



BOROUGH OF HIGHLANDS
LAND USE BOARD MEETING
22 Snug Harbor Avenue, Highlands NJ 07732
Thursday, May 12, 2022 at 7:00 PM

AGENDA

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETING STATEMENT

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

ROLL CALL

OPEN FOR PUBLIC COMMENTS

General Questions or Comments not pertaining to Applications

ACTION ON OTHER BUSINESS

1. Ordinance 22-09 Amending Section 21-84B "Steep Slope and Slump Blocks" of Municipal Code

RESOLUTIONS - NONE

HEARINGS ON OLD BUSINESS - NONE

HEARINGS ON NEW BUSINESS

2. LUB2021-07: Farrell, Block 32 Lot 7 (32 Shrewsbury) – Variance

APPROVAL OF MINUTES

3. April 14, 2022 LUB Meeting Minutes

COMMUNICATION AND VOUCHERS

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

ORDINANCE 22-09

ORDINANCE AMENDING SECTION 21-84B "STEEP SLOPES AND SLUMP BLOCKS" OF THE BOROUGH OF HIGHLANDS MUNICIPAL CODE

WHEREAS, Section 21-84B of the Borough Code entitled "Steep Slopes and Slump Blocks" addresses land use and construction requirements for properties located in steep slope and slump block areas; and

WHEREAS, the governing body of the Borough of Highlands wishes to better guide the development and preservation of the Borough's steep slope properties and has determined that it is in the best interest of the Borough to revise Section 21-84B to update and clarify these provisions to promote the public health, safety, and welfare.

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

SECTION I. Borough Code Section 21-84B "Steep Slopes and Slump Blocks" is hereby deleted in its entirety.

SECTION II. Borough Code Section 21-84B "Steep Slopes" shall be added as follows:

21-84B STEEP SLOPES.

- A.** Areas Covered. The areas of Highlands covered by this section (referred to hereafter as "slope area") are any properties south of Shore Drive and the Highlands-Sea Bright Bridge, including Blocks 1 through 29, inclusive, Blocks 34 through 38, inclusive, Blocks 40, 60, and 61, and Blocks 103 through 120, inclusive, as described by the Tax Assessment Map of the Borough of Highlands.
- B.** Permit requirement exceptions. A slope area permit is required for any work or disturbance affecting a slope area, except when the area of the proposed work or disturbance:
 - (1)** Contains no slopes greater than 10%, nor any slope greater than 15% within 100 feet, and the work or disturbance is:
 - (a)** Soil disturbance of five cubic yards or less;
 - (b)** Change in impervious ground cover of 200 square feet or less;
 - (c)** Removal of five trees or less, having a circumference of up to 20 inches each, measured at four feet above the ground;
 - (d)** Removal or disturbance of vegetation covering 200 square feet or less.
 - (2)** Contains no slopes greater than 15%, nor any slope greater than 20% within 100 feet; and the work or disturbance is:
 - (a)** Soil disturbance of three cubic yards or less;

- (b) Change in impervious ground cover of 100 square feet or less;
 - (c) Removal of three trees or less, having a circumference of up to 20 inches each, measured at four feet above the ground;
 - (d) Removal or disturbance of vegetation covering 100 square feet or less.
 - (3) Contains slopes greater than 15% and the work or disturbance is:
 - (a) Soil disturbance of one cubic yard or less;
 - (b) Change in impervious ground cover of 25 square feet or less;
 - (c) Removal of one tree, having a circumference of up to 20 inches measured at four feet above the ground;
 - (d) Removal or disturbance of vegetation covering 25 square feet or less.
 - (e) All items described in Subsection B(1), (2) and (3) above represent a cumulative total per lot, per calendar year.
 - (4) Inspection for tree trimming.
 - (a) In slope areas of greater than 15%, no normal tree topping to provide a view, protecting adjacent structures or the removal of dead or unhealthy trees shall take place prior to an inspection and a determination as to how much of the tree may be trimmed or what trees may be removed. Such determination shall be subject to the Tree Commissioner and shall require a permit as set forth in Section 22-1 of the Borough Code.
 - (b) Where site plan or subdivision approval is also required, the slope area permit review will be performed along with that approval process, and the applicant will submit copies of all required information to the Land Use Board. Although the Board cannot grant or deny a slope area permit (except for an appeal under Subsection J), the Board shall consider all plans submitted under this section in any application for site plan or subdivision approval affecting a slope area.
 - (5) Additions to a single-family residence shall be exempt from the lot coverage, impervious coverage and lot disturbance provisions of this section if the following conditions exist:
 - (a) That the size of any one-story addition, deck, patio or excavation is less than 200 square feet. Soil logs and testing for future subsurface disposal systems shall not be exempted.
 - (b) That no slope greater than 10% exists within 20 feet of the area to be disturbed.
 - (c) The applicant provides plans or a written statement describing soil erosion and stabilization measures which will be used as part of construction.
 - (d) A final inspection fee of the equivalent of one hour of the Borough Engineer's time is posted prior to the issuance of the permit.
- C. Application for permit. An application for a slope area permit shall be made to the Highlands Construction Official. The application shall include at least:
- (1) Property description by Tax Map block and lot, and by street address if available.
 - (2) Scalable drawing of location of proposed work or disturbance along with existing and proposed topography. This drawing shall also include a delineation of the proposed limit of disturbance with area calculation.

- (3)** Areas clearly identified showing the following, as measured between ten-foot contour lines: Area 1, 30% or greater; Area 2, 20% but less than 30%; Area 3, 15% but less than 20%; Area 4, less than 15%.
 - (4)** Calculation, in square footage and acres, of amount of area in the various slope categories listed above. All applications shall contain calculations demonstrating compliance with Subsections E(1) through E(4) of this Section.
 - (5)** Statement of proposed work or disturbance.
 - (6)** Any other additional information as is reasonably necessary to make an informed decision, including, but not limited to, the items listed below and in Subsection F:
 - (7)** Where site plan or subdivision approval is required, the following exhibits shall also be submitted:
 - (a)** Topographic map showing existing contours at two-foot intervals.
 - (b)** Extent and erosion potential of exposed soils.
 - (c)** Length, steepness and surface roughness of exposed slopes.
 - (d)** Resistance of soil to compaction and stability of soil aggregates.
 - (e)** High water table, water infiltration capacity and capacity of soil profile.
 - (f)** Chemical, physical and biological nature of subsurface soils.
 - (g)** Type and location of construction activity, including the amount of site grading, and depth of such grading.
 - (h)** The time period of exposure of erodible soils during construction.
 - (i)** The area and density of woodlands and forest, within the construction site and on contiguous lands for a distance of 200 feet, or such other distance as deemed appropriate by the Borough Engineer. All significant tree specimens four inches or greater in diameter, measured at four feet above the ground; all dogwood, American holly, and mountain laurel; and all other vegetation on slopes 15% or greater shall be indicated on the application plans as well as physically marked on the construction site.
 - (j)** The extent of impervious surface to be constructed.
 - (k)** Location of construction access roads.
 - (l)** Calculation of amount of site grading, to include a cut-and-fill balance sheet, including cross sections, and indicating, where applicable, the volume of and source of off-site fill.
 - (m)** Extent of on-site erosion sediment control measures, during and after construction and until any affected area is stabilized.
 - (n)** Any other information as is reasonably necessary to make an informed decision.
- D.** Application review and standards of approval.
- (1)** The Borough Engineer shall review every slope area application to determine whether the proposed work or disturbance may have a detrimental impact upon any slope area. Such review shall include at least an on-site inspection.
 - (2)** The Borough Engineer shall thereafter approve only those applications where the proposed work or disturbance will:
 - (a)** Have no detrimental impacts.
 - (b)** Control velocity and rate of water runoff so that such velocity and rate are no greater after construction and development than before, and are within tolerances

deemed safe by the Borough Engineer, and the project or site plan complies with all other provisions of the Borough Code and Article XXIV of the Land Use Volume of the Borough Code, Flood Damage Prevention.

- (c) Minimize stream turbidity and changes in flow.
 - (d) Protect environmentally vulnerable areas.
 - (e) Stabilize exposed soils both during and after construction and development.
 - (f) Prevent soil slippage.
 - (g) Minimize number and extent of cuts to prevent groundwater discharge areas to underlying soils.
 - (h) Preserve the maximum number of trees and other vegetation on the site and avoid disturbance of the critical hillside, slope and forest areas.
 - (i) Control water infiltration at the top of the slope and thus decrease the tendency for shear failure and erosion.
 - (j) Control the growth of vegetation, which is detrimental to slope stability and promote the establishment of plant species which add to the stabilization of the slope.
 - (k) Control construction techniques to mitigate damage to steep slopes at the time of greatest vulnerability.
- (3) The Borough Engineer may impose such conditions upon any approval as said Engineer deems necessary to achieve the purposes of this section. All permanent improvements necessary to achieve the purposes of this section shall require performance and maintenance bonds in forms and amounts to be reviewed and approved by the Borough Engineer and Borough Attorney. Said maintenance bond shall continue for two years after complete stabilization.
- (4) Any approval may be subject to the condition that, for safety reasons, the applicant provides and adheres to a detailed construction and inspection schedule, copies of which shall be supplied to the Borough Construction Official for the purpose of monitoring the progress of the work and compliance with the construction schedule. Said approval may be further conditioned upon submission of periodic certifications by the applicant as to compliance with the construction schedule, and, in the event of noncompliance, written assurance as to the nature and time when steps will be taken to achieve compliance with the construction schedule.
- (5) If the applicant does not comply with the construction schedule or any other requirements or conditions attached to the approval of the application, and the Borough Engineer or the Borough Construction Official certifies such lack of compliance, the Borough Construction Official shall thereupon revoke approval of the application, after notice to the applicant, and no further work may be performed on such site, with the exception for temporary measures necessary to stabilize the soil and to protect the site from stormwater damage or other hazards created by construction activity on the site.
- E. Lot size, development density, lot coverage and disturbance. To meet the purposes, goals and standards set forth in this section, in areas of slopes greater than 15%, the applicable provisions of this chapter relating to minimum lot sizes and density of development, and

maximum percentage of lot coverage, shall be modified, and limitations including maximum impervious surfaces and maximum lot disturbance shall be added as follows:

(1) Minimum lot size; density.

(a) The minimum lot size shall be determined by multiplying the total land area in various slope categories by the following factors and totaling the results. This modified minimum lot size shall be used as the lot size in density calculations. Slope calculations shall be based on elevation intervals of 10 feet.

Slopes	Factor
30% or greater	0.1
20% but less than 30%	0.2
15% but less than 20%	0.5
Less than 15%	1.0

(b) As the result of the computation of the total density allowed, any fractional amount shall be rounded down or truncated to the nearest whole integer. If the total density allowed is less than one, and prior to this section the lot dimensions met or exceeded the minimum lot size for its zone, than the total density allowed shall be one.

(2) Determination of maximum lot coverage.

(a) The maximum lot coverage area shall be determined by multiplying the total land area in various slope categories by the following factors, totaling the results and multiplying the result by the maximum lot coverage percentage allowed for the appropriate zone. Slope calculations shall be based on elevation intervals of 10 feet.

Slopes	Factor
30% or greater	0.25
20% but less than 30%	0.50
15% but less than 20%	0.75
Less than 15%	1.00

(b) Where the modified maximum lot coverage area is less than the minimum gross floor area required for the proposed building, the minimum gross floor area required shall be the modified maximum lot coverage area.

(3) The maximum impervious surface area permitted in slope areas shall be determined by multiplying the total land area in various slope categories by the following percentages and totaling the results:

Slopes	Percentage
30% or greater	10%
20% but less than 30%	15%
15% but less than 20%	25%
Less than 15%	35%

Slopes**Percentage**

- (4) The maximum lot disturbance shall be no greater than 130% of the maximum impervious surface permitted for the lot.
 - (5) No disturbance or improvements shall be permitted in the areas within fifteen (15) feet of the top of slope and no structures shall be located within twenty-five (25) feet of the top of slope; nor shall there be any disturbance within ten (10) feet of the toe of the slope or any structures located within fifteen (15) feet of the toes of the slope
 - (6) Setbacks of all structures necessary for slope area stabilization shall be sufficient to allow for any future maintenance that may be necessary.
 - (7) All land required to be maintained as permanent open space shall be indicated as such on any approved plans.
- F. Environmental appraisal and applicability.**
- (1) When site plan or subdivision is required, an environmental impact report or request for waiver shall be prepared. The Borough Engineer shall review and approve the report in accordance with specifications and procedures required by this section.
 - (2) No application for slope area permit shall be approved unless it has been affirmatively determined, after an environmental appraisal, that the proposed project:
 - (a) Will not result in a detrimental impact on the environment; and
 - (b) Has been conceived and designed in such a manner that it will not significantly impair natural processes.
- G. Review and inspections fees.** The applicant shall deposit an initial application filing fee of \$425 with the Chief Financial Officer. If additional escrow fees are required, the applicant shall deposit with the Chief Financial Officer an amount equal to the estimated review fee, as determined by the Borough Engineer. Inspections shall be required before, during stabilization and upon completion of the work or disturbance, during and for two years after complete stabilization, or for any other reasonable time, as determined by the Borough Engineer, to insure the purposes of this section are met. No permit will be issued until a deposit is placed with the Chief Financial Officer, equal to the estimated inspection fee, as determined by the Borough Engineer. If additional inspection fees are required, the applicant shall deposit with the Chief Financial Officer an amount equal to the new estimated inspection fee before any work can continue. The inspection fee deposit account shall remain for two years after complete stabilization. Any deposit accounts shall be maintained at levels sufficient at all times to cover all estimated fees or work may be halted. The Chief Financial Officer will keep the Borough Engineer aware of account balances as necessary.
- H. Municipal liability.** The granting of any permit or approval in any slope area shall not constitute a representation, guarantee or warranty of any kind by the Borough, Borough Engineer, Borough Attorney, Construction Official, or by any other official, employee or representative thereof of the practicability or safety of any structure, use or other plan proposed, and shall create no liability upon, or a cause of action against, such public body, official or employee for any damage that may result pursuant thereto.

- I. Penalties. In addition to penalties already provided in Section 1-5 of the Borough Code, the Court may order any person convicted of violating this section to pay the Borough all costs for and associated with necessary stabilization or corrective measures, as determined by the Borough Engineer.
- J. Appeal. The Land Use Board shall have the power to hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, decision (including review and inspection fees under Subsection G) or refusal made by the Borough Engineer based on or made in the enforcement of this section. All such appeals under this section from the decisions of the Borough Engineer shall be taken within 20 days by filing a notice of appeal with the Borough Engineer specifying the grounds of such appeal. The Borough Engineer shall immediately transmit to the Land Use Board all papers constituting the record upon which the action appealed from was taken. All such appeals shall be heard by the Land Use Board upon notice given by the applicant as required by Section 21-11 of the Land Use Volume of the Borough Code. The Land Use Board may permit, or require, the record on appeal to be supplemented with such documents or other evidence or information as are reasonably necessary to make an informed decision as to whether the requirements of this section have been met.

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

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

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and publication in accordance with law.

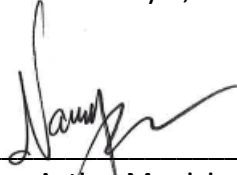
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First Reading and Set Hearing Date for O-22-09:

	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: May 4, 2022



Nancy Tran, Acting Municipal Clerk
Highlands

Public Hearing and Adoption for O-22-09:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

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

DATE OF VOTE: June 1, 2022

Nancy Tran, Acting Municipal Clerk
Highlands



Borough of Highlands Land Use Board
 42 Shore Drive, Highlands, NJ 07732
 Phone: 732-872-1224
 Fax: 732-872-0670

Item 2.

FOR OFFICIAL USE

Case No: _____ Fee Paid: _____ Date Filed: _____

Mark R. Aikins, Attorney for Applicant

1. (I/we) Kerry M. Farrell, the applicant(s), whose Post Office address is
c/o Mark R. Aikins, Esq., 3350 Rt. 138, Bldg. 1, Suite 113, Wall, New Jersey 07719

and whose phone number is [REDACTED] (am/are) the (owner/contract purchaser) of
 property located at 32 Shrewsbury Avenue and designated as Block 43
 Lot(s) 7 on the Tax Map of the Borough of Highlands.

2. The property is in the WT-R zone. It has a street frontage of 47.50 feet with an area of
7,108,00 Square feet.

3. The proposed percentage of lot coverage by both the existing structure and proposed additions will be
36.35%.

4. The following structures, buildings or uses are located on the property
2 1/2 story single family residence with detached one car garage.

5. Application is hereby made for a variance to:
Re-construct an existing 212 sq.ft. detached wood-framed garage

6. The reasons for this request and the grounds urged for the relief are as follows:
Section 21-78A.3: Accessory structure not permitted closer to the front property line than the required front setback of the principle structure.
Section 21-78B.1a: Accessory structure setback: 3ft. is required; whereas .11 ft. is proposed

7. The section of the Borough Zoning Ordinance upon which this application is based is Section
Section 21-78A.3: & Section 21-78B.1a

8. Property taxes have been paid through 4th Qtr. 2021
 The sewer bills have been paid through 4th Qtr. 2021

9. Has the property been separated from a larger tract of land? Yes / No) *Circle One*
 If so, when? _____ Has the Land Use Board approved a subdivision? Yes / No)
 When? _____ Attach copies of any approved map or approval resolution.

RECEIVED
DEC 10 2021
LAND USE BOARD



Borough of Highlands Land Use Board
42 Shore Drive, Highlands, NJ 07732
Phone: 732-872-1224
Fax: 732-872-0670

Item 2.

10. Has there been any previous appeal involving these premises (~~Yes~~ / No) *Circle One*

Date of Filing: _____

Character of Appeal: _____

Disposition and Date: _____

Attach copy of decision

11. By filing a second application, does applicant and owner, if other than applicant, waive any and all rights gained in the first application? (Yes /No) *Circle One*

12. Are there any outstanding building code or zoning violations or other violations of law on the property in question or on any other property in the Borough of Highlands in which the applicant has any interest, directly or indirectly? Yes _____

13. Is the applicant a corporation or a partnership? Yes _____ No X _____
(If so, you must be represented by an attorney. If yes, please complete a Disclosure Statement and attach the same to the application.)

Mark R. Aikins

Signature
Mark R. Aikins, Attorney for Applicant,
Kerry M. Farrell

December 8, 2021

Date

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DEC 10 2021
LAND USE BOARD



Borough of Highlands Land Use Board
 42 Shore Drive, Highlands, NJ 07732
 Phone: 732-872-1224
 Fax: 732-872-0670

Item 2.

Affidavit of Applicant

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

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

M.R.A.
 Mark R. Aikins, Attorney for Applicant Kerry M. Farrell

Applicant's Signature

Date December 8, 2021

Sworn and subscribed
 before me this _____
 day of December, 2021

MILICENT L. BHALAI
 A Notary Public of New Jersey
 My Commission Expires 1/13/24

M.L.
 Signature of Notary
 Millicent Bhalai

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: _____

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DEC 10 2021
LAND USE BOARD

FARRELL RESIDENCE

PROPOSED ONE-CAR GARAGE RECONSTRUCTION

32 SHREWSBURY AVE.
HIGHLANDS, NJ
BLOCK: 43, LOT: 7

SCOPE OF WORK

THE PROJECT IS THE RECONSTRUCTION OF AN EXISTING ONE-STORY, WOOD-FRAMED GARAGE. ANY AND OR NON-CONFORMING ZONING CONDITIONS (EXISTING AND PROPOSED) ARE INDICATED ON THE ZONING SCHEDULE.

NUMERIC SUMMARY

EXISTING TWO-HALF (2-1/2) -STORY, WOOD-FRAMED, SINGLE-FAMILY RESIDENCE WITH DETACHED ONE-CAR GARAGE:

	HOUSE (EXIST TO REMAIN)	DETACHED GARAGE (EXIST TO RECONSTRUCT)	FRONT PORCH (EXIST TO REMAIN)	DECK (EXIST TO REMAIN)
1ST FLOOR	914 SF.	212 SF.	252 SF.	225 SF.

BUILDING CHARACTERISTICS

NUMBER OF STORES	2 1/2 - STORES (EXISTING HOUSE TO REMAIN) 1 - STORY (DETACHED GARAGE TO BE RECONSTRUCTED)
HEIGHT OF STRUCTURE	14'-10" (GARAGE MEAN ROOF HEIGHT)
AREA-LARGEST FLOOR	914 SF. (EXIST. HOUSE FIRST FLOOR)
CONSTRUCTION CLASSIFICATION	5B IBC 2018
FEMA FLOOD ZONE	AE-15

ZONING SCHEDULE

WTR	WATERFRONT TRANSITION-RESIDENTIAL ZONE	REQUIRED	EXISTING	PROPOSED
HEIGHT:	MAX. BLDG.	30 FT. (REFER TO NOTE #2) 2-1/2 STORY	N/A 2-1/2 STORY	N/A 2-1/2 STORY
LOT:	MIN. LOT AREA	9,000	7,108.00 SF.	7,108.00 SF.
	MIN. LOT FRONTAGE	90.00 FT.	47.50 FT. **	47.50 FT. **
	MIN. LOT DEPTH	100.00 FT.	147.10 FT.	147.10 FT.
	MAX. LOT COVERAGE	4,976.00 SF. (70%)	2,584.00 SF. (36.56%)	2,584.00 SF. (36.56%)
	MAX. BLDG. COVERAGE	2,192.00 SF. (30%)	1,378.00 SF. (19.59%)	1,378.00 SF. (19.59%)
BUILDING:	MIN. FRONT SETBACK	35.00 FT.	68.50 FT. (HOUSE)	68.50 FT. (HOUSE)
	MIN. SIDE SETBACK	8.00 FT.	55.00 FT. (CON. PORCH)	55.00 FT. (CON. PORCH)
	MIN. COMP. SETBACK	20.00 FT.	8.50 FT.	8.50 FT.
	MIN. REAR SETBACK	25.00 FT.	44.00 FT. (HOUSE)	44.00 FT. (HOUSE)
ACCESSORY:				
DETACHED GARAGE:	MIN. FRONT SETBACK	55.00 FT. (PORCH)	54.80 FT. * (REFER TO NOTE #1)	54.80 FT. ** (REFER TO NOTE #1)
	MIN. SIDE SETBACK	3.00 FT.	0.90 FT. *	0.90 FT. **
	MIN. REAR SETBACK	3.00 FT.	76.88 FT.	76.88 FT.
	MAX. HEIGHT	15.00 FT. (REFER TO NOTE #2)	14.85 FT. (REFER TO NOTE #2)	14.85 FT. (REFER TO NOTE #2)
	DISTANCE FROM PRINCIPLE BLDG.	N/A	0.50 FT.	0.50 FT.

EXISTING LOT COVERAGE INCLUDES:	PROPOSED LOT COVERAGE INCLUDES:
EXISTING FIRST FLOOR (914 SF.)	EXISTING FIRST FLOOR TO REMAIN (914 SF.)
EXISTING FRONT COVERED PORCH (292 SF.)	EXISTING FRONT COVERED PORCH TO REMAIN (292 SF.)
EXISTING DETACHED GARAGE (212 SF.)	EXISTING DETACHED GARAGE TO BE RECONSTRUCTED (212 SF.)
EXISTING CANOPY (24 SF.)	EXISTING CANOPY TO BE RECONSTRUCTED (24 SF.)
EXISTING DRIVEWAY (495 SF.)	EXISTING DRIVEWAY TO REMAIN (495 SF.)
EXISTING EXTERIOR STAIRS/BULKHEAD (105 SF.)	EXISTING EXTERIOR STAIRS/BULKHEAD TO REMAIN (105 SF.)
EXISTING WALKWAYS (49 SF.)	EXISTING WALKWAYS TO REMAIN (49 SF.)
EXISTING PAVEMENT PATIO (94 SF.) - NOT COVERED BY CANOPY	EXISTING PAVEMENT PATIO (94 SF.) - NOT COVERED BY CANOPY

NOTES:
 1. ACCESSORY STRUCTURES FRONT SETBACK, EXISTING NON-CONFORMING CONDITION WITH ACCESSORY STRUCTURE IN THE FRONT YARD, AS PER THE HIGHLANDS ZONING ORDINANCE, SECTION 21-78A.5. NO ACCESSORY STRUCTURE SHALL BE PERMITTED CLOSER TO THE FRONT PROPERTY LINE THAN THE FRONT SETBACK REQUIREMENT ON THE FRONT FACE OF THE PRINCIPAL STRUCTURE, WHICHEVER IS THE LESSER. THE PROPOSED RECONSTRUCTED GARAGE SHALL MATCH EXISTING SETBACK OF 54.80 FT. WHERE THE PRINCIPLE STRUCTURE SETBACK IS 55.00 FT. ** VARIANCE REQUIRED**
 2. BUILDING HEIGHT, AS PER THE HIGHLANDS ZONING DEFINITIONS, THE BUILDING HEIGHT IS 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 EDGE OF THE TOP FLOOR AND THE RIDGE.
 3. DECKS, AS PER THE HIGHLANDS ZONING ORDINANCE, SECTION 21-69.27, DECKS SHALL NOT BE CONSIDERED IN THE DETERMINATION OF YARD SIZE OR LOT COVERAGE, PROVIDED, HOWEVER, THAT SUCH TERRACE OR DECK IS UNROOFED AND WITHOUT WALLS, PARAPETS, OR OTHER FORM OF ENCLOSURE.
 * NON-CONFORMING ZONING CONDITION CREATED BY EXISTING CONDITIONS.
 ** NON-CONFORMING ZONING CONDITION CREATED BY PROPOSED NEW WORK.

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SHEET #1:	USE GROUP CONSTRUCTION TYPE NUMERIC SUMMARY SCOPE OF WORK ZONING SCHEDULE BUILDING CHARACTERISTICS
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SHEET #3:	PLOT PLAN

DESIGN LOADS

1ST FLOOR-	40 PSF LIVE LOAD,	20 PSF DEAD LOAD
ROOF-	20 PSF LIVE LOAD, SNOW LOAD 125%	20 PSF DEAD LOAD

NOTE:
FOR ALL HORIZONTAL STRUCTURAL MEMBERS THE MAXIMUM ALLOWABLE DEFLECTION UNDER TOTAL LOAD, AT MID-SPAN, SHALL BE .35" MAXIMUM.

USE GROUP: R5 IBC/ IRC 2018
CONSTRUCTION TYPE: 5B IBC 2018

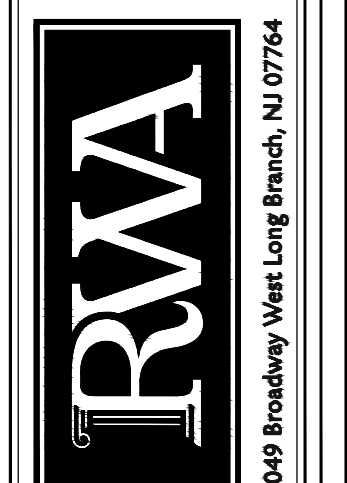
PROPOSED
GARAGE
RECONSTRUCTION
FOR
FARRELL
32 SHREWSBURY AVE.
HIGHLANDS, NJ

DRAWING:
COVER PAGE INFORMATION

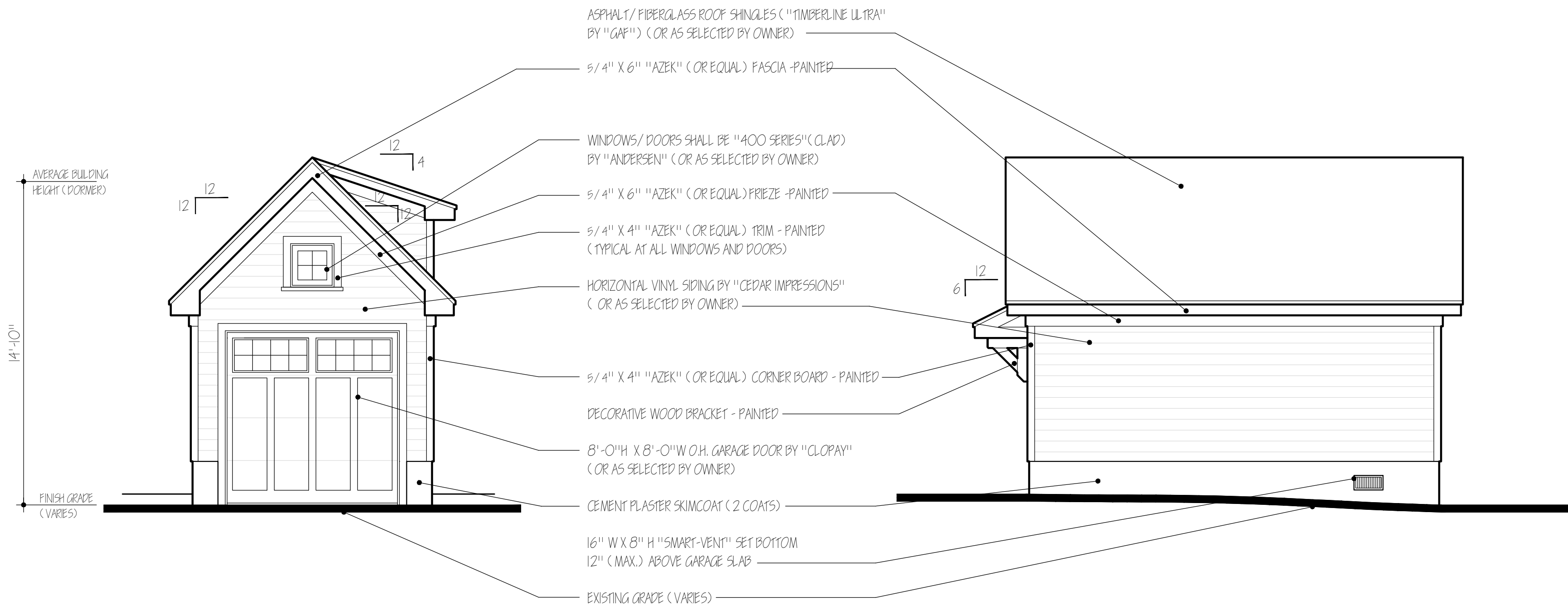
DATE:
NOVEMBER 11, 2021

REVISED:

ROBERT W. ADLER
— & ASSOCIATES, PA —
ARCHITECTS
WWW.RWADLERASSOCIATES.COM
Tel: 732-571-1010



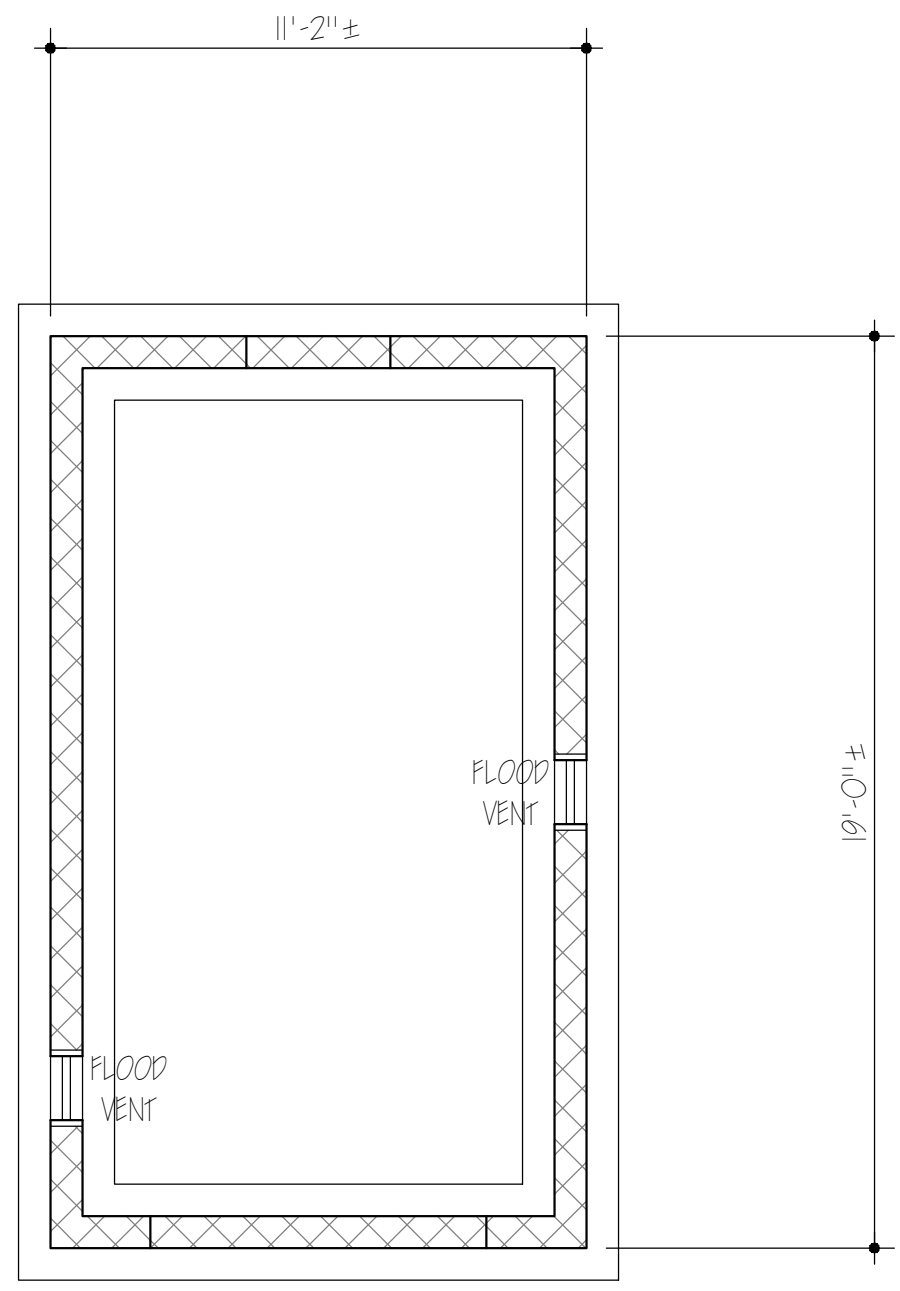
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 NY 02685J
 MD 9678
 PA RA-012365-B
 FL AR-100476



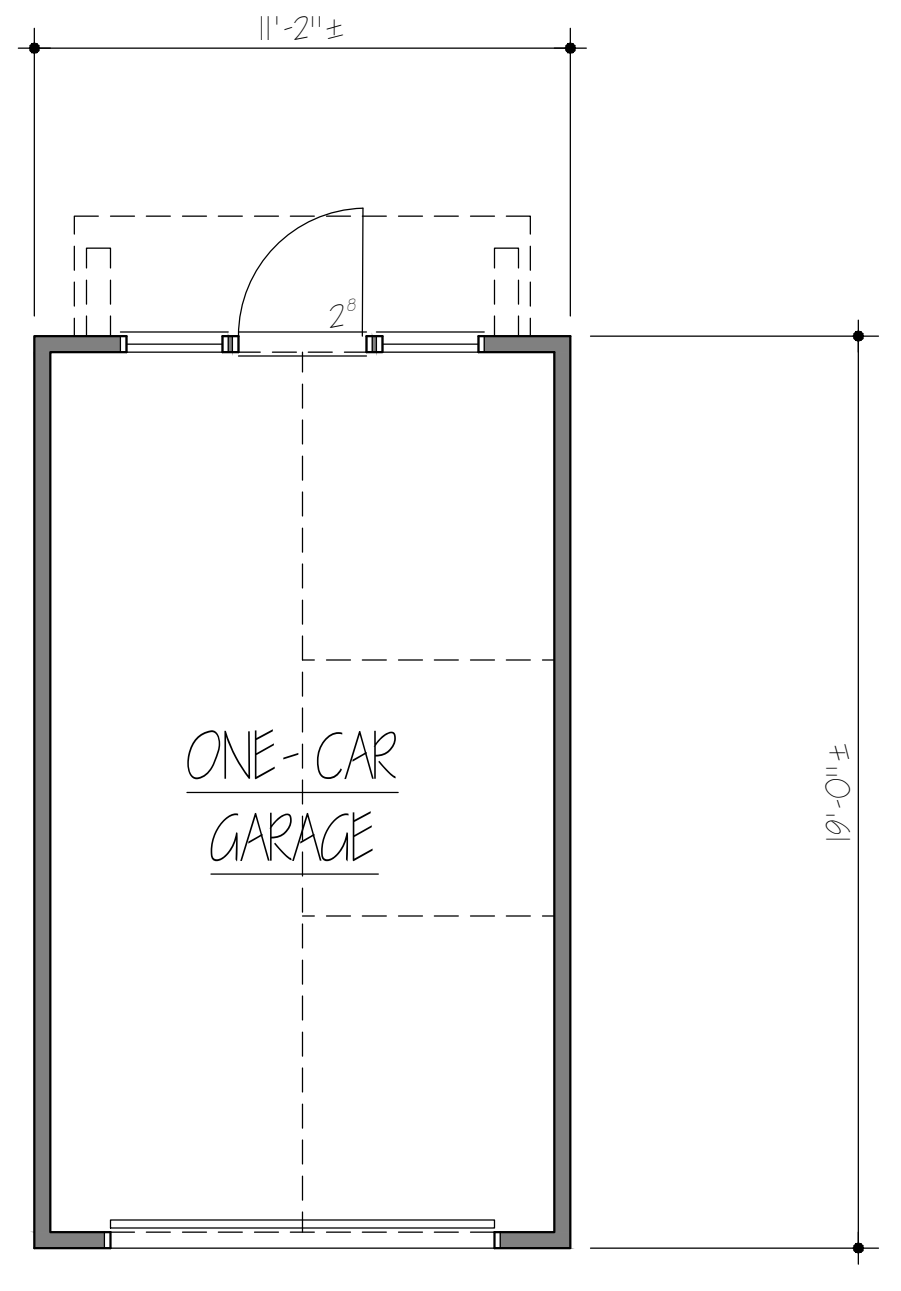
GARAGE FRONT ELEVATION
SCALE: 1/4" = 1'-0"

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

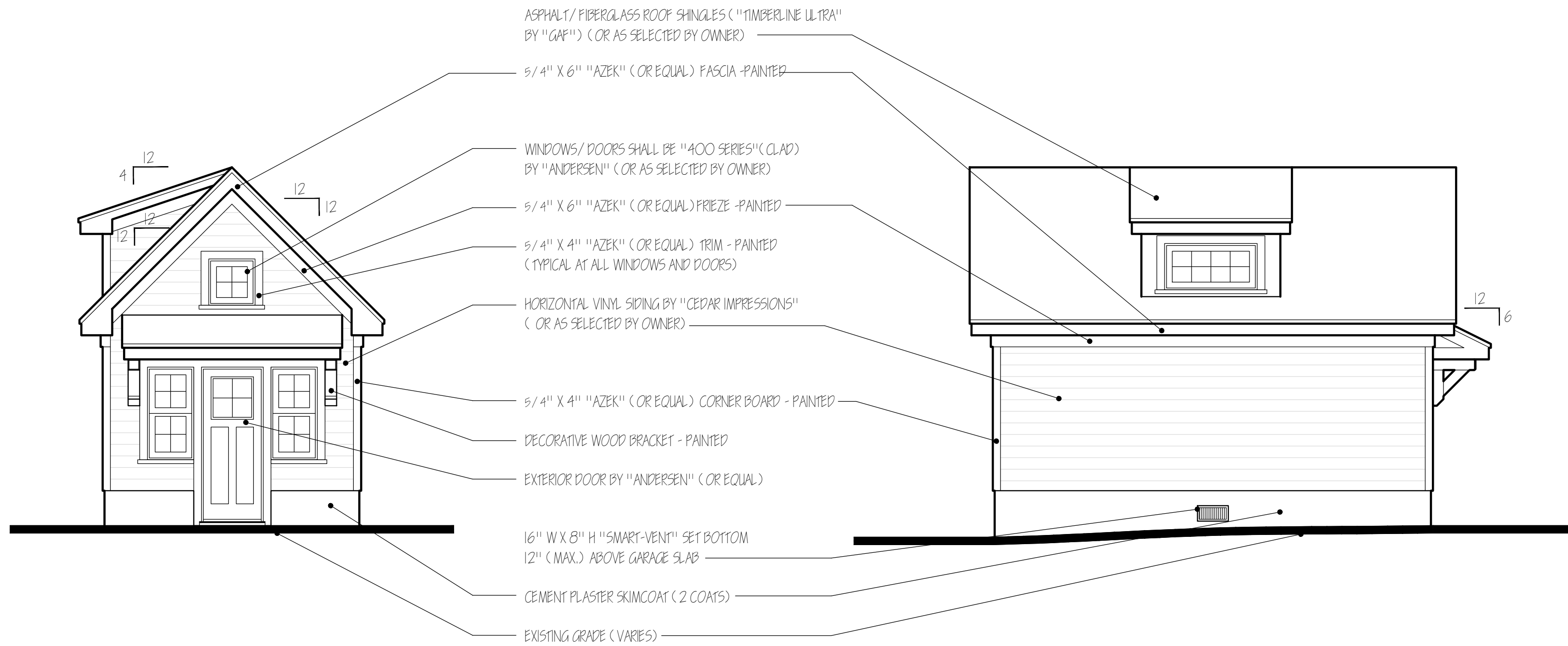
BLOCK VENT NOTE:
PROVIDE "SMART VENT" MODEL #1940-520 FOR BLOCK WALLS FOR HYDROSTATIC RELIEF OF 200 SQ. FT. INSTALL AS PER MANUFACTURER'S SPECIFICATIONS. COORDINATE VENT COLOR WITH OWNER.
- DETACHED GARAGE: 212 S.F. / 200 S.F. = 2 VENTS (2 REQ.)



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



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



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

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

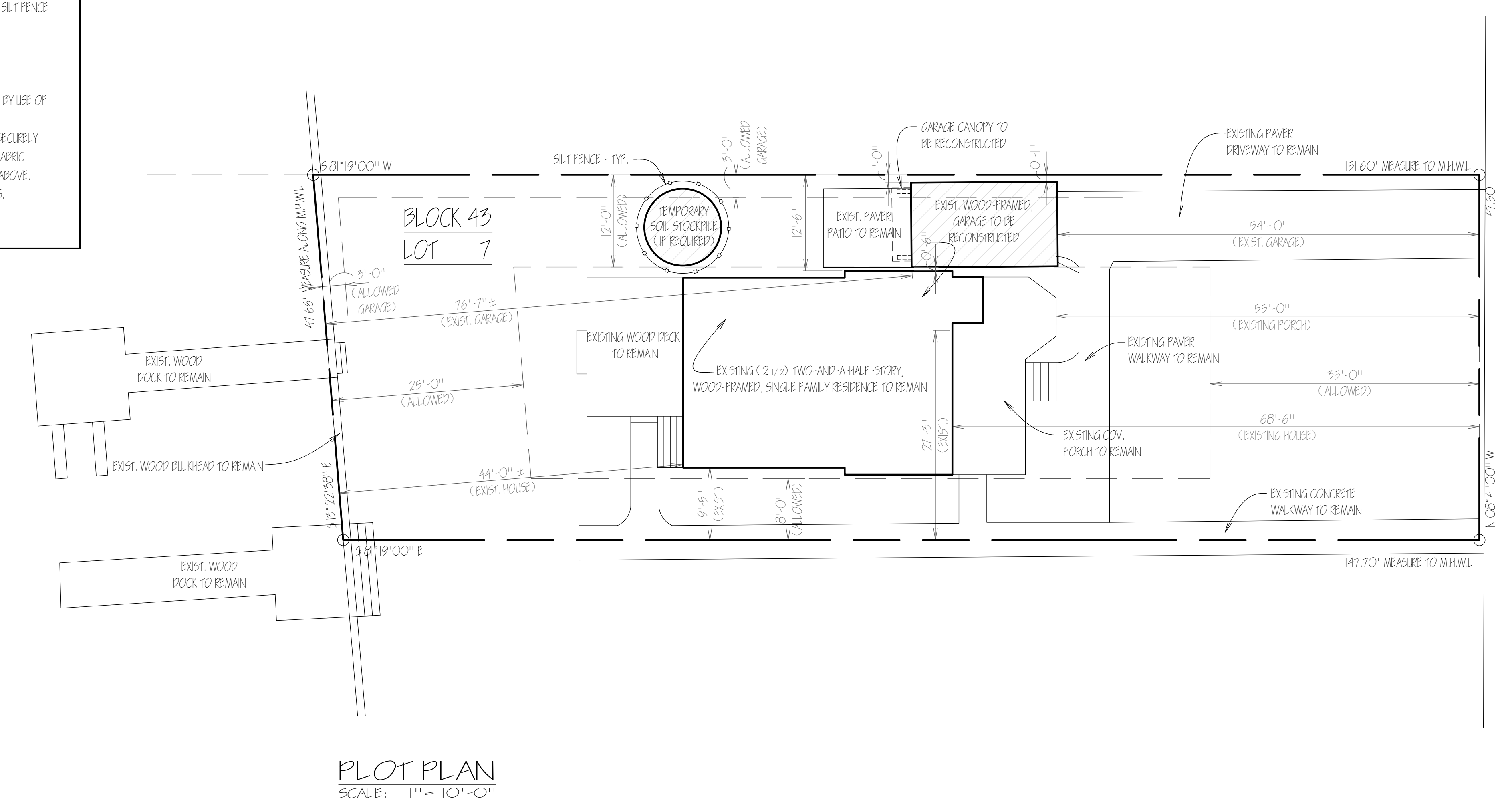
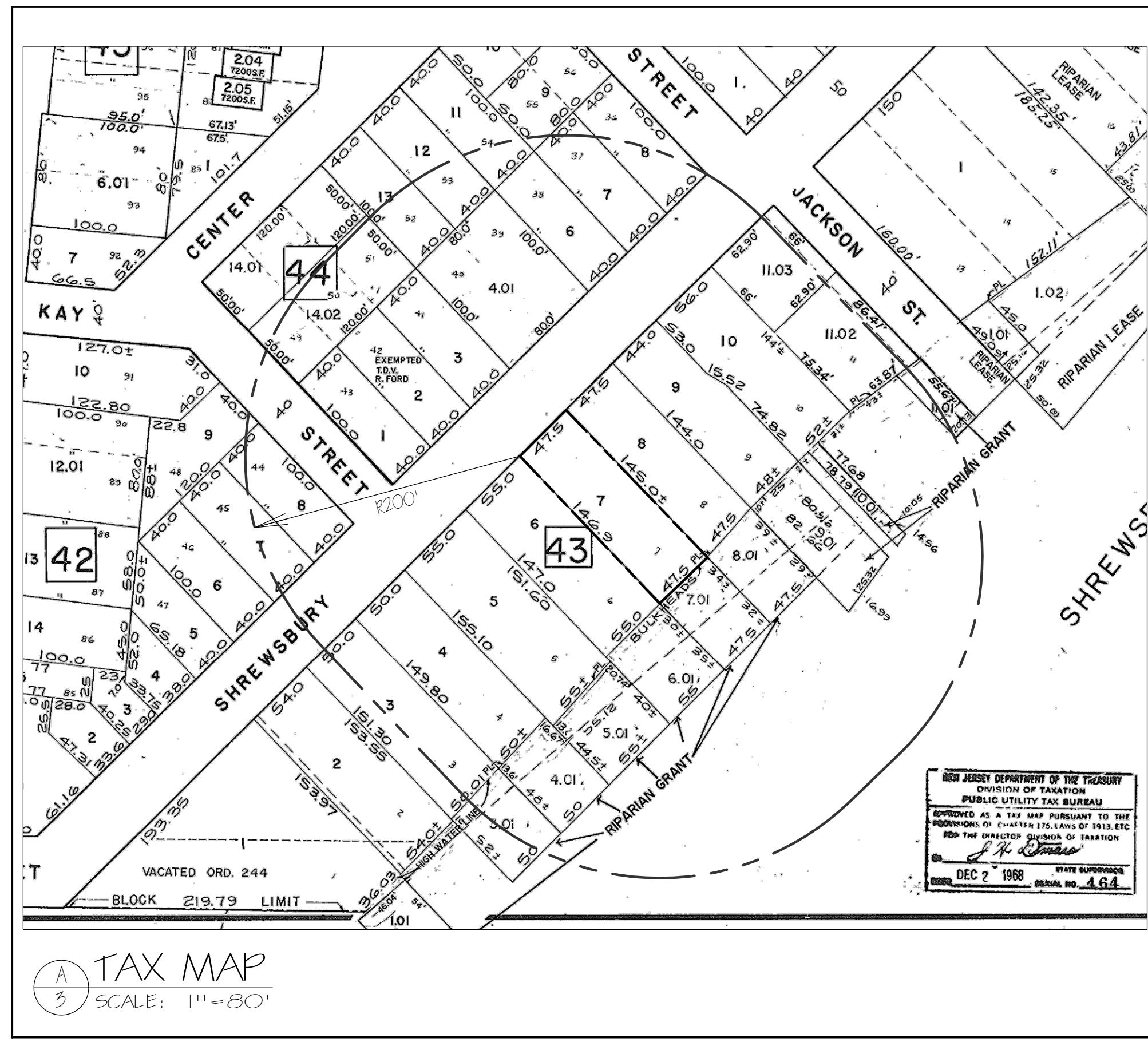
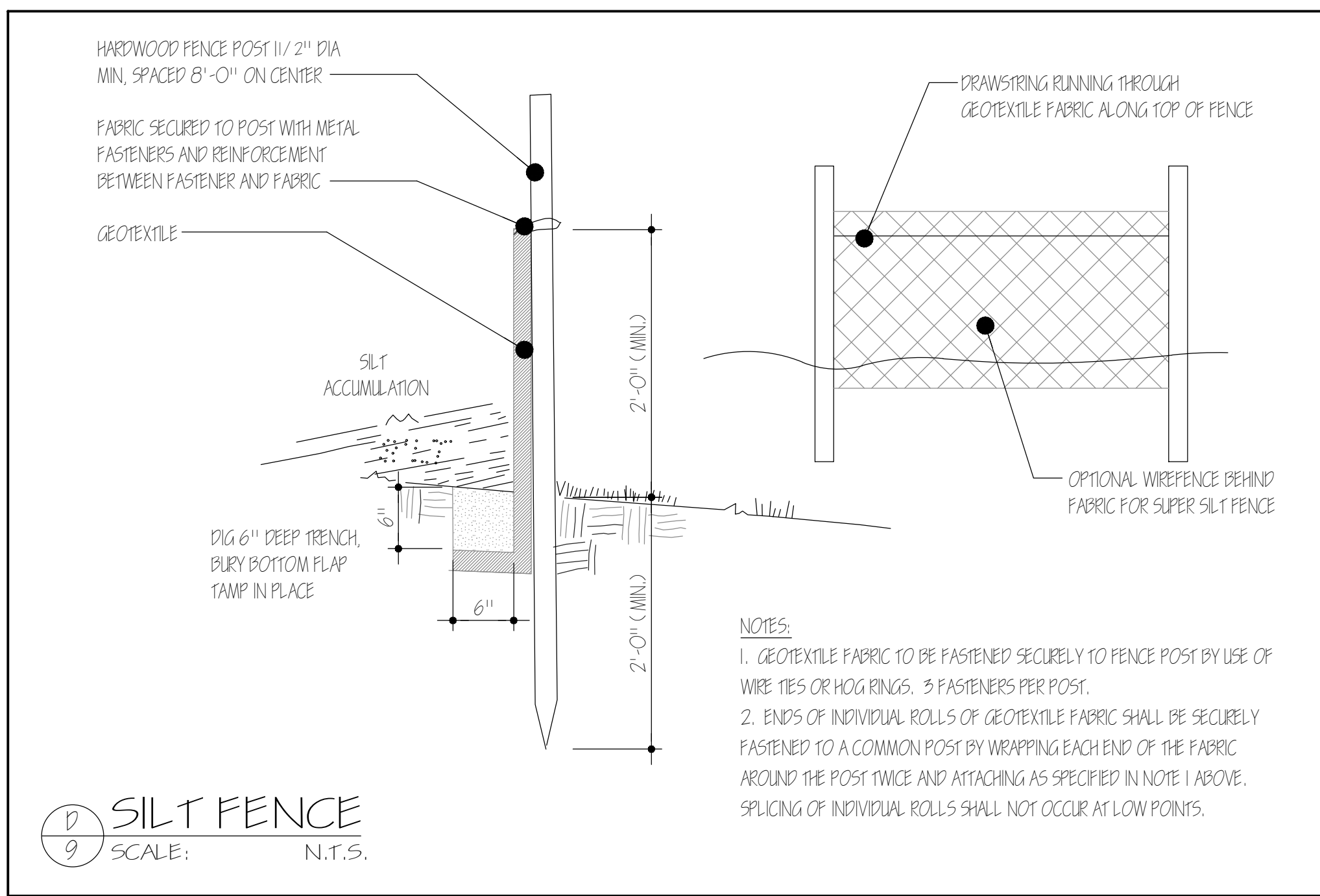
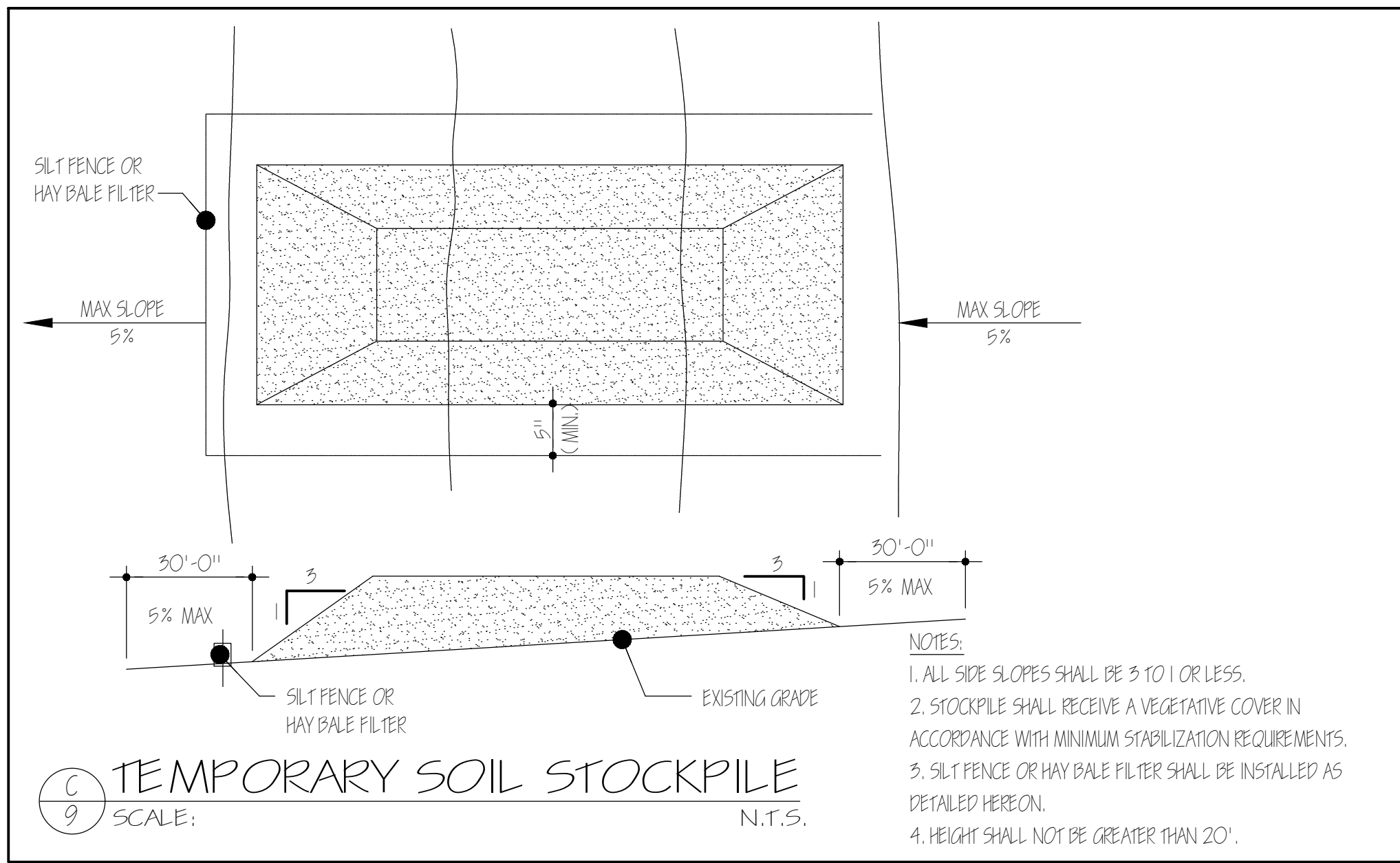
PROPOSED GARAGE RECONSTRUCTION FOR
FARRELL
52 SHEWERSBY AVE.
HIGHLANDS, NJ

DRAWING:
FOUNDATION PLAN
GARAGE FLOOR PLAN
GARAGE ELEVATIONS
DATE:
NOVEMBER 11, 2021
REVISED:

ROBERT W. ADLER & ASSOCIATES, PA ARCHITECTS
WWW.RWADLERASSOCIATES.COM
Tel: 732-571-1010

RWA
1049 Broadway West Long Branch, NJ 07704

LICENSES:
NJ 10795
NY 02685J
MD 9678
PA RA-012365-B
FL AR-100476



NOTE:
INFORMATION TAKEN FROM SURVEY, PROVIDED BY OWNER, DONE BY "THOMAS FINNIGAN LAND SURVEYING", BELFORD, NEW JERSEY AND DATED JUNE 18, 2019. REFER TO THOSE DRAWINGS FOR ANY ADDITIONAL NOTES AND DIMENSIONS.

PROPOSED GARAGE RECONSTRUCTION FOR
FARRELL
52 SHREWSBURY AVE.
HIGHLANDS, NJ

DRAWING:
PLOT PLAN

DATE:
NOVEMBER 11, 2021

REVISED:

ROBERT W. ADLER & ASSOCIATES, PA ARCHITECTS
WWW.RWAADLERASSOCIATES.COM
Tel: 732-571-1010
1049 Broadway West Long Branch, NJ 07744

LICENSES:
NJ 10795
NY 02685J
MD 9678
PA RA-012365-B
FL AR-100476



HGPB- R1900

March 6, 2022

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

Via Email (ntran@highlandsborough.org)

**Re: Farrell Residence
 32 Shrewsbury Avenue
 Block 43, Lot 7
 Waterfront Transition-Residential (WT-R) Zone
 Minor Site Plan with variances
 First Engineering Review**

Dear Ms. Tran:

As requested, our office has reviewed the above-referenced application for minor site plan approval. The applicant submitted the following documents in support of this application:

1. Land Use Board Application, dated December 8, 2021.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, consisting of three (3) sheets.

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

A. Project Description

The 7,180 square feet property is currently developed with an existing two-story single family dwelling. The site is located in the Waterfront Transition Residential (WT-R) Zone with frontage along Shrewsbury Avenue. With this proposal, the applicant is seeking minor site plan approval with variance relief and proposes to reconstruct the existing partially constructed one-story wood framed garage located in the property’s side yard.

B. Planning and Zoning

In accordance with Section 21-93 of the Ordinance existing/proposed bulk deficiencies are noted as follows:

WT-R Zone	Required	Existing	Proposed
Minimum Lot Area (sf)	5,000	7,108	7,108
Minimum Lot Frontage (ft)	50	47.5 ^(E)	47.5 ^(E)
Minimum Lot Depth (ft)	100	147.7	147.7
Minimum Front Yard Setback (ft)	35	55	55



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

**Re: Farrell Residence
 32 Shrewsbury Avenue
 Block 43, Lot 7
 Waterfront Transition-Residential (WT-R) Zone
 Minor Site Plan with variances
 First Engineering Review**

WT-R Zone	Required	Existing	Proposed
Minimum Rear Yard Setback (ft)	25	44	44
Minimum Side Yard Setback (ft)	8 / 12	8.5 / 12.5	8.5 / 12.5
Maximum Building Height (ft)	30	NS	NS
Lot Coverage	70%	36.35%	36.35%
Building Coverage	30%	19.39%	19.39%
Minimum Front Yard Setback, Accessory (ft)	55 (principal)	54.8^(V)	54.8^(V)
Minimum Side Yard Setback, Accessory (ft)	3	0.90^(V)	0.90^(V)
Minimum Rear Yard Setback, Accessory (ft)	3	76.58	76.58
Maximum Building Height, Accessory (ft)	15	NS	14.83

- (E) – Existing Non-conformity
- (C) – Calculated
- (W) – Waiver
- (V) – Variance
- NA – Not Applicable
- NS – Not Specified, the applicant shall confirm this dimension

1. To be entitled to bulk variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A. 40: 55D-70c for the bulk variances:
 - a. Positive Criteria. The applicant must prove either a hardship in developing the site in conformance to the zone standards due to exceptional narrowness, shallowness, or shape of the property; or due to exceptional topographic conditions or physical features uniquely affecting the property; or due to an extraordinary and exceptional situation affecting the property or its lawful existing structures. Alternatively, the applicant may satisfy the positive criteria by demonstrating that the variance relief will promote a public purpose as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D-2) and thereby provide improved community planning that benefits the public and the benefits of the variance substantially outweigh any detriment.
 - b. Negative Criteria. The applicant must also show that the bulk variances can be granted without substantial detriment to the public good or substantially impairing the intent and purpose of the zone plan. This requires consideration of the impact of the proposed variances on surrounding properties and a determination as to whether or not the variance would cause such damage to the character of the neighborhood as to constitute a substantial detriment to the public good.



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

**Re: Farrell Residence
32 Shrewsbury Avenue
Block 43, Lot 7
Waterfront Transition-Residential (WT-R) Zone
Minor Site Plan with variances
First Engineering Review**

C. Technical Engineering Review

1. The applicant shall provide testimony regarding the prior existence and/or approvals for the accessory garage that is the subject of this application, as well as the circumstances surrounding its demolition. Pursuant to Ordinance Section 21-98.C:

***Restoration.** If a nonconforming use or structure is deemed to be one hundred percent (100%) destroyed (damages equal to or greater than the full equalized value of the structure) by any cause whatsoever, it shall only be reestablished so as to conform to all zoning standards in the zone in which it is located. A nonconforming use or structure, which has been partially destroyed, such that it is deemed to be less than one hundred percent (100%) destroyed (damages less than the full equalized value of the structure) by any cause whatsoever, may only be repaired or rehabilitated to the same size on the same footprint, provided however, that the structure may be modified to conform with the requirements of Part 7, Flood Regulations.*

2. The subject property is located within the “AE” Flood Zone with a Base Flood Elevation (BFE) of 13 feet. It is also noted that this property is within the Limit of Moderate Wave Action (LiMWA), which requires “V” Zone construction standards. We defer further review to the Floodplain Administrator.
3. The project site is located in the Coastal Area Facilities Review Act (CAFRA) Zone. The applicant shall comply with any applicable NJDEP requirements and should confirm any specific restrictions and/or permitting requirements accordingly. We recommend a jurisdictional determination be provided. We defer further review to NJDEP.
4. The applicant shall provide testimony on how the garage was damaged and the need for its reconstruction.
5. Pursuant to Ordinance Section 21-65.10A (Landscaping and Street Trees), “All areas not devoted to structures, paving, or other required uses shall be appropriately graded, landscaped and maintained in accordance with a landscaping plan approved by the Board”. The Board should determine if a landscaping plan is required.
6. Pursuant to Ordinance Section 21-65.10B (Landscaping and Street Trees), “In residential zones, street trees of at least two (2) to two and one-half (2-1/2) inch caliper will be required, planted a distance on center equivalent to no more than the width of their mature diameter. Where street trees are not appropriate because of views, existing vegetation, or other reason, the equivalent number of trees shall be located elsewhere on the lot”. The Board should determine if a street tree is required for this application.
7. The applicant shall provide testimony on any drainage impacts to the adjacent residential properties as a result of this application.



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

**Re: Farrell Residence
32 Shrewsbury Avenue
Block 43, Lot 7
Waterfront Transition-Residential (WT-R) Zone
Minor Site Plan with variances
First Engineering Review**

8. A note shall be added to the plans stating that any/all existing curb, sidewalk, roadway, and other off-site objects damaged by construction should be repaired and/or replaced to the satisfaction of the Borough Engineer.
9. Approvals or waivers should be obtained from any agencies or departments having jurisdiction.

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

Very truly yours,

T&M ASSOCIATES

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

EWH:KJO:DV

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Marianne Dunn, Zoning Officer (mdunn@middletownnj.org)
Rob Knox, Land Use Board Chairman (rknox@highlandsborough.org)
Annemarie Tierney, Land Use Board Vice Chairman (annemarie@liquidadvisors.com)
Mark R. Aikins, Applicant's Attorney (maikins@aikinslaw.com)



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

Re: Farrell Residence
32 Shrewsbury Avenue
Block 43, Lot 7
Waterfront Transition-Residential (WT-R) Zone
Minor Site Plan with variances
First Engineering Review



Photo taken from Shrewsbury Avenue 2-23-22

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HGPB- R1900

January 21, 2021

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

Via Email (ntran@highlandsborough.org)

**Re: Farrell Residence
 32 Shrewsbury Avenue
 Block 43, Lot 7
 Waterfront Transition-Residential (WT-R) Zone
 First Completeness Review**

Dear Ms. Tran:

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

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

1. Land Use Board Application, dated December 8, 2021.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, consisting of three (3) sheets.

The above information was reviewed for completeness purposes as follows:

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

1. Date, name, location of site, name of owner, scale and reference meridian. **Provided.**
2. Area of the lot and all lot line dimensions and bearings. **Provided.**
3. The location of all existing watercourses, wooded areas, easements, rights-of-way, streets, roads, highways, rivers, buildings, structures and any other feature on the property and within seventy-five (75) feet of the property line. **Provided.**
4. Location, use and ground floor area of all existing and proposed buildings, with the building setback, side line and rear yard distance. **Provided.**
5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Not provided, but not required for this application.**
6. The location and widths of existing and proposed streets servicing the site plan. **Partially provided. Width of existing street is not shown on the plans.**



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

**Re: Farrell Residence
32 Shrewsbury Avenue
Block 43, Lot 7
Waterfront Transition-Residential (WT-R) Zone
First Completeness Review**

7. Specifications for and location of proposed surface paving and curbing. **Not applicable.**
8. Location of all structures within seventy-five (75) feet of the property. **Not provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Not applicable.**
10. Storm water management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities plus all required design data supporting the adequacy of the existing or proposed facilities to handle future storm flows. **Not applicable.**
11. Existing and proposed contours of the property and for seventy-five (75) feet outside the property at one (1) foot intervals when new buildings or parking areas are proposed. Spot elevations for any development in a flood hazard area. **Not provided, but not required for this application.**
12. The location and treatment of proposed entrances and exits to the public rights-of-way, including the possible utilization of traffic signals, channelization, acceleration, and deceleration lanes, additional widths and any other devices necessary to traffic safety and/or convenience. **Not applicable.**
13. The location and identification of proposed open space, parks or other recreation areas. **Not applicable.**
14. The location and design of landscaping, buffer areas and screening areas showing size, species and spacing of trees and plants and treatment of unpaved areas. **Not provided.**
15. The location of sidewalks, walkways, traffic islands and all other areas proposed to be devoted to pedestrian use. **Not applicable.**
16. The nature and location of public and private utilities, including maintenance and solid waste disposal, recycling and/or storage facilities. **Not provided.**
17. Specific location and design of traffic control devices, signs and lighting fixtures. The Board may require of the applicant expert testimony concerning the adequacy of proposed traffic control devices, signs and lighting fixtures. **Not applicable.**
18. Preliminary architectural plans for the proposed buildings or structures indicating typical floor plans, elevations, heights and general design or architectural styling. **Provided. The proposed structure is located within the Limit of Moderate Wave Action (LimWA) in flood zone AE-13. Therefore, the plans should be designed in accordance with FEMA standards and the Borough of Highlands Flood Damage Prevention Ordinance requirements. I defer to the Borough Floodplain Manager for further review.**



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

Re: Farrell Residence
32 Shrewsbury Avenue
Block 43, Lot 7
Waterfront Transition-Residential (WT-R) Zone
First Completeness Review

- 19. The present and past status and use and contemplated use of the property and all existing buildings on the property. A cleanup plan where such is necessary because of the past or present use of the site. **Not applicable.**
- 20. A soil erosion and sediment control plan is required. Said plan shall be submitted to the Soil Conservation District and approval of the application shall be conditioned upon certification of the soil erosion and sediment control plan by the District. **Not applicable.**
- 21. Soil Borings, when required by the Board Engineer. **Not required.**
- 22. Certification statement for the required municipal signatures, stating: **Not provided.**
 - o Application No. _____ approved/disapproved by the Highlands Land Use Board as a Minor Site Plan on _____.

(date)

Chairman

Secretary

- 23. Certification statement for the County Planning Board approval / disapproval, if required. **Not applicable.**
- 24. The Board may require any additional information which is reasonably necessary to ascertain compliance with the provisions of this chapter.

Although numerous items noted above have not been submitted to the Board, adequate information has been provided in order to perform a technical review of the application. **Upon payment of the balance of the fees required, the application can be deemed COMPLETE and can be referred to the Board Chairman for consideration of scheduling the public hearing.**

The application fee and escrow fee calculation letter will be provided under separate cover. **We will commence our technical review letter upon confirmation from the Board Secretary that the balance of fees due has been properly posted.**



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

Re: Farrell Residence
32 Shrewsbury Avenue
Block 43, Lot 7
Waterfront Transition-Residential (WT-R) Zone
First Completeness Review

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

Very truly yours,

T&M ASSOCIATES

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

EWH:DV:KJO

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Marianne Dunn, Zoning Officer (mdunn@middletownnj.org)
Mark R. Aikins, Applicant's Attorney (maikins@aikinslaw.com)

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HGPB- R1900

January 21, 2022

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

Via Email (ntran@highlandsborough.org)

**Re: Farrell Residence
32 Shrewsbury Avenue
Block 43, Lot 7
Waterfront Transition-Residential (WT-R) Zone
First Completeness Review**

Dear Ms. Tran:

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

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

1. Land Use Board Application, dated December 8, 2021.
2. Architectural Plans prepared by Robert W. Adler & Associates, PA, dated November 11, 2021, consisting of three (3) sheets.

Please note the following fee calculations:

- | | |
|----------------------------|-------------------|
| 1. Application fee: | \$650.00 |
| 2. Escrow fee: | \$1,300.00 |

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

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

Very truly yours,

T&M ASSOCIATES

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

EWH:DV:KJO

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Marianne Dunn, Zoning Officer (mdunn@middletownnj.org)
Mark R. Aikins, Applicant's Attorney (maikins@aikinslaw.com)

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HGPB-R1900

DETERMINATION OF FEES
32 Shrewsbury Avenue
Block 43 Lot 7

A. APPLICATION FEES (Ord. 21-107)

A. Variances

3. Residential "c" (minimum accessory front yard)	1	EA	\$	125.00	\$	125.00
Residential "c" (minimum accessory side yard)	1	EA	\$	125.00	\$	125.00

B. Site Plans

2. Minor	1	EA	\$	400.00	\$	400.00
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B. ESCROW FEES (Ord. 21-108)

B. Escrow Deposits (twice Application Fee; Minimum \$750)	1	LS	\$	1,300.00	\$	1,300.00
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Application fees subtotal \$ 650.00

Escrow fee subtotal \$ 1,300.00

Total \$ 1,950.00

1

November 30, 2021

Mark Aikins, Esq.

Sent via email

RE: 32 Shrewsbury Avenue
Block 43, Lot 7

Please be advised that the above referenced application re-construct an existing 212 s.f. detached garage has been reviewed for compliance with the Borough of Highlands Zoning Ordinance. The property is located in the WT-R zone.

The following approvals will be necessary:

- #21-78A.3 **Accessory structure not permitted closer to the front property line than the required front setback of the principle structure.**
- #21-78B.1a **Accessory structure setback: 3' is required, .11' is proposed**

To proceed with an application/appeal of this decision to the Land Use Board, please contact the Nancy Tran, Board Secretary at 732-872-1224. Should you have any questions, feel free to contact me at 732-615-2278.

Sincerely,

Marianne Dunn
Zoning Officer

C: Land Use Board

RECEIVED
DEC 10 2021
LAND USE BOARD

MARK R. AIKINS, L.L.C.
COUNSELORS AT LAW
AUTUMN RIDGE OFFICE PARK
3350 ROUTE 138, BUILDING 1, SUITE 113
WALL, NEW JERSEY 07719

MARK R. AIKINS
E-MAIL: maikins@aikinslaw.com
WEBSITE: www.aikinslaw.com

TELEPHONE: 732-280-2606

FACSIMILE: 732-280-8084

May 5, 2022

Hand Delivered

Ms. Nancy Tran
Planning/Zoning Board Secretary
Borough of Highlands
42 Shore Drive
Highlands, New Jersey 07732

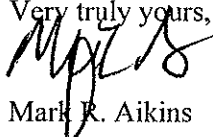
Re: Kerry M. Farrell
Block 43, Lot 7 (32 Shrewsbury Avenue)
Borough of Highlands

Dear Ms. Tran:

Enclosed please find the following documents in connection with the above matter which is scheduled for hearing before the Land Use Board on May 12 2022:

- Certified list of property owners within 200 ft. of the above property
- Affidavit of Mailing
- Certified receipt cards
- Affidavit of Publication

Should you require additional information and/or documentation, please do not hesitate to contact me.

Very truly yours,

Mark R. Aikins

MRA:mb
Enclosures

cc: Dr. Kerry M. Farrell, w/o/encs. (via e-mail)
Robert W. Adler & Associates, P.A., w/o/encs. (via e-mail)

AFFIDAVIT OF PUBLICATION

Publisher's Fee \$44.88 Affidavit \$35.00

STATE OF WISCONSIN
Brown County

Personally appeared D. Robert at County of Brown, State of Wisconsin.

Of the **Asbury Park Press**, newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, deposes and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue dated as follows:

04/29/2022 A.D 2022

Kathleen Allen

Notary Public, State of Wisconsin County of Brown

1-7-25

My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

PUBLIC NOTICE
BOROUGH OF HIGHLANDS LAND USE BOARD

PLEASE TAKE NOTICE that on Thursday, May 12, 2022 at 7:00 p.m. a hearing will be held before the Borough of Highlands Land Use Board in the Community Center, 22 Snug Harbor, Highlands, New Jersey on the application of KERRY M. FARRELL at which time and place all interested persons will be given an opportunity to be heard. The premises is designated on the Tax Map of the Borough of Highlands as BLOCK 43, LOT 7 and is located in the WT-R Zone.

An accessory 212 SF detached garage existed on the property for decades and was severely damaged during "Sandy." Ultimately, the garage had to be torn down and the foundation remained. Applicant subsequently applied for and was granted a building permit to reconstruct the garage in the exact same location where it previously stood. After substantial construction, the applicant was advised by the Borough that she needed to apply for a variance and cease work. Applicant now seeks to complete construction of the garage which requires the following variances:

Section 21-78A-3: Accessory Structure not permitted closer to the front property line than the required front setback of the principal structure. Principal structure is 55 feet the proposed garage is maintaining the original front yard setback of 54.8 ft.

Section 21:78B-1a: Accessory structure setback: 3 feet required, whereas .11 feet is proposed. The proposed garage is maintaining the original side yard setback of .11 ft.

In addition, the Applicant seeks any and all variances, waivers and/or related relief which may be necessary to approve the Application as proposed.

Any person or persons affected by this application may have an opportunity to be heard at the Board's public meeting to be held on May 12, 2022, at 7:00 p.m. in the Community Center, 22 Snug Harbor, Highlands, New Jersey. All documents relating to this application may be inspected by the public between the hours of 9:00 a.m. and 4:00 p.m. in the office of the Secretary of the Board at 42 Shore Drive, Highlands, New Jersey.

Applicant's Name: MARK R. AIKINS, ESQUIRE
Address: Attorney for Applicant
Kerry M. Farrell
c/o Mark R. Aikins, L.L.C.
3350 Route 138, Building 1, Ste 113
Wall, New Jersey 07719
Telephone: 732-280-2606
DATE OF PUBLICATION: APRIL 29, 2022
(\$44.88)

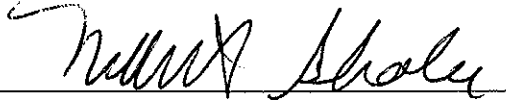
0005233410 01

AFFIDAVIT OF MAILING

Millicent Bhalai, of full age, being duly sworn, according to law, deposes and says:

1. I am employed by the firm of Mark R. Aikins, LLC, attorney for the Applicant herein.

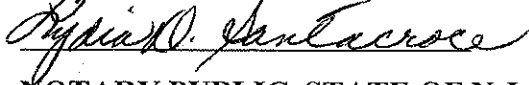
2. On April 28, 2022, I caused to be mailed via certified mail, return receipt requested, a Notice of Hearing (**Exhibit "A"**), of which the attached is a true copy, to the owners of property within two hundred (200') feet of the property designated as **BLOCK 43, LOT 7** on the Tax Map of the Borough of Highlands, shown on the attached list (**Exhibit "B"**) which was provided by the Tax Collector, Borough of Highlands.



Millicent Bhalai

Sworn and Subscribed to before me

this ^{4th} day of May, 2022



NOTARY PUBLIC, STATE OF N.J.

LYDIA D. SANTACROCE
A NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES: 10/14/2026

PUBLIC NOTICE

BOROUGH OF HIGHLANDS LAND USE BOARD

PLEASE TAKE NOTICE that on Thursday, May 12, 2022 at 7:00 p.m. a hearing will be held before the Borough of Highlands Land Use Board in the Community Center, 22 Snug Harbor, Highlands, New Jersey on the application of KERRY M. FARRELL at which time and place all interested persons will be given an opportunity to be heard. The premises is designated on the Tax Map of the Borough of Highlands as BLOCK 43, LOT 7 and is located in the WT-R Zone.

An accessory 212 SF detached garage existed on the property for decades and was severely damaged during "Sandy." Ultimately, the garage had to be torn down and the foundation remained. Applicant subsequently applied for and was granted a building permit to reconstruct the garage in the exact same location where it previously stood. After substantial construction, the applicant was advised by the Borough that she needed to apply for a variance and cease work. Applicant now seeks to complete construction of the garage which requires the following variances:

Section 21-78A-3: Accessory Structure not permitted closer to the front property line than the required front setback of the principal structure. Principal structure is 55 feet the proposed garage is maintaining the original front yard setback of 54.8 ft.

Section 21:78B.1a: Accessory structure setback: 3 feet required, whereas .11 feet is proposed. The proposed garage is maintaining the original side yard setback of .11 ft.

In addition, the Applicant seeks any and all variances, waivers and/or related relief which may be necessary to approve the Application as proposed.

Any person or persons affected by this application may have an opportunity to be heard at the Board's public meeting to be held on May 12, 2022, at 7:00 p.m. in the Community Center, 22 Snug Harbor, Highlands, New Jersey.

All documents relating to this application may be inspected by the public between the hours of 9:00 a.m. and 4:00 p.m. in the office of the Secretary of the Board at 42 Shore Drive, Highlands, New Jersey.

Applicant's Name:

Address:

Telephone:

MARK R. AIKINS, ESQUIRE
Attorney for Applicant
Kerry M. Farrell
c/o Mark R. Aikins, L.L.C.
3350 Route 138, Building 1, Ste 113
Wall, New Jersey 07719
732-280-2606

DATE OF PUBLICATION: APRIL 29, 2022



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

Date Issued: April 20, 2022

CERTIFICATION OF 200-FOOT LIST

BLOCK 43 LOT 7

PROPERTY LOCATION: **32 Shrewsbury Ave., Highlands, NJ 07732**

TO THE BEST OF MY KNOWLEDGE this is a true and accurate list, as of this date, taken from the most current tax records of the Borough of Highlands, NJ.

The addresses on this list are pertinent to the Borough of Highlands exclusively. If the subject property is within 200 feet of a neighboring municipality, you MUST contact that municipality, to obtain a listing of any properties that may be inclusive in the 200 foot perimeter. THIS LIST IS VALID FOR 90 DAYS.

Nancy Trahan, Acting Borough Clerk

4/20/2022 10:12 AM

* If you are located within 200 feet of a State Highway, you **MUST** notify the NJ Department of Transportation:



NJ Dept. of Transportation
1035 Pkwy Avenue
PO Box 600
Trenton, NJ 08625

*If you are within 200 feet of a County owned road, you **MUST** notify the Monmouth County Planning Board:



Monmouth County Planning Board
Hall of Records Annex 2nd Floor
One East Main St.
PO Box 1255
Freehold, NJ 07728

EXHIBIT "B"

You must also notify all utilities located within the 200-foot range of the subject property:

- ✓ ✓ **JCP&L**
300 Madison Avenue
PO Box 1911
Morristown, NJ 07960
- ✓ ✓ **NEW JERSEY AMERICAN WATER COMPANY**
Attn: Construction Department
661 Shrewsbury Ave
Shrewsbury, NJ 07702
- ✓ ✓ **COMCAST COMMUNICATIONS OF MONMOUTH COUNTY**
Ron Bertrand, Construction Foreman
403 South St
Eatontown, NJ 07724
- ✓ ✓ **VERIZON COMMUNICATIONS**
One Verizon Way
Basking Ridge, NJ 07920
- ✓ ✓ **TOWNSHIP OF MIDDLETOWN SEWERAGE AUTHORITY**
Raymond J. Nierstedt, P.E., Executive Director
PO Box 205, 100 Beverly Way
Belford, NJ 07718
- ✓ ✓ **NEW JERSEY NATURAL GAS COMPANY**
Attn: Joan Purcaro
PO Box 1464
1415 Wyckoff Road
Wall, NJ 07719
- ✓ ✓ **MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY**
Attn: Executive Director
200 Harbor Way
PO Box 184
Belford, NJ 07718

✓✓ 1319-43-3 01
REMIAS ROSE MARIE
22 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-43-4 01
ZAZZARA JOSEPH & PAULETTE
258 GALLAGHER CREEK ROAD
FRIENDSVILLE TN 37737

✓✓ 1319-43-5 01
IANNUCCI BARBARA
P.O. BOX 775
NANUET NY 10954

✓✓ 1319-43-6 01
METZLA TWO LLC
3 MARIUS LANE
SEA BRIGHT NJ 07760

✓✓ 1319-43-7 01
FARRELL ROBERT
32 SHREWSBURY AVE
HIGHLANDS NJ 07732

✓✓ 1319-43-8 01
KIMMELMAN JAKE & HECKLER JENNA
34 SHREWSBURY AVE
HIGHLANDS NJ 07732

✓✓ 1319-43-9 01
JOHNSON THOMAS & ELIZABETH
36 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-43-10 01
MARKOU GEORGE & CECELA
177 HOWARD BLVD
MT ARLINGTON NJ 07856

✓✓ 1319-43-11 01
CHRISTIE SEAN & JOSEPHSON MERYL
1 JACKSON AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-44-3
BEYER GERALD
27 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-44-9
COPPOLLETTI FRANK
21 JACKSON STREET
HIGHLANDS NJ 07732

✓✓ 1319-44-13
CUNNIFF MARGARET MARY
13 CENTER STREET
HIGHLANDS NJ 07732

dup ✓✓ 1319-43-3
REMIAS ROSE MARIE
22 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-42-9
KURCES LAWRENCE J & MARYAL SEN
8 KAY ST
HIGHLANDS NJ 07732

✓✓ 1319-44-9
MISZKIEL JANINA O
33 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-44-2
25 SHREWSBURY LLC
25 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-43-11 02
CHRISTIE SEAN & MERYL
1 JACKSON STREET
HIGHLANDS NJ 07732

✓✓ 1319-43-11 03
SABATINI KENNETH & KIMBERLY
40 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

dup ✓✓ 1319-43-10
MARKOU GEORGE & CECELA
177 HOWARD BLVD
MT ARLINGTON NJ 07856

dup ✓✓ 1319-43-8
KIMMELMAN JAKE & HECKLER JENNA
34 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-43-7
FARRELL KERRY M
32 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-43-5
BADAMI ANGELA
P.O. BOX 775
NANUET NY 10954

✓✓ 1319-42-7
MENZA DAN & KAREN
19 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-42-8
LEVY SCOTT & VICTOR SHERYL A
21 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-44-14 02
CASSIDY STEPHEN & CAROLLEE
7 KAY STREET
HIGHLANDS NJ 07732

✓✓ 1319-44-11
RECK FRANZ & DELL HEATHER
17 CENTER STREET
HIGHLANDS NJ 07732

✓✓ 1319-44-12
MAMBELLI JULIAN & HOXHA LINDA
15 CENTER STREET
HIGHLANDS NJ 07732

dup ✓✓ 1319-43-4
ZAZZARA JOSEPH & PAULETTE
258 GALLAGHER CREEK ROAD
FRIENDSVILLE TN 37737

✓✓ 1319-43-6
BARBARA FRANK & MICHELLE
30 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-44-4 01
TIERNEY ANNEMARIE
26 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-44-1
GLICKSTEIN CARL & CAINE IRMA
23 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓✓ 1319-44-7
FRANCOLINO FAMILY LLC
36 EAST LOOP ROAD
STATEN ISLAND NY 10304

dup ✓✓ 1319-43-9
JOHNSON THOMAS & ELIZABETH
36 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

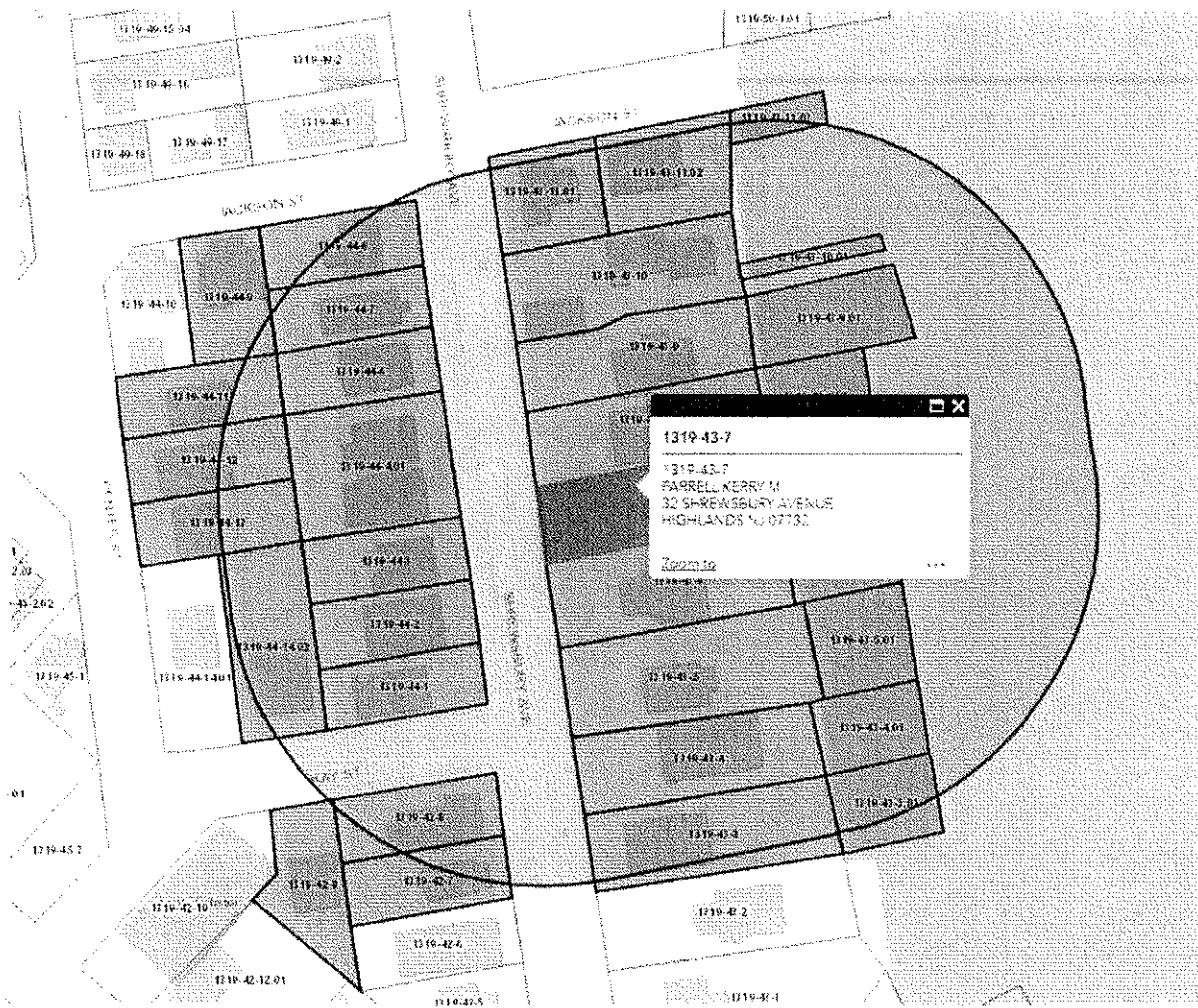
✓✓ 1319-44-8
ROUSH JEFFERY BRUNY & SHARON WEND
37A SHREWSBURY AVE
HIGHLANDS NJ 07732

✓✓ Zazzara - Friendsville

X Barbara - Highlands
Frank
Barbara

41
3/9

200 Foot map block 43 Lot 7 32 Shrewsbury Avenue



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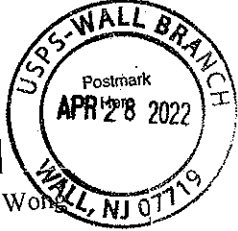
Return Receipt (hardcopy) \$ _____

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Adult Signature Restricted Delivery \$ _____



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\$ Tot Roush, Jeffery Brian & Sharon Wong
\$ 37A Shrewsbury Avenue
\$ Ser. Highlands, New Jersey 07732
\$
\$ Str
\$ City

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Item 2.

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Adult Signature Restricted Delivery \$ _____



Postage

\$ Tot Francolino Family LLC
\$ 35 East Loop Road
\$ St Staten Island, N.Y. 10304
\$
\$ Si
\$ C

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\$ Tot Glickstein, Carl & Caine, Irma
\$ 23 Shrewsbury Avenue
\$ Ser Highlands, New Jersey 07732
\$
\$ Si
\$ City, State, ZIP+4™

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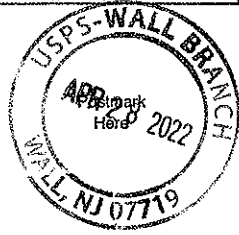
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<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage
Beyer, Gerald
27 Shrewsbury Avenue
Highlands, New Jersey 07732

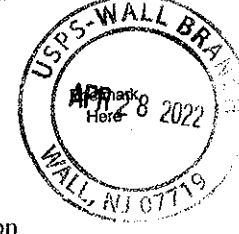
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Kurdes, Lawrence J. & Mary Alison
8 Kay Street
Highlands, New Jersey 07732

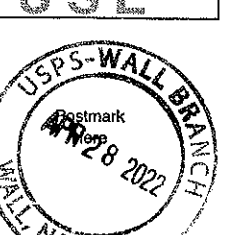
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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Christie, Sean & Josephson, Meryl
1 Jackson Avenue
Highlands, New Jersey 07732

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25 Shrewsbury LLC
 25 Shrewsbury Avenue
 Highlands, New Jersey 07732

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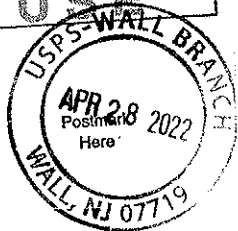
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____



Miszkiel, Janina O.
 33 Shrewsbury Avenue
 Highlands, New Jersey 07732

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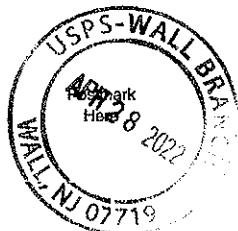
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<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____



Cunniff, Margaret Mary
 13 Center Street
 Highlands, New Jersey 07732

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- Adult Signature Restricted Delivery \$ _____



Postage

To: Farrell, Robert
32 Shrewsbury Avenue
Highlands, New Jersey 07732

City: _____

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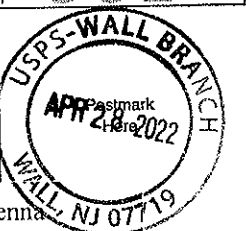
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To: Kimmelman, Jake & Heckler, Jenna
34 Shrewsbury Avenue
Highlands, New Jersey 07732

City: _____

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- Adult Signature Restricted Delivery \$ _____



To: Coppotelli, Frank
21 Jackson Street
Highlands, New Jersey 07722

City: _____

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42

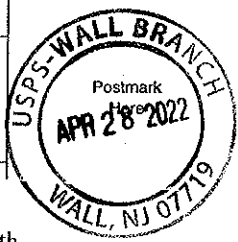
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage \$

Total Prepaid \$

Sent To Johnson, Thomas & Elizabeth
36 Shrewsbury Avenue
Highlands, New Jersey 07732

Street

City, State, ZIP+4

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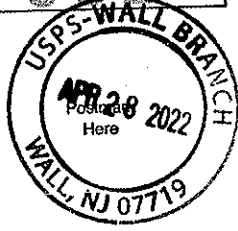
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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage \$

Total Prepaid \$

Sent To Metzia Two LLC
3 Marius Lane
Sea Bright, New Jersey 07760

Street

City, State, ZIP+4

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Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage \$

Total Prepaid \$

Sent To Markou, George & Cecelia
177 Howard Blvd.
Mt. Arlington, New Jersey 07856

Street

City, State, ZIP+4

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7021 0950 0000 9587 6236

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Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

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<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Post: _____

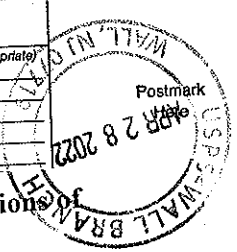
\$ **Comcast Communications of Monmouth County**

\$ **Ron Bertrand, Const. Foreman**

\$ **403 South St., Eatontown, NJ 07724**

City: _____

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7021 0950 0000 9587 6229

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Extra Services & Fees (check box, add fee as appropriate)

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<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Post: _____

\$ **New Jersey American Water Co.**

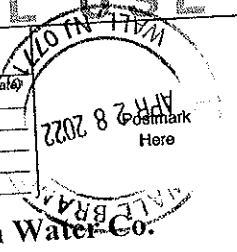
\$ **Attn: Construction Department**

\$ **661 Shrewsbury Avenue**

\$ **Shrewsbury, NJ 07702**

City: _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Post: _____

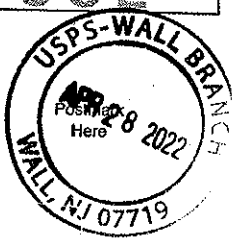
\$ **Iannucci, Barbara**

\$ **P.O. Box 775**

\$ **Nanuet, New York 10954**

City: _____

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Postage \$ _____

Total \$ _____

Sent \$ _____

Street _____

City _____

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Monmouth County Planning Bd.
Hall of Records Annex, 2nd Floor
One East Main St., PO Box 1255
Freehold, New Jersey 07728

7021 0950 0000 9587 6212

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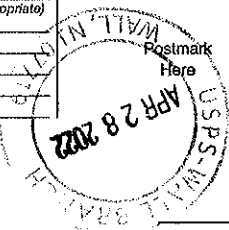
Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____



JCP & L
300 Madison Avenue
P.O. Box 1911
Morristown, N.J. 07960

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Verizon Communications
One Verizon Way
Basking Ridge, NJ 07920

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7021 0950 0000 9587 6243

7021 0950 0000 9587 6755

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Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

To: Zazzara, Joseph & Paulette
 258 Gallagher Creek Road
 Friendsville, TN 37737

Postmark Here

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7021 0950 0000 9587 6799

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Certified Mail Restricted Delivery \$ _____

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Adult Signature Restricted Delivery \$ _____

Postage \$ _____

To: N.J. Dept. Of Transportation
 1035 Parkway Ave., P.O. Box 600
 Trenton, New Jersey 08625

Postmark Here

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7021 0950 0000 9587 6793

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Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

To: Clerk
 Borough of Highlands
 42 Shore Drive
 Highlands, New Jersey 07732

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0950 0000 9587 6267

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Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

New Jersey Natural Gas Co.
Attn: Joan Purcaro
P.O. Box 1464
1415 Wyckoff Rd., Wall, NJ 07719

Postmark Here

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Item 2.

7021 0950 0000 9587 5468

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Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Monmouth County
Authority
Attn: Executive Director
200 Harbor Way, P.O. Box 184
Belford, New Jersey 07718

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0950 0000 9587 5462

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Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Remias, Rose Marie
22 Shrewsbury Avenue
Highlands, New Jersey 07732

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

47

7021 0950 0000 9587 6861

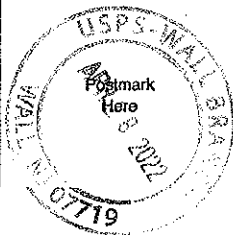
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Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

\$ in Christie, Sean & Meryl
 \$ 1 Jackson Street
 \$ Highlands, New Jersey 07732
 \$
 \$
 \$
 \$

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Item 2.

7021 0950 0000 9587 6878

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<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

Sabatini, Kenneth & Kimberly
 40 Shrewsbury Avenue
 Highlands, New Jersey 07732

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0950 0000 9587 6250

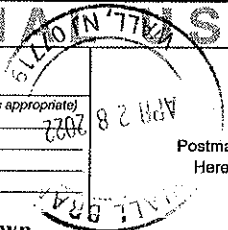
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<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$



Postage

To: Township of Middletown
 Sewerage Authority
 Raymond J. Nierstedt, P.E., Exc. Dir.
 P.O. Box 205, 100 Beverly Way
 Belford, NJ 07718

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Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postmark Here
APR 28 2022
 USPS-WALL BRANCH
 WALL, NJ

Levy, Scott and Victor, Sheryl A.
 21 Shrewsbury Avenue
 Highlands, New Jersey 07732

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0950 0000 9587 6908

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Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

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APR 28 2022
 USPS-WALL BRANCH
 WALL, NJ 07719

Menza, Dan & Karen
 19 Shrewsbury Avenue
 Highlands, New Jersey 07732

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7021 0950 0000 9587 5987

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Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

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APR 28 2022
 USPS-WALL BRANCH
 WALL, NJ 07719

Coppotelli, Frank
 21 Jackson Street
 Highlands, New Jersey 07732

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7021 0950 0000 9587 6892

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark Here **APR 28 2022**

WALL NJ 07719

To: Badami, Angela
P.O. Box 775
Nanuet, New York 10954

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7021 0950 0000 9587 6786

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark Here **APR 28 2022**

WALL NJ 07719

To: Farrell, Kerry M.
32 Shrewsbury Avenue
Highlands, New Jersey 07732

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7021 0950 0000 9587 6162

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<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage
\$ Mambelli, Julian & Hoxha, Linda
15 Center Street
Highlands, New Jersey 07732

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Item 2.

7021 0950 0000 9587 6151

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<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage
\$ Reck, Franz and Dell, Heather
17 Center Street
Highlands, New Jersey 07732

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

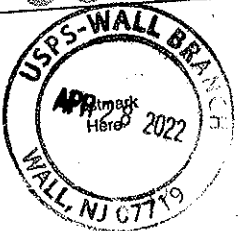
7021 0950 0000 9587 6274

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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage
\$ Cassidy, Stephen & Carol Lee
7 Kay Street
Highlands, New Jersey 07732

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7021 0950 0000 9587 5888

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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

\$ Tierney, Annemarie
29 Shrewsbury Avenue
Highlands, New Jersey 07732

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7021 0950 0000 9587 6748

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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

\$ Barbara, Frank & Michelle
30 Shrewsbury Avenue
Highlands, New Jersey 07732

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7021 0950 0000 9587 6762

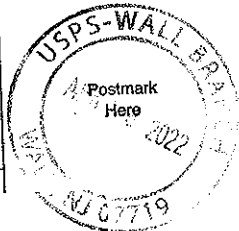
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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

Joseph Zazzara and
Paulette Zazzara
303 Mount Prospect Road
Far Hills, NJ 07931

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MARK R. AIKINS, L.L.C.
COUNSELORS AT LAW
AUTUMN RIDGE OFFICE PARK
3350 ROUTE 138, BUILDING 1, SUITE 113
WALL, NEW JERSEY 07719

MARK R. AIKINS
E-MAIL: maikins@aikinslaw.com
WEBSITE: www.aikinslaw.com

TELEPHONE: 732-280-2606

FACSIMILE: 732-280-8084

March 1, 2022

Hand Delivered

Ms. Nancy Tran
Planning/Zoning Board Secretary
Borough of Highlands
42 Shore Drive
Highlands, New Jersey 07732

Re: Kerry M. Farrell
Block 43, Lot 7 (32 Shrewsbury Avenue)
Borough of Highlands

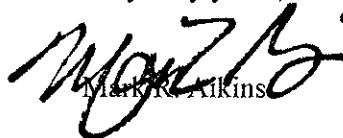
Dear Ms. Tran:

Enclosed please find the following documents in connection with the above matter which is scheduled for hearing before the Land Use Board on March 10, 2022:

- Certified list of property owners within 200 ft. of the above property
- Affidavit of Mailing
- Certified receipt cards
- Affidavit of Publication

Should you require additional information and/or documentation, please do not hesitate to contact me.

Very truly yours,


Mark R. Aikins

MRA:mb
Enclosures

cc: Dr. Kerry M. Farrell, w/o/encs. (via e-mail)
Robert W. Adler & Associates, P.A., w/o/encs. (via e-mail)

AFFIDAVIT OF PUBLICATION

Publisher's Fee \$0.00 Affidavit \$35.00

STATE OF WISCONSIN
Brown County

Personally appeared D. Roberts at County of Brown, State of Wisconsin.

Of the **Asbury Park Press**, newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue dated as follows:

02/25/2022 A.D 2022

Vicky Felty
Notary Public, State of Wisconsin, County of Brown
9/19/25

VICKY FELTY
Notary Public
State of Wisconsin

My commission expires

PUBLIC NOTICE
BOROUGH OF HIGHLANDS LAND USE BOARD

PLEASE TAKE NOTICE that on Thursday, March 10, 2022 at 7:00 p.m. at the meeting of the Land Use Board, Borough of Highlands, 42 Shore Drive, Highlands, New Jersey 07732, or at such time as the Board may thereafter adjourn, a public meeting will be held with regard to the Application of KERRY M. FARRELL at which time and place all interested persons will be given an opportunity to be heard. The premises is designated on the Tax Map of the Borough of Highlands as BLOCK 43, LOT 7 and is located in the WT-R Zone.

The Applicant propose to re-construct an existing 212 square feet detached wood framed garage on the existing 2 1/2 story single family residence and seek the following variances from the Borough of Highlands Development Regulations:

Section 21-78A-3: Accessory Structure not permitted closer to the front property line than the required front setback of the principal structure. Principal structure is 55 feet and re-constructed existing garage proposed to remain at 54.80 feet.

Section 21:78B.1a: Accessory structure setback: 3 feet required, whereas .11 feet is proposed. Re-constructed existing garage proposed to remain at .11 feet.

In addition, the Applicant seeks any and all variances, waivers and/or related relief which may be necessary to approve the Application as proposed.

A copy of this Application and documents are on file with the Board Secretary, Borough of Highlands, 42 Shore Drive, Highlands, New Jersey 07732 and may be inspected Monday through Friday, 9:00 a.m. to 4:00 p.m.

MARK R. AIKINS, ESQUIRE
Attorney for Applicant
Applicant's Name: Kerry M. Farrell
Address: c/o Mark R. Aikins, L.L.C.
3350 Route 138, Building 1, Ste 113
Wall, New Jersey 07719
Telephone: 732-280-2606

DATE OF PUBLICATION: FEBRUARY 25, 2022
(\$55.44)

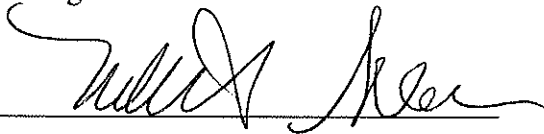
0005147217-01

AFFIDAVIT OF MAILING

Millicent Bhalai, of full age, being duly sworn, according to law, deposes and says:

1. I am employed by the firm of Mark R. Aikins, LLC, attorney for the Applicant herein.

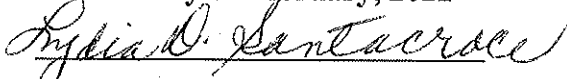
2. On February 24, 2022, I caused to be mailed via certified mail, return receipt requested, a Notice of Hearing (**Exhibit "A"**), of which the attached is a true copy, to the owners of property within two hundred (200') feet of the property designated as **BLOCK 43, LOT 7** on the Tax Map of the Borough of Highlands, shown on the attached lists (**Exhibit "B"**) which was provided by the Tax Collector, Borough of Highlands.



Millicent Bhalai

Sworn and Subscribed to before me

this ^{24th} day of February, 2022



NOTARY PUBLIC, STATE OF N.J.

LYDIA D. SANTACROCE
A NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES: 10/14/2026

PUBLIC NOTICE

BOROUGH OF HIGHLANDS LAND USE BOARD

PLEASE TAKE NOTICE that on **Thursday, March 10, 2022 at 7:00 p.m.** at the meeting of the Land Use Board, Borough of Highlands, 42 Shore Drive, Highlands, New Jersey 07732, or at such time as the Board may thereafter adjourn, a public meeting will be held with regard to the Application of **KERRY M. FARRELL** at which time and place all interested persons will be given an opportunity to be heard. The premises is designated on the Tax Map of the Borough of Highlands as **BLOCK 43, LOT 7** and is located in the **WT-R Zone**.

The Applicant propose to re-construct an existing 212 square feet detached wood framed garage on the existing 2 ½ story single family residence and seek the following variances from the *Borough of Highlands Development Regulations*:

Section 21-78A-3: Accessory Structure not permitted closer to the front property line than the required front setback of the principal structure. Principal structure is 55 feet and re-constructed existing garage proposed to remain at 54.80 feet.

Section 21:78B.1a: Accessory structure setback: 3 feet required, whereas .11 feet is proposed. Re-constructed existing garage proposed to remain at .11 feet.

In addition, the Applicant seeks any and all variances, waivers and/or related relief which may be necessary to approve the Application as proposed.

A copy of this Application and documents are on file with the Board Secretary, Borough of Highlands, 42 Shore Drive, Highlands, New Jersey 07732 and may be inspected Monday through Friday, 9:00 a.m. to 4:00 p.m.

Applicant's Name:	MARK R. AIKINS, ESQUIRE
Address:	Attorney for Applicant
Telephone:	Kerry M. Farrell
	c/o Mark R. Aikins, L.L.C.
	3350 Route 138, Building 1, Ste 113
	Wall, New Jersey 07719
	732-280-2606

DATE OF PUBLICATION: FEBRUARY 25, 2022

EXHIBIT "A"



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

Date Issued: February 4, 2022

CERTIFICATION OF 200-FOOT LIST

BLOCK 43 LOT 7

PROPERTY LOCATION: 32 Shrewsbury Ave., Highlands, NJ 07732

TO THE BEST OF MY KNOWLEDGE this is a true and accurate list, as of this date, taken from the most current tax records of the Borough of Highlands, NJ.

The addresses on this list are pertinent to the Borough of Highlands exclusively. If the subject property is within 200 feet of a neighboring municipality, you MUST contact that municipality, to obtain a listing of any properties that may be inclusive in the 200 foot perimeter. THIS LIST IS VALID FOR 90 DAYS.

Nancy Trah, Acting Borough Clerk

2/4/2022 11:57 AM

* If you are located within 200 feet of a State Highway, you **MUST** notify the NJ Department of Transportation:

- ✓ NJ Dept. of Transportation
1035 Pkwy Avenue
PO Box 600
Trenton, NJ 08625

*If you are within 200 feet of a County owned road, you **MUST** notify the Monmouth County Planning Board:

- ✓ Monmouth County Planning Board
Hall of Records Annex 2nd Floor
One East Main St.
PO Box 1255
Freehold, NJ 07728

You must also notify all utilities located within the 200-foot range of the subject property:

✓ **JCP&L**

300 Madison Avenue
PO Box 1911
Morristown, NJ 07960

✓ **NEW JERSEY AMERICAN WATER COMPANY**

Attn: Construction Department
661 Shrewsbury Ave
Shrewsbury, NJ 07702

✓ **COMCAST COMMUNICATIONS OF MONMOUTH COUNTY**

Ron Bertrand, Construction Foreman
403 South St
Eatontown, NJ 07724

✓ **VERIZON COMMUNICATIONS**

One Verizon Way
Basking Ridge, NJ 07920

✓ **TOWNSHIP OF MIDDLETOWN SEWERAGE AUTHORITY**

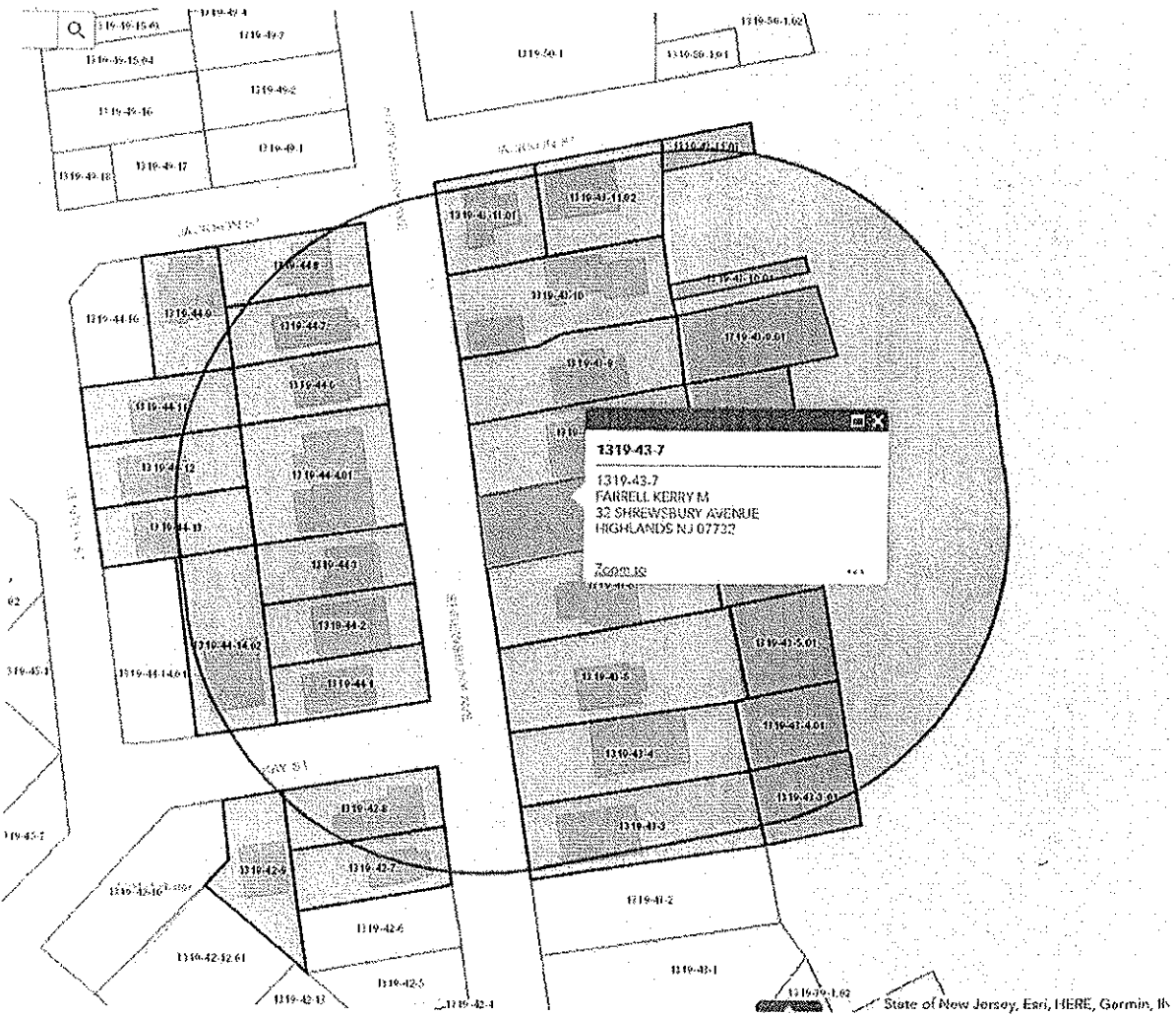
Raymond J. Nierstedt, P.E., Executive Director
PO Box 205, 100 Beverly Way
Belford, NJ 07718

✓ **NEW JERSEY NATURAL GAS COMPANY**

Attn: Joan Purcaro
PO Box 1464
1415 Wyckoff Road
Wall, NJ 07719

✓ **MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY**

Attn: Executive Director
200 Harbor Way
PO Box 184
Belford, NJ 07718



BI 43 Lot 7
32 Shrewsbury

✓ 1319-43-3.01
REMIAS ROSE MARIE
22 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-42-9
KURDES LAWRENCE J & MARY-ALISON
8 KAY ST
HIGHLANDS NJ 07732

✓ 1319-43-4
ZAZZARA JOSEPH & PAULETTE
303 MOUNT PROSPECT RD
FAR HILLS NJ 07931

✓ 1319-43-4.01
ZAZZARA JOSEPH & PAULETTE
303 MOUNT PROSPECT RD
FAR HILLS NJ 07931

✓ 1319-44-13
CUNNIFF MARGARET MARY
13 CENTER STREET
HIGHLANDS NJ 07732

✓ 1319-43-9
JOHNSON THOMAS & ELIZABETH
36 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-43-5.01
IANNUCCI BARBARA
P.O. BOX 775
NANUET NY 10954

✓ 1319-44-6
MISZKIEL JANINA O.
33 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-44-8
ROUSH JEFFERY BRIAN & SHARON WONG
37A SHREWSBURY AVE
HIGHLANDS NJ 07732

✓ 1319-43-6.01
METZIA TWO LLC
3 MARIUS LANE
SEA BRIGHT NJ 07760

✓ 1319-44-14.02
CASSIDY STEPHEN & CAROL LEE
7 KAY STREET
HIGHLANDS NJ 07732

✓ 1319-43-6
SENDOWSKI OREN
41 CARMINE STREET
NEW YORK NY 10014

✓ 1319-43-7.01
FARRELL ROBERT
32 SHREWSBURY AVE
HIGHLANDS NJ 07732

✓ 1319-42-7
MENZA DAN & KAREN
19 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-43-8.01
NESKE TIMOTHY B. & MARA
34 SHREWSBURY AVE
HIGHLANDS NJ 07732

✓ 1319-42-8
LEVY SCOTT
4 SANT FRANCIS PLACE
BROOKLYN NY 11216

✓ 1319-43-10.01
MARKOU GEORGE & CECELIA
177 HOWARD BLVD.
MT ARLINGTON NJ 07856

✓ 1319-43-5
BADAMI ANGELA
P.O. BOX 775
NANUET NY 10954

✓ 1319-43-11.01
CHRISTIE SEAN & JOSEPHSON MERYL
1 JACKSON AVENUE
HIGHLANDS NJ 07732

✓ 1319-43-8
NESKE TIMOTHY C & MARA
34 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-43-9.01
JOHNSON THOMAS & ELIZABETH
33 OVERLOOK ROAD
BLOOMINGDALE NJ 07403

✓ 1319-43-7
FARRELL KERRY M
32 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-44-3
BEYER GERALD
27 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-43-10
MARKOU GEORGE & CECELIA
177 HOWARD BLVD.
MT ARLINGTON NJ 07856

✓ 1319-44-7
FRANCOLINO FAMILY LLC
35 EAST LOOP ROAD
STATEN ISLAND NY 10304

✓ 1319-43-11.02
CHRISTIE SEAN & MERYL
1 JACKSON STREET
HIGHLANDS NJ 07732

✓ 1319-44-9
COPPOTELLI FRANK
21 JACKSON STREET
HIGHLANDS NJ 07722

✓ 1319-43-11.03
SABATINI KENNETH & KIMBERLY
40 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-44-1
HART CINDY
23 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-44-11
RECK FRANZ & DELL HEATHER
17 CENTER STREET
HIGHLANDS NJ 07732

✓ 1319-43-3
REMIAS ROSE MARIE
22 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-44-4.01
TIERNEY ANNEMARIE
29 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-44-2
GOLDENBERG CARA
25 SHREWSBURY AVENUE
HIGHLANDS NJ 07732

✓ 1319-44-12
MAMBELLI JULIAN & HOXHA LINDA
15 CENTER STREET
HIGHLANDS NJ 07732

Baro Clerk

✓ 8
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2/24/