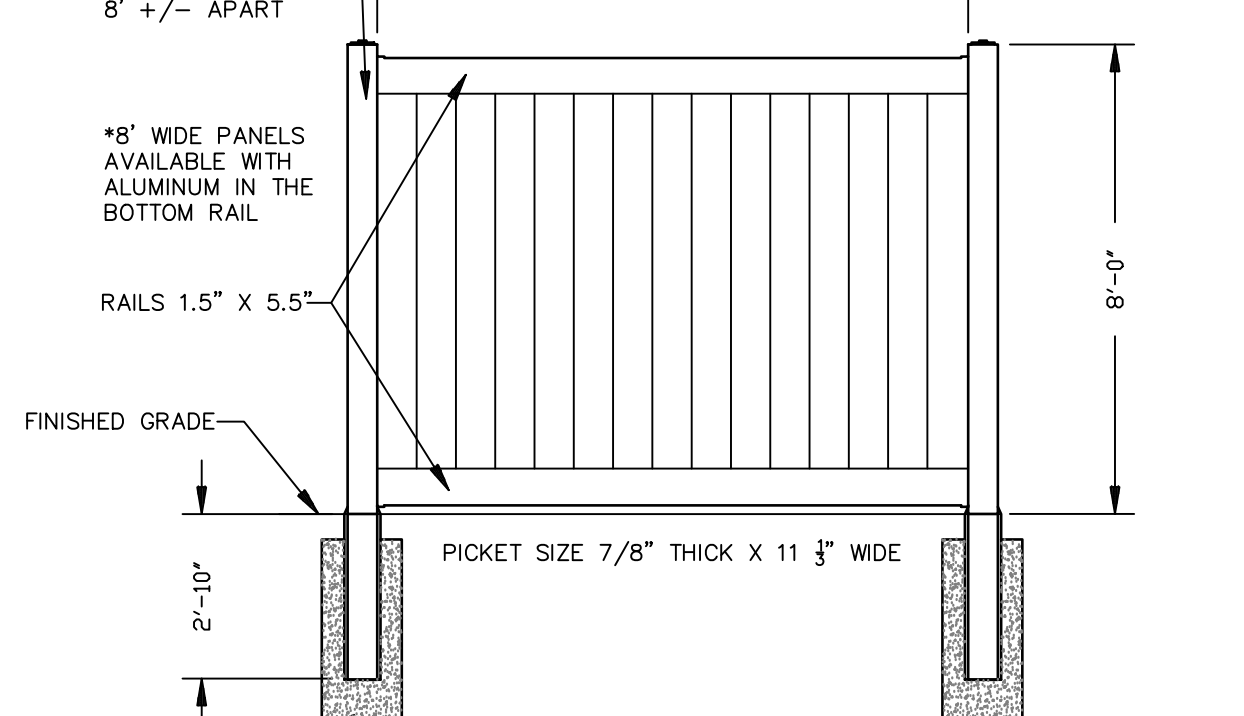
PRECAST CONCRETE WHEEL STOP



BIKE RACK DETAIL



LANDSCAPE WALL DETAIL



PVC FENCE DETAIL

2	2-22-23	REVISED PER BOROUGH ZONING BOARD MEETING COMMENTS
1	1-23-23	REVISED PER BOROUGH TRC MEETING COMMENTS
NO.	DATE	DESCRIPTION

**PRELIMINARY & FINAL MAJOR SITE PLAN**  
**SEA GRASS NJ, LLC**  
**CONSTRUCTION DETAILS**  
 BLOCK 72, LOT 12 & BLOCK 73, LOT 2  
 BOROUGH OF HIGHLANDS  
 MONMOUTH COUNTY, NEW JERSEY  
 TAX MAP SHEETS NO. 15 & 16

**EAST POINT ENGINEERING, LLC**  
 11 South Main Street  
 Marlboro, NJ 07746  
 Tel: 732.577.0180

BRENT N. PAPI, JR.  
 N.J. PROFESSIONAL ENGINEER, LICENSE NO. 24EG04732700

DATE: 02/22/23  
 SCALE: N.T.S.  
 PROJECT NUMBER: 21-1166  
 CHECKED BY: M.S.L.  
 SHEET NO. 9 OF 10

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BUILDING WALL MOUNTED SIGN AT LOT 12, BLOCK 72



SIGN REQUIREMENTS – ORD. SEC. 21-102

BUILDING WALL MOUNTED SIGN – REPLACE EXISTING

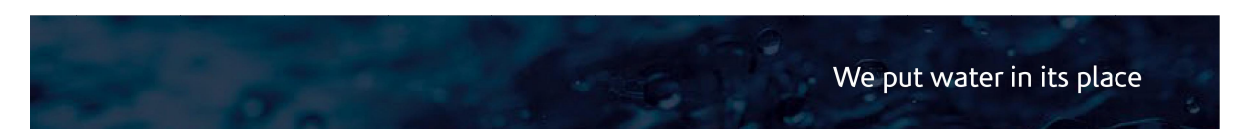
MAX 15% OF FRONT BUILDING FACADE –  
 PERMITTED 460 SF x 15% = 69 SF – PROPOSED 28.2 SF

OFF-PREMISE GROUND MOUNTED SIGNS TO REPLACE EXISTING

MAX PERMITTED SIZE 24 SF

PARKING LOT SIGN = 20.8 SF (COMPLIES)

BOROUGH HISTORIC SIGN = 20.7 SF (COMPLIES)



EZ MARKER™ PARKING DELINEATORS



Used with EZ Roll™ Grass and Gravel Pavers, NDS EZ Marker™ is a modular solution to outlining driving lanes, parking stalls, and fire lanes. After the pavers have been leveled, pinned, and secured, EZ Marker™ snaps into the appropriate empty cells to outline whatever pattern necessary to properly direct vehicular traffic.

EZ Marker™ Parking Delineators increase safety and organization by strategically directing parking lot traffic. Delineators are a great way to guide motorists around hazards and to their final parking destination. Used in conjunction with EZ Roll™ Grass and Gravel Permeable Pavers they provide a simple and effective solution for managing parking lot traffic. EZ Marker™ is durable, tamper-resistant and built to last. Available in various colors to suit any traffic need including grass or gravel parking and fire lane access.

Specifications

- 2.7" hexagonal shape
- 300 PSI class "C" compressive strength
- 6.40" profile above paver grade
- Easy clip-in installation
- Molded polypropylene, impact copolymer
- Self-cleaning: Raised dome design prevents debris from sticking

Part No.	Description	Color
EDMARKER-W	EZ Marker™ Parking Delineator	White
EDMARKER-B	EZ Marker™ Parking Delineator	Blue
EDMARKER-R	EZ Marker™ Parking Delineator	Red
EDMARKER-Y	EZ Marker™ Parking Delineator	Yellow

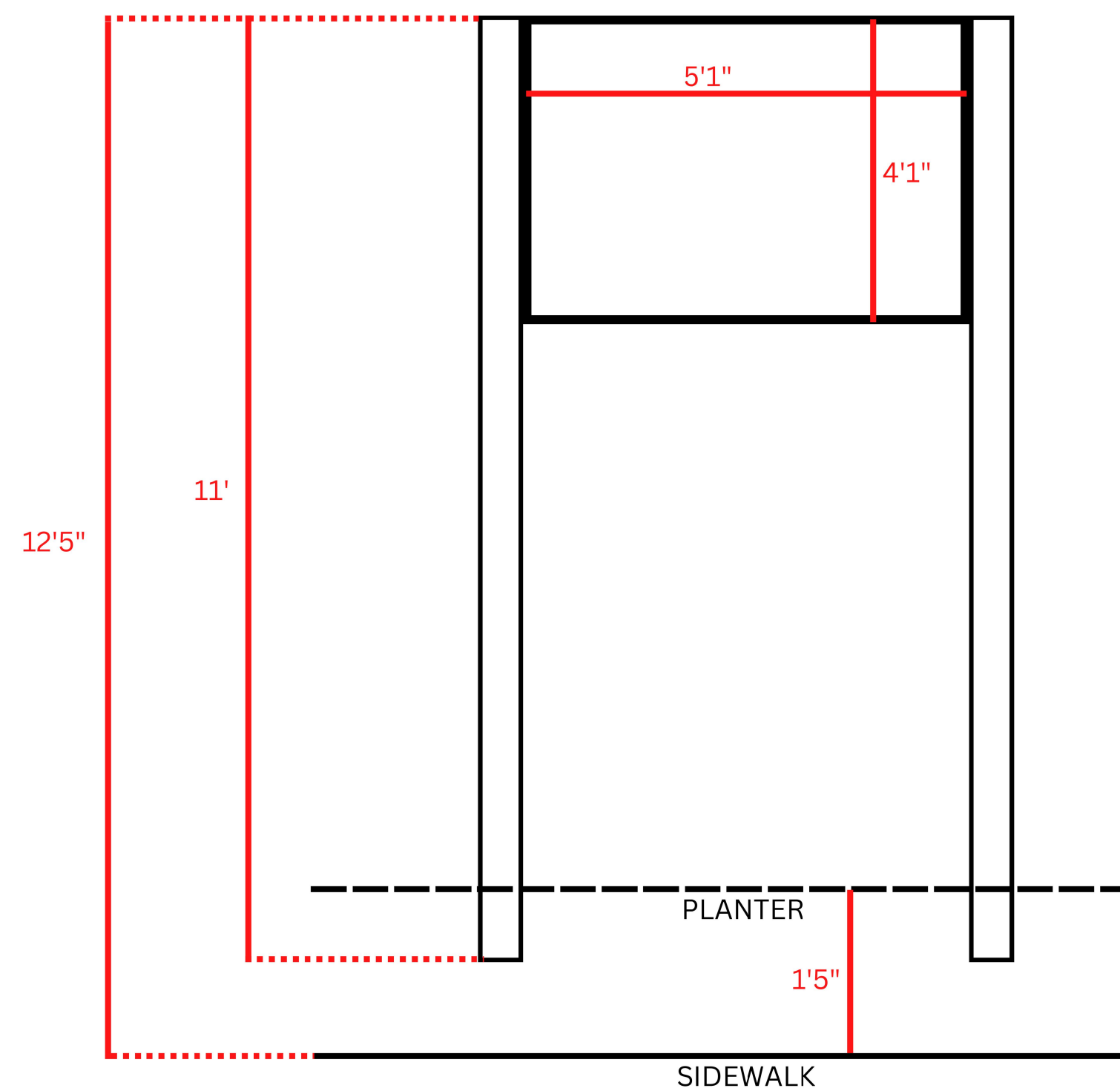
For Permeable Paver Technical Information, Refer to Technical Specification documents at [ndspro.com/specifications](https://ndspro.com/specifications)



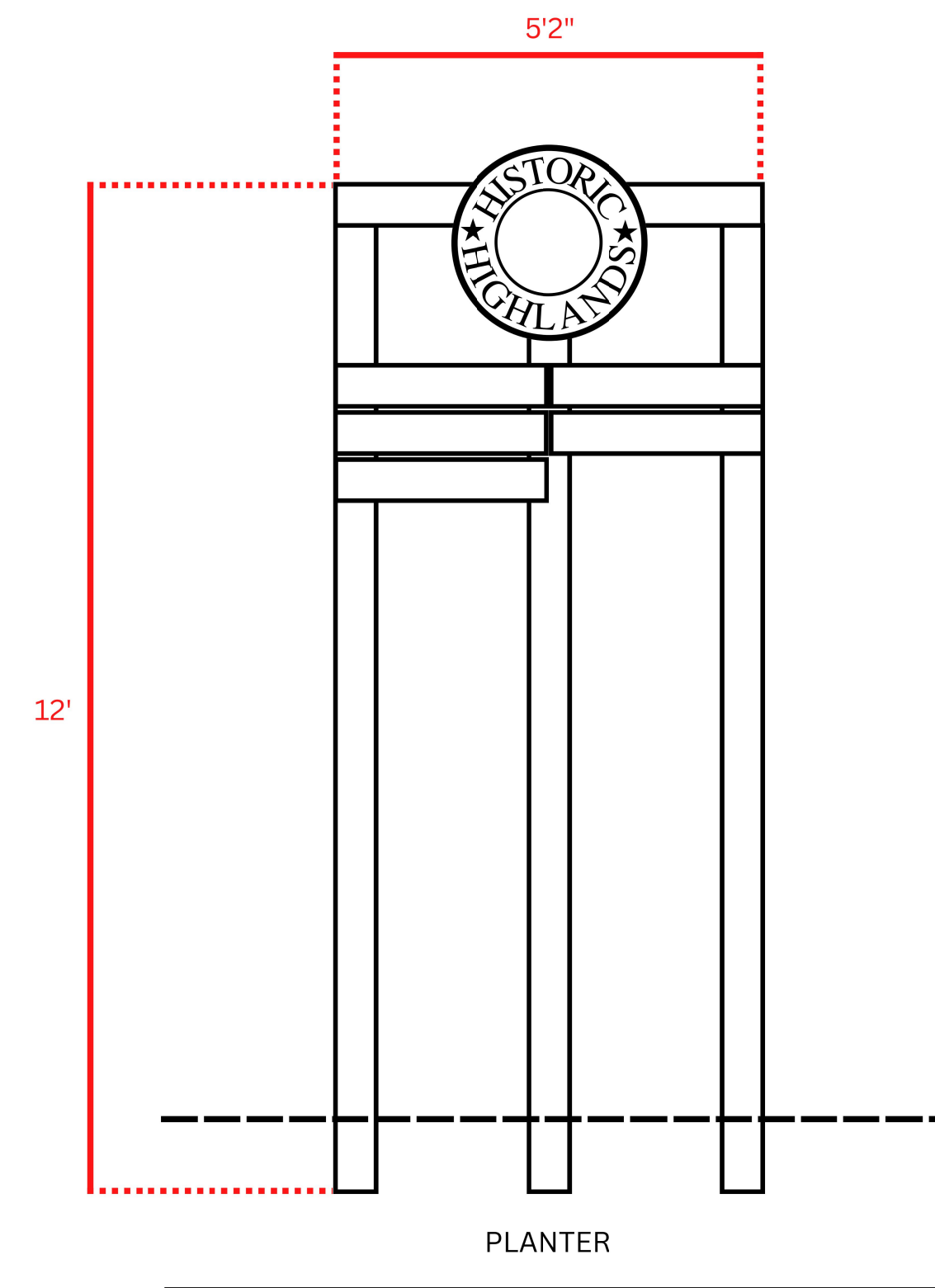
EZ MARKER PARKING DELINEATORS

TO BE COLOR WHITE AND INSTALLED AS PER MANUFACTURERS REQUIREMENTS.

OFF-PREMISE GROUND MOUNTED PARKING LOT SIGNS AT LOT 2, BLOCK 73



PARKING LOT SIGN



BOROUGH HISTORIC SIGN

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2	2-22-23	REVISED PER BOROUGH ZONING BOARD MEETING COMMENTS
1	1-23-23	REVISED PER BOROUGH TRC MEETING COMMENTS
NO.	DATE	DESCRIPTION
<b>PRELIMINARY &amp; FINAL MAJOR SITE PLAN</b> <b>SEA GRASS NJ, LLC</b> <b>SIGN PLAN</b> BLOCK 72, LOT 12 & BLOCK 73, LOT 2 BOROUGH OF HIGHLANDS MONMOUTH COUNTY, NEW JERSEY TAX MAP SHEETS NO. 15 & 16		
<b>EAST POINT ENGINEERING, LLC</b> <small>N.J. CERTIFICATE OF AUTH. NO. 24G28149800</small>		11 South Main Street Marlboro, NJ 07746 Tel: 732.577.0180
BRENT N. PAPI, JR. N.J. PROFESSIONAL ENGINEER, LICENSE NO. 24G604732700		DATE: 02/22/23 SCALE: N.T.S. CHECKED BY: M.S.L.
PROJECT NUMBER: 21-1166		SHEET NO. 10 OF 10



# MONMOUTH COUNTY DEVELOPMENT REVIEW COMMITTEE

HALL OF RECORDS ANNEX  
ONE EAST MAIN STREET  
FREEHOLD, NEW JERSEY 07728-1255  
DEVELOPMENTREVIEW@CO.MONMOUTH.NJ.US  
(732) 431-7460

## Site Plan Action

Our File # HSP10385

This is to inform the Borough of Highlands Planning Board

that the Site Plan Application of Sea Grass NJ, LLC

known as Preliminary & Final Major Site Plan Sea Grass NJ, LLC

located in Tax Map Blocks 72, 73 Lots 12, 2

Owned by: Leonel Cervantes

Drawn by: East Point Engineering

and dated 1/23/2023, was received in this office on 2/7/2023. On 2/27/2023 the following action

was taken by the:  Development Review Committee  Planning Director

Request Information. No action will be taken until the items listed below are submitted.

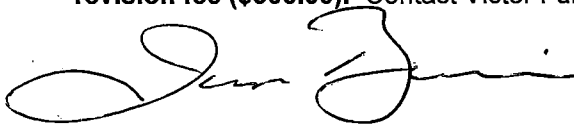
If disapproved, the reasons listed below or on the attached sheet must be rectified before approval will be given. If conditionally approved, the conditions listed below or on the attached sheet must be met before final approval will be given. This action does not release the applicant from obtaining a consistency determination pursuant to N.J.A.C. 7:8-1 et seq. (Monmouth County Areawide Water Quality Management Plan). Prior to commencing any work within the right-of-way of a county highway or before doing any work that affects a county bridge, the applicant is required to obtain a road opening permit from the Monmouth County Highway Department. A review of the location of subsurface utilities within county road rights-of-way will be conducted by the County Highway Department upon application for a road opening permit. Prior to planting or removal of trees or shrubs within or along the right-of-way of a county highway, the applicant is required to obtain a permit from the Monmouth County Shade Tree Commission.

Note: County review is made only on items covered by statutory authority.

The following items must be addressed before formal review and action by the Development Review Committee:

1. Address the comments in the memorandum prepared by Vince Cardone, dated February 23, 2023.
2. Address the comments in the memorandum prepared by Ellias Sarrinikolaou, dated February 9, 2022.
3. Address the comments in the memorandum prepared by Victorino Zabat, dated February 27, 2023.

Provide an itemized response to these comments. **Revised plans shall be accompanied by the plan revision fee (\$300.00).** Contact Victor Furmanec at (732) 431-7460 x.7467 if you have any questions.



Joseph Barris, P.P., A.I.C.P., C.F.M.  
Director of Planning  
For the Development Review Committee

cc: East Point Engineering  
John B. Anderson III, Esq.  
Mark R. Aikins, Esq.  
J. Ettore; V. Cardone; R. Bragg; T. Lombardi; V. Zabat  
Highway Department / Construction Official  
HSP10385 1414 RI



# The Board of County Commissioners of the County of Monmouth

## DEPARTMENT OF PUBLIC WORKS & ENGINEERING

**JOHN W. TOBIA**  
Director  
Email: jwtochia@co.monmouth.nj.us



**JOSEPH M. ETTORE**  
County Engineer  
Email: engineer@co.monmouth.nj.us

**DIVISION OF ENGINEERING  
& TRAFFIC SAFETY**  
Hall of Records Annex  
Freehold, New Jersey 07728  
Telephone: (732) 431-7760  
Fax: (732) 431-7765

February 23, 2023

### SUBDIVISION/SITE PLAN TRAFFIC REVIEW MEMORANDUM

**TO:** Joe Barris, PP, AICP, CFM, Director of Planning

**FROM:** Vincent Cardone, PE, Principal Engineer II, Traffic *VJC*

**RE:** HSP10385-Sea Grass, LLC  
County Route 8  
Block 72, Lot 12, and Block 73, Lot 2  
Highlands

The following was reviewed in relation to the above noted site plan application:

- Preliminary & Final Major Site Plan, Block 72, Lot 12 & Block 73, Lot 2, Borough of Highlands, Prepared by East Point Engineering, Revised Through 1-23-23

The following comments/recommendations are made to the Development Review Committee (DRC) pursuant to the Design Standards set forth in the Monmouth County Development Regulations (MCDR):

- T1. The intended parking area for the proposed business is across CR 8 (Bay Ave). It is recommended that the DRC require a crosswalk across CR 8, including appropriate ADA ramps and pedestrian warning signs. The crosswalk should be consistent with MCDR Figure 12, and the pedestrian warning signs should be fluorescent yellow-green MUTCD signs W11-2 and W16-7pL.
- T2. Per the County Road plan, the standard right of way along CR 8 is 60 ft. The right of way as shown is 50 ft. There appears to be an existing encroachment on Block 72, Lot 12. Obtaining additional ROW consistent with the road improvement plans would increase this encroachment. However, per my conversation with Lee Klein of Klein Traffic consulting, the applicant is preparing plans to remove the existing "waiting area" in favor of an ADA ramp. Increasing the ROW at Block 73, Lot 2 would place parking spaces within County right of way. For these reasons, the DRC may wish to wave the right of way requirements outlined in the MCDR.

To: Joe Barris, Director of Planning  
HSP10385-Sea Grass, LLC

Page 2 of 2  
2/23/23

T3. The applicant is proposing "streetscape planters" within the right of way and also apparently within the AASHTO sight line of Sea Drift Ave. Provide a detail of the planters, and also show the AASHTO sight line on the plan.

T4. Per §5.1-2, show a sight triangle easement at CR 8 and Bay Ave.

Per my conversation with Mr. Klein, it is not likely that the new ADA ramp can be constructed while not obstructing the County's standard site triangle easement (In this case 25ft x 250 ft). Therefore, it is recommended that the DRC accept the minimum required by AASHTO (14.5 ft from edge of traveled way, 280 ft along CR 8).

T5. Label all signs along site frontage with MUTCD designation.

Please request that the applicant provide an itemized response to this memorandum. Additional recommendations or comments may be made upon submittal of additional or revised application documents. I will attend the Development Review Committee meeting on February 27, 2023 to discuss the above items with the Committee. In the interim, please contact me with questions or comments.

Attachments: (none)

- c. David Schmetterer, Assistant Director of Planning
- Victor Furmanec, Supervising Planner
- Kyle DeGroot, Assistant Planner
- Jeannine Smith, Planning Aide
- Joseph Ettore, County Engineer
- Raymond Bragg, Assistant County Engineer
- Michael Nei, Traffic Engineer
- Thomas Lombardi, Supervising Engineer
- Victorino Zabat, Principal Engineer

Item 5.

**Monmouth County**  
**Board of County Commissioners**

**DEPARTMENT OF PUBLIC WORKS & ENGINEERING**

**JOHN W. TOBIA**  
Director  
Email: [jwtobia@co.monmouth.nj.us](mailto:jwtobia@co.monmouth.nj.us)



**Gary Fread**  
Superintendent  
Divisions of Highway/Shade Tree  
Email: [Gary.Fread@co.monmouth.nj.us](mailto:Gary.Fread@co.monmouth.nj.us)

250 Center Street  
Freehold, New Jersey 07728  
Telephone: (732) 431-6550  
Fax: (732) 431-7833

**MEMORANDUM**

**TO:** Victor Furmanec, Monmouth County Division of Planning  
Kyle DeGroot, Monmouth County Division of Planning

**FROM:** Ellias Sarrinikolaou, LLA, MCDPW&E

**DATE:** February 9, 2022

**RE:** File Number HSP10385; "Sea Grass NJ. LLC", Preliminary and Final Major Site Plan, Block 72, Lots 12 & Block 73, Lot 2, Borough of Highlands, Bay Avenue, CR 8, Monmouth County, NJ

Landscape Comments:

1. Label and indicate the County ROW line on the landscape plan.
2. The applicant is proposing 3 streetscape planters. Submit details and manufacturers catalog cuts for review. The location is proposed near the intersection of Sea Drift Avenue and CR 8, Bay Avenue. The planters' locations must be reviewed by County Engineering with regards to possible conflict and or sight line issues.

Submit additional planter information regarding:

- a. Materials of planters
- b. Anchoring of planters
- c. Size, width and height, and weight of planters
- d. Type of ornamental grasses

Additionally, the county does not typically maintain planted containers or planters in the county ROW. This feature in the streetscape will become solely the responsibility and liability of the applicant and or the municipality. Submit further information for review.

3. The applicant proposes a wall of some kind, in the County ROW, for Block 73 lot 2.
  - a. Provide detail of materials of retaining wall and its proposed construction.
  - b. Provide drainage details behind wall, and section, as well as depth of footing.
  - c. County engineering will need to review the wall with regards to permitting this structure within the ROW, and if it creates any additional sight line issues near the adjacent intersection.

4. Please label Block 73, Lot 2 clearly.
5. The applicant does not propose any street trees within the ROW, and the County does not take exception. We do offer our experience and observations with street trees on CR 8, Bay Avenue.
  - a. County has found that brackish ground water has been observed in tree pits on this roadway and ground water levels fluctuate with rain and tidal occurrences.
  - b. Even though proposed serviceberry, Amelanchier is proposed outside of the ROW, the trees, regardless of species, may be impacted by ground water.
  - c. The tree is of small stature and typically a large shrub, it height may encroach into the pedestrian sidewalk on CR8.
  - d. Please ensure that trees near and outside the ROW are clearly not installed in the County ROW.
  - e. The applicant must ensure that trees are not planted with in a dedicated utility easement.
6. Please indicate on the landscape plan the location of all overhead utilities on the County Road.
7. In accordance with the guidelines, the applicant shall indicate the average heights of all plant materials at maturity in the plant list.



# The Board of Chosen Freeholders of the County of Monmouth

## DEPARTMENT OF PUBLIC WORKS & ENGINEERING

**JOHN W. TOBIA**  
Director of Public Works & Engineering  
Email: jwtoبيا@co.monmouth.nj.us



**JOSEPH M. ETTORE**  
County Engineer  
Email: engineer@co.monmouth.nj.us

**DIVISION OF ENGINEERING  
& TRAFFIC SAFETY**  
Hall of Records Annex  
Freehold, New Jersey 07728  
Telephone: (732) 431-7760  
Fax: (732) 431-7765

27 Feb., 2023

(a) MEMORANDUM

**TO:** Joe Barris, Director of Planning

**FROM:** Victorino B. Zabat, P.E., Principal Engineer

**RE:** HSP 10385 – Sea Grass  
County Route 8, Bay Avenue  
Block 72, Lot 12, & Block 73, Lot 2  
Borough of Highlands

The following items were received by this office in connection with the above-referenced application:

1. Preliminary & Final Major Site Plan, Sea Grass NJ. LLC. Block 72, Lot 12, & Block 73, Lot 2, Borough of Highlands, Monmouth County, New Jersey, dated 21 Jan., 2023

Please request the following from the applicant and applicant's engineer, so that we can continue our review:

1. Indicate the County Route designation of Bay Avenue.  
Indicate the right-of-way centerline of Bay Avenue.
2. Provide dimensions from the centerline of CR 8, Bay Avenue to:
  - a. Right of way fronting the site;
  - b. Curb line fronting the site;
  - c. Right of way and curb line opposite the site.
3. Was right-of-way for CR 8, Bay Avenue established at 30-ft. from centerline? If so, indicate the Deed Book and page on the plan. Provide the following:
  - a. Metes and bounds of the dedication;
  - b. area of dedication, in acres and sq.ft.;
  - c. grantee of dedication;
  - d. deed of dedication, with parcel description for review.

continued

To: Joe Barris, Director of Planning  
 From: Victorino B. Zabat, Principal Engineer

Page: 2 of 3  
 RE: HSP 10385

3. (continued) If right-of-way was not established as above, then provide right-of-way dedication to 40-ft. from centerline of for CR 23, Jackson Mills Road. Provide information requested in comments 3.a-3.c above. Provide a deed of dedication, with parcel description for review.
4. Indicate how storm runoff will be addressed.
5. Indicate limit of asphalt and gravel parking areas.
6. Plans indicate a wall within the right-of-way of CR 8, Bay Avenue, fronting the parking area. Street photographs indicate that this wall exists. This is not acceptable.
  - a. Linework for the wall on the plans suggests that this wall is proposed. Revise as necessary, indicate intervening paths between segments of the existing wall;
  - b. Eliminate this wall from the right-of-way of CR 8, Bay Avenue.
  - c. If this wall will be rebuilt outside the right-of-way of CR 8, Bay Avenue, provide minimum one (1) ft. clear distance from the right-of-way to any underground, ground-level or above ground element of the wall. Provide corresponding dimension. Place similar language on the site plan and the grading plan.
7. Provide a cross-section of the wall, perpendicular to the right-of-way of CR 8, Bay Avenue, at 1-in. = 30-ft. horizontal scale and 1=ft. vertical scale, or greater. Indicate underground, ground-level and above ground elements of the wall. Place dimension from the nearest element of the wall to the right-of-way of CR 8, Bay Avenue, Place language regarding location of the wall behind the right-of-way. Refer to comment 6.c above.
7. The accessible path was indicated crossing CR 8, Bay Avenue. Plans and street photos did not indicate a crosswalk.
  - a. Provide a crosswalk for the accessible path, using thermoplastic stripes;
  - b. Provide ADA ramps at both ends of the crosswalk, i.e. fronting Lot 12 and Lot 2;
  - c. Indicate detectable warning surfaces (DWS) at both ends of the crosswalk, directional to the crosswalk.
8. Provide grading details for the ADA ramps, at scale 1-in. = 6-ft. or greater. Provide the following information:
  - a. Provide spot elevations at top and bottom of all existing and proposed curb ramps; at corners of detectable warning surfaces, and associated landing / maneuvering areas; at corners of all transition areas, and at corners of ramp flares, as indicated on Attachment 1;
  - b. Indicate clearly that all changes in longitudinal / running slope are perpendicular to the direction of the associated sidewalk and that all cross-slopes are at maximum 2%, as indicated in Attachment 2;
  - c. Indicate clearly that all detectable warning surfaces are located at the lower end of each curb ramp, as indicated on Attachment 3;
1. Indicate clearly that the lower edge of each detectable warning surface is 6-in – 8-in. from the face of curb, or adjacent to the back of curb, as shown on Attachment 3A;

continued

To: Joe Barris, Director of Planning  
From: Victorino B. Zabat, Principal Engineer

Page: 3 of 3  
RE: HSP 10385

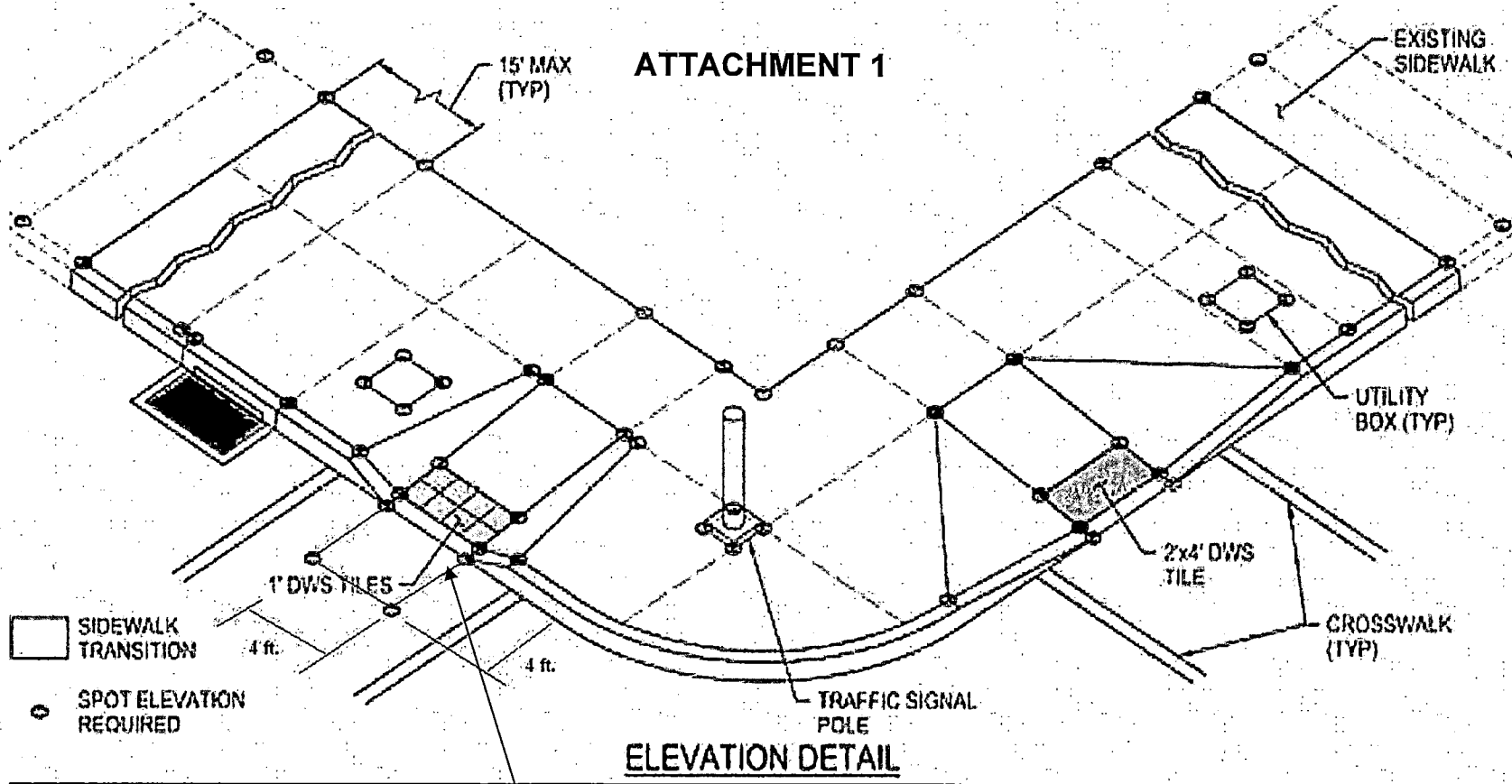
- 8.d. Provide computations to verify that all longitudinal / running slopes are at maximum 8.33% (1V:12H) and that all cross slopes are at maximum 2% at locations indicated on Attachment 4. Use design slopes of 7.0% and 1.5% respectively, to allow for construction tolerances;
- e. Indicate clearly that curb ramps within the right-of-way of C.R. 8, Bay Avenue., are aligned with crosswalks, as indicated in Attachment 5;
- f. If curb ramps are not aligned with crosswalks, provide 4-ft. x 4-ft. Turning Area with maximum 2% slope, as indicated in Attachment 6;

Incorporate the attached curb cradle detail into the detail sheet(s).

Please request the applicant and the engineer to provide an itemized response to these comments.

Please advise the applicant that responses to this Request for Information may result in additional requests and / or conditions on the application.

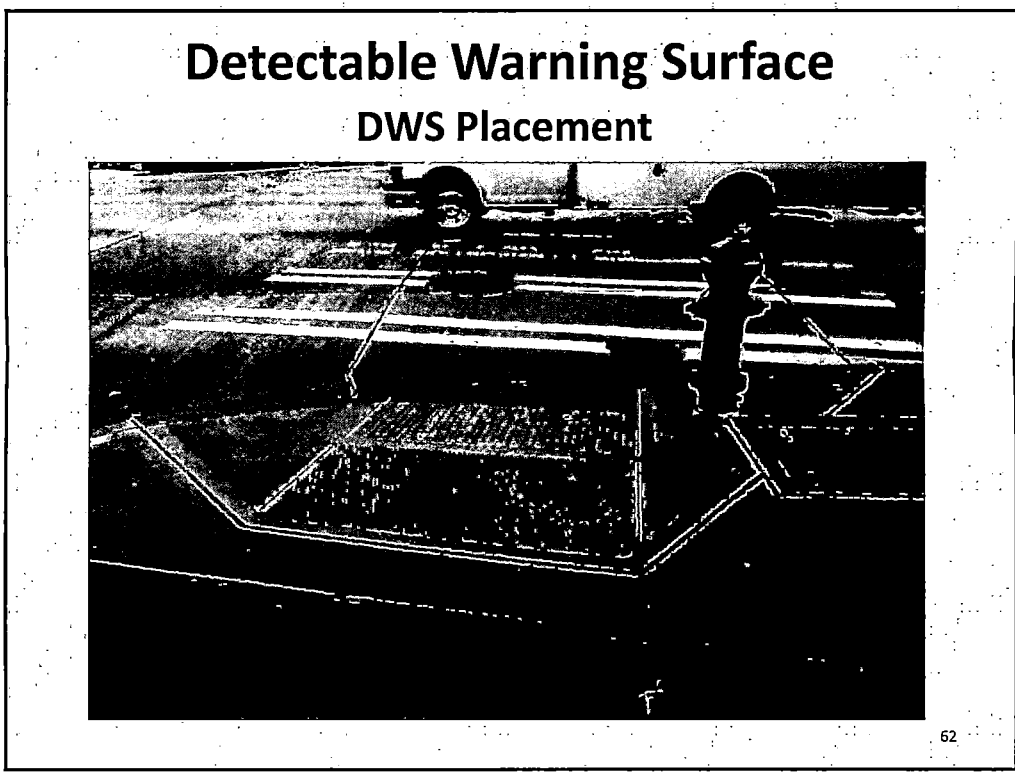
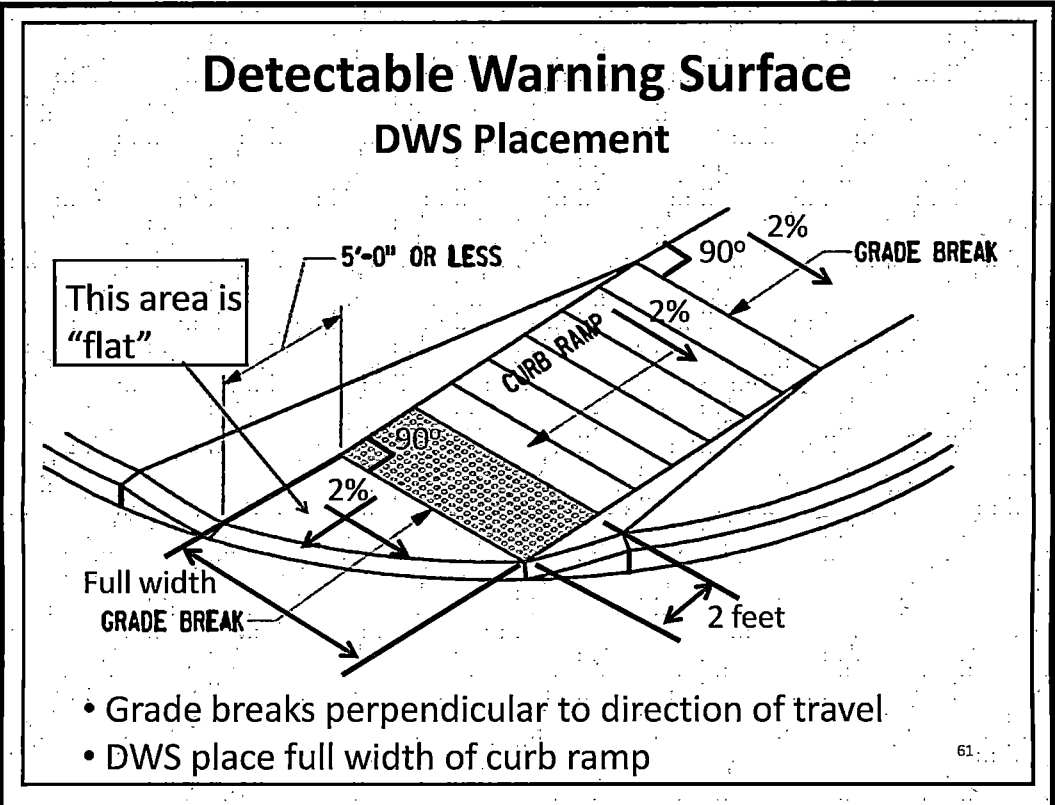
- c. Joseph M. Ettore, County Engineer  
Raymond W. Bragg, Assistant County Engineer  
Tom Lombardi, Supervising Engineer  
Vince Cardone, Principal Engineer II  
Dave Schmetterer, Asst. Planning Director  
Victor Furmanec, Principal Planner  
Kyle DeGroot, Assistant Planner  
Jeannine Smith, Planning Aide  
File



IF RAMP IS NOT DIRECTIONAL, MUST PROVIDE 4-ft. x 4-ft. TURNING AREA ON PAVEMENT, AT MAX. 2% SLOPE IN BOTH DIRECTIONS. SEE ATTACHMENT 2



ATTACHMENT 2

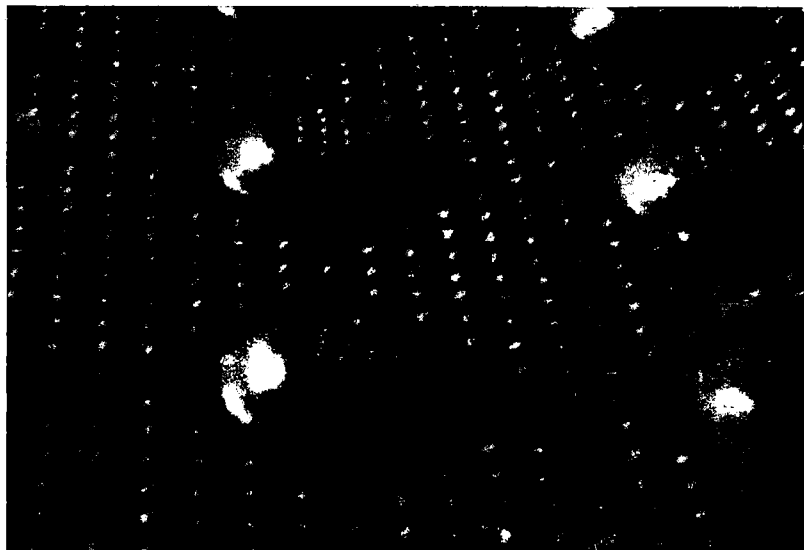


# Basic ADA Requirements

## Detectable Warning Surface (DWS)

ATTACHMENT

Item 5.



**Raised truncated domes in a rectangular array.**

***Where do you place them?***

**Placed across the bottom of the curb ramp. Full width of ramp**

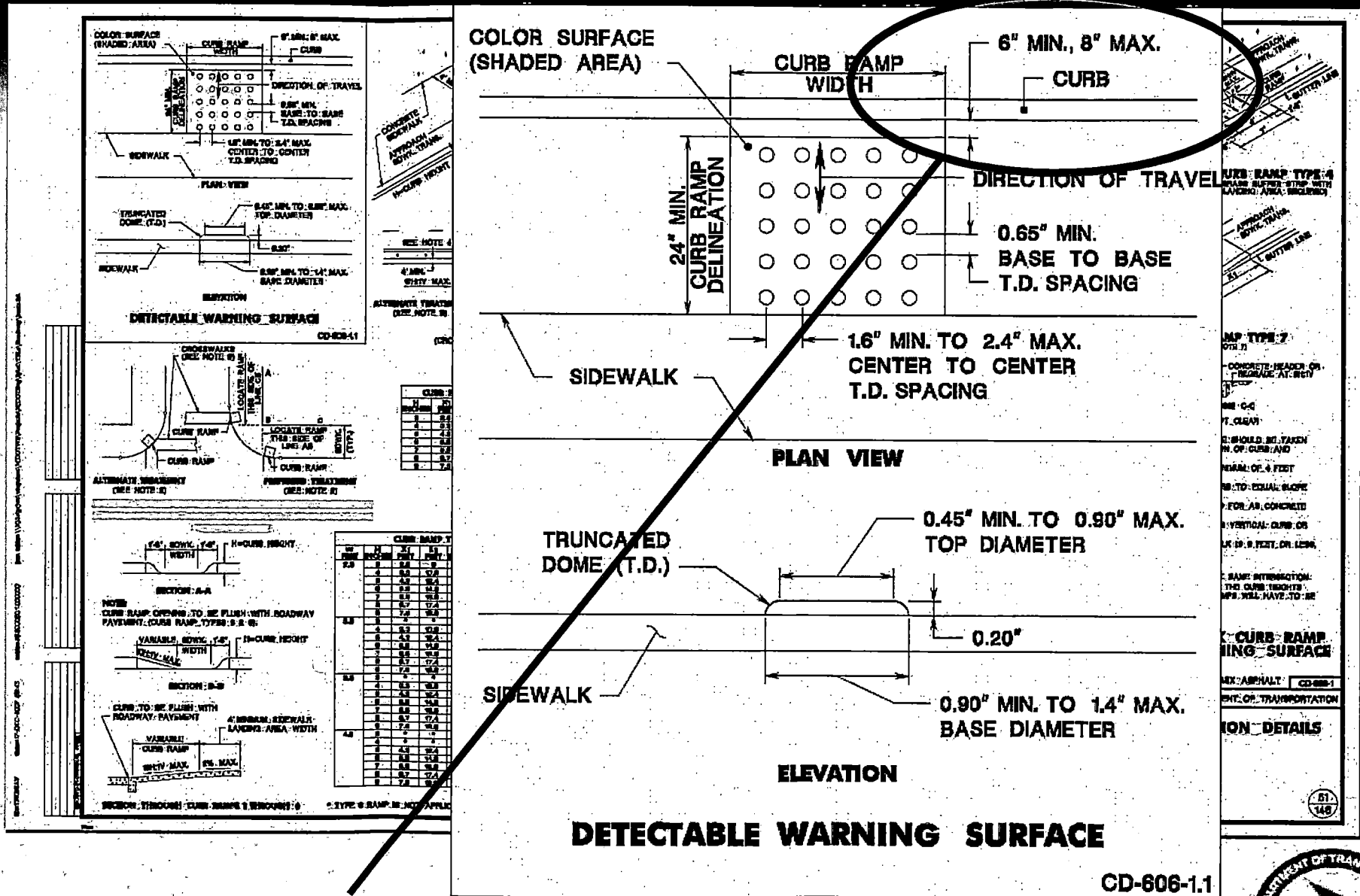
***What exactly do they do?***

**Aid those visually impaired to identify the end of the ramp.**

**DWS = Stop**

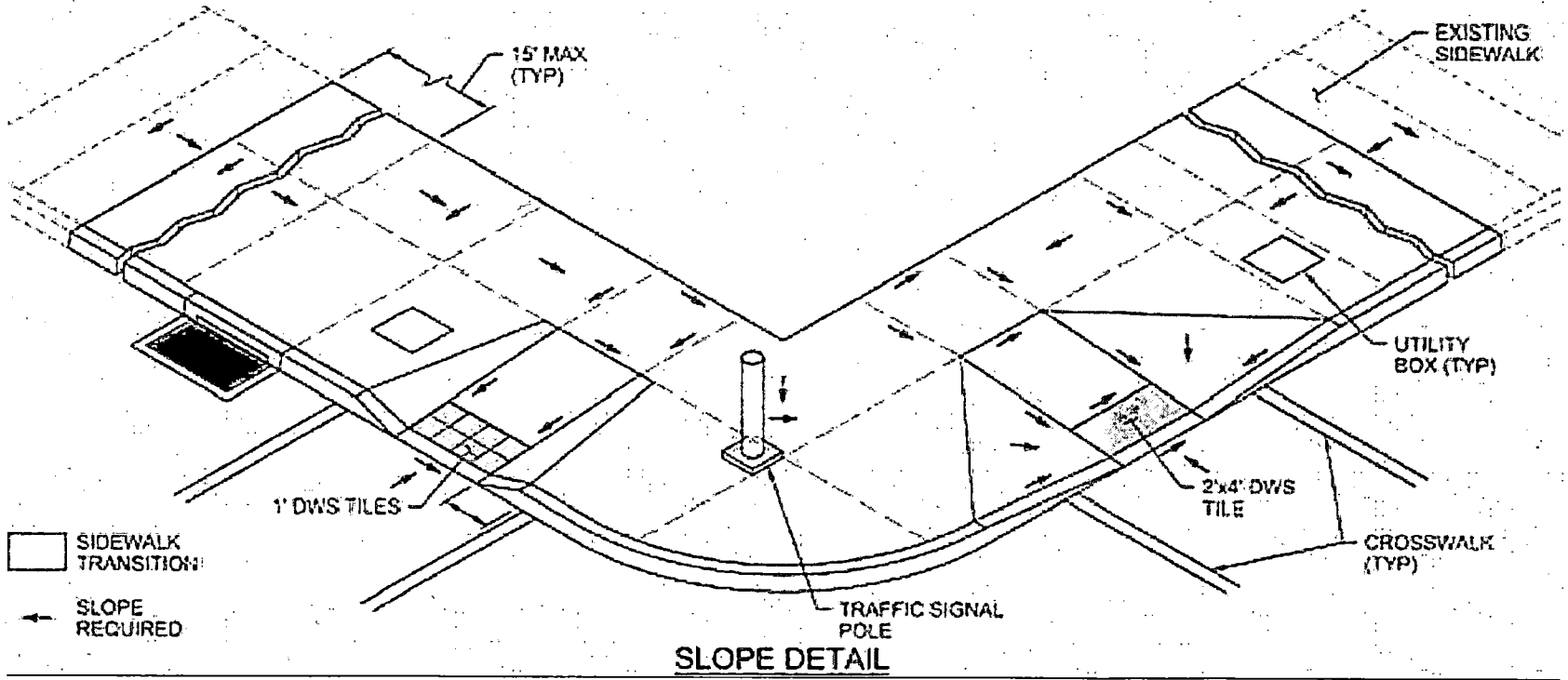


# ADA Standards



Should be placed at back of curb or 6" to 8" from front face of curb

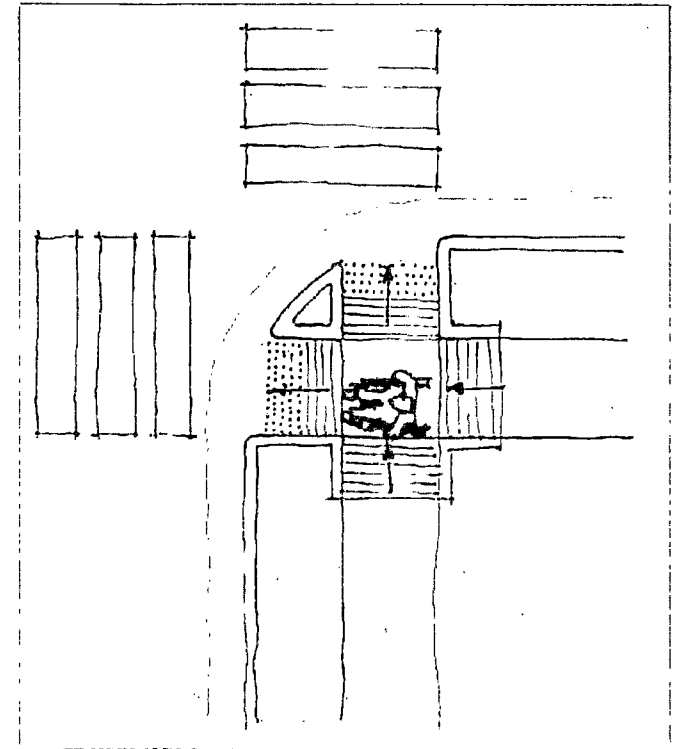
### ATTACHMENT 4



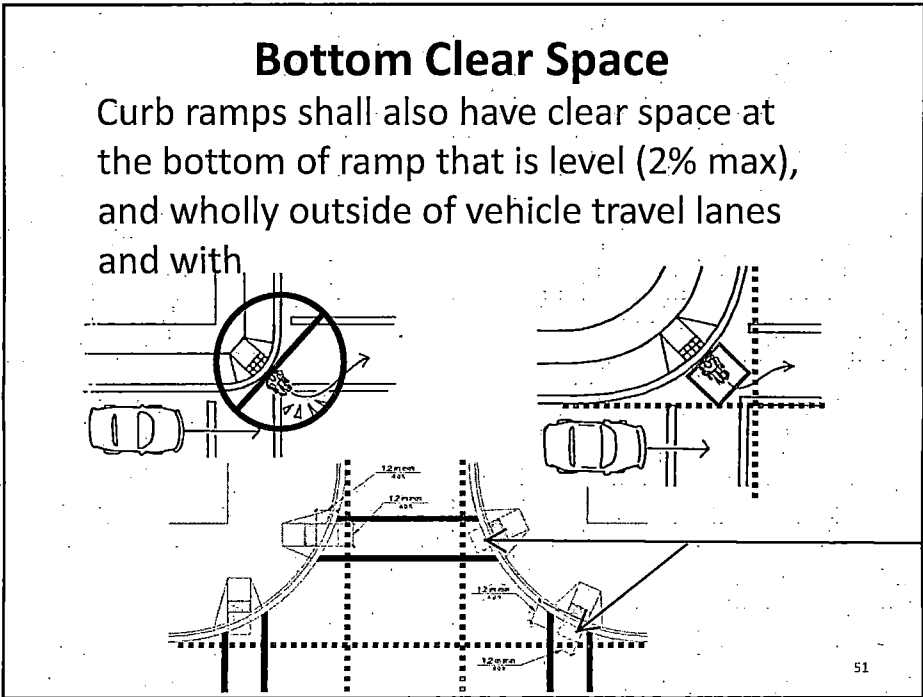


# Ramp Alignment

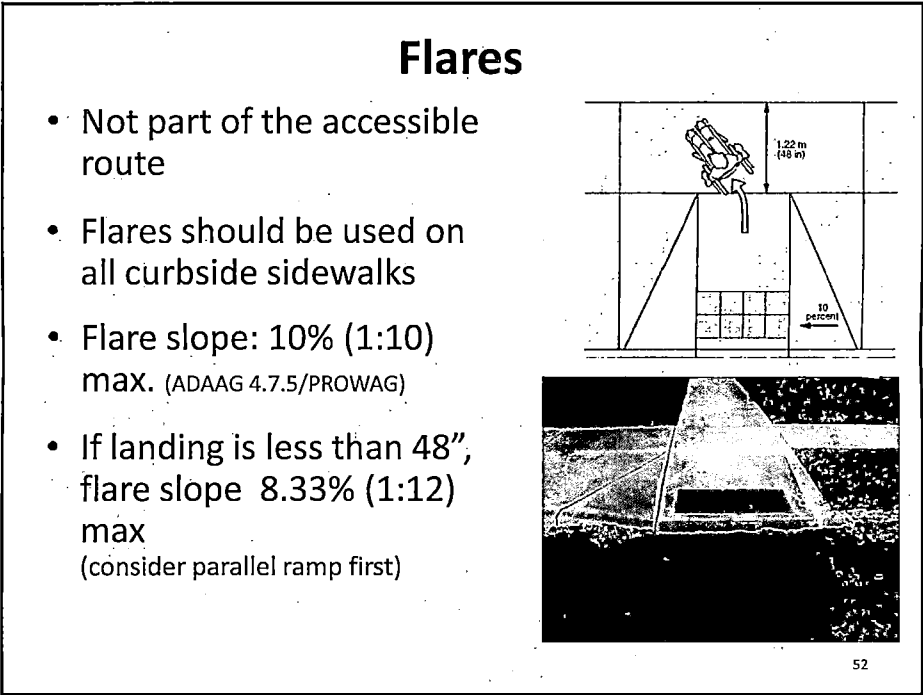
Ramps must aligned with crosswalks help wheelchair users orient themselves to cross the street



# ATTACHMENT 6



IF RAMP IS NOT DIRECTIONAL, MUST PROVIDE 4-ft x 4-ft TURNING AREA WITH MAX. 2% SLOPE IN ALL DIRECTIONS, OUTSIDE VEHICLE TRAVEL LANES, WITHIN CROSSWALK LINES.



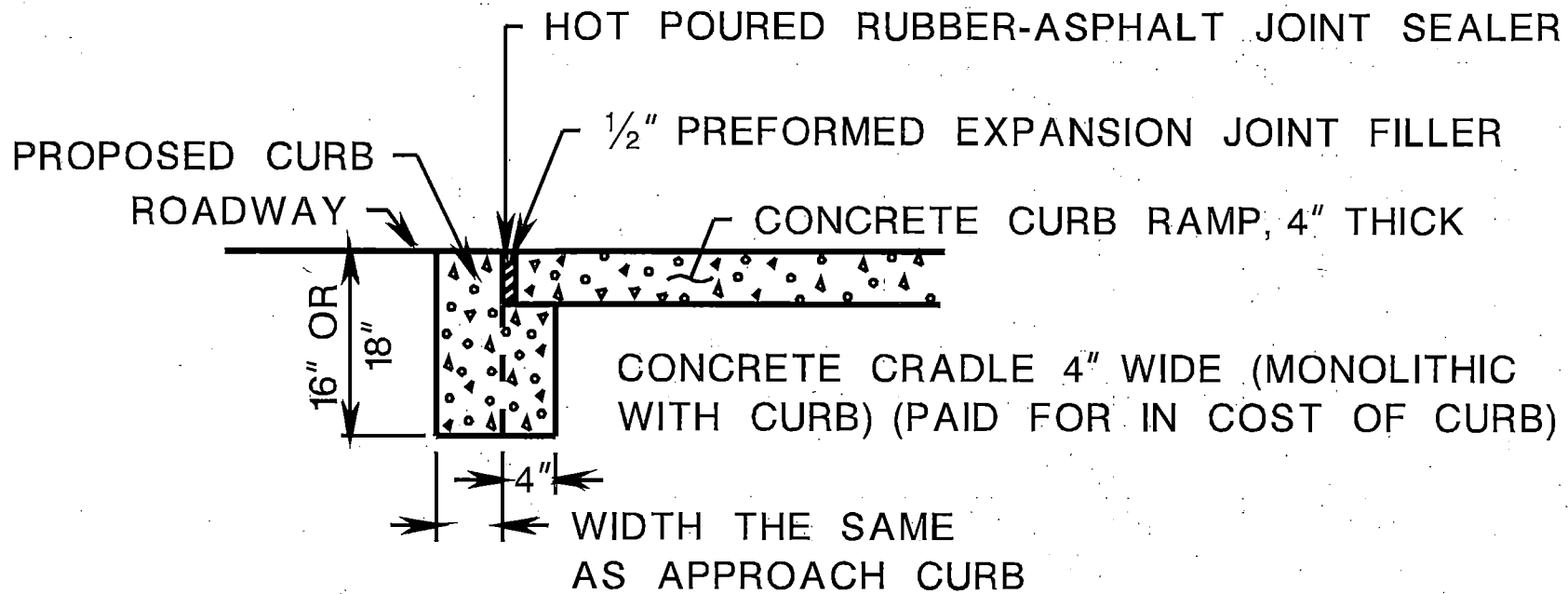
# Median Openings

ATTACHMENT 7



NJDOT Pedestrian Compatible Planning and Design Guidelines state if a street is wider than 60 feet then a pedestrian refuge should be provided so that people can find openings in traffic from only one direction, and have a place to wait for an opening in the other direction. MUTCD requires a walking speed of 3.5 ft./sec





## DROPPED CURB AND CRADLE

## CURB RAMPS

YPE 2.

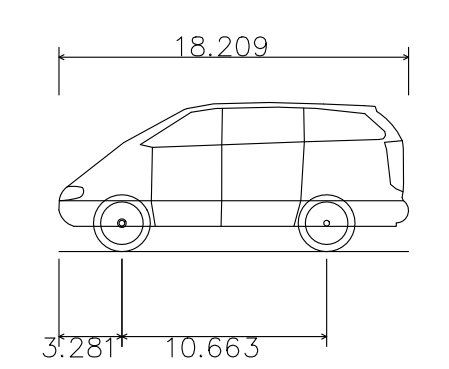
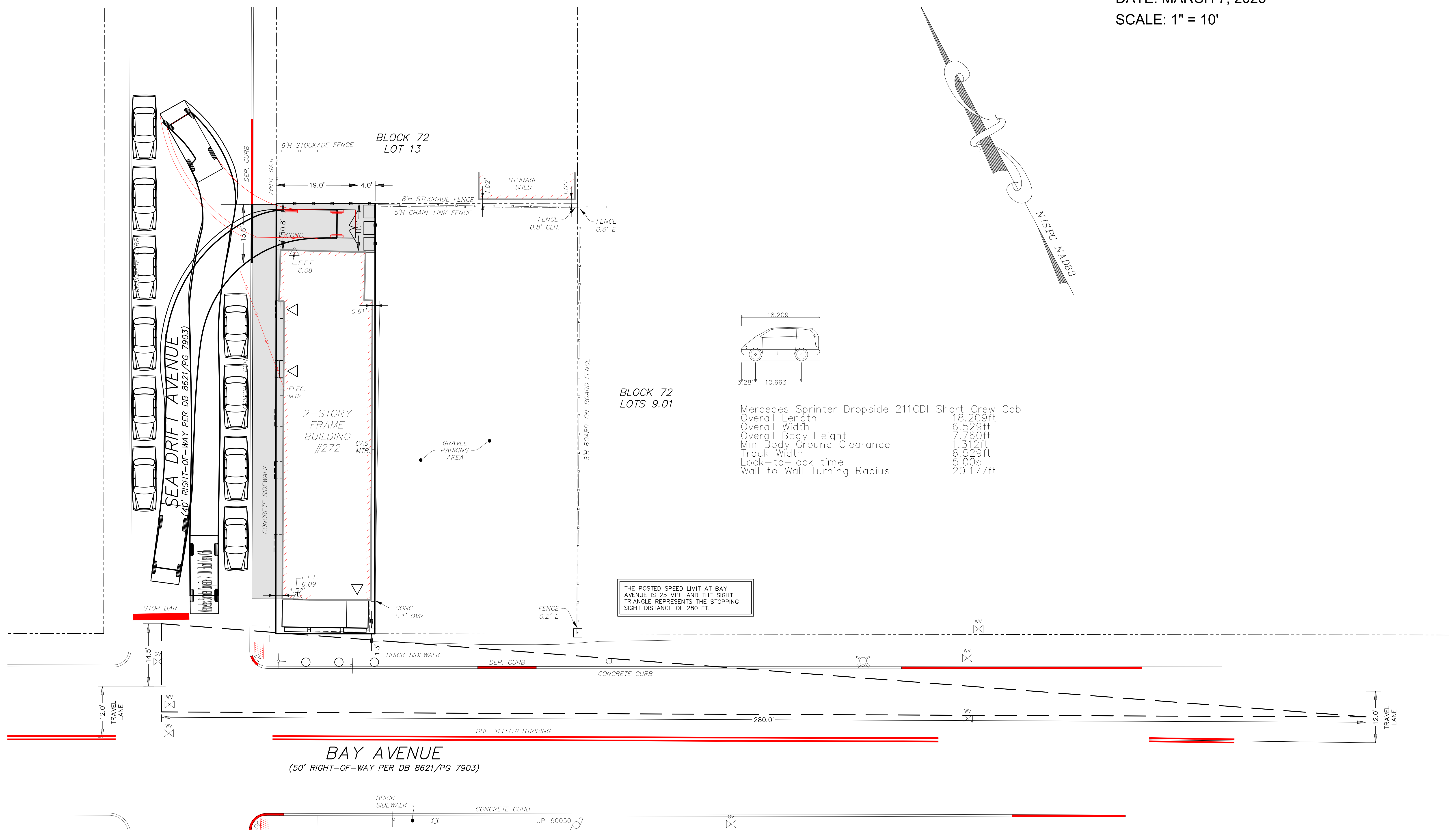








TITLE: DELIVERY VEHICLE TURNING TEMPLATE  
DATE: MARCH 7, 2023  
SCALE: 1" = 10'



Mercedes Sprinter Dropside 211CDI Short Crew Cab  
 Overall Length 18.209ft  
 Overall Width 6.529ft  
 Overall Body Height 7.760ft  
 Min Body Ground Clearance 1.312ft  
 Track Width 6.529ft  
 Lock-to-lock time 5.00s  
 Wall to Wall Turning Radius 20.177ft

THE POSTED SPEED LIMIT AT BAY AVENUE IS 25 MPH AND THE SIGHT TRIANGLE REPRESENTS THE STOPPING SIGHT DISTANCE OF 280 FT.

NJS-PC NAD83