



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.*

OATH OF OFFICE

1. Robert Burton
2. Jo-Anne Olszewski
3. Frank Montecalvo
4. Paul Sayah
5. Dean Cramer
6. Stacy Vickery

ROLL CALL

OPEN FOR PUBLIC COMMENTS: *General Questions or Comments not pertaining to Applications*

RESOLUTIONS

7. LUB Resolution 2025-01 Nomination & Vote for Chair
8. LUB Resolution 2025-02 Nomination & Vote for Vice-Chair
9. LUB Resolution 2025-03 Appointing Board Secretary and Assistant Secretary
10. LUB Resolution 2025-04 Appointing and Awarding Professional Legal Services Contract
11. LUB Resolution 2025-05 Appointing and Awarding Professional Engineer Services Contract

[12.](#) LUB Resolution 2025-06 Designation of 2025 Meeting Dates & 2026 Reorganization Date

[13.](#) LUB Resolution 2025-07 Designation of Asbury Park Press & The Two River Times as the Official Newspapers

APPROVAL OF MINUTES

14. December 12, 2024 LUB Meeting Minutes

HEARINGS ON NEW BUSINESS

[15.](#) Amended Captain's Cove Redevelopment Study - **TO BE CARRIED**

[16.](#) LUB24-05: McGhee – 43 Gravelly Point Rd., B100 L26.43

[17.](#) LUB24-03: Wheeler – 63 Washington Ave., B80 L17 - **TO BE CARRIED**

ADJOURNMENT

Board Policy: • All meetings shall adjourn no later than 10:00 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 9:15 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.



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2025-01
APPOINTING THE LAND USE BOARD CHAIR

WHEREAS, Pursuant to the Revised General Ordinances of the Borough of Highlands Land Use Volume § 21-17A.4A the Land Use Board shall Elect a Chair from amongst its Class IV members;

NOW THEREFORE IT IS RESOLVED, by the Land Use Board of the Borough of Highlands, that XXXX XXXX shall be named Chair in accordance with § 21-17A.4A for a term beginning January 1, 2025 and ending on December 31, 2025.

Member, Class, and Name	Intro	2nd	Aye	Nay	Abstain	Absent
Class I: Mayor						
Mayor Carolyn Broullon (2025)						
Class II: Official of Borough						
Chief Rob Burton (2025)						
Class III: Council Member (2025)						
Councilmember Jo-Anne Olszewski						
Class IV: Members						
Robert Knox (2026)						
Laurie LaRussa (2027)						
Frank Montecalvo (2028)						
Paul Sayah (2028)						
Annemarie Tierney (2026)						
Mark Zill (2025)						
Alt (in order):						
1 Helen Chang (2025)						
2 Dean Cramer (2026)						
3 Kevin Cody (2025)						
4 Stacy Vickery (2026)						

I, Nancy Tran, certify that this is a true and correct record of the actions of the Borough of Highlands Land Use Board on January 9, 2025.

Nancy Tran
Land Use Board Secretary



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2025-02
APPOINTING THE LAND USE BOARD VICE CHAIR

WHEREAS, Pursuant to the Revised General Ordinances of the Borough of Highlands Land Use Volume § 21-17A.4A the Land Use Board shall Elect a Vice Chair from amongst its Class IV members;

NOW THEREFORE IT IS RESOLVED, by the Land Use Board of the Borough of Highlands, that XXXX XXXX shall be named Vice Chair in accordance with § 21-17A.4A for a term beginning January 1, 2025 and ending on December 31, 2025.

Member, Class, and Name	Intro	2nd	Aye	Nay	Abstain	Absent
Class I: Mayor						
Mayor Carolyn Broullon (2025)						
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Nancy Tran
Land Use Board Secretary



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2025-03

APPOINTING A LAND USE BOARD SECRETARY AND ASSISTANT SECRETARY

WHEREAS, Pursuant to the Revised General Ordinances of the Borough of Highlands Land Use Volume § 21-17A.4 the Land Use Board may elect a Secretary and Assistant Secretary, who may or may not be a member of the Land Use Board or a municipal employee, and fill such other offices as established by ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the Land Use Board of the Borough of Highlands that Nancy Tran shall be named Land Use Board Secretary in accordance with § 21-17A.4 for a term beginning January 1, 2025 and ending December 31, 2025.

BE IT FURTHER RESOLVED, that Alicia Jones shall be named Land Use Board Assistant Secretary for a term beginning January 1, 2025 and ending December 31, 2025.

Member, Class, and Name	Intro	2nd	Aye	Nay	Abstain	Absent
Class I: Mayor						
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Nancy Tran
Land Use Board Secretary



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2025-04

APPOINTING A LAND USE BOARD ATTORNEY FOR THE CALENDAR YEAR 2025 AND AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES

WHEREAS, the Borough of Highlands Land Use Board has a need for professional legal services to be provided for the calendar year 2025 pursuant to the provisions of N.J.A.S. 19:44A-20.5; and

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications, and said requests for Professional Services –Land Use Board Attorney were received in the Office of the Municipal Clerk, and

WHEREAS, such Professional Legal Services can only be provided by a licensed professional; and

WHEREAS, the Land Use Board wishes to appoint the firm of Semeraro & Fahrney LLC; and

WHEREAS, the Local Public Contracts Law N.J.S.A 40A:11-1 et. Seq., requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, certification of the availability of funds is hereby made contingent upon the adoption of the 2025 Municipal Budget as follows:

Account # 5-01-21-180-000-242

For Legal Services for the Period of January 1, 2025 through December 31, 2025.

Patrick DeBlasio, CFO

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Highlands that:

1. Semeraro & Fahrney LLC is hereby appointed as Land Use Board Attorney for the period of January 1, 2025 through December 31, 2025 and said appointment is made as a fair and open contract.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.

3. The Chairman and Board Secretary are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
4. A copy of the Resolution as well as the contract shall be placed on file with the Board Secretary and the Borough Clerk.
5. The Board Secretary is hereby directed to publish notice of this award as required by law.

Member, Class, and Name	Intro	2nd	Aye	Nay	Abstain	Absent
Class I: Mayor						
Mayor Carolyn Broullon (2025)						
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Nancy Tran
Land Use Board Secretary



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2025-05

APPOINTING A LAND USE BOARD ENGINEER FOR THE CALENDAR YEAR 2025 AND AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES

WHEREAS, the Borough of Highlands Land Use Board has a need for professional engineering services to be provided for the calendar year 2025 pursuant to the provisions of N.J.A.S. 19:44A-20.5; and

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications, and said requests for Professional Services – Land Use Board Engineer were received in the Office of the Municipal Clerk.

WHEREAS, certification of the availability of funds is hereby made contingent upon the adoption of the 2025 Municipal Budget as follows:

Account # 5-21-180-000-244

For Engineer Services for the Period of January 1, 2025 through December 31, 2025.

Patrick DeBlasio, CFO

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Highlands that:

1. Carmela Roberts, PE, CME, of Roberts Engineering Group LLC is hereby appointed as Land Use Board Engineer for the calendar year 2025 and is awarded a professional service contract for professional engineering services provided for the period of January 1, 2025 through December 31, 2025.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. The Chairman and Board Secretary are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
4. A copy of the Resolution as well as the contract shall be placed on file with the Board Secretary and the Borough Clerk.
5. The Board Secretary is hereby directed to publish notice of this award as required by law.

Member, Class, and Name	Intro	2nd	Aye	Nay	Abstain	Absent
Class I: Mayor						
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Nancy Tran
 Land Use Board Secretary



BOROUGH OF HIGHLANDS
 COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2025-06

SETTING THE SCHEDULE FOR LAND USE BOARD MEETINGS OF THE BOROUGH OF HIGHLANDS FOR THE CALENDAR YEAR 2025

WHEREAS, Pursuant to the Revised General Ordinances of the Borough of Highlands Land Use Volume § 21-10A the Land Use Board shall fix the time and place for holding its regular meetings for business authorized to be conducted by the Board;

WHEREAS, N.J.S.A 10:4-18 provides for “Annual Notice” which means at least once each year, within seven (7) days following the annual organization or reorganization meeting of a public body, every public body shall adopt, post, and distribute a schedule of its regular meetings for the coming year. The schedule must contain the date, time, and location of the meeting, in addition, it shall be mailed, telephoned, telegraphed, or hand delivered to at least two (2) newspapers which newspapers shall be designated by the public body to receive such notices; and

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Highlands, County of Monmouth, and the State of New Jersey, that Meetings of the Board will begin at **7:00 PM** during the year 2025, at the **Municipal Building, 151 Navesink Avenue, Highlands, New Jersey 07732** in accordance with § 21-1.7A.4 as follows:

1. Meetings will be held on the following dates:

Thursday	February 13, 2025
Thursday	March 13, 2025
Thursday	April 10, 2025
Thursday	May 8, 2025
Thursday	June 12, 2025
Thursday	July 10, 2025
Thursday	August 14, 2025
Thursday	September 11, 2025
Thursday	October 9, 2025
Thursday	November 13, 2025
Thursday	December 11, 2025
Thursday	January , 2026*

* Regular/Reorganization Meeting

2. Formal action will be taken at all Regular meetings. Public comments will be permitted at designated periods during all meetings. Executive Sessions, which are closed to the public, may be held to discuss matters authorized for closed sessions under N.J.S.A. 10:4-12. Prior to each Executive Session, the Land Use Board will convene in open session at which time a

resolution will be adopted in accordance with N.J.S.A. 10:4-13 to enter Executive Session. Regular meetings may be adjourned, rescheduled, or held on different dates providing such are duly noticed as provided by law.

3. The Reorganization Meeting for 2026 shall be held at 7:00 PM on Thursday, January 8, 2026, at the **Municipal Building, 151 Navesink Avenue, Highlands, New Jersey 07732.**
4. The Land Use Board Secretary shall post this “Annual Notice” on the official bulletin board in the Municipal Building, transmit it to the Asbury Park Press and Two River Times, and file this notice in the Office of the Land Use Board Secretary and the Municipal Clerk of the Borough of Highlands, all in accordance with the “Open Public Meetings Act”.

Member, Class, and Name	Intro	2nd	Aye	Nay	Abstain	Absent
Class I: Mayor						
Mayor Carolyn Broullon (2025)						
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I, Nancy Tran, certify that this is a true and correct record of the actions of the Borough of Highlands Land Use Board on January 9, 2025.

 Nancy Tran
 Land Use Board Secretary



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2025-07

DESIGNATING THE OFFICIAL NEWSPAPERS OF THE BOROUGH OF HIGHLANDS LAND USE BOARD

WHEREAS, Pursuant to the Revised General Ordinances of the Borough of Highlands Land Use Volume § 21-11(8) the Land Use Board shall publish a brief notice of their decisions in the official newspaper(s) of the municipality;

WHEREAS, “Official Newspapers” as defined by N.J.A.S. 10:4 means paid, published, and circulated in the municipality, and if there be no such newspaper, then in at least one published in the county in which the municipality is located and said newspaper is circulated, and

WHEREAS, P.L. 1975 c.231 provides that a public body may provide electronic notice of any meeting of the public body through the internet and defines “Electronic Notice” as advance notice available to the public via electronic transmission of at least forty-eight (48) hours, giving the time, date, location, and, to the extent known, agenda of any Regular, Special, or Rescheduled Meeting, which notice shall accurately state whether formal action may or may not be taken at such meeting; and

WHEREAS, Nothing in P.L. 1975 c.231 shall be construed as affecting or superseding the adequate notice requirements that are imposed by the “Open Public Meetings Act” and no electronic notice issued pursuant to this act shall be deemed to substitute for, or be considered in lieu of, such adequate notice.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Highlands, in the County of Monmouth, and the State of New Jersey, that the **Asbury Park Press**, and **The Two River Times**, be designated as the official newspapers for the advertising of ordinances and other public notices, which the municipality may be required by any law to publish, for the year ending December 31, 2025.

Member, Class, and Name	Intro	2nd	Aye	Nay	Abstain	Absent
Class I: Mayor						
Mayor Carolyn Broullon (2025)						
Class II: Official of Borough						
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I, Nancy Tran, certify that this is a true and correct record of the actions of the Borough of Highlands Land Use Board on January 9, 2025.

Nancy Tran
 Land Use Board Secretary

Amended Captain's Cove Redevelopment Study

Borough of Highlands
Monmouth County, New Jersey

November 16, 2024

Prepared by:



236 Broad Street
Red Bank, NJ 07701
732-741-2900

The original of this report was signed and
sealed in accordance with N.J.S.A. 45:14A-12.

A handwritten signature in black ink, appearing to read 'Susan S. Gruel', is written over a horizontal line.

Susan S. Gruel, P.P. #1955

With assistance from Bailey Surbrook

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INTRODUCTION

The purpose of this amendment (Report) to the Captain's Cove Area In Need of Redevelopment Investigation Report dated November, 2017 (2017 Report) is to determine whether the property located in the Borough of Highlands, New Jersey (Borough) known as the Captain's Cove Marina located on Block 84, Lot 2.01 as identified on the Borough's tax maps, along with all riparian rights, streets, and rights of way appurtenant thereto (the "Study Area"), qualifies as a "condemnation area in need of redevelopment" as defined in the Local Redevelopment and Housing Law N.J.S.A. 40A:12-1 et seq (LRHL). This report is written pursuant to section 6 of the LRHL, which provides the following:

- No area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in Section 5 of P.L 1992/c.79 (C.40A:12A-5).
- The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality.
- After completing its hearing on this matter, the planning board shall recommend that the delineated area, or any part thereof, be determined or not be determined, by the municipal governing body to be a redevelopment area.
- After receiving the recommendation of the planning board, the municipal governing body may adopt a resolution determining that the delineated area, or any part thereof, is a redevelopment area.

On December 7, 2016, the Governing Body of the Borough of Highlands (Borough Council) adopted Resolution #16-228 authorizing the Land Use Board of the Borough (Land Use Board) to undertake an investigation to determine whether a portion of the Study Area is a non-condemnation area in need of redevelopment in accordance with the LRHL. Heyer, Gruel & Associates, the Borough Planner, prepared the 2017 Report.

In Resolution 24-168 adopted on October 2, 2024, the Borough Council authorized the Land Use Board to undertake an investigation to determine whether the Study Area qualifies as a condemnation area in need of redevelopment pursuant to the LRHL. The authorizing resolution is attached as Appendix A of this document.

The Redevelopment Study Area Map (see Figure 1) constitutes a "map showing the boundaries of the proposed redevelopment area and the location of the various parcels of property included

therein." This report serves as the "statement setting forth the basis for the investigation" which is required by Section 6(b) of the LRHL (N.J.S.A. 40A: 12A-6).



Figure 1 - Study Area Map

HISTORY OF THE STUDY AREA

Block 84, Lot 2.01 within the Study Area was the subject of a previous non-condemnation "Area in Need of Redevelopment" investigation as set forth in the 2017 Report. At a public hearing held on January 31, 2018, the Land Use Board recommended that the Borough Council designate Block 84, Lot 2.01 as a non-condemnation area in need of redevelopment. At its March 21, 2018, meeting, the Borough Council formally designated the Captain's Cove Redevelopment Area as a non-condemnation area in need of redevelopment per Council Resolution 18-070. This current area in need of redevelopment investigation expands the previous redevelopment area to include portions of the right-of-way along Washington Avenue, Cheerful Place, and Rogers Avenue and proposes designation of the area as a condemnation area.

STUDY AREA AND LOCATION

The Borough of Highlands is approximately 0.71 square miles and is located at the base of Sandy Hook where the Raritan Bay meets the confluence of the Navesink and Shrewsbury Rivers. The physical form of the Borough is characterized by a sharp elevation change between its waterfront and downtown neighborhoods, which are only a few feet above sea level, and the up-hill areas that quickly ascend to over 100 feet of elevation. The lower portions of the Borough were significantly impacted by storm surge and flooding from Superstorm Sandy in October 2012.

The Borough's main downtown commercial corridor runs along Bay Avenue. There are pockets of waterfront commercial uses along the river and bay frontage that are occupied by marine-oriented businesses and restaurants. There are also several small pockets of highway-orientated commercial development. The remainder of the Borough is predominantly zoned for, and developed with, single-family homes, although there are a few pockets of multi-family development.

The Study Area is located in the north-central portion of the Borough along the Sandy Hook Bay. The Study Area consists of Block 84, Lot 2.01 along with small portions of adjacent rights-of-way in the southern portion of the Study Area. The Study Area is +/- 69,560 square feet (approximately 1.60 acres). The Study Area is predominately water, except for a portion of land at the southern portion of the site adjacent to where Cheerful Place and Washington Avenue intersect. The western boundary of the site borders the side and rear yards of homes that have frontage on Huddy Avenue, Bedle Place, and Recreation Place. The eastern boundary of the site borders Washington Avenue. The site currently serves as a marina. A Sanborn map of the area from 1922 shows that the property was used as a boat slip at that time, the bulkhead along both sides of the

channel was in place, and the Water Witch Society Club was located at the intersection of Cheerful Place and Washington Avenue (see Figure 2).

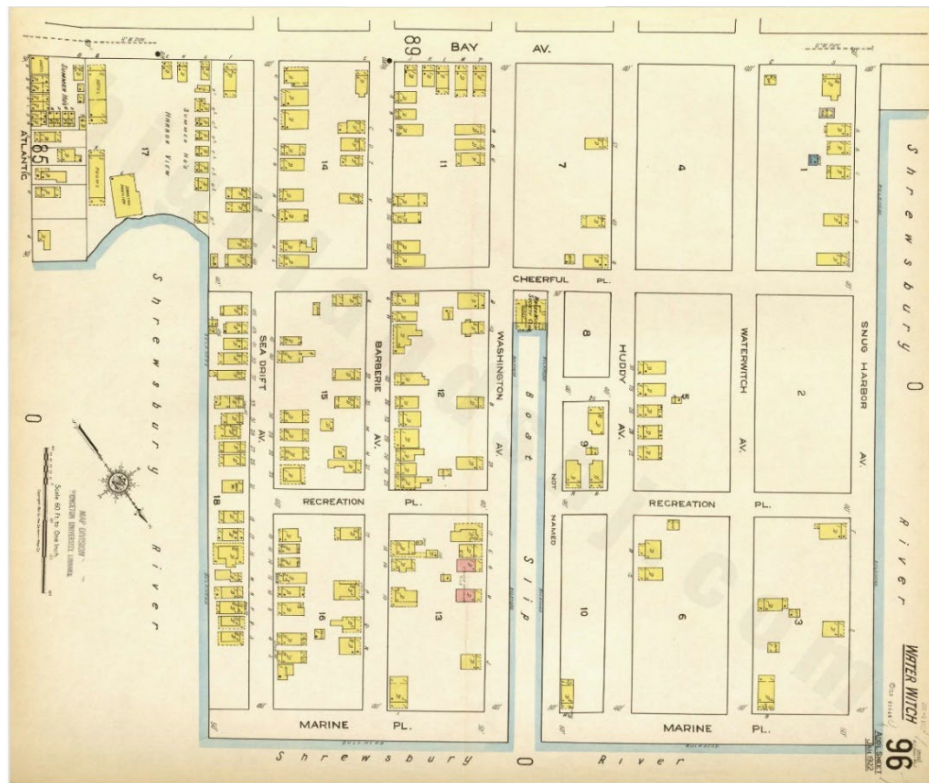


Figure 2 – Sanborn Map Sheet 96 “Water Witch” (1922)

EXISTING ZONING

The Study Area is located within the CCR: Captain's Cove Redevelopment District and the R-2.01: Single Family Residential District. The CCR District permits marinas, retail, office, and eating and drinking establishments as principal uses. The CCR District has a minimum building setback to Washington Avenue and Cheerful Place of 5-feet, a minimum setback to Block 87, Lot 1 of 10-feet, a minimum setback to the bulkhead of 5-feet, and a maximum building height of 3-stories/35-feet.

The R-2.01 District permits single-family detached dwellings, public uses operated by the Borough, public utility rights-of-way, religious institutions, and public and private schools as principal uses. The R-2.01 District requires that lots have a minimum size of 3,750 square feet, a minimum width of 50-feet, a minimum depth of 75-feet, a minimum front yard setback of 20-feet, a minimum rear yard setback of 20-feet, and a minimum side yard setback of 6-feet. Buildings are permitted a maximum height of 30-feet, and a maximum building coverage of 33%. The maximum impervious lot coverage is 75%.



Figure 3 - Zoning Map

RELATIONSHIP TO THE BOROUGH OF HIGHLANDS MASTER PLAN

The Borough's current Master Plan was adopted in 2004. A re-examination report was adopted in 2009, and another re-examination report was adopted in 2016. The following goals, objectives, recommendations, and strategies that are present in these planning documents and are relevant to this investigation are as follows:

MASTER PLAN (2004)

General Objectives

1. Physically – Meet the needs of the Borough with the creation of mixed-use development of exceptional design quality, a waterfront destination for activity and relaxation (p. G&O-3).

Commercial

2. Continue the Improvement of commercial properties in the Borough (p. G&O-4).
8. Encourage redevelopment of commercial properties that need rehabilitation or improvement (p. G&O-5).
9. Encourage upgrading of commercial properties and their surroundings (p. G&O-5).

Circulation

13. To improve public access to the waterfront (p. G&O-6).

Economic Development / Redevelopment Goals

6. Encourage redevelopment in areas that need rehabilitation or improvement (p. G&O-6).
8. Capitalize on the economic resources represented by Sandy Hook, Route 36, the Twin Lights, the New York Ferry and the physical attractiveness of the Area (p. G&O-6).

Land Use Element

- Development Along the Waterfront – The land use plan recognizes the waterfront area as one of Highlands' greatest assets. A key guiding principle or philosophy of this Plan is to encourage the development of land use regulations that maximize the view corridor to the waterfront. (p. LU-22).

RE-EXAMINATION REPORT (2016)

The 2016 Re-examination report and master plan amendments carry forward the General Objectives and Economic Development / Redevelopment Goals espoused in the 2004 Master Plan. The re-exam also includes additional language specific to the Captain's Cove Marina site.

Zone Changes

7. Create a new Waterfront Commercial (WC-3) district encompassing Block 84, Lot 2.01 to allow for commercial boat basins. *The unique characteristics of this site and historic usage should be acknowledged. Zoning regulations should be created for a new Waterfront Commercial Zone District which allow for commercial boat basins, SUP rentals, and provide parking standards based on the number of boat slips.* (p. 55).

CRITERIA FOR REDEVELOPMENT AREA DETERMINATION

The criteria contained in Section 5 of the LRHL that were considered in evaluating the Study Area are the following.

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Furthermore, Section 3 of the LRHL permits the inclusion of parcels that do not meet the criteria if they are necessary for the effective redevelopment of the area, stating:

"A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found

necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part."

EVALUATION OF THE STUDY AREA FOR CONFORMITY WITH REDEVELOPMENT AREA CRITERIA

An analysis of the Study Area's existing land use, physical characteristics, history, operational needs, and other considerations was conducted using:

- Borough of Highlands Tax maps and GIS data
- Tax and ownership records for the Study Area
- Aerial photos of the Study Area property
- Field Inspections of the Study Area, site, and surroundings on October 21, 2024.
- Borough of Highlands Tax Assessment Data
- Captain's Cove Marina Structural Inspection Report, dated October 14, 2024, revised November 4, 2024 prepared by Colliers Engineering and Design. (See Appendix E)
- A Letter prepared by Colliers Engineering and Design, dated January 9, 2023. (See Appendix D)
- A Letter prepared by Colliers Engineering and Design, dated November 6, 2024. (See Appendix F)
- Photos and Email Correspondence from 2019 to 2024, Collected by William Brunt – the Borough's Code Enforcement Officer.



Figure 4 – Borough of Highlands Tax Map (Study Area Outlined in Red)

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Initial site visits were conducted in October 2024, although the site has been the subject of several on-site inspections from Borough officials over the past several years. There is substantial evidence, which will be discussed in detail below, to demonstrate that the Study Area may be designated as in need of redevelopment under criterion "d" of Section 5 of the LRHL, which states:

"Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community."

PROPERTY AND BUILDING DESCRIPTION

Block 84, Lot 2.01	
Current Owner	Captain's Cove Marina, LLC
Address of Current Owner	PO Box 8100, Red Bank, NJ 07701
Lot Area	+/- 66,754 (1.53 Acres)
Property Class	4A (Commercial)
Land Value (2023)	\$480,000
Improvement Value (2023)	\$350,000
Total Value (2023)	\$830,000

Description:

The Study Area consists of the Captain's Cove Marina located at Block 84, Lot 2.01, along with portions of the adjacent rights-of-way along Washington Avenue, Cheerful Place, and Rodgers Avenue. Block 84, Lot 2.01 encompasses approximately 1.53 acres of the approximately 1.60-acre Study Area. The majority of Block 84, Lot 2.01 consists of water that is used for boat slips. At the time of the site visit on October 21, 2024, there were boats occupying the slips in the marina. The bulkhead runs along both sides of the marina channel from Sandy Hook Bay in the north towards the intersection of Cheerful Place and Washington Avenue in the south. The southern portion of the site is developed with several temporary structures, including a food establishment which operates from a trailer under the name "Dock Donuts," and a storage container. At the time of the site visit, deck chairs and repurposed wooden cable reels served as outdoor seating and tables. Also, at the time of the site visit, a few construction equipment vehicles were parked on the site and several skiffs were stacked up along the southern side of the marina's bulkhead. The

site is unpaved and has a sand and gravel surface. Other improvements on the site include a flagpole and signage for Captain's Cove Marina.



Photo facing Dock Donuts (10-21-2024) (Provided by HGA)



View looking down the Rogers Avenue Right-of-Way (11-11-2024) (Provided by HGA)

The entire site, as is much of the Borough, is located within the Federal Emergency Management Agency's (FEMA) 100-year floodplain. The northernmost portion of the property is located in the VE zone, which indicates flood hazard with storm wave hazards. The remainder of the property is located within the AE zone (see Figure 5).

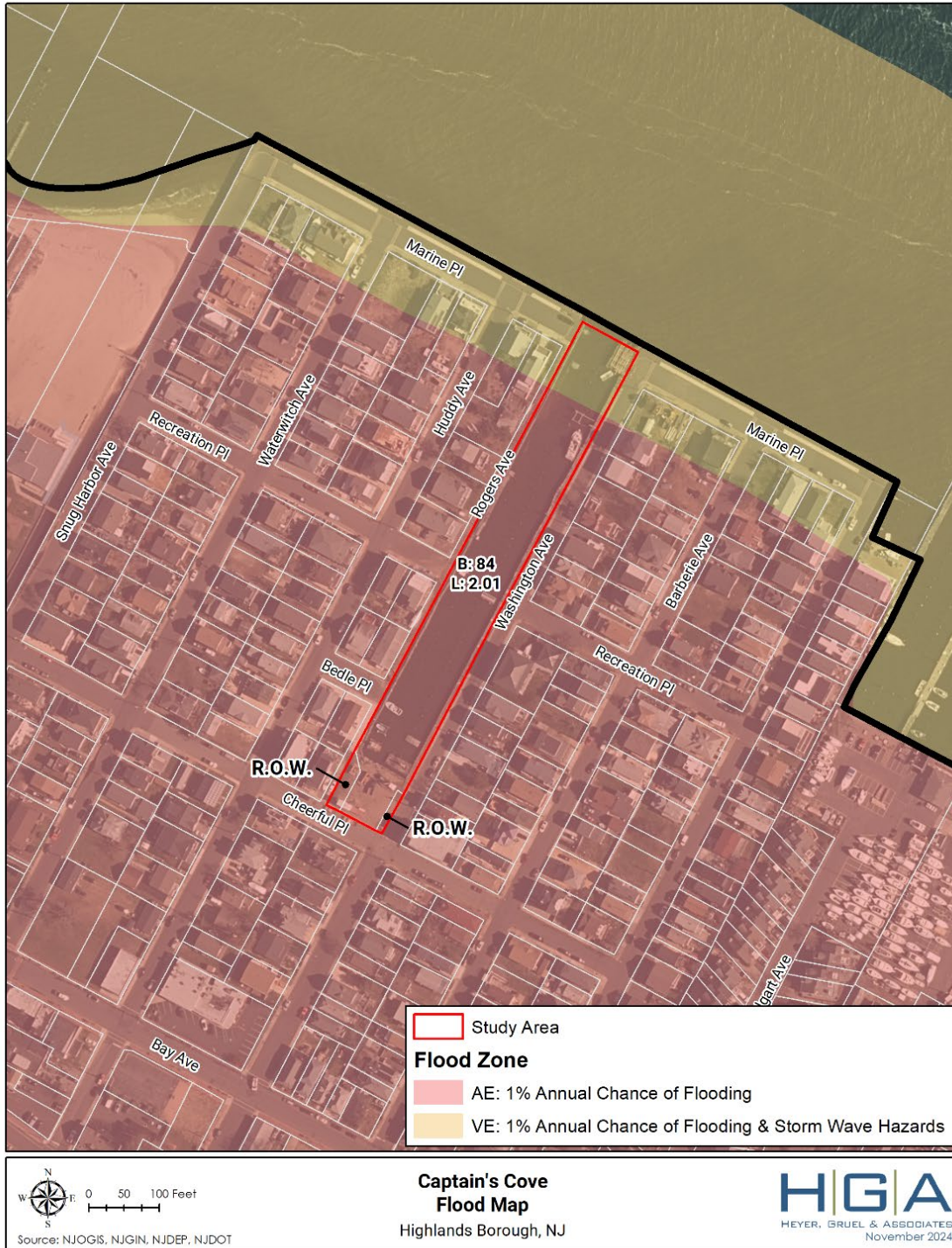


Figure 5 – Flood Hazard Area

Evaluation:**Dilapidation**

Per criterion "d," areas with buildings or improvements qualify as in need of redevelopment if by reason of their dilapidation are detrimental to the safety, health, or welfare of the community. There is a documented history of flooding due to the poor condition of the bulkhead at Captain's Cove Marina in the Study Area over the past five years. This flooding is detrimental to the safety, health, and welfare of the community as it has negatively impacted the safety of the surrounding rights-of-ways and damaged Borough infrastructure, and if not corrected, would further increase the risk of flooding which would result in damage to neighboring properties and Borough infrastructure. Photos taken during site inspections and site visits since 2019 were provided by William Brunt, the Code Enforcement Officer for the Borough of Highlands. The following photos depict flooding that occurred at Captain's Cove Marina on September 30, 2019, and October 12, 2020.



Flooding observed at Recreation Place (9-30-2019)(Provided by William Brunt)



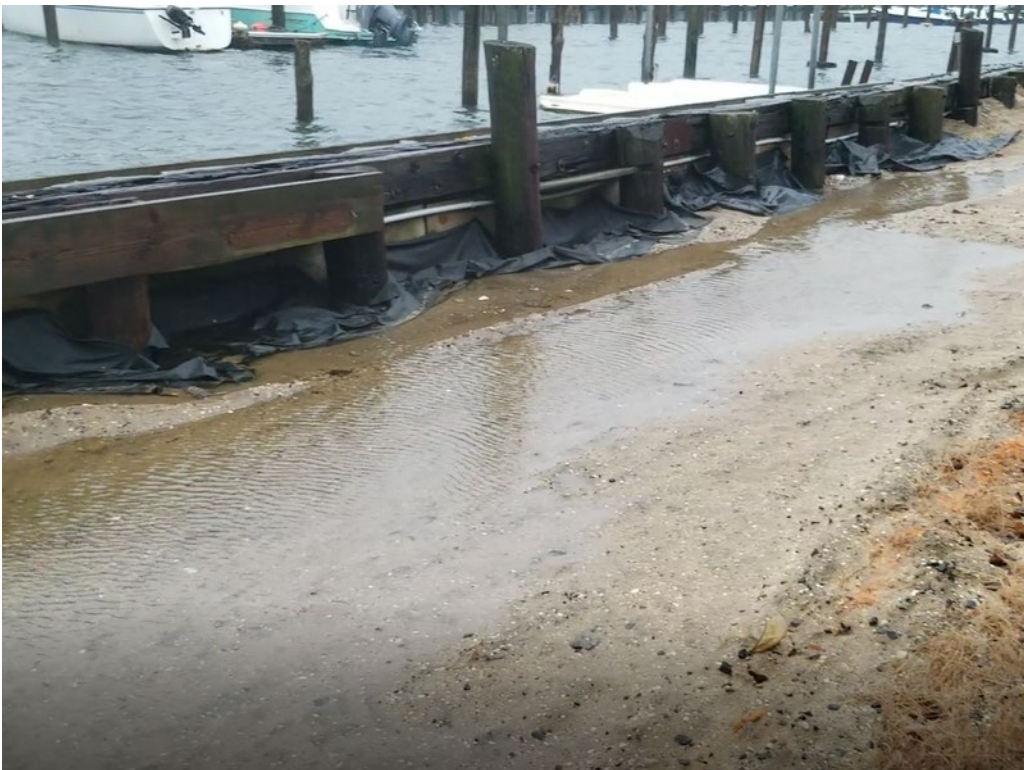
Flooding observed along the Captain's Cove bulkhead (9-30-2019) (Provided by William Brunt)



Flooding observed at Bedle Place (9-30-2019) (Provided by William Brunt)



Flooding at the intersection of Huddy Avenue and Bedle Place (9-30-2019)(Provided by William Brunt)



Flooding observed along the Captain's Cove bulkhead at the Rogers Avenue Right-of-Way (10-12-2020)(Provided by William Brunt)

In addition, on October 3, 2022, flooding was observed coming through a small portion of the bulkhead, which was left open, causing erosion damage to the Washington Avenue roadway. Photos taken on October 4, 2022, and December 23, 2022, show damage to the concrete curb along Washington Avenue and evidence of the undermining of the roadway itself. On December 30, 2022, Colliers Engineering and Design performed an on-site inspection of the Captain's Cove Marina along Washington Avenue. A letter prepared by Colliers Engineering and Design, dated January 9, 2023, (see Appendix D) notes that approximately 8 months prior to the inspection, that representatives had met with the owner of Captain's Cove and were told that the existing timber bulkhead would be removed and replaced with new PVC sheeting and timber piles/deadmen in a timely fashion. The letter notes that the existing timber sheets were still in place at the time of the inspection. In addition, the letter notes that, due to the flooding, the concrete gutters and curbs were lost along approximately 100-feet of Washington Avenue. The letter also states that each rainstorm, high tide, and moon tide would continue to exacerbate the soil losses along Washington Avenue, increasing the potential for roadway sink-hole failure. The letter recommended protecting the damaged area with a barrier or fence to prohibit people or vehicles from entering the area due to the public safety risk posed by the damage. For a more detailed description of the inspection performed on December 30, 2022, please refer to Colliers Engineering and Design's January 9th, 2023, letter included within Appendix D.



Flooding observed at Washington Avenue (10-3-2022)(Provided by William Brunt)



Damage to the Washington Avenue Right-of-Way (10-4-2022)(Provided by William Brunt)



Damage to the Washington Avenue Right-of-Way (12-23-2022)(Provided by William Brunt)



*Photo depicting poor condition of the bulkhead along Washington Avenue (December 2022)
(Provided by Michael Muscillo)*



*Road sub-base eroded into the cove
(From Colliers Engineering and Design's Letter dated January 9, 2023)*



Erosion right up to roadway

(From Colliers Engineering and Design's Letter dated January 9, 2023)

Additional flooding has been observed at the site since 2022. As such, on September 13, 2024, Colliers Engineering and Design, at the request of the Borough, performed on site inspections of the Captain's Cove Marina located at Block 84, Lot 2.01. Findings from this inspection were included in a report dated October 14th, 2024, revised November 4, 2024 (See Appendix E). The evaluation was based upon visual inspections of the marina's Easternly bulkhead (Section A), Southernly Bulkhead (Section B), Westerly bulkhead (Section C), and Easternly Dock (Section D). The report notes that:

- "**Section B** (Southernly Bulkhead) exhibited **CRITICAL** structural condition. Advanced deterioration, overstressing, failing connections and inadequate construction was observed along the entire structure. These deficiencies significantly reduce the load-bearing capacity of the bulkhead and more widespread failures are likely to occur if the structure remains and storm events occur."
- "**Section C** (Westerly Bulkhead) exhibited **CRITICAL** structural condition. Advanced deterioration, overstressing, failing connections and inadequate construction was observed along the entire structure. These deficiencies significantly reduce the load-bearing capacity of the bulkhead and more widespread failures are likely to occur if the structure remains and storm events occur."

For a more detailed description of the deficiencies observed by Colliers Engineering and Design for the Southernly and Westerly Bulkhead, please refer to their November 4th, 2024, report included within Appendix E.

In addition, Colliers Engineering and Design reviewed the current conditions of Captain's Cove Marina and examined the site's original New Jersey Department of Environmental Protection (NJDEP) permit #1317-090002.1 LUP210001. In a letter dated November 6, 2024, (see Appendix F) Colliers Engineering and Design noted the following deficiencies with the bulkhead's replacement construction:

- "The permit requires that the installed sheets meet the approved length specified in the plans (22 feet). A site inspection conducted on December 30, 2022, revealed that the sheets installed are only 18 feet long, with additional cutting of 1 to 3 feet from the top. This modification has reduced the actual embedment depth of the bulkhead below the required specifications, thereby decreasing its structural capacity to the design parameters in the approved permit plans."
- "The permit expressly states, 'The existing timber bulkhead will be removed, and the vinyl bulkhead will be in the same footprint as the existing timber bulkhead.' However, on the southern and western sections of the bulkhead, the existing timber bulkhead was left intact, and the new vinyl bulkhead was installed in front of it, contrary to the permit's directives."
- "Each of these deficiencies reflects a deviation from the approved permit requirements, which may compromise the structural integrity and compliance status of the project."

The study area meets the criteria to be designated as in need of redevelopment per criterion "d" due to the documented history of repeated flooding resulting from the dilapidation of the marina's bulkhead. The poor condition of the bulkhead has, in the past, compromised the safety of the Washington Avenue right-of-way, and repeatedly inundated surrounding rights-of-way. The current critical condition of the bulkhead, as noted by Colliers Engineering and Design, also continues to pose a safety risk to users of the marina and to neighboring properties as it increases the risk of a structural failure which would cause greater flooding in the surrounding area. The report states that "the deteriorating bulkhead is causing soil erosion and sinkholes along its backside" and that "continued soil loss could undermine adjacent roadways, leading to failures, collapses, and hazardous sinkholes, all of which would threaten public safety and the integrity of nearby stormwater and utility systems." The report also states that "residential properties in close proximity could also face land loss and possible foundation damage."



*Flooding observed at the bulkhead
(February 2024)
(Provided by William Brunt)*



*Flooding observed at the bulkhead
(September 2024)
(Provided by William Brunt)*



*Southernly Bulkhead, Fastener and metal sheetpile bulkhead condition
(From Colliers Engineering and Design's Report dated November 4, 2024)*



Photo of the Southerly Bulkhead (10-21-2024)(Provided by HGA)



Photo of the Westerly Bulkhead (10-21-2024)(Provided by HGA)

CONCLUSION

There is substantial evidence to designate the Study Area as a condemnation area in need of redevelopment per criterion "d." Since 2019, there have been several documented incidents of flooding resulting from the poor condition of the bulkhead within the Study Area . This flooding has resulted in the repeated inundation of surrounding rights-of-ways and caused damage to the Washington Avenue right-of-way. Per Colliers Engineering and Design, portions of the existing bulkhead are in critical condition, exacerbating the risk of structural failure which would increase the risk of greater flooding in the surrounding area. This is further exacerbated by the fact that the entire site is located within the FEMA 100-year flood hazard area. The repeated flooding and the further risk of greater flooding poses a hazard to the safety, health, and welfare of the surrounding community as it creates dangerous conditions, and it could damage property and Borough infrastructure within the vicinity of the Study Area .

APPENDICES

APPENDIX A: Borough of Highlands Council Resolution

APPENDIX B: Borough of Highlands Tax Assessment Records

APPENDIX C: Property Deeds for Block 82, Lot 2.01

APPENDIX D: Letter from Colliers Engineering and Design, dated January 9, 2023

APPENDIX E: Captain's Cove Marina Structural Inspection Report, prepared October 14, 2024, revised November 4, 2024, by Colliers Engineering and Design.

APPENDIX F: Letter from Colliers Engineering and Design, dated November 6, 2024

APPENDIX A: Borough of Highlands Council Resolution



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-168

AUTHORIZING AND DIRECTING THE BOROUGH LAND USE BOARD TO INVESTIGATE WHETHER THE PROPERTY IDENTIFIED ON THE TAX MAP OF THE BOROUGH AS BLOCK 84, LOT 2.01 CONSTITUTES A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, by way of Resolution No. 16-228 adopted on December 7, 2016, the municipal council of the Borough (the “**Borough Council**”) of Highlands, in the County of Monmouth, New Jersey (the “**Borough**”) authorized and directed the Land Use Board of the Borough (the “**Land Use Board**”) to conduct a preliminary investigation of the property identified as Block 84, Lot 2.01 on the Borough’s tax maps, commonly known as Captain’s Cove Marina (the “**Property**”) to determine whether the Property met the criteria for a Non-Condemnation Redevelopment Area, pursuant to the Redevelopment Law; and

WHEREAS, by way of Resolution No. 18-070 adopted on March 21, 2018, the Mayor of the Borough and Borough Council determined and declared that the Property be designated a Non-Condemnation Redevelopment Area, pursuant to the Redevelopment Law; and

WHEREAS, the Mayor and Borough Council now desire to authorize and direct the Borough’s planning consultant (the “**Planning Consultant**”), to determine whether the Property, along with all riparian rights and streets and rights of way appurtenant thereto, as set forth in **Exhibit A** attached hereto, (collectively, the “**Study Area**”) meets the criteria set forth in the Redevelopment Law for designation as a Condemnation area in need of redevelopment (the “**Study**”) and to submit a report to Land Use Board detailing its findings (the “**Report**”); and

WHEREAS, the Borough Council desire to refer to the Land Use Board, upon completion, the Report for review in accordance with the Redevelopment Law; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area authorizes the Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “**Condemnation Redevelopment Area**”); and

WHEREAS, the Borough Council therefore authorizes and directs the Land Use Board to conduct a preliminary investigation of the Study Area and to make recommendations to the Borough Council, all in accordance with the Redevelopment Law.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey, as follows:

1. **Generally.** The aforementioned recitals are incorporated herein as though fully set forth at length.

2. **Investigation of Study Area Authorized.** The Land Use Board and Planning Consultant are hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in the Redevelopment Law, including N.J.S.A. 40A:12A-5, to be designated as a Condemnation Redevelopment Area and to submit the Report to the Land Use Board with respect thereto.

3. **Map to be Prepared.** As part of this investigation, the Planning Consultant shall prepare a map showing the boundary of the Study Area.

4. **Public Hearing Required.** The Land Use Board shall conduct a public hearing, after giving due notice of the proposed boundary of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is a Condemnation Redevelopment Area.

5. **Land Use Board to Make Recommendations.** After conducting its investigation, preparing a map of the proposed redevelopment area, and conducting a public hearing at which all objections to the designation are received and considered, the Land Use Board shall make a recommendation to the Borough Council as to whether the Borough should designate the Study Area as a Condemnation Redevelopment Area.

6. **Preparation of a Redevelopment Plan.** In the event the Land Use Board determines to recommend that the Borough Council designate the Study Area as a Condemnation Redevelopment Area, the Land Use Board is hereby authorized and directed to prepare a redevelopment plan for the Study Area without need of further action by the Borough Council.

7. **Severability.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

8. **Availability of the Resolution.** A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

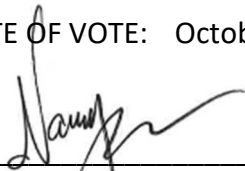
9. **Effective Date.** This Resolution shall take effect immediately.

Motion to Approve R 24-168:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						X
CHELAK		X	X			
MELNYK			X			
OLSZEWSKI			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 2, 2024



Nancy Tran, Municipal Clerk
Borough of Highlands

APPENDIX B: Borough of Highlands Tax Assessment Records

ASSESSOR'S OFFICE
BOROUGH OF HIGHLANDS
BORO HALL, 171 BAY AVE
HIGHLANDS NJ 07732

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
FREEHOLD NJ
PERMIT #1

DISTRICT: BOROUGH OF HIGHLANDS

NOTICE OF PROPERTY TAX ASSESSMENT FOR 2024 DATE MAILED: 11/15/23
THIS NOTICE IS REQUIRED UNDER N.J.S.A. 54:4-38.1 #000152
BLOCK: 84 **LOT:** 2.01 **QUAL:**

PROPERTY LOCATION: MARINE PLACE **CLASS:** 4A

LAND: 480,000 **BUILDING:** 350,000 **TOTAL:** 830,000

NET PROPERTY TAXES BILLED FOR 2023 2023 **ASSESSMENT**
WERE: \$16,649.80 **TOTAL:** 830,000

THIS IS NOT A BILL. SEE OTHER SIDE FOR APPEAL INFORMATION.

P.O. BOX 8100 07701
RED BANK, NJ

APPEAL INSTRUCTIONS

If you agree with the assessed value shown, you do not need to do anything.

If you disagree with the assessed value shown, you may file an appeal with the Monmouth County Board of Taxation. Forms, instructions and a guide to the process Understanding Property Assessment Appeals for Monmouth County may be obtained at <https://secure.njappealonline.com> or through your municipal assessor at the address printed on the reverse of this notice.

Assessment appeals filed with the Monmouth County Board of Taxation must be filed **on or before January 15 or 45 days from the date mailed**, as it appears on the front of this notice, **whichever date is later**.

Also, note that the Monmouth County Board of Taxation has developed an online appeal system accessed via <https://secure.njappealonline.com>. Traditional "paper" appeals are also available at your municipal assessor's office.

If the assessed value exceeds \$1,000,000, you have the option of filing your appeal directly with the Tax Court at PO Box 972, Hughes Justice Complex, Trenton, New Jersey 08625. Pursuant to N.J.S.A. 54:3-21(a)(2), all assessment appeals filed directly to the Tax Court must be filed **on or before April 1 or 45 days from the date mailed** as it appears on this assessment notice, **whichever date is later**.

Forms which you may use to file your complaint may be found at <http://www.judiciary.state.nj.us/taxcourt/dcmform.html>

This assessment will be used to calculate your property tax bill. Do not multiply last year's property tax rate by the current year's assessment value to determine taxes for the current year.

New Search		Assessment Postcard		Property Card	
Block:	84	Prop Loc:	MARINE PLACE	Owner:	CAPTAIN'S COVE MARINA, LLC
Lot:	2.01	District:	1319 HIGHLANDS	Street:	PO BOX 8100
Qual:		Class:	4A	City State:	RED BANK, NJ 07701
Prior Block:	8	Acct Num:	00015980	Additional Information	
Prior Lot:		Mtg Acct:	0		
Prior Qual:		Bank Code:	S01		
Updated:	10/16/24	Tax Codes:	16		
Zone:	R201	Map Page:			
Sale Date:	02/28/24	Book:	9679 Page: 9796	Price:	1 NU#: 25
Year	Property Location	Land/Imp/Tot	Exemption	Assessed	Property Class
<u>2024</u>	MARINE PLACE	480000 350000 830000	0	830000	4A
<u>2023</u>	MARINE PLACE	480000 350000 830000	0	830000	4A
<u>2022</u>	MARINE PLACE	440000 350000 790000	0	790000	4A
<u>2021</u>	MARINE PLACE	400000 350000 750000	0	750000	4A

*Click on Underlined Year for Tax List Page
 **Click Here for More History

APPENDIX C: Property Deeds for Block 82, Lot 2.01

Monmouth County Document Summary Sheet

MONMOUTH COUNTY CLERK
PO BOX 1251
MARKET YARD
FREEHOLD NJ 07728

Return Name and Address
 Suburban Title Examiners, Inc.
 2253 South Avenue, Suite 7 P.O. Box 249
 Scotch Plains, NJ 07076



601A5I

Official Use Only

CHRISTINE GIORDANO HANLON
 COUNTY CLERK
 MONMOUTH COUNTY, NJ

INSTRUMENT NUMBER
2021020183
 RECORDED ON
Feb 05, 2021
3:14:18 PM
BOOK: OR-9479
PAGE: 9638
 Total Pages: 6

REALTY TRANSFER FEES \$6,775.00
 COUNTY RECORDING FEES \$90.00
 TOTAL PAID \$6,865.00

Submitting Company Suburban Title Examiners, Inc.

Document Type Deed

Document Date (mm/dd/yyyy) 1/17/2021

Total Number of Pages (including the cover sheet) 6

Consideration Amount (if applicable) \$750,000.00

Official Use Only

\$ 6,775 JAN 25 2021 *SW*

	Name(s) (Last Name, First Name or Company Name)	Address (Optional)
First Party	RA Multimedia Corporation	
Second Party	Captain's Cove Marina LLC	1160 Amboy Ave, Perth Amboy, NJ 08861
The Following Section is Required for DEEDS Only		
Parcel Information	Municipality	Block
	Lot	Qualifier
	Property Address	
	Borough of Highlands	84
		2.01
	Marine Pl, Highlands, NJ 07732	
Recording Reference to Original Document (if applicable)		
Reference Information (Marginal Notation)	Book	Beginning Page
		Instrument No.

Please do not detach this page from the original document as it contains important recording information and is it part of the permanent record.

Deed

This Deed is made on **January 17, 2021**,
BETWEEN
RA MULTIMEDIA CORPORATION
 a corporation of the state of **NEW JERSEY**
 having its principal office at
49 Washington Avenue
Highlands, NJ 07732
 referred to as the Grantor,
AND
CAPTAIN'S COVE MARINA LLC

whose post office address is
1160 Amboy Avenue
Perth Amboy, NJ 08861

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

- 1. Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of **\$ 750,000.00, Seven Hundred Fifty Thousand Dollars and No Cents**

The Grantor acknowledges receipt of this money.

- 2. Tax Map Reference**(N.J.S.A. 46:26A-3) Municipality of **HIGHLANDS** Block No. **84**, Lot No. **2.01**, Qualifier No. _____, Account No. _____
 No property tax identification number is available on the date of this Deed. *(Check Box if Applicable)*
- 3. Property** The Property consists of the land and all the building and structures on the land in the **Borough** of **Highlands** County of **Monmouth** and State of New Jersey. The legal description is:
 Please see attached Legal Description annexed hereto and made part hereof. *(Check Box if Applicable)*

Being the same premises conveyed to the Grantor by Deed from Captain's Cove Associates, dated December 1, 2000, recorded December 4, 2000 in the Monmouth County Clerk's Office in Deed Book 5995, Page 983.

Prepared by:



FREDERIC ROSIAK

(For Recorders Use Only)

**SCHEDULE A
LEGAL DESCRIPTION**

Issuing Office File No. 36785

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, SITUATED, LYING AND BEING IN THE BOROUGH OF HIGHLANDS, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY LINE OF WASHINGTON AVENUE, (R.O.W. VARIES), WITH THE NORTHLY LINE OF CHEERFUL PLACE, (40.00 FOOT R.O.W.), THENCE;

(1) NORTH 51 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A POINT; THENCE

(2) NORTH 39 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 66.00 FEET TO A POINT; THENCE

(3) NORTH 00 DEGREES 20 MINUTES 25 SECONDS EAST, A DISTANCE OF 32.01 FEET TO A POINT; THENCE

(4) NORTH 39 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 831.96 FEET TO A POINT; THENCE

(5) SOUTH 50 DEGREES 38 MINUTES 00 SECONDS EAST, A DISTANCE OF 90.00 FEET TO A POINT; THENCE

(6) SOUTH 39 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 856.38 FEET TO A POINT; THENCE

(7) NORTH 51 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 10.00 FEET TO A POINT; THENCE

(8) SOUTH 39 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 66.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION IS IN ACCORDANCE WITH A SURVEY PREPARED BY BERNARD M. COLLINS SURVEYING, INC., DATED 6-3-2020.

TOGETHER WITH ALL RIGHT TITLE AND INTEREST UNDER A CERTAIN RIPARIAN GRANT FROM THE STATE OF NEW JERSEY TO JESSE A. HOWLAND, ET ALS, DATED 12-27-1905 AND FILED IN THE STATE IN LIBER Q PAGE 608 AND IN THE MONMOUTH COUNTY CLERK'S OFFICE ON 4-27-1906 IN BOOK 774, PAGE 110 AND A CERTAIN RIPARIAN GRANT FROM THE STATE OF NEW JERSEY TO WATER WITCH DEVELOPMENT CO., DATED 11-29-1912 AND FILED IN THE STATE IN LIBER T PAGE 590 AND IN THE MONMOUTH COUNTY CLERK'S OFFICE ON 1-28-1913 IN BOOK 944, PAGE 322.

NOTE FOR INFORMATIONAL PURPOSES: THE ABOVE REFERENCED RIPARIAN LANDS AND PREMISES ARE INCLUDED WITHIN THE METES AND BOUNDS DESCRIPTION FIRST ABOVE.

FOR INFORMATION PURPOSES ONLY: BEING KNOWN AS MARINE PL., TAX LOT 2.01, TAX BLOCK 84 ON THE OFFICIAL TAX MAP OF BOROUGH OF HIGHLANDS, NEW JERSEY 07732.

NOTE: LOT AND BLOCK SHOWN FOR INFORMATIONAL PURPOSES ONLY.

GIT/REP-3
(8-19)
(Print or Type)

**State of New Jersey
Seller's Residency Certification/Exemption**

Seller's Information

Name(s)
RA MULTIMEDIA CORPORATION

Current Street Address
49 Washington Avenue

City, Town, Post Office State ZIP Code
Highlands NJ 07732

Property Information

Block(s) Lot(s) Qualifier
84 2.01

Street Address
Marine Place

City, Town, Post Office State ZIP Code
Highlands NJ 07732

Seller's Percentage of Ownership	Total Consideration	Owner's Share of Consideration	Closing Date
100	\$750,000.00	\$750,000.00	1-20-2021

Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate, or trust and is not required to make an estimated Gross Income Tax payment.
6. The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated Income Tax payment.
7. The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income Tax return for the year of the sale and report the recognized gain.
8. Seller did not receive non-like kind property.
9. The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
10. The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
11. The deed is dated prior to August 1, 2004, and was not previously recorded.
12. The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
13. The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
14. The property transferred is a cemetery plot.
15. The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
16. The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
17. The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

Seller's Declaration

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

1/17/2021 Date *Frederic Rosiak* Signature (Seller) Frederic Rosiak, President Indicate if Power of Attorney or Attorney in Fact

____ Date _____ Signature (Seller) _____ Indicate if Power of Attorney or Attorney in Fact

STATE OF NEW JERSEY

AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY }
COUNTY MONMOUTH } SS. County Municipal Code
1319

FOR RECORDER'S USE ONLY
Consideration \$ _____
RTF paid by seller \$ _____ †
Date _____ By _____

Municipality of Property Location: HIGHLANDS

† Use symbol "C" to indicate that fee is exclusively for county use.

(1) **PARTY OR LEGAL REPRESENTATIVE** (Instructions 3 and 4 attached)

Deponent, FREDERIC ROSIAK, being duly sworn according to law upon his/her oath, deposes

(Name)

and says that he/she is the Corporate Officer in a deed dated 1/17/2021

(Grantor, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.)

transferring real property identified as Block No. 84, Lot No. 2.01 located at

Marine Place, Highlands, New Jersey 07732 and annexed thereto.

(Street Address, Town)

(2) **CONSIDERATION: \$750,000.00** (Instructions 1 and 5) no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C. If property transferred is Class 4A, calculation in Section 3A below is required.

(circle one)

(3A) **REQUIRED CALCULATION of Equalized Valuation for all Class 4A (Commercial) Property Transactions:**

(Instructions 5A and 7)

Total Assessed Valuation ÷ Director's Ratio = Equalized Assessed Valuation
\$750,000.00 ÷ 98.31 % = \$ 762,892.89

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) **FULL EXEMPTION FROM FEE:** (Instruction 8)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to the exemption symbol is insufficient. Explain in detail.

(5) **PARTIAL EXEMPTION FROM FEE:** (Instruction 9) **NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED.** Failure to do so will void claim for partial exemption.

Deponent claims that this deed transaction is exempt from the State's portion of the Basic, Supplemental and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975; C. 113, P.L. 2004 and C. 66, P.L. 2004 for the following reason(s):

A. SENIOR CITIZEN (Instruction 9)

- Grantor(s) 62 years of age or over*
- Owned and occupied by grantor(s) at time of sale
- One- or two-family residential premises
- Resident of the State of New Jersey
- Owners as joint tenants must all qualify

B. BLIND PERSON (Instruction 9)

- Grantor(s) legally blind*
- Owned and occupied by grantor(s) at time of sale
- One- or two-family residential premises
- Resident of the State of New Jersey
- Owners as joint tenants must all qualify

DISABLED PERSON (Instruction 9)

- Grantor(s) permanently and totally disabled*
- Grantor(s) receiving disability payments*
- Grantor(s) not gainfully employed*
- Owned and occupied by grantor(s) at time of sale
- One- or two-family residential premises
- Resident of the State of New Jersey
- Owners as joint tenants must all qualify

* IN THE CASE OF HUSBAND AND WIFE OR STATUTORY PARTNER, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction 9)

- Affordable according to HUD standards
- Meets income requirements of region
- Reserved for occupancy
- Subject to resale controls

(6) **NEW CONSTRUCTION** (Instructions 2, 10 and 12)

- Entirely new improvement
- Not previously occupied
- Not previously used for any purpose
- "New Construction" printed clearly at top of the first page of the deed

(7) **RELATED LEGAL ENTITIES TO LEGAL ENTITIES** (Instructions 5, 12 and 14)

- No prior mortgage assumed or to which property is subject at time of sale
- No contributions to capital by either grantor or grantee legal entity
- No stock or money exchanged by or between grantor or grantee legal entities

(8) Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me
this 17th day
of January, 2021

Frederic Rosiak
Signature of Deponent
**49 Washington Avenue
Highlands, NJ 07732**
Deponent Address

FREDERIC ROSIAK, President of
Grantor Name
RA Multimedia Corporation
49 Washington Avenue
Highlands, NJ 07732
Grantor Address at Time of Sale

JAMES E. MALCZEVICH
A Notary Public of New Jersey
My Commission Expires April 28, 2025

XXX-XX-X 2 0 6
Last 3 digits in Grantor's Soc. Sec. No.

Name/Company of Settlement Officer

County recording officers shall forward one copy of each Affidavit of Consideration for Use by Seller when section 3A is completed to:

FOR OFFICIAL USE ONLY
Instrument Number _____ County _____
Deed Number _____ Book _____ Page _____
Deed Dated _____ Date Recorded _____

State of New Jersey - Division of Taxation, P.O. Box 251, Trenton, NJ 08695-0251, Attention: Realty Transfer Fee Unit
The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without the prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at www.state.nj.us/treasury/taxation/lpt/localtax.htm.

The street address of the Property is:
Marine Place, Highlands, New Jersey 07732

4. **Signatures.** This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page. Its corporate seal is affixed. (Print name below each signature.)

Witnessed or Attested by:

RA MULTIMEDIA CORPORATION

By:
Frederic Rosiak
President

STATE OF NEW JERSEY, COUNTY OF MONMOUTH SS:
I CERTIFY that on January 17, 2021

Frederic Rosiak

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached Deed;
- (b) was authorized to and did execute this Deed as **President** of **RA MULTIMEDIA CORPORATION** the entity named in this Deed;
- (c) made this Deed for **\$ 750,000.00** as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5); and
- (d) executed this Deed as the act of the entity.

RECORD AND RETURN TO
James E. Mackevich, Esq.
MACKEVICH, BURKE & STANICKI
 1435 Raritan Road
 PO Box 919
 Clark, NJ 07066-0919

Print name and title below signature
JAMES E. MACKEVICH
 A Notary Public of New Jersey
 My Commission Expires April 28, 2025



Monmouth County Document Summary Sheet

Item 15.

MONMOUTH COUNTY CLERK PO BOX 1251 MARKET YARD FREEHOLD NJ 07728	Transaction Identification Number	7052470	8613344
	Recorded Document to be Returned by Submitter to: SUBURBAN TITLE EXAMINERS, INC. 2253 SOUTH AVE STE 7 SCOTCH PLAINS, NJ 07076		

Official Use Only

CHRISTINE GIORDANO HANLON
 COUNTY CLERK
 MONMOUTH COUNTY, NJ

INSTRUMENT NUMBER
 2024015074
 RECORDED ON
 Mar 06, 2024
 11:09:55 AM
 BOOK:OR-9679 PAGE:9796
 Total Pages: 9

COUNTY RECORDING FEES \$110.00
 TOTAL PAID \$110.00

Submission Date (mm/dd/yyyy)		03/06/2024
No. of Pages (excluding Summary Sheet)		7
Recording Fee (excluding transfer tax)		\$110.00
Realty Transfer Tax		\$0.00
Total Amount		\$110.00
Document Type	DEED-NO CONSIDERATION	
Electronic Recordation Level	L2 - Level 2 (With Images)	
Municipal Codes		
HIGHLANDS		1901
		1487387

Additional Information (Official Use Only)

*** DO NOT REMOVE THIS PAGE.
 COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF MONMOUTH COUNTY FILING RECORD.
 RETAIN THIS PAGE FOR FUTURE REFERENCE.**



Monmouth County Document Summary Sheet

Item 15.

DEED-NO CONSIDERATION	Type		DEED-NO CONSIDERATION				
	Consideration		\$1.00				
	Submitted By		SIMPLIFILE, LLC. (SIMPLIFILE)				
	Document Date		03/06/2024				
	Reference Info						
	Book ID		Book	Beginning Page	Instrument No.	Recorded/File Date	
			9479	9638			
	GRANTOR		Name			Address	
			RA MULTIMEDIA CORPORATION				
	GRANTEE		Name			Address	
			CAPTAINS COVE MARINA LLC				
	Parcel Info						
	Property Type		Tax Dist.	Block	Lot	Qualifier	Municipality
			19	84	2.01		1901

*** DO NOT REMOVE THIS PAGE.
COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF MONMOUTH COUNTY FILING RECORD.
RETAIN THIS PAGE FOR FUTURE REFERENCE.**



Monmouth County Document Summary Sheet



MONMOUTH COUNTY CLERK PO BOX 1251 MARKET YARD FREEHOLD NJ 07728	Return Name and Address James E. Mackevich, Esq. Mackevich, Burke & Stanicki 1435 Raritan Road Clark, NJ 07066			
Official Use Only	Submitting Company	Mackevich, Burke & Stanicki		
	Document Type	Deed <input type="checkbox"/>		
	Document Date (mm/dd/yyyy)		02/28/2024	
	Total Number of Pages (Including the cover sheet)		7	
	Consideration Amount (If applicable)		\$1.00	
	Official Use Only			

First Party	Name(s) (Last Name, First Name or Company Name)		Address (Optional)		
	RA Multimedia Corporation		49 Washington Avenue Highlands, NJ 07732		
Second Party	Name(s) (Last Name, First Name or Company Name)		Address (Optional)		
	Captain's Cove Marina LLC		PO Box 8100 Red Bank, NJ 07701		
The Following Section is Required for DEEDS Only					
Parcel Information	Municipality	Block	Lot	Qualifier	Property Address
	Highlands	<input checked="" type="checkbox"/> 84	2.01		Marine Place Highlands, NJ 07732
Recording Reference to Original Document (if applicable)					
Reference Information (Marginal Notation)	Book	Beginning Page		Instrument No.	
	9479	9638		2021020183	
Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.					

Not Certified Copy

CORRECTIVE Deed

This Deed is made on **February 28, 2024,**

BETWEEN

RA MULTIMEDIA CORPORATION

a corporation of the state of **NEW JERSEY**

having its principal office at

49 Washington Avenue

Highlands, NJ 07732

referred to as the Grantor,

AND

CAPTAIN'S COVE MARINA LLC

whose post office address is

PO Box 8100

Red Bank, NJ 07701

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of **\$ 1.00, One Dollar and No Cents**

The Grantor acknowledges receipt of this money.

2. **Tax Map Reference**(N.J.S.A. 46:26A-3) Municipality of **HIGHLANDS** Block No. **84**, Lot No. **2.01**, Qualifier No. _____, Account No. _____
 No property tax identification number is available on the date of this Deed. *(Check Box if Applicable)*
3. **Property** The Property consists of the land and all the building and structures on the land in the **Borough** of **Highlands** County of **Monmouth** and State of New Jersey. The legal description is:
 Please see attached Legal Description annexed hereto and made part hereof. *(Check Box if Applicable)*

Together with all right title and interest under a certain riparian grant from the State of New Jersey to Jesse A. Howland, et.als, dated December 27, 10905 and filed in the State in Liber Q Page 608 and in the Monmouth County Clerk's Office on April 27, 1906 in Book 774, Page 110 and certain riparian grant from the State of New Jersey to Water Witch Development co., dated November 29, 1912 and filed in the State Liber T Page 590 and in the Monmouth County Clerk's Office on January 28, 1913 in Book 944, Page 322.

For information purposes only: Being known as Marine Place, Tax Lot 2.01, Tax Block 84 on the official tax map of Borough of Highlands, New Jersey 07732

Being the same premises conveyed to the Grantor by Deed from RA Multimedia Corporation, date January 17, 2021, recorded February 5, 2021 in the Monmouth County Clerk's Office in Deed Book OR-9479, Page 9638.

Being the same premises conveyed to RA Multimedia Corporation from Captain's Cove Associates, dated December 1, 2000, recorded December 4, 2000 in the Monmouth County Clerk's Office in Deed Book 5995, Page 983.

This Deed has been executed for the purpose of correcting the metes and bounds description of the property intended to be conveyed by the Grantor to the Grantee.

Prepared by:

JAMES E. MACKEVICH, Esq.

(For Recorders Use Only)

14367

Metes And Bounds

Description Of Property Known As Captains Cove Marina, Also Known As Lot 2.01 In Block 84 Situated In The Borough Of Highlands, Monmouth County, New Jersey.

Beginning At A Point, Said Point Being The Intersection Of The Easterly Right Of Way Line Of Cheerful Place (40' Right Of Way) With The Northerly Right Of Way Line Of Washington Avenue (40' Right Of Way) (40' Right Of Way), Thence;

1] North 51 Degrees, 00 Minutes, 00 Seconds West, Along The Easterly Right Of Way Line Of Cheerful Place (40' Right Of Way), A Distance Of 60.00 Feet To A Capped Iron Bar Found At The Southerly Right Of Way Line Of Rogers Avenue (40' Right Of Way), Thence;

2] North 39 Degrees, 00 Minutes, 00 Seconds East, Along The Southerly Right Of Way Line Of Rogers Avenue (40' Right Of Way), A Distance Of 66.00 Feet To A Point, Thence;

3] North 00 Degrees, 20 Minutes, 25 Seconds East, Still Along The Southerly Right Of Way Line Of Rogers Avenue (Variable Right Of Way), A Distance Of 32.01 Feet To A Point, Thence;

4] North 39 Degrees, 00 Minutes, 00 Seconds East, Still Along The Southerly Right Of Way Line Of Rogers Avenue (10' Right Of Way), A Distance Of 681.96 Feet To A Point On The Easterly Right Of Way Line Of Marine Place (45' Right Of Way), Thence;

5] North 50 Degrees, 37 Minutes, 51 Seconds West, Along The Easterly Right Of Way Line Of Marine Place (45' Right Of Way) And The Easterly Lot Line Of Lot 1.01 In Block 97, A Distance Of 550.01 Feet To A Point, Thence;

6] North 39 Degrees, 00 Minutes, 00 Seconds East, A Distance Of 150.00 Feet To The Pierhead Line, Thence;

7] South 50 Degrees, 38 Minutes, 00 Seconds East, Along The Pierhead Line A Distance Of 1,150.02 Feet To A Point Being The Extension Of The Southerly Lot Line Of Block 72 As Shown On The Tax Map Of The Borough Of Highlands, Thence;

8] South 39 Degrees, 00 Minutes, 00 Seconds West, Along The Extension Of Block 72, A Distance Of 150.00 Feet To The Extension Of The Westerly Right Of Way Line Of Marine Place (45' Right Of Way), Thence;

9] North 50 Degrees, 37 Minutes, 51 Seconds West, Along The Westerly Lot Line Of Lot 41.91 And The Right Of Way Line Of Marine Place (45' Right Of Way), A Distance Of 480.01 Feet To A Point On The Northerly Right Of Way Line Of Washington Avenue (30' Right Of Way), Thence;

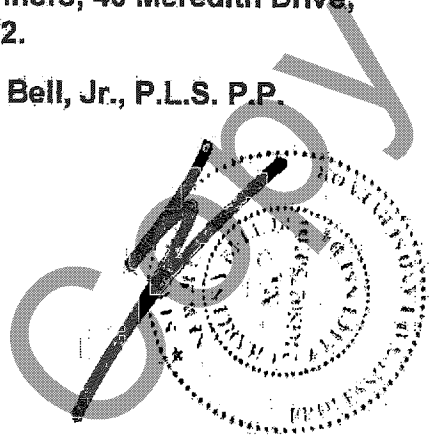
10] South 39 Degrees, 00 Minutes, 00 Seconds West, Along The Northerly Right Of Way Line Of Washington Avenue (30' Right Of Way), A Distance Of 706.38 Feet To A Capped Iron Bar Found, Thence;

11] North 51 Degrees, 00 Minutes, 00 Seconds West, Along The Easterly Right Of Way Line Of Washington Avenue, A Distance Of 10.00 Feet To A Capped Iron Bar Found, Thence;

12] South 39 Degrees, 00 Minutes, 00 Seconds West, Along The Northerly Right Of Way Line Of Washington Avenue (40' Right Of Way), A Distance Of 66.00 Feet To The Point And Place Of Beginning.

The Above Description Is Based On A Survey Prepared by Charles V. Bell Associates, Inc., Professional Land Surveyors And Planners, 40 Meredith Drive, Tinton Falls, New Jersey 07724, Dated December 5, 2022.

Metes And Bounds Description Prepared By Charles V. Bell, Jr., P.L.S. P.P.



Not Certified

GIT/REP-4A
(06-10)

State of New Jersey
Waiver of Seller's Filing Requirement of
GIT/REP Forms and Payment For Corrected Deed
With No Consideration
(C.55, P.L. 2004)

(Print or Type)

Owner's Information

Name(s)

CAPTAIN'S COVE MARINA LLC

Current Resident Address

PO BOX 8100

City, Town, Post Office

State

ZIP Code

RED BANK

NJ

07701

Property Information (Brief Property Description)

Block(s)

Lot(s)

Qualifier

84

2.01

Street Address

Marine Place

City, Town, Post Office

State

ZIP Code

Highlands

NJ

07732

Owner(s) Declaration

The undersigned is (are) the title owner(s) of the real property identified under the "Property Information" section above. By presenting this declaration fully completed and signed by me (us), I (we) represent that the deed to which this form is attached is for corrective or confirmatory purposes only. In other words, the deed needs to be recorded or re-recorded solely due to a typographical, clerical, property description, or other scrivener error or omission and there is no consideration for the corrective or confirmatory deed. The county recording officer will accept this form for recording along with such deed. The recording officer may also, however, continue to accept the GIT/REP-4 form with the Division's raised seal in lieu of the GIT/REP-4A. By checking this box I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

This waiver form may be presented to the appropriate county recording officer for recording along with the deed of the owner as identified in the information above. Accordingly, the county recording officer is hereby authorized to accept this waiver form in lieu of any other GIT/REP form without any further payment of any tax on estimated income gain pursuant P.L. 2004, c. 55.

2/28/2024

Date

CAPTAIN'S COVE MARINA LLC

Signature (Owner)

Indicate if Power of Attorney or Attorney in Fact

By: Geoffrey Pierini, Managing Member

Date

Signature (Owner)

Indicate if Power of Attorney or Attorney in Fact

The street address of the Property is:
Marine Place, Highlands, New Jersey 07732

4. **Signatures.** This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page. Its corporate seal is affixed. (Print name below each signature.)

Witnessed or Attested by:



RA MULTIMEDIA CORPORATION

By: *Frederic Rosiak*
Frederic Rosiak
President

STATE OF NEW JERSEY, COUNTY OF Monmouth SS:
I CERTIFY that on **February 28, 2024**

Frederic Rosiak

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached Deed;
- (b) was authorized to and did execute this Deed as **President** of **RA MULTIMEDIA CORPORATION** the entity named in this Deed;
- (c) made this Deed for **\$ 1.00** as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5); and
- (d) executed this Deed as the act of the entity.

RECORD AND RETURN TO
James E. Mackevich, Esq.
MACKEVICH, BURKE & STANICKI
1435 Raritan Road
Clark, NJ 07066-0919

Kevin Rooney
Print name and title below signature

KEVIN ROONEY
Notary Public, State of New Jersey
Commission # 00170801
My Commission Expires Sept. 1, 2028

MUST SUBMIT IN DUPLICATE
NC1645 - Affidavit of Consideration
RTF-1 (Rev. 3/2/22) P6/22

Printed by ALL-STATE LEGAL
www.aslegal.com 800.222.0510 Page 1

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY } SS. County Municipal Code
COUNTY MONMOUTH } 1319

FOR RECORDER'S USE ONLY
Consideration \$ _____
RTF paid by seller \$ _____ †
Date _____ By _____

Municipality of Property Location: HIGHLANDS

† Use symbol "C" to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (Instructions 3 and 4 attached)

Deponent, FREDERIC ROSIAK (Name), being duly sworn according to law upon his/her oath, deposes

and says that he/she is the Corporate Officer in a deed dated February 28, 2024

(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)

transferring real property identified as Block No. 84, Lot No. 2.01 located at

Marine Place, Highlands, New Jersey 07732

(Street Address, Town)

and annexed thereto.

(2) CONSIDERATION: \$1.00 (Instructions 1 and 5) no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C. If property transferred is Class 4A, calculation in Section 3A below is required (circle one)

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (Instructions 5A and 7)

Total Assessed Valuation ÷ Director's Ratio = Equalized Assessed Valuation
\$ 750,000 ÷ 97.31 % = \$ 762,892.89

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE: (Instruction 8)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to the exemption symbol is insufficient. Explain in detail. a) For consideration of less than \$100.00, To correct Deed Previously recorded

(5) PARTIAL EXEMPTION FROM FEE: (Instruction 9) NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption.

Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975; C. 113, P.L. 2004 and C. 66, P.L. 2004 for the following reason(s): _____

- A. SENIOR CITIZEN Grantor(s) 62 years of age or over * (Instruction 9)
- B. BLIND PERSON Grantor(s) legally blind or *
- DISABLED PERSON Grantor(s) permanently and totally disabled receiving disability payments
- not gainfully employed *

Senior citizens, blind persons, or disabled persons must also meet all of the following criteria

- Owned and occupied by grantor(s) at time of sale Resident of State of New Jersey
- One or two-family residential premises Owners as joint tenants must all qualify

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction 9) IF APPLIES ALL BOXES MUST BE CHECKED

- Affordable according to HUD standards Reserved for occupancy
- Meets income requirements of region Subject to resale controls

(6) NEW CONSTRUCTION (Instructions 2, 10 and 12) IF APPLIES ALL BOXES MUST BE CHECKED

- Entirely new improvement Not previously occupied
- Not previously used for any purpose "NEW CONSTRUCTION" printed clearly at top of the first page of the deed

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions 5, 12 and 14) IF APPLIES ALL BOXES MUST BE CHECKED

- No prior mortgage assumed or to which property is subject at time of sale
- No contributions to capital by either grantor or grantee legal entity
- No stock or money exchanged by or between grantor or grantee legal entities

(8) INTERCOMPANY TRANSFER (Instructions 15) IF APPLIES ALL BOXES MUST BE CHECKED

- Intercompany transfer between combined group members as part of the unitary business
- Combined group NU ID number (Required)

(9) Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me
this 28 day
of February, 20 24

Fred Rosiak
Signature of Deponent

FREDERIC ROSIAK, President of
Grantor Name

49 Washington Avenue
Highlands, NJ 07732

RA Multimedia Corporation
49 Washington Avenue

Deponent Address

Highlands, NJ 07732
Grantor Address at Time of Sale

XXX-XX-X 2 0 6

Last 3 digits in Grantor's Soc. Sec. No.

Name/Company of Settlement Officer

Kevin Rooney
Notary Public

County recording officers shall forward one copy of each RTF-1 form when section 3A is completed to: State of New Jersey, P.O. Box 251, Trenton, NJ 08695-0251, Attention: Realty Transfer Fee Unit

FOR OFFICIAL USE ONLY
Instrument Number _____ County _____
Deed Number _____ Book _____ Page _____
Deed Dated _____ Date Recorded _____

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law and may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at: www.state.nj.us/treasury/taxation/lpt/localtax.htm

APPENDIX D: Letter from Colliers Engineering and Design, dated January 9, 2023

2000 Midlantic Drive
Suite 100
Mount Laurel New Jersey 08054
Main: 877 627 3772

January 9, 2023

Mr. Michael Muscillo, Borough Administrator
Borough of Highlands
42 Shore Drive
Highlands, New Jersey 07732

Captains Cove Marina Bulkhead Repairs – Block 84, Lot 2.01; Washington Avenue
Borough of Highlands, Monmouth County, New Jersey

**Notice of Imminent Danger of Public along Washington Avenue – Lack of Bulkheading
Soil Loss / Potential Road Structure Loss / Safety Threat**

Colliers Engineering & Design Project No. 23002142a

Dear Michael,

A site meeting was called for on December 30, 2022, at noon, at the direction of Administration; I met with Mr. Muscillo, on-site to walk the Captain's Cove area along Washington Avenue. A number of pictures were taken and attached hereto, describing the imminent danger along the shoulder of the local street.

Roughly 8 months ago, we met with the owner of Captain's Cove, and he stated to Administration that the old timber bulkhead would be removed and replaced with new PVC sheeting and timber piles/deadmen in a timely fashion.

This is not the case; our inspection concludes that the old timber sheets are still in place, failing and the lack of bulkheading along Captain's Cove is now posing a threat to the local right of way, Washington Avenue.

Below are our findings as they relate to public safety and welfare of the residents and motorists:

I. Bulkhead missing:

Bulkhead was missing during my inspection; soil was lost during multiple storms, thus eroding into the open waters of the Cove. The opening was roughly 20-ft long.

II. Loss of roadway and curbs/gutters:

My inspection concluded that the roadway structure, public property, was damaged thus resulting in the loss of the concrete gutters and curbs along roughly 100-ft of the public street, Washington Avenue.

I also noted that roadway sub-base material may have eroded from beneath the roadway structure, thus creating a health and safety threat; the loss of sub-base material beneath a hot mix asphalt roadway surface will eventually result in a roadway failure. We cannot assess this since the barriers are placed right at this soil loss area.

The only solution to this problem is to saw-cut and remove the roadway HMA surface near the problem area, until the 'soil loss' limits are uncovered. This is an unknown, since there is no way of determining the extent of soil loss.

Each rainstorm / high tide / moon tide will exacerbate the soil losses and potential for roadway sink-hole failure.

We highly recommend that the public street be closed, in the area within 25-ft of the known point of soil loss.

The entire danger area should be protected with barrier or fence to prohibit children or passerbys or vehicles from entering this area.

Potential sink-hole areas cannot be trusted; this area is suspect and should be closed with barrier / fencing.

III. Bulkhead PVC Sheeting Installed:

When I visited the site, I noted that the PVC sheets staged on the ground may not be the prescribed lengths, as per the approved Zane Permit Plan.

It was confirmed that the PVC sheets being used may only be 18-ft long.

By permit, the sheets should be 22-ft long, tip to tip, not including any cut-off at the top after set. Right now, we have been noticing that a number of the sheets are being left roughly 1-3 high, and then subsequently cut-off to match the Top of BH Height of roughly 6.0 elevation.

If nearly 2-ft of the sheet is cut-off and the sheets are only 18-ft long, then the embedment will be roughly 6-ft short of the Engineer's Certified Construction Plan.

This poses a significant problem from a structural and safety standpoint.

A meeting should be scheduled right away between the landowner, Contractor, the Engineer of Record, Borough, and the NJDEP.

IV. Timber Pile Lengths by Design Plan:

The approved plans show a new PVC sheet, 22-ft long, be driven in along side the new timber piles. However, when we reviewed the previous design plans from 2012, the timber piles should be 25-ft long. The Engineer of Record should review the design and affirm that the reduction from 25-ft to 20-ft for pile lengths is permitted, without adversely impacting the load rating and ability to resist push-out.

V. Alignment of New Bulkhead:

The visual inspection concludes that the new bulkheads have a waving alignment of nearly 3-ft off from the original timber bulkhead alignment.

Once this mis-aligned bulkhead is complete, and the dredging is complete, the Owner may have a significant issue when setting the new floating docks and stairs / boat slips.

The slips and floating docks require a straight and consistent alignment from mounting and assuring zero gaps between sections, for safety.

The Zoning Officer and Code Official for the Borough should also attend this meeting.

NJDEP Involvement:

We understand that the NJDEP may be visiting the site in the coming days. We ask that a meeting be scheduled where we may be present as well as the Borough Officials.

The NJDEP should be involved in any meetings since the construction to date may not meet the requirements of the approved Bulkhead Replacement Plans approved by the State Agency.

Please call me with any questions or concerns.

Sincerely,

Colliers Engineering & Design



Theodore Wilkinson, PE, CME
Municipal Associate / Senior Project Manager

TW/tw

cc: Mayor
Andrew Ball, Solicitor
NJDEP, Suzanne Biggins
NJDEP Enforcement
Spencer Carpenter, Public Works

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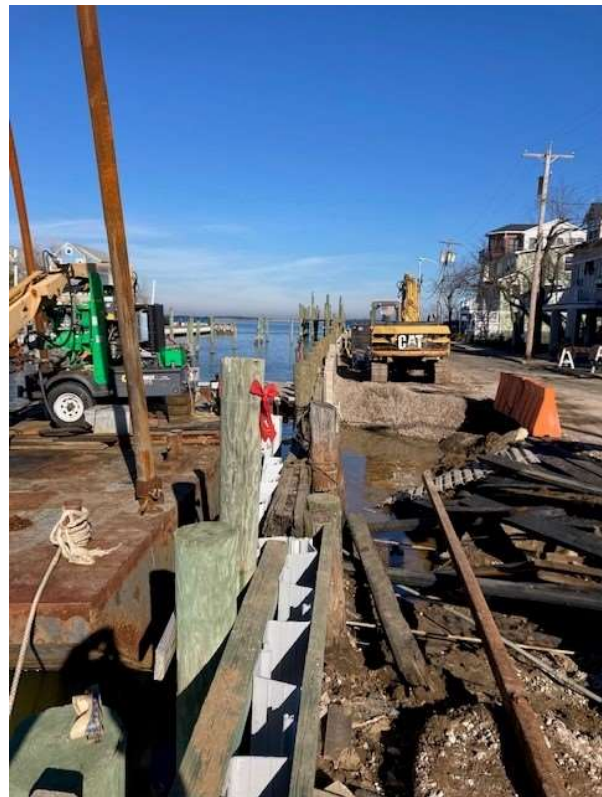


Road sub-base is eroded into Cove

Erosion right up to roadway



Sheets measured 18-ft



Alignment is not straight

APPENDIX E: Captain's Cove Marina Structural Inspection Report, prepared October 14, 2024, revised November 4, 2024, by Colliers Engineering and Design.



Engineering & Design

Captain's Cove Marina

Structural Inspection Report

Inspection Date: October 25, 2024

Prepared: October 14th, 2024

Revised: November 4, 2024

2 Washington Ave, Highlands, New Jersey 07732

Prepared for:

Carolyn Broullon, Mayor
Borough of Highlands
151 Navesink Ave.
Highlands NJ, 07732
Phone: (732) 872-1224

Prepared by:

Richard C. Maloney
NJ Professional Engineer
License No. 39023

Ian R. Walczak
NJ Professional Engineer
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Colliers Engineering & Design
101 Crawford's Corner Road Suite
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Main: 877 627 3772
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Project No. HIBC0001

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Executive Summary

Colliers Engineering & Design, Inc. (CED) conducted a condition inspection of the Captain's Cove Marina located at 2 Washington Ave, Highlands, New Jersey on September 13, 2024. The inspection aimed to evaluate the structural integrity of the bulkhead due to safety concerns raised by the Borough of Highlands. The evaluation was based on visual observations, focusing solely on the structural components, with no testing or detailed structural analysis performed. This report uses a condition rating scale from ASCE 130, ranging from 6 (Good) to 1 (Critical). Captain's Cove Marina, measuring 52,500 square feet, consists of four sections, refer to *Figure 1: Captain's Cove Marina Sections* and *Table 1: Captain's Cove Marina Sections Index* for additional information.

Section A (Easternly Bulkhead) exhibited **FAIR** structural condition. The bulkhead is missing a timber cap but overall appears to be in the best condition of the three runs of bulkhead. CED does have concerns with this section's structural capacity given the findings that the installed bulkhead sheets are embedded roughly 6ft shorter than what was specified on the design plans. CED suggests performing a structural analysis on the bulkhead using its as-built condition to determine its structural capacity to ensure safety and durability moving forward.

Section B (Southernly Bulkhead) exhibited **CRITICAL** structural condition. Advanced deterioration, overstressing, failing connections and inadequate construction was observed along the entire structure. These deficiencies significantly reduce the load-bearing capacity of the bulkhead and more widespread failures are likely to occur if the structure remains and storm events occur.

Section C (Westerly Bulkhead) exhibited **CRITICAL** structural condition. Advanced deterioration, overstressing, failing connections and inadequate construction was observed along the entire structure. These deficiencies significantly reduce the load-bearing capacity of the bulkhead and more widespread failures are likely to occur if the structure remains and storm events occur.

Section D (Easternly Dock) exhibited **FAIR** structural condition. The timber elements are in fair condition, but CED has concerns over the structural capacity of the connections given no notching of the piles was implemented.

In conclusion, the inspection of Captain's Cove Marina reveals serious structural and construction deficiencies. Action is essential to restore the Marina's integrity, prevent further deterioration, and ensure the safety of its users and adjacent properties. Considering these findings, a series of recommendations have been developed to enhance the safety and longevity of the Marina.

1.0 Introduction

1.1 Background

Colliers Engineering & Design, Inc. (CED) was contracted by the Borough of Highlands to perform a condition inspection of the Captain's Cove Marina located at 2 Washington Ave, Highlands, New Jersey, Block 84, Lot 2.01 for the purposes of evaluating the structural condition of the bulkhead. This request stemmed from erosion issues and partial failure of the Western Section of the bulkhead.

The information contained in this report is based solely on visual observations of the Marina. No testing of material or structural analysis was conducted. This report represents CED's best efforts to describe the exposed existing structural conditions of the bulkhead at the time of our site visit. The approximately 1,475 linear foot bulkhead was inspected and evaluated by CED, which divided the bulkhead into the following three sections. CED also inspected the easternly dock.



Figure 1: Captain's Cove Marina Sections

<i>Table 1: Captain's Cove Marina Sections Index</i>			
Section	Identifying Name	Dimension	Fig. 1. Reference Color
A	Easternly Bulkhead	700 Linear Feet	Green
B	Southernly Bulkhead	75 Linear Feet	Blue
C	Westerly Bulkhead	700 Linear Feet	Red
D	Easternly Dock	N/A	Yellow

1.2 Scope of Work

The scope of the inspection is limited to the structural systems (Bulkheads) only. Evaluation of mechanical, electrical, lighting and fire protection systems are not included in the scope of CED's inspection. The existing building structures, associated Marina structures, and other miscellaneous elements are not included in the scope of CED's inspection unless explicitly specified in this document. The primary objectives of the inspection were to assess the general structural condition of the Marina's Bulkheads and identify recommended repairs.

1.3 Condition Rating Scale

The Condition Assessment Ratings contained in *ASCE 130: Marine Facilities and Inspection Manual* were utilized in this report. Per ASCE 130, the general condition assessment ratings for all element groups are based on the six ratings of the assessment scale as follows:

(6) Good: No visible damage or only minor damage noted. Structural elements may show very minor deterioration, but no overstressing observed. No repairs are required.

(5) Satisfactory: Limited minor to moderate defects or deterioration observed but no overstressing observed. No repairs are required.

(4) Fair: All primary structural elements are sound, but minor or moderate defects or deterioration observed. Localized areas of moderate to advanced deterioration may be present but do not significantly reduce the load-bearing capacity of the structure. Repairs are recommended, but the priority of the recommended repairs is low.

(3) Poor: Advanced deterioration or overstressing observed on widespread portions of the structure but does not significantly reduce the load-bearing capacity of the structure. Repairs may need to be carried out with moderate urgency.

(2) Serious: Advanced deterioration, overstressing, or breakage may have significantly affected the load-bearing capacity of primary structural components. Local failures are possible, and loading restrictions may be necessary. Repairs may need to be carried out on a high-priority basis with urgency.

(1) Critical: Very advanced deterioration, overstressing, or breakage has resulted in localized failure(s) of primary structural components. More widespread failures are possible or likely to occur, and load restrictions should be implemented as necessary. Repairs may need to be carried out on a very high-priority basis with strong urgency.

2.0 Marina Description

The owner currently uses the property for private sea-craft mooring. The property sits directly on the Raritan Bay. The Marina is located between the paper street of Rodgers Street and Washington Avenue.

Additional inspection photos and photos referenced through this report can be found in **Appendix A – Inspection Photos**.

2.1 Section A – Easternly Bulkhead

Section A is the Easternly Bulkhead section of the Marina. It extends approximately 700-feet in from the Washinton Avenue and Marine Place Corner intersection (Photo 1). The bulkhead is composed of driven, vinyl sheet piles, supported by external top and bottom timber walers. The walers span between timber piles that are spaced roughly 5-feet on center. Tie-rods are exposed on each timber pile, their length and deadman system is unknown currently (Photos 3-6). The bulkhead has timber framing running at the top of the sheet piles for the top timber cap connection (Photo 2). In some locations the bulkhead is missing the rear timber framing and top timber cap decking (Photos 7 & 8). An outfall pipe with an outfall backflow preventer was found coming from the stormwater system along Washington Avenue.

2.2 Section B – Southernly Bulkhead

Section B is the Southernly Bulkhead section of the Marina. It extends approximately 75-feet parallel to Cheerful Place (Photo 12). There is an older timber bulkhead behind a newer vinyl bulkhead. The older timber bulkhead is traditional timber sheeting, piles and walers, and the newer vinyl bulkhead does not appear to have any walers other than the top timber cap framing (Photos 14-16). Tie-rods appear to be connected to the newer timber framing of the newer bulkhead to the back side of the older deteriorated timber bulkhead. There is a roughly 18-inch gap between the front face of the older timber bulkhead and the rear of the newer vinyl bulkhead that has tidal waters in it (Photo 13). An outfall pipe with an outfall backflow preventer was also found on this section of bulkhead.

2.3 Section C – Westerly Bulkhead

Section C is the Westerly Bulkhead section of the Marina. It extends approximately 700-feet in from the Marine Place and the paper street of Rodgers Street (Photos 21, 28, 31 & 32). The bulkhead construction is very similar to Section B. There is an older deteriorated timber bulkhead behind a newer failing vinyl bulkhead. The bulkhead is leaning, bowing and is overall very poor construction. Like section B tie-rods were attached from the upper timber framing of the newer vinyl bulkhead to the rear face of the existing deteriorated bulkhead. There appears to only be one waler line around mid-height of the new vinyl bulkhead with tie-rods, the deadman and extend of the tie-rods is unknown. No piles in front of the bulkhead were found. This section has no timber cap and also has an outfall pipe with an outfall backflow preventer (Photo 37).

2.4 Section D - Easternly Dock

Section D - Easternly Dock is located at the Northern end of Section A - Easternly Bulkhead and is roughly 25-feet by 50-feet. Historically, there was a dilapidated building, decking and stringers that have since been removed. Currently, there are multiple timber piles and timber girders. The existing timber girders are face-mounted to the timber piles with lag screws.

3.0 Inspection Observations

3.1 Section A – Easternly Bulkhead

Overall Condition:

Section A – Easternly Bulkhead is in **FAIR** condition. The structural capacity of the bulkhead is currently unknown. A report from CED, dated January 9, 2023, was issued following a sinkhole and washout incident on Washington Avenue. This report highlights discrepancies between the installed sheet piles and the original design specifications. The installed vinyl sheet piles were found to be only 18 feet in total length, whereas the plans specified 22-foot sheets. Additionally, during installation, approximately 1 to 3 feet of the sheets were cut off, resulting in an actual as-built embedment of only 5 feet instead of the intended 11 feet.

This reduced embedment depth may significantly impact the structural integrity and durability of the bulkhead, leaving it potentially more susceptible to erosion and undermining.

Timber Piles:

The timber piles are generally in fair condition, with no significant deterioration observed.

Vinyl Sheet Piles:

The vinyl sheet piles are generally in fair condition. In some locations the vinyl sheet piles are cracking and per previous reports they appear to be short of the required embedment depth.

Walers and Cap:

The top and bottom timber walers are generally in fair condition, with no significant deterioration observed, however the timber pile cap is unfinished and missing in areas.

Hardware and Connections:

The connection hardware, appears to be in fair condition, minor deterioration is present.

Outfall:

The outfall, appears to be in fair structural condition.

3.2 Section B – Southernly Bulkhead

Overall Condition:

Section B – Southernly Bulkhead is in **CRITICAL** condition, with various structural deficiencies that are currently compromising its structural stability. The general construction in this section of the bulkhead is inadequate and can be attributed to the main source of the structural deficiencies. These structural deficiencies put the structure at risk of collapse if a storm event occurs.

Vinyl Sheet Piles:

The vinyl sheet piles are generally in poor to failing condition; overstressing is apparent throughout the bulkhead. The installation of the sheet piles in front of the existing timber bulkhead, rather than demoing the existing timber bulkhead has led to significant structural instability. The choice to tie back the vinyl sheet piles to the existing, failing timber bulkhead has led to structural failure and

large deflections of the vinyl sheet pile. This section is also assumed to have sheets with shorter than specified pile embedment. Due to these structural deficiencies the vinyl sheet pile is overstressed and deflecting outwards significantly at the mudline (Photo 20).

Timber Bulkhead:

The Timber Bulkhead is in serious condition with large portions of the bulkhead failing due to rot, age and deterioration. Photos 14-16 showcase the deteriorated state of the wooden bulkhead and the poor construction of the vinyl bulkhead.

Waler and Cap:

The single timber waler and cap on the vinyl sheet pile is generally in fair condition, with no significant deterioration observed however it is not functioning properly as its anchorage system relies on the failing timber bulkhead.

Hardware and Connections:

The connection hardware, appears to be in critical condition. The hardware present on the timber bulkhead in most cases is ineffective. The Vinyl Sheet Pile and Waler hardware is in fair condition, with no significant deterioration observed, however it is not functioning properly as it is fastening to the waler which relies on the failing timber bulkhead (Photo 17-19).

Outfall:

The outfall itself appears to be in fair structural condition; however, the newer vinyl bulkhead installation was prematurely halted before properly tying into the end of the eastern bulkhead. This gap has allowed water to infiltrate the void space between the old timber bulkhead and the newer vinyl bulkhead, potentially compromising the structure over time.

3.3 Section C – Westerly Bulkhead

Overall Condition:

Section C – Westerly Bulkhead is in **CRITICAL** condition, with various structural deficiencies that are currently compromising its structural stability. The construction of this section of the bulkhead is inadequate, largely due to insufficient embedment depth, which is the primary source of its structural deficiencies. In this area, as in other sections, the vinyl sheet piles are estimated to be embedded only 5 feet into the mudline, far below recommended depths. This shallow embedment has led to visible failure, with the toe of the vinyl bulkhead pushing outward and destabilizing.

These construction deficiencies severely compromise the bulkhead's structural integrity, leaving it highly vulnerable to collapse, especially during storm events. Without corrective measures, the risk to this section remains significant.

Vinyl Sheet Piles:

The vinyl sheet piles are generally in poor to failed condition, with signs of overstressing throughout the bulkhead. Installing the vinyl sheet piles directly in front of the existing timber bulkhead, rather than removing the deteriorated timber first, has caused substantial structural instability. Tying back the new vinyl sheet piles to the failing timber bulkhead has further compounded this instability, resulting in large deflections of the vinyl sheets, as seen in Photos 24-25.

Due to these deficiencies, one section of vinyl sheet pile has become severely overstressed, causing the lower portion to push outward at the mudline by a significant distance. An attempt to reinforce this area with timber was poorly executed and has also failed (refer to Photos 33-36). This series of issues highlights the urgent need for corrective action to address the compromised stability of the bulkhead.

Timber Bulkhead:

The Timber Bulkhead is in poor to failing condition with large portions of the bulkhead failing due to rot, age and deterioration.

Waler:

The single timber waler on the vinyl sheet pile is generally in fair condition, with no significant deterioration observed however it is not functioning properly as its anchorage system relies on the failing timber bulkhead or an unknown tie-back system.

Hardware and Connections:

The connection hardware, appears to be in poor condition. The hardware present on the timber bulkhead is, in most cases, inadequate. The Vinyl Sheet Pile and Waler hardware is in fair condition, with no significant deterioration observed, however it is not functioning properly as it is fastening to the failing timber bulkhead (Photo 26-27).

3.4 Section D – Easternly Dock

Overall Condition:

Section D – Easternly Dock is in **FAIR** condition. The capacity is unknown without performing a structural analysis.

Timber Piles:

The timber piles are generally in fair condition. Some deterioration is apparent but nothing too excessive.

Girders:

The existing girders are generally in fair condition. The girders are faced mounted to the timber piles without a pile notch. This significantly reduces the load-bearing capacity of the girders and will lead to a lower structural capacity. The decking is not installed completely, and the dock remains unfinished.

Hardware and Connections:

The connection hardware, appears to be in fair condition but again no notching was included so the connection capacity is lower than what ultimately could have been.

4.0 Recommendations

Based on the observations of this inspection, several repairs, bulkhead replacements and further evaluations are recommended. CED’s recommendations are provided below for each section of the marina and classified as *Immediate, Priority, Routine Maintenance and/or Inspection Actions*.

Immediate Level repairs require prompt response to prevent unsafe conditions at the structure.

Priority Level repairs are recommendations that are required to maintain the structure in safe operating condition, and/or prevent the discovered deterioration from continuing to a point where future repairs will significantly increase in cost. Implementation of Priority Level repair should occur within approximately **two years**.

Routine Level repairs should be undertaken as part of a scheduled maintenance program, or other scheduled projects. Postponing Routine Level repairs will not compromise the stability of the structure but can lead to these items deteriorating further into priority level repairs. It is anticipated that these repair items should be implemented within approximately **four years**.

4.1 Section A – Easternly Bulkhead

Immediate Repairs

- None.

Priority Repairs

- **Finish Timber Sheet Pile Cap**
 - **Problem:** The current bulkhead is missing some of the timber bracing along the backside for certain stretches and lacks a properly constructed timber cap.
 - **Recommendation:** Finish the sheet pile cap and timber bracing and replace any deteriorated timber and fasteners on pile cap.

Routine Repairs

- **General Inspection and Maintenance Plan:**
 - **Problem:** While immediate and priority repairs address critical issues, a longer-term maintenance plan is needed to keep Section A – Easternly Bulkhead in satisfactory condition.
 - **Recommendation:** Develop a scheduled maintenance program that includes regular inspections and minor repairs to prevent future significant deterioration

Inspection Actions

- **Structural Analysis:**
 - CED recommends performing a structural analysis of the existing bulkhead to determine if it is structurally sufficient. This would require a design level inspection of the bulkhead and researching the sheet pile embedment lengths and tie-back system.

4.2 Section B – Southernly Bulkhead

Immediate Repairs

- **Replace Bulkhead**
 - **Problem:** The current bulkhead condition is structurally unstable and insufficient for any type of repair and has the possibility of progressive failure during larger storm events.
 - **Recommendation:** Completely remove all of the existing timber and vinyl bulkhead and replace with a new properly constructed bulkhead system.

Priority Repairs

- None since replacement is recommended.

Routine Repairs

- **General Inspection and Maintenance Plan:**
 - **Problem:** Once a new Bulkhead is installed a maintenance plan will keep it in safe condition for a longer period.
 - **Recommendation:** Develop a scheduled maintenance program that includes regular inspections and minor repairs to prevent future significant deterioration

Inspection Actions

- None since replacement is recommended.

4.3 Section C – Westerly Bulkhead

Immediate Repairs

- **Replace Bulkhead**
 - **Problem:** The current bulkheads condition is structurally unstable and insufficient for any type of repair and has the possibility to fail during storm events.
 - **Recommendation:** Completely remove all existing timber and vinyl bulkhead and replace Section B – Southernly Bulkhead.

Priority Repairs

- None since replacement is recommended.

Routine Repairs

- **General Inspection and Maintenance Plan:**
 - **Problem:** Once a new Bulkhead is installed a maintenance plan will keep it in safe condition for a longer period.
 - **Recommendation:** Develop a scheduled maintenance program that includes regular inspections and minor repairs to prevent future significant deterioration

Inspection Actions

- None since replacement is recommended.

4.4 Section D – Easternly Dock

Immediate Repairs

- None, the dock is closed and unfinished.

Priority Repairs

- Finish constructing the dock.

Routine Repairs

- **General Inspection and Maintenance Plan:**
 - **Problem:** Once a new dock is installed a maintenance plan will keep it in safe condition for a longer period.
 - **Recommendation:** Develop a scheduled maintenance program that includes regular inspections and minor repairs to prevent future significant deterioration

Inspection Actions

- Evaluate existing condition and perform structural analysis on existing girder connections for future dock use and allowable live loading.

5.0 Impact on Adjacent Municipal / Residential Property

The southern and eastern bulkheads, if left unrepaired, pose significant risks to nearby infrastructure, particularly under severe storm conditions. High winds, storm tides, wave action, and heavy rains would exert intense pressure on the weakened bulkhead, likely triggering sudden soil displacement and costly damage to adjacent properties and infrastructure. Without timely intervention, the risk to nearby roadways, residential properties, and municipal utilities will increase, underscoring the urgency of the proposed improvements to prevent erosion, collapse, and potential structural failure of the marina bulkhead.

Currently, the deteriorating bulkhead is causing soil erosion and sinkholes along its backside, putting surrounding infrastructure at risk. Continued soil loss could undermine adjacent roadways, leading to failures, collapses, and hazardous sinkholes, all of which would threaten public safety and the integrity of nearby stormwater and utility systems. Residential properties in close proximity could also face land loss and possible foundation damage. Municipal infrastructure, such as water and sewage systems, is equally at risk due to sediment buildup and structural instability. Additionally, the stormwater outfall structures, which run through the bulkhead, are vulnerable, increasing the likelihood of localized flooding.

If not addressed, these structural vulnerabilities could have cascading effects on the surrounding infrastructure. Timely repairs are critical to prevent what is now a localized issue from escalating into large-scale environmental and infrastructure damage, particularly in the event of a significant storm.

6.0 Conclusions

On September 13, 2024, Colliers Engineering & Design conducted a detailed condition inspection of Captain's Cove Marina, located at 2 Washington Ave, Highlands, NJ, at the request of the Borough. This inspection aimed to evaluate the structural integrity of the marina's bulkheads, prompted by safety concerns, flooding and erosion observed. The assessment utilized a condition rating scale from ASCE 130, resulting in a comprehensive evaluation of four key sections of the marina. Section A (Easternly Bulkhead) was found to be in fair condition, with various structural deficiencies that could compromise its safety if not addressed. Sections B (Southernly Bulkhead) and C (Westerly Bulkhead) were rated as critical, showing severe deterioration that significantly impairs their load-bearing capacity. Action is essential for these sections to prevent potential structural failures. Section D (Easternly Dock) exhibited some issues, necessitating further evaluation to ensure its stability. The report outlines specific recommendations for immediate repairs, particularly for Sections B and C, and emphasizes the need for a structured maintenance plan for all sections.

Appendix

Appendix A | Inspection Photos



Photo 1: **Section A**, Easternly Bulkhead Viewed across the marina from the Westerly Bulkhead



Photo 2: **Section A**, Easternly Bulkhead, Viewed from Grade



Photo 3: Section A, Eastern Bulkhead Piles, Sheet Piles and Walers Viewed from Floating Dock Infront of Bulkhead



Photo 3: Section A, Eastern Bulkhead Exposed Fastening System View 1



Photo 4: **Section A**, Easternly Bulkhead Exposed Fastening System View 2



Photo 5: **Section A**, Easternly Bulkhead Water Lap Connection, View 1



Photo 6: **Section A**, Easternly Bulkhead Water Lap Connection, View 2



Photo 7: **Section A**, Easternly Bulkhead, View 1



Photo 8: Section A, Easternly Bulkhead, View 2



Photo 9: Section A, Easternly Bulkhead, Cracked Sheet Pile Section



Photo 10: **Section A**, Easternly Bulkhead, Viewed down Sheet Pile



Photo 11: **Section A**, Easternly Bulkhead, Outfall Pipe with Outfall Backflow Preventer (Tideflex)



Photo 12: **Section B**, Southernly Bulkhead, Viewed Downwards from Grade



Photo 13: **Section B**, Southernly Bulkhead, Viewed on Angle from Grade, View 1



Photo 14: **Section B**, Southernly Bulkhead, Viewed on Angle from Grade, View 2



Photo 15: **Section B**, Southernly Bulkhead, Corner with Westerly Bulkhead, View 1



Photo 16: **Section B**, Southernly Bulkhead, Corner with Westerly Bulkhead, View 2



Photo 17: **Section B**, Southernly Bulkhead, Fastener & Metal Sheetpile Bulkhead Condition, View 1



Photo 18: **Section B**, Southernly Bulkhead, Fastener & Metal Sheetpile Bulkhead Condition, View 2



Photo 19: **Section B**, Southernly Bulkhead, Vinyl Bulkhead Connection



Photo 20: **Section B**, Southernly Bulkhead, Viewed down Sheet Pile



Photo 21: **Section C**, Westerly Bulkhead, View from grade



Photo 22: **Section C**, Westerly Bulkhead, Corner Connection to the Southernly Bulkhead



Photo 23: **Section C**, Westerly Bulkhead, Viewed down Sheet Pile, View 1



Photo 24: **Section C**, Westerly Bulkhead, Viewed down Sheet Pile, View 2



Photo 25: **Section C**, Westerly Bulkhead, Viewed of Crushed Sheet Pile



Photo 26: **Section C**, Westerly Bulkhead, Deteriorated Timber Elements & Fasteners, View 1



Photo 27: **Section C**, Westerly Bulkhead, Deteriorated Timber Elements & Fasteners, View 2



Photo 28: **Section C**, Westerly Bulkhead, Plywood backing Steel Sheet Piles, View 1



Photo 29: **Section C**, Westerly Bulkhead, Single Waler on Vinyl Sheet Pile, View 1



Photo 30: **Section C**, Westerly Bulkhead, Single Waler on Vinyl Sheet Pile, View 2



Photo 31: **Section C**, Westerly Bulkhead, Bulkhead Line, View 1



Photo 32: **Section C**, Westerly Bulkhead, Bulkhead Line, View 2



Photo 33: **Section C**, Westerly Bulkhead, Bowed Out Bulkhead Repair



Photo 34: **Section C**, Westerly Bulkhead, Bowed Out Bulkhead Repair, View 1



Photo 35: **Section C**, Westerly Bulkhead, Bowed Out Bulkhead Repair, View 2



Photo 36: **Section C**, Westerly Bulkhead, Bowed Out Bulkhead Repair, View 3

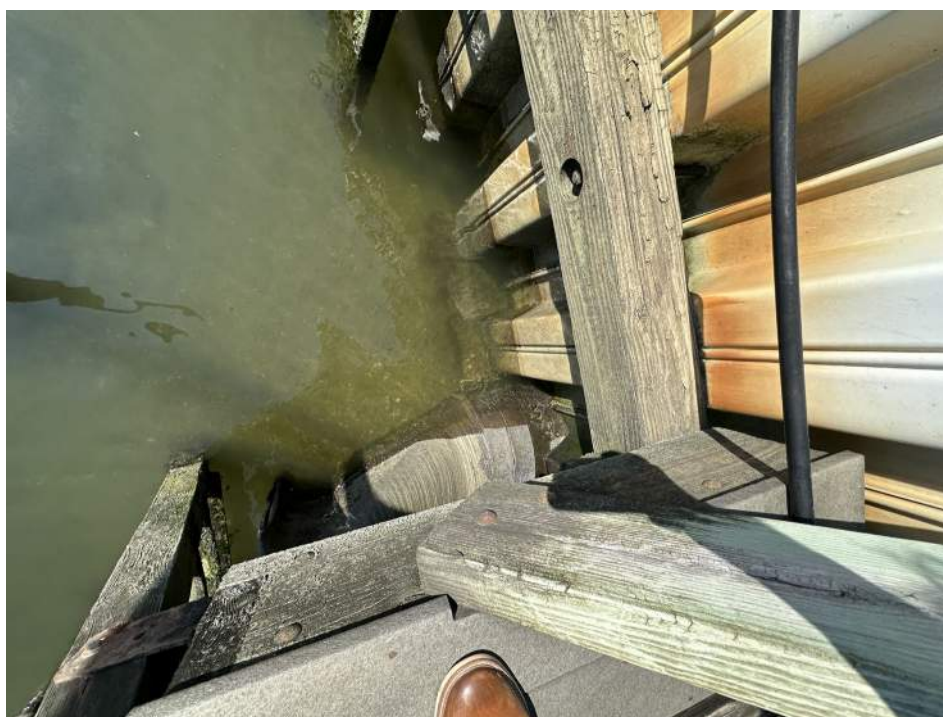


Photo 37: **Section C**, Westerly Bulkhead, Outfall Pipe with Outfall Backflow Preventer (Tideflex)



Photo 38: **Section C**, Westerly Bulkhead, Bulkhead Along Marine PI



Photo 39: **Section C**, Westerly Bulkhead, Bulkhead Connection to Marine PI Bulkhead



Photo 40: **Section D**, Easternly Dock, Viewed across Marina from Westerly Bulkhead



Photo 40: **Section D**, Easternly Dock, Girder to Pile Connection, View 1



Photo 41: **Section D**, Easternly Dock, Girder to Pile Connection, View 2

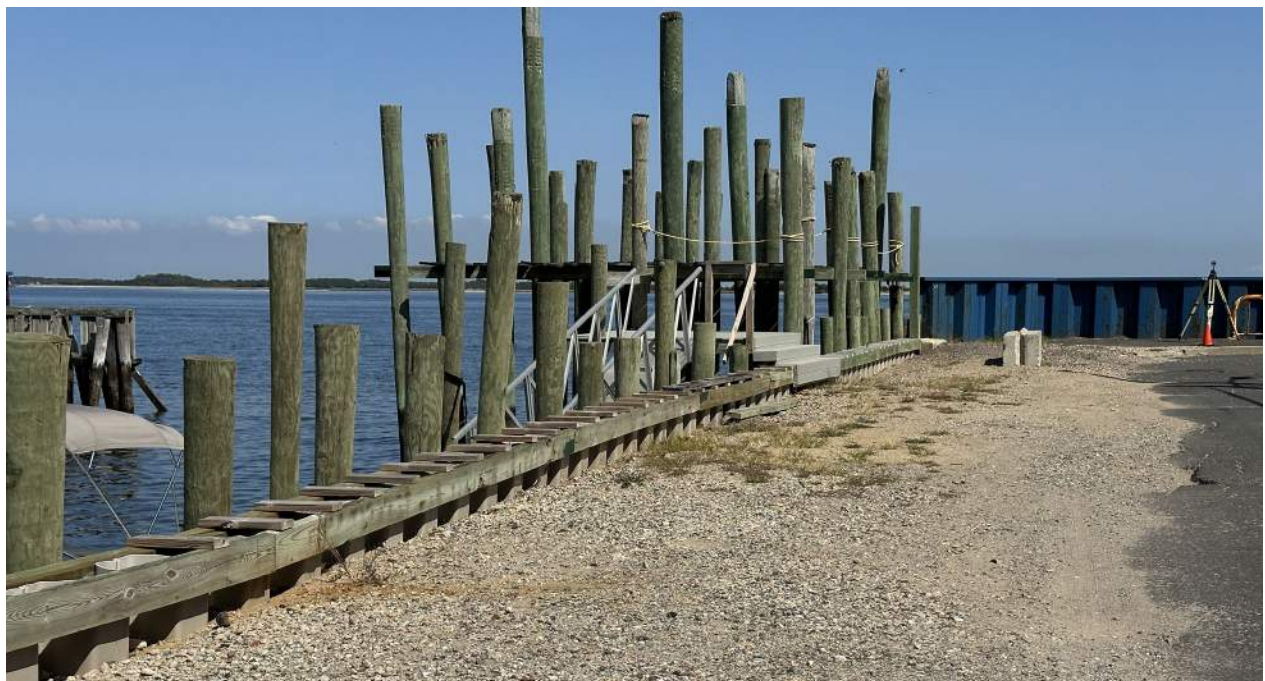


Photo 42: **Section D**, Easternly Dock, Viewed from Grade from Easternly Side



Colliers Engineering & Design is a trusted provider of multi-discipline engineering, design and consulting services providing customized solutions for public and private clients through a network of offices nationwide.

For a full listing of our office locations, please visit colliersengineering.com

1 877 627 3772



*Civil/Site • Traffic/Transportation • Governmental • Survey/Geospatial
Infrastructure • Geotechnical/Environmental • Telecommunications • Utilities/Energy*

APPENDIX F: Letter from Colliers Engineering and Design, dated November 6, 2024

VIA EMAIL
November 6, 2024

Mayor Carolyn Broullon
Borough of Highlands
151 Navesink Ave.
Highlands, NJ 07732

Captain's Cove Marina Bulkhead Deficiencies
Project No. HIBC0001

Dear Mayor Broullon,

Colliers Engineering & Design (CED) has reviewed the current conditions at Captain's Cove Marina and examined the original NJDEP permit #1317-090002.1 LUP210001. Our review has identified the following deficiencies in the bulkhead replacement construction, which do not comply with the permit's requirements:

1. Failure to Obtain Required Local, State, and Federal Approvals:

- The permit stipulates that the permittee must secure all necessary local, state, and federal approvals, which includes obtaining a Floodplain Development Permit from the Borough of Highlands Department of Buildings & Housing.
- It appears that the permittee did not apply for or obtain approval from the local Floodplain Manager.

2. Non-Compliance with Bulkhead Installation Specifications:

- The permit requires that the installed sheets meet the approved length specified in the plans (22 feet). A site inspection conducted on December 30, 2022, revealed that the sheets installed are only 18 feet long, with additional cutting of 1 to 3 feet from the top. This modification has reduced the actual embedment depth of the bulkhead below the required specifications, thereby decreasing its structural capacity compared to the design parameters in the approved permit plans.

3. Violation of Bulkhead Placement Requirements:

- The permit expressly states, "The existing timber bulkhead will be removed, and the vinyl bulkhead will be in the same footprint as the existing timber bulkhead." However, on the southern and western sections of the bulkhead, the existing timber bulkhead was left intact, and the new vinyl bulkhead was installed in front of it, contrary to the permit's directives.

Each of these deficiencies reflects a deviation from the approved permit requirements, which may compromise the structural integrity and compliance status of the project.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

A handwritten signature in blue ink, appearing to read "Ian Walczak".

Ian R. Walczak, PE, CST
Assistant Project Manager

R:\Projects\E-H\HIBC\HIBC0001\Correspondence\OUT\241106_Captain's Cove Marina Bulkhead_NJDEP Compliance Letter.docx



Borough of Highlands
151 Navesink Ave.
Highlands, NJ 07732
(732) 872-1224
www.highlandsborough.org

LAND USE BOARD APPLICATION

FOR OFFICIAL USE		ck xxx 9857	MP
Date Rec'd: <u>8/21/2024</u>	Application #: <u>LB24-05</u>	Fee: <u>\$350</u>	Escrow: <u>\$750</u>

1. APPLICANT

Name: Ms. Suzanne McGhee
 Address: 43 Gravelly Point Road
 City: Highlands State: NJ Zip: 07732
 Phone: 917.656.5298
 Email: sue@mesuey.com
 Relation to property: Owner

2. OWNER

Name: Ms. Suzanne McGhee
 Address: 43 Gravelly Point Road
 City: Highlands State: NJ Zip: 07732
 Phone: 917.656.5298
 Email: sue@mesuey.com

3. TYPE OF APPLICATION (Check all that apply)

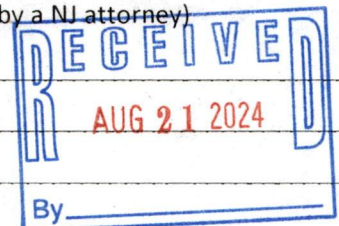
- | | |
|--|---|
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Appeal – Zoning Denial date _____ |
| <input type="checkbox"/> Major Subdivision – Preliminary | <input type="checkbox"/> Appeal – Land Use Decision date _____ |
| <input type="checkbox"/> Major Subdivision – Final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

4. PROPERTY INFORMATION

Block 100 Lot(s) 26.43 Address: 43 Gravelly Point Road
 Lot size 1347.5 # of Existing Lots 1 # of Proposed Lots 1
 Zone Res 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 current Sewer paid through current

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

Name: n/a
 Address: _____
 Phone: _____ Email: _____





Borough of Highlands
151 Navesink Ave.
Highlands, NJ 07732
(732) 872-1224
www.highlandsborough.org

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

Name: The Elevated Studio - Brian Baer ra
Address: 369 Main Street; #1121
Beacon, NY 12508
Phone: 646-759-7513
Email: brianbaer@theelevatedstudio.org

Name: _____
Address: _____

Phone: _____
Email: _____

7. LAND USE

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

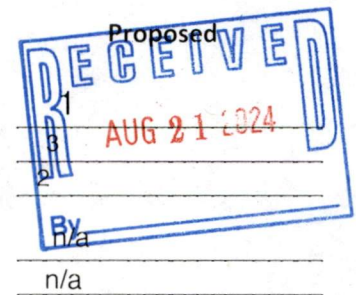
Single family, single story residential. Existing residence has already been demolished.

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.

Construct a single family, two story residence for private use.

C. ADDITIONAL INFORMATION:

	Existing
Residential: How many dwelling units?	<u>1</u>
How many bedrooms in each unit?	<u>1</u>
How many on-site parking spaces?	<u>2</u>
Commercial: How many commercial uses on site?	<u>n/a</u>
How many on-site parking spaces?	<u>n/a</u>



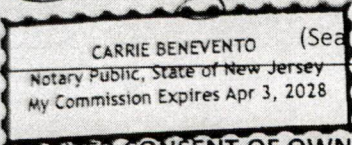


Borough of Highlands
Highlands, NJ 07732
(732) 872-1224
www.highlandsborough.org

10. NOTARIZED SIGNATURE OF APPLICANT

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

SWORN & SUBSCRIBED to before me this
08 day of August 2024 (year)
[Signature] (notary)

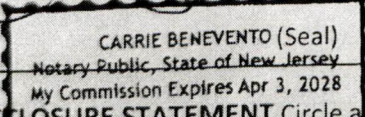


[Signature] Signature
8/8/2024 Date
Suzanne Jayne McGhee
Print Full Name

11. NOTARIZED CONSENT OF OWNER

I certify that I am the Owner of the property which is the subject of this application, hereby consent to the making of this application and approval of the plans submitted herewith. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency (if owned by a corporation, a resolution must be attached authorizing the application and officer signature).

SWORN & SUBSCRIBED to before me this
08 day of August 2024 (year)
[Signature] (notary)



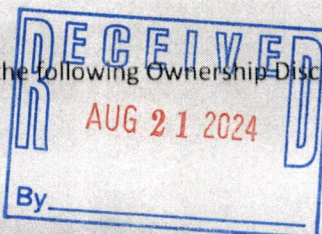
[Signature] Signature
8/8/2024 Date
Suzanne Jayne McGhee
Print Full Name

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).



landuse@highlandsborough.org | 4



Borough of Highlands

151 Navesink Ave
Highlands, NJ 07732
Phone: (732) 872-1224

Item 16.

Control #: Z-0087
Date Issued: 7/17/2024

DENIAL OF ZONING PERMIT IDENTIFICATION

Work Site Location:	<u>43 GRAVELLY POINT ROAD</u>	Block:	<u>100</u>	Lot:	<u>26.43</u>	Zone:	<u>R203</u>
Owner in Fee:	<u>MCGHEE, SUZANNE JAYNE</u>	Contractor/Agent:	_____				
Address:	<u>15 WEST 72ND ST. APT 125</u>	Address:	_____				
	<u>NEW YORK NY 10023</u>	Telephone:	_____				
Telephone:	_____	Contractor License No:	_____				

For the project/work located at the above address, your application for a permit to:

Demolish existing one-story, single family dwelling and construct a new single family, two-story dwelling

has been denied for noncompliance with provisions of Sections: of the Municipal Zoning Ordinance for the following reasons:

D(6) Height variance approval is required from the Land Use Board for the proposed dwelling height of 25.85 feet, where 20 feet is permitted.

Building Height - The vertical distance as measured from the grade plane to the average height of the highest roof surface. In the case of sloped roofs, the average height is the mid-point between the lowest roof eave of the top floor and the roof ridge. In the case of a building that has multiple roof levels, the highest roof levels must be used to determine the building height.

Highest roof ridge measured from DFE is 28.70'
Lowest roof eave measured from DFE is 23.0'

$$28.70 + 23.0 = 51.70$$
$$51.70 / 2 = 25.85'$$

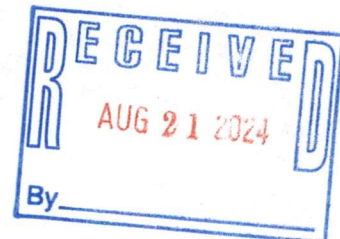
Information on procedures for an appeal of this decision to the Land Use Board can be obtained from the Secretary of the Land Use Board. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than (20) days from the date of this notice. You can also file for a variance to the Land Use Board and can obtain from the Secretary of the Land Use Board the required forms.

The permit which you submitted has been placed in the inactive files in the Zoning Department. Please contact this office to reactivate the permit.

Denied by:

Zoning

Zoning,



Deed

This Deed is made on February 15th, 2022 and delivered on February _____, 2022
BETWEEN
Veronica Alverson, unmarried

whose post office address
43 Gravelly Point Road
Highlands, New Jersey 07732

referred to as the Grantor,
AND
Suzanne Jayne McGhee

CERTIFIED TRUE COPY

whose post office address is:
about to become
43 Gravelly Point Road
Highlands, New Jersey 07732

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of \$ 335,000.00, **Three Hundred Thirty-five Thousand Dollars and No Cents.**

The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** (N.J.S.A. 46:26A-3) Municipality of **Highlands** Block No. **100** Lot No. **26.43**
Qualifier No. **C1205** and Account No.

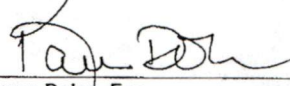
No property tax identification number is available on the date of this Deed. (Check box if applicable)

3. **Property.** The Property consists of the land and all the building and structures on the land in the **Borough of Highlands** County of **Monmouth** and State of New Jersey.

The legal description is:

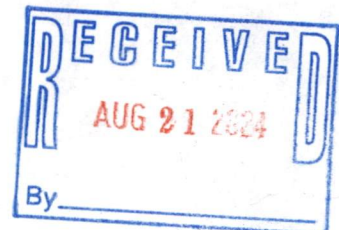
Please see attached Legal Description annexed hereto and made part hereof. (Check box if applicable)

Veronica Alverson by Deed from Veronica Alverson, Executrix of the Estate of Ann Veronica Denisco, dated October 13, 2017 and recorded November 2, 2017 in the Monmouth County Clerk's Office in Deed Book 9257 at Page 3446.

Prepared by:


Karen Dolan, Esq.

(For Recorders Use Only)

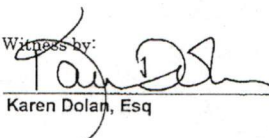


The street address of the Property is:

43 Gravelly Point Road
Highlands, New Jersey 07732

4. **Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. **Signatures.** The Grantor signs this Deed as of the date at the top of the first page. (Print name below each signature.)

Witness by:


Karen Dolan, Esq



Veronica Alverson (Seal)

(Seal)


STATE OF NEW JERSEY, COUNTY OF MONMOUTH

SS:

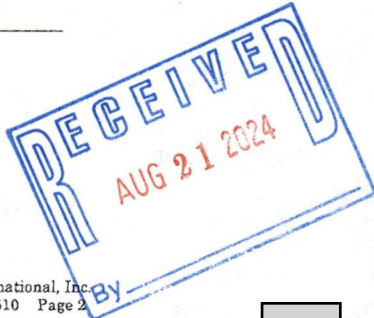
I CERTIFY that on February 15th, 2022
Veronica Alverson personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of this Deed; and,
- (b) executed this Deed as his or her own act; and
- (c) made this Deed for \$335,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

RECORD AND RETURN TO
Paolo Bruno, Esq.
Bruno Law Group, LLC
139 Lakeview Avenue
Clifton, New Jersey 07011



Karen Dolan, Esq.
Attorney at Law State of New Jersey



State of New Jersey
Seller's Residency Certification/Exemption

SELLER'S INFORMATION

Name(s)
VERONICA ALVERSON
Current Street Address
57 GRAVELLY POINT ROAD
City, Town, Post Office Box
HIGHLANDS State NJ Zip Code 07732

PROPERTY INFORMATION

Block(s) Lot(s) Qualifier
100 26.43
Street Address
43 GRAVELLY POINT DRIVE
City, Town, Post Office Box
HIGHLANDS State NJ Zip Code 07732
Seller's Percentage of Ownership Total Consideration Owner's Share of Consideration Closing Date
100% \$ 335,000.00 \$ 335,000.00

SELLER'S ASSURANCES (Check the Appropriate Box) (Boxes 2 through 14 apply to Residents and Nonresidents)

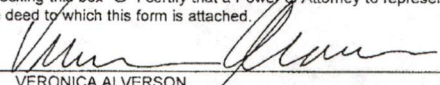
1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident gross income tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate, or trust and is not required to make an estimated gross income tax payment.
6. The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated income tax payment.
7. The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale and report the recognized gain.
 Seller did not receive non-like kind property.
8. The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
9. The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. The deed is dated prior to August 1, 2004, and was not previously recorded.
11. The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12. The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13. The property transferred is a cemetery plot.
14. The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
15. The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
16. The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

SELLER'S DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

2/15/2022

Date


VERONICA ALVERSON
(Seller) Please indicate if Power of Attorney or Attorney in Fact

(Seller) Please indicate if Power of Attorney or Attorney in Fact






Borough of Highlands Land Use Board
151 Navesink Avenue
Highlands, NJ 07732
Phone: 732-872-1224
Fax: 732-872-0670
www.highlandsborough.org

Affidavit of Applicant

State of ~~New Jersey~~)
New York) SS.
County of ~~Monmouth~~)
New York)

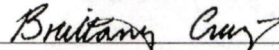
I, the undersigned, certify that all of the statements contained herein are true and correct to the best of my knowledge, information and belief.


Applicant's Signature BRITANNY A CRUMP

Date 8/6/24

Sworn and subscribed
before me this 6th
day of August 2024

BRITANNY A CRUMP
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01CR6435708
Qualified in New York County
Commission Expires July 05, 2026


Signature of Notary

Authorization

(If anyone other than the owner is making this application, the following authorization must be completed.)

To the Land Use Board:

_____ is hereby authorized to make this application.

Date: _____

Signature of Owner: _____





Block/Lot/Qual: 100. 26.43	Tax Account Id: 1848
Property Location: 43 GRAVELLY POINT ROAD	Property Class: 2 - Residential
Owner Name/Address: MCGHEE, SUZANNE JAYNE 15 WEST 72ND ST, APT 125 NEW YORK, NY 10023	Land Value: 258,500
	Improvement Value: 137,100
	Exempt Value: 0
	Total Assessed Value: 395,600
	Additional Lots: None
Special Taxing Districts:	Deductions:

Taxes **Utilities**

[Make a Payment](#)
 [View Tax Rates](#)
 [View Current Bill](#)
 [Project Interest](#)

Year	Due Date	Type	Billed	Balance	Interest	Total Due	Status
2025	02/01/2025	Tax	1,958.22	1,958.22	0.00	1,958.22	OPEN
2025	05/01/2025	Tax	1,958.22	1,958.22	0.00	1,958.22	OPEN
Total 2025			3,916.44	3,916.44	0.00	3,916.44	
2024	02/01/2024	Tax	1,774.81	0.00	0.00	0.00	PAID
2024	05/01/2024	Tax	1,774.81	0.00	0.00	0.00	PAID
2024	08/01/2024	Tax	2,141.63	0.00	0.00	0.00	PAID
2024	11/01/2024	Tax	2,141.63	2,141.63	0.00	2,141.63	OPEN
Total 2024			7,832.88	2,141.63	0.00	2,141.63	
2023	02/01/2023	Tax	1,573.85	0.00	0.00	0.00	PAID
2023	05/01/2023	Tax	1,573.84	0.00	0.00	0.00	PAID
2023	08/01/2023	Tax	1,975.77	0.00	0.00	0.00	PAID
2023	11/01/2023	Tax	1,975.77	0.00	0.00	0.00	PAID
Total 2023			7,099.23	0.00	0.00	0.00	

Last Payment: 08/02/24

[Return to Home](#)

RECEIVED
 AUG 21 2024
 By _____



Block/Lot/Qual:	100. 26.43	Tax Account Id:	1848
Property Location:	43 GRAVELLY POINT ROAD	Property Class:	2 - Residential
Owner Name/Address:	MCGHEE, SUZANNE JAYNE 15 WEST 72ND ST, APT 125 NEW YORK, NY 10023	Land Value:	258,500
		Improvement Value:	137,100
		Exempt Value:	0
		Total Assessed Value:	395,600
		Additional Lots:	None
Special Taxing Districts:		Deductions:	

Taxes **Utilities**

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

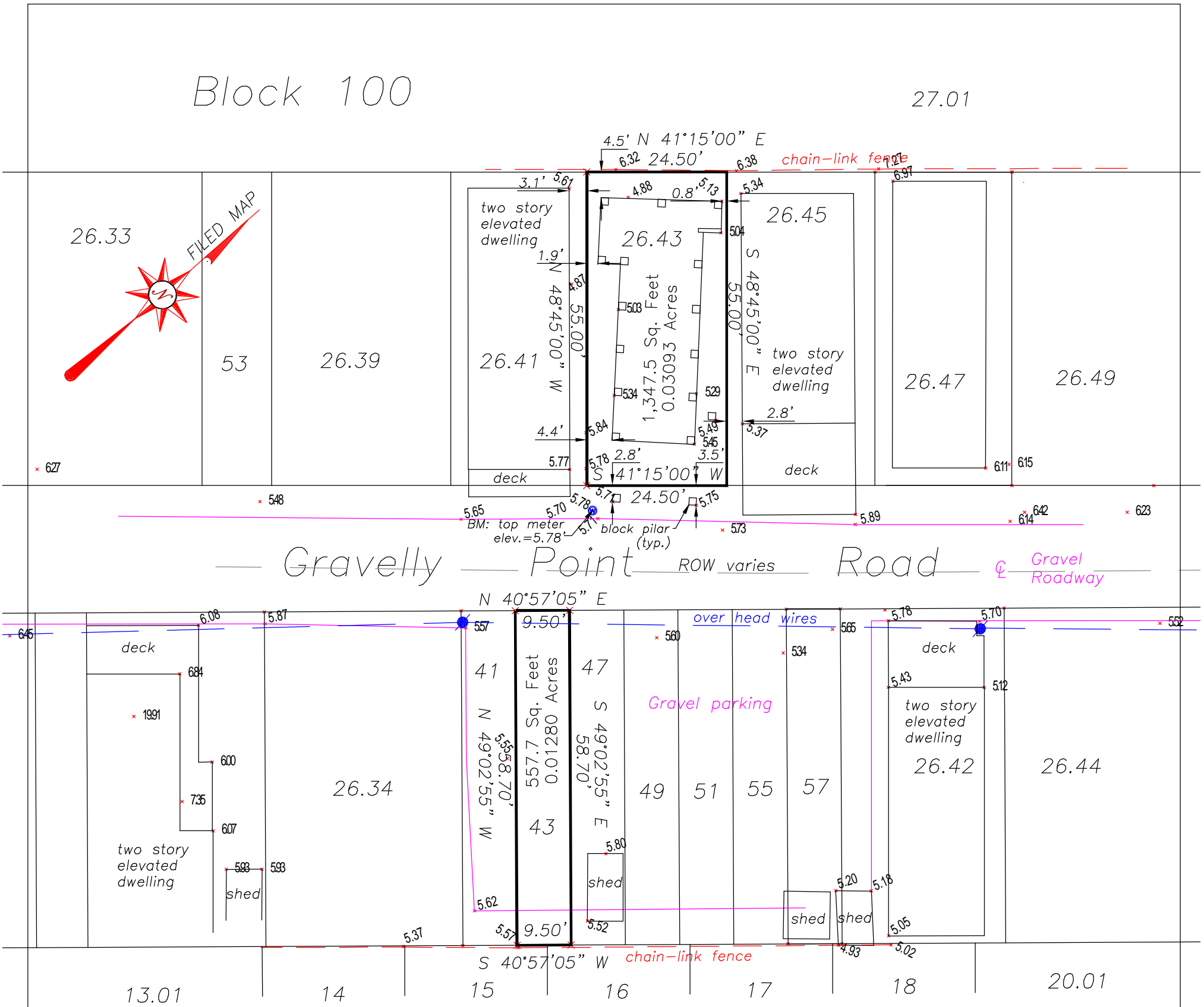
Account	Service	Due Date	Current Bill	Current Balance	Delinquent Balance	Interest	Total
13043-0	Sewer	08/31/2024	140.00	0.00	0.00	0.00	0.00
Account Total			140.00	0.00	0.00	0.00	0.00

[Return to Home](#)

RECEIVED
AUG 21 2024
By _____

Block 100

27.01



Gravelly Point Road Gravel Roadway

NOTES:

Any Object beneath the surface of the Ground has not been located, and no Guarantee as to existence or location is expressed or implied.

THIS SURVEY HAS BEEN PREPARED WITHOUT A FULL TITLE SEARCH AND IS SUBJECT TO SUCH FACTS THAT MIGHT BE REVEALED BY SAID TITLE SEARCH.

BLOCK 100

LEGEND:
x 573 =spot elevations
● =utility pole

Elevations refer to NAVD-1988 datum. Local BM, top of WM, elev.= 5.78, where shown.

Property resides in the Flood Zone AE-11 Panel number 34025C0086G, effective 6/20/2018.

Not all of the interior block pillars shown were located.

LOCATION SURVEY FOR:
SUSAN McGHEE

Being Lot 43 as shown on the Filed map of Gravelly Point Beach, A Condominium. As shown on Exhibit C, Which is a Map entitled, Property situated in the Borough of Highlands, Monmouth County, New Jersey. Dated 15 February 1972, and revised 7 August 1972, Deed Book 3795 page 461. Together with an undivided 1.96078 % interest, as per Exhibit D in Deed Book 3795 page 494, in the common elements and the limited common elements appurtenant thereto as per the Master Deed dated August 15, and Recorded August 18, 1972. Also known as Lot 26.43 Block 100, as shown on the tax assessment map for the Borough of Highlands, Monmouth County, New Jersey. I hereby certify to the above mentioned owners, this survey has been accurately prepared with the best of my information, knowledge and belief. No apparent encroachments exist either way across property lines except as shown hereon.

R & T LAND SURVEYING
LAND SURVEYING * CONSTRUCTION LAYOUT * MAPPING
942 STATE HIGHWAY ROUTE 36, LEONARDO, NJ

JOB: 8455
SCALE: 1" = 20'
CAD: M-8455.dwg

RONALD L. TRINIDAD
LICENSED PROFESSIONAL LAND SURVEYOR
NJ LICENSE No. 24GS04337000

DATE: 5-29-24
DWG: B-2847

McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

Renovations

ARCHITECT :

The Elevated Studio
359 Main Street, #1121
Beacon, NY 12508
646.759.7513 | info@theelevatedstudio.org

REVISIONS

DATE	COMMENTS

GENERAL PROJECT INFORMATION

SIGN & SEAL	SCALE	N/A
	DATE	2022.10.13
DRAWN BY	PROJECT No.	4020-22
	CHECKED BY	B.B.
DRAWING NUMBER	DRAWING X OF X	2 of 20
	DRAWING NUMBER	G-101.00

LIST OF ABBREVIATIONS

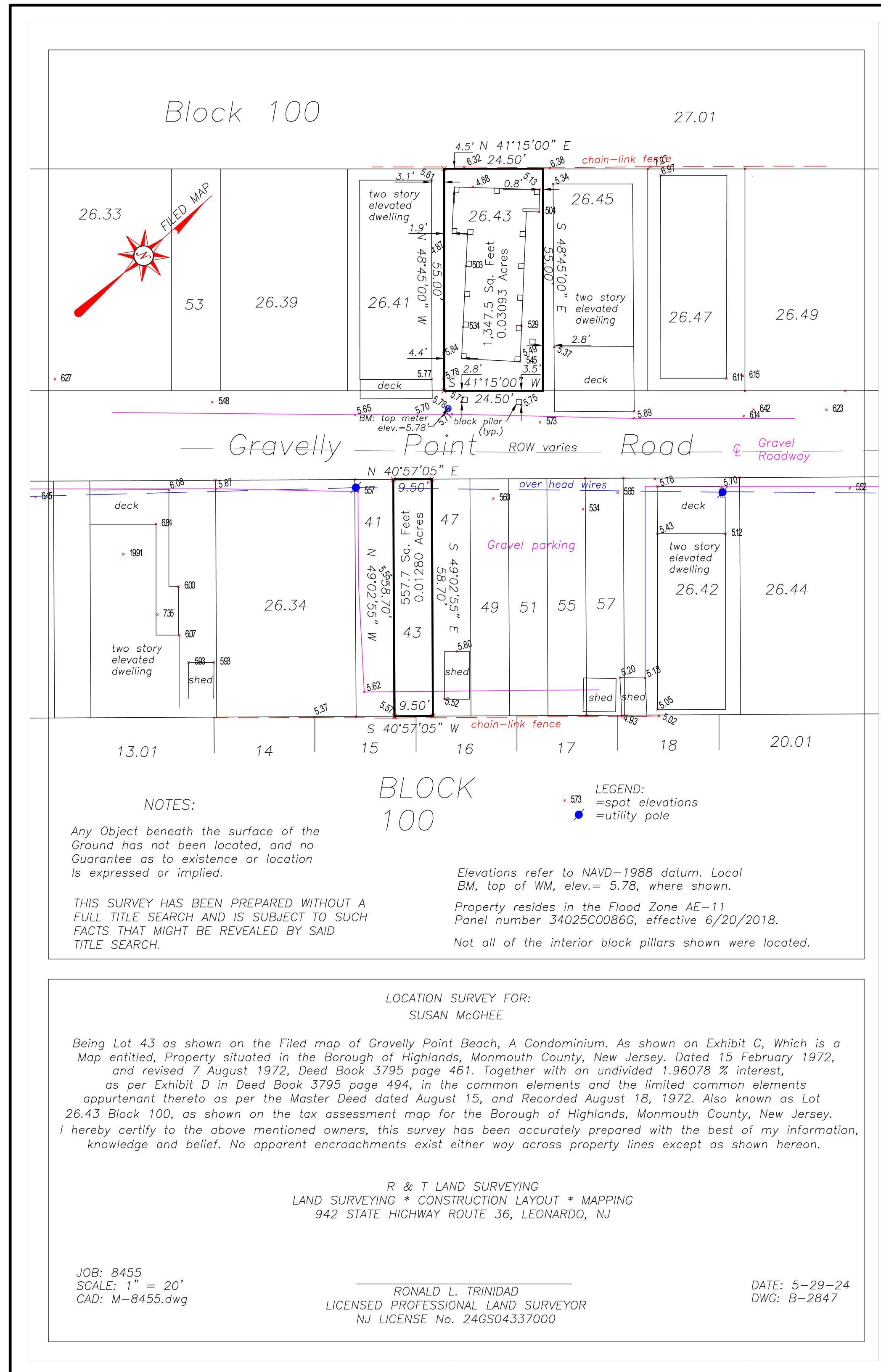
A A/C ACT AFF	AIR CONDITIONING ACOUSTICAL TILE ABOVE FINISH FLOOR	F FACP FD FFE	FIRE ALARM CONTROL PANEL FLOOR DRAIN FINISH FLOOR FINISH FLOOR ELEVATION	O OA OC OD OH	OVERALL ON CENTER OUTSIDE DIAMETER OVERHEAD
ALT ALUM ANC BLT APPROX ARCH ASPH	ALTERNATE ALUMINUM ANCHOR BOLT APPROXIMATE ARCHITECT ASPHALT	FIN FG FLASH FLUOR FNDN FOC	FINISH FIBERGLASS FLASHING FLUORESCENT FOUNDATION FACE OF CONCRETE	OPP OSB	OPPOSITE HAND OPPOSITE ORIENTED STRAND BOARD
BC BD BIT CONC	BRICK COURSE BOARD BITUMINOUS CONCRETE	FOS FP FTG FUR	FACE OF FINISH FACE OF MASONRY FACE OF STUD FIREPROOFING FOOTING FURRING	PL PLAM PL PR PT P.T. PTN PVC PLWD	PLATE PLASTIC LAMINATE PROPERTY LINE PAIR PAINT PRESSURE TREATED PARTITION POLYVINYL CHLORIDE PLYWOOD
BLDG BLK BLKG BM BOTT BSMT	BUILDING BLOCK BLOCKING BENCH MARK BOTTOM BASEMENT	GA GALV GL GWB	GAUGE GALVANIZED GLASS GYPSUM WALL BOARD	R R RD REF REFURB RES REQ'D RH RM RO	RADIUS/RISER ROOF DRAIN REFRIGERATOR REFURBISH RESILIENT REQUIRED RIGHT HAND ROOM ROUGH OPENING
CAB CH CIP CJ CL CLG CLOS CLR CMU	CABINET CEILING HEIGHT CAST IN PLACE CONTROL JOINT CENTER LINE CLOSET CEILING CLOSET CLEAR CONCRETE MASONRY UNIT	HC HD HDWR HM HOR HP HT HVAC	HANDICAP HEAVY DUTY HARDWARE HOLLOW METAL HORIZONTAL HIGH POINT HEIGHT HEATING, VENTILATING, AIR CONDITIONING	SCH SCWD SECT SF SIM SPEC SQ STOR STRUCT S/S SV	SCHEDULE SOLID CORE WOOD SECTION SQUARE FEET SIMILAR SPECIFICATION SQUARE STORAGE STRUCTURAL STAINLESS STEEL SHEET VINYL
CNTR COL COMP CONC CONST CORR CPT CT	COUNTER COLUMN COMPOSITION CONCRETE CONSTRUCTION CONTINUOUS CORRIDOR CARPET CERAMIC TILE	ID INS INSUL INT	INSIDE DIAMETER INSULATION INSULATION INTERIOR	T T TEL THK TOS TOP TOW TP TYP	TREAD TELEPHONE THICKNESS TOP OF STEEL TOP OF PLATE TOP OF WALL TOILET PAPER TYPICAL
D D DIAG DIM DL DN DWG DW	DRYER DEMOLITION DIAGONAL DIMENSION DRAIN LEADER DOWN DRAWING DISHWASHER	L L LAM LAV LP	LENGTH LAMINATE LAVATORY LOW POINT	U U UNC UNO	UNDERCUT UNLESS NOTED OTHERWISE
EA EF EJ ELEC ELEV EMER ENCL EP EQ EQUIP EXH EXIST EXP EXT EW	EACH EACH FACE EXPANSION JOINT ELECTRIC ELEVATION ELEVATOR EMERGENCY ENCLOSURE EPOXY PAINT EQUAL EQUIPMENT EXHAUST EXISTING EXPANSION EXTERIOR EACH WAY	M MAS MAX MC MECH MIN MIR MISC MO MS MTL	MASONRY MAXIMUM MEDICINE CABINET MECHANICAL MINIMUM MIRROR MISCELLANEOUS MASONRY OPENING METAL STUD METAL	V VCT VERT VEST VIF VPB VVB	VINYL COMPOSITION TILE VERTICAL VESTIBULE VERIFY IN FIELD VENEER PLASTER BASE VINYL WALL BASE
W W W/ WB WC WD WF WP WP'G WS WWF	WASHER WITH WRITING (WHITE) BOARD WATER CLOSET WOOD WIRE FABRIC WORK POINT WATERPROOF(ING) WOOD STUD WELDED WIRE FABRIC	NA NIC NOM NTS NO	NOT APPLICABLE NOT IN CONTRACT NOMINAL NOT TO SCALE NUMBER		

MATERIAL SYMBOLS

	EARTH
	POROUS FILL, GRAVEL
	CONCRETE
	BRICK MASONRY UNIT
	CONCRETE MASONRY UNIT
	RESILIENT TILE
	METAL (LARGE SCALE)
	METAL (SMALL SCALE)
	WOOD BLOCKING
	STRUCTURAL WOOD
	FINISH WOOD
	GLASS (SMALL SCALE)
	GLASS (LARGE SCALE)
	BATT INSULATION
	RIGID INSULATION
	BITUTHENE VAPOR BARRIER
	CERAMIC TILE
	GYPSUM WALL BOARD
	PLYWOOD
	TILE BACKER BOARD
	REMOVE EXISTING PARTITION
	EXISTING PARTITION TO REMAIN
	NEW PARTITION

GRAPHIC SYMBOLS

	BUILDING SECTION		REVISION MARKER
	BUILDING DETAIL		SEALANT JOINT
	PARTITION TYPE		TOILET ACCESSORY
	WINDOW TYPE		ALIGN SURFACES
	DOOR NUMBER		INTERNATIONAL SYMBOL OF ACCESSIBILITY
	ROOM NUMBER		DOOR TYPES
	INTERIOR ELEVATION		EXISTING DOOR
	ELEVATION MARKER		NEW DOOR



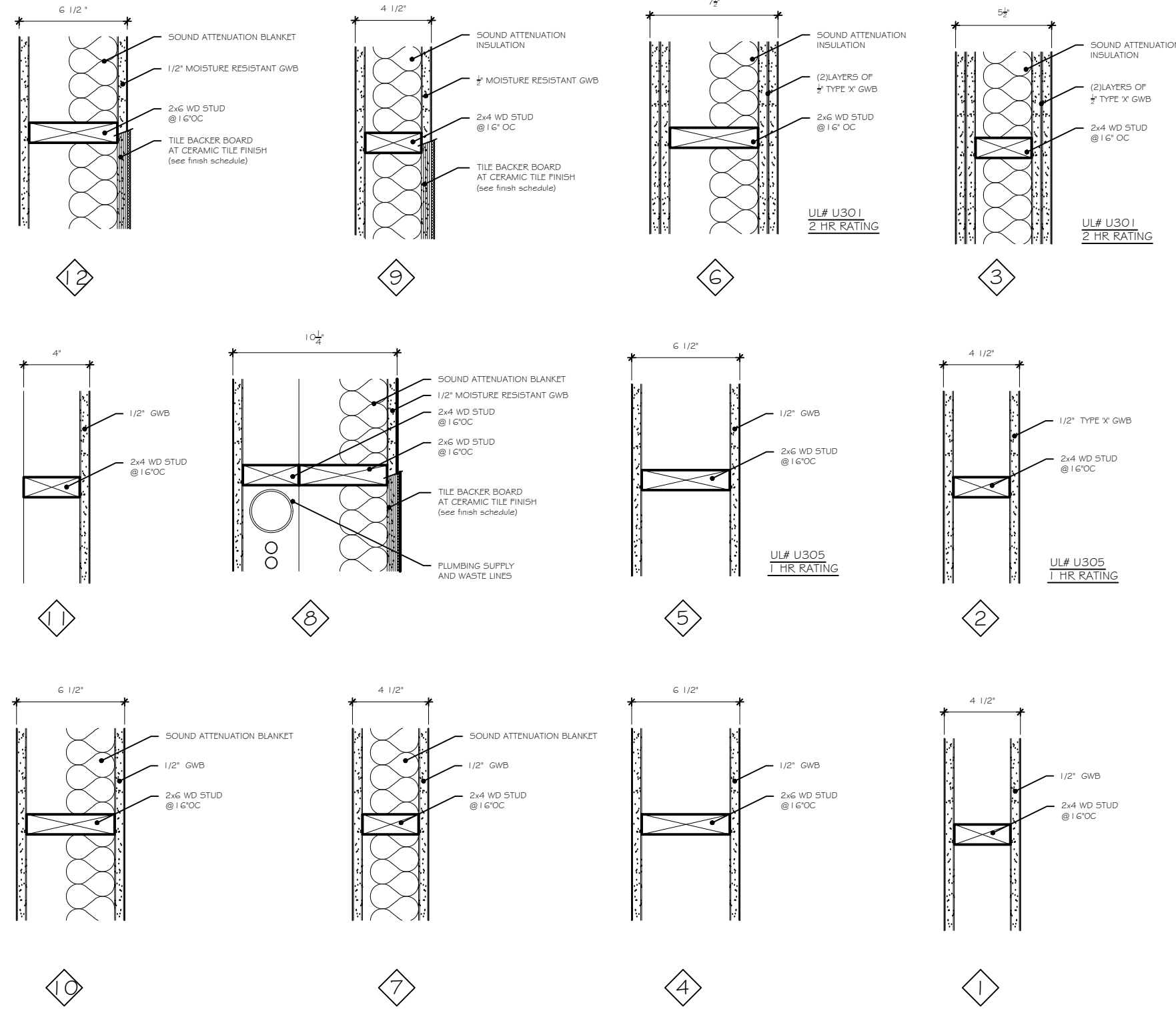
McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

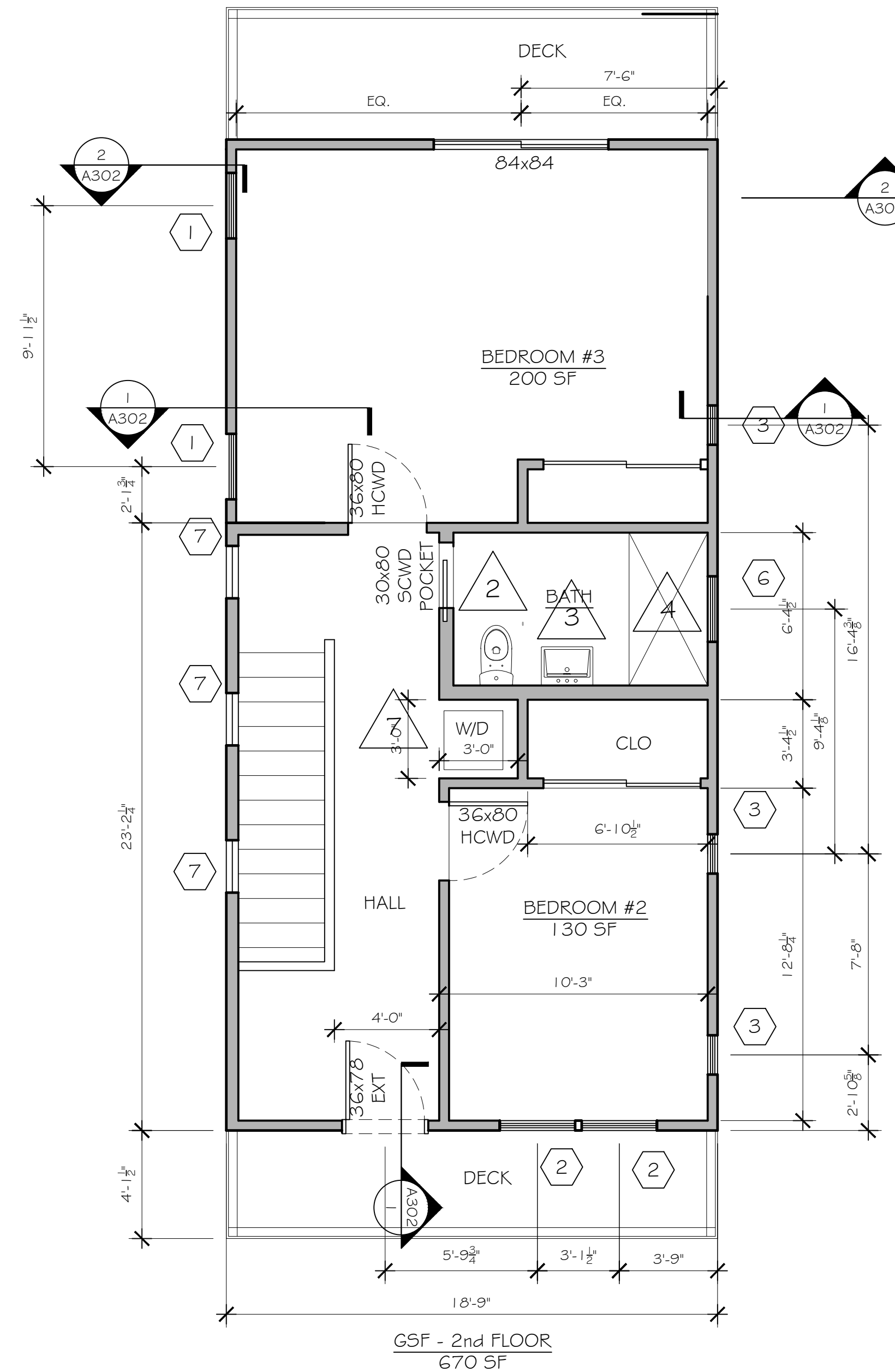
Renovations

ARCHITECT :

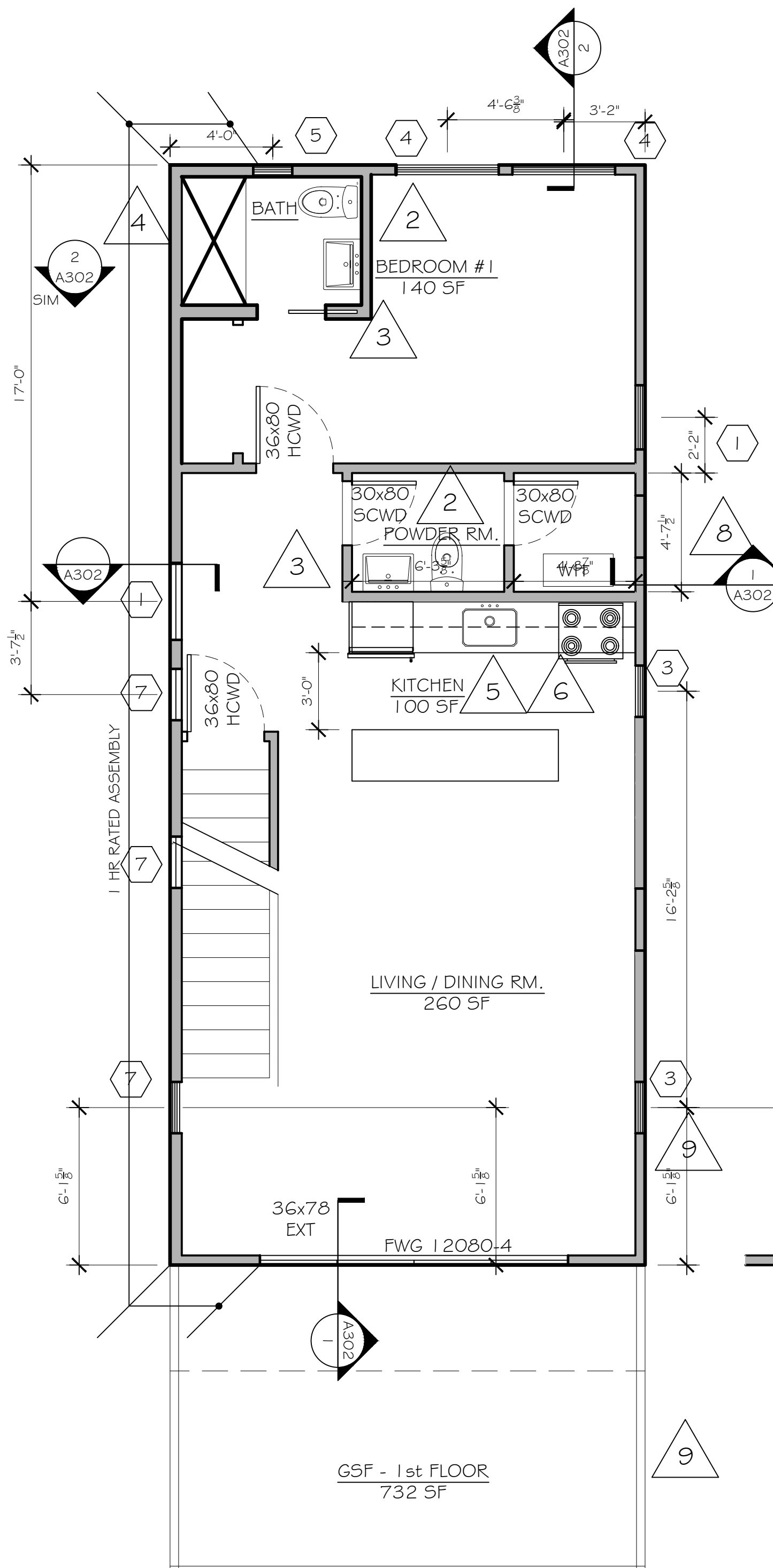
The Elevated Studio
359 Main Street, #1121
Beacon, NY 12508
646.759.7513 | info@theelevatedstudio.org



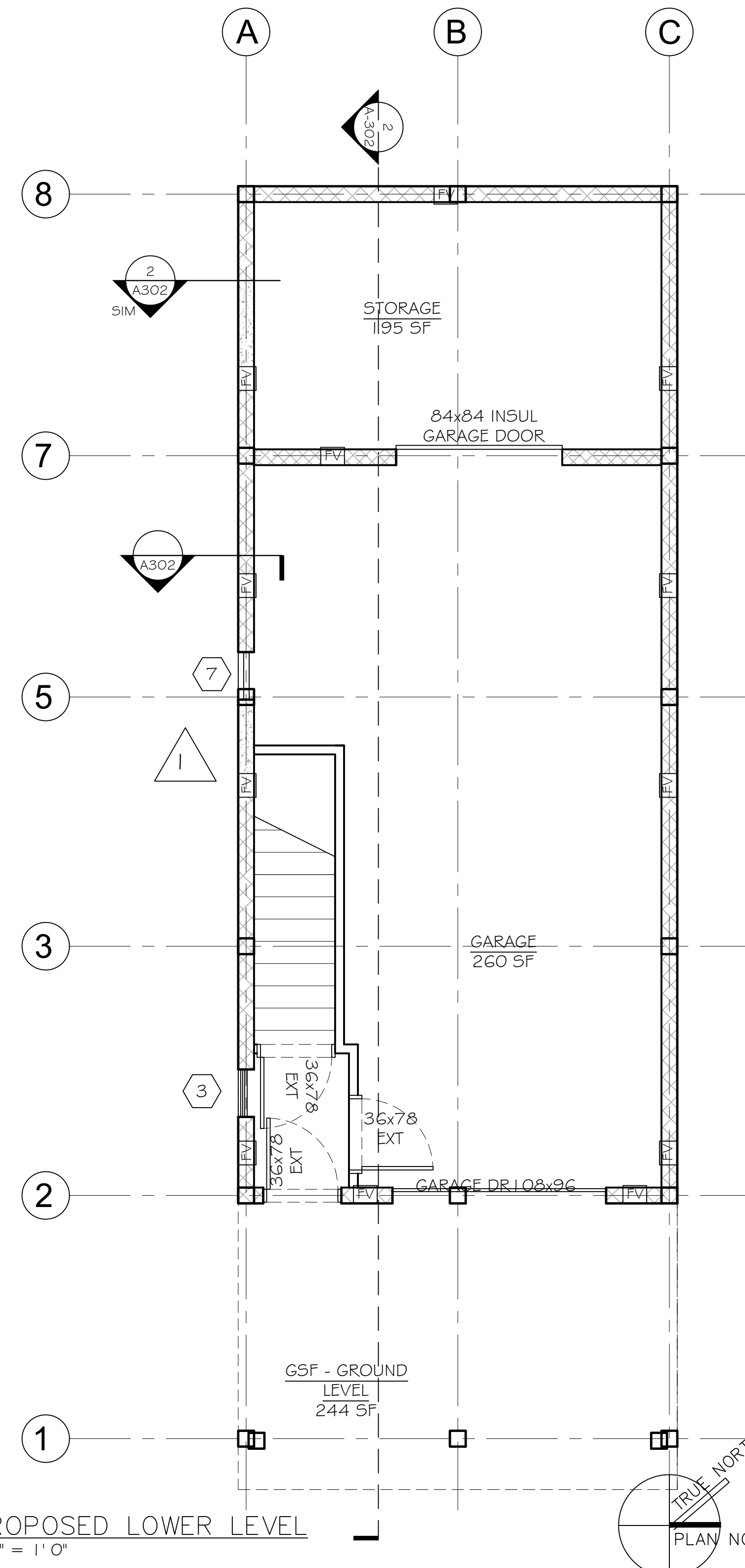
4 PARTITION TYPES
1/2" = 1'-0"



3 NEW UPPER LEVEL PLAN
1/4" = 1'-0"



2 NEW MAIN LEVEL PLAN
1/4" = 1'-0"



1 PROPOSED LOWER LEVEL
1/4" = 1'-0"

REVISIONS

DATE	COMMENTS

DRAWING NAME

PROPOSED FLOOR PLANS

SIGN & SEAL

SCALE
AS NOTED

DATE
2022.10.29

PROJECT No.
4020-22

DRAWN BY
-

CHECKED BY
B.B.

DRAWING X OF X

DRAWING NUMBER

A-201.00

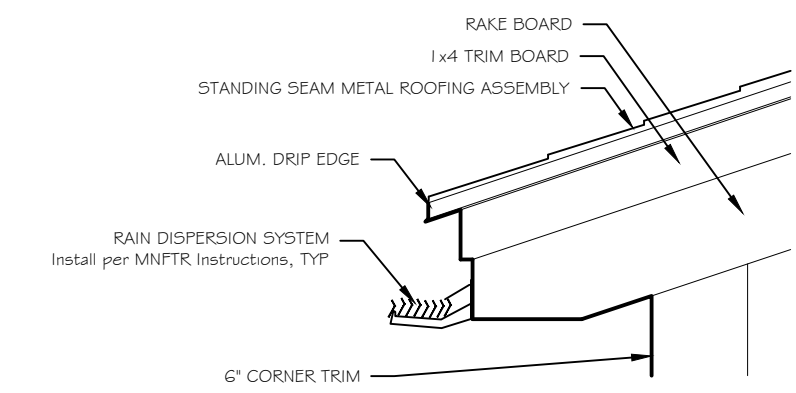
McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

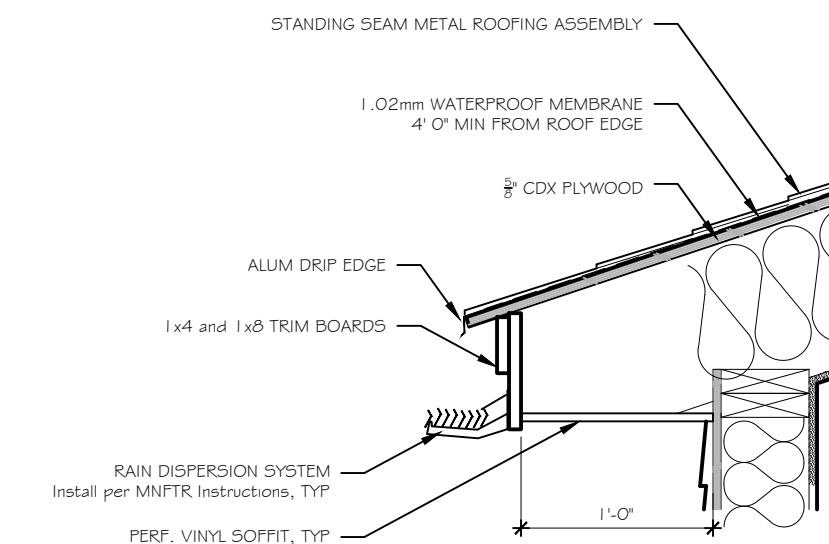
Renovations

ARCHITECT :

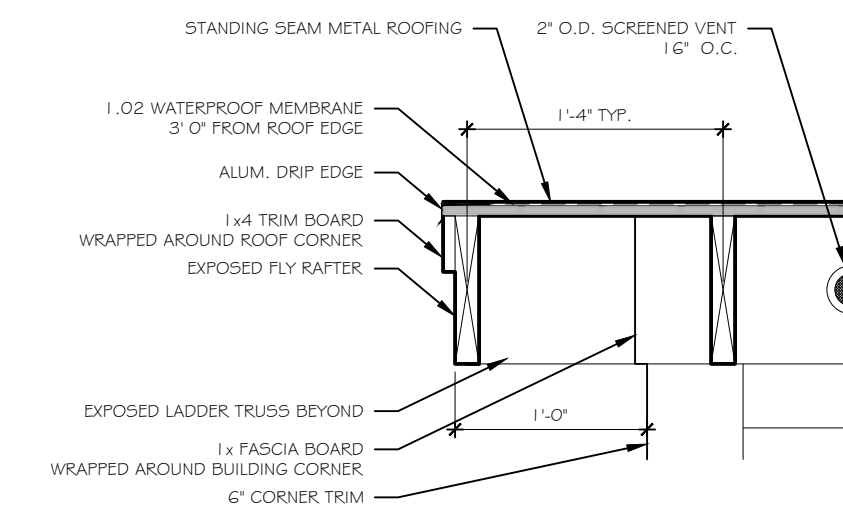
The Elevated Studio
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646.759.7513 | info@theelevatedstudio.org



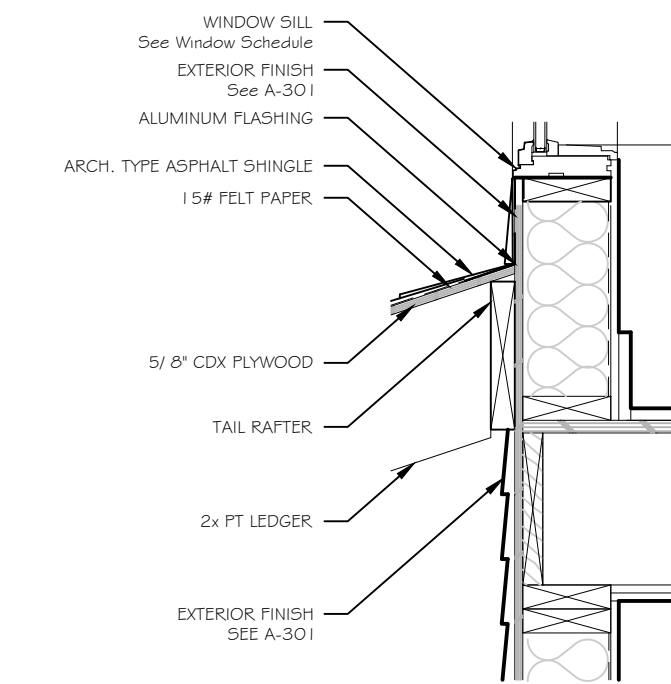
5 ROOF RAKE DETAIL
SCALE: 1" = 1'0"



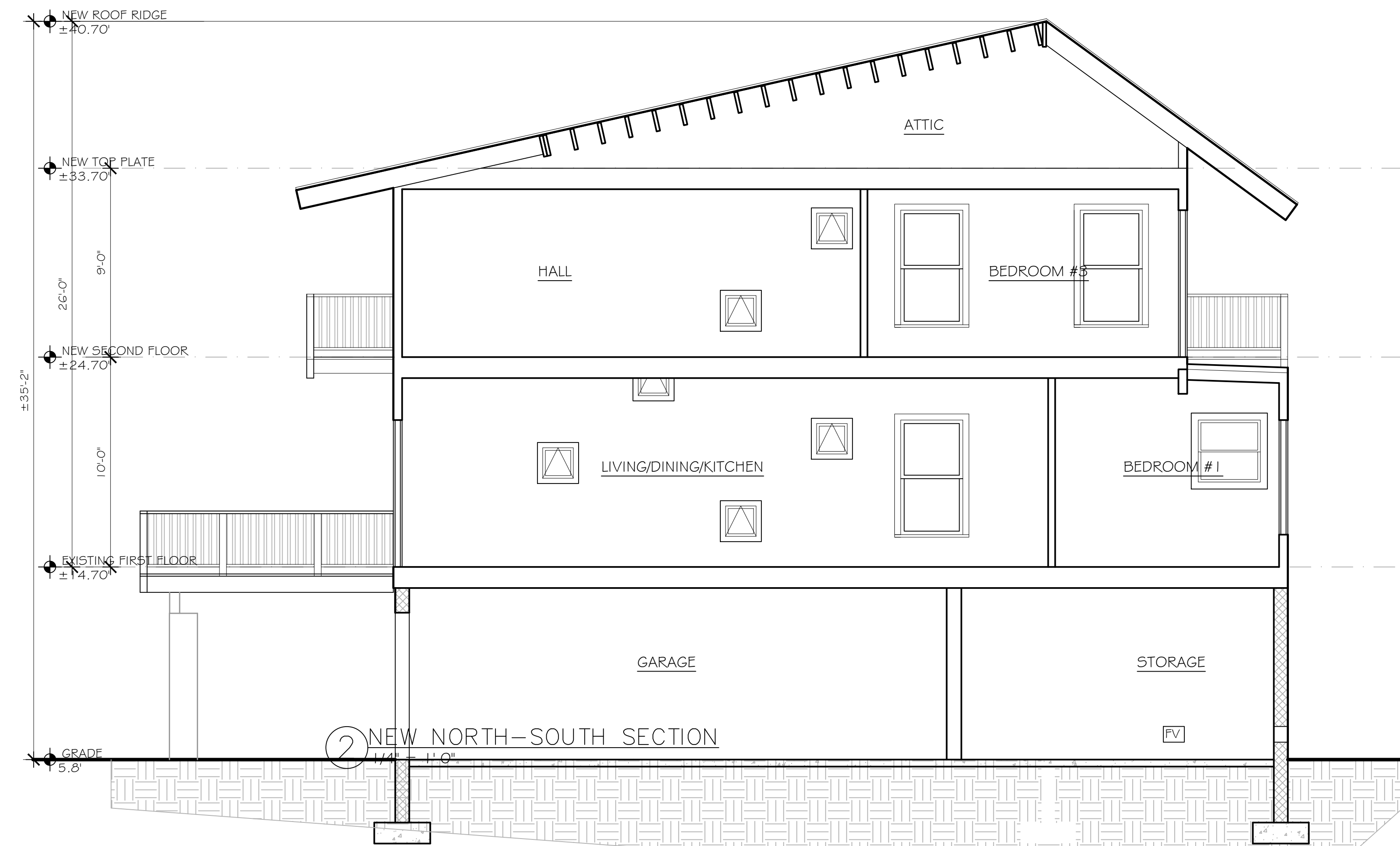
4 ROOF EDGE DETAIL
SCALE: 1" = 1'0"



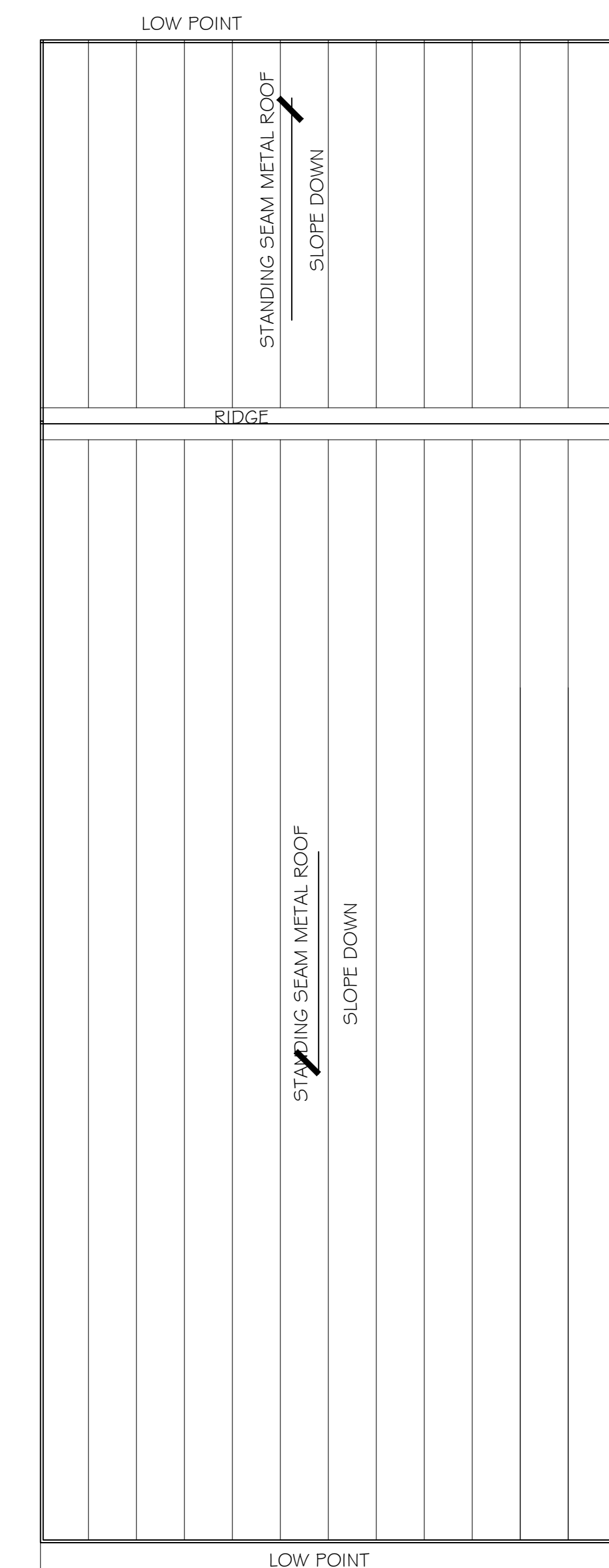
3 ROOF RAKE DETAIL
SCALE: 1" = 1'0"



2 ROOF LEDGER DETAIL
SCALE: 1" = 1'0"



6 PROPOSED BUILDING SECTION
1/4" = 1'0"



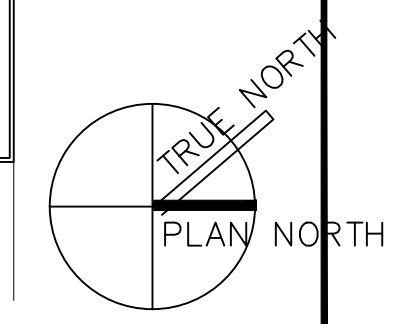
1 PROPOSED ROOF PLAN
1/4" = 1'0"

REVISIONS

DATE	COMMENTS

DRAWING NAME
PROPOSED ROOF PLAN & DETAILS

SIGN & SEAL		SCALE 3/16" = 1'0"
DATE		2018.10.08
PROJECT No.		46359
DRAWN BY Z.S.	CHECKED BY B.B.	
DRAWING X OF X		9 of 20
DRAWING NUMBER		A-203.00



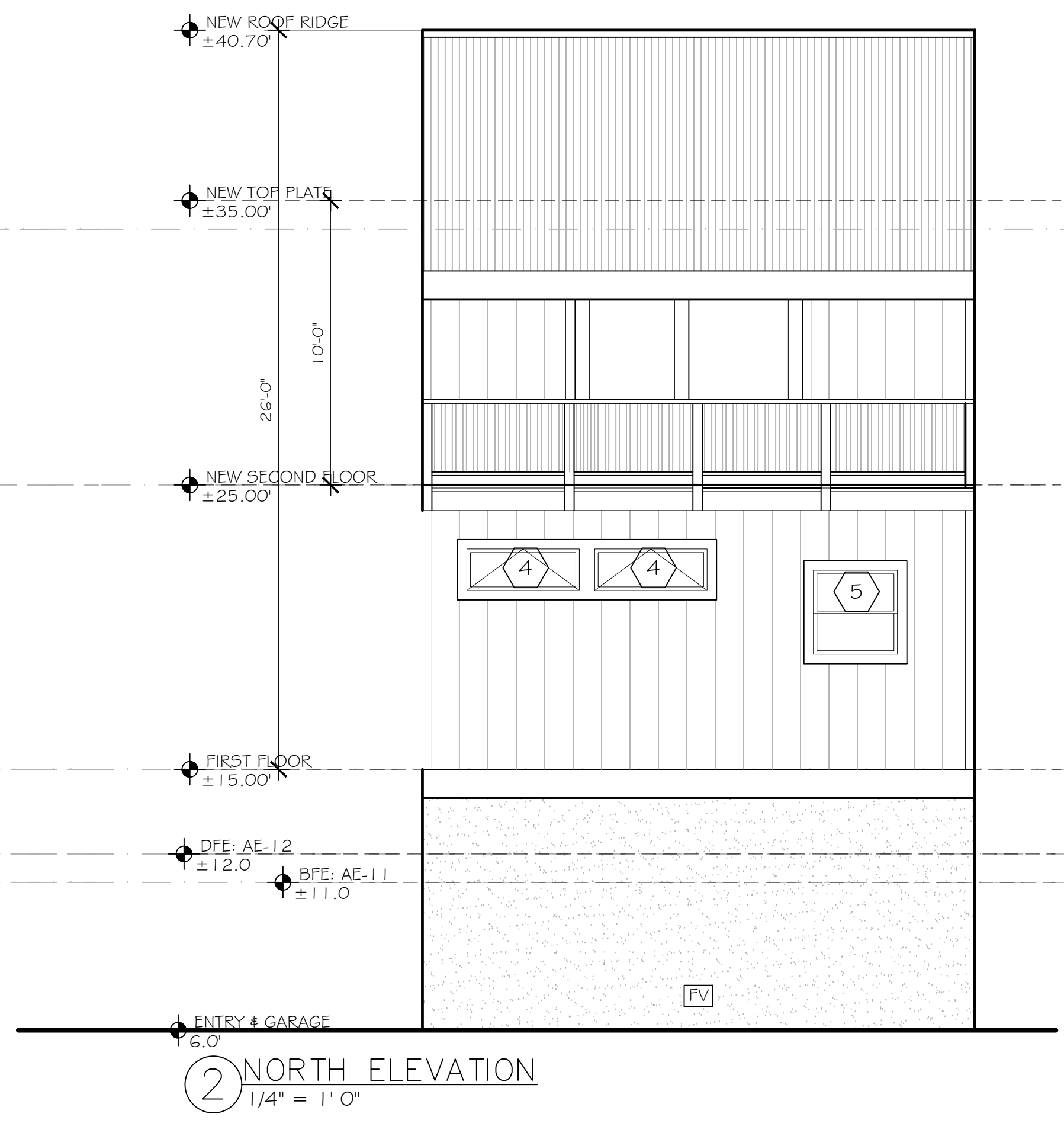
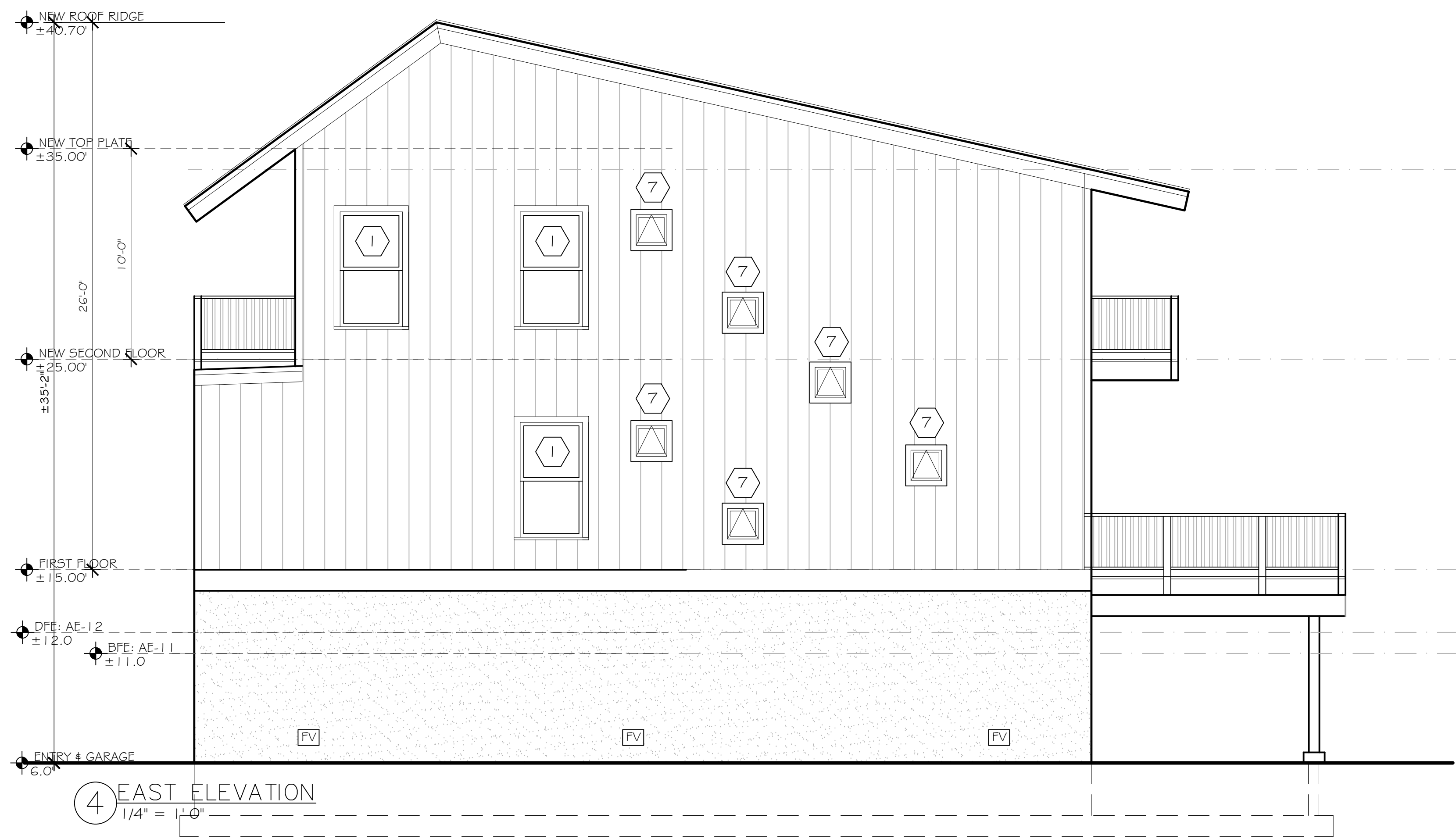
McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

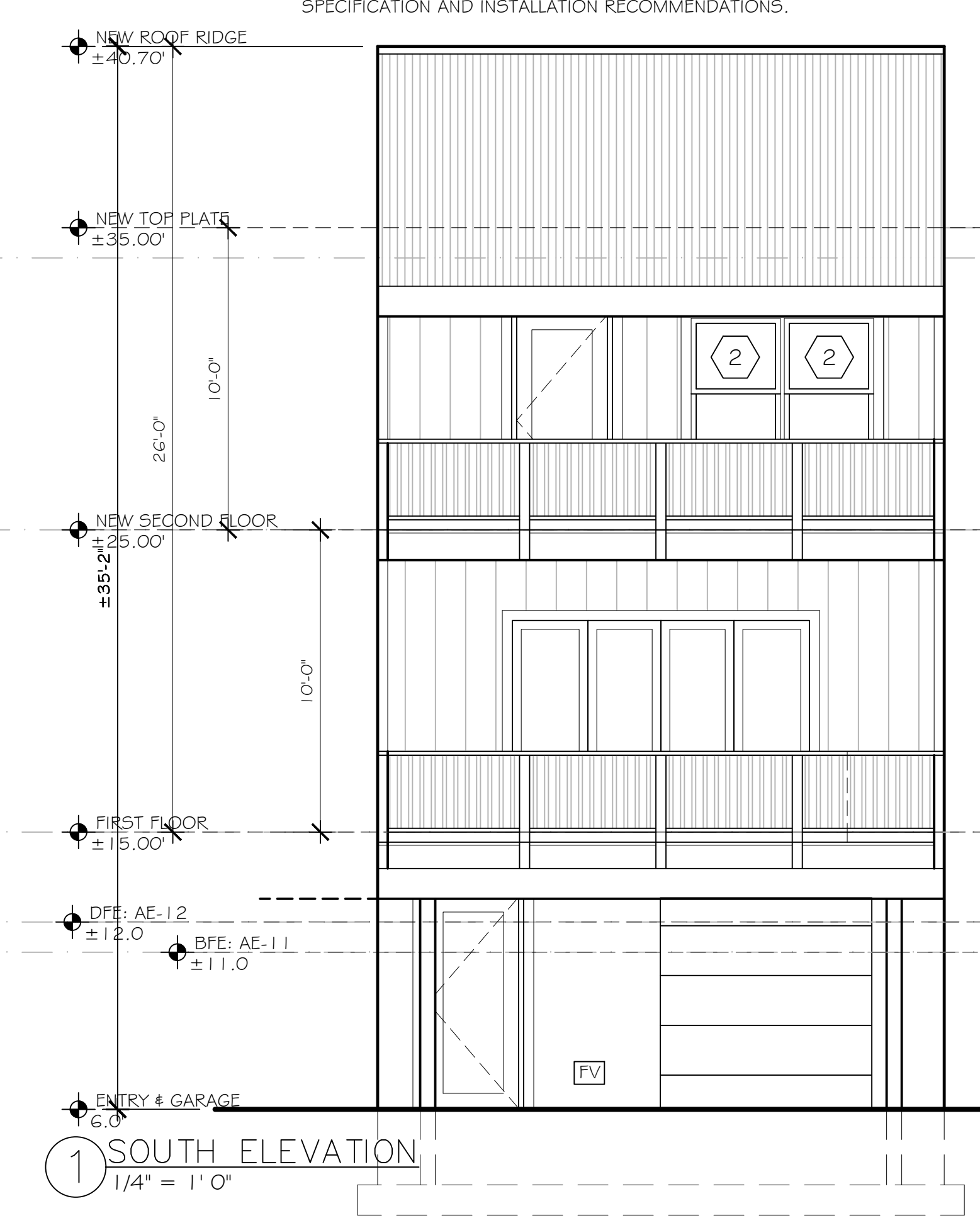
Renovations

ARCHITECT :

The Elevated Studio
359 Main Street, #1121
Beacon, NY 12508
646.759.7513 | info@theelevatedstudio.org



NOTE: ALL SIDING SHALL BE FIBS BOARD AND BATTEN BY JAMES HARDIE, INC. COLOR AS SELECTED BY OWNER, TYP. ALL ELEVATIONS. DETAILS SHALL BE BY MANUFACTURER'S SPECIFICATION AND INSTALLATION RECOMMENDATIONS.



REVISIONS

DATE	COMMENTS

PROPOSED EXTERIOR ELEVATIONS

SIGN & SEAL		SCALE	1/4" = 1'-0"
DATE		DATE	2022.10.29
PROJECT No.		PROJECT No.	4015-22
DRAWN BY	bb	CHECKED BY	BB
DRAWING X OF X		-	
DRAWING NUMBER		A-301.00	



2024 December 03

Ms. Nancy Tran
Land Use Board Secretary
Borough of Highlands
151 Navesink Avenue
Highlands, NJ 07732

RE: 43 Gravelly Point Road
Block 100, Lot 26.43
Borough of Highlands, Monmouth County, NJ

Dear Nancy,

We are in receipt of the engineer's letter on the referenced property dated 10/25/24. Please find in this letter our responses to the requests listed in their letter.

References to the engineer's letter specific comments are in **bold**.

1. The revised drawing set has been provided with a date of 2024.December 03 and stated in the title block;
2. The revised drawing set shows an architectural digital stamp in the title block;
3. **I.5:** The front yard setback is proposed as 9.73 feet as referenced on the proposed plot plan. Side yard setbacks are proposed as 3.0 feet on each side. The width of the building is 18.5 feet as shown on the design documents.
4. **VI.1:** A plot plan showing the proposed structure is provided on the design drawings. Additional information requested has been provided. The lawn and pavement areas to the north of Lot 26.43 are an impervious surface parking area for the apartment buildings to the north. We are not providing additional survey information in this submission as the Lot in question is at a lower elevation than the parcel to the north.
5. **VI.3:** The proposed first floor deck extends beyond the lot line in accordance with 21-86A.4.b(2)(a) for bungalow colonies. This is shown in the attached survey at the time of the purchase and sale of the property by the current homeowner. The adjacent



residences and their decks extending past the property lines are shown on the proposed layout plan [PM-102.00]

6. **VI.4:** Building height is provided on the Zoning Table [PM-102.00] and Exterior Elevations [A-301.00], which shows a height from the new first floor to the ridge of the roof as 26.0'. This is the information requested for the variance.
7. **VI.5:** The existing structure has been demolished in its entirety.
8. **VI.6:** Lot and building coverages are noted on the Zoning Table [PM-102.00].
9. **VI.7:** Refer to drawing PM-102.00 for proposed parking spaces, 1 covered in the garage, 1 un-covered on existing compacted soil.
10. **VI.8:** Refer to drawing PM-102.00 for surface material locations.
11. **VI.9:** Water runoff flows from the rear of the property to the front of the property. Refer to the plot plan on PM-102.00.
12. **VI.10:** Gutters and rain leaders are not provided. Rain dispersion system is proposed and noted on drawing A-203.00.
13. **VI.11:** Proposed utilities enter the property from Gravelly Point Road and are shown on the design drawings.

Should you have any questions or require further information, please do not hesitate to discuss with us at the telephone number below.

Sincerely,
The Elevated Studio

Brian Baer ra leed_ap ncarb
President and Executive Director

LIST OF ABBREVIATIONS

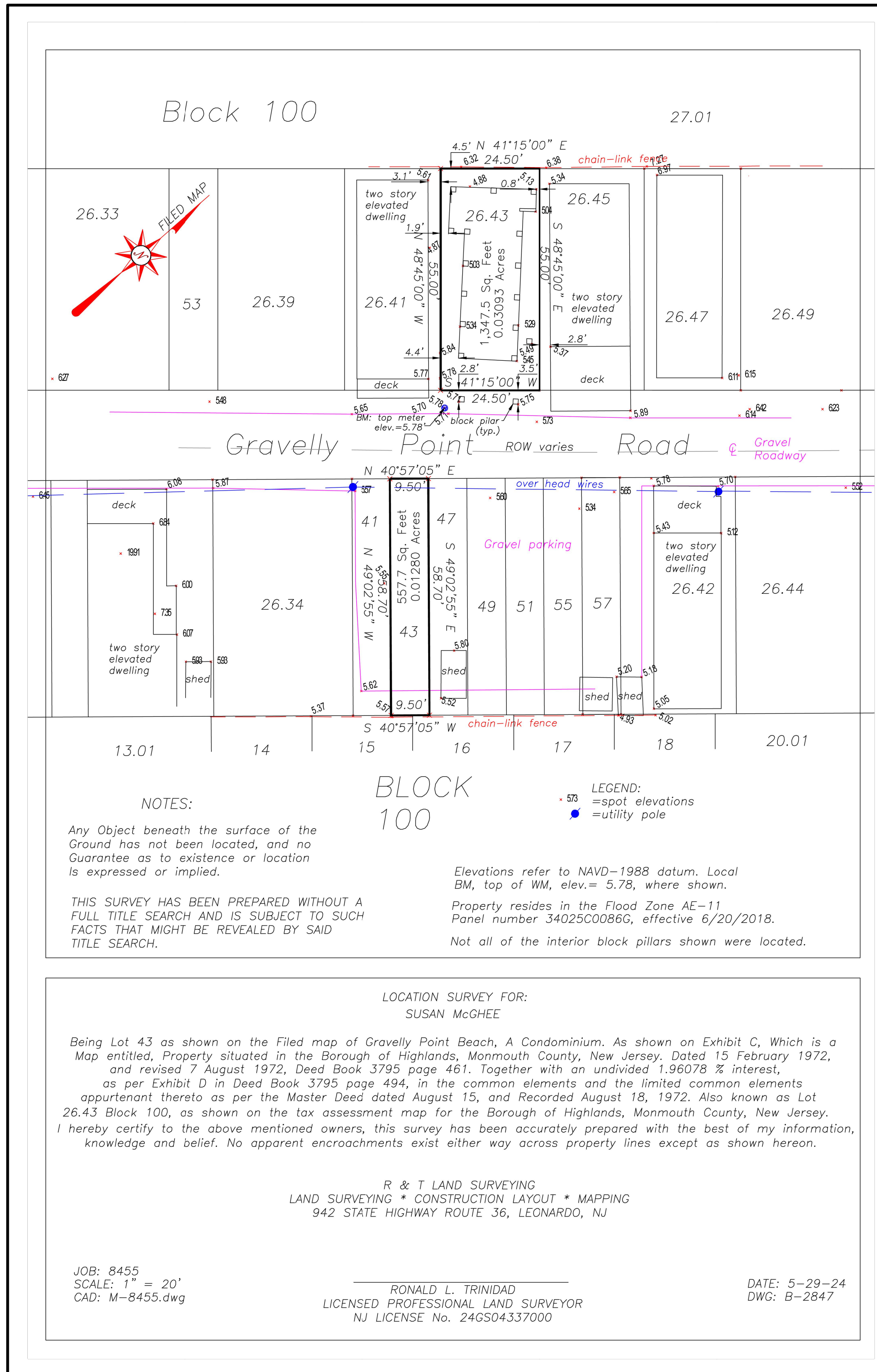
A A/C ACT AFF	AIR CONDITIONING ACOUSTICAL TILE ABOVE FINISH FLOOR	F FACP FD FFE	FIRE ALARM CONTROL PANEL FLOOR DRAIN FINISH FLOOR FINISH FLOOR ELEVATION	O OA OC OD OH OPPHAND OPP OSB	OVERALL ON CENTER OUTSIDE DIAMETER OVERHEAD OPPOSITE HAND OPPOSITE ORIENTED STRAND BOARD
ALT ALUM ANC BLT APPROX ARCH ASPH	ALTERNATE ALUMINUM ANCHOR BOLT APPROXIMATE ARCHITECT ASPHALT	FIN FG FLASH FLUOR FNDN FOC FOF FOM	FIBERGLASS FLUORESCENT FOUNDATION FACE OF CONCRETE FACE OF FINISH FACE OF MASONRY FACE OF STUD	P PL PLAM PL PR PT P.T. PTN PVC PLWD	PLATE PLASTIC LAMINATE PROPERTY LINE PAIR PAINT PRESSURE TREATED PARTITION POLYVINYL CHLORIDE PLYWOOD
BC BD BIT CONC	BRICK COURSE BOARD BITUMINOUS CONCRETE	FOS FP FTG FUR	FACE OF STUD FIREPROOFING FOOTING FURRING	R R RD REF REFURB RES REQ'D RH RM RO	RADIUS/RISER ROOF DRAIN REFRIGERATOR REFURBISH RESILIENT REQUIRED RIGHT HAND ROOM ROUGH OPENING
BLDG BLK BLKG BM BOTT BSMT	BUILDING BLOCK BLOCKING BENCH MARK BOTTOM BASEMENT	GA GALV GL GWB	GAUGE GALVANIZED GLASS GYPSUM WALL BOARD	S SCH SCWD SECT SF SIM SPEC SQ STOR STRUCT S/S SV	SCHEDULE SOLID CORE WOOD SECTION SQUARE FEET SIMILAR SPECIFICATION SQUARE STORAGE STRUCTURAL STAINLESS STEEL SHEET VINYL
CAB CH CIP CJ CL CLG CLOS CLR CMU	CABINET CEILING HEIGHT CAST IN PLACE CONTROL JOINT CENTER LINE CLOSET CEILING CLOSET CLEAR CONCRETE MASONRY UNIT	HC HD HDWR HM HOR HP HT HVAC	HANDICAP HEAVY DUTY HARDWARE HOLLOW METAL HORIZONTAL HIGH POINT HEIGHT HEATING, VENTILATING, AIR CONDITIONING	T T TEL THK TOS TOP TOW TP TYP	TREAD TELEPHONE THICKNESS TOP OF STEEL TOP OF PLATE TOP OF WALL TOILET PAPER TYPICAL
CNTR COL COMP CONC CONST CORR CPT CT	COUNTER COLUMN COMPOSITION CONCRETE CONSTRUCTION CONTINUOUS CORRIDOR CARPET CERAMIC TILE	ID INS INSUL INT	INSIDE DIAMETER INSULATION INSULATION INTERIOR	U UNO UNO	UNDERCUT UNLESS NOTED OTHERWISE
D D DIAG DIM DL DN DWG DW	DRYER DEMOLITION DIAGONAL DIMENSION DRAIN LEADER DOWN DRAWING DISHWASHER	L L LAM LAV LP	LENGTH LAMINATE LAVATORY LOW POINT	V VCT VERT VEST VF VPB VVB	VINYL COMPOSITION TILE VERTICAL VESTIBULE VERIFY IN FIELD VENEER PLASTER BASE VINYL WALL BASE
EA EF EJ ELEC ELEV EMER ENCL EP EQ EQUIP EXH EXIST EXP EXT EW	EACH EACH FACE EXPANSION JOINT ELECTRIC ELEVATION ELEVATOR EMERGENCY ENCLOSURE EPOXY PAINT EQUAL EQUIPMENT EXHAUST EXISTING EXPANSION EXTERIOR EACH WAY	M MAS MAX MC MECH MIN MIR MISC MO MS MTL	MASONRY MAXIMUM MEDICINE CABINET MECHANICAL MINIMUM MIRROR MISCELLANEOUS MASONRY OPENING METAL STUD METAL	W W W/ WB WC WD WF WP WP'G WS WWF	WASHER WITH WRITING (WHITE) BOARD WATER CLOSET WOOD WIRE FABRIC WORK POINT WATERPROOF(ING) WOOD STUD WELDED WIRE FABRIC
E E FAC FAC	EACH FACE EXPANSION JOINT ELECTRIC ELEVATION ELEVATOR EMERGENCY ENCLOSURE EPOXY PAINT EQUAL EQUIPMENT EXHAUST EXISTING EXPANSION EXTERIOR EACH WAY	NA NIC NOM NTS NO	NOT APPLICABLE NOT IN CONTRACT NOMINAL NOT TO SCALE NUMBER		

MATERIAL SYMBOLS

	EARTH
	POROUS FILL, GRAVEL
	CONCRETE
	BRICK MASONRY UNIT
	CONCRETE MASONRY UNIT
	RESILIENT TILE
	METAL (LARGE SCALE)
	METAL (SMALL SCALE)
	WOOD BLOCKING
	STRUCTURAL WOOD
	FINISH WOOD
	GLASS (SMALL SCALE)
	GLASS (LARGE SCALE)
	BATT INSULATION
	RIGID INSULATION
	BITUTHENE VAPOR BARRIER
	CERAMIC TILE
	GYPSUM WALL BOARD
	PLYWOOD
	TILE BACKER BOARD
	REMOVE EXISTING PARTITION
	EXISTING PARTITION TO REMAIN
	NEW PARTITION

GRAPHIC SYMBOLS

	BUILDING SECTION		REVISION MARKER
	BUILDING DETAIL		SEALANT JOINT
	PARTITION TYPE		TOILET ACCESSORY
	WINDOW TYPE		ALIGN SURFACES
	DOOR NUMBER		INTERNATIONAL SYMBOL OF ACCESSIBILITY
	ROOM NUMBER		DOOR TYPES
	INTERIOR ELEVATION		EXISTING DOOR
	ELEVATION MARKER		NEW DOOR



McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

Renovations

ARCHITECT :

The Elevated Studio
359 Main Street, #1121
Beacon, NY 12508
646.759.7513 | info@theelevatedstudio.org

REVISIONS

DATE COMMENTS

2024.DEC.03 LUB SUBMISSION

DRAWING NAME
GENERAL PROJECT INFORMATION

SIGN & SEAL

SCALE	N/A
DATE	2022.10.13
PROJECT No.	4020-22
DRAWN BY	-
CHECKED BY	B.B.
DRAWING X OF X	2 OF 20
DRAWING NUMBER	G-101.00



McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

Renovations

ARCHITECT :

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359 Main Street, #1121
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REVISIONS

DATE	COMMENTS
2024.DEC.03	LUB SUBMISSION

Installed in locations as per the approved construction drawings. See component specifications for details.

DRAWING NAME

PROJECT MANUAL

SIGN & SEAL

SCALE	
N/A	
DATE	
2022.10.13	
PROJECT No.	
4020-22	
DRAWN BY	CHECKED BY
-	B.B.
DRAWING x OF x	
2 of 20	
DRAWING NUMBER	
PM-101.00	



Framing

The scope of work may include but is not limited to the furnishing, installing and testing to industry standards, local building codes and good construction practices the following items: Floor Joists, Exterior Studs, Interior Studs, Hold Downs, Top Plates, Bottom Plates, Sill Plates, Header, Door Framing, Window Framing, Ceiling Joists, Trusses, Rafters, Decking, Sheathing and Fire Rated Separation Work.

- Flooring and Ceiling Joists

Unless otherwise specified on construction plans, floor and ceiling structural framing will be no larger than 2" x 10" and are to be installed where slab on grade floors exist.

- Interior and Exterior Studs

Stud walls : To be erected as per the approved building plans and meet all municipality requirements.

- Sheathing and Fire Rated Separation Work

3/4" floor sheathing will be installed for all new floor systems.

1/2" sheathing will be installed for:

Underside protection for open foundation systems.

Roof underlayment.

Hurricane window protection.

Fire rated sheathing or siding must be installed on exterior walls that are within 5' of a neighboring property line.

Fire rated sheathing will be installed for new chimney box outs.

- Trusses and Rafters

To be installed as per the approved construction drawings.

- Headers, Door Framing, Window Framing

To be installed as per the approved construction drawing details.

- Decking, Top and Bottom Plates, Sill Plates

New wood decks are not permissible.

All framing components and deck sheathing will be installed as per the approved construction drawings and meet all applicable local municipality requirements.

- Corner Hold Downs

Corner hold downs are required at each wall corner of the dwelling.

Roofing

The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Standing Seam metal Roofing, accessories, flashings, fasteners, and the like, Decking, Felt, 30# Underlayment, radiant barrier sheathing, Ice and Water Shield, Flashing, Roof Accessories and Roof Strapping.

- Standing Seam Metal Roofing, Decking, Felt, 30# Underlayment, Ice and Water Shield, Flashing, Roof Accessories

- Piers

See component specification for details

- Roof Strapping

Roof strapping to be installed as per the details in the approved construction drawings and meet all applicable local building codes.

Roof venting accessories installed as per the construction drawing details see component specifications for details.

Roof venting must meet all applicable local building codes.

Finish Details and Items

The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Vanity Mirror, Hardware, Bathroom Accessories and Bathroom Accessibility Grab Bars.

Installed in locations as per the approved construction drawings. See component specifications for details.

Doors and Windows

The scope of work may include but is not limited to the furnishing, installing and testing to industry standards, energy star, local building codes and good construction practices the following items: Interior Doors, Interior Door Knobs, Exterior Doors, Exterior Doorknobs, Exterior Door Deadbolts, Storm Doors, Windows and Screens and Flashing.

Doors and windows to be installed as per the approved building plans and meet all applicable local municipality requirements.

All finished hardware shall be fitted with "lever" style handles for all swinging doors. See component specifications for details.

Exterior Siding:

Shou Sugi Ban finish process on hickory continuous plank siding. Bevel-lap horizontal siding with 4" exposure that meets AWI Standards for exterior horizontal siding. All vertical and horizontal door, window and transitional trim shall be a minimum of 3/4" in thickness, 4" in width.

grade.

Filling in the area of buried fuel tanks/septic tank that will be removed.

Filling a 3' wide x 3' depth around the foundation perimeter.

French drains and exterior swales are excluded.

Retaining walls are excluded unless otherwise approved by the program.

Accessibility

- HVAC Platforms

HVAC platforms will be the same size and assembly as landings, and will be built to the base flood elevation plus freeboard requirement and be stair accessible.

Platforms will not be constructed for in window air conditioning units

Deep foundations are not required for HVAC platforms

- Meter Reading Platforms and Weatherheads

Meter reading platforms will be the same size and assembly as landings, and will be built to the base flood elevation plus freeboard requirement and be stair accessible.

Deep foundations are not to be installed with any newly built meter reading platforms.

Flood Openings

Flood openings are required for closed wall foundation designs.

Flood openings must meet a requirement of 1 square inch per each 1 square foot of building footprint.

Flood vent installation must meet all FEMA and state building code requirements.

Design is based upon SmartVent products and installed as required by the manufacturer's specifications and recommendations.

Where shown on the construction drawings, provide:

Flood vent model: 1540-520 in foundation walls

Flood vent model: 1540-524 in overhead garage doors, one per door.

Coastal V and Coastal Hazard A (Limited Moment Wave Action (LIMWA) Flood Zones

Open and deep foundation systems are the only systems allowed in V zones, per FEMA guidelines.

- Concrete Grade Beams and Pile Caps

Open systems in these zones will disperse oncoming hydrodynamic and wind forces, and support the loading of the structure.

Piers are to be designed to diminish the occurrence of erosion.

Shallow foundations alone will not be permitted in these zones.

Pile depth and spacing will follow the same guidelines as 5.6.2.

Reinforced continuous concrete pile caps or grade beams will be required around the entire perimeter and the interior of the structure connecting all exterior and interior piers.

Pile caps or grade beams will connect the interior pier system to the perimeter systems no larger than a ratio of 1:1 of the linear length of the building perimeter, unless otherwise specified on the construction plans.

The ratio of grade beam length will not be exceeded unless the dimensions of the grade beams profile are reduced to keep the concrete quantity total in proportion to the building perimeter. This additional interior support will add weight to the structure, prevent overturning, and add lateral reinforcement.

- Concrete / Masonry Walls

Concrete or masonry closed wall foundation systems are not permitted in these zones.

- Piers and Columns

Piers and columns will follow same guidelines as section 5.3.

- Girders and Beams

Girder systems in these zones will be comprised of steel members to minimize any possible failure due to excessive moments from winds or floods, but is not to exceed a size of W10x22, unless otherwise specified on the construction plans.

Traditional lumber material may be used only when approved by the design professional.

- Deep Foundations

Pile depth and spacing will follow the same guidelines as section 5.6.2.

- Termite Treatment

Termite treatment will follow the same guidelines as section 5.5.

- Framing Strapping

Framing strapping will follow the same guidelines as section 5.7.

- Flood Vents

Flood vents are not be required in V Zones.

The architect makes no guarantees, warranties or any other confirmation or certification of the quality, completeness, longevity, code compliance, accuracy or adherence to these or other drawings and specifications. If required by the building department or other governing body or agency, the architect may at his discretion observe and certify the conditions of the Work. It shall be noted that these certifications are based on the architect's opinion only, and does not relieve the Contractor of its obligation to complete the work and its approval by the jurisdiction having authority.

General Conditions

The following is a list of items included in General Conditions: Project Management, Overhead and Profit (including but not limited to: mobilization, bonds, office, invoicing, management, insurance, compliance with contractual reporting requirements, hiring and sub-contracting costs, maintenance and guarantee, overtime and safety), Contractor Vehicles, Safety, Site Security (6' chain link panelized construction fence - National fence or equal in place prior to the start of construction operations.), Temporary Facilities and Services (Porta-John with pump out service quantity of units and frequency of service as per the manufacturer to accommodate the crew size, Temporary Protection, Temporary Utilities, and General Site Requirements such as trailers, tools and consumables, equipment and rentals, dumpster and disposal fees, scaffolding up to 10 feet, reproduction costs, and protection of finished work. The above items are to be included in the general conditions of the project and shall meet all local and state building code requirements.

Damages to existing structures, equipment, appliances, or fixtures caused by the contractor's error, omission, or negligence will be replaced in equal grade at the contractor's expense.

Liquidated Damages

In the event the Contractor shall fail to complete the Work within the time fixed for such completion in the Work Order, plus authorized time extensions, or if the Contractor, in the sole determination of the Client and Architect, has abandoned the Work, the Contractor shall pay to the Client a sum in the amount of \$250 per day.

Demolition/Excavation and Grading/Backfill/Drainage

The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Demolition, Excavation, and Backfill. 3 business days prior to demolition and excavation operations one call (811 or equivalent) must be notified for sub surface utility mark outs.

- Demolition

Demolition scope may include, but is not limited to:

Reinforcement in concrete.

Wooden decks or landings attached to the dwelling.

Concrete steps, walls, or platforms attached to the dwelling.

Drywall, base molding, wall insulation, electrical rough-ins and finishes, trim and wall finishes, plumbing rough-ins, plumbing finishes, etc. for slab on grade homes or the presence of mold or corrosion.

Damaged mechanical rooms attached to the dwelling, where required.

Brick facades.

Existing footings, piers, and foundation walls.

Brick or masonry chimneys.

Existing floor slabs.

Foundation walls comprised of either masonry, CMU, or concrete.

Mechanical and electrical systems

Concrete sidewalks or portions of driveways around the structures perimeter

Roofing and siding materials windows and all typical building components etc.

- Excavation and Grading

Excavation : The excavation area is 3' width x 3' depth excavation around the existing foundation perimeter to allow for equipment access, and is provided for in the general conditions, which includes concrete or asphalt/bitumen walkways, sidewalks, patios, and/or driveways.

If unforeseen site conditions are encountered during excavation, such as previously undisclosed fuel tanks, buried piles, septic tanks, etc. a request for scope change should be initiated for the work.

Grading : Grading will be angled away from the foundation.

Grading will follow NJS building code 401.3.

- Backfill

Backfill material will be clean, certified fill.

Locations of backfill include:

Filling in basements, spilt levels, and crawlspaces up to

This Project is governed by the most current edition of the New Jersey State Residential Building Code, including its appendices and references and manuals. The information in this contract documentation includes tables, criteria, references and guidelines set forth in that Code. The Contract shall make themselves familiar with this current edition as it relates to the completion of the Work.

- The contractor shall verify all details and dimensions before proceeding with the work: Notify architect of any discrepancies before proceeding.
- The Contractor will apply for and pay for the Building Permit. Related sub trades will apply and pay for respective permits.
- The engineering design of Plumbing, Heating, Ventilation and Electrical systems are the responsibility of the contractor or his sub-contractors in accordance with all governing codes and requirements of authorities having jurisdiction over the project. The design of all systems shall provide for optimum human comfort and usability consistent with the overall quality of the Project, to the satisfaction of the Owner and the Architect. The adequacy of the heating systems and electrical systems must be determined prior to the beginning of the work of these trades. The Contractor shall submit a layout of all ducts, louvers, radiation and equipment to the Architect. Where required for approvals of officials having jurisdiction over the Project, provide design drawings, calculations and other information necessary to demonstrate conformance with requirements, including any professional certifications and seals of professional engineers qualified to provide such services. The Contractor will be responsible for all coordination with site and structural drawings; and mechanical, plumbing and electrical layouts.
- The contractor will be responsible for the patching and repair of any trim, flooring, walls or ceilings disturbed by any aspect of the work.
- All work shall comply with all applicable federal, state and local codes.
- The Contractor shall maintain the site neat and debris free. The Contractor shall maintain adequate dumpsters on the site for the duration of the work and properly dispose of all debris. No construction debris or excess excavation material will be left on or buried on the site. No burning of material will be permitted on the site.
- The Contractor will be responsible for the patching and repair of any damage caused to the existing roadway, driveway curbs and plantings, on site, public r.o.w, or adjacent property.
- All dimensions shall be verified in the field, and any discrepancies are to be reported to the architect for resolution before proceeding with the affected work. All dimensions, unless otherwise indicated, are to face of stud or concrete.
- Unless otherwise noted, details shown on drawings are to be considered typical for similar conditions.
- The drawings are intended to describe and provide for the completed construction including all labor and materials necessary to produce such construction; what is called for by the drawings shall be complete in every detail, notwithstanding whether or not every item necessarily involved is particularly mentioned. Where discrepancies occur, the most stringent requirements shall govern.
- Contractor to arrange for all required inspections. Contractor to obtain and provide to the Owner a Certificate of Occupancy from the Building Department.
- Contractor to close off all openings between work areas from areas of the premises occupied by the Owner at all times during construction. Barriers shall be adequate to prevent all dust and objectionable matter from passing from work areas to Owner occupied areas.
- A pre-demolition asbestos survey was performed by the Program prior to bid, the findings of which are included in the notes on the bid document demolition drawings. Where asbestos abatement is noted, the environmental contractor is required to follow all federal, state, and local asbestos abatement regulations. The Program requires all work to be performed using EPA lead safe practices.
- Damages to existing structures, flatwork, or landscaping, not being removed for the construction of the new home, and due to contractor negligence will be replaced in equal grade at the contractor's expense.
- Install a 6 foot chain link panelized construction fence prior to the start of construction operations around the property with a 6 foot by 12 foot gate from the street.
- Post all emergency contact information on the site.
- Provide a copy and post on site, all required permits and approved construction drawings.
- The contractor is responsible for final grading around the new home and shall provide contractor grade grass seeding prior to issuance of certificate of occupancy.
- ResCheck and HERS rater documents are issued as separate documents to these construction drawings.

The Architect shall not be responsible for any of the work or other obligations of the contractor. The architect shall not be responsible for the quality or performance of any construction, construction methods, contractor, materials, material assemblies, equipment, method of operation, the timely completion or start date of any work, or the safety precautions or procedures of the project, on the site, within the vicinity of the project or for any related activities or materials en route to the project.

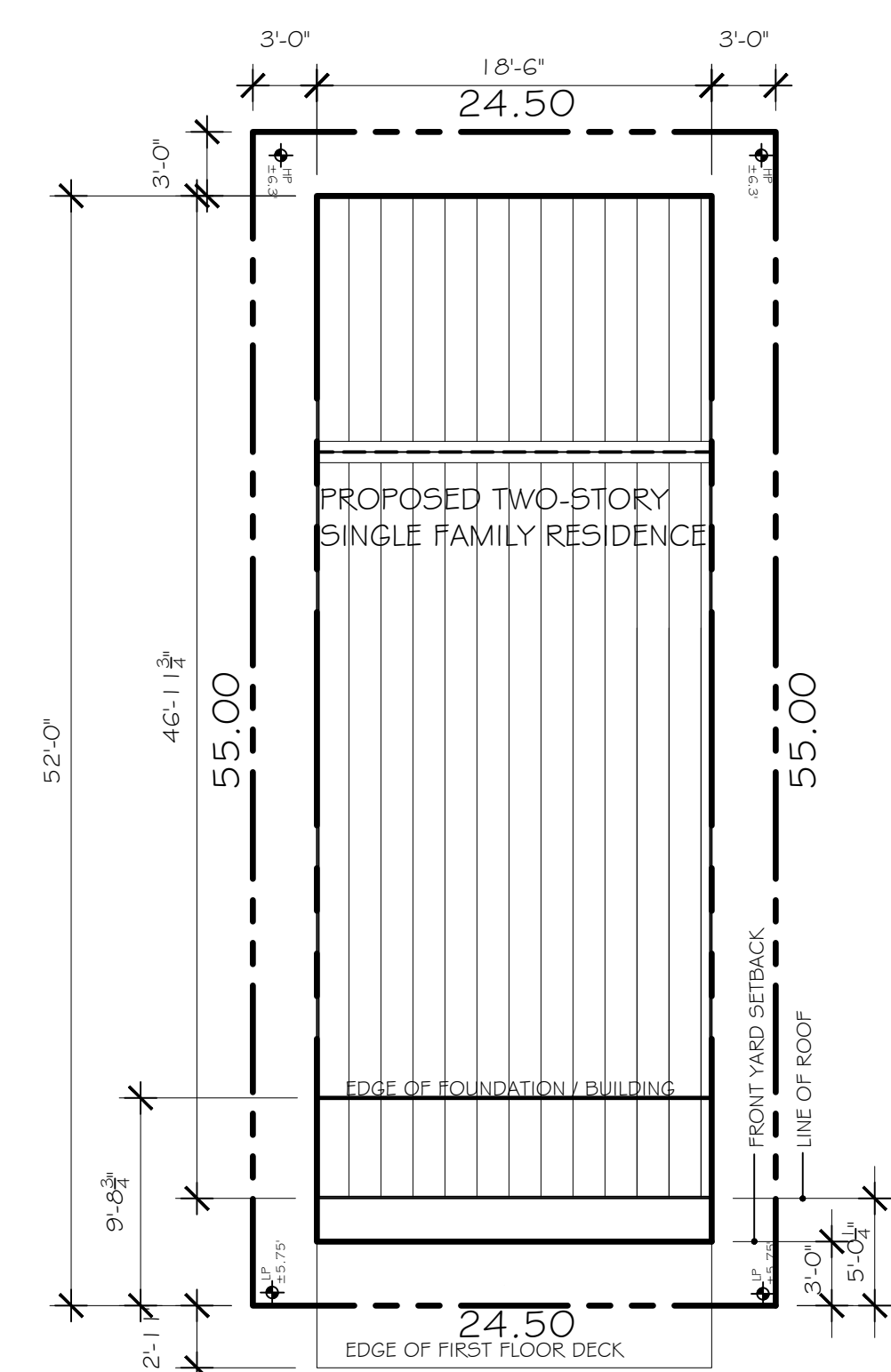
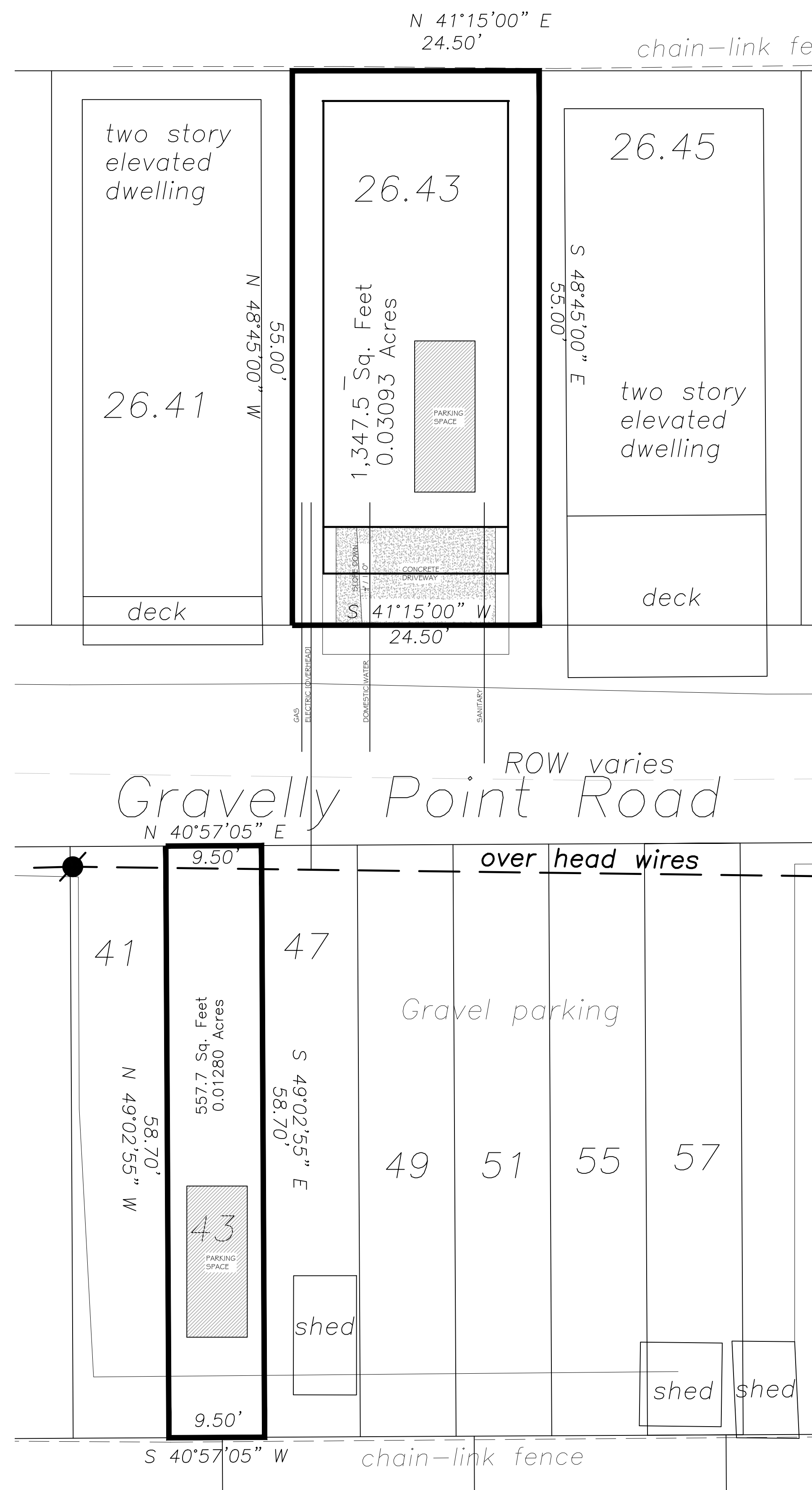
The contractor(s) shall be responsible for adequately bracing and protecting all work during construction against damage, breakage, collapse, distortion and misalignment.

McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

Renovations

ARCHITECT :
The Elevated Studio
359 Main Street, #1121
Beacon, NY 12508
646.759.7513 | info@theelevatedstudio.org



REQUIREMENT	R-2.03 RESIDENTIAL ZONE	BUNGALOW COLONIES REQUIRED	EXISTING LOT 26.43 BUNGALOW COLONIES	PROPOSED LOT 26.43 BUNGALOW COLONIES
MIN. LOT AREA (SF)	5,000	5,000	1,347.50	1,347.50
LOT FRONTAGE/WIDTH (FT)	50	50	24.50	24.50
MIN. LOT DEPTH (FT)	100	100	55.00	55.00
MIN. FRONT YARD SETBACK (FT)	20	3	-	9.73
MIN. SIDE YARD SETBACK (FT)	6 / 8	3	-	3 / 3
MIN. REAR YARD SETBACK (FT)	20	3	-	3
MAX BUILDING HEIGHT (FT)	30	20	-	26.00
MAX LOT COVERAGE	75%	75%	-	71.4% INCLUDES DECKS
MAX BUILDING COVERAGE	30%	35%	-	64.5% INCLUDES ROOF
ON-SITE PARKING (SPACES)	2	1	-	2 ON-SITE, 1-COVERED 1-UNCOVERED
BASE FLOOD ELEVATION	-	-	AE-1.1	AE-1.1
DESIGN FLOOD ELEVATION	-	-	AE-1.2	AE-1.2
FIRST OCCUPIED FLOOR ELEVATION (FT)	-	-	-	15.0

- **Flashing**
Flashing will be installed for all new window and door installations

Insulation
The scope of work includes but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following residential payment items: Wall Insulation, Ceiling Insulation, Floor Insulation and Vapor Barrier.

- **Wall Insulation**
Newly installed walls will receive R-19 rated insulation. Unless otherwise noted on the approved drawings.

- **Ceiling Insulation**
Ceiling insulation to be installed as per the approved construction drawings and meet all local building code requirements. R-30

- **Floor Insulations**
Newly installed floors will receive R-30 rated insulation. Unless otherwise noted on the approved construction drawings.

- **Vapor barrier**
Vapor barriers will be installed to meet all applicable local building codes.

Exterior Surfaces
The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Siding, Soffit, Fascia, Trim, House Wrap, Skirting, Masonry and Stucco.

See component specifications and the approved construction drawings for details.

Interior Surfaces
The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Drywall

- **Drywall**
Drywall to be installed as per the approved construction drawings. And meet all local code requirements. Drywall installation will include hanging, taping, floating and sanding. All exposed surfaces in living spaces to receive a level 4 finish. Drywall in mechanical spaces and fire separation between garage/living spaces to be 5/8 type x fire rated panels. All installations to meet local building code requirements

Finish Carpentry
The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Trim Carpentry.

All interior finish trim to be installed as per the approved construction drawings. All material to standard builder's grade. See component specification for details.

Cabinetry
The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Base Cabinets, Upper Cabinets, Counter Top and Bath Vanity.

Cabinetry to be installed as per the approved construction drawings. See component specifications for details and standard of quality.

Appliances
The scope of work may include but is not limited to the furnishing, installing and testing to industry standards, energy star, local building codes and good construction practices the following items: Kitchen and bathroom appliances, general home appliances.

Appliances to be installed in locations as per the approved construction drawings. The list of appliances by Frigidare and specified in this set of drawings is:
30" Refrigerator: FFTR2021QS
24" Dishwasher: FFID2423RS
30" Microwave: FFMV164LS
30"Range: FFGF3053LS
25" Sink: D125213 by Elkay
Faucet: 21987LF-SS by Delta

Flooring
The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Carpet, Vinyl Floor, Laminate Wood and Transition Strips

Flooring to be installed as per the approved construction drawings. Laminate, vinyl, standard carpeting are acceptable finishes.

Paint
The scope of work may include but is not limited to the furnishing, installing and testing to industry standards and good construction practices the following items: Interior Paint, Exterior Paint. (Low/No VOC adhesives and sealants).

Drywall finishes to receive 1 coat of primer and 2 finish coats of paint flat finish unless otherwise noted. See component specification for details
Interior trim to receive 1 coat of primer and 2 finish coats of paint finish to be semi-gloss unless otherwise noted. See component specification for details.

3 PROPOSED LAYOUT PLAN
SCALE: 1/8"=1'-0"

2 ZONING TABLE
NTS

REVISIONS

DATE	COMMENTS
2024.DEC.03	LUB SUBMISSION

PROJECT MANUAL ZONING INFORMATION

SCALE: N/A

DATE: 2022.10.13

PROJECT No: 4020-22

DRAWN BY: - CHECKED BY: B.B.

DRAWING x OF x: 2 OF 20

DRAWING NUMBER: PM-102.00

133

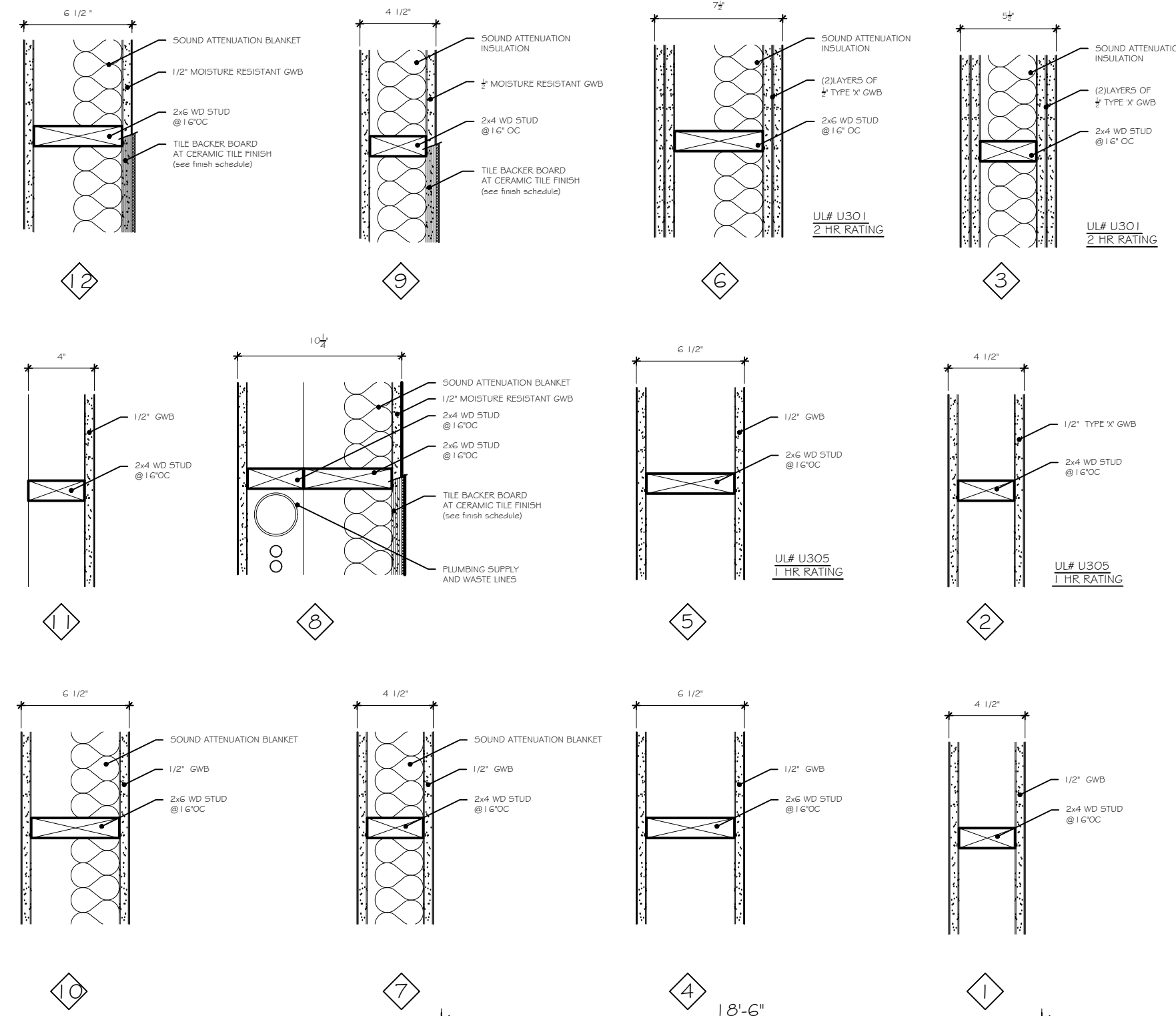
McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

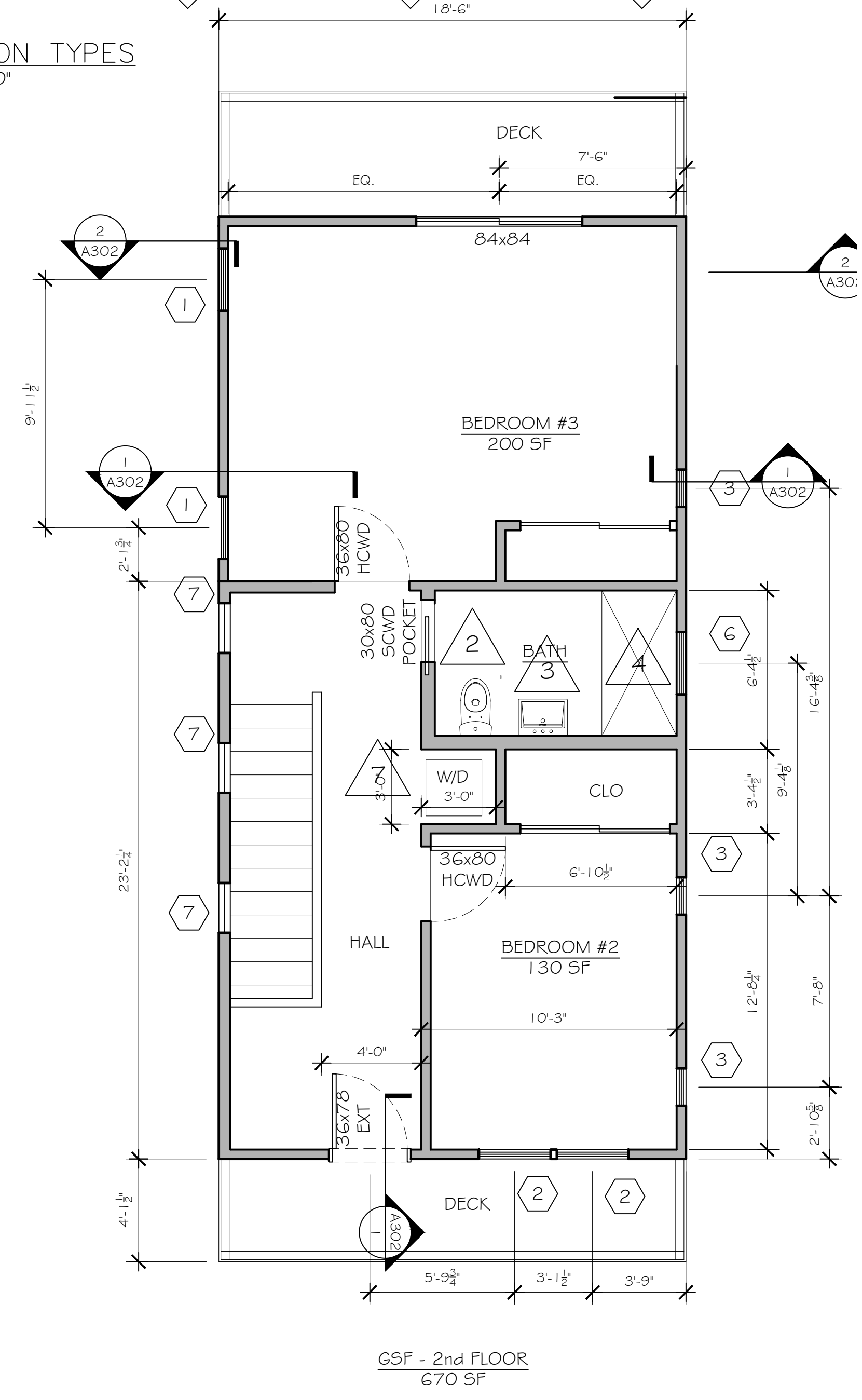
Renovations

ARCHITECT :

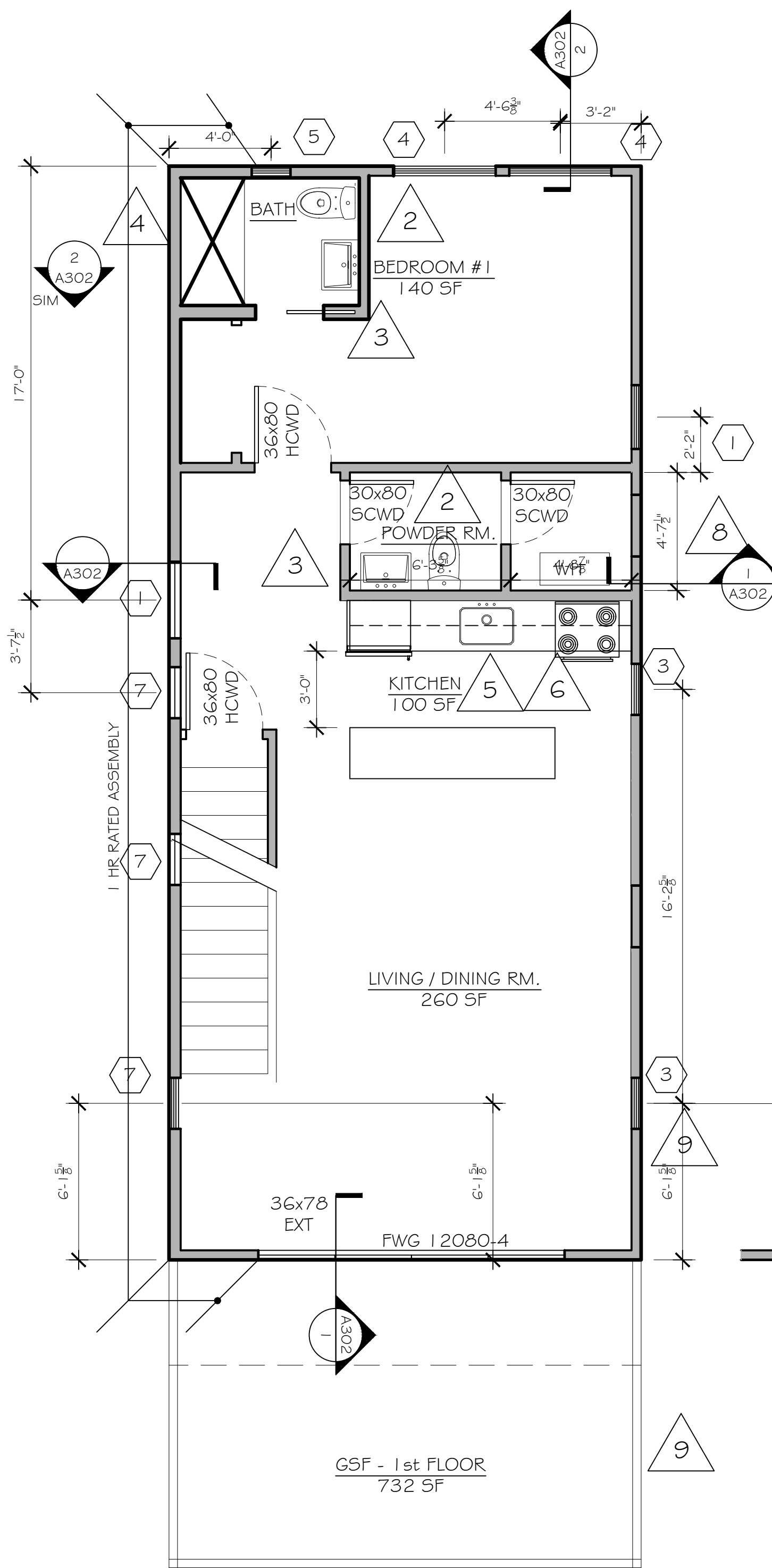
The Elevated Studio
359 Main Street, #1121
Beacon, NY 12508
646.759.7513 | info@theelevatedstudio.org



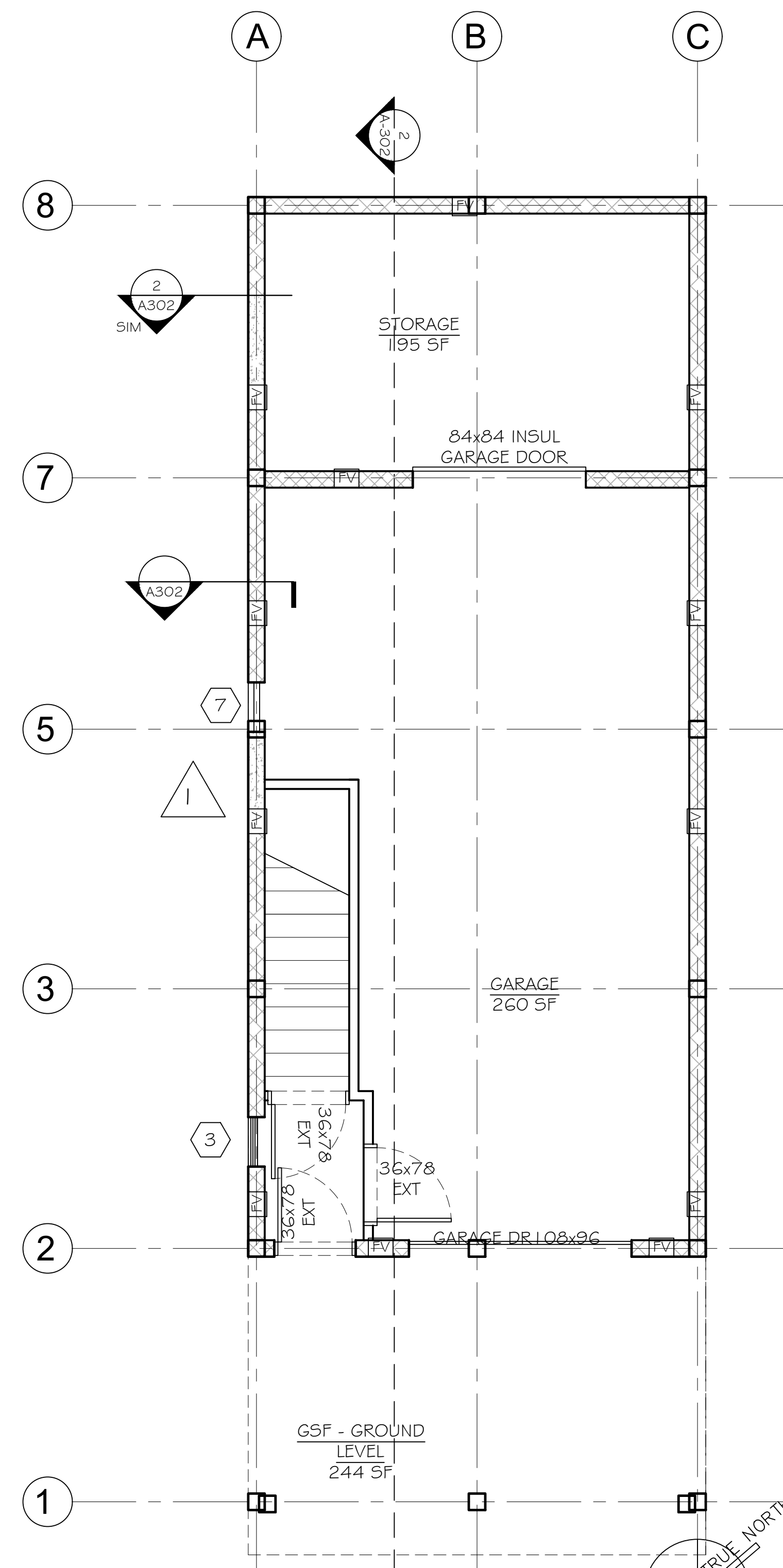
4 PARTITION TYPES
1/2" = 1' 0"



3 NEW UPPER LEVEL PLAN
1/4" = 1' 0"



2 NEW MAIN LEVEL PLAN
1/4" = 1' 0"



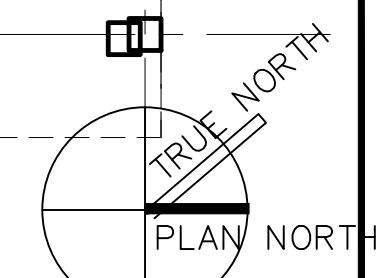
1 PROPOSED LOWER LEVEL
1/4" = 1' 0"

REVISIONS

DATE	COMMENTS
2024.DEC.03	LUB SUBMISSION

DRAWING NAME
PROPOSED FLOOR PLANS

SCALE	AS NOTED
DATE	2022.10.29
PROJECT No.	4020-22
DRAWN BY	CHECKED BY
DRAWING X OF X	B.B.
DRAWING NUMBER	A-201.00



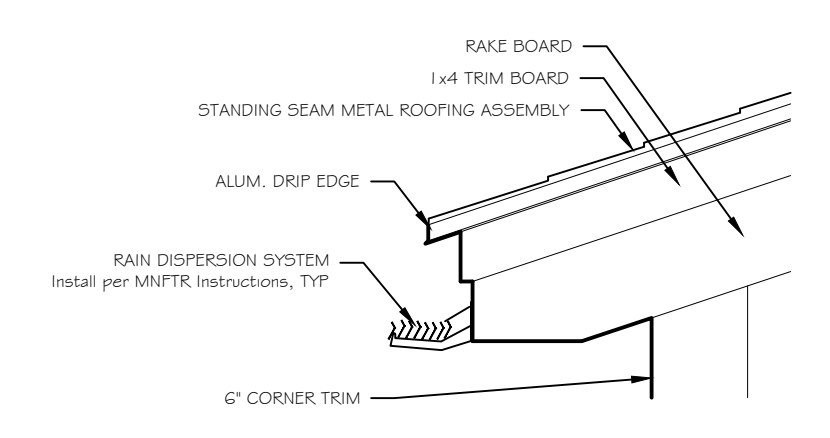
McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

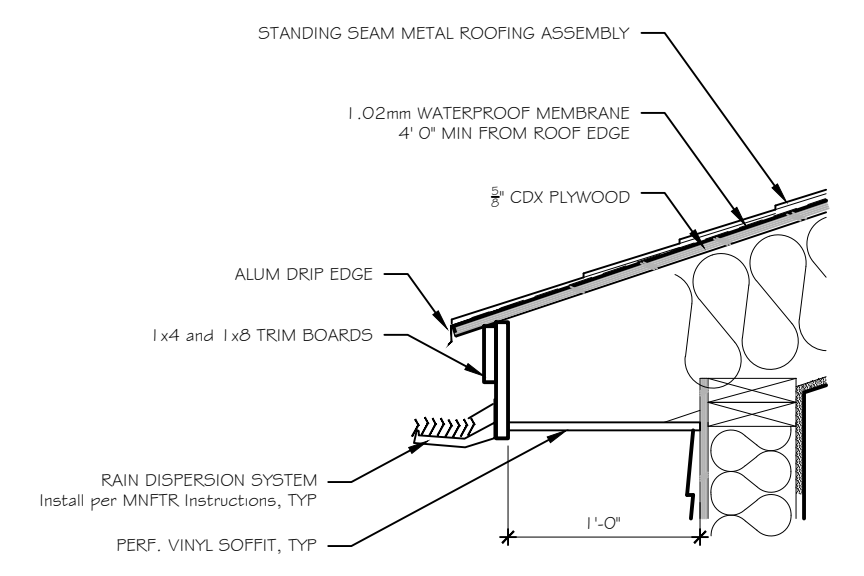
Renovations

ARCHITECT :

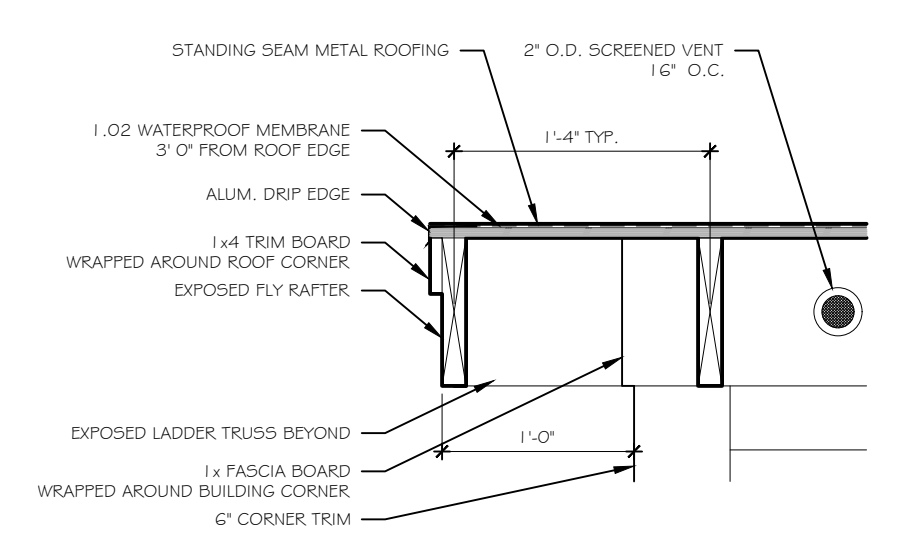
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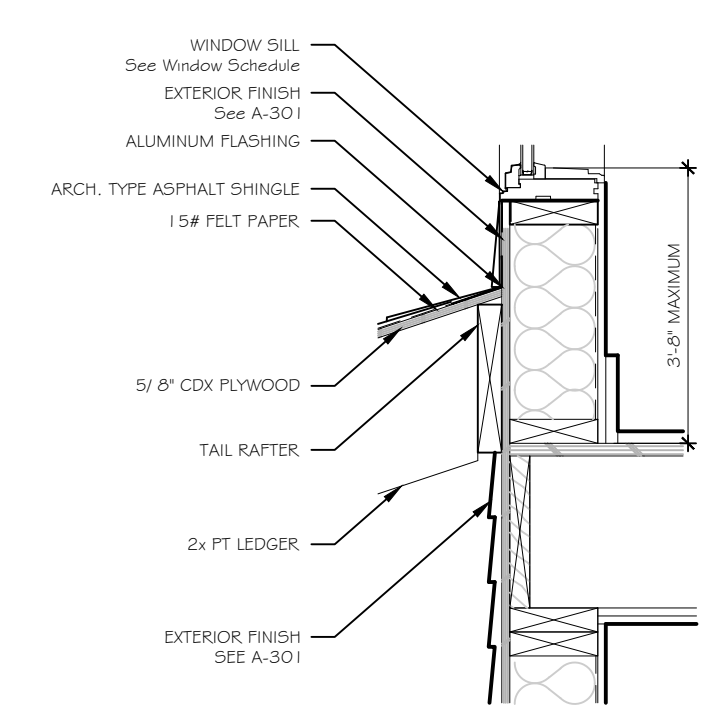
5 ROOF RAKE DETAIL
SCALE: 1" = 1'0"



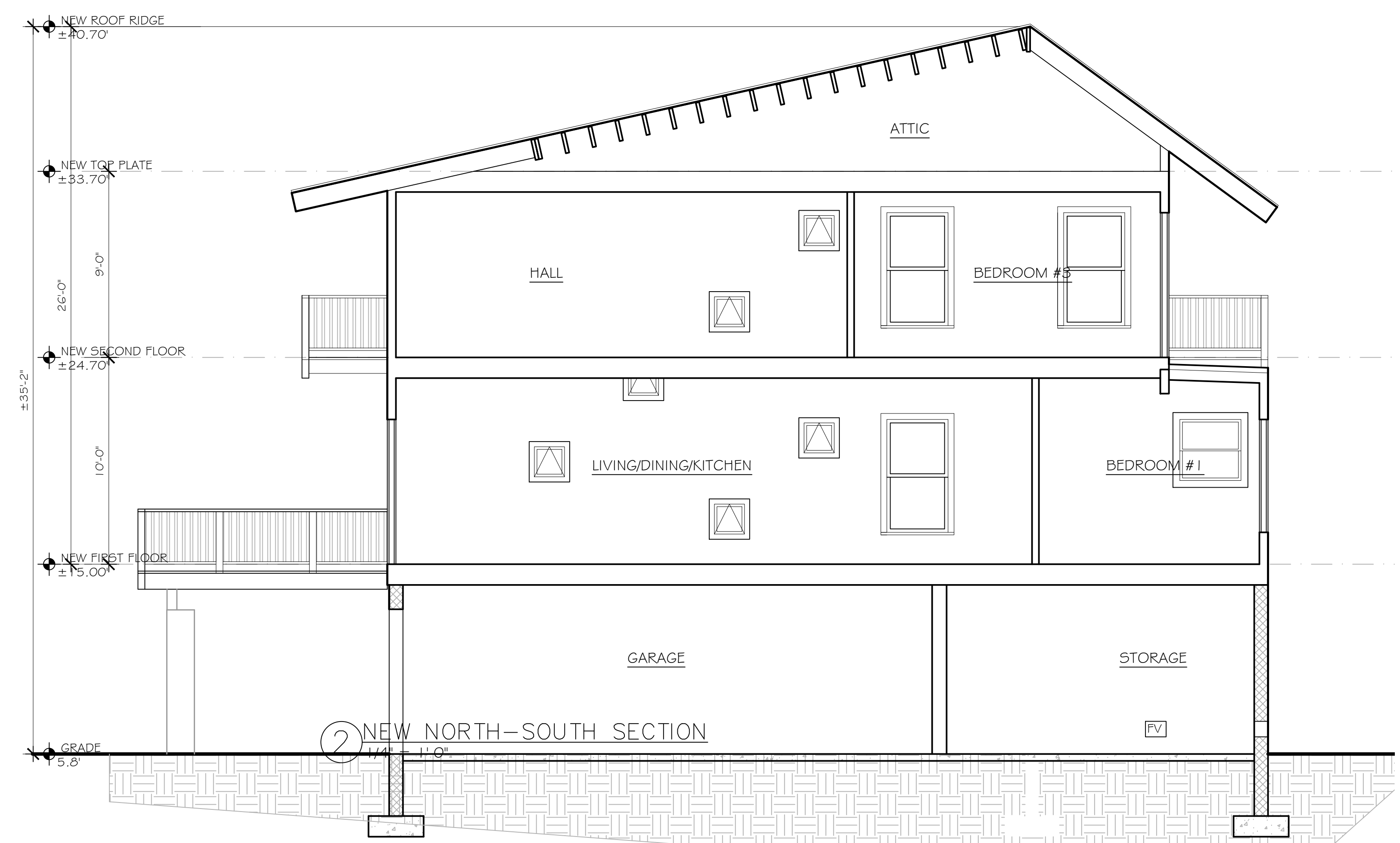
4 ROOF EDGE DETAIL
SCALE: 1" = 1'0"



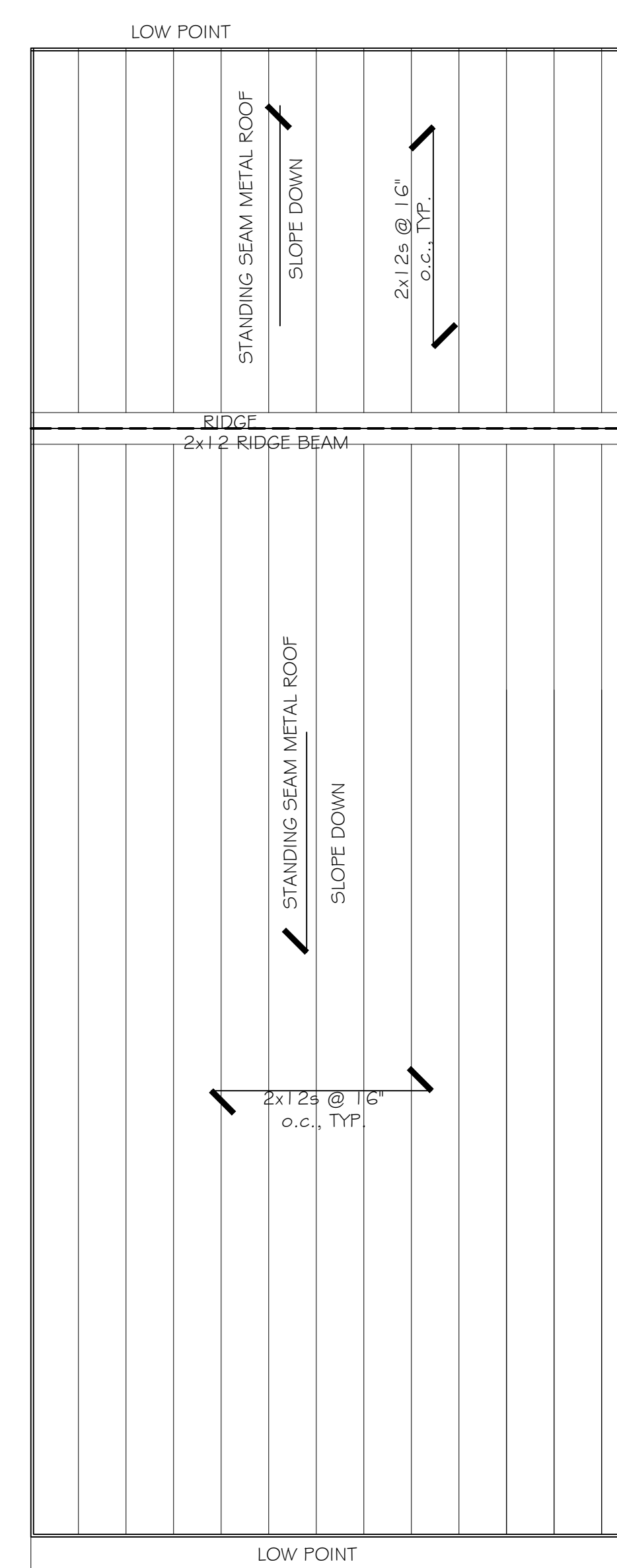
3 ROOF RAKE DETAIL
SCALE: 1" = 1'0"



2 ROOF LEDGER DETAIL
SCALE: 1" = 1'0"



6 PROPOSED BUILDING SECTION
1/4" = 1'0"



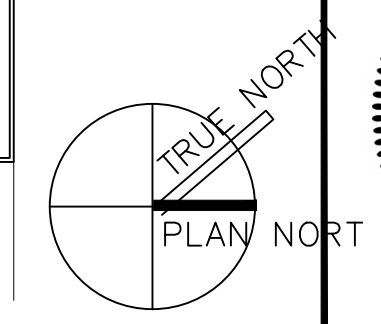
1 PROPOSED ROOF PLAN
1/4" = 1'0"

REVISIONS

DATE	COMMENTS
2024.DEC.03	LUB SUBMISSION

PROPOSED ROOF PLAN & DETAILS

SIGN & SEAL 	SCALE	3/16" = 1'0"
	DATE	2018.10.08
	PROJECT No.	46359
	DRAWN BY	Z.S.
	CHECKED BY	B.B.
DRAWING X OF X	9 of 20	
DRAWING NUMBER	A-203.00	



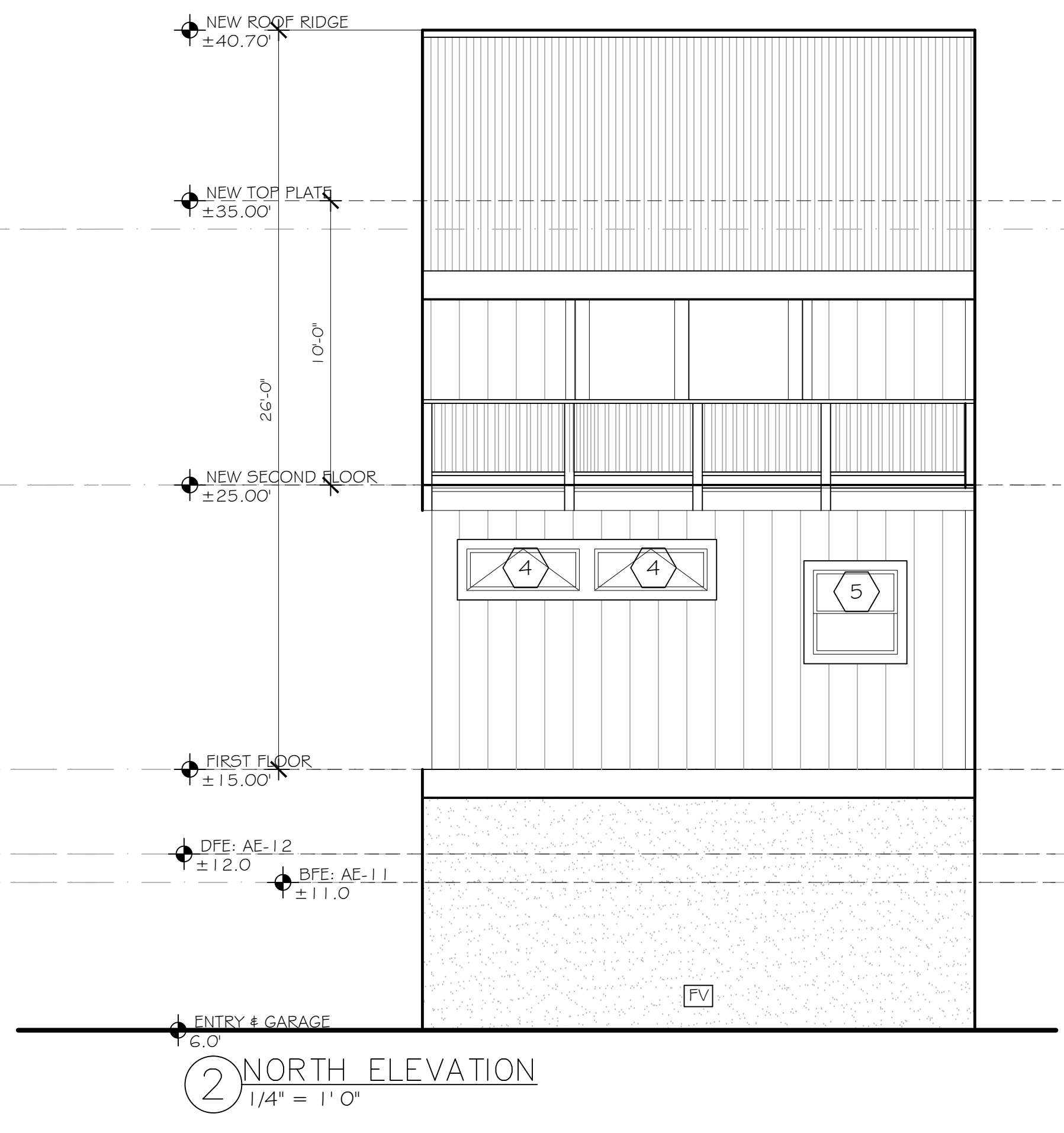
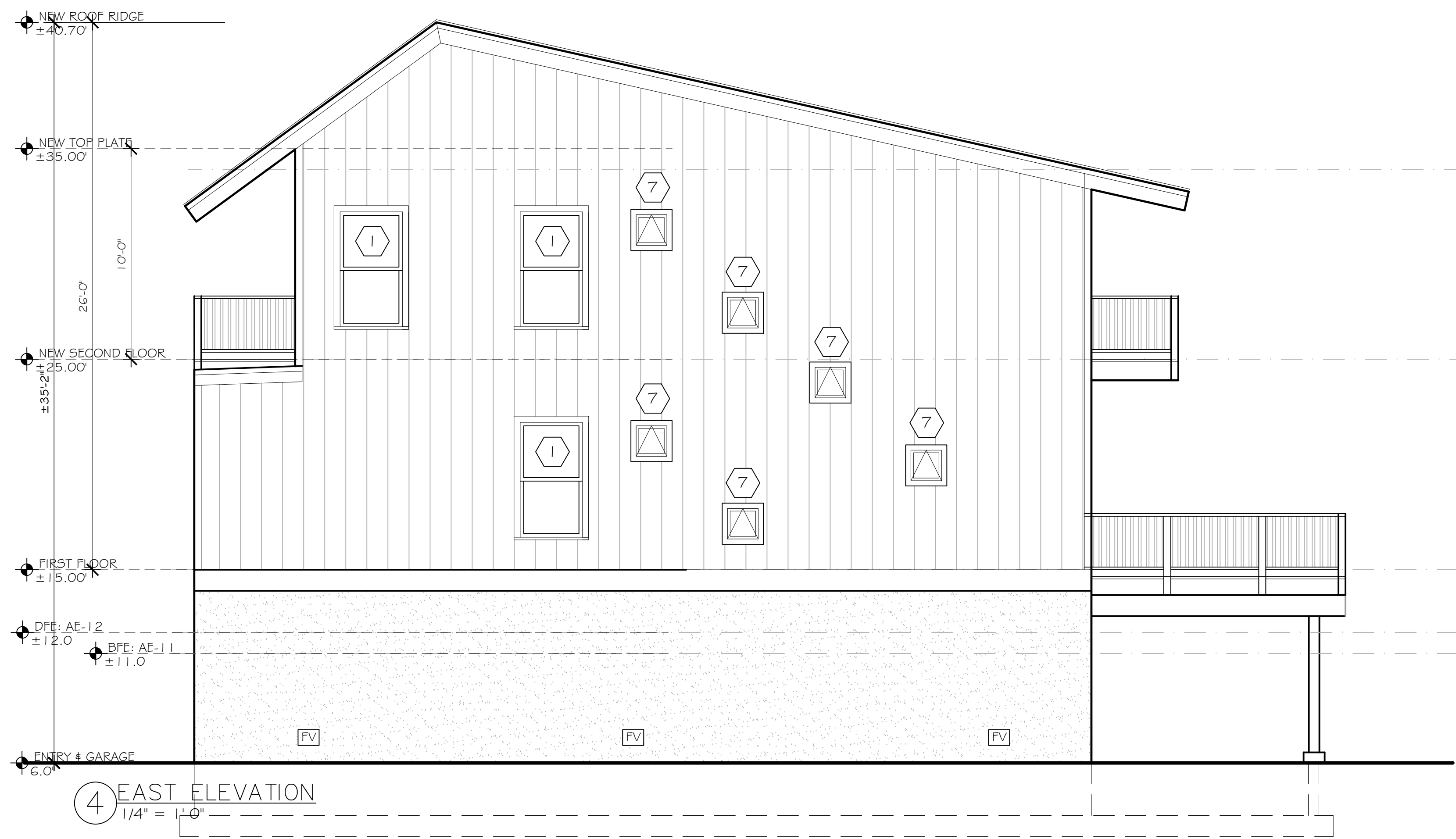
McGHEE RESIDENCE

43 Gravelly Point Road
Highlands, NJ

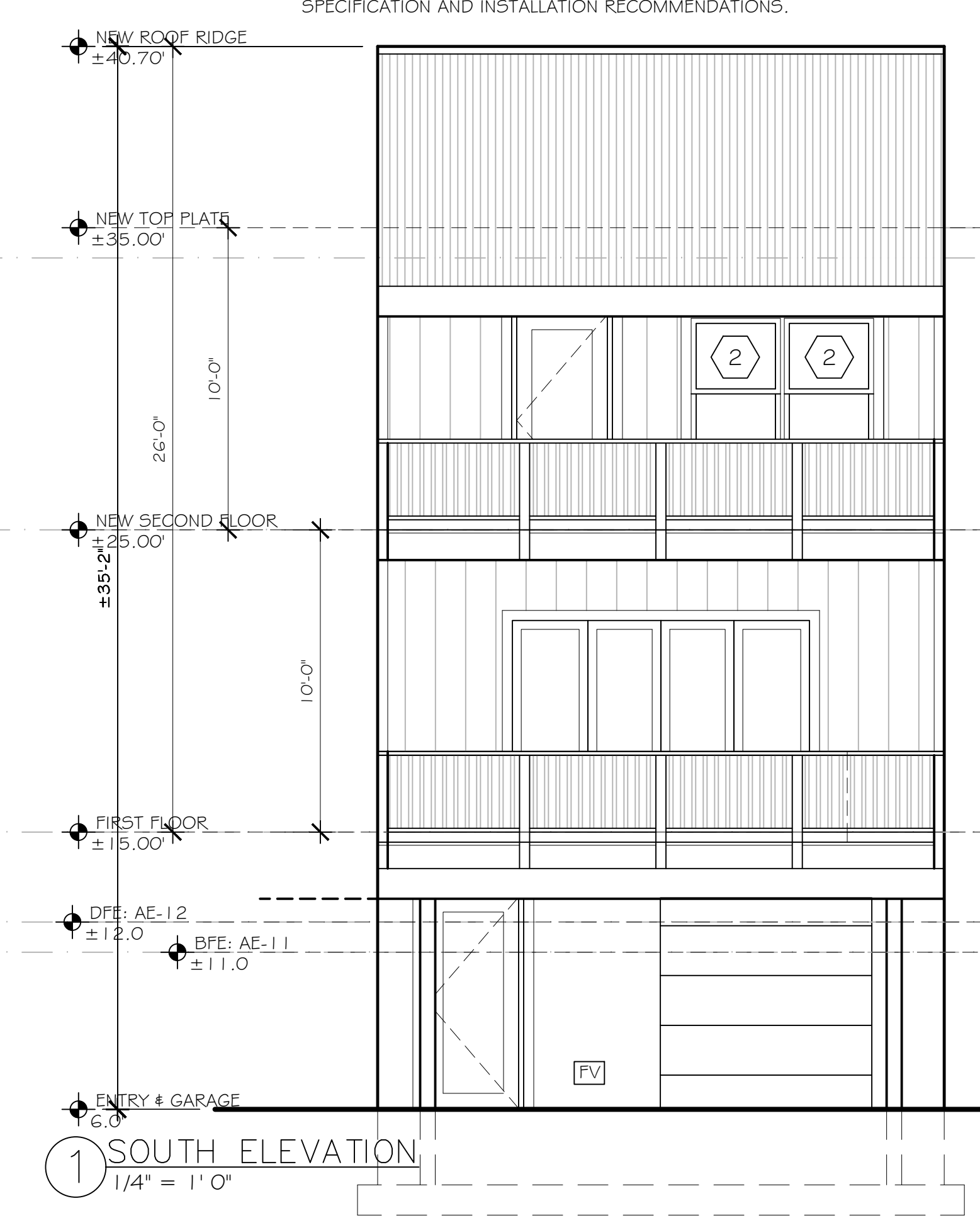
Renovations

ARCHITECT :

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646.759.7513 | info@theelevatedstudio.org



NOTE: ALL SIDING SHALL BE FIBR BOARD AND BATTEN BY JAMES HARDIE, INC. COLOR AS SELECTED BY OWNER, TYP. ALL ELEVATIONS. DETAILS SHALL BE BY MANUFACTURER'S SPECIFICATION AND INSTALLATION RECOMMENDATIONS.



REVISIONS

DATE	COMMENTS
2024.DEC.03	LUB SUBMISSION

PROPOSED EXTERIOR ELEVATIONS

	SCALE	1/4" = 1'-0"
	DATE	2022.10.29
	PROJECT No.	4015-22
	DRAWN BY	bb
	CHECKED BY	BB
DRAWING NUMBER		A-301.00



Roberts
 ENGINEERING GROUP LLC
 Women Business Enterprise Certified

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

September 16, 2024

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

Re: Completeness Review No. 1
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-05

Dear Ms. Tran:

As requested, we have reviewed the above referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations.

The Applicant seeks to construct a 2-story, 3-bedroom dwelling. The previous single-story, single-bedroom dwelling has since been demolished.

The existing lot is located in the Bungalow Colonies area of the R-2.03 Single Family Residential Zoning District. The property is located in the AE Flood Hazard area.

A site plan is not required per §21-86A.4.b(2)(e):

Zone R-2.03 shall require an application for a site plan for the entire property except for those situated in Block 100, Lots 26.01- 26.76 and Block 69, Lots 15.01-15.28. This applies to subject property, Block 100, Lot 26.43.

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

1. Copy of the Land Use Board Application for Subdivision and Variance dated August 21, 2024.
2. Copy of the Denial of Zoning Permit Identification form dated July 17, 2024.
3. Copy of an unsigned Survey entitled, "Location Survey for: Susan McGhee prepared by Ronald L. Trinada, PLS, from R & T Land Surveying, dated May 29, 2024."
4. Copy of unsigned Plans Set entitled, "McGhee Residence, 43 Gravelly Point Road, Highlands, NJ, Renovations, prepared by The Elevated Studio, dated October 29, 2022." The set consists of 4 sheets.

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

I. ZONING

1. This property is located in an area designated as the Bungalow Colonies within the R-2.03 Single Family Residential District. The property is subject to the Bungalow Colonies' bulk requirements and applicable ordinances.
2. The Applicant requires one D (6) variance because the proposed building height exceeds the maximum height permitted in the district for a principal structure. To be entitled to "d" variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-70d. The Applicant is proposing a two-story building with a building height of 25.85 feet, where 20 feet is permitted. The Applicant will be required to provide proof during testimony.
3. The Applicant must provide measurements for the proposed dwelling width and length as well as the front yard, side yard, and rear yard setbacks to fully determine all bulk "c" variances are being requested. In addition, the Applicant must indicate if any accessory buildings or additional impervious coverage is proposed for the lot.

The Applicant requires one (1) bulk "d" variance for maximum building height and three (3) bulk "c" variances for minimum lot area, minimum lot depth, and minimum lot width. To be entitled to bulk "c" variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-70c.

Completeness Review No. 1
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-04
 Page 2 of 3

The Applicant will be required to provide proof during testimony.

4. The following bulk requirement summary is provided for the Board’s reference. In accordance with Ordinance §21-86A.4.b existing and proposed bulk deficiencies which require bulk “c” variances have been noted:

Requirement	R-2.03 Residential Zone	Bungalow Colonies Required	Existing Lot 26.43 Bungalow Colonies	Proposed Lot 26.43 Bungalow Colonies
Min. Lot Area (sf)	5,000	5,000	1,347.5**	1,347.5*
Lot Frontage/Width (ft)	50	50	24.50**	24.50*
Min. Lot Depth (ft)	100	100	55**	55.00*
Min. Front Yard Setback (ft)	20	3	-	TBD.
Min. Side Yard Setback (ft)	6/8	3	-	TBD.
Min. Rear Yard Setback (ft)	20	3	-	TBD.
Max. Building Height (ft)***	30	20	-	25.85*
Max Lot Coverage****	75%	75%	-	TBD.
Max Building Coverage****	30%	35%	-	TBD.
On-Site Parking (spaces)	2	1	-	2

* Proposed Variance
 ** Existing non-conformity
 *** Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2 ½) feet.
 **** §21-86 A.4.b(c) Total building coverage shall not exceed thirty-five (35%) percent of the total lot area and total lot coverage shall not exceed seventy-five (75%) percent except for those situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28.

II. VARIANCES REQUIRED:

- N.J.S.A. 40:55D70d
 D (6) Bulk Variance required
 §21-86A.4.b (2)(d)
 The building height shall not exceed twenty (20) feet.
- Those noted in the Table.

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

The Applicant may be subject to additional application fees subject to the submission of the remaining building and setback measurements.

As posted on Borough website under Land Use forms

Variances:			
Residential "c" (max. building height) x1	1 EA	\$ 150.00	\$ 150.00
Residential "c" (minimum lot area) x1	1 EA	\$ 125.00	\$ 125.00
Residential "c" (minimum lot depth) x1	1 EA	\$ 125.00	\$ 125.00
Residential "c" (minimum lot width) x1	1 EA	\$ 125.00	\$ 125.00
Subtotal			\$525.00

IV. CHECKLIST ITEMS

A Site Plan is not required per §21-86A.4.b(2)(e) thus a checklist is not required for this submission.

Completeness Review No. 1
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-04
 Page 3 of 3

V. COMPLETENESS

We recommend this application be deemed incomplete. Additional information must be provided to perform a complete technical review and fee calculation for the application.

The Bungalow Colony is defined in the municipal code as a cluster of small, detached dwelling units originally designed for summer occupancy only, located on property held in common ownership. There are other properties in the immediate vicinity that have recently developed lots with large multiple storied dwellings.

The property is required to follow the bulk requirements for the Bungalow Colony area.

VI. GENERAL COMMENTS

Although the property does not require a site plan, the following information is required:

1. Please provide a signed and dated survey, and a plan that shows where the new house will be located along with its proposed setbacks.
2. Please provide a zoning bulk and area requirements table on the plan noting zoning for bungalow parameters.
3. Please confirm the proposed building and lot coverages.
4. Please provide the nearest proposed front, back, and side building offsets on the plan.
5. Please indicate the number of parking spaces proposed and where the parking spots will be located.
6. Please indicate the location of the proposed building on the lot.
7. Please confirm if any accessories or impervious surfaces are proposed for the site.
8. Water appears to flow towards the sides and pond at the back of the lot. Applicant to propose grading to direct water away from the side and back lots, and towards the roadway.
9. Please provide the base and design flood elevations.

We will continue our review upon submission of revised plans.

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

Very truly yours,



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

cc: Michael Muscillo, Borough Administrator, (mmuscillo@highlandsborough.org)
 Austin P. Mueller, Assoc., Land Use Board Attorney (amueller@weiner.law)
 Courtney Lopez, Zoning Officer (clopez@highlandsborough.org)
 Suzanne McGhee, Applicant (sue@mesuey.com)
 Brian Baer, RA, Applicant's Architect (brianbaer@theelevatedstudio.org)
 Cameron Corini, PE, CME, CPWM, Roberts Engineering Group, LLC
 Kelly Pham, EIT, Roberts Engineering Group, LLC



Roberts
 ENGINEERING GROUP LLC
 Women Business Enterprise Certified

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

October 25, 2024

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

Re: Completeness Review No. 2
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-05

Dear Ms. Tran:

As requested, we have reviewed the above referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations.

The Applicant seeks to construct a 2-story, 3-bedroom dwelling. The previous single-story, single-bedroom dwelling has since been demolished.

The existing lot is located in the Bungalow Colonies area of the R-2.03 Single Family Residential Zoning District. The property is located in the AE Flood Hazard area.

A site plan is not required per §21-86A.4.b(2)(e):

Zone R-2.03 shall require an application for a site plan for the entire property except for those situated in Block 100, Lots 26.01- 26.76 and Block 69, Lots 15.01-15.28. This applies to subject property, Block 100, Lot 26.43.

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

1. Copy of the Land Use Board Application for Subdivision and Variance dated August 21, 2024.
2. Copy of the Denial of Zoning Permit Identification form dated July 17, 2024.
3. Copy of an unsigned Survey entitled, "Location Survey for: Susan McGhee prepared by Ronald L. Trinada, PLS, from R & T Land Surveying, dated May 29, 2024.", as shown on the architectural plan set.
4. Copy of unsigned Plan Set entitled, "McGhee Residence, 43 Gravelly Point Road, Highlands, NJ, Renovations, prepared by The Elevated Studio, consisting of 15 sheets having various individual dates in the last 5 years.

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

I. ZONING

1. This property is located in an area designated as the Bungalow Colonies within the R-2.03 Single Family Residential District. The property is subject to the Bungalow Colonies' bulk requirements and applicable ordinances.
2. The Applicant requires one D (6) variance because the proposed building height exceeds the maximum height permitted in the district for a principal structure. To be entitled to "d" variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-

Completeness Review No. 2
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-04
 Page 2 of 5

70d. The Applicant is proposing a two-story building with a building height of 25.85 feet, where 20 feet is permitted. The Applicant will be required to provide proof during testimony.

- The Applicant must provide measurements for the proposed dwelling width and length as well as the front yard, side yard, and rear yard setbacks to fully determine all bulk "c" variances being requested. In addition, the Applicant must indicate if any accessory buildings or additional impervious coverage is proposed for the lot.

The Applicant requires one (1) bulk "d" variance for maximum building height and three (3) bulk "c" variances for minimum lot area, minimum lot depth, and minimum lot width. To be entitled to bulk "c" variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-70c.

The Applicant will be required to provide proof during testimony.

- The following bulk requirement summary is provided for the Board's reference. In accordance with Ordinance §21-86A.4.b existing and proposed bulk deficiencies which require bulk "c" variances have been noted:

Requirement	R-2.03 Residential Zone	Bungalow Colonies Required	Existing Lot 26.43 Bungalow Colonies	Proposed Lot 26.43 Bungalow Colonies
Min. Lot Area (sf)	5,000	5,000	1,347.5**	1,347.5*
Lot Frontage/Width (ft)	50	50	24.50**	24.50*
Min. Lot Depth (ft)	100	100	55**	55.00*
Min. Front Yard Setback (ft)	20	3	-	9.02#
Min. Side Yard Setback (ft)	6/8	3	-	3 / 3 #
Min. Rear Yard Setback (ft)	20	3	-	3
Max. Building Height (ft)***	30	20	-	25.85*
Max Lot Coverage****	75%	75%	-	71.4% Includes decks
Max Building Coverage****	30%	35%	-	64.5% Includes roof
On-Site Parking (spaces)	2	1	-	2

* Proposed Variance
 ** Existing non-conformity
 *** Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2 ½) feet.
 **** §21-86 C.4.b and §21-86 A.4.b Total building coverage shall not exceed thirty-five (35%) percent of the total lot area and total lot coverage shall not exceed seventy-five (75%) percent except for those situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28.
 # Unable to confirm. Refer to Zoning Section Note 5.

- Please confirm the front yard setback of 9.02 ft. The front yard setback distance is noted on the zoning table shown on Sheet 3 of the Architectural plan set, however the same is not shown on the accompanying plot plan. Please indicate the front yard setback distance on the plot plan.

Please confirm both side yard setbacks of 3 ft.
 The second level floor plan indicates a width of 18.75 ft.
 The 18.75 ft width would not conform to the required 3 ft side yard setbacks.

Completeness Review No. 2
Applicant: Suzanna McGhee
43 Gravelly Point Road
Block 100, Lot 26.43
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB24-04
Page 3 of 5

Lot width of 24.5 ft minus 6 ft (both side setbacks) =18.50.
Please update the proposed side yard setback on the zoning table, if applicable.

Additionally, the distance between the outside edge of the block pillars scales 18.5 ft on the lower-level floor plan. Please confirm and provide dimensions on the lower-level floor plan.

Please indicate the variances and/or design waivers on the zoning table shown on the architectural set.

II. VARIANCES REQUIRED:

1. N.J.S.A. 40:55D70d
D (6) Bulk Variance required
§21-86A.4.b (2)(d)
The building height shall not exceed twenty (20) feet.
2. Those noted in the Table.

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

The Applicant may be subject to additional application fees subject to the submission of the remaining building and setback measurements.

As posted on Borough website under Land Use forms

Variations:

Residential "d" (max. building height) x1	1 EA	\$ 150.00	\$ 150.00
Residential "c" (minimum lot area) x1	1 EA	\$ 125.00	\$ 125.00
Residential "c" (minimum lot depth) x1	1 EA	\$ 125.00	\$ 125.00
Residential "c" (minimum lot width) x1	1 EA	\$ 125.00	\$ 125.00
Subtotal			\$525.00

IV. CHECKLIST ITEMS

A Site Plan is not required per §21-86A.4.b(2)(e) thus a checklist is not required for this submission.

V. COMPLETENESS

We recommend this application be deemed incomplete. Additional information must be provided to perform a complete technical review and fee calculation for the application.

The Bungalow Colony is defined in the municipal code as a cluster of small, detached dwelling units originally designed for summer occupancy only, located on property held in common ownership. There are other properties in the immediate vicinity that have recently developed lots with large multiple storied dwellings.

The property is required to follow the bulk requirements for the Bungalow Colony area.

VI. GENERAL COMMENTS

Although the property does not require a site plan, the following information is required:

1. A signed and dated survey, and a plan that shows where the new house will be located along with its proposed setbacks are required.

An unsigned survey entitled "Location Survey for Susan McGhee" prepared by R & T Land Surveying is shown on Sheet 1 of the Architectural plans.

Completeness Review No. 2
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-04
 Page 4 of 5

A plot plan has been provided on Sheet 3 of the submitted Architectural plans indicating the dimensions of the lot, proposed dwelling and setbacks.

The plot plan is incomplete.

Please provide a proper plot plan indicating the proposed dwelling on the survey, existing dwellings on the adjoining lots, existing and proposed grades and the road name. Please indicate the lawn and pavement areas to the north of the lot and the road name.

2. The resubmitted Architectural plan set includes ten additional sheets and the individual sheets remain with the former dates of October 13, 2022, and October 29, 2022.

Please confirm that this set represents the current resubmission. Provide plan and revision dates.

The plans do not indicate a licensed architect or have signatures including dates.

All plans must be dated, signed and sealed for submission.

Some architectural sheets are incomplete with missing reference information.

3. The proposed first floor deck extends over the front setback by 2.91 ft (2'-11"). Please explain the proposed deck location in reference to §21-86A.4.b(2)(a) for bungalow colonies.

§21-86A.4.b(2)(a) states as follows:

Every unit shall have associated with it a minimum yard requirement around the perimeter of the unit and attached accessory structures of three (3) feet, except for those decks attached to the front of the dwellings situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28, which may extend to locations equivalent to those which existed prior to elevation or reconstruction as determined by prior property surveys conducted by a licensed surveyor.

For those properties situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28 that do not have prior property surveys available, any new decks attached to the front of the dwelling can extend to a location which is the equivalent of the location of the front decks located on adjacent properties situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28.

4. Please add the calculated building height to the Architectural plans. The building height is noted as 25.85 ft on the zoning table and the Denial of Zoning Permit with calculations. The application notes 28.85 ft. Please clarify and correct, as necessary.
5. Please clarify if any of the support columns from the former dwelling (demolished) remain or are all replaced with new columns. The architectural plans note both existing and proposed columns on the floor plans and wall sections. The survey indicates different offsets of the columns to the right-of-way as compared to the architectural plans.
6. Please confirm the lot and building coverages as noted on the zoning table shown on Sheet 3. The Applicant has noted that the lot coverage includes decks.

The plans include unroofed decks. According to §21-65.27.A, unroofed decks are not included in the lot coverage. Please recalculate the lot coverage.

In accordance with §21-86A.4.b(2)(c) for bungalow colonies, the noted total building coverage and total lot coverage does not apply thus no variance for the building coverage is required for Lot 26.43.

7. Please indicate the proposed number of parking spaces and the location on the plot and architectural plans. Indicate the surface material and construction detail.
8. Please provide any additional impervious coverage on the plan.

Completeness Review No. 2
Applicant: Suzanna McGhee
43 Gravelly Point Road
Block 100, Lot 26.43
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB24-04
Page 5 of 5

9. Runoff appears to flow towards the sides and pond at the back of the lot. Applicant to propose grading to direct water away from the side and back lots, and towards the roadway. Runoff shall not flow onto adjoining properties. Provide existing and proposed elevations at all building and property corners including midpoints of same.
10. Please indicate roof leaders and how the discharge is managed to not impact adjoining properties.
11. Please provide the location of the existing and proposed utilities.

We will continue our review upon submission of revised plans.

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

Very truly yours,



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

cc: Michael Muscillo, Borough Administrator, (mmuscillo@highlandsborough.org)
Austin P. Mueller, Assoc., Land Use Board Attorney (amueller@weiner.law)
Courtney Lopez, Zoning Officer (clopez@highlandsborough.org)
Suzanne McGhee, Applicant (sue@mesuey.com)
Brian Baer, RA, Applicant's Architect (brianbaer@theelevatedstudio.org)
Cameron Corini, PE, CME, CPWM, Roberts Engineering Group, LLC
GS Bachman, EIT, Roberts Engineering Group, LLC



Roberts
 ENGINEERING GROUP LLC
 Women Business Enterprise Certified

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

December 6, 2024

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

Re: Completeness Review No. 3
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-05

Dear Ms. Tran:

As requested, we have reviewed the above referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations.

The Applicant seeks to construct a 2-story, 3-bedroom dwelling. The previous single-story, single-bedroom dwelling has since been demolished.

The existing lot is located in the Bungalow Colonies area of the R-2.03 Single Family Residential Zoning District. The property is located in the AE Flood Hazard area.

A site plan is not required per §21-86A.4.b(2)(e):

Zone R-2.03 shall require an application for a site plan for the entire property except for those situated in Block 100, Lots 26.01- 26.76 and Block 69, Lots 15.01-15.28. This applies to subject property, Block 100, Lot 26.43.

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

1. Copy of a response letter to Review No. 1 from Brian Baer, RA, The Elevated Studio, dated December 3, 2024.
2. Copy of an unsigned Survey entitled, "Location Survey for: Susan McGhee prepared by Ronald L. Trinada, PLS, from R & T Land Surveying, dated May 29, 2024.", as shown on the architectural plan set.
3. Copy of Plan Set entitled, "McGhee Residence, 43 Gravelly Point Road, Highlands, NJ, Renovations, prepared by The Elevated Studio, consisting of 6 sheets with different plan dates and each last revised on December 3, 2024, and signed.
4. Copy of the Land Use Board Application for Subdivision and Variance dated August 21, 2024.
5. Copy of the Denial of Zoning Permit Identification form dated July 17, 2024.

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

I. ZONING

1. This property is located in an area designated as the Bungalow Colonies within the R-2.03 Single Family Residential District. The property is subject to the Bungalow Colonies' bulk requirements and applicable ordinances.
2. The Applicant requires one D (6) variance because the proposed building height exceeds the maximum height permitted in the district for a principal structure. To be entitled to "d" variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-

Completeness Review No. 3
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-04
 Page 2 of 4

70d. The Applicant is proposing a two-story building with a building height of 26.0 feet, where 20 feet is permitted. The Applicant will be required to provide proof during testimony.

The Applicant requires three (3) bulk “c” variances for minimum lot area, minimum lot depth, and minimum lot width. To be entitled to bulk “c” variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-70c.

The Applicant will be required to provide proof during testimony.

- The following bulk requirement summary is provided for the Board’s reference. In accordance with Ordinance §21-86A.4.b existing and proposed bulk deficiencies which require variances have been noted:

Requirement	R-2.03 Residential Zone	Bungalow Colonies Required	Existing Lot 26.43 Bungalow Colonies	Proposed Lot 26.43 Bungalow Colonies
Min. Lot Area (sf)	5,000	5,000	1,347.5**	1,347.5*
Lot Frontage/Width (ft)	50	50	24.50**	24.50*
Min. Lot Depth (ft)	100	100	55**	55.00*
Min. Front Yard Setback (ft)	20	3	-	9.73
Min. Side Yard Setback (ft)	6/8	3	-	3/3
Min. Rear Yard Setback (ft)	20	3	-	3
Max. Building Height (ft)***	30	20	-	26.0*
Max Lot Coverage****	75%	75%	-	71.4% Includes decks
Max Building Coverage****	30%	35%	-	64.5% Includes roof
On-Site Parking (spaces)	2	1	-	2

* Proposed Variance
 ** Existing non-conformity
 *** Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2 ½) feet.
 **** §21-86 C.4.b and §21-86 A.4.b Total building coverage shall not exceed thirty-five (35%) percent of the total lot area and total lot coverage shall not exceed seventy-five (75%) percent except for those situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28.

II. VARIANCES REQUIRED:

- N.J.S.A. 40:55D70d
 D (6) Bulk Variance required
 §21-86A.4.b (2)(d)

The building height shall not exceed twenty (20) feet.

- Those noted in the Table.

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

The Applicant may be subject to additional application fees subject to the submission of the remaining building and setback measurements.

As posted on Borough website under Land Use forms.

Completeness Review No. 3
 Applicant: Suzanna McGhee
 43 Gravelly Point Road
 Block 100, Lot 26.43
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-04
 Page 3 of 4

Variances:			
Residential "d" (max. building height) x1	1 EA	\$ 150.00	\$ 150.00
Residential "c" (minimum lot area) x1	1 EA	\$ 125.00	\$ 125.00
Residential "c" (minimum lot depth) x1	1 EA	\$ 125.00	\$ 125.00
Residential "c" (minimum lot width) x1	1 EA	\$ 125.00	\$ 125.00
Subtotal			\$525.00

IV. CHECKLIST ITEMS

A Site Plan is not required per §21-86A.4.b(2)(e) thus a checklist is not required for this submission.

V. COMPLETENESS

We recommend this application be deemed complete. Adequate information has been provided to perform a technical review and fee calculation for the application.

The Bungalow Colony is defined in the municipal code as a cluster of small, detached dwelling units originally designed for summer occupancy only, located on property held in common ownership. There are other properties in the immediate vicinity that have recently developed lots with large multiple storied dwellings.

The property is required to follow the bulk requirements for the Bungalow Colony area.

VI. GENERAL COMMENTS

Although the property does not require a site plan, the following information is required:

1. Please provide a signature on the survey entitled "Location Survey for Susan McGhee" prepared by R & T Land Surveying is shown on Sheet 1 of the Architectural plans.
2. Please indicate the variances on the Zoning Table shown on the architectural set, as existing non-conforming and proposed.
3. The proposed first floor deck extends over the front setback by 2.91 ft (2'-11").

This is acceptable.

The Applicant has indicated that the proposed deck conforms with §21-86A.4.b(2)(a) for it extends to a location equivalent to the prior deck and equivalent to the locations of the front decks on the adjacent properties.

4. According to §21-86A.4b the building height in the bungalow colonies shall not exceed twenty (20) feet. The garage under parking allows an additional 2.5 ft in building height or a maximum height of 22.5 feet.

The maximum building height is exceeded, and a variance is required.

The building height is incorrectly shown on the architectural plans.

Please update the maximum building height based on §21-8 Definitions for Building Height and Grade Plane shown on the Exterior Elevations. One foot is to be added to the BFE within the Flood Hazard Area. In the case of sloped roofs, the average height is the mid-point between the lowest roof eave of the top floor and the roof ridge.

Include the note, "Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2 ½) feet." in the Zoning Table.

Completeness Review No. 3
Applicant: Suzanna McGhee
43 Gravelly Point Road
Block 100, Lot 26.43
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB24-04
Page 4 of 4

5. In accordance with §21-86A.4.b(2)(c) for bungalow colonies, the noted total building coverage and total lot coverage does not apply thus no variance for the building coverage is required for Lot 26.43.
6. Applicant to demonstrate that runoff shall not flow onto adjoining properties. Provide existing and proposed elevations at all building and property corners including midpoints of same and the roadway.
7. Please explain how the rain dispersion system manages roof runoff and how the discharge is managed to not impact adjoining properties.

We will continue our review upon submission of revised plans.

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

Very truly yours,



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

cc: Michael Muscillo, Borough Administrator, (mmuscillo@highlandsborough.org)
Austin P. Mueller, Assoc., Land Use Board Attorney (amueller@weiner.law)
Courtney Lopez, Zoning Officer (clopez@highlandsborough.org)
Suzanne McGhee, Applicant (sue@mesuey.com)
Brian Baer, RA, Applicant's Architect (brianbaer@theelevatedstudio.org)
Cameron Corini, PE, CME, CPWM, Roberts Engineering Group, LLC
GS Bachman, EIT, Roberts Engineering Group, LLC



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: Edward and Margaret Wheeler
Address: 908 Ocean Avenue
City: Sea Bright State: NJ Zip: 07760
Phone: 732-859-5253
Email: seabrightw@aol.com
Relation to property: Owner

2. OWNER

Name: Same as Applicant
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____
Email: _____

3. TYPE OF APPLICATION (Check all that apply)

- 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 _____

4. PROPERTY INFORMATION

Block 80 Lot(s) 17 Address: 63 Washington Avenue
Lot size 4,000 sf # of Existing Lots One # of Proposed Lots Two
Zone R-2.01 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 05/01/2024 Sewer paid through 05/01/2024

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

Name: Rick Brodsky, Esq., Ansell Grimm & Aaron PC
Address: 1500 Lawrence Avenue, CN 7807, Ocean, NJ 07712
Phone: 732-922-1000 Email: rbrodsky@ansell.law



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: Ronald L. Trinidad, PLS
Address: R and T Land Surveying
PO Box 124, Atlantic Highlands, NJ 07716
Phone: 732-872-2827
Email: tt.randtsurvey@gmail.com

Name: Jeremiah J. Regan, A.I.A., Architect
Address: 147 Brighton Avenue, 2nd Floor
Long Branch, NJ 07740
Phone: 732-870-2977
Email: jeremiahregan@aol.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.

Residential property, owned by Applicants since 2022

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.

To subdivide existing residential Lot 17 into two (2) residential lots (Proposed Lot 17.01 and Proposed Lot 17.02), with the existing dwelling to remain on Proposed Lot 17.01, and a new dwelling to be constructed on Proposed Lot 17.02

C. ADDITIONAL INFORMATION:

		Existing	Proposed
Residential:	How many dwelling units?	<u>One</u>	<u>Two</u>
	How many bedrooms in each unit?	<u>Three</u>	<u>Three</u>
	How many on-site parking spaces?	<u>Four</u>	<u>Four</u>
Commercial:	How many commercial uses on site?	<u>N/A</u>	<u>N/A</u>
	How many on-site parking spaces?	<u>N/A</u>	<u>N/A</u>



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

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

	Req'd	Exist.	Prop'd	
Minimum Lot Requirements				
Lot Area	3750	4000	2000 prop. 2000 prop.	Lot 17.01 Lot 17.02
Frontage	50	50	25 prop. 25 prop.	Lot 17.01 Lot 17.02
Lot Depth				
Minimum Yard Requirements				
Front Yard Setback	20	6.0	6.0 Prop. 18.0 Prop.	Lot 17.01 Lot 17.02
2 nd Front Yard Setback				
Rear Yard Setback				
Side Yard Setback, right	6	1.2	1.2 Prop. 3.5 Prop.	Lot 17.01 Lot 17.02
Side Yard Setback, left	8	28.6	3.6 Prop. 3.5 Prop.	Lot 17.01 Lot 17.02
Building Height				

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

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

- #21-86A(4): Minimum Lot Area of 3,750 sf is required, where 2,000 sf is proposed for both new lots 17.01 and 17.02

- #21-86A(4): Minimum Lot Frontage of 50' is required, where 25' is proposed for both new lots 17.01 and 17.02

- #21-86A(4): Minimum Front Yard Setback of 20' is required, where 6' exists for new lot 17.01 and 18' is proposed for new lot 17.02

- #21-86A(4): Minimum Side Yard Setback of 6'/8' is required, where 1.2' exists and 3.6' is proposed for new lot 17.01, and 3.5'/3.5' is proposed for new lot 17.02

- #21-86A(4): Maximum Building Coverage of 33% is permitted, where 45.5% is proposed for new lot 17.01 and 37.8% is proposed for new lot 17.02



Borough of Highlands
42 Shore Drive
Highlands, NJ 07732
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www.highlandsborough.org

10. NOTARIZED SIGNATURE OF APPLICANT

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

SWORN & SUBSCRIBED to before me this
1st day of MAY 2024 (year)
Alison H. Neary (notary)
(Seal)

[Signature]
Signature _____ Date _____
Edward Wheeler
Print Full Name _____

ALISON H. NEARY
NOTARY PUBLIC OF NEW JERSEY
COMMISSION EXPIRES SEPT. 13, 2025

11. NOTARIZED CONSENT OF OWNER

I certify that I am the Owner of the property which is the subject of this application, hereby consent to the making of this application and approval of the plans submitted herewith. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency (if owned by a corporation, a resolution must be attached authorizing the application and officer signature).

SWORN & SUBSCRIBED to before me this
1st day of MAY 2024 (year)
Alison H. Neary (notary)
(Seal)

[Signature]
Signature _____ Date _____
Edward Wheeler
Print Full Name _____

ALISON H. NEARY
NOTARY PUBLIC OF NEW JERSEY
COMMISSION EXPIRES SEPT. 13, 2025

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).



Block/Lot/Qual:	80. 17.	Tax Account Id:	1578
Property Location:	63 WASHINGTON AVENUE	Property Class:	2 - Residential
Owner Name/Address:	WHEELER, EDWARD & MARGARET	Land Value:	182,700
	908 OCEAN AVENUE	Improvement Value:	219,600
	SEA BRIGHT, NJ 07760	Exempt Value:	0
		Total Assessed Value:	402,300
		Additional Lots:	None
Special Taxing Districts:		Deductions:	

Balance Includes any Adjustments to Your Account

Taxes Utilities

- [Make a Payment](#)
- [View Tax Rates](#)
- [View Current Bill](#)
- [Project Interest](#)

Year	Due Date	Type	Orig Billed	Adj Billed	Balance	Interest	Total Due	Status
2024	02/01/2024	Tax	1,872.10	0.00	0.00	0.00	0.00	PAID
2024	05/01/2024	Tax	1,872.10	0.00	0.00	0.00	0.00	PAID
Total 2024			3,744.20	0.00	0.00	0.00	0.00	
2023	02/01/2023	Tax	1,687.42	0.00	0.00	0.00	0.00	PAID
2023	05/01/2023	Tax	1,687.41	0.00	0.00	0.00	0.00	PAID
2023	08/01/2023	Tax	2,056.79	0.00	0.00	0.00	0.00	PAID
2023	11/01/2023	Tax	2,056.78	0.00	0.00	0.00	0.00	PAID
Total 2023			7,488.40	0.00	0.00	0.00	0.00	
2022	02/01/2022	Tax	1,855.17	0.00	0.00	0.00	0.00	PAID
2022	05/01/2022	Tax	1,855.17	-647.60	0.00	0.00	0.00	PAID
2022	08/01/2022	Tax	1,519.66	0.00	0.00	0.00	0.00	PAID
2022	11/01/2022	Tax	1,519.66	0.00	0.00	0.00	0.00	PAID
Total 2022			6,749.66	-647.60	0.00	0.00	0.00	

Last Payment: 05/09/24

[Return to Home](#)



Utility Account:	9930-0
Block/Lot/Qual:	80. 17.
Property Location:	63 WASHINGTON AVENUE
Service Location:	63 WASHINGTON AVENUE
Owner Name/Address:	WHEELER, EDWARD & MARGARET 908 OCEAN AVENUE SEA BRIGHT, NJ 07760

Sewer

Make a Payment		Project Interest		Last Payment: 05/09/24		
Current Charges:						
Service	Due Date	Billed	Balance	Interest	Total Due	Status
Sewer	05/01/2024	140.00	0.00	0.00	0.00	PAID
Total		140.00	0.00	0.00	0.00	
Prior Paid Charges:						
Service	Due Date	Billed	Balance	Interest	Total Due	Status
Sewer	02/13/2024	140.00	0.00	0.00	0.00	PAID
Sewer	11/01/2023	140.00	0.00	0.00	0.00	PAID
Sewer	08/31/2023	140.00	0.00	0.00	0.00	PAID
Total		420.00	0.00	0.00	0.00	

[Return to Home](#)



ANSELL.LAW

ANSELL GRIMM & AARON, PC

1500 LAWRENCE AVENUE
CN7807
OCEAN, NEW JERSEY 07712
732-922-1000
732-922-6161 (FAX)

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WOODLAND PARK, NEW JERSEY 07424
973-247-9000
973-247-9199 (FAX)

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SUITE 112
PRINCETON, NEW JERSEY 08540
609-751-5551

1177 AVENUE OF THE AMERICAS
5TH FLOOR
NEW YORK, NY 10036
800-569-3886

41 UNIVERSITY DRIVE
SUITE 400
NEWTOWN, PENNSYLVANIA 18940
267-757-8792

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MITCHELL J. ANSELL
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DAVID J. BYRNE □
PETER S. FALVO, JR.
PETER B. GRIMM
ROBERT A. HONECKER, JR. □ §
JASON S. KLEIN ◊
JENNIFER S. KRIMKO
DONNA L. MAUL ◊
MELANIE J. SCROBLE
LAWRENCE H. SHAPIRO ◊ □
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BARRY M. CAPP ◊ Δ
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STACEY R. PATTERSON ◊
ROY W. HIBBERD Δ ▽
HON. RAYMONDA. HAYSER, J.T.C. (RET)

IN MEMORIAM
LEON ANSCHELEWITZ (1929-1966)
MAX M. BARR (1929-1993)
MILTON M. ABRAMOFF (1935-2004)
DAVID K. ANSELL † (1962-2019)
ROBERT I. ANSELL (1965-2022)
RICHARD B. ANSELL ‡ (1968-2021)

LICENSED ALSO IN:
Δ D.C. ◊ MASS. ◊ N.Y.
□ PENN. ▽ CALIF.

† FELLOW AMERICAN
ACADEMY OF MATRIMONIAL
LAWYERS

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

§ CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
CRIMINAL TRIAL ATTORNEY

◊ ◊ CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
MATRIMONIAL LAW ATTORNEY

May 21, 2024

Via e-mail and UPS Next Day Air

Nancy Tran, Land Use Board Secretary
Borough of Highlands
Municipal Building
151 Navesink Avenue
Highlands, NJ 07732

Re: Edward and Margaret Wheeler/Minor Subdivision
and Variance Application
Premises: 63 Washington Avenue
Block 80, Lot 17
Our File No. 098805-0

Dear Ms. Tran:

This office represents Edward and Margaret Wheeler in connection with the above-referenced matter. Enclosed please find the following in this regard:

1. Three (3) collated sets of the following documents:
 - a. Completed Land Use Board Application;
 - b. Minor Subdivision Plan prepared by R and T Land Surveying and dated August 17, 2023, consisting of one (1) sheet; and

098805.000000 8999412v1

Nancy Tran, Land Use Board Secretary
Borough of Highlands
May 21, 2024
Page 2

c. Architectural Plans prepared by Jeremiah J. Regan, A.I.A., Architect and dated January 15, 2024, consisting of one (1) sheet.

Also enclosed are printouts confirming that property taxes and utilities are current.

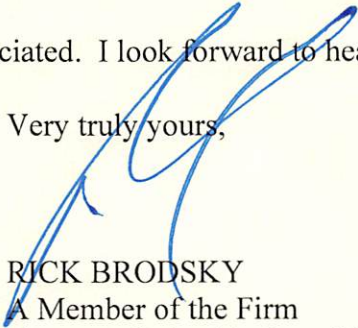
Finally, enclosed are the following two (2) checks, each made payable to the Boro of Highlands:

- Check in the amount of \$725.00 (Subdivision/Variance Application Fees)
- Check in the amount of \$1,450.00 (Escrow Fee)

Upon your review of the enclosed, please advise as to whether you require any additional information and/or documentation and as to when this matter can be listed on the Land Use Board's agenda.

Your attention to this matter is greatly appreciated. I look forward to hearing back from you.

Very truly yours,


RICK BRODSKY
A Member of the Firm
Direct e-mail: rbrodsky@ansell.law
Direct Dial: 732-643-5296

RB/ahn
Encs.

cc w/encs. via e-mail only:
Edward and Margaret Wheeler
Tracy Trinidad, R and T Land Surveying
Jeremiah J. Regan, A.I.A., Architect

098805.000000 8999412v1



Borough of Highlands

151 Navesink Ave
Highlands, NJ 07732
Phone: (732) 872-1224

Control #: Z-0014

Item 17.

Date Issued: 1/31/2024

DENIAL OF ZONING PERMIT

IDENTIFICATION

Work Site Location:	63 WASHINGTON AVENUE	Block:	80	Lot:	17	Zone:	R201
Owner in Fee:	WHEELER, EDWARD & MARGARET	Contractor/Agent:	_____				
Address:	63 WASHINGTON AVENUE HIGHLANDS NJ 07732	Address:	_____				
Telephone:	_____	Telephone:	_____				
		Contractor License No:	_____				

For the project/work located at the above address, your application for a permit to:


Proposed minor subdivision
2 lots
50x80
25x80

has been denied for noncompliance with provisions of Sections: of the Municipal Zoning Ordinance for the following reasons:

Applicant must submit the the Land Use Board.
Proposed lot sizes are 25'x 80' where 50'x 75' is required in the R-2.01

Information on procedures for an appeal of this decision to the Land Use Board can be obtained from the Secretary of the Land Use Board. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than (20) days from the date of this notice. You can also file for a variance to the Land Use Board and can obtain from the Secretary of the Land Use Board the required forms.

The permit which you submitted has been placed in the inactive files in the Zoning Department. Please contact this office to reactivate the permit.

Denied by: 

Zoning

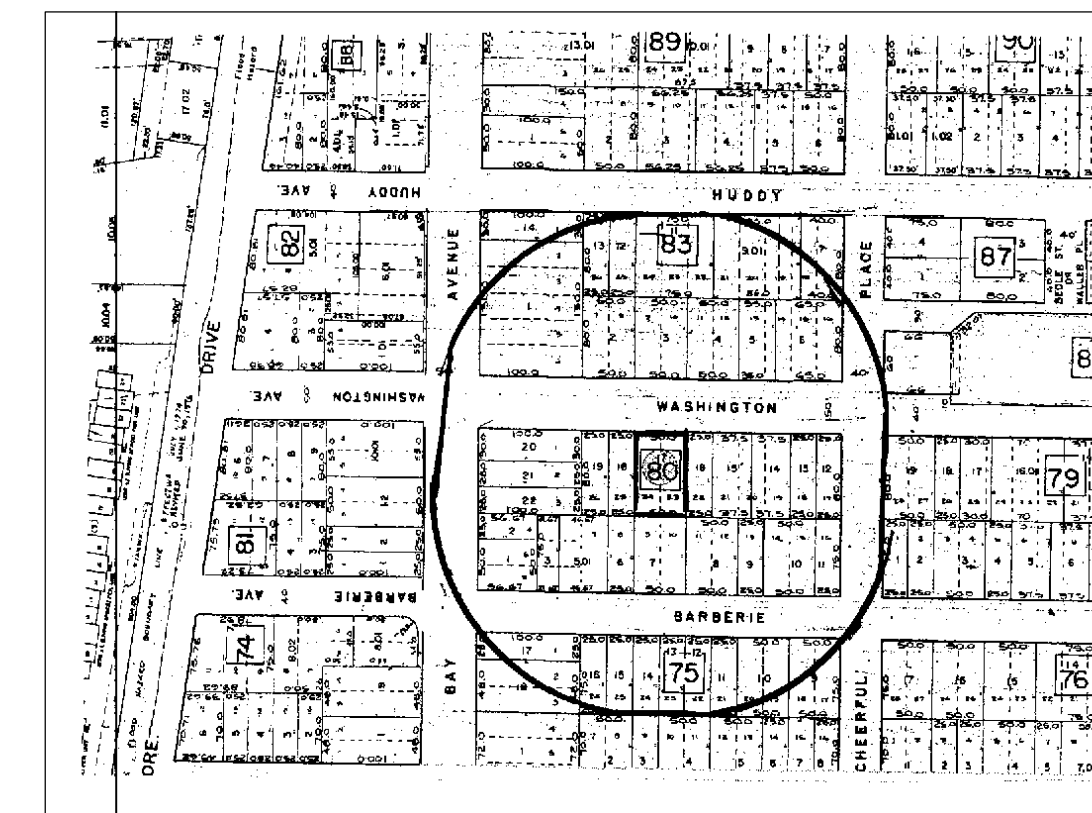
SITE SPECIFIC NOTES

- All utilities servicing the new home shall be placed underground per RSIS standards.
- The applicant intends to construct 1 new home that will be FEMA elevation compliant, and in accordance with municipal regulations.
- Elevations refer to North American Vertical Datum 1988 (NAVD-88)
- The dwelling footprint shown for proposed lot is generic only. A fully executed plot plan and building plans will be submitted to the Municipality for review and approval of the building permit application.
- Property is Located in Flood Zone AE with a Base Flood Elevation 11.0
- Any municipal infrastructure damaged during construction, shall be replaced or repaired to the satisfaction of the Borough Engineer.
- Any Object beneath the surface of the Ground has not been located, and no Guarantee as to existence or location Is expressed or implied.
- THIS SURVEY HAS BEEN PREPARED WITHOUT A FULL TITLE SEARCH AND IS SUBJECT TO SUCH FACTS THAT MIGHT BE REVEALED BY SAID TITLE SEARCH.

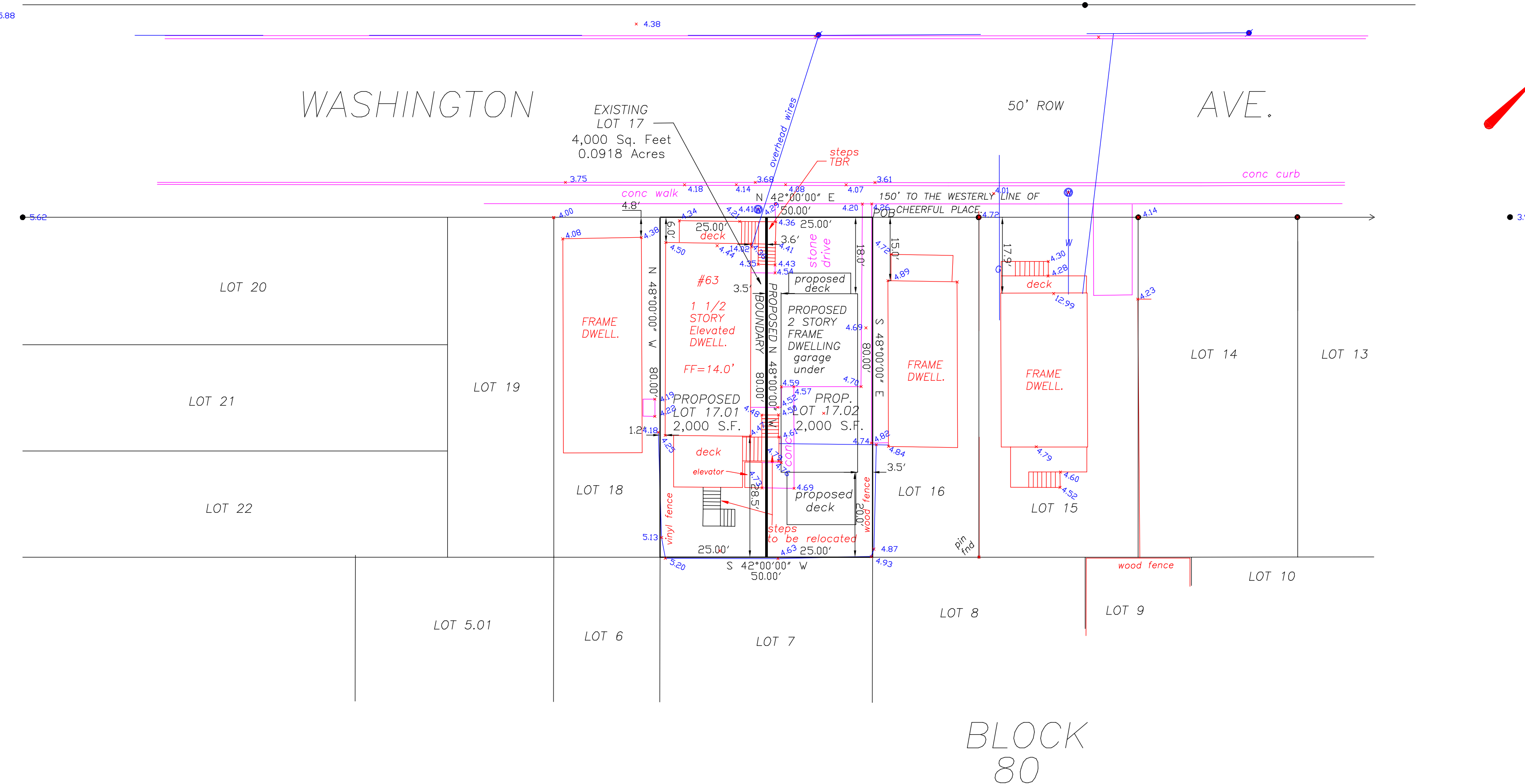
ZONE SCHEDULE

	R-2.01 Single Family Residential Zone District		Required Elements	Current Elements Lot 17	Proposed Elements Lot 17.01 Lot 17.02		Comment
	Lot Area, min.	SF					
Lot Area, min.	SF	3750	4000	2000 *	2000*		
Lot frontage	Ft	50	50	25.00 *	25.00 *		
Lot Depth, min	FT	75	80	80.0	80.0		
Front yard, min	FT	20	6.0**	6.0**	18.0*		
Prevalling	FT		11				
Side yard, min	FT	6/8	12**/28.6	12**/3.6*	3.5*/3.5*		
Rear Yard, min	FT	20	28.5'	28.5	20.0		
Coverage, Bldg	%	33	22.8	45.5*	37.8*		
Lot Coverage	%	75	62	62	64		
Building Height	FT	32.5	< 32.5	<32.5	<32.5		BFE to MP eave to peak
Parking, off street	Spc	2	4	2	Park under. 2		

** Pre-existing non conformity
* Created deficiency, variance required.



KEY MAP



GENERAL NOTES

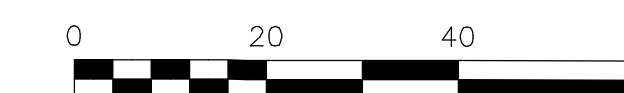
- The Applicant proposes to subdivide one lot creating 2 Lots more in conformance with the neighborhood and requirements of the R-2.01 Single Family residential zone.
- Known and designated as Lot 17 Block 80 as shown on the current tax assessment map of the Borough of Highlands, Monmouth Co., N.J., Sheet 15 Last revised 05-31-16.
- Current Data:

Total tract area	Lot 17	4000 SF
total bldg area		910SF
Impervious cover		2462 SF
Greenscape area		1538 SF
- Developmental Data:

	LOT 17.01	LOT 17.02
Proposed Lot area	2000 SF	2000 SF
Proposed building area	910 SF	756 SF
Proposed Lot coverage	SF	SF
Proposed greenscape	SF	SF
Parking spaces, off street	2	2
- Utilities are from various sources, and location and/or size is not guaranteed. It is advised to contact the appropriate utility company before construction.
- The Entire tract is within a Coastal Flood Hazard Zone, Elevations refer to NAVD-88 datum. All New Construction must be in conformance with the Borough's requirements for construction in a flood zone, and FEMA Flood Zone AE 11.0, Community 345297 Panel 34025C0088H 6/15/2022
- Owner & Applicant:
EDWARD WHEELER
908 OCEAN AVENUE
SEA BRIGHT, NJ

LEGEND:

- 4.87 = SPOT ELEVATION
- = PIN FOUND
- = UTILITY POLE
- = WATER METER



THIS IS TO CERTIFY THAT THE UNIFIED PLANNING BOARD OF THE BOROUGH OF HIGHLANDS, MONMOUTH COUNTY NEW JERSEY, IS THE PROPER AUTHORITY TO APPROVE AND HAS APPROVED THIS MAP ON THIS _____ DAY OF _____ 20____.

CHAIRMAN _____ DATE _____

SECRETARY _____ DATE _____

I (WE) HEREBY CERTIFY TO BE THE OWNER(S) OF THE LAND DELINEATED ON THIS MAP AND DO HEREBY CONSENT TO THE FILING OF THE MAP WITH THE MUNICIPALITY and/or COUNTY.

SIGNATURE(S) _____ DATE _____

I HEREBY CERTIFY THAT I HAVE CAREFULLY EXAMINED THIS MAP AND FIND IT CONFORMS WITH THE PROVISIONS OF THE ORDINANCES AND RESOLUTION CONDITIONS APPLICABLE THERETO.

BOARD ENGINEER _____ DATE _____

I HEREBY CERTIFY THAT THE ABOVE MAP AND SURVEY HAVE BEEN MADE UNDER MY IMMEDIATE SUPERVISION, FROM ACTUAL MEASUREMENTS TAKEN AT THE SITE. Date of Survey: 08-15-2023

RONALD L. TRINIDAD
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE 43370

REV	DATE	DESCRIPTION	BY	CHK
MINDR SUBDIVISION PLAN FOR: EDWARD WHEELER LOT 17 BLOCK 80 SHEET 15 BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY R AND T LAND SURVEYING SURVEYING & MAPPING < LAND PLANNING > CONSTRUCTION SURVEYING PO BOX 124, ATLANTIC HIGHLANDS, NJ 07716, 732-872-2827				
RONALD TRINIDAD, PROFESSIONAL LAND SURVEYOR 24GS04337000				
DATE: 08/17/23	FILE: 4449	DRAWN: RLT	JOB NO: 8395	
SCALE: 1"=20'	CAD#: W-8395.dwg	CHK: HS	DWG NO: D- 1063	



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified

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

July 5, 2024

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

Re: Completeness Review No. 1
Applicant: Wheeler
63 Washington Avenue
Block 80, Lot 17
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB24-03

Dear Ms. Tran:

As requested, we have reviewed the above referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations.

The Applicant received a Zoning Denial Letter, dated January 31, 2024, upon seeking a minor subdivision and was deemed noncompliant per the Municipal Zoning Ordinance and advised to submit to the Land Use Board.

The Applicant seeks a Minor Subdivision to subdivide existing Lot 17 in the R-2.01 Single Family Residential District into two lots of equal size, Lot 17.01 and Lot 17.02. Existing Lot 17 consists of 4,000 sf having an elevated 1 ½ story frame dwelling with decks and garage under parking, stone drive and fencing. The dwelling will remain with decking and garage under parking and be situated on a proposed 2,000 sf lot and will be known as proposed Lot 17.01. The remaining 2,000 sf of Lot 17 will be proposed Lot 17.02 consisting of a proposed elevated 2 story frame dwelling with decking, garage under parking and associated site improvements.

The existing lot is conforming except for the front yard setback. The proposed lots are each non-conforming and will require bulk variances.

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

1. Copy of the Land Use Board Application for Minor Subdivision and Variance, dated May 1, 2024.
2. Copy of submission letter addressed to Ms. Nancy Tran, Land Use Board Secretary from Rick Brodsky, Esq., Ansell Grimm & Aaron, PC, dated May 21, 2024.
3. Copy of a Denial of Zoning Permit issued on January 31, 2024, by Courtney Lopez, Zoning Officer for the Borough of Highlands.
4. Copy of plan entitled, "Minor Subdivision Plan for Edward Wheeler, Lot 17, Block 80, Borough of Highlands, Monmouth County, New Jersey", prepared by Ronald Trinidad, PLS, R and T Land Surveying, unsigned and dated August 17, 2023, consisting of 1 sheet.

Completeness Review No. 1
 Applicant: Wheeler
 63 Washington Avenue
 Block 80, Lot 17
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-03
 Page 2 of 6

5. Copy of plans entitled, “New Construction, Wheeler Residence, Washington Avenue, Highlands, NJ, Block 80 Lot 17.02”, prepared by Jeremiah J. Regan, AIA, Architect, dated and signed January 15, 2024, consisting of 1 sheet.

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

I. ZONING

1. This property is located in the R-2.01 Single Family Residential District.
2. The Applicant requires eleven (11) bulk variances. To be entitled to bulk “c” variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-70c for bulk variances.

The Applicant will be required to provide proof during testimony.

3. The following bulk requirement summary is provided for the Board’s reference. In accordance with Ordinance §21-86A(4), existing and proposed bulk deficiencies which require bulk “c” variances have been noted:

Schedule I – Bulk and Area Requirements				
R-2.01 Residential Zone	Required	Existing Lot 17	Proposed Lot 17.01	Proposed Lot 17.02
Min. Lot Area (sf)	3,750	4,000	*2,000	*2,000
Lot Frontage/Width (ft)	50	50	*25.00	*25.00
Min. Lot Depth (ft)	75	80	80.00	80.00
Min. Front Yard Setback (ft)***	20	**6.0	**6.0	*18.0
Min. Side Yard Setback (ft)	6/8	**1.2/28.6	**1.2/*3.6	*3.5/*3.5
Min. Rear Yard Setback (ft)	20	0	28.5	20.0
Max. Building Height (ft)****	30	<32.5	<32.5	<32.5
Max Lot Coverage	75%	62%	62.0	64.0
Max Building Coverage	33%	22.8%	*45.5	*37.8
On-Site Parking (spaces)	2	4	2 Under	2 Under

* Proposed Variance
 ** Existing non-conformity
 *** Or average of the existing front yard setback within 200 ft of same block and zone or average of adjacent lots.

Completeness Review No. 1
Applicant: Wheeler
63 Washington Avenue
Block 80, Lot 17
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB24-03
Page 3 of 6

**** Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2 1/2) feet.

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

As posted on Borough website under Land Use forms

1. Variances			
Residential "c" (minimum lot area) x2	1 EA	\$ 125.00	\$ 250.00
Residential "c" (minimum lot frontage/width) x2	1 EA	\$ 125.00	\$ 250.00
Residential "c" (minimum front yard setback) x1	1 EA	\$ 125.00	\$ 125.00
Residential "c" (minimum side yard setback) x4	1 EA	\$ 125.00	\$ 500.00
<u>Residential "c" (maximum building coverage) x2</u>	<u>1 EA</u>	<u>\$ 125.00</u>	<u>\$ 250.00</u>
Subtotal			\$1,375.00
2. B. Subdivisions			
Minor	1 EA	\$ 400.00	\$ 400.00
Total			\$1,775.00

3. Two checks in the amounts of \$725.00 (Subdivision/Variance Application Fees) and \$1,450.00 (Escrow Fee) were submitted with the submission package according to the cover letter by Mr. Brodsky.

Please review for any additional fees that may be required for the submission.

III. CHECKLIST ITEMS

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

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

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

Completeness Review No. 1
Applicant: Wheeler
63 Washington Avenue
Block 80, Lot 17
Borough of Highlands, Monmouth County, New Jersey
Our File No.: HLPB24-03
Page 4 of 6

- 5. All streets or roads and streams within seventy-five (75) feet of the subdivision. **Provided.**
- 6. Location of existing streets, and existing and proposed property lines, lot sizes, and areas. **Provided.**
- 7. Metes and bounds descriptions of all new lot and property lines.

The Applicant has provided metes and bounds for all proposed lot lines on the plan.

Metes and bounds descriptions for the new lots shall be provided if the application is approved.

- 8. The existence and location of any utility or other easement. **Unknown. Please confirm any utility easements.**
- 9. Setback, side line and rear yard distances and existing structures. **Provided.**
- 10. The name and address of the person preparing the plat, the graphic scale, date of preparation and reference meridian. **Provided.**
- 11. Certification from the Tax Collector that all taxes and assessments for local improvements on the property have been paid up to date. **Provided.**
- 12. Certification statement for the required municipal signatures, stating: **Update.**

Application No. _____ approved/disapproved by the Highlands Borough Planning Board/Board of Adjustment as a Minor Subdivision on _____.
(date)

Chairman

Secretary

- 13. Certification statement for the County Planning Board approval / disapproval, if required. **Not applicable.**
- 14. Zone district boundary lines, if any, on or adjoining the property to be subdivided and a schedule indicating the required minimum lot area, lot width, lot depth and front, rear and side yards of each zone district located on the property. **Provided.**
- 15. A wetlands statement provided by a qualified expert. **Not provided.**

A signed letter by a qualified expert is required.

- 16. The Board reserves the right to require a feasible sketch plan layout of remaining land not being subdivided if it is deemed necessary. **Provided.**

The applicant has provided a generic house and driveway layouts to demonstrate the sizes of proposed homes and the need for any additional setback relief.

- 17. A lot grading plan, to be reviewed by the Borough Engineer, if required. **Not provided.**

Completeness Review No. 1
 Applicant: Wheeler
 63 Washington Avenue
 Block 80, Lot 17
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-03
 Page 5 of 6

The minor subdivision plan notes that a fully executed plot plan and building plans will be submitted to the Municipality for review and approval of the building permit plan.

The plans can be provided as a condition of approval. Please provide a response.

IV. COMPLETENESS

Inadequate information has been provided to perform a proper technical review for the application and therefore the application is deemed incomplete.

V. GENERAL COMMENTS

1. The Minor Subdivision is dated but not signed.
2. Please add a note that states, "The Subdivision is to be perfected by the filing of deeds."
3. Please update the Land Use signature block according to the checklist.
4. Please provide existing structures within 75 ft of the property.
5. Please provide the 200 ft owners list on the plan.
6. The architectural plans indicate a mean building height of 35'-0" from grade elevation and the bulk and area requirements table notes <32.5'. Please provide information.
7. The applicant proposes to subdivide a conforming lot into 2 non-conforming lots requiring a total of 11 variances.
8. We recommend that the plan be provided in black and white print and made clearer because some text is difficult to read.
9. According to § 21-79 Yards, "There shall be provided, for each lot, front, rear and side yards as required in the Schedule of Area and Bulk Requirements. In areas where at least seventy-five (75%) percent of the lots within two hundred (200) feet are already developed, the front yard setback may be either the required setback or the prevailing setback. The prevailing setback shall be the average setback of buildings on the same block in the same zone, but not less than the average of the setbacks of the buildings on the two (2) nearest adjacent lots and in no case, less than half the required setback."

The prevailing setback appears to be 11.0' for Proposed Lot 17.02 based on the setbacks of the adjacent lots of Lot 16 and Proposed 17.01.

10. The distance between the proposed building and the existing building on Lot 16 appears to be 7 feet±. Please provide building offset distances between the proposed and existing dwellings to help the Board make an informative decision regarding the side yard setback variance.
11. Please provide a Bulk and Area Requirements chart indicating all the requirements and all the existing and proposed values for the lots.
12. Please provide a breakdown of the individual impervious and pervious coverages with totals for the existing and proposed lots.

Completeness Review No. 1
 Applicant: Wheeler
 63 Washington Avenue
 Block 80, Lot 17
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-03
 Page 6 of 6

13. Please provide the existing utilities for the properties and within the right-of-way.
14. Please provide a label or note regarding the material and width of the proposed drive.
15. Please provide information on how the existing front deck on proposed Lot 17.01 will access the ground level. Include this area in the impervious coverage.
16. Please provide information on how the existing concrete walkway on the proposed lot will be altered and its relationship to the existing elevator and dwelling. Include this area in the impervious coverage.
17. Please provide a wetlands letter signed by a wetlands expert and provide a note on the plan.
18. The minor subdivision notes that the proposed dwellings will be FEMA elevation compliant and in accordance with municipal regulations.

A plot and grading plan and updated architectural plans will be required and are deferred as a condition of approval. All runoff must be directed towards the road and away from the existing and proposed dwellings and the adjoining properties.

19. The Applicant is requested to provide a response letter to the checklist and comments upon submission of revised plans.

We will continue our review upon submission of revised plans.

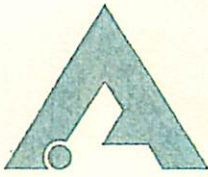
Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Carmela Roberts, P.E., C.M.E., C.P.W.M.
 Land Use Board Engineer

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
 Austin P. Mueller, Assoc., Land Use Board Attorney (amueller@weiner.law)
 Courtney Lopez, Zoning Officer (clopez@highlandsborough.org)
 Rick Brodsky, Esq., Applicant's Attorney (rbrodsky@ansell.law)
 Jeremiah J. Regan, AIA, Applicant's Architect (jeremiahregan@aol.com)
 Cameron Corini, P.E., C.M.E., C.P.W.M., Roberts Engineering Group, LLC
 GS Bachman, E.I.T., Roberts Engineering Group, LLC



ANSELL.LAW

ANSELL GRIMM & AARON, PC

Item 17.

1500 LAWRENCE AVENUE
CN7807
OCEAN, NEW JERSEY 07712
732-922-1000
732-922-6161 (FAX)

365 RIFLE CAMP ROAD
WOODLAND PARK, NEW JERSEY 07424
973-247-9000
973-247-9199 (FAX)

214 CARNEGIE CENTER
SUITE 112
PRINCETON, NEW JERSEY 08540
609-751-5551

1177 AVENUE OF THE AMERICAS
5TH FLOOR
NEW YORK, NY 10036
800-569-3886

41 UNIVERSITY DRIVE
SUITE 400
NEWTOWN, PENNSYLVANIA 18940
267-757-8792

website: ansell.law

JAMES G. AARON
ALISON ANSELL ♦ †
BRIAN E. ANSELL ‡
MITCHELL J. ANSELL
MICHAEL V. BENEDETTO
RICK BRODSKY ♦
DAVID J. BYRNE □
PETER B. GRIMM
ROBERT A. HONECKER, JR. □
JASON S. KLEIN ♦
JENNIFER S. KRIMKO
DONNA L. MAUL •
MELANIE J. SCROBLE
LAWRENCE H. SHAPIRO ♦ □
DAVID B. ZOLOTOROFF

EDWARD J. AHEARN
BRIAN J. ASHNAULT
KELSEY M. BARBER
NICOLE A. BENIS
ELYSA D. BERGENFELD
KRISTINE M. BERGMAN □
GABRIEL R. BLUM ♦
HILLARY H. BRYCE □
BARRY M. CAPP ♦ △
ALFRED M. CASO
KEVIN M. CLARK
ANTHONY J. D'ARTIGLIO ♦
LAYNE A. FELDMAN ♦
THOMAS J. GIRONDA
NICOLE D. MILLER □ ♦
LEIGH T. OLIVER
SETH M. ROSENSTEIN ♦ □
ANTHONY SANGO
COURTNEY R. SAUER
JONATHAN D. SHERMAN

ANTHONY J. STORROW
CAROL J. TRUSS
TARA K. WALSH ♦
ANDREA B. WHITE ♦ ♦

COUNSEL
GARY P. EIDELSTEIN ■
ROY W. HIBBERD △ ▽
HON. ANTHONY J. MELLACI, JR., J.S.C. (RET)
STACEY R. PATTERSON ♦
HON. JOSEPH P. QUINN, J.S.C. (RET)

IN MEMORIAM
LEON ANSCHELEWITZ (1929-1986)
MAX M. BARR (1929-1993)
MILTON M. ABRAMOFF (1935-2004)
DAVID K. ANSELL † (1962-2019)
RICHARD B. ANSELL ‡ (1968-2021)
ROBERT I. ANSELL (1965-2022)
PETER S. FALVO, JR. (1967-2023)

LICENSED ALSO IN:
△ D.C. ♦ MASS. ♦ N.Y.
□ PENN. ▽ CALIF. ■ FL

† FELLOW, AMERICAN
ACADEMY OF MATRIMONIAL
LAWYERS

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

• CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
MATRIMONIAL LAW ATTORNEY

October 25, 2024

Via e-mail and UPS Next Day Air

Nancy Tran, Land Use Board Secretary
Borough of Highlands
Municipal Building
151 Navesink Avenue
Highlands, NJ 07732

Re: Edward and Margaret Wheeler/Minor Subdivision
and Variance Application
Premises: 63 Washington Avenue
Block 80, Lot 17
Our File No. 098805-0

Dear Ms. Tran:

In connection with the above, and in response to the Board Engineer's Completeness Review No. 1, enclosed please find the following:

1. Three (3) collated sets of the following documents:
 - a. Minor Subdivision Plan prepared by R and T Land Surveying, with a revision date of July 12, 2024, consisting of one (1) sheet; and

079689.000002 9258929v1

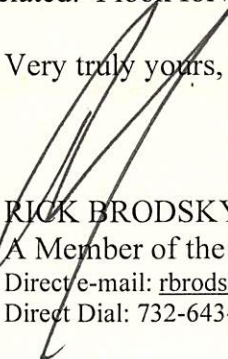
Nancy Tran, Land Use Board Secretary
Borough of Highlands
October 25, 2024
Page 2

b. Letter Report re: Wetlands prepared by Donald A. DiMarzio, M.S., P.P., and dated August 10, 2024, consisting of six (6) pages.

The requested \$2,500.00 escrow replenishment check is being delivered to you under separate cover.

Upon your review of the enclosed, please advise as to whether you require any additional information and/or documentation and as to when this matter can be listed on the Land Use Board's agenda.

Your attention to this matter is greatly appreciated. I look forward to hearing back from you.

Very truly yours,

RICK BRODSKY
A Member of the Firm
Direct e-mail: rbrodsky@ansell.law
Direct Dial: 732-643-5296

RB/ahn
Encs.

cc w/encs. via e-mail only:
Edward and Margaret Wheeler
Tracy Trinidad, R and T Land Surveying
Jeremiah J. Regan, A.I.A., Architect

ONALD A. DIMARZIO, M.S., P. P.**Land Use Planning
Environmental Consulting Services****104 Oak Avenue
P.O. Box 1172
Island Heights, New Jersey 08732
732-506-9625
FAX 732-506-6999****Reply to: P.O. Box 1172**

August 10, 2024

Mr. Ed Wheeler
908 Ocean Avenue
Sea Bright, NJ 07760Re: 63 Washington Avenue
Block 80, Lot 17
Borough of Highlands, Monmouth County

Dear Mr. Wheeler:

At your request, I inspected the referenced site in order to determine the nature and approximate extent of any regulated freshwater wetlands, wetlands transition areas, or open waters thereon. The inspection was conducted on August 9, 2024.

During the inspection, I noted that the site is surrounded by relatively dense single family residential development. I noted that the site is totally disturbed. A gravel surface is found within the western two-thirds of the site. A grassed lawn is found within the eastern third of the site; one large holly tree is found at the west end of the lawn.

Wetlands, as you may know, are generally characterized by the simultaneous presence of three indicator parameters – a dominant hydrophytic vegetation community, hydric soils and wetlands hydrology. Lawn grasses and a single holly tree do not constitute a dominant hydrophytic vegetation community. There are no surface waters on or adjacent to the site that would constitute wetlands hydrology. The Natural Resources Conservation Service's Web Soil Survey indicates that Urban land-Klej soils are present throughout the site; this is a non-hydric (non-wetlands) soil. I therefore conclude that there are no wetlands, wetlands transition areas, or open waters within the site.

I have attached site photographs showing existing conditions within the site, along with a copy of the Web Soil Survey and my resume.

Please be advised that a legally reliable statement as to the presence of wetlands, transition areas or open waters can only be obtained from the New Jersey Department of Environmental Protection via a letter of interpretation. I trust, however, that the foregoing information will satisfy your present needs.

Please feel free to call if you have any questions.

Very truly yours,

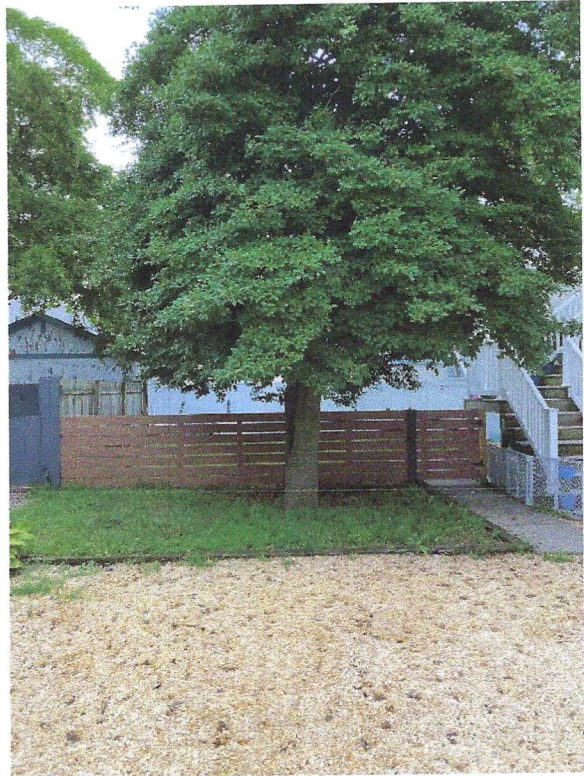


Donald A. DiMarzio, M.S., P.P.

Via email w/attachments



GRAVEL AREA WEST END OF SITE



HOLLY TREE AT END OF GRAVEL AREA



LAWN AT EAST END OF SITE

Search

Map Unit Legend

Monmouth County, New Jersey (NJ025)

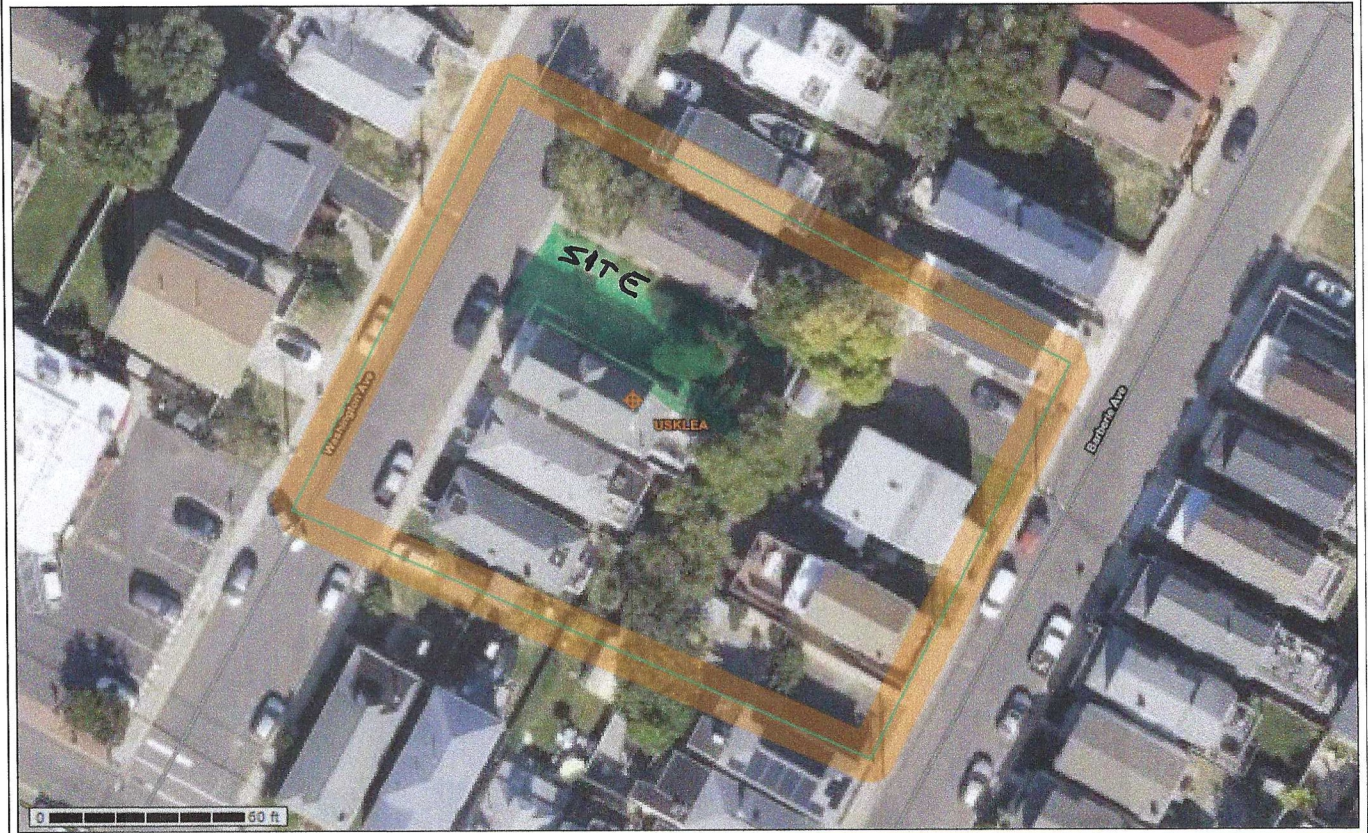
Monmouth County, New Jersey (NJ025)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
USKLEA	Urban land-Klej complex, 0 to 2 percent slopes	0.6	100.0%

Totals for Area of Interest	0.6	100.0%
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Soil Map

Scale (not to scale) ▾



Warning: Soil Map may not be valid at this scale.

You have zoomed in beyond the scale at which the soil map for this area is intended to be used. Mapping of soils is done at a particular scale. The soil surveys that comprise your AOI were mapped at 1:24,000. The design of map units and the level of detail shown in the resulting soil map are dependent on that map scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

DONALD A. DiMARZIO, M.S., P.P.
104 OAK AVENUE
P.O. Box 1172
ISLAND HEIGHTS, NJ 08732-1172
(732) 506-9625
Ddimarzio104@comcast.net

EDUCATION

Rutgers University
Graduate Studies, Urban Planning and Policy Development
Continuing Education Courses in Environmental Science, Wetlands Science and
Environmental Policy

Rutgers University
Master of Science, Environmental Science, 1983

University of Rhode Island
Bachelor of Science, Resource Management, 1979

PROFESSIONAL LICENSES AND CERTIFICATIONS

License: Professional Planner, State of New Jersey
Certification: American Institute of Certified Planners (pending)
Certification: US Fish and Wildlife Service, Habitat Evaluation Procedures
Certification: Rutgers University, Wetlands Delineator

PROFESSIONAL EXPERIENCE

November 1993 to present
Self-employed environmental consultant

Performance of due diligence environmental audits, permitting, environmental impact statements, wetlands delineations, and land use studies for development and infrastructure projects. Worked as subcontractor on GSA environmental projects in Georgia.

November 1991 to November 1993
Ocean County Engineering Department, Toms River, NJ
Senior Environmental Scientist

Performance of multi-disciplinary impact assessments and permit applications for county road projects. Evaluation of private sector construction projects' impacts on county roadways and other infrastructure.

September 1990 to October 1991
Enviroplan, Inc. Roseland, NJ
Senior Consultant

Performance of multi-disciplinary impact assessments and air quality permit applications for cogeneration facilities throughout New York and New Jersey. Performance of planning and siting studies, and wetlands delineations throughout New York.

Birdsall Engineering, Inc., Belmar, NJ
Senior Environmental Scientist/Environmental Services Manager

Performance of technical and administrative activities, including supervisory, project management, and marketing functions, as both senior staff member of an engineering company and as manager of the firm's environmental services subsidiary. Technical duties included permit applications, impact assessments, and wetlands delineations. Administered NJPEDS permit, including groundwater and stormwater monitoring, for a major amusement park in central New Jersey. Performed environmental and siting studies for county landfill expansion in central New Jersey. Trained and supervised drafting and environmental staff.

April 1982 to September 1985
Naval Air Engineering Center, Lakehurst, NJ
Environmental Scientist

Preparation of environmental documentation and permit applications for industrial facilities at Department of Defense manufacturing and test facility. Supervised water testing contract, including field sampling. Maintenance of pollution control equipment. Development of biological pest control program.

REPRESENTATIVE PROJECT EXPERIENCE

Bamm Hollow Estates, Middletown, NJ – delineated wetlands for 300 golf course redevelopment project, obtained wetlands letter of interpretation from NJDEP. Obtained regulatory approvals for residential re-development project.

Affordable Housing Alliance of New Jersey, Eatontown, NJ – performed Phase I Environmental Audits for numerous sites throughout Monmouth County, including the Pine Tree Mobile Village Trailer Park, Eatontown; multi-family residential buildings in Bayshore area; multi-family structure in Oceanport; and vacant land site in Middletown Township.

180 Turning Lives Around, Inc., Hazlet, NJ – obtained Flood Hazard Area Control Act Hardship Exception Permit for battered women's shelter project in Middletown Township.

Meridian Quality Care, Inc., Wall, NJ – performed Phase I Environmental Audit for Manor by the Sea Assisted Care facility in Ocean Grove, NJ.

Meridian Quality Care, Inc., Wall, NJ – obtained NJDEP CAFRA and Freshwater Wetlands approvals for assisted living development project, Borough of Shrewsbury. Performed Phase I Environmental Audit for site, including historic farmland research and soil sampling.

CKV Realty, Freehold, NJ – Performed Phase I environmental Audit for site, including historic farmland research and soil sampling, for site in Millstone Township. Delineated wetlands, and prepared Environmental Impact Report per municipal requirements.

River Development, LLC, Port Monmouth, NJ – obtained NJDEP CAFRA, Freshwater Wetlands, Waterfront Development, and Army Corps approvals for Rivers Edge residential development project, Hazlet Township.

County of Ocean/New Jersey Highway Authority, Toms River, NJ – delineated wetlands, and obtained CAFRA, Freshwater Wetlands and Pinelands Commission approval for Garden State Parkway interchange expansion, Stafford Township.

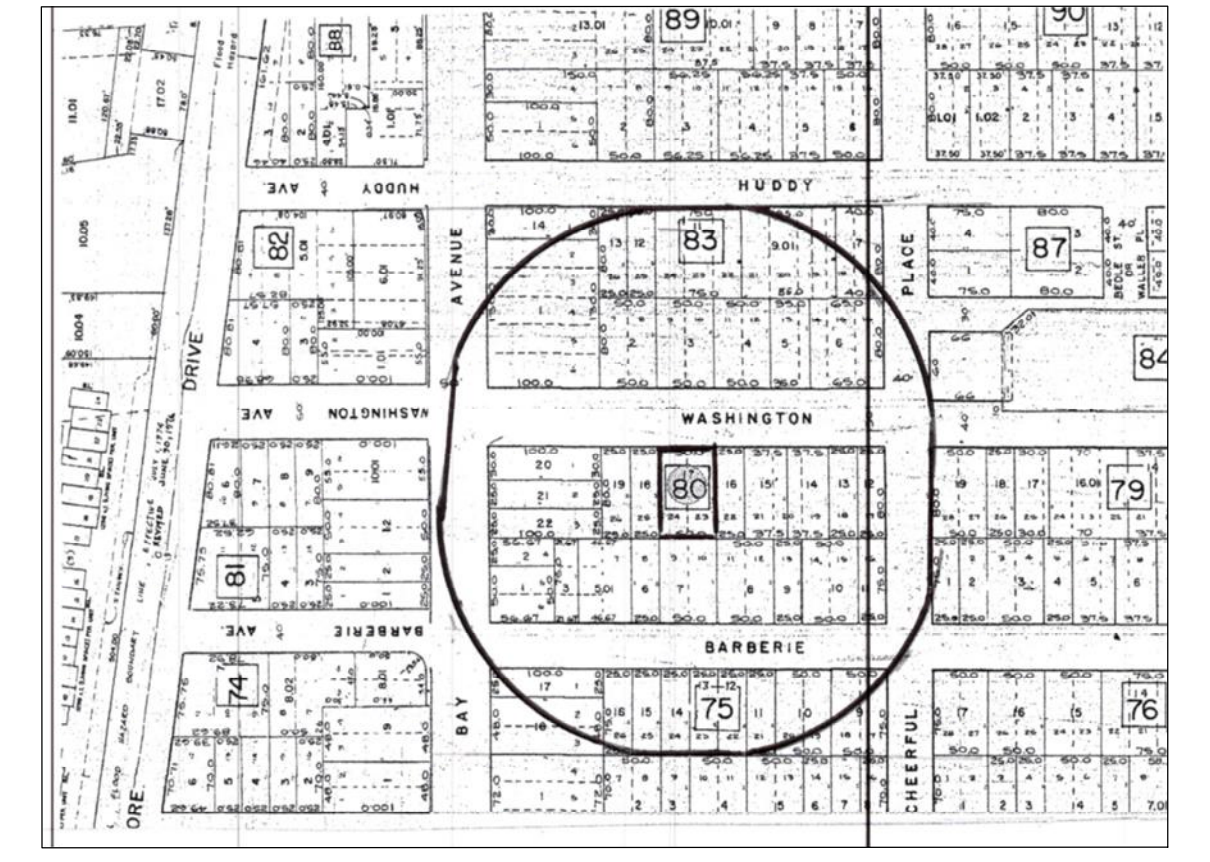
Pfister Chemical Company, Ridgefield, NJ – delineated wetlands, and obtained regulatory approvals for wetlands remediation project at existing manufacturing facility.

Kennedy Consulting Engineers, LLC, Red Bank, NJ – wetland delineations, and regulatory permitting, for numerous projects throughout Monmouth and Middlesex Counties.

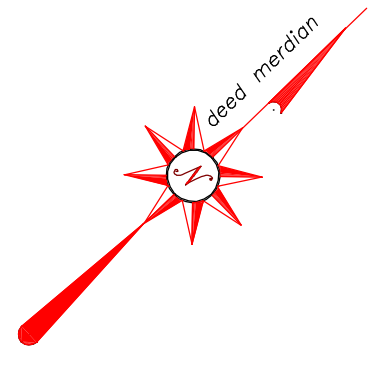
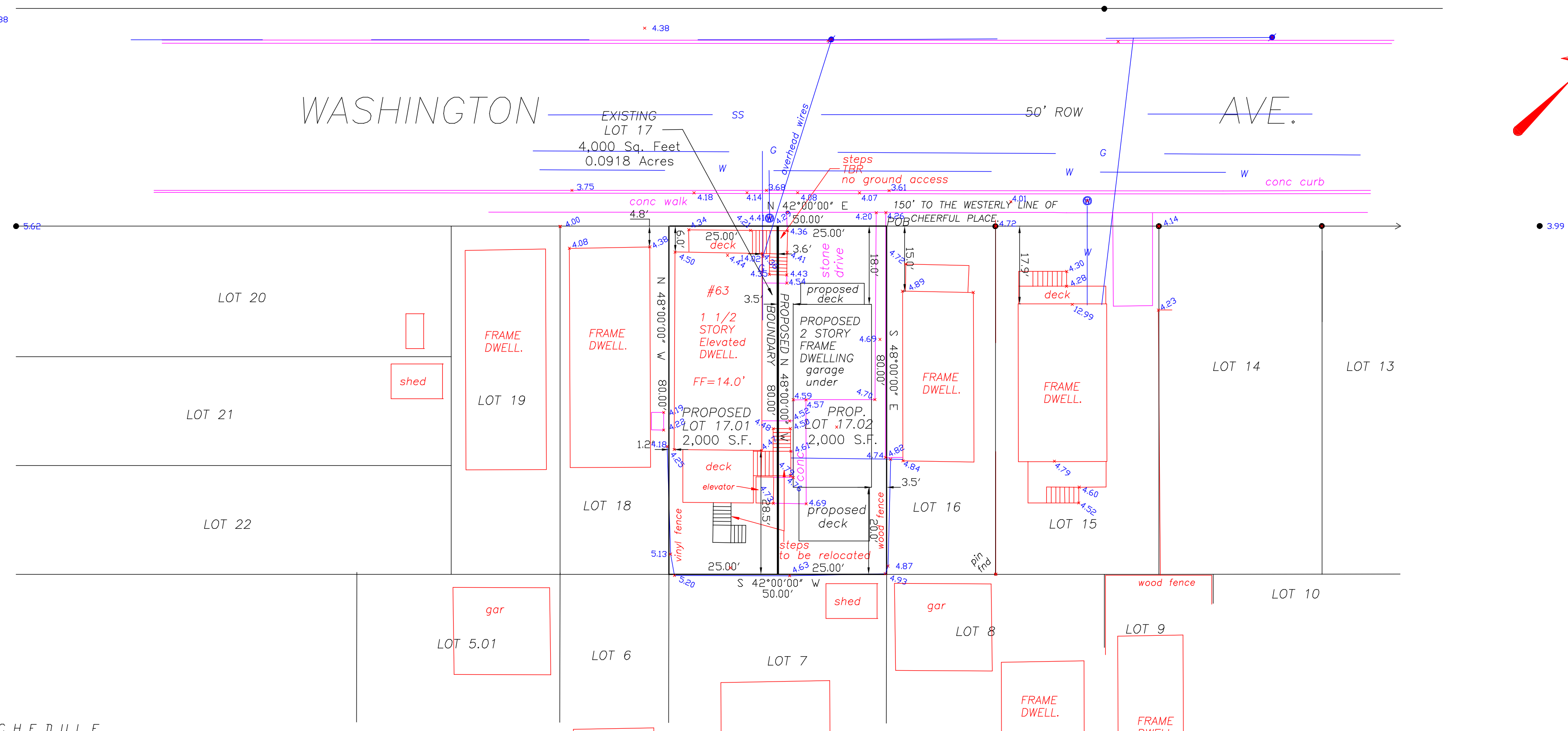
SITE SPECIFIC NOTES

- 1- All utilities servicing the new home shall be placed underground per RSIS standards.
- 2- The applicant intends to construct 1 new home that will be FEMA elevation compliant, and in accordance with municipal regulations.
- 3- Elevations refer to North American Vertical Datum 1988 (NAVD-88)
- 4- The dwelling footprint shown for proposed lot is generic only. A fully executed plot plan and building plans will be submitted to the Municipality for review and approval of the building permit application.
- 5- Property is Located in Flood Zone AE with a Base Flood Elevation 11.0
- 6- Any municipal infrastructure damaged during construction, shall be replaced or repaired to the satisfaction of the Borough Engineer.
- 7- Any Object beneath the surface of the Ground has not been located, and no Guarantee as to existence or location is expressed or implied.
- 8- THIS SURVEY HAS BEEN PREPARED WITHOUT A FULL TITLE SEARCH AND IS SUBJECT TO SUCH FACTS THAT MIGHT BE REVEALED BY SAID TITLE SEARCH.

Block/Lot	Current Owner	Mailing Address	Highlands NJ	07732
1319-81-01	VALNOTI JR. JOSEPH	85 WASHINGTON AVENUE	HIGHLANDS NJ	07732
1319-81-02	ABRAHAM PROPERTY INC	8 SHAWBURY LANE	HIGHLANDS NJ	07732
1319-81-03	SHANNON ENTERPRISES LLC	306 BAY AVENUE	HIGHLANDS NJ	07732
1319-83-13	DOSE, DAVID	57 HUDDY AVENUE	HIGHLANDS NJ	07732
1319-84-281	CAPTAINS COVE HOMES LLC	P.O. BOX 8100	HIGHLANDS NJ	07732
1319-75-17	CLARK EVELYN ROSE	282 BAY AVENUE	HIGHLANDS NJ	07732
1319-80-11	KELLY TOM	50 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-80-1	CONRADO DOMANADE	288 BAY AVENUE	HIGHLANDS NJ	07732
1319-80-2	HUNANE MARTIN & GENEVEVE	18 DUNCAN AVENUE	CORLAND MANOR NY	10566
1319-80-13	DAVIS JOHN WILLIAM & RACITI CATHY	51 WASHINGTON AVENUE	HIGHLANDS NJ	07732
1319-80-15	WHEELER EDWARD	306 OCEAN AVE	SEA BRIGHT NJ	07760
1319-80-18	BOHRIG MARLEA & DOROTHY GAY B	2 HICKORY LANE	BERKLEY HEIGHTS NJ	07922
1319-80-19	KRAFT ROBERT & DIANE	5 REDWOOD LOOP	STATEN ISLAND NY	10309
1319-80-20	TROCCOLI MICHELLE E	294 HAY AVE	HIGHLANDS NJ	07732
1319-75-3	PIRO CYNTHIA ALVARADO	545 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-81-2	HORNACEK JAMES & DAWN	287 BAY AVENUE	HIGHLANDS NJ	07732
1319-80-3	J. JENKINS HEATHER	72 N BRIDGE AVENUE	HIGHLANDS NJ	07732
1319-80-7	CARROLL JEANETTE	44 BARBERIE AVE	HIGHLANDS NJ	07732
1319-75-18	CLARK EVELYN R.	282 BAY AVENUE	HIGHLANDS NJ	07732
1319-83-4	CATCHERMAN LLC	883 BAY AVENUE	HIGHLANDS NJ	07732
1319-80-22	SEWISKO FRANK PETER JR	290 BAY AVENUE	HIGHLANDS NJ	07732
1319-76-9	DAVE CAROL PROPERTIES LLC	65 POVERISHAM ROAD	NUTLEY NJ	07110
1319-83-11	53-55 HUDDY AVENUE LLC	49 HUDDY AVENUE	HIGHLANDS NJ	07732
1319-83-12	DOSE, DAVID	57 HUDDY AVENUE	HIGHLANDS NJ	07732
1319-83-7	BUREL ALLISON KONICK & NATHANIEL	45 HUDDY AVENUE	HIGHLANDS NJ	07732
1319-83-8	HEWITT CHRISTINE MARIE & BURTON N	49 HUDDY AVENUE	HIGHLANDS NJ	07732
1319-75-13	ROSS, RYAN	61 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-75-14	SEARCY ELIZABETH	63 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-75-15	BIRCHWOOD INC	160 WEST END AVE	POINT PEASANT NJ	08049
1319-75-19	NICHOL JAMES & PATRICIA J	67 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-83-5	HOWER TIMOTHY	56 WASHINGTON AVENUE	HIGHLANDS NJ	07732
1319-83-2	BIANCO-HESS CANDICE	68 WASHINGTON AVENUE	HIGHLANDS NJ	07732
1319-83-3	PAVAO AL P & LINDA	64 WASHINGTON AVENUE	HIGHLANDS NJ	07732
1319-80-6	MILLER DANIEL R	66 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-80-12	WATERWITCH GROUP L.L.C.	9 MARINE PLACE	HIGHLANDS NJ	07732
1319-80-8	NEW HORIZON HOME BUYERS LLC	51 OHIO AVENUE	MIDDLETOWN NJ	07748
1319-80-5-01	KALE JEFFREY B JR	70 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-79-1	48 BARBERIE AVE LLC	12 HARBOR COURT	W. LONG BRANCH NJ	07764
1319-75-10	PIOTROWSKA ANNA	55 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-75-11	DEFORREST KENNETH & HERZOG KIM	57 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-75-6-01	BURTON KELLA & BONNIE M	54 SEADRIFT AVENUE	HIGHLANDS NJ	07732
1319-80-21	MAIN NUNDA GRAYBILL	292 BAY AVENUE	HIGHLANDS NJ	07732
1319-75-2	CHEMENCE DANIELLE M.	66 SEADRIFT AVENUE	HIGHLANDS NJ	07732
1319-80-16	HALLANDER ALYSON	59 WASHINGTON AVENUE	HIGHLANDS NJ	07732
1319-80-14	WATERWITCH ACQUISITION LLC	55 WASHINGTON AVENUE	HIGHLANDS NJ	07732
1319-75-4-01	ALSTIN MILES & STACY	62 SEADRIFT AVENUE	HIGHLANDS NJ	07732
1319-75-12	CAN-ULI JOHN T & ILIFF ROBERT W	59 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-79-19	BASS CHARLES & DARREN & JORDAN	45 WASHINGTON AVE	HIGHLANDS NJ	07732
1319-80-9	NES-IE TIMOTHY & MARA	56 RAF MARIE AVENUE	HIGHLANDS NJ	07732
1319-80-10	BURMAN JEFFREY & HAHN NATALIE	52 BARBERIE AVENUE	HIGHLANDS NJ	07732
1319-83-6	ROSS JEFFREY A	328 OCEAN AVENUE	SEA BRIGHT NJ	07760
1319-75-1	NEW HORIZON HOLDINGS LLC	107 MOUNTAINSIDE AVENUE	ATLANTIC HIGHLANDS NJ	07716



KEY MAP



GENERAL NOTES

- 1- The Applicant proposes to subdivide one lot creating 2 Lots more in conformance with the neighborhood and requirements of the R-2.01 Single Family residential zone.
- 2- Known and designated as Lot 17 Block 80 as shown on the current tax assessment map of the Borough of Highlands, Monmouth Co., N.J., Sheet 15 Last revised 05-31-16.
- 3- Current Data:

Lot 17	
Total tract area	4000 SF
total bldg area	910SF
Impervious cover	2462 SF
Greenscape area	1538 SF
- 4- Developmental Data:

LOT 17.01	LOT 17.02	
Proposed Lot area	2000 SF	2000 SF
Proposed building area	910 SF	756 SF
Proposed impervious coverage	1235sf	1275sf
Proposed greenscape	765 SF	725 SF
Parking spaces, off street	2	2
- 5 Utilities are from various sources, and location and/or size is not guaranteed. It is advised to contact the appropriate utility company before construction.
- 6- The Entire tract is within a Coastal Flood Hazard Zone, Elevations refer to NAVD-88 datum. All New Construction must be in conformance with the Borough's requirements for construction in a Flood zone, and FEMA Flood Zone AE 11.0, Community 345297 Panel 34025C0088H 6/15/2022
- 7- Owner & Applicant: EDWARD WHEELER, 908 OCEAN AVENUE, SEA BRIGHT, NJ

ZONE SCHEDULE		Required Elements	Current Elements Lot 17	Proposed Elements Lot 17.01	Proposed Elements Lot 17.02	Comment
R-2.01 Single Family Residential Zone District						
Lot Area, min.	SF	3750	4000	2000 *	2000*	
Lot frontage	Ft	50	50	25.00 *	25.00 *	
Lot Depth, min	FT	75	80	80.0	80.0	
Front yard, min	FT	20	6.0**	6.0**	18.0*	
Prevailing	FT		11			
Side yard, min	FT	6/8	1.2**/28.6	1.2**/36*	3.5*/35*	
Rear Yard, min	FT	20	28.5'	28.5	20.0	
Coverage, Bldg	%	33	22.8	45.5*	37.8*	
Lot Coverage	%	75	62	62	64	
Building Height	FT	32.5	32.5 BFE to MP eave to peak	32.5	35 parking under	
Parking, off street	Spc	2	4	2	Park under. 2	

** Pre-existing non conformity
 * Created deficiency, variance required.

APPLICATION NO. HLPB24-03 approved/disapproved by the HIGHLANDS BOARD/BOARD OF ADJUSTMENT AS A MINOR SUBDIVISION ON _____ DATE

CHAIRMAN _____ DATE _____
 SECRETARY _____ DATE _____

I (WE) HEREBY CERTIFY TO BE THE OWNER(S) OF THE LAND DELINEATED ON THIS MAP AND DO HEREBY CONSENT TO THE FILING OF THE MAP WITH THE MUNICIPALITY and/or COUNTY.

SIGNATURE(S) _____ DATE _____

I HEREBY CERTIFY THAT I HAVE CAREFULLY EXAMINED THIS MAP AND FIND IT CONFORMS WITH THE PROVISIONS OF THE ORDINANCES AND RESOLUTION CONDITIONS APPLICABLE THERETO.

BOARD ENGINEER _____ DATE _____

I HEREBY CERTIFY THAT THE ABOVE MAP AND SURVEY HAVE BEEN MADE UNDER MY IMMEDIATE SUPERVISION, FROM ACTUAL MEASUREMENTS TAKEN AT THE SITE. Date of Survey: 08-15-2023

RONALD L. TRINIDAD
 PROFESSIONAL LAND SURVEYOR
 N.J. LICENSE 43370

The subdivision is to be perfected by the filing of deeds

REV	DATE	DESCRIPTION	BY	CHK
1	7/12/24	Review 1	tt	RLT

MINOR SUBDIVISION PLAN FOR:
EDWARD WHEELER
 LOT 17 BLOCK 80 SHEET 15
 BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY

R AND T LAND SURVEYING
 SURVEYING & MAPPING <> LAND PLANNING <> CONSTRUCTION SURVEYING
 PO BOX 124, ATLANTIC HIGHLANDS, NJ 07716, 732-872-2827

DATE: 08/17/23	FILE: 4449	DRAWN: RLT	JOB NO: 8395
SCALE: 1"=20'	CADW: W-8395r1.dwg	CHK: HS	DWG NO: D- 1063



Roberts
 ENGINEERING GROUP LLC
 Women Business Enterprise Certified

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

November 15, 2024

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

Re: Completeness Review No. 2
 Applicant: Wheeler
 63 Washington Avenue
 Block 80, Lot 17
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-03

Dear Ms. Tran:

As requested, we have reviewed the above referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations.

The Applicant received a Zoning Denial Letter, dated January 31, 2024, upon seeking a minor subdivision and was deemed noncompliant per the Municipal Zoning Ordinance and advised to submit to the Land Use Board.

The Applicant seeks a Minor Subdivision to subdivide existing Lot 17 in the R-2.01 Single Family Residential District into two lots of equal size, Lot 17.01 and Lot 17.02. Existing Lot 17 consists of 4,000 sf having an elevated 1 ½ story frame dwelling with decks and garage under parking, stone drive and fencing. The dwelling will remain with decking and garage under parking and be situated on a proposed 2,000 sf lot and will be known as proposed Lot 17.01. The remaining 2,000 sf of Lot 17 will be proposed Lot 17.02 consisting of a proposed elevated 2 story frame dwelling with decking, garage under parking and associated site improvements.

The existing lot is conforming except for the front yard setback. The proposed lots are each non-conforming and will require bulk variances.

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

1. Copy of resubmission letter addressed to Ms. Nancy Tran, Land Use Board Secretary from Rick Brodsky, Esq., Ansell Grimm & Aaron, PC, dated October 25, 2024.
2. Copy of plan entitled, "Minor Subdivision Plan for Edward Wheeler, Lot 17, Block 80, Borough of Highlands, Monmouth County, New Jersey", prepared by Ronald Trinidad, PLS, R and T Land Surveying, unsigned and dated August 17, 2023, and last revised July 12, 2024, consisting of 1 sheet.
3. Copy of submission letter addressed to Ms. Nancy Tran, Land Use Board Secretary from Rick Brodsky, Esq., Ansell Grimm & Aaron, PC, dated May 21, 2024.
4. Copy of plans entitled, "New Construction, Wheeler Residence, Washington Avenue, Highlands, NJ, Block 80 Lot 17.02", prepared by Jeremiah J. Regan, AIA, Architect, dated and signed January 15, 2024, consisting of 1 sheet.
5. Copy of the Land Use Board Application for Minor Subdivision and Variance, dated May 1, 2024.
6. Copy of a Letter report Denial of Zoning Permit issued on January 31, 2024, by Courtney Lopez, Zoning Officer for the Borough of Highlands.

Completeness Review No. 1
 Applicant: Wheeler
 63 Washington Avenue
 Block 80, Lot 17
 Borough of Highlands, Monmouth County, New Jersey
 Our File No.: HLPB24-03
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We offer the following comments and recommendations for the Planning Board’s consideration:

I. ZONING

1. This property is located in the R-2.01 Single Family Residential District.
2. The Applicant requires eleven (11) bulk variances. To be entitled to bulk “c” variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A 40:55D-70c for bulk variances.

The Applicant will be required to provide proof during testimony.

3. The following bulk requirement summary is provided for the Board’s reference. In accordance with Ordinance §21-86A (4), existing and proposed bulk deficiencies which require bulk “c” variances have been noted:

Schedule I – Bulk and Area Requirements				
R-2.01 Residential Zone	Required	Existing Lot 17	Proposed Lot 17.01	Proposed Lot 17.02
Min. Lot Area (sf)	3,750	4,000	*2,000	*2,000
Lot Frontage/Width (ft)	50	50	*25.00	*25.00
Min. Lot Depth (ft)	75	80	80.00	80.00
Min. Front Yard Setback (ft)***	20	**6.0	**6.0	*18.0
Min. Side Yard Setback (ft)	6/8	**1.2/28.6	**1.2/*3.6	*3.5/*3.5
Min. Rear Yard Setback (ft)	20	28.5	28.5	20.0
Max. Building Height (ft)****	30	TBD	TBD	TBD
Max Lot Coverage	75%	62%	62.0	64.0
Max Building Coverage	33%	22.8%	*45.5	*37.8
On-Site Parking (spaces)	2	4	TBD	2 Under

- * Proposed Variance
- ** Existing non-conformity
- *** Or average of the existing front yard setback within 200 ft of same block and zone or average of adjacent lots.
- **** Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2 ½) feet.

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

As posted on Borough website under Land Use forms

1. Variances

Residential "c" (minimum lot area)	x2	1 EA	\$ 125.00	\$ 250.00
Residential "c" (minimum lot frontage/width)	x2	1 EA	\$ 125.00	\$ 250.00
Residential "c" (minimum front yard setback)	x1	1 EA	\$ 125.00	\$ 125.00
Residential "c" (minimum side yard setback)	x4	1 EA	\$ 125.00	\$ 500.00
Residential "c" (maximum building coverage)	x2	1 EA	\$ 125.00	\$ 250.00
Subtotal				\$1,375.00

2. B. Subdivisions

Minor		1 EA	\$ 400.00	\$ 400.00
Total				\$1,775.00

Completeness Review No. 1
Applicant: Wheeler
63 Washington Avenue
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III. CHECKLIST ITEMS

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

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

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

The Applicant has provided metes and bounds for all proposed lot lines on the plan.

Metes and bounds descriptions for the new lots shall be provided if the application is approved.

8. The existence and location of any utility or other easement. **Provided with plan note.**
9. Setback, sideline and rear yard distances and existing structures. **Provided.**
10. The name and address of the person preparing the plat, the graphic scale, date of preparation and reference meridian. **Provided.**
11. Certification from the Tax Collector that all taxes and assessments for local improvements on the property have been paid up to date. **Provided.**
12. Certification statement for the required municipal signatures, stating: **Provided.**

Application No. _____ approved/disapproved by the Highlands Borough Planning Board/Board of Adjustment as a Minor Subdivision on _____.
(date)

Chairman

Secretary

13. Certification statement for the County Planning Board approval / disapproval, if required. **Not applicable.**
14. Zone district boundary lines, if any, on or adjoining the property to be subdivided and a schedule indicating the required minimum lot area, lot width, lot depth and front, rear and side yards of each zone district located on the property. **Provided.**

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 Applicant: Wheeler
 63 Washington Avenue
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15. A wetlands statement provided by a qualified expert. **Provided.**
16. The Board reserves the right to require a feasible sketch plan layout of remaining land not being subdivided if it is deemed necessary. **Provided.**

The applicant has provided a generic house and driveway layouts to demonstrate the sizes of proposed homes and the need for any additional setback relief.

17. A lot grading plan, to be reviewed by the Borough Engineer, if required. **Required.**

The Applicant is required to provide a lot grading plan.

IV. COMPLETENESS

We recommend this application be deemed complete.

V. GENERAL COMMENTS

1. The Minor Subdivision is dated but not signed by the professional. In addition, the signatures of the owners are required.
2. Update the Certification Statement to note the Borough of Highlands Land Use Board.
3. Please provide and update the signature blocks noting the Map Filing Law, updated surveyor's certification, notary public, filing with the county, and setting of monuments.
4. Property corners are required to be set. Please indicate on the plan and the type of survey marker.
5. Please provide coordinates for at least three property corners.
6. Please provide the Point of Beginning for the existing and proposed lots.
7. Please list the deed reference of the survey.
8. Please note the scale of the Key Map.
9. As requested, a wetlands letter which has been prepared and signed by a wetlands expert has been provided and notes the absence of wetlands.
10. Please update the required building height to be 30 ft and include the note, "Where a dwelling is constructed or reconstructed to provide the required parking under the structure, the maximum height shall be increased by two and one-half (2 ½) feet." in the zoning table.
11. A building height variance is unable to be determined until more information is provided on the plans.

The building heights on the architectural plans (January 15, 2024) and the zoning table are not consistent.

The elevations provided are unclear. One foot is to be added to the BFE within the Flood Hazard Area per §21-8 Definitions for Building Height and Grade Plane.

12. The distance between the proposed building and the existing building on Lot 16 appears to be 7 feet±. Please provide building offset distances between the proposed and existing dwellings to help the Board make an informed decision regarding the side yard setback variance.
13. Please update the front yard and rear yard setbacks for Proposed Lot 17.02.

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According to § 21-65.27 Yards, Courts and Exposures, any deck that extends above the elevation of the first floor of the principal structure shall meet the setback requirements for that principal structure.

Provide a prevailing setback analysis according to § 21-79.B:

In areas where at least seventy-five (75%) percent of the lots within two hundred (200) feet are already developed, the front yard setback may be either the required setback or the prevailing setback. The prevailing setback shall be the average setback of buildings on the same block in the same zone, but not less than the average of the setbacks of the buildings on the two (2) nearest adjacent lots and in no case, less than half the required setback.

Please submit for the Board's review.

14. Please clarify the number of proposed parking spaces for Lots 17.01 & 17.02.

There are currently 4 parking spaces for Lot 17 and a total of 4 spaces for Proposed Lots 17.01 & 17.02 according to the application and zoning table. Proposed Lot 17.01 may have insufficient parking.

The existing and proposed dwellings each have 3 bedrooms and are required to provide 2 parking spaces according to § 21-65.14.C, Off-Street Parking, Residential Zones and Uses.

The existing dwelling has an existing garage under layout, but it is unknown if one or two spaces are provided in the garage. The length of the area between the garage and the existing sidewalk does not accommodate a parking space. The existing vacant stone area possibly provides 3 parking spaces for Lot 17, but these spaces have been eliminated by proposed Lot 17.02. Proposed Lot 17.01 with the existing dwelling may only have 1 space and requires 2 spaces.

The proposed dwelling on Proposed Lot 17.02 has a garage under layout and provides 2 spaces. The proposed 18' long driveway possibly accommodates at least one space. This may change depending on the prevailing setback.

According to § 21-65.14.C..2.c., a two-car garage and driveway combination shall count as 3.5 off-street parking spaces, provided a minimum parking area width of 20 feet is provided for a minimum length of 18 feet as specified for a one-car garage and driveway combination.

The proposed stone driveway is 18 feet long however the width is not indicated on the plan.

15. Please provide the location of the existing sanitary sewer service and water service for the property.
16. Please provide the proposed sanitary sewer service and cleanout location and provide the proposed water service location.
17. Please provide a label or note regarding the material and width of the proposed drive.
18. Indicate existing and proposed depressed curbing.
19. Please provide information on how the existing concrete walkway on the proposed lot will be altered and its relationship to the elevator and dwelling.

Confirm that this area is included in the impervious coverage.

Provide a listing of the impervious coverages and areas.

20. The minor subdivision notes that the proposed dwellings will be FEMA elevation compliant and in accordance with municipal regulations.

A plot and grading plan and updated architectural plans will be required. All runoffs must be directed towards the road and away from the existing and proposed dwellings and the adjoining properties.

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21. Site Specific Note 5 and General Note 6 to list the NJDEP regulatory flood elevation.
22. An existing mature holly is discussed and shown in photos referenced with the wetlands letter. It appears that it may be situated within the proposed area of construction.

Should the holly be removed from the lot, Ordinance 0-24-04 §22.1.8 (Tree Replacement Requirements) will be required for the application.

The applicant would need to determine the diameter of the tree at breast height and provide replacement trees according to §22.1.8.A or an alternative according to §22.1.8.B.

23. Provide construction details.

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

Very truly yours,



Carmela Roberts, P.E., C.M.E., C.P.W.M.
Land Use Board Engineer

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Austin P. Mueller, Assoc., Land Use Board Attorney (amueller@weiner.law)
Courtney Lopez, Zoning Officer (clopez@highlandsborough.org)
Rick Brodsky, Esq., Applicant's Attorney (rbrodsky@ansell.law)
Jeremiah J. Regan, AIA, Applicant's Architect (jeremiahregan@aol.com)
Cameron Corini, P.E., C.M.E., C.P.W.M., Roberts Engineering Group, LLC
GS Bachman, E.I.T., Roberts Engineering Group, LLC