



**BOROUGH OF HIGHLANDS
LAND USE BOARD MEETING**
151 Navesink Avenue, Highlands NJ 07732
Thursday, November 09, 2023 at 7:00 PM

AGENDA

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETING STATEMENT

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

ROLL CALL

OPEN FOR PUBLIC COMMENTS

General Questions or Comments not pertaining to Applications

APPROVAL OF MINUTES

1. October 12, 2023 LUB Meeting Minutes

RESOLUTIONS

- [2.](#) Memorialization LUB Res 2023-15 LDN LLC LUB2021-01 Extension Approval
- [3.](#) LUB Res 2023-16 Martin LUB2022-06 Extension Approval
- [4.](#) Memorialization Res LUB2023-17 for LUB2023-03: Farrell, 32 Shrewsbury Ave, B43 L7

ACTION ON OTHER BUSINESS

- [5.](#) Review of O-23-22 Salt Storage Ordinance
- [6.](#) LUB2021-01: LDN Real Estate, 49 Miller St., B54 L7.01 - Extension Request

HEARINGS ON NEW BUSINESS

[7.](#) LUB2023-05: Sharkey – 9 Shrewsbury Ave., B42 L2

[8.](#) LUB2023-02: Catcherman LLC – 17 Locust St., B101 L27.04

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.

ADJOURNMENT



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2023-15
MEMORIALIZATION OF EXTENSION OF USE VARIANCE RELIEF WITH
PRELIMINARY AND FINAL MAJOR SUBDIVISION APPROVAL

Approved: August 10, 2023
Memorialized: November 9, 2023

MATTER OF LDN, LLC
APPLICATION NO. LUB-2021-01

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

WHEREAS, a public hearing was held before the Board on August 10, 2023 with regard to this application; and

WHEREAS, on or about June 30, 2023, the Board received a written request for an extension from the Applicant and at the August 10, 2023 hearing, heard statements from the Board Secretary regarding the request, and with the public having had an opportunity to be heard; and

WHEREAS, a complete application has been filed, the fees as required by Borough Ordinance have been paid, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised.

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

1. The Applicant is seeking an extension of time for the use variance relief with preliminary and final major subdivision granted by the Board on November 4, 2021 and memorialized in a Resolution dated December 2, 2021.

2. The Applicant was granted use variance relief with preliminary and final major subdivision relief to create five (5) single-family dwelling lots. Single-family dwellings are not a permitted use in the CBD Zone and, use variance relief pursuant to N.J.S.A. 40:55D-70d(1) was therefore required.

3. The Applicant did not testify at the hearing but submitted a letter to the Board from attorney requesting the extension of time for the Board to sign off on the Final Plat which was on the Board's agenda for July 13, 2023. The Applicant's letter also explained that the reason for the extension request was that the Board had misplaced the Applicant's paperwork submitted for final plat approval in July of 2022, which had to subsequently be resubmitted.

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

5. The Board has received, reviewed, and considered the Applicant's June 30, 2023 written request for an extension, Land Use Board Resolution granting use variance relief with preliminary and final major subdivision approval dated December 2, 2021 pursuant to N.J.S.A. 40:55D-52. All exhibits, resolutions, and statements have been incorporated herein in their entirety.

WHEREAS, the Highlands Land Use Board, having reviewed the proposed application and having considered the impact of the proposed application on the Borough and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered

whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Borough of Highlands; and upon the imposition of specific conditions to be fulfilled, hereby concludes that good cause has been shown to approve the application of LDN, LLC for a one-year extension of time pursuant to N.J.S.A. 40:55D-52.

The Board acknowledges that the Applicant has diligently outside approvals and final plat from the Board but that due to circumstances beyond its control the Applicant has faced unavoidable and unexpected delays. The Board, therefore, finds that an extension of time of one-year pursuant to N.J.S.A. 40:55D-52 is appropriate in this circumstance.

NOW, THEREFORE, BE IT RESOLVED by the Highlands Land Use Board on this 9th day of November 2023, that the action of the Land Use Board taken on August 10, 2023 granting Application No. LUB-2021-01 of LDN, LLC for an extension of time for use variance relief with preliminary and final major subdivision be and the same is hereby memorialized as follows:

The application is granted subject to the following conditions:

1. The Applicant is granted a one-year extension of time.
2. All terms and conditions of the Board's previous approvals, except as satisfied or amended, shall remain in place.
3. The Applicant shall provide a certificate that taxes are paid to date of approval.
4. Payment of all fees, costs, escrows due and to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
5. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Highlands, County of Monmouth, State of New Jersey or any other jurisdiction.

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

ON MOTION OF:

SECONDED BY:

ROLL CALL:

YES:

NO:

ABSTAINED:

ABSENT:

DATED:

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Borough of Highlands Land Use Board, Monmouth County, New Jersey, at a public meeting held on November 9, 2023.

Nancy Tran, Secretary
Borough of Highlands Land Use Board



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2023-16
MEMORIALIZATION OF EXTENSION OF MINOR SUBDIVISION APPROVAL
WITH ANCILLARY VARIANCE RELIEF

Approved: August 10, 2023
Memorialized: November 9, 2023

MATTER OF MARIE MARTIN
APPLICATION NO. LUB2022-06

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

WHEREAS, a public hearing was held before the Board on August 10, 2023 with regard to this application; and

WHEREAS, on or about June 22, 2023, the Board received a written request for an extension of minor subdivision approval from the Applicant and at the August 10, 2023 hearing, heard statements from the Board Secretary regarding the request, and with the public having had an opportunity to be heard; and

WHEREAS, a complete application has been filed, the fees as required by Borough Ordinance have been paid, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised.

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

1. The Applicant is seeking an extension of time for the minor subdivision approval with ancillary variance relief granted by the Board on October 13, 2022 and memorialized in a Resolution dated December 20, 2022.

2. The Applicant was granted minor subdivision approval with ancillary variance relief to subdivide the subject Property into two (2) new lots. Proposed Lot 15.01 would contain the existing two-story, single-family dwelling. The minimum front yard setback of the existing dwelling would be nine (9) feet, whereas 20 feet is required, therefore variance relief was required. Variance relief was also granted for the maximum building coverage of 35.56% for proposed Lot 15.01, whereas a maximum of 33% was permitted. The proposed dwelling on proposed Lot 15.02 would comply with the Zoning Ordinance.

3. The Applicant did not testify at the hearing but submitted a letter to the Board from her counsel, requesting the extension of 180 days. The Applicant's letter dated June 22, 2023 explained that the reason for the extension request was to allow additional time to complete the filing with the County Clerk due to delays with third-party approvals.

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

5. The Board has received, reviewed, and considered the Applicant's June 22, 2023 written request for an extension of time of the Resolution approving minor subdivision approval with ancillary variance relief dated December 20, 2022 pursuant to N.J.S.A. 40:55D-47. All exhibits, resolutions, and statements have been incorporated herein in their entirety.

WHEREAS, the Highlands Land Use Board, having reviewed the proposed application and having considered the impact of the proposed application on the Borough and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Borough of Highlands; and upon the imposition of specific conditions to be fulfilled, hereby concludes that good cause has been shown to approve the application of Marie Martin for a 180-day extension of time for minor subdivision approval pursuant to N.J.S.A. 40:55D-47.

The Board acknowledges that the Applicant has diligently sought filing with the County Clerk and obtaining outside approvals and that due to circumstances beyond her control has faced unavoidable and unexpected delays. The Board, therefore, finds that a 180-day extension of time is appropriate in this circumstance pursuant to N.J.S.A. 40:55D-47.

NOW, THEREFORE, BE IT RESOLVED by the Highlands Land Use Board on this 9th day of November 2023, that the action of the Land Use Board taken on August 10, 2023 granting Application No. LUB-2022-06 of Marie Martin an extension of time for minor subdivision approval with ancillary variance relief pursuant to N.J.S.A. 40:55D-47 and the same is hereby memorialized as follows:

The application is granted subject to the following conditions:

1. The Applicant is granted a 180-day extension of time.
2. All terms and conditions of the Board's previous approvals, except as satisfied or amended, shall remain in place.
3. The Applicant shall provide a certificate that taxes are paid to date of approval.

- 4. Payment of all fees, costs, escrows due and to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
- 5. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Highlands, County of Monmouth, State of New Jersey or any other jurisdiction.

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

ON MOTION OF:

SECONDED BY:

ROLL CALL:

YES:

NO:

ABSTAINED:

ABSENT:

DATED:

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Borough of Highlands Land Use Board, Monmouth County, New Jersey, at a public meeting held on November 9, 2023.

Nancy Tran, Secretary
Borough of Highlands Land Use Board



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2023-17

MEMORIALIZATION VARIANCE APPROVAL

Approved: October 12, 2023
Memorialized: November 9, 2023

IN THE MATTER OF KERRY M. FARRELL APPLICATION NO. LUB 2023-03

WHEREAS, an application for minor site plan approval with ancillary variance relief has been made to the Highlands Land Use Board (hereinafter referred to as the “Board”) by Kerry M. Farrell (hereinafter referred to as the “Applicant”) on lands known and designated as Block 43, Lot 7, as depicted on the Tax Map of the Borough of Highlands (hereinafter “Borough”), and more commonly known as 32 Shrewsbury Avenue in the WT-R (Waterfront Transition-Residential) Zone; and

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

WHEREAS, a public hearing was held on October 12, 2023, at which time testimony and exhibits were presented on behalf of the Applicant and all interested parties were provided with an opportunity to be heard; and

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

1. The subject Property contains 7,180 s.f. with 47.5 feet of frontage on Shrewsbury Avenue and is improved with an existing single-family, two-story dwelling. The subject Property is located within the WT-R (Waterfront Transition Residential) Zone.
2. The Applicant is seeking variance relief to reconstruct a one-story wood framed garage located in the side yard, together with minor site plan approval to the extent such relief

is required to allow for construction of a new detached garage at the original location of the garage serving this property.

3. In accordance with Section 21-93 of the Ordinance existing/proposed bulk deficiencies are noted as follows. The minimum lot frontage allowed is 50 feet, whereas 47.5 feet is existing and is proposed. The minimum front yard setback for an accessory structure is 55 feet, whereas 54.8 feet is existing and is proposed. The minimum side yard setback for an accessory structure is 3 feet, whereas 0.90 feet is existing and is proposed.

4. Counsel for the Applicant, Thomas Hirsch, Esq. appeared on behalf of the Applicant and provided a background history of the property and the issues pertaining to the accessory garage. The property has always been utilized as a single-family home which home exists today. The house historically also had a detached (set off less than a foot of the principal structure) one-car garage which was severely damaged during Sandy. Applicant sought a variance to rebuild the garage, however, sought to have a second level for additional storage whereas the original garage was only one story. Applicant sought to put the garage over the same foundation of the original garage and therefore required a side yard setback. That application was originally granted unanimously; however, as a result of a notice issue, the application had to be reheard at which time the application did not receive a majority vote and therefore was denied previously by this Board.

5. Applicant now returns before the Board having filed a new application with a redesigned one-story attached garage emulating the original garage which requires a side yard setback variance. The front façade of the principal dwelling is set back from the front yard property line by approximately 68.5 feet where only 35 feet is required. The proposed garage, which is being built over the existing slab from the original garage, may be slightly closer to the front yard than the existing façade of front porch.

6. The Applicant, Dr. Kerry Farrell, testified that she has owned the subject Property since 2012 and it had been owned by members of her family prior to that time. She stated that the house was built in 1904 and that the garage was built in the 1940s. Dr. Farrell noted that members of her family had purchased the subject Property in 1954 and it has been in her family since. Dr. Farrell then testified that Hurricane Sandy had punched a hole in the rear wall of the

garage. After Sandy, Dr. Farrell removed some of the damaged walls and roof that were in danger of collapse. She stated that the concrete foundation, two (2) walls and beams of the roof remained. Dr. Farrell also stated that she prepared plans with an architect to rebuild the garage in June 2016, and obtained construction and electrical permits from the Borough in July 2016. Dr. Farrell further testified that after her permits were issued, the Flood Plain Administrator and Zoning Officer advised Dr. Farrell that the area had been placed in a new flood zone that did not permit garages. In 2016, the Borough Construction Official issued a stop-work order because too much (more than 50%) of the original garage had been torn down. Dr. Farrell provided additional testimony that the subject Property was placed in a new flood zone again in 2018. This time with garages as permitted structures.

7. Dr. Farrell testified that she was now seeking variance relief from the side yard setback and front yard setback requirements. She explained that variance relief was required because more than 50% of the original structure was taken down and the conditions are no longer considered “pre-existing.” Dr. Farrell then confirmed that the residential use is not being changed.

8. The Applicant’s Architect, Robert Adler, P.A. testified that the proposed garage would be built upon the existing foundation and have a height of 10 feet 6 inches, which was the original garage height based off photographs of the former structure. Mr. Adler reinforced the fact that having a garage was a permitted accessory structure; it was only restoring it as originally located that creates a setback variance under the new ordinance. Demolition of the remaining structure post-Sandy removed any preexisting non-conforming protections enjoyed by the original structure. Mr. Adler then focused on the proposed design. In order to minimize encroachments into the sideyard setback, the garage will not have external gutters.

9. Mr. Adler also described an analysis he had undertaken to consider alternative locations on the property for the replacement garage, but neither location was deemed superior to the original location, either because CAFRA permitting would be prohibitive, or would detrimentally impact view now enjoyed by adjoining properties. Mr. Adler referenced a two (2) page exhibit (considered part of the Application Package) that depicted the visual impacts a relocated garage structure could pose on adjoining properties.

10. Mr. Adler also provided testimony supporting the grant of the setback variances. In order to help aesthetics, the garage will have a decorative design both front and rear, with cornice detailing constructed using Azek composite materials for enhance durability. A crown molding with cap are also proposed to further enhance aesthetics. The interior storage of equipment ordinarily kept within a garage is a superior planning alternative than outside storage and provides a community benefit in that regard. Replacing the garage as originally located will have the least impact on such views by comparison. Mr. Adler opined that the setback variances were supported under both the c(1) and c(2) criteria.

11. Attorney Steven W. Ward appeared on behalf of interested parties Jake Kimmelman and Jenna Heckler, owners of 34 Shrewsbury Ave., and Frank and Michelle Barbara, owners of 30 Shrewsbury Ave., which lots are contiguous to and immediately north and south, respectively, of the Subject Property. Mr. Ward raised the issue of the Applicant's public notice only referencing Lot 7, without reference to Lot 7.01. The Board found that no development was being proposed for Lot 7.01, a riparian lot, to warrant its inclusion in the public notice.

12. Mr. Ward next took issue with the wording of the Applicant's public notice, primarily the use of the word "attached" rather than detached to describe the proposed replacement accessory structure. The Applicant confirmed that the garage was in fact proposed to be detached, not attached, although the proposed structure is to be located quite close to the principal dwelling structure. The Board found that use of the term attached versus detached was harmless error that would not result in any confusion as the submitted plans correctly depicted the proposal.

13. Mr. Ward then explained that the Applicant should be required to obtain variances for front yard and side yard setback encroachments, consistent with this Board's findings as detailed in Resolution 2022-14 memorialized July 14, 2022. The Board agrees with Mr. Ward that both setbacks require variance relief to allow the garage to be placed as originally located, but found that the Applicant's public notice addressed this contingency satisfactorily.

14. Additionally, several other nearby property owners and Borough residents appeared to voice objection to the proposed replacement garage structure, raising issues such as the part time occupancy of the Applicant's property, fire safety, conformity with other

structures along Shrewsbury, and a preference to place the replacement garage deeper into the Subject Property, notwithstanding the CAFRA and greater impacts upon view enjoyed by neighboring properties.

15. There were no other members of the public expressing an interest in the application, at which time the public portion was closed. The Board considered each issue raised during public and found that they neither individually nor collectively outweighed the proofs put forward by the Applicant and her professionals in support of relocating the garage upon its original foundation location.

WHEREAS, the Highlands Land Use Board, having reviewed the proposed application and having considered the impact of the proposed application on the Borough and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Borough of Highlands; and upon the imposition of specific conditions to be fulfilled, hereby determines that the Applicant's request for minor site plan approval pursuant to N.J.S.A. 40:55D-46.1 along with variance relief to allow encroachments into the front yard and side yard setbacks pursuant to N.J.S.A. 40:55D-70c should be approved.

The Municipal Land Use Law, at N.J.S.A. 40:55D-70c provides Boards with the power to grant variances from strict ancillary and other non-use related issues when the applicant satisfies certain specific proofs which are enunciated in the Statute. Specifically, the applicant may be entitled to relief if the specific parcel is limited by exceptional narrowness, shallowness or shape. In this regard the lot in question is deficient in width by 2.5 feet and a fully conforming lot would not need the side yard setback variance. An applicant may show that exceptional topographic conditions or physical features exist which uniquely affect a specific piece of property. Further, the applicant may also supply evidence that exceptional or extraordinary circumstances exist which uniquely affect a specific piece of property or any structure lawfully existing thereon and the strict application of any regulation contained in the Zoning Ordinance would result in a peculiar and exceptional practical difficulty or exceptional and undue hardship upon the

developer of that property. In this regard the location of the principal structure and the pre-existing garage foundation justified the variance requested.

The Board finds that the Applicant has satisfies the positive criteria. The Board first addresses the Applicant's request for a hardship variance pursuant to N.J.S.A. 40:55D-70c(1). The Board finds that the Applicant is merely seeking to reconstruct the garage, an approved accessory use of the property, at the same dimensions, but with improved fire protection ratings. While only the one exterior wall adjacent to the adjoining structure needs to be fire rated, the Applicant agreed to provide fire rated construction for the entire accessory structure and designed to accommodate future flooding events. The Board also finds that the positive criteria has been satisfied under the "flexible" variance standard at N.J.S.A. 40:55D-70c(2). The Applicant's Architect testified that the grant of variance relief would create a desirable visual environment, and that its placement as originally located would have the least impact upon the views enjoyed by neighboring properties. Based upon the foregoing, the Board finds that the Applicant has satisfied the positive criteria under both the c(1) and c(2) criteria.

The Board also finds that the Applicant has satisfied the negative criteria. The Board finds that the proposed detached garage design is comparable to the design that existed for decades on this property without issue. That design also compliments the principal structure which was not required to be lifted post-Sandy. While other properties along Shrewsbury have been lifted post-Sandy, reconstruction of the garage at its original location and dimensions will have even less impact, if any, than before the neighboring homes were lifted and have no demonstrable impact upon the light, air and open space enjoyed by those nearby properties. The Board therefore finds that the grant of variance relief to allow the accessory structure setbacks as proposed would not result in any substantial detriment to the public good, nor a substantial impairment of the zone ordinance and the zone plan, therefore satisfying the negative criteria to allow granting of the variance relief required to allow garage reconstruction.

Upon consideration of the plans, testimony and application, the Board determines the Applicant has met the minimum requirements of the Municipal Land Use Law, Case Law and Borough Ordinances to a sufficient degree so as to enable the Board to grant minor site plan

approval, to the extent same is requested or applicable to the variance relief also being granted herewith.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Highlands on this 9th day of November 2023, that the action of the Land Use Board taken on October 12, 2023 approving Application No. LUB2023-03 for bulk variance relief pursuant to N.J.S.A. 40:55D-70c(1) and (2), together with minor site plan approval pursuant to N.J.S.A. 40:55D-46.1 to the extent deemed necessary, to allow the reconstruction of an accessory garage structure to be implemented in accordance with the plan submitted and the testimony provided by both the Applicant and her professionals, is hereby memorialized.

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

Bruce Kutosh, Acting Chairman
Borough of Highlands Land Use Board

- ON MOTION OF:
- SECONDED BY:
- ROLL CALL:
- YES:
- NO:
- ABSTAINED:
- ABSENT:
- DATED:

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Highlands Land Use Board, Monmouth County, New Jersey at a public meeting held on November 9, 2023.

Nancy Tran, Secretary
Borough of Highlands Land Use Board

BOROUGH OF HIGHLANDS LAND USE BOARD

EXHIBITS

Case No. LUB 2023-03/KERRY FARRELL

Variance Relief with Ancillary Minor Site Plan Approval

November 9, 2023

- A-1 Packet of emails detailing garage reconstruction issues.
- A-2 Permit Package detailing garage reconstruction issues,
- A-3 Material Expenses/Invoices pertaining to garage reconstruction
- A-4 Pre and Post Sandy Property Photographs.
- A-5 Recent Photograph of Neighboring Building Facade



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-23-22

AMENDING CHAPTER 21, ARTICLE XIV (ESTABLISHMENT OF DISTRICTS) BY ADDING NEW SECTION 21-81A (PRIVATELY OWNED SALT STORAGE) AND AMENDING SECTION 21-81 (OUTDOOR STORAGE) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHLANDS, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

WHEREAS, the New Jersey Department of Environmental Protection Stormwater Discharge Master General Permit Renewal requires the adoption of a salt storage ordinance for all Tier A municipalities.

BE IT ORDAINED by the Borough Council of the Borough of Highlands, County of Monmouth and State of New Jersey, as follows:

!

CHAPTER 21 (Establishment of Districts) is hereby amended by adding the following new Section and amends **Chapter 21, Article XIV (Establishment of Districts), Section 81 (Outdoor Storage)** as follows: (additions are shown in underlines, deletions are shown as ~~strikeovers~~.)

SECTION 21-81 OUTDOOR STORAGE.

A. Residential Districts.

1. Outdoor storage and display of any kind of nature, except storage of those items customarily used in conjunction with a residential occupancy and owned by the occupant or pursuant to Section 21-81A, et seq., of this Chapter, are prohibited in all residence districts.

...

B. Nonresidential Districts.

1. No storage area shall be located in a required front yard or in a required side yard adjoining a street.
2. No article, equipment, vehicle, supplies, or material shall be kept or stored outside the confines of any building unless the same is allowed by this article or pursuant to Section 21-81A, et seq., of this Chapter or is screened by special planting or fencing, as approved by the Board, and maintained in good condition, so that it shall not be visible from any adjacent property or public street. Any outdoor storage area shall meet the location requirements for accessory structures. Storage of trailers or use of trailers for storage is prohibited.

All other provisions of **Section 21-81 (Outdoor Storage)** shall remain unchanged.

!!

SECTION 21-81A PRIVATELY OWNED SALT STORAGE.

SECTION 21-81A.1. Purpose.

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Highlands to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION 21-81A.2. Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 - F. “Resident” means a person who resides on a residential property where de-icing material is stored.

SECTION 21-81A.3. Deicing Material Storage Requirements.

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 - 4. Loose materials shall be covered as follows:

- a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
5. Containers must be sealed when not in use; and
6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION 21-81A.4. Exemptions.

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section 21-81A.3 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities which are regulated under another NJPDES permit.

SECTION 21-81A.5. Enforcement.

This ordinance shall be enforced by the Code Enforcement Officer and/or other Municipal Officials of the Borough of Highlands during the course of ordinary enforcement duties.

SECTION 21-81A.6. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in the penalties set forth in Chapter 3, §3-9, of this Code.

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

IV

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

V

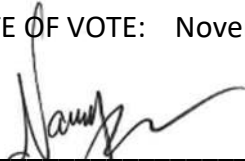
This Ordinance shall take effect upon adoption and publication according to law.

First Reading and Set Hearing Date for O-23-22:

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

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

DATE OF VOTE: November 1, 2023



 Nancy Tran, Municipal Clerk
 Borough of Highlands

Public Hearing for O-23-22:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

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

DATE OF VOTE: December 20, 2023

 Carolyn Broullon, Mayor

 Nancy Tran, Municipal Clerk
 Borough of Highlands

HANLON NIEMANN & WRIGHT

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW
JUNIPER BUSINESS PLAZA
3499 ROUTE 9 NORTH, SUITE 1-F
FREEHOLD, NEW JERSEY 07728
TELEPHONE: 732-863-9900
FACSIMILE: 732-780-3449
or 732-431-2499
WEBSITE: www.hnwlaw.com

Christopher J. Hanlon, Esq.

Certified By The New Jersey Supreme
Court as a Civil Trial Attorney
Email: chanlon@hnlawfirm.com

Fredrick P. Niemann, Esq.

Bonnie M. Wright, Esq.

Richard C. Sciria, Esq.

Nicole C. Tomlin, Esq.
L.L.M. (Taxation)

Christopher Balioni, Esq.
Admitted in NJ and NY

Stephen W. Kornas, Esq.
Admitted in NJ

John C. Tassini, Esq.
Admitted in NJ

Eric D. Lee, Esq.
Admitted in NJ and NY

October 20, 2023

VIA ELECTRONIC MAIL

Ronald D. Cucchiaro, Esq.
Weiner Law Group LLP
P.O. Box 438
629 Parsippany Road
Parsippany, NJ 07054-3701

**Re: LDN Real Estate, LLC
49 Miller Street
Highlands, New Jersey 07732
Block 54, Lot 7.01
Application for Major Sub-Division Approval and Use "d" Variance
Approval**

Dear Mr. Cucchiaro:

As you know, I represented the applicant in the above matter in which major subdivision and use variance approval was obtained on November 4, 2021, memorialized on December 2, 2021.

As such, the final map was signed and certified by the Borough of Highlands Chairman and Secretary on July 20, 2023. Nevertheless, the final map was only provided to me recently.

Accordingly, I have received final approval from the Monmouth County Planning Board on the final map. However, I still need to have the mylar copies done and returned to the Highlands Board for those copies to be signed, and then returned to me for recording.

As such, I am close to the ninety-five (95) day filing deadline, and will most likely be unable to have the above completed before then. Accordingly, I am kindly requesting an additional ninety-five (95) day extension by the Highlands Board as permitted by the statute for full execution

and recording of the final map.

Kindly confirm same, and advise whether such extension will be on the agenda for the next board meeting. Should you have any further questions, please feel free to contact me.

Very truly yours,



RICHARD C. SCIRIA

RCS:jbm

- cc: LDN Real Estate, LLC (via electronic mail)
- Paul Ricci, Planner (via electronic mail)
- Ron Trinidad, Richard E. Stockton Associates (via electronic mail)
- Dan Fers, DJF Construction, LLC (via electronic mail)
- Michelle Hutchinson, Board Secretary (via electronic mail)
- Edward W. Herrman, P.E., P.P., Land Use Board Engr. (via electronic mail)

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

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

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

IN THE MATTER OF LDN, LLC

APPLICATION NO. LUB2021-01

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The application is granted subject to the following conditions:

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

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

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



Robert Knox, Chairman
Borough of Highlands Land Use Board

[REST OF PAGE INTENTIONALLY LEFT BLANK]

ON MOTION OF: Mr. Kutosh

SECONDED BY: Vice Chair Tierney

ROLL CALL:

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

NO:

ABSTAINED:

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

DATED: December 2, 2021

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



Michelle Hutchinson, Secretary
Borough of Highlands Land Use Board

BOROUGH OF HIGHLANDS LAND USE BOARD

EXHIBITS

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

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

INTEROFFICE REPORTS

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



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

LAND USE BOARD APPLICATION

ckt# 2106 *ckt# 2107*

FOR OFFICIAL USE			
Date Rec'd: <u>9/6/2023</u>	Application #: <u>2023-05</u>	Fee: <u>\$ 350</u>	Escrow: <u>\$ 750</u>

1. APPLICANT

Name: Mary T. Sharkey
 Address: 68 Bay Avenue
 City: Highlands State: NJ Zip: 07732
 Phone: 732-443-7824
 Email: msharkey.rnbsn@gmail.com
 Relation to property: owner

2. OWNER

Name: Mary T. Sharkey
 Address: 68 Bay Avenue
 City: Highlands State: NJ Zip: 07732
 Phone: 732-443-7824
 Email: msharkey.rnbsn@gmail.com

3. TYPE OF APPLICATION (Check all that apply)

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

4. PROPERTY INFORMATION

Block 42 Lot(s) 2 Address: 9 Shrewsbury Avenue
 Lot size 1,871 ac # of Existing Lots 1 # of Proposed Lots 1
 Zone R2.02 Are there existing Deed Restrictions or Easements? No Yes – Please attach copies
 Has the property been subdivided? No Yes If yes, when? _____
 Attach copies of approved map or approved resolution
 Property taxes paid through current Sewer paid through current

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

Name: none
 Address: _____
 Phone: _____ Email: _____



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

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

Name: Salvatore LaFerlita Architect
 Address: 115 University Drive
Lincroft NJ 07738
 Phone: 732-741-7158
 Email: sallaferlita@aol.com

Name: Morgan Engineering & Surveying
 Address: PO Box 5232
Toms River, NJ 08754
 Phone: 732-270-9690
 Email: lucas@morganengineerllc.com

7. LAND USE

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

 Vacant 30+ years. 2021 contract purchaser withdrew application.

B. PROPOSED PLAN –Describe in detail, proposed use for property, including, but not limited to: 1) portion to be subdivided; 2) sell lot only; 3) construct house(s) for sale; 4) how trash will be disposed; 5) landscaping; 6) hours of operation; 7) type of goods/services; 8) fire lane. Attach additional sheets if necessary.

 Build small single family home for retiring husband and wife.

C. ADDITIONAL INFORMATION:

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



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

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

	Req'd	Exist.	Prop'd
Minimum Lot Requirements			
Lot Area	4000	1871	same
Frontage	50	33.5	same
Lot Depth	75	51.7	same
Minimum Yard Requirements			
Front Yard Setback	10	-	10
2 nd Front Yard Setback	-	-	n/a
Rear Yard Setback	16	-	13.1
Side Yard Setback, right	4	-	4
Side Yard Setback, left	3	-	3
Building Height	32.5	-	32.5

	Req'd	Exist.	Prop'd
Accessory Structures			
Fence/Wall Height	-	-	-
Garage/Shed Height	-	-	-
Garage/Shed Area	-	-	-
Pool Setback	-	-	-
Parking Requirements			
On-site Parking Spaces	2	-	2
Other (please add)			
Building coverage	33%	-	38.3%

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

NONE



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

10. NOTARIZED SIGNATURE OF APPLICANT

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

SWORN & SUBSCRIBED to before me this
6TH day of SEPTEMBER 20 23 (year)
Carolyn Brouillon (notary)
New Jersey
Notary Public (Seal)
My Commission Expires 07/07/2025
Commission # 50130681

Mary T. Sharkey 9/16/23
Signature Date
Mary T. Sharkey
Print Full Name

11. NOTARIZED CONSENT OF OWNER N/A.

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

SWORN & SUBSCRIBED to before me this
_____ day of _____ 20____ (year)
_____(notary)
(Seal)

Signature Date

Print Full Name

12A. DISCLOSURE STATEMENT Circle all that apply.

Pursuant to N.J.S.A. 40:55D-48.1 & 48.2, please answer the following questions:

- Is this application to subdivide a parcel of land into six (6) or more lots? Yes No
- Is this application to construct a multiple dwelling of 25 or more units? Yes No
- Is this an application for approval of a site(s) for non-residential purposes? Yes No
- Is this Applicant a corporation? Yes No
- Is the Applicant a limited liability corporation? Yes No
- Is the Applicant a partnership? Yes No

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



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

Zoning Permit Application

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

The following **NON-REFUNDABLE** fees shall apply: Residential Single & Two-Family \$25 Check # 1103 Cash _____
Commercial/Other residential \$50 _____ Check # _____ Cash _____

APPLICANT Name: Mary Sharkey Date: 8/22/23

Address: 68 Bay Avenue, Highlands, NJ 07732

Phone# 732-443-7824 Email: msharkey.rnbsn@gmail.com

LOCATION OF THE WORK

Block: 42 Lot(s): 2 Zone: R2.02

Street Address: 9 Shrewsbury Avenue

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

New single family home built on existing vacant undersized odd shaped lot.

Check one: New* Addition* Alteration Repair Other

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

YES NO

Signature: Mary Sharkey Date: 8/25/23

FLOOD HAZARD AREA DETERMINATION

Check applicable Flood Zone: AE VE X

All applications within the AE and VE Flood Zones, as indicated upon the most recent FEMA Flood Maps, require submission of a determination from the NJDEP.

BOROUGH HALL USE ONLY

Determination: Approved Denied Zoning Officer: Eidhuarte

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

Date: 8/31/23

Ordinance Section

Allowed/Required

Proposed

21-86B4

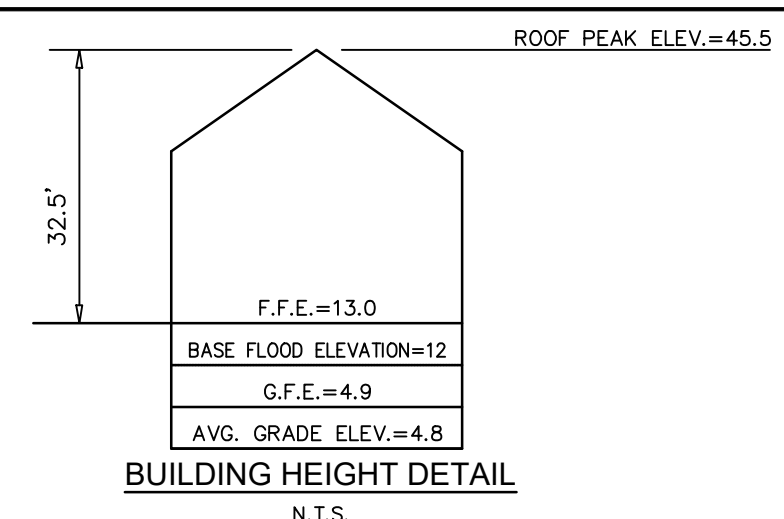
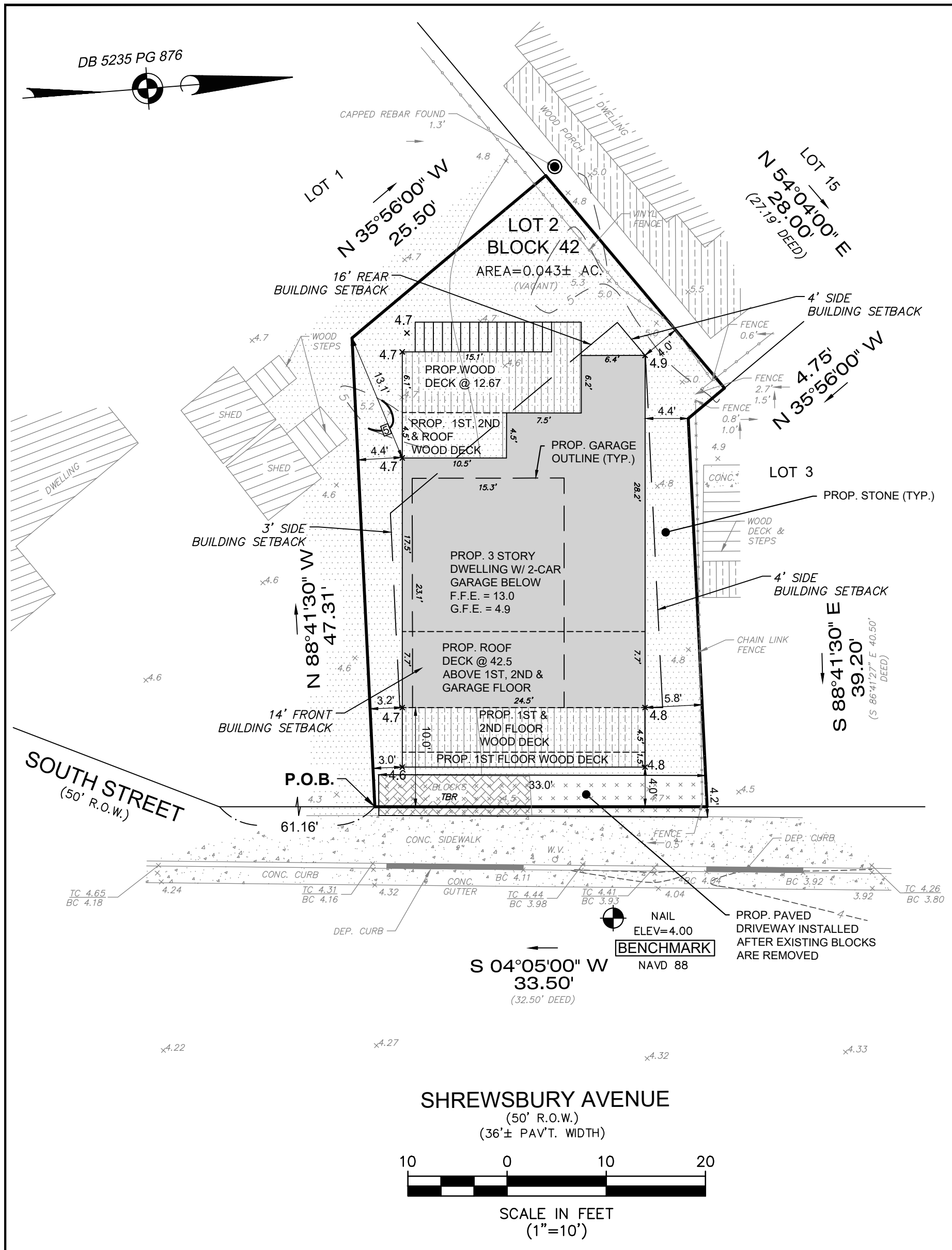
33% Bldg Coverage
16ft. rear setback

38.3%
13.1 ft.

Remarks: _____

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

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



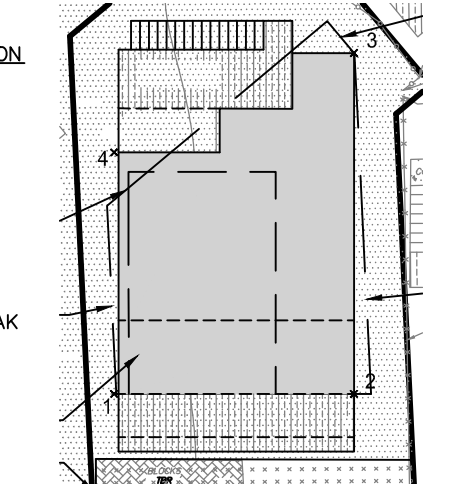
SPOT I.D. EX. ELEVATION

1.	4.7
2.	4.8
3.	4.9
4.	4.7
TOTAL	19.1

19.1 ÷ 4 = 4.8

4.8 + 40.67 FT. = 45.5

45.5 = MAXIMUM ROOF PEAK



- NOTES:**
- THIS MAP IS NOT A SURVEY.
 - THE PURPOSE OF THIS MAP IS FOR OBTAINING A PERMIT FROM THE BOROUGH OF HIGHLANDS FOR THE CONSTRUCTION OF A SINGLE FAMILY DWELLING WITH APPURTENANT SITE IMPROVEMENTS.
 - BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON TAKEN FROM A CERTAIN PLAN ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY, LOT 2, BLOCK 42, BOROUGH OF HIGHLANDS, COUNTY OF MONMOUTH, NEW JERSEY," PREPARED BY MORGAN ENGINEERING & SURVEYING, LLC, DATED 1/17/2022.
 - PER THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF GIS' NJ-GEOWEB INTERACTIVE MAPPING APPLICATION, WETLANDS DO NOT APPEAR TO EXIST ON THE SUBJECT PROPERTY.
 - PROPERTY IS LOCATED IN FLOOD ZONE AE ELEV. 12 AS SHOWN ON CURRENT FIRM MAP #34025C0088H, DATED 06/15/2022.
 - PROPERTY IS LOCATED IN FLOOD ZONE AE ELEV. 12 AS SHOWN ON PRELIMINARY FIRM MAP #34025C0088J, DATED 01/31/2014.
 - ADVISORY BASE FLOOD ELEVATION SHOWS PROPERTY LOCATED IN FLOOD ZONE V ELEV. 14.
 - PROPERTY IS LOCATED WITHIN THE LIMIT OF MODERATE WAVE ACTION (LimWo).
 - EXISTING UTILITIES TO BE MARKED OUT PRIOR TO THE START OF CONSTRUCTION.
 - ALL ELEVATIONS ARE IN NAVD 1988 DATUM THROUGH GPS OBSERVATIONS USING LEICA RTK GPS NETWORK.
 - THIS PROPERTY LOCATED WITHIN THE R-2.02 ZONE.
 - ALL ROOF LEADERS SHALL BE DIRECTED TOWARDS SHREWSBURY AVENUE.
 - NO ROOF DRAIN RUNOFF SHALL BE DIRECTED TO ADJACENT PROPERTIES.
 - MORGAN ENGINEERING HAS NOT EVALUATED THE SUBSURFACE SOIL CONDITIONS TO ASCERTAIN THE DEPTH TO GROUNDWATER OR THE SEASONAL HIGH WATER TABLE WITHIN THE FOOTPRINT OF THE DWELLING. THE HOMEOWNER, OR THEIR REPRESENTATIVE, SHALL COORDINATE WITH A QUALIFIED PROFESSIONAL TO ENSURE THE PROPOSED BASEMENT COMPLIES WITH THE NEW JERSEY BUILDING CODE WITH RESPECT TO SEPARATION BETWEEN THE BASEMENT AND THE SEASONAL HIGH WATER TABLE. SHOULD THIS TESTING PRODUCE RESULTS IN CONFLICT WITH THE PROPOSED DESIGN, THE UNDERSIGNED PROFESSIONAL SHOULD BE NOTIFIED IMMEDIATELY.
 - REFER TO ARCHITECTURAL PLANS PROVIDED BY SALVATORE LA FERLITA, R.A. FOR PARKING SPECIFICATIONS.

BUILDING COVERAGE

DESCRIPTION	EXISTING	PROPOSED
DWELLING	-	717 S.F.
BUILDING LOT COVERAGE	-	717 S.F.
LOT AREA	-	1,871 S.F.
TOTAL BUILDING	-	38.3%
LOT COVERAGE	-	

IMPERVIOUS COVERAGE

DESCRIPTION	EXISTING	PROPOSED
DWELLING	-	717 S.F.
BLOCKS	50 S.F.	-
PAVED DRIVEWAY	-	105 S.F.
WOOD DECKS	-	320 S.F.
IMPERVIOUS LOT COVERAGE	50 S.F.	1,142 S.F.
LOT AREA	-	1,871 S.F.
TOTAL IMPERVIOUS	2.7%	61.0%
LOT COVERAGE	-	

ZONE R-2.02 REQUIREMENTS

	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	4,000 S.F.	1,871 S.F.*	N.C.
MIN. LOT DEPTH	75 FT.	51.7 FT.*	N.C.
MIN. LOT WIDTH	50 FT.	33.5 FT.*	N.C.
MIN. LOT FRONTAGE	50 FT.	33.5 FT.*	N.C.
MIN. FRONT SETBACK	10 FT.*****	-	10 FT.
MIN. SIDE SETBACK:			
ONE SIDE	4 FT.****	-	4 FT.
COMBINED	7 FT.****	-	7 FT.
MIN. REAR SETBACK	16 FT.***	-	13.1 FT.**
MAX. BUILDING COVERAGE	33%	-	48.3%**
MAX. IMPERVIOUS COVERAGE	75%	2.7%	61.0%
MIN. PARKING SPACES	1.5 SPACES	-	2 SPACES
MAX. BUILDING HEIGHT	32.5 FT.*****	-	32.5 FT.

- * - EXISTING NON-COMFORMING
- ** - VARIANCE REQUIRED
- *** - FOR LOTS WHICH DO NOT MEET THE LOT DEPTH REQUIREMENT, FRONT AND REAR SETBACK MAY BE REDUCED IN THE SAME PROPORTION AS THE REDUCED LOT DEPTH TO THE REQUIRED LOT DEPTH, BUT IN NO CASE SHALL THE PROPOSED FRONT YARD BE LESS THAN THE SMALLEST FRONT YARD ALLOWED UNDER SECTION 21-79B NOR THE PROPOSED REAR YARD BE LESS THAN 80% OF THE REQUIRED REAR YARD FOR THE ZONE. PER ORDINANCE SECTION 21-98F.(g).
- **** - FOR LOTS WHICH DO NOT MEET THE LOT WIDTH REQUIREMENTS, THE SIDE YARDS MAY BE REDUCED IN THE SAME PROPORTION AS THE REDUCED WIDTH BEARS TO THE REQUIRED WIDTH, BUT IN NO CASE SHALL THE PROPOSED SIDE YARDS BE LESS THAN ONE-HALF OF THE REQUIRED SIDE YARDS. PER ORDINANCE SECTION 21-98F.(f).
- ***** - WHERE A DWELLING IS CONSTRUCTED OR RECONSTRUCTED TO PROVIDE THE REQUIRED PARKING UNDER THE STRUCTURE, THE MAXIMUM HEIGHT SHALL BE INCREASED BY TWO AND ONE-HALF FEET.
- ***** - THE PREVAILING SETBACK SHALL BE THE AVERAGE SETBACK OF BUILDINGS ON THE SAME BLOCK IN THE SAME ZONE, BUT NOT LESS THAN THE AVERAGE OF THE SETBACKS OF THE BUILDINGS ON THE TWO (2) NEAREST ADJACENT LOTS AND IN NO CASE, LESS THAN HALF THE REQUIRED SETBACK. PER ORDINANCE SECTION 21-79(B)
- N.C. - NO CHANGE

LEGEND

EXISTING FEATURES	PROPOSED FEATURES
EXIST. TREE LINE	PROP. TREE LINE
EXIST. FENCE	PROP. FENCE
EXIST. UTILITY POLE	PROP. WATER LATERAL
EXIST. GUY	PROP. WATER VALVE
EXIST. FIRE HYDRANT	PROP. SANITARY SEWER LATERAL
EXIST. INLET	PROP. SANITARY CLEANOUT
EXIST. SIGN	PROP. GAS LINE
EXIST. SANITARY MANHOLE	PROP. LIMIT OF DISTURBANCE
EXIST. WATER LINE	PROP. SILT FENCE
EXIST. SANITARY LINE	PROP. CONTOUR
EXIST. CONTOUR	PROP. SPOT ELEVATION
EXIST. SPOT ELEVATION	PROP. SURFACE FLOW DIRECTION
EXIST. TOP/BOTTOM CURB GRADE	PROP. TOP/BOTTOM CURB GRADE
F.F.E. - FIRST FLOOR ELEVATION	B.F.E. - BASEMENT FLOOR ELEVATION
T.B.R. - TO BE REMOVED	G.F.E. - GARAGE FLOOR ELEVATION
	N.T.S. - NOT TO SCALE

PREPARED FOR: MARY SHARKEY

"THE OWNER OR HIS/HER DESIGNATED REPRESENTATIVE SHALL NOTIFY THE UNDERSIGNED PROFESSIONAL IMMEDIATELY IF CONDITIONS ARE ENCOUNTERED ON-SITE CONTRARY TO THOSE DEPICTED ON THIS PLAN. THE UNDERSIGNED PROFESSIONAL SHALL BE GRANTED ACCESS TO THE SITE AND PROVIDED ADEQUATE TIME TO REVIEW AND, IF NECESSARY, AMEND THE DESIGN BASED UPON THE OBSERVED SITE CONDITIONS."

CERTIFICATE OF AUTHORIZATION: 24GA28229800

MORGAN
engineering & surveying
www.morganengineeringllc.com

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

DRAFT

MATHEW R. WILDER
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE No. 50652

BUILDING PERMIT PLOT PLAN

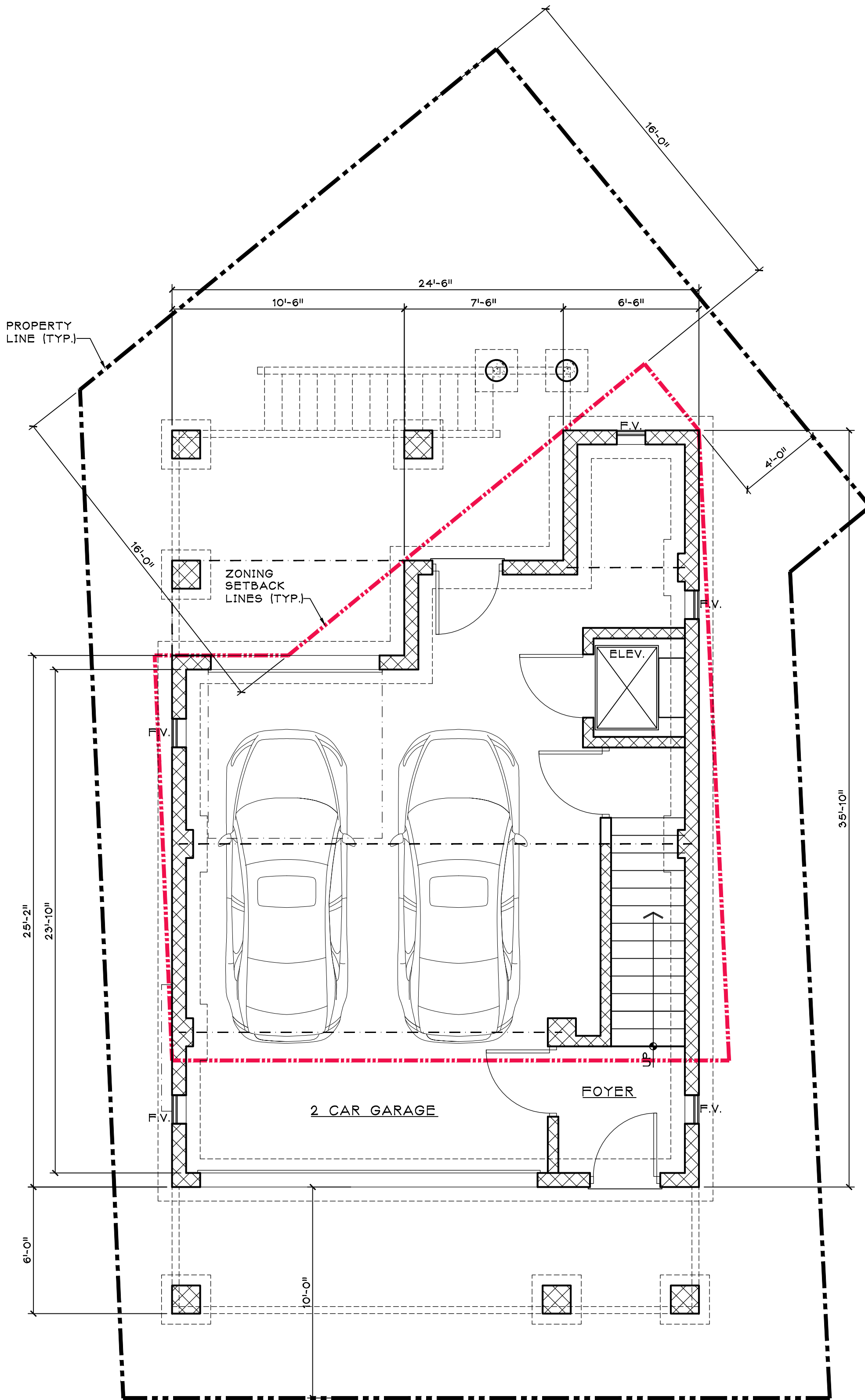
9 SHREWSBURY AVENUE
BLOCK 42
LOT 2

BOROUGH OF HIGHLANDS

COUNTY OF MONMOUTH NEW JERSEY

REV	DATE	DESCRIPTION	BY

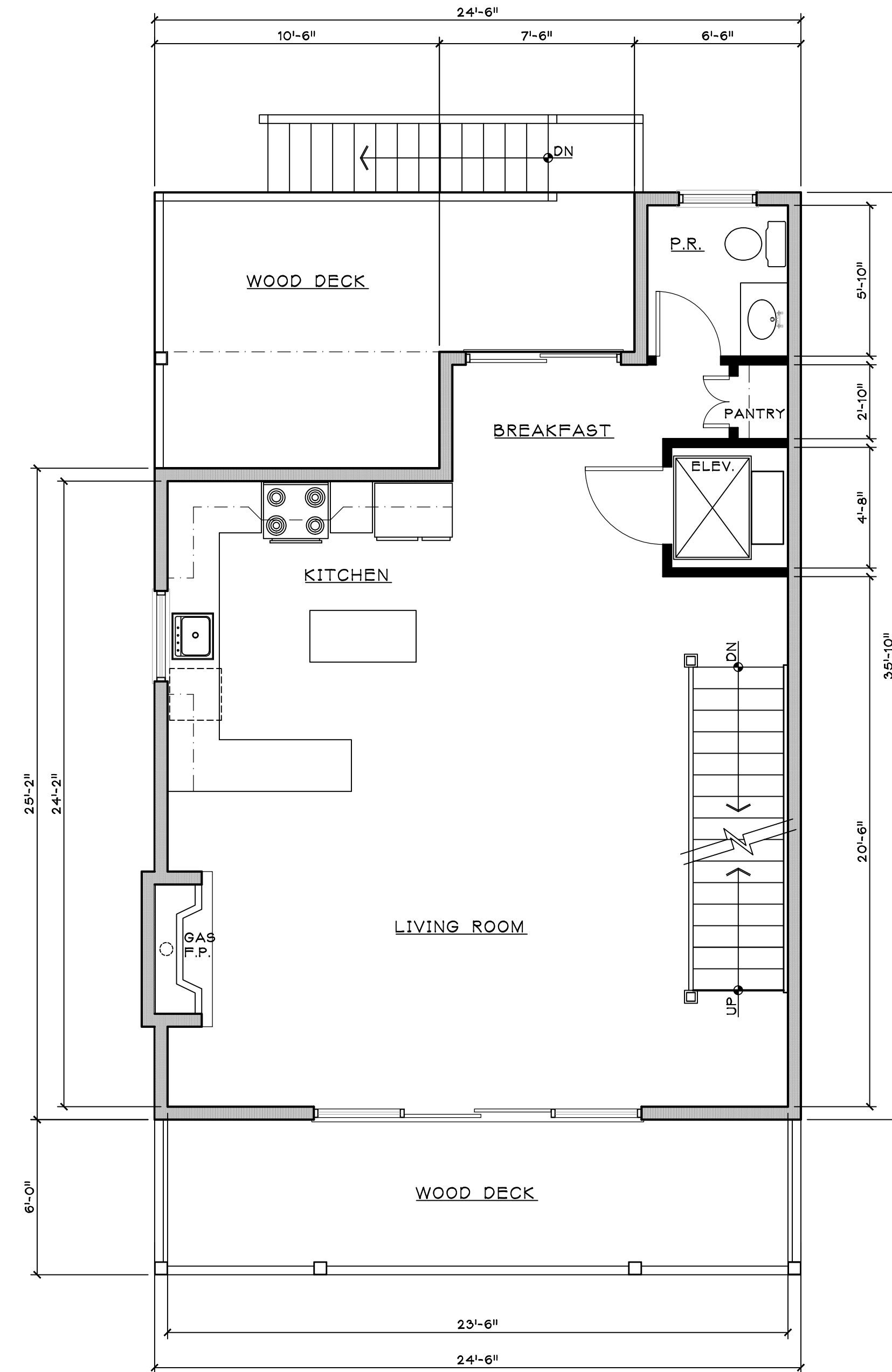
Scale: 1"=10' Drawn By: L.S. Date: 08/16/23 JOB #: E22-00043 CAD File #: PLOT PLAN Sheet #: 01 OF 01



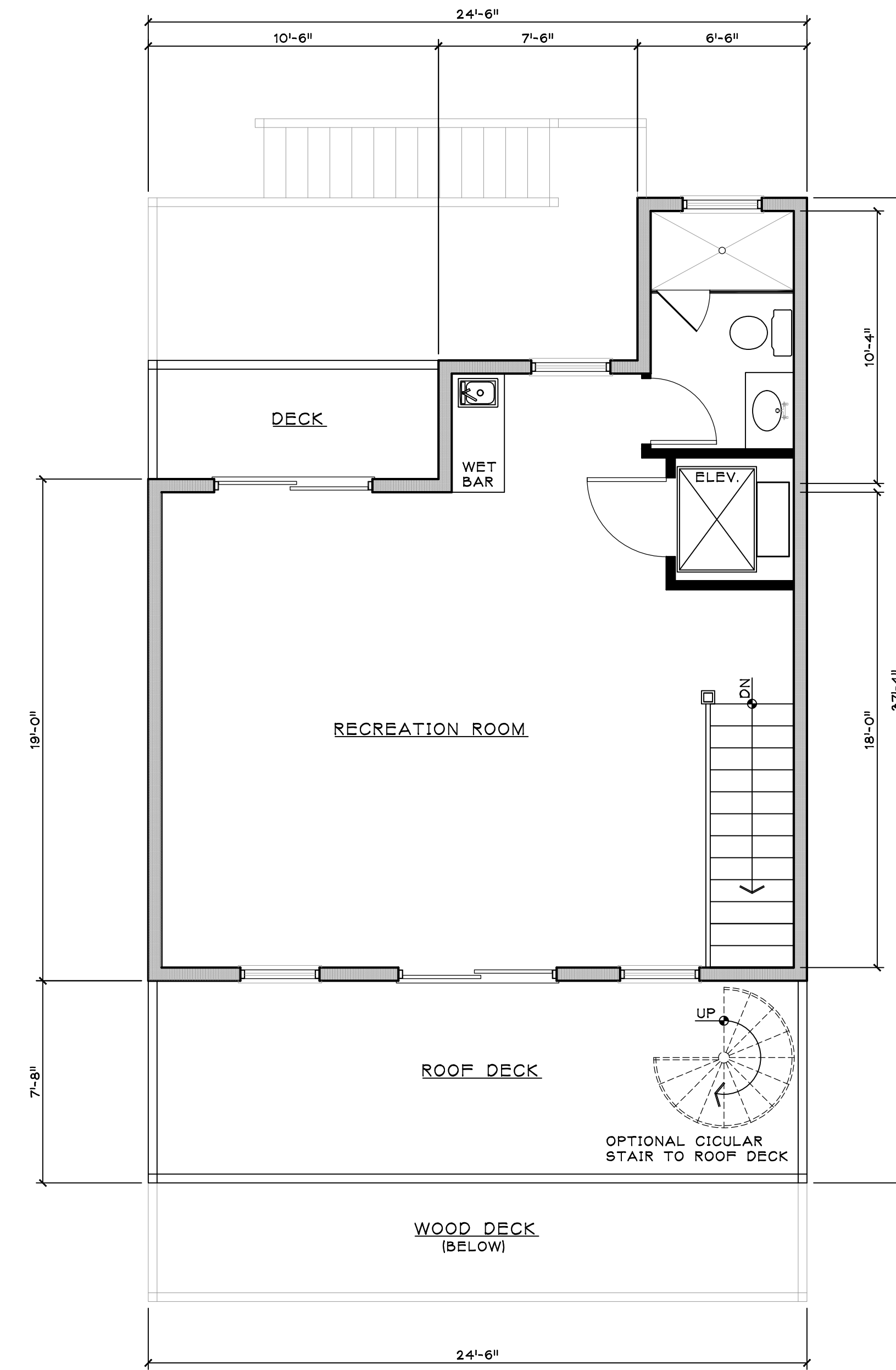
B FOUNDATION PLAN
 A-100 653 S.F. SCALE: 1/4" = 1'-0"



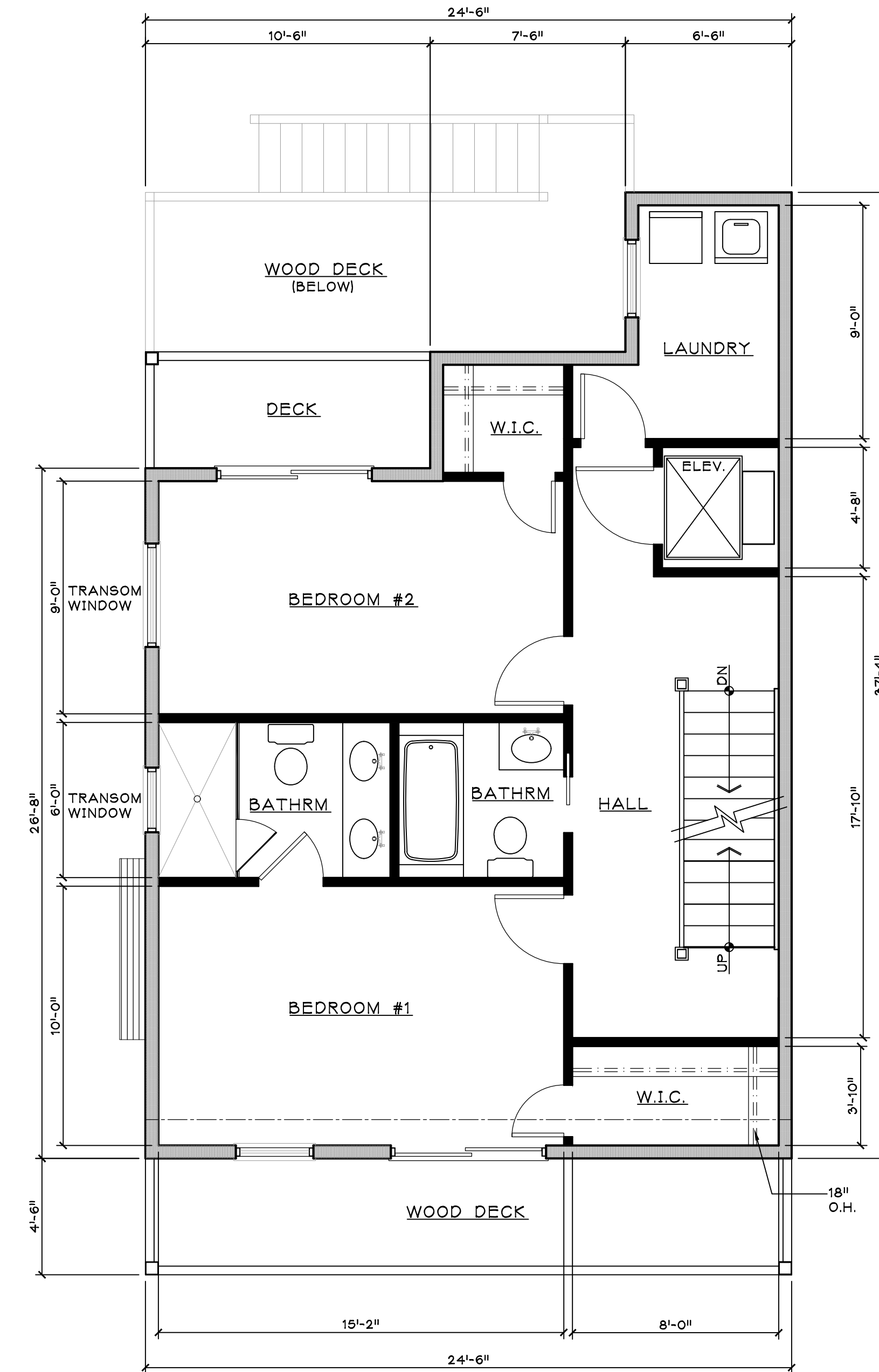
1 PROPOSED FRONT ELEVATION
 SCALE: N.T.S.



C FIRST FLOOR PLAN
 A-100 672 S.F. SCALE: 1/4" = 1'-0"



E THIRD FLOOR PLAN
 A-100 524 S.F. SCALE: 1/4" = 1'-0"



D SECOND FLOOR PLAN
 A-100 708 S.F. SCALE: 1/4" = 1'-0"

LEGEND

	EXISTING INTERIOR PARTITION TO REMAIN
	NEW 2" x 6" WOOD STUD BREAKAWAY WALL CONSTRUCTION, REFER TO DETAIL
	NEW 2" x 4" WOOD STUD INTERIOR WALL CONSTRUCTION
	NEW 2" x 6" WOOD STUD EXTERIOR WALL CONSTRUCTION
	NEW CONCRETE BLOCK FOUNDATION WALL

FOR ZONING REVIEW
 ISSUED: 7/28/2023

SALVATORE LA FERLITA, R.A.
 Architectural Services
 Construction Management
 115 University Drive
 Lincroft, N.J. 07738
 732-741-5105
 Sallaferlita@aol.com

No.	DATE	DESCRIPTION

Client
SHARKEY RESIDENCE
 ### SHREWSBURY AVENUE
 HIGHLANDS, NEW JERSEY

Title
**PROPOSED THREE STORY
 SINGLE FAMILY DWELLING**

Seal & Signature:	Job Type:
	Project No.:
	Scale: AS NOTED
	Date:
	Drawn By:
	Reviewed By:
	Drawing No.:

A-100
 SHEET No. 1 OF 1
 N.J. LIC. #A115228

GENERAL NOTES

GENERAL CONDITIONS:

- THE PROVISIONS OF THESE CONSTRUCTION DOCUMENTS, IN WHOLE AND IN PART INCLUDING THESE NOTES AND DRAWINGS APPLY TO ALL PARTIES PERFORMING WORK FOR THE PROJECT. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CONVEY, COORDINATE, AND ENSURE PERFORMANCE OF THESE PROVISIONS.
- ALL SUBCONTRACTORS SHALL COOPERATE IN THE COORDINATION AND PERFORMANCE OF THE WORK.
- THE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, EQUIPMENT, BONDS, INSURANCE, PERMITS, AND INSPECTIONS FOR COMPLETING THE WORK.
- THESE CONSTRUCTION DOCUMENTS ARE INSTRUMENTS OF SERVICE FOR THIS PARTICULAR PROJECT. THEY ARE THE SOLE PROPERTY OF THIS FIRM AND SHALL NOT BE OTHERWISE USED IN PART OR IN WHOLE WITHOUT WRITTEN PERMISSION AND DUE COMPENSATION.
- THE CONTRACTOR AND OWNER SHALL HOLD HARMLESS THE ARCHITECT FROM DAMAGES OR EXPENSES INCLUDING LEGAL FEES ARISING OUT OF THE CONTRACTORS PERFORMANCE OF WORK.
- THESE CONSTRUCTION DOCUMENTS MAKE NO REPRESENTATION AS TO THE SUITABILITY OF SOIL CONDITIONS, SUCH A REPRESENTATION OF WOULD REQUIRE TESTING AND PROFESSIONAL ENGINEERING REVIEW OF THE RESULTS.
- THESE CONSTRUCTION DOCUMENTS MAKE NO REPRESENTATION AS TO THE CONDITIONS OR SUITABILITY OF CONCEALED STRUCTURAL OR FOUNDATION ELEMENTS.
- THIS WORK OF THIS PROJECT SHALL BE PERFORMED AND/OR COORDINATED BY AN EXPERIENCED GENERAL CONTRACTOR OR CONSTRUCTION MANAGER, WITH AT LEAST THREE YEARS OF EXPERIENCE IN AT LEAST THREE PROJECTS OF SIMILAR SCOPE AND TYPE.

SCOPE OF THE WORK:

- THE CONTRACTOR SHALL ACQUAINT HIMSELF WITH THE CONDITIONS UNDER WHICH THE WORK IS TO BE CARRIED OUT.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS BEFORE STARTING THE WORK OF THIS CONTRACT, WHERE DISCREPANCIES ARE FOUND NOTIFY THE ARCHITECT IMMEDIATELY.
- WHERE DRAWINGS, SPECIFICATIONS, OR OTHER CONSTRUCTION DOCUMENTS DISAGREE OR CONFLICT WITH EACH OTHER NOTIFY ARCHITECT IMMEDIATELY.
- THE CONTRACTOR SHALL PERFORM ALL INDICATED WORK AND RELATED WORK EVEN IF NOT CLEARLY INDICATED THAT MAY BE REASONABLY CONSIDERED AS NECESSARY FOR COMPLETION.
- THE CONTRACTOR SHALL PROTECT AGAINST DAMAGE OR THEFT TO ALL NEW AND EXISTING CONSTRUCTION, SITE DEVELOPMENT AND SERVICES.
- THE CONTRACTOR SHALL REPAIR DAMAGE TO THE EXISTING AND/OR NEIGHBORING CONSTRUCTION OR SITES CAUSED BY NEW CONSTRUCTION AT NO COST TO THE OWNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER AND LEGAL DISPOSAL OF ALL REFUSE AND FOR MAINTAINING THE WORK PLACE IN A SAFE AND ORDERLY CONDITION AT ALL TIMES.
- THE CONTRACTOR SHALL PROVIDE ALL NECESSARY TEMPORARY SERVICES AND ASSOCIATED HOOR-UPS, COORDINATION AND PERMISSIONS AT HIS OWN COST.
- THE CONTRACTOR IS CAUTIONED TO MAKE CONTINUOUS OBSERVATIONS OF THE EXISTING STRUCTURE DURING PERFORMANCE OF HIS WORK. SHOULD HE BECOME AWARE OF ANY INVESTIGATION OR STUDY (SUCH AS CRACKS IN MASONRY AND PARTITIONS, ADDITIONAL DEFLECTIONS, ETC) AND NOTIFY THE ARCHITECT IMMEDIATELY.
- PREPARE GARAGE AND UTILITY ROOM AS REQUIRED BY LOCAL CODES WITH 5/8" FIRE CODE "X" GYPSUM BOARD OR EQUAL.
- CRAWL SPACE ACCESS AND VENTILATION SHALL COMPLY WITH SECTION R 408.1 AND R 408.4 OF 2021 RESIDENTIAL CODE N.J. EDITION.

PERFORMANCE OF THE WORK:

- ALL WORK SHALL BE TO THE HIGHEST STANDARDS OF THE TRADE.
- ALL MATERIALS AND PRODUCTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS AND CODE REQUIREMENTS, AND AS OTHERWISE INDICATED IN CONTRACT DOCUMENTS.
- ALL MATERIAL AND PRODUCTS SHALL BE NEW AND IN GOOD CONDITION, WHERE APPLICABLE THE CONTRACTOR SHALL PROVIDE THE OWNER WITH COPIES AND ASSIGNMENTS OF ALL WARRANTIES PROVIDED BY THE MANUFACTURER.
- THE CONTRACTOR SHALL MAINTAIN THE MOST CURRENT SET OF CONSTRUCTION DOCUMENTS AT THE WORK SITE AT ALL TIMES.
- DO NOT SCALE DRAWINGS. DIMENSIONS ARE FACE OF STUD OR TO FACE OF MASONRY UNLESS OTHERWISE NOTED. DIMENSIONS NOTED AS CLEAR OR CLEAR SHALL BE USED AS FINISHED SURFACE TO FINISHED SURFACE DIMENSION.

DEMOLITION NOTES:

- ALL INDICATED DEMOLITION INCLUDES REQUIRED PATCHING, REPAIR AND MODIFICATIONS AS NECESSARY TO PREPARE FOR NEW WORK AND/OR MATCH EXISTING.
- DEMOLITION WORK INCLUDES REMOVING ALL DEMOLITION DEBRIS FROM THE SITE IN A LEGAL AND TIMELY MANNER.
- NOTIFY ARCHITECT IMMEDIATELY IF DEMOLITION REVEALS EXISTING CONDITIONS DIFFERENT FROM THOSE ASSUMED ON DRAWINGS.
- REMOVAL OF PLUMBING FIXTURES OR PIPES INCLUDES CAPPING OFF ALL SUPPLY AND WASTE LINES.
- REMOVAL OF ELECTRICAL FIXTURES OR WORK, INCLUDES PROPER TERMINATION OF ALL WIRES.
- COORDINATE WITH PLUMBING FOR RELOCATION OF ALL EXISTING PLUMBING AND/OR GAS PIPING REQUIRED BY DEMOLITION AND/OR NEW WORK INDICATED.
- COORDINATE WITH ELECTRICAL FOR RELOCATION OF ALL EXISTING WIRE AND/OR OTHER ELECTRICAL WORK REQUIRED BY DEMOLITION AND/OR NEW WORK INDICATED.
- COORDINATE WITH HVAC FOR RELOCATION OF ALL EXISTING DUCTS AND/OR OTHER SYSTEM COMPONENTS AS WORK REQUIRED BY DEMOLITION AND/OR NEW WORK INDICATED.
- SHORE UP ALL EXISTING FRAMING BEFORE TOTAL REMOVAL OF THE BEARING WALLS AND BEFORE NEW BEAMS ARE INSTALLED.

SITWORK/EARTHWORK:

- SITE WORK INCLUDES ALL ASPECTS OF SOIL MOVEMENT, PREPARATION, SOIL CONDITIONS, PAVING, AND GRASS SEEDING ASSOCIATED WITH THE PROJECT.
- SITE WORK INCLUDES ALL REGULATORY ASPECTS OF THE WORK INCLUDING SOIL RETENTION PROCEDURES, EXCAVATION APPROVALS, AND PERMITS AS MAY BE REQUIRED.
- SITE WORK INCLUDES ALL SOIL WORK RELATED TO FOUNDATION, SLABS, COMPACTION AND REQUIRED RETAINING WALLS.
- TREAT SOIL WITH APPROVED INSECTICIDES AT FOUNDATION AND CRAWL SPACE AREAS. USE MANUFACTURERS DISTRIBUTION RECOMMENDATIONS OF A TYPE APPROVED BY OWNER.
- STRIP OFF AND CONSERVE ALL TOP SOIL IN AREAS TO BE DISTURBED.
- PROVIDE A STABILIZED STONE SUB-BASE FOR CONSTRUCTION ACCESS IN THE LOCATION OF PROPOSED DRIVE WAY SEED WITH QUALITY MIX GRASS SEED (APPROVED BY OWNER) AND MAINTAIN ALL DISTURBED AREAS TO PROMOTE NEW LAWN FOR A PERIOD NOT LESS THAN 30 DAYS.
- CONTRACTOR SHALL INSTALL NEW 2" BITUMINOUS DRIVEWAY OVER 3" CRUSHED STONE WITH BELGIUM BLOCK CURBING AND SLATE SIDEWALK AS PER SITE PLAN, PROVIDE ALTERNATE PRICE.

MASONRY AND CONCRETE NOTES:

- MASONRY AND CONCRETE WORK INCLUDES ALL CONSTRUCTION INVOLVING STONE, BRICK, CONCRETE MASONRY UNITS AND POURED CONCRETE AND INCLUDES ALL ASSOCIATED MATERIALS LABOR AND EQUIPMENT FOR THE WORK.
- CONCRETE AND MASONRY WORK INCLUDES ALL GARAGE, CRAWL SPACE AND BASEMENT SLABS, PATIOS, FOUNDATIONS, AND BUILDING WALLS, RETAINING WALLS, WALKWAYS OR OTHER WORK AS APPROPRIATE TO THE TRADE INCLUDING ALL COORDINATION WITH OTHER TRADES AS TO EXCAVATION, GRADING, UTILITIES, ETC.
- MASONRY AND CONCRETE WORK INCLUDES ALL REINFORCING CALLED FOR AS NORMALLY PROVIDED, INCLUDING ALL REBAR, STEEL LINTELS, AND WIRE MESH.
- ALL CONCRETE SHALL BE MIN. STRENGTH 3,000 PSI AT 28 DAYS UNLESS OTHERWISE INDICATED.
- ALL CONCRETE MASONRY UNITS AND BRICK ARE TO BE RUNNING BOND UNLESS OTHERWISE INDICATED.
- PROVIDE FOUNDATION DAMP-PROOFING (2) LAYER HOT ASPHALTIC COATING OR OTHER APPROVED SYSTEMS.
- PROVIDE RADON MITIGATION MEASURES AS REQUIRED BY LOCAL CODE AND AS CALLED FOR IN THE DRAWINGS.
- PROVIDE #4 VERTICAL REBAR AT 8'-0" O.C. AT ALL CORNERS AND ON BOTH SIDES OF ALL MASONRY WALL OPENINGS. FOUR SOLID AT ALL REBAR LOCATIONS FOR MIN. 18".
- THE BOTTOM OF ALL EXTERIOR WALLS, COLUMNS AND FOOTINGS SHALL BE A MINIMUM OF 3'-0" BELOW FINISHED GRADE UNLESS OTHERWISE INDICATED ON THE WORKING DRAWINGS.
- WHEN FINISHED FLOOR IS 2'-0" OR GREATER ABOVE FINISHED GRADE, THE FOUNDATION WALL SHALL BE REINFORCED FROM TOP OF FOOTING TO 12" ABOVE FLOOR SLAB. FILL BLOCK SOLID WITH CONCRETE AND PROVIDE VERTICAL ROD REINFORCING AT 12" O.C.
- PROVIDE HORIZONTAL TRUSS-TYPE REINFORCING EVERY OTHER BLOCK COURSE.
- ALL FOOTING SHALL BEAR ON VIRGIN SOIL OF 3,000 P.S.F. BEARING CAPACITY.
- PROVIDE LINTELS OVER MASONRY OPENINGS. STEEL LINTELS SHALL BE TWO (2) 3 1/2" x 3 1/2" x 1/2" UNLESS OTHERWISE NOTED.
- DO NOT ERECT MASONRY WALLS WHEN TEMPERATURE IS BELOW 25 DEGREES WITHOUT RECEIVING WRITTEN PERMISSION AND SPECIAL REQUIREMENTS FROM THE ARCHITECT. FOR TEMPERATURES LESS THAN 40 DEGREES BUT MORE THAN 25 DEGREES MAINTAIN MORTAR TEMPERATURE BETWEEN 40 AND 120 DEGREES, HEATING MIXING WATER AS NECESSARY. MASONRY UNITS SHALL BE HEATED TO A MINIMUM TEMPERATURE OF 40 DEGREES.
- WHERE EXPOSED MASONRY MUST BE TRIMMED, SAWCUT ALL EXPOSED JOINTS.

ENERGY NOTES:

- THE CONSTRUCTION SHALL MEET OR EXCEED ALL STATE ENERGY CODE REQUIREMENTS.
- ALL FRAMED EXTERIOR WALLS OR WALLS ADJACENT TO UNHEATED SPACES SHALL COMPLY WITH THE PRESCRIPTIVE REQUIREMENTS OF 2021 IECC 602.1.1 MINIMUM R-38 INSULATION IN FLOOR/CEILING ASSEMBLIES, MINIMUM R-19 IN FLOOR ASSEMBLIES. REFER TO CHART BELOW FOR ALL OTHER AREAS.

2021 IECC FOR CLIMATE ZONE 4 & 5	
CEILING R-VALUE	R-49 MIN.
WOOD FRAME WALL R-VALUE	R-19
MASONRY WALL R-VALUE	R-19
FLOOR R-VALUE	R-49
BASEMENT WALL R-VALUE	R-10/13
SLAB R-VALUE	R-10 @ 2 FT
CRAWL SPACE R-VALUE	R-10/13
PENETRATION U-VALUE	0.05
SKYLIGHT U-VALUE	0.60

- ALL SLABS ON GRADE SHALL HAVE PERIMETER INSTALLATION 2" x 24" RIGID BOARD; HORIZONTAL AND VERTICAL JOINT IN BASEMENT UNLESS OTHERWISE NOTED).
- INSULATE ALL PIPES, DUCTS, AND TANKS AS REQUIRED BY BOCA INTERNATIONAL ENERGY CODE.
- SUPPLY ALL WINDOWS AND DOORS WITH STOPS AND SEALS FOR A MAX INFILTRATION OF 0.5 CFM PER FOOT OR SASH CRACK.
- CAULK OR WEATHER STRIP ALL EXTERIOR JOINTS AROUND DOORS AND WINDOWS TO MINIMIZE INFILTRATION.

GLAZING NOTES:

- WINDOWS NOTED AS EGRESS PROVIDE MINIMUM CLEAR OPENING OF 5.7 SQ. FT. WITH MIN. 20" WIDTH AND 24" HEIGHT EGRESS WINDOWS ON THE FIRST FLOOR SHALL HAVE A MINIMUM CLEAR OPENING OF 5.0 SQ. FT.
- SILL HEIGHT FOR WINDOWS INDICATED AS EGRESS WINDOWS SHALL NOT EXCEED 44" ABOVE THE FLOOR.
- PROVIDE TEMPERED GLASS AS INDICATED ON DRAWINGS IN ALL GLASS AT BATH AND SHOWER AREAS LESS THAN 72" A.F.F., IN ALL GLASS IN DOORS, AND AS OTHERWISE NOTED.

WOOD, FRAMING AND CARPENTRY:

- ALL STRUCTURAL WOOD MEMBERS SHALL BE NO.2 DOUGLAS FIR OR SOUTHERN PINE.
- ALL WOOD EXPOSED TO THE EXTERIOR OR IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PRESSURE TREATED UNLESS OTHERWISE NOTED ON THE DRAWINGS. (OR A TYPE APPROVED BY OWNER).
- ALL INTERIOR TRIM SHALL BE PAINT-GRADE PINE AND/OR STAIN-GRADE PINE, VERIFY FINAL SELECTION WITH OWNER.
- PROVIDE DOUBLE MEMBERS AROUND ALL FRAMED OPENING.
- PROVIDE SOLID BLOCKING AT ALL CANTILEVERS PERPENDICULAR WALLS ABOVE, AND OTHER CONCENTRATED LOADS. PROVIDE DOUBLE JOISTS RUNNING PARALLEL TO PARTITIONS ABOVE.
- PROVIDE BRIDGING AT 8'-0" O.C. MAXIMUM.
- PROVIDE ALL WORK INDICATED AS CABINETRY, VANITIES, SHELVES, OR MANTELS, AND/OR COORDINATE CARPENTRY WITH TILE OR GRANITE WORK AS APPROPRIATE.
- SILL PLATE SHALL BE (2) 2" x 6" TREATED LUMBER, FASTEN TO FOUNDATION WALL. MINIMUM 8'-0" O.C. WITH A 1/2" DIAMETER x 18" MINIMUM LENGTH SOLIDLY EMBEDDED IN CONCRETE.
- ALL FRAMING LUMBER SHALL BE NO.2 DOUGLAS FIR OR SOUTHERN PINE WITH MINIMUM FB OF 1450 P.S.I. AND MINIMUM E OF 1,700,000.
- ALL NAILING SHALL BE IN ACCORDANCE WITH 2021 INTERNATIONAL RESIDENTIAL CODE NEW JERSEY EDITION.
- PROVIDE CATS AS REQUIRED, MINIMUM 8'-0" O.C.
- WOOD HEADERS (2) 2" x 8" FOR OPENINGS UP TO 5'-0" AND (2) 2" x 10" FOR OPENINGS UP TO 8'-0" UNLESS OTHERWISE NOTED ON THE PLANS.
- STAIR, GUARD RAILS AND HAND RAILS AT DECKS, BALCONIES OR STAIRCASES SHALL COMPLY WITH THE SECTION OF 2018 INTERNATIONAL RESIDENTIAL CODE NEW JERSEY EDITION.
- DESIGN LOADS:

FLOORS:	40 PSF LIVE LOAD
	10 PSF DEAD LOAD
ROOF:	10 PSF LIVE LOAD
	10 PSF DEAD LOAD

WIND LOAD: MINIMUM DESIGN WIND LOAD = 110 MPH BASIC WIND SPEED - EXPOSURE B IN ACCORDANCE WITH AF & PA WOOD CONSTRUCTION MANUAL FOR 1 AND 2 FAMILY DWELLINGS "WFCM".

FINISH NOTES:

- DO NOT START THE APPLICATION OR INSTALLATION OF ANY FINISHED MATERIAL WITHOUT INSURING THE SUBSTRATE IS ACCEPTABLE AND INCLUDES ALL ASSOCIATED MATERIALS LABOR AND EQUIPMENT FOR THE WORK.
- WHERE APPROPRIATE FOR PROPER INSTALLATION OR APPLICATION FINISH WORK INCLUDES ALL REMOVAL OF EXISTING FINISHES INCLUDING WALL COVERING, PAINT AND OTHER COATINGS, AND FLOORING MATERIALS.
- ALL FINISHED WORK INCLUDES LEVELING BETWEEN FLOORS.
- PROVIDE OWNER WITH SAMPLES OF ALL INTERIOR AND EXTERIOR FINISH MATERIALS FOR ACCEPTANCE BEFORE ORDERING.
- INSTALLATION OF FINISHES, INTERIOR AND EXTERIOR SHALL BE IN STRICT ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
- GYPSUM BOARD INSTALLATION INCLUDES TAPING AND SPACKLING (THREE COATS) ALL WALLS IN THE HOUSE, TWO COATS IN CLOSETS, AND ONE COAT IN THE GARAGE.
- PAINTING CONTRACTOR SHALL PROVIDE (1) COAT PRIMER AND (2) COAT FINISH WITH BENJAMIN MOORE PAINT OR EQUAL.
- ALL BATHROOMS SHALL HAVE TILE FLOORS AND WALLS, TILES ARE SELECTED BY OWNER.
- ALL TUBS AND SHOWERS SHALL HAVE MOLDED ENCLOSURES AS SELECTED BY OWNER.
- ALL HARDWARE SHALL BE SELECTED BY OWNER.
- ALL WOOD FLOORS WHERE INDICATED ON THE PLANS SHALL BE #1 OAK FINISHED NATURAL WITH (2) COATS OF POLYURETHANE.
- ALL TRIMS SHALL BE 3" CASINO AND 5" BASE (SATIN GRADE AND/OR PAINT GRADE) AS SELECTED BY OWNER.

ELECTRICAL NOTES:

- ALL WORK PERFORMED TO CONFIRM TO ALL STATE, COUNTY, TOWN AND STATE CODES.
- CONTRACTOR SHALL BE LICENSED BY THE STATE AND TO PROVIDE ALL NECESSARY DESIGN WORK NECESSARY TO OBTAIN ALL PERMITS, HARDWARE CONNECTIONS, FIXTURES, BULBS, PLATES, ETC.
- ALL ELECTRICAL WORK IS THROUGH TO COMPLETE INSTALLATION INCLUDING ALL LABOR, EQUIPMENT, AND ALL MATERIALS FOR DISTRIBUTION SYSTEM AND PANEL, BOARDS, WIRING, HARDWARE CONNECTIONS, FIXTURES, BULBS, PLATES, ETC.
- PROVIDE GROUND FAULT INTERRUPT OUTLETS WITHIN SIX FEET OF ANY WATER SOURCE, IN GARAGES, BASEMENTS AND AS INDICATED ON PLAN (G.F.I.).
- SMOKE DETECTORS TO BE INSTALLED TO MEET ALL UPDATED LOCAL AND STATE CODES. ALL ALARMS TO SOUND SIMULTANEOUSLY.
- THE CONTRACTOR WILL PROVIDE ALL ELECTRICAL WORK NECESSARY TO COMPLETE THE PROJECT, GENERAL CONTRACTOR TO FURNISH AND INSTALL LIGHTING FIXTURES.
- ALL BATHROOMS TO HAVE FAIL-SAFE CIRCUITS.

PLUMBING NOTES:

- ALL PLUMBING WORK SHALL BE BY A LICENSED PLUMBER.
- ALL PLUMBING WORK SHALL BE IN ACCORDANCE WITH ALL STATE AND LOCAL REQUIREMENTS.
- PLUMBING WORK INCLUDES ALL SUPPLY, WASTE, AND VENT PIPING, PROVISIONS AND COMPLETE INSTALLATION FOR FIXTURE SHUTOFF VALVES FOR EACH FIXTURE GROUP. PROVIDE AND COMPLETE INSTALLATION OF ANY REQUIRED HOT-WATER HEATER.
- PLUMBING WORK INCLUDES ALL NATURAL GAS AND PROPANE PIPING, INCLUDING SERVICE CONNECTION TO ALL GAS APPLIANCES AND PURNAGES.
- WASTE PIPING SHALL BE APPROVED PVC, SUPPLY PIPING SHALL BE TYPE "L" COPPER PIPE.
- PROVIDE CLEANOUTS AS REQUIRED BY CODE, NOT MORE THAN 75'-0" APART, AT ALL TURNS OF 45 DEGREES OR MORE.
- ALL PLUMBING FIXTURES SHALL BE SELECTED BY OWNER, (REFER TO PLUMBING FIXTURE SCHEDULE).

HVAC/MECHANICAL NOTES:

- ALL HEATING COOLING AND VENTILATION SHALL BE PERFORMED BY A QUALIFIED MECH. SUBCONTRACTOR ACCORDING TO ALL CODES.
- WORK OF THE CONTRACTOR INCLUDES ALL WORK REQUIRED FOR A COMPLETELY INSTALLED FUNCTIONING, BALANCED AND TESTED HVAC SYSTEM. WORK OF THIS CONTRACTOR ALSO INCLUDES PROVIDING ALL HEATERS, RADIATORS, REGISTERS DUCTWORK AND ANY OTHER ACCESSORIES MADE NECESSARY BY THE WORK OF THIS CONTRACT INCLUDING ALL RELOCATIONS, MODIFICATIONS OF EXTENSIONS TO THE EXISTING SYSTEM, AS WELL AS NEW OR SUPPLEMENTAL SYSTEMS.
- SUBCONTRACTOR SHALL CHECK AND VERIFY UNIT CAPACITIES AND DEMAND LOADS FOR BOTH NEW AND EXISTING UNITS. CONTRACTOR SHALL REVIEW WITH THE OWNER THE ENTIRE HVAC LAYOUT, INCLUDING ZONES AND THERMOSTAT LOCATIONS, AND THE LOCATIONS OF ALL RADIATORS, REGISTERS AND RETURNS. MARK LOCATIONS FOR REVIEW BY OWNER.

2021 INTERNATIONAL RESIDENTIAL CODE CHAPTER 6

THIS COMPREHENSIVE CODE COMPRISES ALL BUILDING, PLUMBING, MECHANICAL, FUEL GAS AND ELECTRICAL REQUIREMENTS FOR ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES UP TO THREE STORIES. FOR THE MOST CURRENT ADOPTIONS DETAILS GO TO INTERNATIONAL CODE ADOPTIONS THE IRC CONTAINS MANY IMPORTANT CHANGES SUCH AS: AN UPDATED SEISMIC MAP REFLECTS THE MOST CONSERVATIVE SEISMIC DESIGN CATEGORY (SDC) BASED ON ANY SOIL TYPE AND A NEW MAP REFLECTS LESS CONSERVATIVE SDCs WHEN SITE CLASS A, B OR D IS APPLICABLE. THE TOWNHOUSE SEPARATION PROVISIONS NOW INCLUDE OPTIONS FOR USING TWO SEPARATE FIRE-RESISTANT RATED WALLS OR A COMMON WALL. AN EMERGENCY ESCAPE AND RESCUE OPENING IS NO LONGER REQUIRED IN BASEMENT SLEEPING ROOMS WHERE THE DWELLING HAS AN AUTOMATIC FIRE SPRINKLER SYSTEM AND THE BASEMENT HAS BEEN DELETED. NEW GIBBER/HEADER TABLES HAVE BEEN REVISED TO INCORPORATE THE USE OF #2 SOUTHERN PINE IN LIEU OF #1 SOUTHERN PINE. NEW TABLES ADDRESS ALTERNATIVE WOOD STUD HEIGHTS AND THE REQUIRED NUMBER OF FULL HEIGHT STUDS IN HIGH WIND AREAS.

ENERGY CALCULATIONS:

PER THE UNIFORM CONSTRUCTION CODE N.J.A.C. 5:23-215 (I) (VI) ENERGY CALCULATIONS(1) APPLICANTS ARE REQUIRED TO DEMONSTRATE COMPLIANCE WITH THE ENERGY SUBCODE & 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC) AS PART OF THE PERMIT APPLICATION PROCESS FOR NEWLY CONSTRUCTED BUILDING OR ADDITION THE PROJECT LOCATED IN CLIMATE ZONE 4 COMPLIES WITH THE PRESCRIPTIVE PACKAGE OPTION NO. 4 BULLETIN NO. 11-1, AS FOLLOWS:

	REQUIRED	PROPOSED
PENETRATION (U)	0.05	<=0.032
CEILING (R)	49 / 38*	20
WALL (R)	19	19
FLOOR (R)		

FEMA NOTES:

- THIS PROPERTY IS IN THE FEMA FLOOD ZONE: 1-A AND IS DESIGNED PER THE REQUIREMENTS OF THE INTERNATIONAL RESIDENTIAL CODE 2021 N.J. EDITION (IRC) SECTION 832.2 FLOOD HAZARD AREAS, INCLUDING 1-A ZONES.
- PROPERTY SHALL BE IN CONFORMANCE WITH APPLICABLE DESIGN AND CONSTRUCTION STANDARDS FOR FLOOD HAZARD AREA CONTROL ACT N.J.S.A. 58:15A-90 ET. SEQ. AND IMPLEMENTING RULES AS N.J.A.C. 7:13.
- FLOOD VENTS SHALL CONFORM WITH STANDARD 44 CFR PART 60 AND FEMA TECHNICAL BULLETIN 1.
- DECKS, STAIRS, RAMPS AND EQUIPMENT SHALL CONFORM WITH THE REQUIREMENTS OF THE FEDERAL FLOOD REDUCTION STANDARD 44 CFR PART 60 AND FEMA TECHNICAL BULLETIN 6.
- ALL MATERIALS INSTALLED BELOW THE DESIGN FLOOD ELEVATION SHALL BE CONSTRUCTED OF FLOOD RESISTANT MATERIALS IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE N.J. EDITION 2021, RC 322.18 AND THE NATIONAL FLOOD INSURANCE PROGRAM.

SITE INFORMATION

APPLICABLE CODES

INTERNATIONAL RESIDENTIAL CODE (N.J. EDITION)	2021
INTERNATIONAL MECHANICAL CODE	2018
NATIONAL STANDARD PLUMBING CODE	2018
NATIONAL ELECTRICAL CODE	2018
INTERNATIONAL FIRE CODE	2015
INTERNATIONAL ENERGY CONSERVATION CODE	2018

BUILDING STATISTICS

CONSTRUCTION CLASS: SA
USE GROUP CLASSIFICATION: R3 RESIDENTIAL
FOUNDATION PLAN & DETAILS ARE DRAWN IN ACCORDANCE WITH ABS9C24
10 MPH EXPOSURE 'B' WIND ZONE

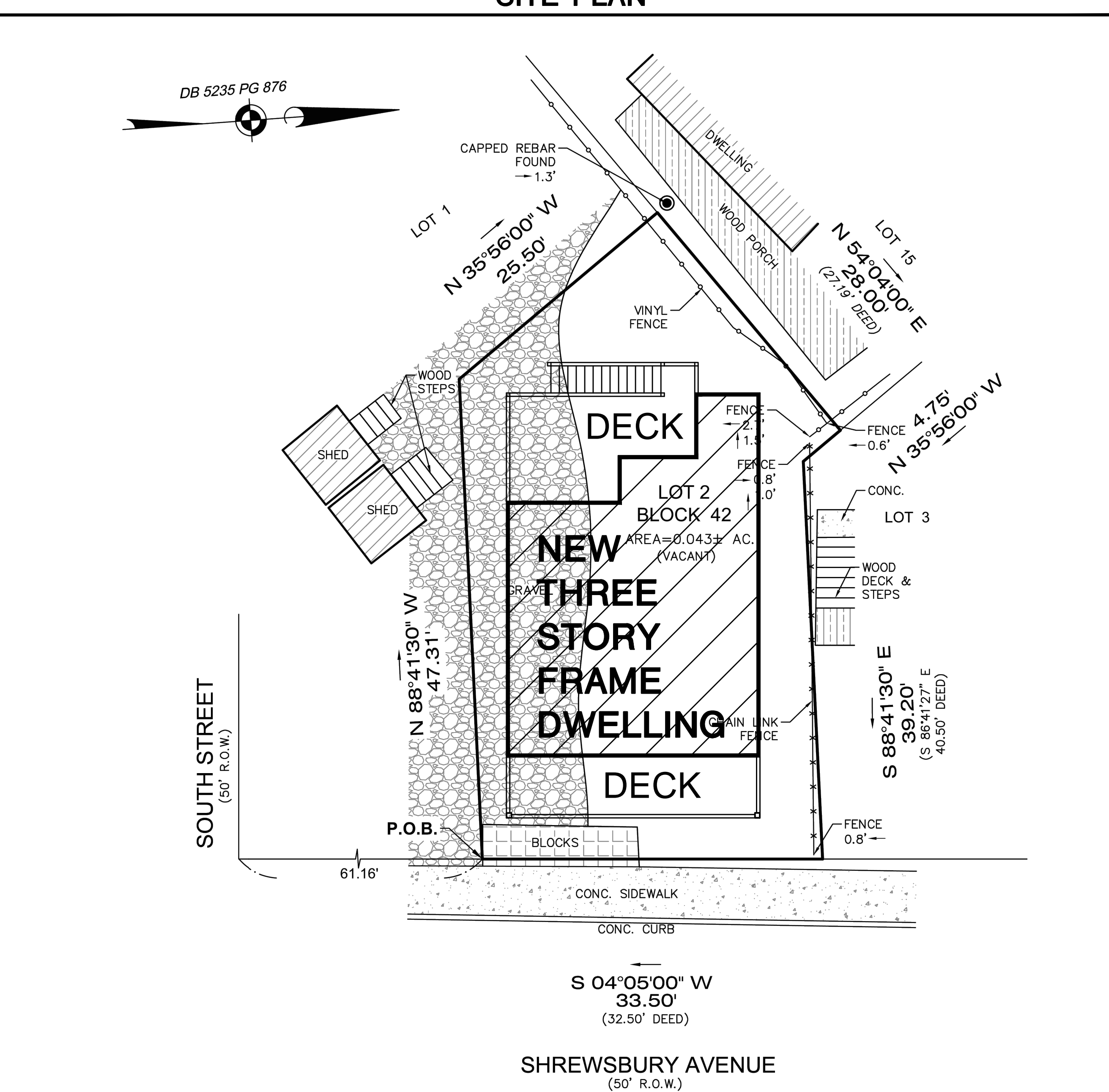
ZONING DATA

	ZONE: ---		LOT: 2
	REQUIRED	EXISTING	
LOT AREA			1,871 S.F.
LOT FRONTAGE			33.5'
LOT DEPTH			
FRONT YARD SETBACK			10'-0"
REAR YARD SETBACK			16'-0"
SIDE YARD SETBACK			3'-0" / 4'-0"
ROOF HEIGHT			36'-2"
MID ROOF HEIGHT			
BUILDING COVERAGE			717 / 1,871 = 38.3%
LOT COVERAGE			1,142 / 1,871 = 61.0%

BUILDING DATA

HABITABLE AREA	EXISTING AREA	NEW AREA	TOTAL AREA
GROUND FLOOR	N/A	653 S.F.	653 S.F.
FIRST FLOOR	N/A	672 S.F.	672 S.F.
SECOND FLOOR	N/A	708 S.F.	708 S.F.
THIRD FLOOR	N/A	524 S.F.	524 S.F.
TOTAL	N/A	2,557 S.F.	2,557 S.F.
HABITABLE AREA	EXISTING VOLUME	NEW VOLUME	TOTAL VOLUME
GROUND FLOOR	N/A	5,764 C.F.	5,764 C.F.
FIRST FLOOR	N/A	6,048 C.F.	6,048 C.F.
SECOND FLOOR	N/A	5,664 C.F.	5,664 C.F.
THIRD FLOOR	N/A	4,192 C.F.	4,192 C.F.
TOTAL	N/A	21,668 C.F.	21,668 C.F.

SITE PLAN



DRAWING LIST

T-100	TITLE SHEET
A-100	CONSTRUCTION FLOOR PLANS AND FRONT ELEVATION

FOR ZONING REVIEW

ISSUED: 8/16/2023

SALVATORE LA FERLITA, R.A.
Architectural Services
Construction Management

115 University Drive
Lincroft, N.J. 07738
732-741-5105
Sallaferrita@aol.com

Revised	Issued

SHARKEY RESIDENCE
SHREWSBURY AVENUE
HIGHLANDS, NEW JERSEY

TITLE SHEET

Project No.:	
Scale:	AS NOTED
Date:	
Drawn By:	
Reviewed By:	
Drawn No.:	
Job Type:	
Project No.:	
Scale:	AS NOTED
Date:	
Drawn By:	
Reviewed By:	
Drawn No.:	

T-100

SHARKEY RESIDENCE PROPOSED NEW THREE STORY SINGLE FAMILY DWELLING



HGPB- R2040

September 29, 2023

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

Via Email (landuse@highlandsborough.org)

**Re: Mary Sharkey
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Review of Minor Site Plan, Plat Requirements**

Dear Ms. Tran,

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

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

1. Planning Board Application, dated September 6, 2023.
2. Zoning Permit Application dated August 25, 2023.
3. Architectural Plan prepared by LA Ferlita Architecture Services Construction Management, dated July 28, 2023, consisting of two (2) sheets.
4. Variance Plan / Building Permit Plot Plan prepared by Morgan Engineering & Surveying, dated August 16, 2023, consisting of two (2) sheets.

The following information was reviewed for completeness purposes:

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, sideline and rear yard distance. **Provided.**
5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Provided.**
6. The location and widths of existing and proposed streets servicing the site plan. **Provided.**
7. Specifications for and location of proposed surface paving and curbing. **Not applicable.**
8. Location of all structures within seventy-five (75) feet of the property. **Provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Provided.**



Re: **Mary Sharkey**
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Review of Minor Site Plan, Plat Requirements

- 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. **Provided.**
- 12. The location and treatment of proposed entrances and exits to the public rights-of-way, including the possible utilization of traffic signals, channelization, acceleration, and deceleration lanes, additional widths and any other devices necessary to traffic safety and/or convenience. **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 applicable.**
- 15. The location of sidewalks, walkways, traffic islands and all other areas proposed to be devoted to pedestrian use. **Provided.**
- 16. The nature and location of public and private utilities, including maintenance and solid waste disposal, recycling and/or storage facilities. **Not applicable.**
- 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. **Partially provided. *Since the proposed structure is located within the AE-12 Flood Zone, and within the Limit of Moderate Wave Action (LiMWa), plans should be revised to include piling or column foundation in compliance with VE zone construction requirements. FEMA notes on sheet 2 of the architectural plans shall be revised to be specific to this project. In addition, the applicant shall provide side elevation views of the proposed dwelling.***
- 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 applicable.**
- 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



Re: Mary Sharkey
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Review of Minor Site Plan, Plat Requirements

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.
25. By inspection it appears that the applicant is only providing one parking space, therefore a variance is required. **Not applicable.**

At this point, adequate information has been provided for us to perform a fee calculation for the application.

UPON CONFIRMATION FROM THE BOARD SECRETARY THAT THE BALANCE OF ALL APPLICATION AND ESCROW FEES HAS BEEN DULY POSTED, THE FOLLOWING SHALL OCCUR:

1. The application shall be deemed **COMPLETE.**
2. **Prior to commencing technical review, the applicant shall provide additional details and documentation addressing item number 18 above with respect to VE Flood Zone building foundations and side elevation views of the proposed dwelling.**

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

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Erin Uriarte, Zoning Officer (euriarte@middletownnj.org)
Mary T. Sharkey, Applicant (msharkey.rnbsn@gmail.com)
Salvatore LaFerlita Architect, applicant's architect, (sallaferlita@aol.com)
Morgan Engineering & Surveying, applicant's engineer, (lucas@morganengineerllc.com)

G:\Projects\HGPB\R2040\Correspondence\R2040_EWH_MH_Sharkey_9 Shrewsbury Ave_B42_L2_completeness review.docx



YOUR GOALS. OUR MISSION.

HGPB- R2040

September 29, 2023

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

Via Email (ntran@highlandsborough.org)

**Re: Mary Sharkey
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Review of Minor Site Plan, Fee and Escrow Calculation**

Dear Ms. Tran,

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

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

1. Planning Board Application, dated September 6, 2023.
2. Zoning Permit Application dated August 25, 2023.
3. Architectural Plan prepared by LA Ferlita Architecture Services Construction Management, dated July 28, 2023, consisting of two (2) sheets.
4. Variance Plan / Building Permit Plot Plan prepared by Morgan Engineering & Surveying, dated August 16, 2023, consisting of two (2) sheets.

Please note the following fee calculations:

- | | |
|----------------------------|--------------------|
| 1. Application fee: | \$ 725.00 |
| 2. Escrow fee: | \$ 1,450.00 |

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

If you have any questions or require 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:AA
Enclosure

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Erin Uriarte, Zoning Officer (eruarte@middletownnj.org)
Mary T. Sharkey, Applicant (msharkey.rnbsn@gmail.com)
Salvatore LaFerlita Architect, applicant's architect, (sallaferlita@aol.com)
Morgan Engineering & Surveying, applicant's engineer, (lucas@morganengineerllc.com)

G:\Projects\HGPB\R2040\Correspondence\R2040_EWH_MH_Sharkey_9 Shrewsbury Ave_B42_L2_Fee letter.docx



HGPB-R2040

DETERMINATION OF FEES

9 Shrewsbury Avenue
Block 42, Lot 2

A. APPLICATION FEES (Ord. 21-107)

A. Variances

3. Residential "c" (lot area)	1	EA	\$	125.00	\$	125.00
Residential "c" (frontage)	1	EA	\$	125.00	\$	125.00
Residential "c" (depth)	1	EA	\$	125.00	\$	125.00
Residential "c" (rear setback)	1	EA	\$	125.00	\$	125.00
Residential "c" (building coverage)	1	EA	\$	125.00	\$	125.00

C. Site Plans

1. Minor	1	EA	\$	100.00	\$	100.00
----------	---	----	----	--------	----	--------

B. ESCROW FEES (Ord. 21-108)

B. Escrow Deposits (twice Application Fee; Minimum \$750)	1	LS	\$	1,450.00	\$	1,450.00
---	---	----	----	----------	----	----------

Application fees subtotal \$ 725.00

Escrow fee subtotal \$ 1,450.00

Total \$ 2,175.00

Policy No.: 60706-22-134464RK-01-2022.2730600-227029379

OWNER'S POLICY OF TITLE INSURANCE

Issued by

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Any notice of claim and any other notice or statement in writing required to be given the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, FIDELITY NATIONAL TITLE INSURANCE COMPANY, a Florida corporation, (the "Company") insures as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.

10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that is created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A. Item 7.

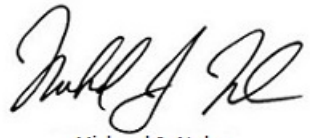
The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions


IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Surety Title Company, LLC
68 White Street, 2nd Floor
Red Bank, NJ 07701
Tel: 732-992-3220
Fax:



By: 
Michael J. Nolan
President

Attest: 
Marjorie Nemzura
Secretary

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:



- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to the policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.

(i) The term "Insured" also includes

- (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
- (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
- (C) successors to an Insured by its conversion to another kind of Entity;
- (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the

Title

Insured,

named Insured are both wholly-owned by the same person or Entity, or

(4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.

- (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.

(e) "Insured Claimant": An Insured claiming loss or damage.

(f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.

(g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.

(h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.

(i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.

(j) "Title": The estate or interest described in Schedule A.

(k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

(a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters

insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.

(b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

(c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

(a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title, or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.

(b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

(a) To Pay or Tender Payment of the Amount of Insurance.

To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

(b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.

(i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

(ii) To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

(a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of

(i) the Amount of Insurance; or

(ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.

(b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the insured,

(i) the Amount of Insurance shall be increased by 10%, and

(ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.

(c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

(a) If the Company establishes the Title, or removes the alleged defect, lien or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.

(b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.

(c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

(a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

(b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

(a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.

(b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.

(c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person expressly incorporated by Schedule A of this policy.

(d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

(a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefore in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

(b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at FIDELITY NATIONAL TITLE INSURANCE COMPANY, Attn: Claims Department, P.O. Box 45023, Jacksonville, FL 32232-5023.



OWNERS TITLE INSURANCE POLICY
Issued by
Fidelity National Title Insurance Company

SCHEDULE A

Name and Address of Title Insurance Company:

FIDELITY NATIONAL TITLE INSURANCE COMPANY
NATIONAL HEADQUARTERS
Jacksonville, Florida

File No.: **134464RK-01**

Policy No.

2730600-227029379

Loan No.:

Address Reference: **9 Shrewsbury Avenue, Highlands, NJ 07732**

Amount of Insurance: **\$150,000.00**

Date of Policy: **February 10, 2022**

1. Name of Insured:
Mary T. Sharkey , Married
2. The estate or interest in the land that is insured by this policy is:
Fee Simple
3. Title is vested in:
Mary T. Sharkey , Married, by deed from Philip Barbetta, dated 1/18/2022, recorded 2/10/2022, in Book 9577, Page 9111, and/or Instrument Number 2022016715, recorded in the County of Monmouth
4. The Land referred to in this policy is described as follows:

See attached Exhibit "A"

For Informational Purposes only; being known and designated as: **Block 42, Lot 2, Highlands Boro, in Monmouth County, NJ**

This Policy is invalid unless the cover and Schedule B are attached.

Countersigned
Surety Title Company, LLC

By:

Red Bank, New Jersey
Issued at (Location)



Authorized Officer or Agent

EXHIBIT "A"

LEGAL DESCRIPTION

File No.: **134464RK-01**

ALL THAT CERTAIN tract or parcel of land and premises lying, being and situate in Highlands Boro, Monmouth County, and State of New Jersey being more particularly described as follows:

Beginning at a point on the westerly R.O.W. line of Shrewsbury Avenue (50' R.O.W.), said point being a distance of 61.16 feet from its intersection with the northerly R.O.W line of South Street (50' R.O.W.), and running; thence

- 1. N 88° 41' 30" W, a distance of 47.31 feet to a point; thence**
- 2. N 35° 56' 00" W, a distance of 25.50 feet to a point; thence**
- 3. N 54° 04' 00" E, a distance of 28.00 feet to a point; thence**
- 4. N 35° 56' 00" W, a distance of 4.75 feet to a point; thence**
- 5. S 88° 41' 30" E, a distance of 39.20 feet to a point on said westerly R.O.W. line of Shrewsbury Avenue; thence**
- 6. Along same, S 04° 05' 00" W, a distance of 33.50 feet to a point, said point being the Point and Place of Beginning.**

The above description is drawn in accordance with a survey made by Morgan Engineering, LLC, dated January 11, 2022.

**FOR INFORMATIONAL PURPOSES ONLY:
BEING premises No. 9 Shrewsbury Avenue.**

BEING Tax Block: 42, Tax Lot: 2

OWNERS TITLE INSURANCE POLICY
 Issued by
Fidelity National Title Insurance Company

SCHEDULE B

File No.: **134464RK-01**

Policy No.: **2730600-227029379**

EXCEPTIONS FROM COVERAGE

Notwithstanding any provision of the policy to the contrary, the following matters are expressly excepted from the coverage of the policy, and the Company will not pay loss or damage, costs, attorney's fees, or expenses that arise by reason of:

1. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the kind.
2. Easements or claims of easements, not shown by the public records.
3. Liability for additional assessment for taxes in connection with new construction pursuant to N.J.S.A. 54:4-63.1 et. seq.
4. Subject to subsurface conditions and/or encroachments not disclosed by an instrument of record
5. Acreage and/or square footage is neither guaranteed, nor insured hereunder. Policy will insure only the metes and bounds description as set forth in Schedule A hereof.
- 6.
7. **Rights, Claims or Interests of TENANTS and/or OTHER Parties in Possession of the land not shown by the public record.**
8. **Any liens or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.**
9. **The calculated quantity of land or number of square feet contained within the premises described herein is not insured.**
10. **Subsurface conditions and/or encroachments not disclosed by an instrument of record. (Fee Policy only).**
11. **Subject to Terms, Conditions, Declarations, Covenants, Agreements, Restrictions, Reservations, Exceptions, Reversions, Easements, Setbacks, Grants, Rights of Way(s), Maps and Drawings as contained and/or set forth in Deed Book 709, Page 29 et seq.**
12. **Subject to "FILED MAP" Terms, Conditions, Covenants, Restrictions, Easements, Reservations, Exceptions, Reversions, Setbacks, Grants, Right of Way(s) and Notes as shown on a certain map entitled "Navesink Highlands" Case/Sheet/Filed Map No. UF-40 unfiled.**
13. **Rights, public and private, in and to all roads, streets, alleys, avenues, pathways and crossings, bounding or affecting the premises.**
14. **Rights public and private, together with flooding and drainage rights, if any, in and to all streams, rivers, or water courses crossing, bounding or affecting the premises.**
15. **Subject to the rights of Utility Companies servicing the insured premises.**
16. **Taxes paid through the 1st Quarter 2022. Subsequent taxes not yet due and payable. Possible additional taxes assessed or levied under NJSA 54:4-63.1, et seq.**

**SURVEY ENDORSEMENT
(FOR COMMITMENT OR POLICY)**

Attached to and forming a part of Loan Policy No. **PRO FORMA**
Attached to and forming a part of Owner Policy No. **2730600-227029379**

Issued by

Fidelity National Title Insurance Company

Exception No 1 and 2 are removed. Notwithstanding any provision in the policy to the contrary, unless an exception is taken in Schedule B, the policy insures against loss arising from any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title. The following matters shown on a survey made by Morgan Engineering, LLC, dated 1/11/2022, are added to Schedule B:

Fences generally do not coincide with title lines. **NOTE:** Actual loss by reasons thereof is hereby insured against as to the Mortgagee only.

Blocks encroach over the easterly title line into concrete sidewalk.

Gravel encroaches over the southerly and westerly title lines onto Lot 1.

This policy does not insure against errors or inaccuracies in the survey with respect to matters which do not affect title.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

SIGNED ON: 2/10/2022

Fidelity National Title Insurance Company

COUNTERSIGNED:

FIDELITY NATIONAL TITLE INSURANCE COMPANY



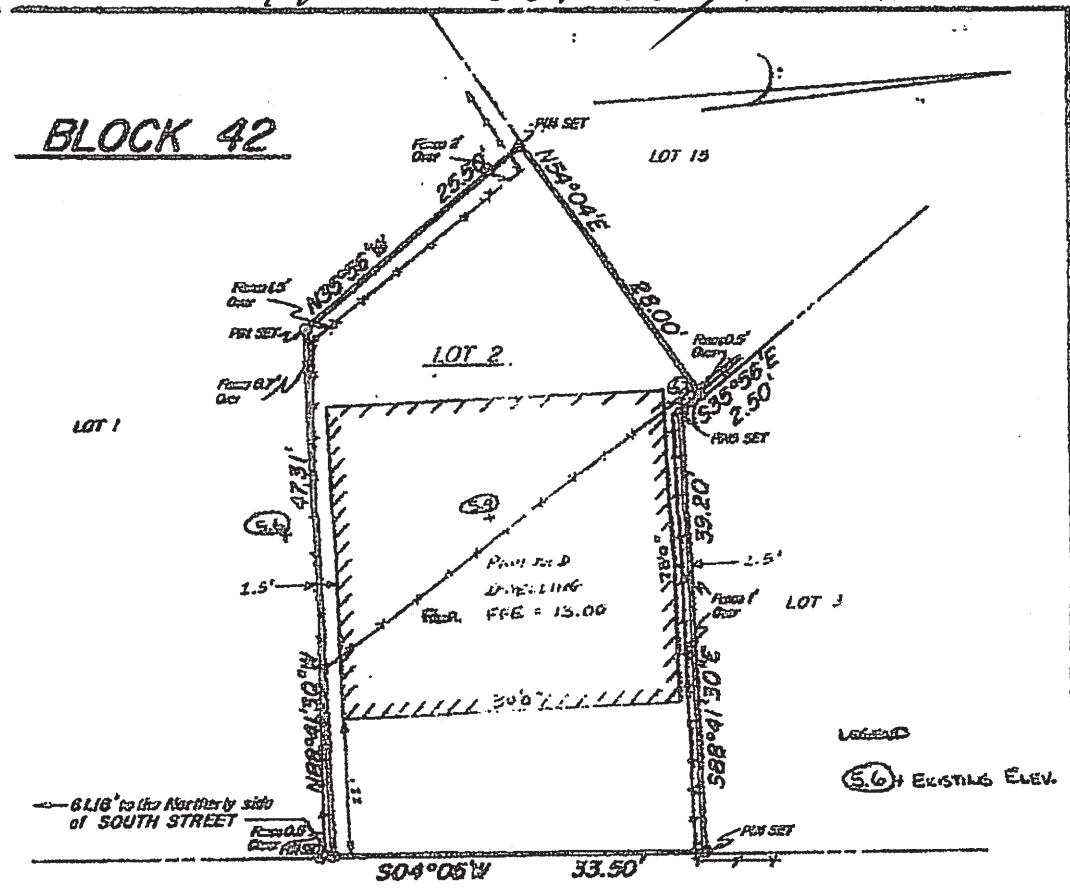
By: *[Signature]* President
[Signature] Secretary

Authorized Signature

117 1988 SURVEY

LOT 2

Item 7.



SHREWSBURY AVENUE

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE SURVEY MADE ON THE GROUND. THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES, EXCEPT AS SHOWN.

215.574.283
 [Signature]

Thomas P. Santry
 THOMAS P. SANTRY, P.E.
 P.E. & L.S. LIC. No. 11163

PLOT PLAN

2.3-1-88

SURVEY of LOT 2 in BLOCK 42 Boro of Highlands, Monmouth Co., N.J.		PROJECT NO. 87-645 SCALE 1"=10' DATE 2-4-88 DRAWN BY GMS CHECKED BY [Blank] TITLE [Blank]
THOMAS P. SANTRY, P.A. Engineer & Surveyor 125 East River Road ROSELAND, NEW JERSEY 07760 (201) 741-4800		[Blank] [Blank] [Blank] [Blank] [Blank] [Blank]



HGPPB-2040

October 26, 2023
Via Email

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

Via Email (landuse@highlandsborough.org)

**Re: Mary Sharkey
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Minor Site Plan Bulk 'C' Variances
First Engineering Review**

Dear Ms. Tran,

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

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

1. Planning Board Application, dated September 6, 2023.
2. Zoning Permit Application dated August 25, 2023.
3. Survey of Property prepared by Morgan Engineering & Surveying, dated January 11, 2022, consisting of one (1) sheet.
4. Building Permit Plot Plan prepared by Morgan Engineering & Surveying, dated August 16, 2023, consisting of one (1) sheet.
5. Architectural Plan prepared by LA Ferlita Architecture Services Construction Management, dated July 28, 2023, consisting of two (2) sheets.
6. Monmouth County Deed Book 4471, Page 48 through Page 50.
7. Monmouth County Deed Book 2156, Page 48 through Page 50.

A. Project Description

The subject property is a pre-existing non-conforming, irregularly shaped, and undersized lot located in the R-2.02 Zone. The lot is currently vacant. The applicant is proposing to construct a single-family dwelling on the lot and is seeking relief for bulk variances. The dwelling is proposed to have three (3) stories and will consist of a ground floor (garage/storage only), first floor living space, second floor living space with two (2) bedrooms, a third-floor recreational space. A rooftop deck with an optional attached circular staircase is also proposed.



Re: Mary Sharkey
 9 Shrewsbury Avenue
 Block 42, Lot 2
 R-2.02 Zone
 Minor Site Plan w/ Bulk 'C' Variances
 First Engineering Review

B. Planning and Zoning

- The following bulk requirement summary is provided for the Board's reference. In accordance with Ordinance §21-86, existing/proposed bulk deficiencies which require bulk 'c' variances are noted as follows:

R-2.02 Zone	Required	Existing	Proposed
Min. Lot Area (sf)	4,000	1,871 or 0.04 AC	1,871 or 0.04 AC (E,V)
Min. Lot Frontage/Width (ft)	50	33.5	33.5 (E,V)
Min. Lot Depth (ft)	75	51.7	51.7 (E) 56.2 (c)(E,V)
Min. Front Yard Setback (ft)	20 ⁽¹⁾	NA	10 5.5 (c)(V)
Min. Side Yard Setback (ft)	6/8	NA	3.2/4 3.2/4.0(c)(V)
Minimum Rear Yard Setback (ft)	20	NA	13.1 (V) 9 (c)(V)
Maximum Building Height (ft)	32.5 ⁽²⁾	NA	32.5 28 (c)
Maximum Lot Coverage	75%	2.7%	61.0%
Maximum Building Coverage	33%	NA	38.3% (V) 46.7% (c)(V)

E= Existing Condition V= Variance Required N/A= Not Applicable c=Calculated by T&M

*Proposed bulk requirements shown on the Plot Plan are provided in addition to values calculated (c) by this office. Note these values have been based off measurements from the provided plot plan PDF and are not exact and should be confirmed by the applicant.

- Pursuant to Section 21-79.B, the prevailing setback shall be the average setback of buildings on the same block in the same zone, but not less than the average of the setbacks of the buildings on the two (2) nearest adjacent lots and in no case, less than half the required setback.
- Building height measured from the grade plane, which is BFE+1', or 13' (NAVD88) to the midline of the highest roof. Bonus credit of 2.5' for parking underneath.

- 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:
 - 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.



Re: Mary Sharkey
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Minor Site Plan w/ Bulk 'C' Variances
First Engineering Review

- 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.
3. Pursuant to Borough Ordinance §21-98.F; *Nonconforming Lots in a Residential Zone. Any parcel of land with an area, width, or depth less than required in the zone in which such lot is located may be used as a lot for purposes permitted in the zone **without a variance, provided that it meets the requirements below.***
 1. *Pre-existing nonconforming vacant lots may be used for single-family residential purposes; and single-family or two-family uses on pre-existing nonconforming lots may be enlarged, **if the following requirements are met:***
 - (a) *The proposed use will be a new single-family dwelling or the enlargement of an existing single-or two-family use. A single-family dwelling shall not be converted to a two-family dwelling.*
 - (b) *(Reserved)*
 - (c) *There is no available vacant land abutting the lot.*
 - (d) *The lot either provides off-street parking or the proposed enlargement includes the provision of off-street parking.*
 - (e) *The building and lot coverage will not be exceeded.*
 - (f) *For lots which do not meet the lot width requirements, the side yards may be reduced in the same proportion as the reduced width bears to the required width, but in no case shall the proposed side yards be less than one-half of the required side yards.*
 - (g) *For lots which do not meet the lot depth requirement, the front and rear yards may be reduced in the same proportion as the reduced lot depth to the required lot depth, but in no case shall the proposed front yard be less than the smallest front yard allowed under § 21-79B nor the proposed rear yard be less than eighty (80%) percent of the required rear yard for the zone.*

This Ordinance section provides an opportunity for pre-existing vacant lots that do not meet the minimum area, width, or depth requirements to get certain relief without having to go to the Land Use Board for variances, but only if all requirements enumerated in items “a” through “g” are met. In this case, the building coverage requirement is being exceeded, therefore the entirety of this section does not apply, and the applicant must therefore request various bulk standard relief as noted in the chart above.

4. The applicant shall review and revise the Zone R-2.02 bulk schedule and the building/impervious coverage tables to be consistent. Additionally, as the requirements of Borough Ordinance §21-98.F are not met, the reductions in yard requirements pursuant to this ordinance section are not applicable and the bulk schedule requirements shall be revised accordingly.



**Re: Mary Sharkey
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Minor Site Plan w/ Bulk 'C' Variances
First Engineering Review**

5. The Borough's minimum side yard setback requirements for the R-2.02 zone pursuant to Schedule I – Bulk & Area Requirements (6ft/8ft) are minimum yard requirements for each side yard, not minimum and combined yard requirements. The zoning chart on the plans shall be revised accordingly.
6. Pursuant to Borough Ordinance §21-65.27 and the Borough's definitions of "Porch" and "Deck", the first and second floor 'decks' are considered 'porches' as they are covered by the decks/porches above. The portions of these porches which are covered by structures above are to be considered as part of the building in determination of yard size and coverage requirements. Based off our measurements of the plot plan including these areas, the building coverage would be 874 SF, the rear yard setback would be 9 FT, and the front yard setback would be 5.5 FT. The applicant shall revise the plans to confirm the proposed yard size and coverage.
7. The applicant shall provide supporting information for the neighboring structures to confirm the prevailing front yard setback pursuant to Ordinance §21-79B.
8. As this is an irregularly shaped lot, Lot Depth definitions pursuant to Borough Ordinance §21-8 cannot be strictly applied. The applicant shall provide clarification as to how the Lot Depth was determined for this property. It is of this office's opinion that Lot Depth should be considered as the distance from the midpoint of the front property line to the midpoint of the rear property line, or 56.3 FT. The applicant shall revise the plans to confirm lot depth.
9. The building heights shown on the plot plan and on the architectural plan are not consistent when measured from the flood grade plane (Elevation 13) to the roof. Based upon the plot plan, a maximum building height of 32.5 FT is proposed. Based upon the architectural plan, a building height of 28 FT is proposed. The applicant shall revise the plans to clarify.

C. Additional Comments

1. The proposed structure is located within the AE-12 Flood Zone, and within the Limit of Moderate Wave Action (LiMWA). The architectural plans should be revised to include piling or column foundations and breakaway walls in compliance with V zone construction requirements. FEMA notes on sheet 2 of the architectural plans shall be revised to be specific to this project.
2. The RSIS requires two 9 FT x 18 FT parking spaces for the proposed 2-bedroom dwelling. The applicant proposes a garage under the dwelling which provides for two 8.5 FT wide spaces. Therefore, a design waiver will be required.
3. The applicant shall provide side elevation views of the proposed dwelling.
4. The applicant shall indicate downspout locations.
5. As per Ordinance 21-65.5C(1), the maximum dimensions for a residential driveway are 18 ft. maximum at curb, and 22 ft. maximum at interior. It appears the driveway is proposed along the entire width of lot. The proposed driveway limits shall be clarified on the plot plan. Additionally,



**Re: Mary Sharkey
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Minor Site Plan w/ Bulk 'C' Variances
First Engineering Review**

the proposed limits of concrete curb, gutter, and apron modifications shall be shown. Construction details for the same shall be provided.

6. Proposed utility locations shall be included on the plot plan. Utility meter location and elevation shall be shown as well. Please note, that due to the lot grade and base flood elevation, utility platforms may be required, which could require additional variance relief. Construction details for trench repair of the roadway as necessitated by proposed utilities shall be provided.
7. If approved by the Board, the applicant shall be required to obtain any and all outside agency and department approvals, including but not limited to:
 - a. Construction Department
 - b. Floodplain Official
 - c. NJDEP
 - d. Any other agency or department having jurisdiction.
8. The Board may require any additional information which is reasonably necessary to ascertain compliance with the provisions of this chapter.

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

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Erin Uriarte, Zoning Officer (euriarte@middletownnj.org)
Rob Knox, Land Use Board Chairman (rknox@highlandsborough.org)
Annemarie Tierney, Land Use Board Vice Chairwoman (annemarie@liquidadvisors.com)
Lucas Stroud, Applicant's Engineer (lucas@morganengineerllc.com)
Salvatore La Ferlita, R.A., Applicant's Architect (sallaferlita@aol.com)
Mary Sharkey, Applicant (msharkey.mbsn@gmail.com)

G:\Projects\HGPB\R2040\Correspondence\R2040_EWH_MH_Sharkey_9 Shrewsbury Ave_B42_L2_Engineering review.docx



**Re: Mary Sharkey
9 Shrewsbury Avenue
Block 42, Lot 2
R-2.02 Zone
Minor Site Plan w/ Bulk 'C' Variances
First Engineering Review**



Google Streetview Image, Photography dated September, 2019



RECEIVED

MAR 28 2023

LAND USE BOARD

Item 8.

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

LAND USE BOARD APPLICATION

FOR OFFICIAL USE

Date Rec'd: 3/28/2023 Application #: LB 2023-02 Fee: \$150.00 Escrow: 750.00

ck# 1031 ck# 1032

1. APPLICANT

Name: Catcherman, LLC
 Address: 68 S Bay Avenue
 City: Highlands State: NJ Zip: 07732
 Phone: 215-262-2063
 Email: rdavis704@verizon.net
 Relation to property: owner

2. OWNER

Name: Catcherman, LLC
 Address: 68 S Bay Avenue
 City: Highlands State: NJ Zip: 07732
 Phone: 215-262-2063
 Email: rdavis704@verizon.net

3. TYPE OF APPLICATION (Check all that apply)

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

4. PROPERTY INFORMATION

Block 101 Lot(s) 27.04 Address: 17 Locust Street
 Lot size 25 x 100 # of Existing Lots 1 # of Proposed Lots 1
 Zone R1 Are there existing Deed Restrictions or Easements? No Yes – Please attach copies
 Has the property been subdivided? No Yes If yes, when? _____
 Attach copies of approved map or approved resolution
 Property taxes paid through Sept-2023 Sewer paid through May-2023

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

Name: Donna Alkin, Esq, Law Offices of Byrnes, O'Hern & Heugle
 Address: 195 E. Bergen Place, Red Bank, NJ 07701
 Phone: 732-219-7711 Email: dalkin@byrnesohern.com



RECEIVED
MAR 28 2023
LAND USE BOARD

Item 8.

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

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

Name: _____
Address: _____

Phone: _____
Email: _____

Name: _____
Address: _____

Phone: _____
Email: _____

7. LAND USE

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

Vacant Lot (undersized lot)

B. PROPOSED PLAN –Describe in detail, proposed use for property, including, but not limited to: 1) portion to be subdivided; 2) sell lot only; 3) construct house(s) for sale; 4) how trash will be disposed; 5) landscaping; 6) hours of operation; 7) type of goods/services; 8) fire lane. Attach additional sheets if necessary.

Variance requested for lot coverage to construct single family residential home.

C. ADDITIONAL INFORMATION:

		Existing	Proposed
Residential:	How many dwelling units?	0	1
	How many bedrooms in each unit?	0	3
	How many on-site parking spaces?	0	2
Commercial:	How many commercial uses on site?	0	0
	How many on-site parking spaces?	_____	_____



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

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

	Req'd	Exist.	Prop'd
Minimum Lot Requirements			
Lot Area			
Frontage			
Lot Depth			
Minimum Yard Requirements			
Front Yard Setback			
2 nd Front Yard Setback			
Rear Yard Setback			
Side Yard Setback, right			
Side Yard Setback, left			
Building Height			

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

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

Seeking maximum building coverage of 30.24% where 25% is allowed

RECEIVED
 MAR 28 2023
 LAND USE BOARD

BOROUGH OF HIGHLANDS, N. J.

INCORPORATED 1900

42 SHORE DRIVE
HIGHLANDS, NJ 07732
COUNTY OF MONMOUTH

(732) 872-1224 PH
(732) 872-0670 FX

WWW.HIGHLANDBOROUGH.ORG



CAROLYN BROULLON
MAYOR

MICHAEL MUSCILLO
ADMINISTRATOR

NANCY TRAN
BOROUGH CLERK

CR Homes & Realty
188 Bay Ave
Highlands NJ 07732

1-6-2023

RE: 17 Locust St
Zone R1.03

Please be advised that the application to build a new principal residence at the above referenced building lot, has been reviewed for compliance with the Borough of Highlands Zoning Ordinance.

Aside from the pre-existing non-conformities. The proposal includes new or worsening non-conformities for which the following approvals will be necessary:

1. Maximum Building coverage, proposing 30.24% where 25% is allowed.

To proceed with an application/appeal of this decision to the Land Use Board, please contact the Nancy Tran, Board Secretary via email at landuse@highlandsborough.org or by phone at 732-872-1224.

Should you have any questions, feel free to contact me at 732-615-2278.

Sincerely,

Brian O'Callahan
Zoning Officer
(732) 615-2286

RECEIVED

MAR 28 2023

LAND USE BOARD



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

12B. BUSINESS ORGANIZATION OWNERSHIP DISCLOSURE STATEMENT

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

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

NAME	ADDRESS
Robert J. Davis	68 S. Bay Avenue, Highlands, NJ 07732
Cynthia Davis	68 S. Bay Avenue, Highlands, NJ 07732

*If a corporation or a partnership owns 10% or more of the stock of a corporation, or 10% or great interest in a partnership, that corporation or partnership shall list the names and address of its stockholders holding 10% or more of its stock or 10% or greater interest in the partnership, and this requirement shall be followed until the names and addresses of the non-corporate stockholders and individual partners, exceeding the 10% owner ship criterion established have been listed.

SWORN & SUBSCRIBED to before me this
28 day of MARCH 2023 (year)
Carolyn Broullon (notary)
 (Seal)



CAROLYN BROULLON
New Jersey
Notary Public
My Commission Expires 07/07/2025
Commission # 50130681

[Signature] 3/28/23
 Signature (Officer/Partner) Date
Robert J. Davis, Member
 Print Full Name Title

RECEIVED

MAR 28 2023

LAND USE BOARD

landuse@highlandsborough.org



RECEIVED

MAP 28 123


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

LAND USE 07/2025

10. NOTARIZED SIGNATURE OF APPLICANT

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

SWORN & SUBSCRIBED to before me this
28 day of MARCH 2023 (year)
CAROLYN BROULLON (notary)
New Jersey
Notary Public (Seal)
My Commission Expires 07/07/2025
Commission # 50130681



Signature
3/28/23
Date

Robert J. Davis, Member
Print Full Name

11. NOTARIZED CONSENT OF OWNER

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

SWORN & SUBSCRIBED to before me this
28 day of MARCH 2023 (year)
CAROLYN BROULLON (notary)
New Jersey
Notary Public (Seal)
My Commission Expires 07/07/2025
Commission # 50130681


Signature
3/28/23
Date

Robert J. Davis, Member
Print Full Name

12A. DISCLOSURE STATEMENT Circle all that apply.

Pursuant to N.J.S.A. 40:55D-48.1 & 48.2, please answer the following questions:

- Is this application to subdivide a parcel of land into six (6) or more lots? Yes No
- Is this application to construct a multiple dwelling of 25 or more units? Yes No
- Is this an application for approval of a site(s) for non-residential purposes? Yes No
- Is this Applicant a corporation? Yes No
- Is the Applicant a limited liability corporation? Yes No
- Is the Applicant a partnership? Yes No

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

NOTES:

- BOUNDARY AND TOPOGRAPHIC INFORMATION FOR THE SUBJECT SITE IS BASED UPON MAP ENTITLED "17 LOCUST STREET TAX LOT 27.04 BLOCK 101, BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY", PREPARED BY MATRIX NEW WORLD ENGINEERING, INC., DATED 09/07/22.
- HORIZONTAL DATUM - NAD1983; AND VERTICAL DATUM - NAVD 1988; BASED ON GPS OBSERVATIONS BY MATRIX NEW WORLD ENGINEERING, INC. ON SEPTEMBER 7, 2022 AND REFERRING TO LEICA SMARTNET CONTINUOUSLY OPERATING REFERENCE STATION (CORS) NETWORK, NATIONAL GEODETIC SURVEY MONUMENT: CORS STATION "NJNT", (PID-DK7749)
- MATRIX NEW WORLD ENGINEERING, INC. MAKES NO GUARANTEES THAT ALL UNDERGROUND UTILITIES ARE SHOWN HEREON AND THAT THE EXACT LOCATIONS OF THE UNDERGROUND UTILITIES INDICATED ON THIS SURVEY ARE APPROXIMATE. ALL UTILITY LOCATIONS MUST BE VERIFIED WITH THE PROPER UTILITY COMPANIES PRIOR TO DESIGN, EXCAVATION OR CONSTRUCTION.
- THE PROPOSED BUILDING FINISHED FLOOR ELEVATION IS BASED UPON THE ASSUMPTION THAT THERE ARE NO MECHANICALS LOCATED BELOW BASE FLOOD ELEVATION (BFE). IN ADDITION, ALL BUILDING MATERIALS LOCATED BELOW THE INDICATED BASE FLOOD ELEVATION (BFE) MUST BE FLOOD DAMAGE RESISTANT PER IBC 2012 AND FEMA TECHNICAL BULLETIN 2.
- SEE ARCHITECT'S PLANS FOR LOCATION AND NUMBER OF REQUIRED FLOOD VENTS.
- FOR DETAILS OF PROPOSED PRESSURE TREATED WOOD LANDINGS AND RISERS, PLEASE REFER TO THE FOUNDATION PLANS.
- FINAL SITE GRADING SHALL BE FIELD ADJUSTED AS REQUIRED TO ENSURE POSITIVE DRAINAGE AWAY FROM THE FOUNDATION. ENGINEER SHALL BE CONSULTED PRIOR TO ANY MODIFICATIONS OF GRADING SHOWN HEREON.
- THE DRAWINGS ARE GENERAL IN NATURE AND DO NOT SHOW ALL OF THE DETAILS REQUIRED TO COMPLETE THE WORK. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ALL THE INCIDENTAL WORK TO COMPLETE THE PROJECT IN ACCORDANCE WITH ACCEPTABLE CONSTRUCTION STANDARDS.

FEMA FLOOD NOTES

THE ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN THE FOLLOWING SPECIAL EFFECTIVE FLOOD HAZARD AREAS AS PER THE CURRENT FIRM FLOOD INSURANCE RATE MAP:

FIRM FLOOD INSURANCE RATE MAP MONMOUTH COUNTY, NEW JERSEY (ALL JURISDICTIONS) PANEL 67 OF 457, CONTAINS HIGHLANDS, BOROUGH OF, MAP NUMBER 34025C0067G, EFFECTIVE DATE: MAP REVISED JUNE 20, 2018.

FEMA FLOOD ZONE "AE" BASE FLOOD ELEVATION DETERMINED. (EL. 12) NAVD88

THE ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN THE FOLLOWING SPECIAL PRELIMINARY FLOOD HAZARD AREAS AS PER THE CURRENT FIRM FLOOD INSURANCE RATE MAP:

FIRM FLOOD INSURANCE RATE MAP MONMOUTH COUNTY, NEW JERSEY (ALL JURISDICTIONS) PANEL 67 OF 457, CONTAINS HIGHLANDS, BOROUGH OF, MAP NUMBER 34025C0067H, MAP REVISED PRELIMINARY: JANUARY 31, 2014.

FEMA FLOOD ZONE "AE" BASE FLOOD ELEVATION DETERMINED. (EL. 12) NAVD88

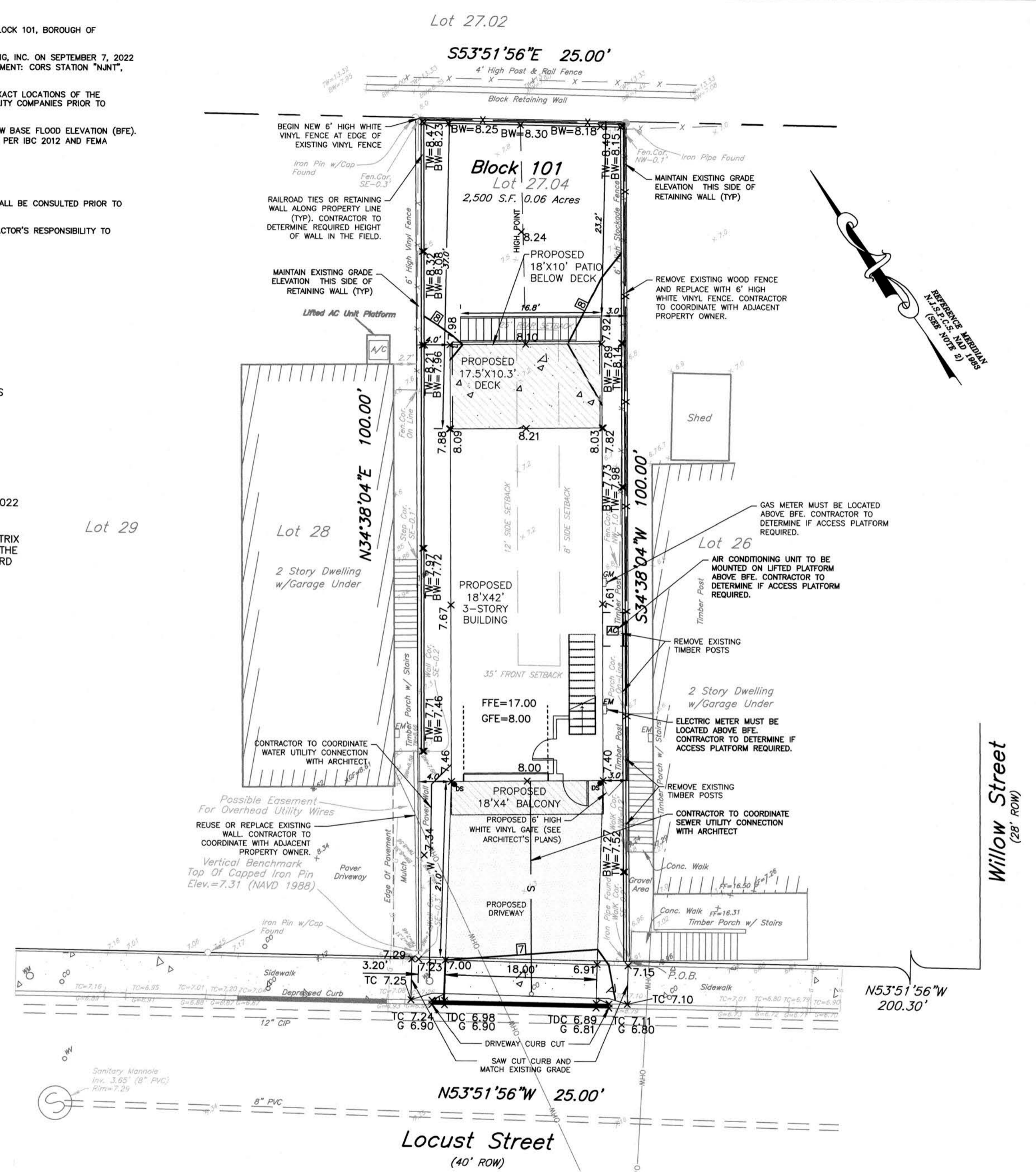
THE ABOVE EFFECTIVE AND PRELIMINARY FEMA FLOOD HAZARD INFORMATION WAS OBTAINED ON SEPTEMBER 7, 2022 FROM THE FOLLOWING FEMA WEBSITE: msc.fema.gov/portal

NOTE: DUE TO POTENTIAL CHANGES TO THE FEMA EFFECTIVE AND PRELIMINARY FIRM INSURANCE RATE MAPS, MATRIX NEW WORLD ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE, P.C. MAKES NO GUARANTEES THAT THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A FEMA PRELIMINARY FLOOD HAZARD ZONE. ALL FEMA FLOOD HAZARD ZONE INFORMATION MUST BE VERIFIED.

ZONING REQUIREMENTS		
PARAMETER	REQUIRED R-1.03 ZONE	PROPOSED R-1.03 ZONE
MIN. LOT AREA	14,000 SF	2,500 SF*
MIN. LOT FRONTAGE/WIDTH	75 FT.	25 FT.*
MIN. LOT DEPTH	200 FT.	100 FT.*
FRONT YARD SETBACK	35 FT. (1)	21 FT.
SIDE YARD SETBACK	8 FT./12 FT.	3.0 FT./4.0 FT.**
REAR YARD SETBACK	25 FT.	37.0 FT.
MAX. BUILDING HEIGHT (2)	30 FT. (2)	36 FT.**
MAX. LOT COVERAGE:		
LOT	60%	52.74%
BUILDING	25%	30.24%**
* EXISTING VARIANCE		
** NEW VARIANCE		
(1) OR THE AVERAGE OF THE EXISTING FRONT YARD SETBACK WITHIN TWO HUNDRED (200) FEET IN THE SAME BLOCK AND ZONE, PER SECTION 21-80.		
(2) WHERE A DWELLING IS CONSTRUCTED TO PROVIDE THE REQUIRED PARKING UNDER THE STRUCTURE, THE MAXIMUM HEIGHT SHALL BE INCREASED BY TWO AND ONE-HALF (2-1/2) FEET.		

LEGEND

EXISTING BOUNDARY LINE	PROPOSED BOUNDARY LINE	EXISTING ROOF DOWNSPOUT	PROPOSED ROOF DOWNSPOUT
LOT LINE	SETBACK LINE	SANITARY SEWER	SANITARY CLEANOUT
CURB LINE	DEPRESSED CURB	WATER MAIN	WATER VALVE
EDGE OF PAVEMENT	PAINT LINE	WATER VALVE RESET	WATER GATE VALVE
CONCRETE	FENCE	WATER METER	GAS MAIN
MAILBOX	EDGE OF LANDSCAPE	GAS VALVE	GAS VALVE RESET
DOOR SILL	RETAINING WALL/BULKHEAD	GAS METER	TELEPHONE
MINOR CONTOURS	MAJOR CONTOURS	CABLE TELEVISION	ELECTRIC CONDUIT
SPOT ELEVATION	GUTTER ELEVATION	OVER HEAD WIRE	UTILITY POLE
TOP OF CURB ELEVATION	GRATE ELEVATION	GUY ANCHOR	ELECTRIC METER
RIM ELEVATION	RIM ELEVATION	AIR CONDENSER UNIT	STORM DRAIN INLET
TOP OF WALL ELEVATION	BOTTOM OF WALL ELEVATION	MANHOLE	CLEANOUT
BOTTOM OF BLOCK ELEVATION	FINISHED FLOOR ELEVATION	DOWNSPOUT	DOWNSPOUT
GARAGE FLOOR ELEVATION			



NOTICE TO CONTRACTOR

ATTENTION OF THE CONTRACTOR IS DIRECTED TO THE FACT THAT THE APPROXIMATE LOCATIONS OF KNOWN UTILITY STRUCTURES AND FACILITIES THAT MAY BE ENCOUNTERED WITHIN AND ADJACENT TO THE LIMITS OF WORK AREA ARE SHOWN ON THE PLANS. THE ACCURACY AND COMPLETENESS OF THIS INFORMATION IS NOT GUARANTEED BY THE ENGINEER, AND THE CONTRACTOR IS ADVISED TO VERIFY, IN THE FIELD, ALL THE FACTS CONCERNING THE LOCATION OF THESE UTILITIES AND OTHER CONSTRUCTION OBSTACLES PRIOR TO THE START OF CONSTRUCTION. FURTHER, THE CONTRACTOR SHALL NOTIFY THE ENGINEER, IN WRITING, PRIOR TO THE START OF CONSTRUCTION, OF ANY DISCREPANCIES WHICH MAY AFFECT THE PROJECT DESIGN.

THE CONTRACTOR SHALL CONTACT NEW JERSEY ONE CALL (1-800-272-1000 OR LATEST NUMBER) FOR UTILITY MARKOUT PRIOR TO THE START OF CONSTRUCTION.

DESIGNED BY: RSZ	REVIEWED BY: SS	RELEASED BY: SMS	DATE: 11/9/2022
SEAN M. SAVAGE, P.E. NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. 24GE04451000			
MATRIX NEW WORLD Engineering Progress Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C. 442 State Route 35, Second Floor Eatontown, New Jersey 07724 Certified WBE www.mnwe.com NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 24GAZ7962300			
PLOT AND GRADING PLAN		17 LOCUST STREET TAX LOT 27.04 BLOCK 101 BOROUGH OF HIGHLANDS MONMOUTH COUNTY, NEW JERSEY	
PROJECT NUMBER: 22-1137	DATE: 11/08/22	SCALE: 1"=10'	
SHEET 1 OF 1			

Plotted: 11/9/2022 10:47 AM, By: Robert Ilaria
© MATRIXNEWORLD\Matrix LDS\Jobs\Char-Ron Contracting\22-1137 - 17 Locust Street - Highlands\DWG\Plot Sheets\Layout per Arch CAD\Plot and Grading Plan\Plot and Grading Plan.dwg\Layout



HGPB- R2020

May 18, 2023

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

Via Email (ntran@highlandsborough.org)

**Re: Catcherman, LLC
 17 Locust Street
 Block 101, Lot 27.04
 Single Family Residential (R-1.03) 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 March 28, 2023.
2. Plot and Grading Plan, 17 Locust Street, Lot 27, Block 101, prepared by Sean M. Savage, P.E., of Matrix New World Engineering Progress, dated November 8, 2022.

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. **Not Provided.**
4. Location, use and ground floor area of all existing and proposed buildings, with the building setback, side line and rear yard distance. **Partially Provided.**
5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Provided.**
6. The location and widths of existing and proposed streets servicing the site plan. **Provided.**



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

Re: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) Zone
First Completeness Review

7. Specifications for and location of proposed surface paving and curbing. **Partially Provided. Specifications & details for paving and curbing are not shown on plan.**
8. Location of all structures within seventy-five (75) feet of the property. **Partially provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Provided.**
10. Storm water management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities plus all required design data supporting the adequacy of the existing or proposed facilities to handle future storm flows. **Not applicable.**
11. Existing and proposed contours of the property and for seventy-five (75) feet outside the property at one (1) foot intervals when new buildings or parking areas are proposed. Spot elevations for any development in a flood hazard area. **Partially provided.**
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. **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. **Partially provided. Architectural plans have not been provided. However, elevation information for the proposed dwelling and its mechanical units has been included on the plan. The proposed structure is located within flood zone AE-12. 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: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) 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.

Several relevant items noted above have not been submitted to the Board therefore the application is deemed **INCOMPLETE.** The applicant shall provide architectural plans in order to confirm the building height and any impacts for mechanicals and utilities. Normally JCP&L will require a meter platform, and with the limited lot width this must be determined in advance and shown on the architectural plans.

The application fee and escrow fee calculation letter will be provided under separate cover. **We will commence our technical review letter upon submission of the architectural plans and 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: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) 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:GM

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Brian O'Callahan, Zoning Officer (bocallahan@middletownnj.org)
Catcherman, LLC, Applicant (rdavis704@verizon.net)

\\tandmassociates.local\Public\Projects\HGPB\R2020\Correspondence\Tran_ EWH_Catcherman_17 Locust Street_First Completeness Review.docx



YOUR GOALS. OUR MISSION.

HGPB- R2020

May 18, 2023

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

Via Email (ntran@highlandsborough.org)

**Re: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) Zone
Fee and Escrow Calculation**

Dear Ms. Tran:

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

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

1. Land Use Board Application, dated March 28, 2023.
2. Plot and Grading Plan, 17 Locust Street, Lot 27, Block 101, prepared by Sean M. Savage, P.E., of Matrix New World Engineering Progress, dated November 8, 2022.

Please note the following fee calculations:

- | | |
|----------------------------|-------------------|
| 1. Application fee: | \$925.00 |
| 2. Escrow fee: | \$1,850.00 |

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:GM

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Brian O'Callahan, Zoning Officer (bocallahan@middletownnj.org)
Catcherman, LLC, Applicant (rdavis704@verizon.net)

\\tandmassociates.local\Public\Projects\HGPB\R2020\Correspondence\Tran_ EWH_Catcherman_17 Locust Street_Fee and Escrow Calculation.docx



HGPB-R2020

DETERMINATION OF FEES
17 Locust Street
Block 101 Lot 27.04

A. APPLICATION FEES (Ord. 21-107)

A. Variances

3. Residential "c" (maximum building coverage)	1	EA	\$	125.00	\$	125.00
Residential "c" (minimum side yard setback)	2	EA	\$	125.00	\$	250.00
4. Residential "d(6)" (maximum building height)	1	EA	\$	150.00	\$	150.00

B. Site Plans

2. Minor	1	EA	\$	400.00	\$	400.00
----------	---	----	----	--------	----	--------

B. ESCROW FEES (Ord. 21-108)

B. Escrow Deposits (twice Application Fee; Minimum \$750)	1	LS	\$	1,850.00	\$	1,850.00
---	---	----	----	----------	----	----------

Application fees subtotal \$ 925.00

Escrow fee subtotal \$ 1,850.00

Total \$ 2,775.00

MATRIXNEWORLD
Engineering Progress

August 22, 2023

Via UPS Ground

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

Attn: Nancy Tran, Land Use Board Secretary

**RE: 17 LOCUST STREET
TAX LOT 27.04 BLOCK 101
BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY
MATRIX NO. 22-1137**

Ms. Tran:

This letter has been prepared to provide our responses to the comments listed in the following review letter for the above-referenced project:

- T&M Associates (Land Use Board Engineer) Review Letter dated May 18, 2023

Enclosed please find the following documents in support of this submission:

1. Five (5) copies of the plan entitled "Plot and Grading Plan, 17 Locust Street, Tax Lot 27.04 Block 101, Borough of Highlands, Monmouth County, New Jersey" prepared by Matrix New World Engineering, last revised 8/8/23
2. Five (5) copies of architectural plans prepared by JoSo Studio, dated 11/15/22

In addition to the above enclosures, please review the point-by-point responses below for the above-referenced review letters; *italicized* text indicates review comments and **bold** indicates our response.

T&M ASSOCIATES (LAND USE BOARD ENGINEER) REVIEW LETTER DATED MAY 18, 2023

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 detail as may be necessary...

No response required.

1. *Date, name, location of site, name of owner, scale and reference meridian...*

No response required.

2. *Area of the lot and all lot dimensions and bearings...*

No response required.

3. *The location of all existing watercourses, wooded areas, easements, rights-of-way, streets, roads...*
The plot plan has been revised to include the requested information.
4. *Location, use and ground flood area of all existing and proposed buildings...*
The plot plan has been revised to include the requested information.
5. *Elevations at the corners of all proposed buildings and paved areas...*
No response required.
6. *The location and widths of existing and proposed streets...*
No response required.
7. *Specifications for and location of proposed surface paving and curbing...*
The plot plan has been revised to include details for the proposed paving and curbing.
8. *Location of all structures within seventy-five (75) feet of the property...*
The plot plan has been revised to include the location of all structures within seventy-five feet of the property.
9. *Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces...*
No response required.
10. *Stormwater management facilities and sanitary sewer reports, including proposed storm drainage and sanitary...*
No response required.
11. *Existing and proposed contours of the property and for seventy-five (75) feet outside the property at one (1) foot intervals...*
The plot plan has been revised to include the requested information.
12. *The location and treatment of proposed entrances and exits to the public right-of-ways...*
No response required.
13. *The location and identification of proposed open space, parks or other recreation areas...*
No response required.
14. *The location and design of landscaping, buffer areas and screening areas...*
The applicant does not currently have a plan showing the proposed landscaping, however, it is their intention to install grass in the rear yard area, stone along the sides of the home, and stone to the sides of the driveway in the front. It is not proposed to install any landscape buffering at this time, but it is noted that a 6-foot privacy fence is proposed along the rear and portion of the eastern side of the property and this fence will connect to the existing privacy fence along the western side of the property.

15. *The location of sidewalks, walkways, traffic islands and all other areas proposed to be devoted to pedestrian use...*

No response required.

16. *The nature and location of public and private utilities...*

No response required.

17. *Specific location and design of traffic control devices, signs and lighting fixtures...*

No response required.

18. *Preliminary architectural plans for the proposed buildings or structures indicating typical floor plans...*

Copies of the architectural plans are enclosed.

19. *The present and past use and contemplated use of the property...*

No response required.

20. *A soil erosion and sediment control plan is required. Said plan shall be submitted to the Soil Conservation District...*

No response required.

21. *Soil borings, when required by Board Engineer...*

No response required.

22. *Certification statement for the required municipal signatures...*

The plot plan has been revised to include the requested information.

23. *Certification statement for the County Planning Board...*

No response required.

24. *The board may require any additional information which is reasonably necessary...*

No response required.

If you should have any questions or require additional information, please contact my office at (973) 295-3604 or via email to ssavage@mnwe.com.

Sincerely,



Sean M. Savage, PE
Director of Land Development
License No. 24GE04451000

SMS:lb
Enclosures

NOTES:

- BOUNDARY AND TOPOGRAPHIC INFORMATION FOR THE SUBJECT SITE IS BASED UPON MAP ENTITLED "17 LOCUST STREET TAX LOT 27.04 BLOCK 101, BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY", PREPARED BY MATRIX NEW WORLD ENGINEERING, INC., DATED 09/07/22.
- ADDITIONAL TOPOGRAPHIC INFORMATION BASED UPON NOAA LIDAR TOPO.
- ADDITIONAL OFF-SITE IMPROVEMENTS BASED UPON NEARMAP AERIAL.
- HORIZONTAL DATUM - NAD1983; AND VERTICAL DATUM - NAVD 1988. BASED ON GPS OBSERVATIONS BY MATRIX NEW WORLD ENGINEERING, INC. ON SEPTEMBER 7, 2022 AND REFERRING TO LEICA SMARTNET CONTINUOUSLY OPERATING REFERENCE STATION (CORS) NETWORK, NATIONAL GEODETIC SURVEY MONUMENT: CORS STATION "NANT", (PID=DK7749)
- MATRIX NEW WORLD ENGINEERING, INC. MAKES NO GUARANTEES THAT ALL UNDERGROUND UTILITIES ARE SHOWN HEREON AND THAT THE EXACT LOCATIONS OF THE UNDERGROUND UTILITIES INDICATED ON THIS SURVEY ARE APPROXIMATE. ALL UTILITY LOCATIONS MUST BE VERIFIED WITH THE PROPER UTILITY COMPANIES PRIOR TO DESIGN, EXCAVATION OR CONSTRUCTION.
- THE PROPOSED BUILDING FINISHED FLOOR ELEVATION IS BASED UPON THE ASSUMPTION THAT THERE ARE NO MECHANICALS LOCATED BELOW BASE FLOOD ELEVATION (BFE). IN ADDITION, ALL BUILDING MATERIALS LOCATED BELOW THE INDICATED BASE FLOOD ELEVATION (BFE) MUST BE FLOOD DAMAGE RESISTANT PER IBC 2012 AND FEMA TECHNICAL BULLETIN 2.
- SEE ARCHITECT'S PLANS FOR LOCATION AND NUMBER OF REQUIRED FLOOD VENTS.
- FOR DETAILS OF PROPOSED PRESSURE TREATED WOOD LANDINGS AND RISERS, PLEASE REFER TO THE FOUNDATION PLANS.
- FINAL SITE GRADING SHALL BE FIELD ADJUSTED AS REQUIRED TO ENSURE POSITIVE DRAINAGE AWAY FROM THE FOUNDATION. ENGINEER SHALL BE CONSULTED PRIOR TO ANY MODIFICATIONS OF GRADING SHOWN HEREON.
- THE DRAWINGS ARE GENERAL IN NATURE AND DO NOT SHOW ALL OF THE DETAILS REQUIRED TO COMPLETE THE WORK. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ALL THE INCIDENTAL WORK TO COMPLETE THE PROJECT IN ACCORDANCE WITH ACCEPTABLE CONSTRUCTION STANDARDS.
- BUILDING AREAS OF ALL EXISTING STRUCTURES ARE APPROXIMATE AND BASED UPON AERIAL.

FEMA FLOOD NOTES

THE ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN THE FOLLOWING SPECIAL EFFECTIVE FLOOD HAZARD ZONE AS PER THE CURRENT FIRM FLOOD INSURANCE RATE MAP:

FIRM FLOOD INSURANCE RATE MAP MONMOUTH COUNTY, NEW JERSEY (ALL JURISDICTIONS) PANEL 67 OF 457, CONTAINS HIGHLANDS, BOROUGH OF, MAP NUMBER 34025C00676, EFFECTIVE DATE: MAP REVISED JUNE 20, 2018.

FEMA FLOOD ZONE "AE" BASE FLOOD ELEVATION DETERMINED. (EL. 12) NAVD88

THE ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN THE FOLLOWING SPECIAL PRELIMINARY FLOOD HAZARD ZONE AS PER THE CURRENT FIRM FLOOD INSURANCE RATE MAP:

FIRM FLOOD INSURANCE RATE MAP MONMOUTH COUNTY, NEW JERSEY (ALL JURISDICTIONS) PANEL 67 OF 457, CONTAINS HIGHLANDS, BOROUGH OF, MAP NUMBER 34025C00676, MAP REVISED JANUARY 31, 2014.

FEMA FLOOD ZONE "AE" BASE FLOOD ELEVATION DETERMINED. (EL. 12) NAVD88

THE ABOVE EFFECTIVE AND PRELIMINARY FEMA FLOOD HAZARD INFORMATION WAS OBTAINED ON SEPTEMBER 7, 2022 FROM THE FOLLOWING FEMA WEBSITE: fema.gov/petrel

NOTE: DUE TO POTENTIAL CHANGES TO THE FEMA EFFECTIVE AND PRELIMINARY FIRM INSURANCE RATE MAPS, MATRIX NEW WORLD ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE, P.C. MAKES NO GUARANTEES THAT THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A FEMA PRELIMINARY FLOOD HAZARD ZONE. ALL FEMA FLOOD HAZARD ZONE INFORMATION MUST BE VERIFIED.

ZONING REQUIREMENTS		
PARAMETER	REQUIRED R-1.03 ZONE	PROPOSED R-1.03 ZONE
MIN. LOT AREA	14,000 SF	2,500 SF*
MIN. LOT FRONTAGE/WIDTH	75 FT.	25 FT.*
MIN. LOT DEPTH	200 FT.	100 FT.*
FRONT YARD SETBACK	35 FT. ⁽¹⁾	21 FT.
SIDE YARD SETBACK	8 FT./12 FT.	3.0 FT./4.0 FT.**
REAR YARD SETBACK	25 FT.	37.0 FT.
MAX. BUILDING HEIGHT ⁽²⁾	30 FT. ⁽¹⁾	36 FT.**
MAX. LOT COVERAGE:		
BUILDING	60%	52.74%
EXISTING VARIANCE	25%	30.24%**
** NEW VARIANCE		

⁽¹⁾ OR THE AVERAGE OF THE EXISTING FRONT YARD SETBACK WITHIN TWO HUNDRED (200) FEET IN THE SAME BLOCK AND ZONE, PER SECTION 21-80.

⁽²⁾ WHERE A DWELLING IS CONSTRUCTED TO PROVIDE THE REQUIRED PARKING UNDER THE STRUCTURE, THE MAXIMUM HEIGHT SHALL BE INCREASED BY TWO AND ONE-HALF (2-1/2) FEET.

LEGEND

	EXISTING BOUNDARY LINE		PROPOSED BOUNDARY LINE
	EXISTING LOT LINE		PROPOSED LOT LINE
	EXISTING SETBACK LINE		PROPOSED SETBACK LINE
	EXISTING CURBED LINE		PROPOSED CURBED LINE
	EXISTING EDGE OF PAVEMENT		PROPOSED EDGE OF PAVEMENT
	EXISTING CONCRETE		PROPOSED CONCRETE
	EXISTING FENCE		PROPOSED FENCE
	EXISTING MAILBOX		PROPOSED MAILBOX
	EXISTING DOOR SILL		PROPOSED DOOR SILL
	EXISTING RETAINING WALL/BULKHEAD		PROPOSED RETAINING WALL/BULKHEAD
	EXISTING CONTOURS		PROPOSED CONTOURS
	EXISTING SPOT ELEVATION		PROPOSED SPOT ELEVATION
	EXISTING GUTTER ELEVATION		PROPOSED GUTTER ELEVATION
	EXISTING TOP OF CURB ELEVATION		PROPOSED TOP OF CURB ELEVATION
	EXISTING GRATE ELEVATION		PROPOSED GRATE ELEVATION
	EXISTING RIM ELEVATION		PROPOSED RIM ELEVATION
	EXISTING TOP OF WALL		PROPOSED TOP OF WALL
	EXISTING BOTTOM OF WALL		PROPOSED BOTTOM OF WALL
	EXISTING BOTTOM OF BLOCK		PROPOSED BOTTOM OF BLOCK
	EXISTING FINISHED FLOOR ELEV.		PROPOSED FINISHED FLOOR ELEV.
	EXISTING GARAGE FLOOR ELEV.		PROPOSED GARAGE FLOOR ELEV.
	EXISTING ROOF DOWNSPOUT		PROPOSED ROOF DOWNSPOUT
	EXISTING SANITARY SEWER INLET		PROPOSED SANITARY SEWER INLET
	EXISTING SANITARY SEWER CLEANOUT		PROPOSED SANITARY SEWER CLEANOUT
	EXISTING WATER MAIN		PROPOSED WATER MAIN
	EXISTING WATER VALVE		PROPOSED WATER VALVE
	EXISTING WATER VALVE RESET		PROPOSED WATER VALVE RESET
	EXISTING WATER GATE VALVE		PROPOSED WATER GATE VALVE
	EXISTING WATER METER		PROPOSED WATER METER
	EXISTING GAS MAIN		PROPOSED GAS MAIN
	EXISTING GAS VALVE		PROPOSED GAS VALVE
	EXISTING GAS VALVE RESET		PROPOSED GAS VALVE RESET
	EXISTING GAS METER		PROPOSED GAS METER
	EXISTING TELEPHONE		PROPOSED TELEPHONE
	EXISTING CABLE TELEVISION		PROPOSED CABLE TELEVISION
	EXISTING ELECTRIC CONDUIT		PROPOSED ELECTRIC CONDUIT
	EXISTING OVER HEAD WIRE		PROPOSED OVER HEAD WIRE
	EXISTING UTILITY POLE		PROPOSED UTILITY POLE
	EXISTING GUY ANCHOR		PROPOSED GUY ANCHOR
	EXISTING ELECTRIC METER		PROPOSED ELECTRIC METER
	EXISTING AIR CONDENSER UNIT		PROPOSED AIR CONDENSER UNIT
	EXISTING STORM DRAIN		PROPOSED STORM DRAIN
	EXISTING INLET		PROPOSED INLET
	EXISTING MANHOLE		PROPOSED MANHOLE
	EXISTING CLEANOUT		PROPOSED CLEANOUT
	EXISTING DOWNSPOUT		PROPOSED DOWNSPOUT

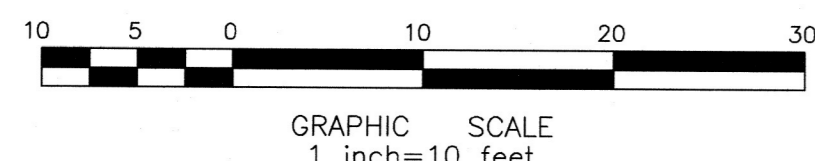
APPLICATION NO. _____ APPROVED/DISAPPROVED BY THE HIGHLANDS LAND USE BOARD AS A MINOR SITE PLAN ON _____

CHAIRPERSON	DATE
SECRETARY	DATE

NOTICE TO CONTRACTOR

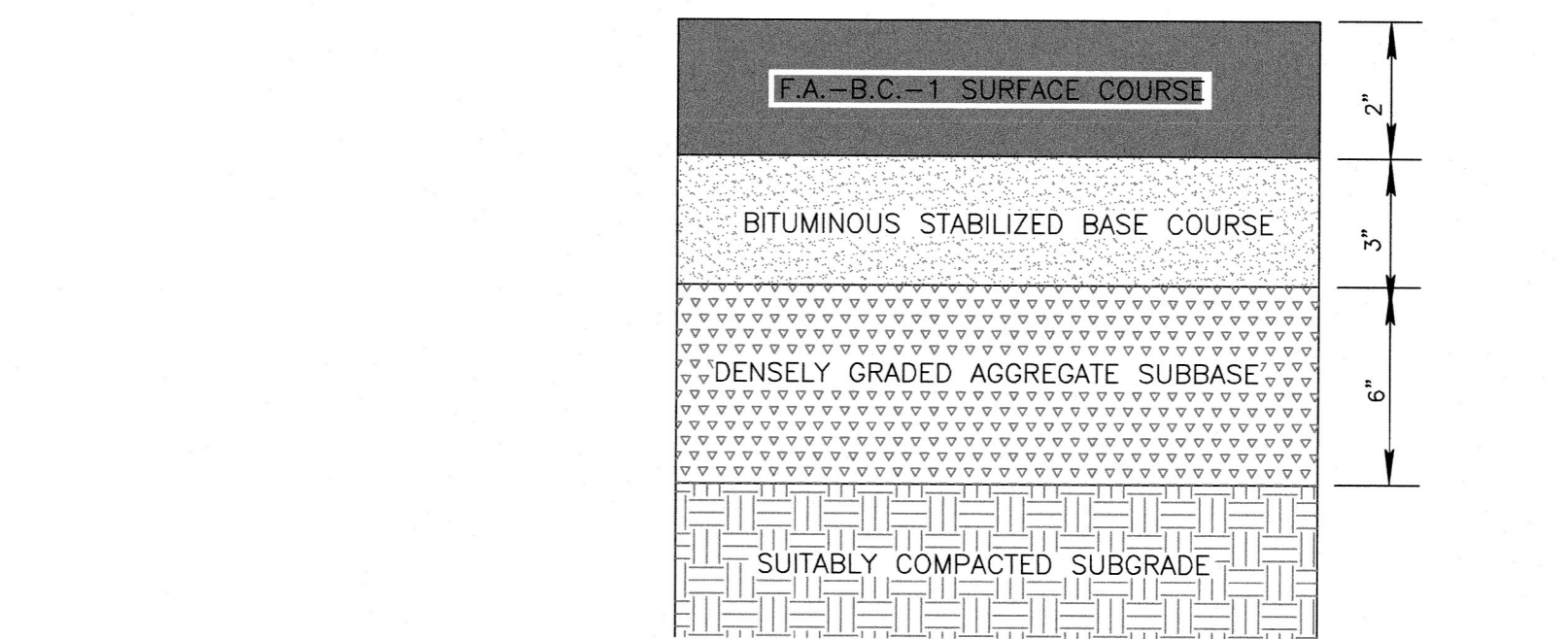
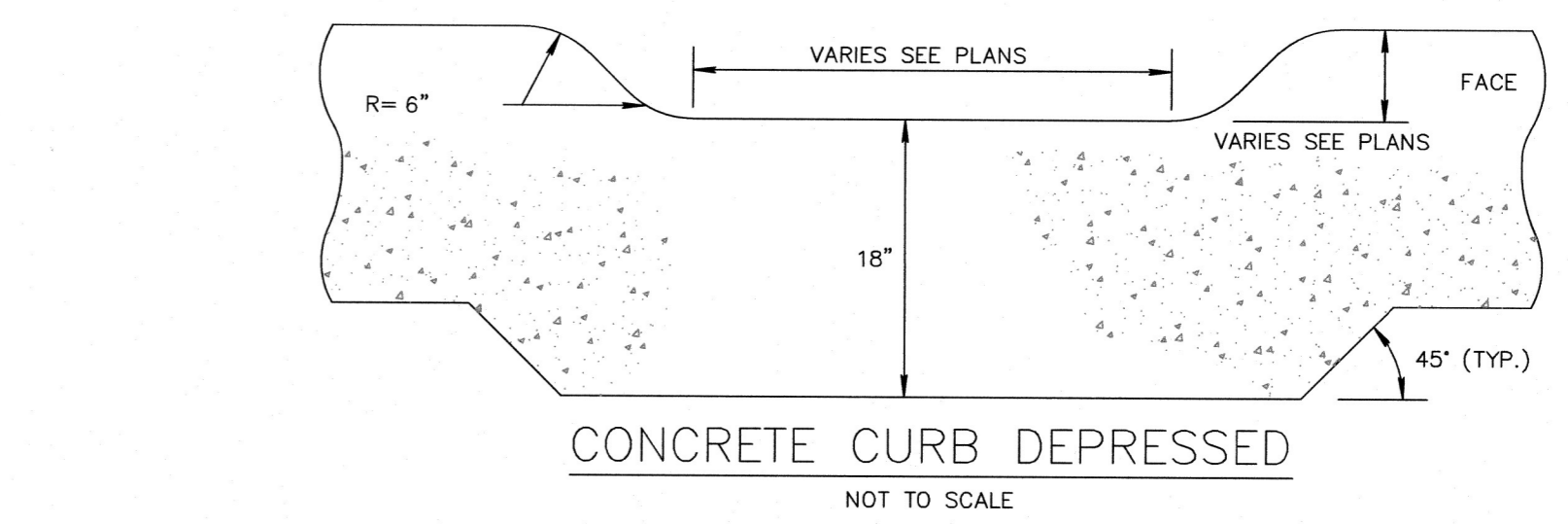
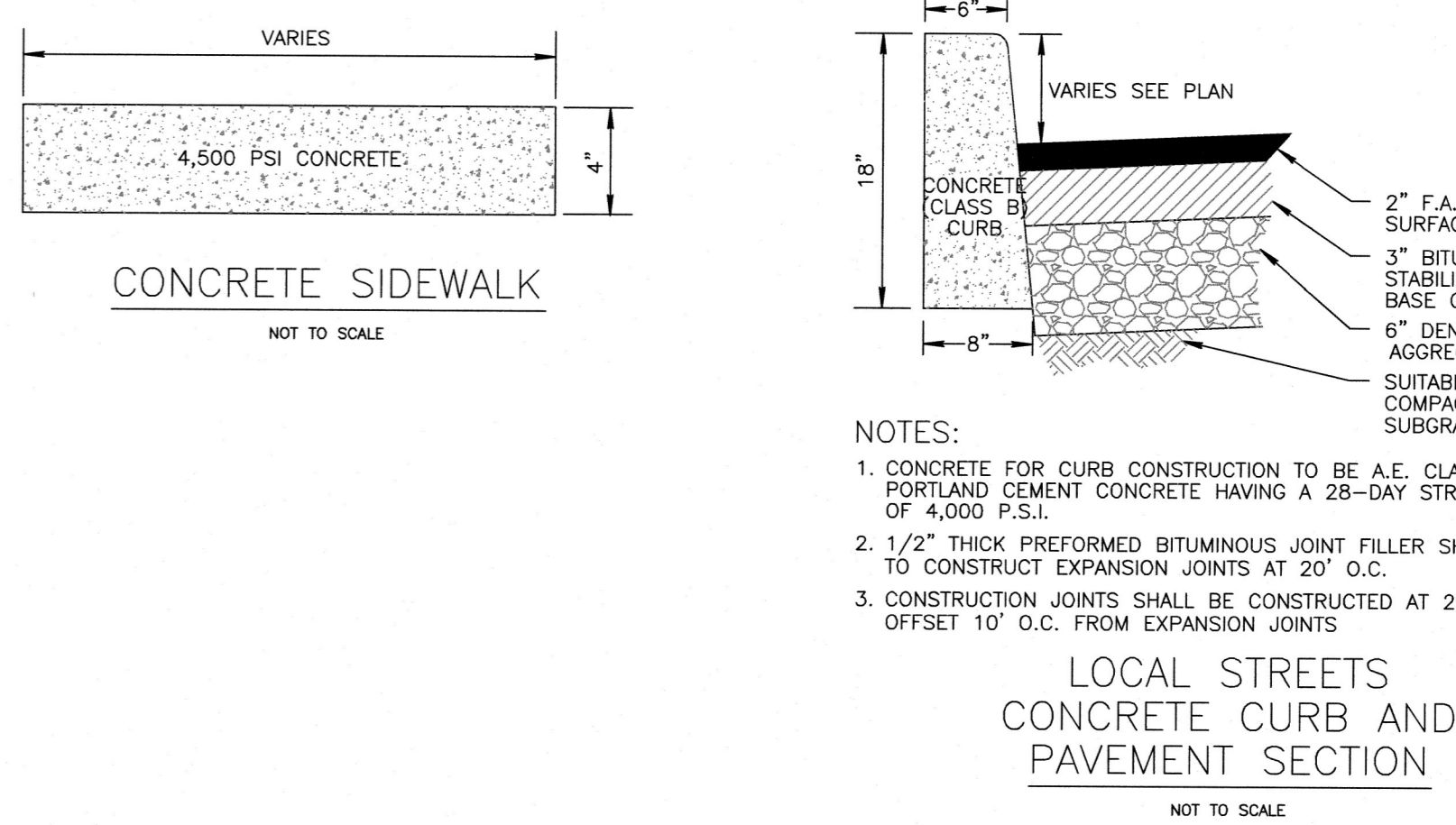
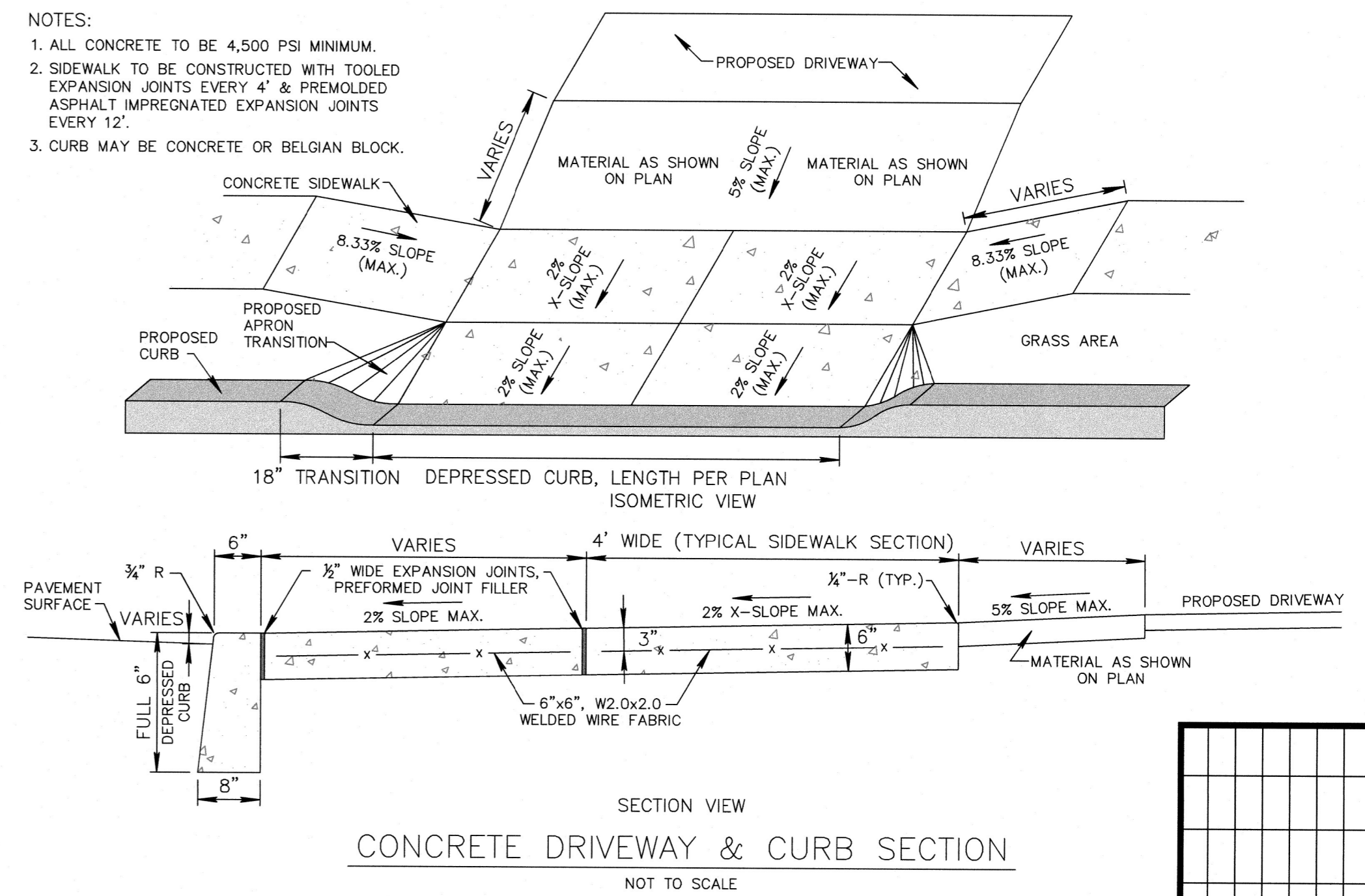
ATTENTION OF THE CONTRACTOR IS DIRECTED TO THE FACT THAT THE APPROXIMATE LOCATIONS OF KNOWN UTILITY STRUCTURES AND FACILITIES THAT MAY BE ENCOUNTERED WITHIN AND ADJACENT TO THE LIMITS OF WORK AREAS SHOWN ON THE PLANS, THE ACCURACY AND COMPLETENESS OF THIS INFORMATION IS NOT GUARANTEED BY THE ENGINEER, AND THE CONTRACTOR IS ADVISED TO VERIFY, IN THE FIELD, ALL THE FACTS CONCERNING THE LOCATION OF THESE UTILITIES AND OTHER CONSTRUCTION OBSTACLES PRIOR TO THE START OF CONSTRUCTION. FURTHER, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING, PRIOR TO THE START OF CONSTRUCTION, OF ANY DISCREPANCIES WHICH MAY AFFECT THE PROJECT DESIGN.

THE CONTRACTOR SHALL CONTACT NEW JERSEY ONE CALL (1-800-272-1000 OR LATEST NUMBER) FOR UTILITY MARKOUT BEFORE THE START OF CONSTRUCTION.



NOTES:

- ALL CONCRETE TO BE 4,500 PSI MINIMUM.
- SIDEWALK TO BE CONSTRUCTED WITH TOOLED EXPANSION JOINTS EVERY 4' & PREMOULDED ASPHALT IMPREGATED EXPANSION JOINTS EVERY 12'.
- CURB MAY BE CONCRETE OR BELGIAN BLOCK.



NOTES:

- MATERIALS FOR THE HOT MIX ASPHALT (HMA) SURFACE COURSE SHALL BE HMA 9.5L64 OR HMA 9.5M64, CONFORMING TO SECTION 401 OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
- MATERIALS FOR THE HOT MIX ASPHALT BASE COURSE SHALL BE HMA 19L64 OR HMA 19M64, CONFORMING TO SECTION 401 OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
- THICKNESS MAY HAVE TO BE CONSTRUCTED IN MULTIPLE LIFTS, BASED ON EQUIPMENT CAPABILITIES.
- THE DENSE GRADED AGGREGATE BASE SHALL CONFORM TO SECTION 302 OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
- ALL SUBGRADES SHALL BE CONSIDERED "POOR" UNLESS THE APPLICANT PROVIDES OTHERWISE THROUGH CBR TESTING OR FIELD EVALUATION OF SOIL CLASSIFICATION. TEST RESULTS SHALL BE REVIEWED BY THE MUNICIPAL ENGINEER.
- SUBGRADE COMPACTION SHALL BE APPROVED BY THE MUNICIPAL ENGINEER.
- PAVEMENT THICKNESS DESIGNS ASSUME A STAGED CONSTRUCTION PROCESS, THE LIFE OF THE ROAD IS 20 YEARS, THE PAVEMENT BASE COURSE IS DESIGNED TO WITHSTAND CONSTRUCTION TRAFFIC DURING AN ASSUMED THREE-YEAR CONSTRUCTION PERIOD, THROUGHOUT WHICH TIME THE HOT ASPHALT SURFACE COURSE HAS NOT BEEN PLACED. AT THE END OF THE CONSTRUCTION PERIOD, THE BASE COURSE MUST HAVE AN EXPECTED REMAINING LIFE OF 17 YEARS, DURING THE TIME WHEN THE SURFACE COURSE IS NOT IN PLACE, THE BASE COURSE MUST CARRY THE ENTIRE IMPROVED TRAFFIC LOADING.

PAVEMENT SECTION FOR DRIVEWAY

NOT TO SCALE

NO.	DATE	DESCRIPTION	DESIGNED BY	REVIEWED BY	RELEASED BY
1	08/08/23	REVISED PER ENGINEERING LETTER 08-19-23	SM	SM	SM

SEAN M. SAVAGE, P.E.
NEW JERSEY PROFESSIONAL ENGINEER
LICENSE NO. 24604481000
DATE: 8/21/2023

MATRIX NEW WORLD
Engineering Progress
Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C.
442 State Route 305, Second Floor
Eatontown, New Jersey 07724
Tel: 732-589-2969
Fax: 973-240-1818
www.mnw.com
NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 24GA2782300

PLOT AND GRADING PLAN
17 LOCUST STREET
TAX LOT 27.04, BLOCK 101
SITUATED IN
BOROUGH OF HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY

PROJECT NUMBER:	22-1137
DATE:	08/08/23
SCALE:	1"=10'
SHEET	1 OF 1

LOCUST ST PROJECT

LOCUST RESIDENCE

17 LOCUST ST, HIGHLANDS, NJ

SHEET LIST	
SHEET NUMBER	SHEET NAME
A-0.0	COVER PAGE
A-1.0	GROUND AND FIRST FLOOR CONSTRUCTION PLANS
A-1.1	SECOND AND ATTIC FLOOR CONSTRUCTION PLANS
A-1.2	ROOF TERRACE CONSTRUCTION PLAN
A-2.0	ELEVATIONS

BUILDING CODES

ALL WORK SHALL CONFORM TO THE UNIFORM CONSTRUCTION CODE, ALL APPLICABLE BUILDING CODES, LOCAL CODES AND REGULATIONS INCLUDING BUT NOT LIMITED TO:

- UNIFORM CONSTRUCTION CODE STATE OF NEW JERSEY
- INTERNATIONAL BUILDING CODE 2018
- INTERNATIONAL RESIDENTIAL CODE 2018 (nj edition)
- NATIONAL ELECTRIC CODE 2017
- INTERNATIONAL MECHANICAL CODE 2018
- INTERNATIONAL FUEL GAS CODE 2018
- INTERNATIONAL ENERGY CONSERVATION CODE 2018
- NATIONAL STANDARD PLUMBING CODE 2018
- INTERNATIONAL FIRE PROTECTION CODE 2017

[<https://www.nj.gov/dca/divisions/codes/codereg/>]

BUILDING DATA

CONSTRUCTION TYPE VA [IRC 300]
USE GROUP R-5 [IBC 310]

SEISMIC DESIGN RISK CATEGORY II

BASIC WIND SPEED 118 MPH

[R301.2(5), BULLETIN 19-1, <https://hazards.atcouncil.org/>]

ASSUMED SOIL CAPACITY OF 2,500 PSI

DESIGN LOADS [IRC 301]

- DEAD LOAD 20 PSF
- GROUND SNOW LOAD 20 PSF
- MAXIMUM LIVE LOAD 40 PSF
- ADDITIONAL LIVE LOADS ACCORDING TO TABLE R502.3.1(1) 2018:

USE	LIVE LOAD
UNINHABITABLE ATTICS WITHOUT STORAGE	10
UNINHABITABLE ATTICS WITH LIMITED STORAGE	20
HABITABLE ATTICS AND ATTICS SERVED WITH FIXED STAIRS	30
DECKS	40
EXTERIOR BALCONIES	60
FIRE ESCAPES	40
GUARDS AND HANDRAILS	200
GUARD IN-FILL COMPONENTS	50
PASSENGER VEHICLE GARAGES	50
ROOMS OTHER THAN SLEEPING ROOMS	40
SLEEPING ROOMS	30
STAIRS	40

ENERGY CODE ANALYSIS:

- PROJECT TO FOLLOW CLIMATE ZONE 4A (TABLE R301.1)
- THE INTERIOR DESIGN TEMPERATURES USED FOR HEATING AND COOLING LOAD CALCULATIONS SHALL BE A MAXIMUM OF 72 F FOR HEATING AND 75 F FOR COOLING (R302.1)
- BUILDING THERMAL ENVELOPE TO FOLLOW PERSCRIPITIVE REQUIREMENTS OF SECTION R4202 (TABLE 402.1.2)
 - CRAWL SPACE TO HAVE R-13 VALUE OR BETTER
 - GLAZED FENESTRATION TO HAVE 0.40 SHGC AND 0.32 U-FATOR OR BETTER
 - CEILING/ROOF TO HAVE R-49 VALUE OVER THE ENTIRE CEILING AREA (R402.1.2) OR BETTER
 - WOOD FRAME WALLS TO HAVE R-20 VALUE OF BETTER
 - FLOORS TO HAVE R-19 VALUE OR BETTER
- VENTED ROOF DESIGN TO HAVE BAFFLES OVER THE TOP OF THE INSULATION AND MAINTAIN PROPER AIR SPACE
- INSULATION FOR HOT WATER PIPING WITH A THERMAL RESISTANCE, R-VALUE, OF NOT LESS THAN R-3 SHALL BE APPLIED TO THE FOLLOWING: PIPING 3/4" OR LARGER, PIPING OUTSIDE THE CONDITIONED SPACE, PIPING FROM THE WATER HEATER TO A DISTRIBUTION MANIFOLD, BURIED PIPING (R)
- THE BUILDING THERMAL ENVELOPE SHALL BE CONSTRUCTED TO LIMIT AIR LEAKAGE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS R402.4.1 THROUGH R402.4.5
- THE BUILDING THERMAL ENVELOPE SHALL COMPLY WITH SECTIONS R402.4.1.1 AND R402.4.1.2. THE SEALING METHODS BETWEEN DISSIMILAR MATERIALS SHALL ALLOW FOR DIFFERENTIAL EXPANSION AND CONTRACTION

GENERAL

- CONTRACTOR(S) SHALL COMPLY WITH ALL APPLICABLE CODES, LAWS, ORDINANCES, RULES AND REGULATIONS INCLUDING STATE AND LOCAL CODES.
- CONTRACTOR(S) SHALL BE RESPONSIBLE FOR ALL MATERIALS AND METHODS AND METHODS OF CONSTRUCTION, WHETHER IT BE THEIR OWN OR THAT OF THEIR EMPLOYEES OR SUB-CONTRACTORS.
- CONTRACTOR(S) SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS, AND NEW CONDITIONS AND DIMENSIONS IN THE FIELD AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BETWEEN ACTUAL AND THOSE SHOWN ON THE DRAWINGS, BEFORE THE BID IS SUBMITTED.
- CONTRACTOR(S) SHALL BE RESPONSIBLE FOR ANY ADJACENT AREAS TO REMAIN AND SHALL BE RESPONSIBLE FOR CORRECTING ANY DAMAGE WHICH MAY OCCUR DURING CONSTRUCTION.
- CONTRACTOR(S) SHALL PROCURE AND PAY FOR ALL APPLICABLE PERMITS.
- CONTRACTOR(S) SHALL BE RESPONSIBLE FOR TO REMOVAL OF ALL CONSTRUCTION DEBRIS FROM PREMISES.
- ARCHITECT IS NOT RESPONSIBLE FOR ANY CHANGES MADE WHICH DEVIATE FROM THE DRAWINGS, WHETHER INITIATED BY OWNER, CONTRACTOR, OR BOTH, UNLESS AGREED UPON BY ARCHITECT IN WRITING.
- CONTRACTOR(S) SHALL GUARANTEE WORK FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.
- CONTRACTOR(S) SHALL MAINTAIN APPROPRIATE INSURANCE LICENSE FOR THIS PROJECT.
- ANY ADDENDA OF MODIFICATION ISSUED BY THE ARCHITECT SHALL BECOME IMMEDIATELY INCORPORATED INTO THE WORK AS IF ORIGINALLY INCLUDED HEREWITH.
- ONLY THOSE AREAS AS DESIGNATED BY THE OWNER SHALL BE USED FOR THE STORAGE OF CONSTRUCTION EQUIPMENT AND MATERIALS.

GENERAL(cont.)

- STORAGE OF CONSTRUCTION EQUIPMENT AND MATERIALS.
- THE ARCHITECT SHALL BE HELD HARMLESS BY ALL PARTIES AGAINST ANY CLAIMS THAT MAY ARISE OUT OF CONSTRUCTION PROCEDURES OR ACTIVITIES.
- ANY ITEMS REQUIRING CLARIFICATION OR A DECISION BY THE ARCHITECT SHALL BE ADDRESSED BY THE ARCHITECT IN WRITING OR IN THE FORM OF A DETAIL. VERBAL RESOLUTION ARE NOT BINDING.
- IF CONTRACTOR PROPOSES A SUBSTITUTION FOR ANY OF THE MATERIALS OR EQUIPMENT SPECIFIED, INFORMATION OR SAMPLES, TO DETERMINE IF THE SUBSTITUTE IS ACCEPTABLE AND EQUAL TO THE SPECIFIED ITEM, SHALL BE SUBMITTED TO THE ARCHITECT. THE ARCHITECT SHALL DETERMINE IF ANY ITEM IS ACCEPTABLE OR EQUAL. HOWEVER THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE PERFORMANCE OF THE ITEM. REJECTED ITEMS SHALL NOT BE USED UNDER ANY CIRCUMSTANCE.
- GENERAL CONTRACTOR SHALL PROVIDE CLEANING OF ALL GLASS, PAINTED OR FINISHED SURFACES, HARDWARE, MASONRY, ETC. FOLLOWING THE COMPLETION OF CLEAN UP. SHOULD ANY CONTRACTOR MAR OR LITTER ANY AREAS CLEANED, THE CONTRACTOR RESPONSIBLE SHALL CLEAN SAID AREAS TO THE SATISFACTION OF THE OWNER.
- THE CONTRACTOR(S) SHALL VERIFY AND PROTECT ALL SERVICE LINES AND EXISTING SITE AREA FROM DETERIORATION OR DAMAGE.
- THE CONTRACTOR(S) SHALL BRING ERRORS AND OMMISIONS WHICH MAY OCCUR IN CONTACT DOCUMENTS TO THE ATTENTION OF THE OWNER AND ARCHITECT IN WRITING AND WRITTEN INSTRUCTIONS SHALL BE OBTAINED BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR(S) WILL BE HELD RESPONSIBLE FOR THE RESULTS OF ANY ERRORS, DISCREPANCIES, OR OMMISIONS IN THE CONTRACT DOCUMENTS, OF WHICH THE CONTRACTORS(S) FAILED TO NOTIFY THE OWNER AND ARCHITECT BEFORE CONSTRUCTION AND/OR FABRICATION OF THE WORK.
- THE CONTRACTOR(S) IS RESPONSIBLE FOR DELEVERING THE DESIGN INTENT HERE WITHIN
- ADDITIONAL DETAIL AND INFORMATION AVAILABLE UPON REQUEST. AMPLE NOTICE IS APPRECIATED

DRAWING AND DIMENSIONS

- DRAWING SHALL NOT BE SCALED.
- DIMENSIONS WITH A PLUS/MINUS SYMBOL (+/-) IN FRONT OF THE DIMENSION REPRESENT AN APPROXIMATE DIMENSION. THESE DIMENSIONS MUST BE FIELD VERIFIED. SOME OF THE DIMENSIONS ARE TO ASSIST IN THE BIDDING PROCESS. COORDINATE THESE DIMENSIONS WITH "ALIGN" AND "HOLD" NOTES. V.I.F. = VERIFY IN FIELD.
- DIMENSIONS WITH A "HOLD" NOTE REPRESENT A DIMENSION THAT MUST BE HELD. THESE DIMENSIONS MUST NOT BE INCREASED OR DECREASED. ADJACENT DIMENSIONS MAY BE ADJUSTED AS REQUIRED. COORDINATE THESE DIMENSIONS WITH "+/-" AND "ALIGN" NOTES.



1 FRONT AXONOMETRIC VIEW
NOT TO SCALE

JoSo Studio

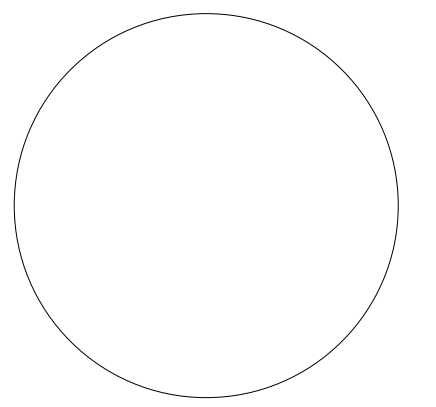
ARCHITECT: JOSEPH SOLFARO

567 JERSEY AVE (3RD FLR),
JERSEY CITY, NJ 07302

10 FALCON RIDGE CIR,
HOLMDEL, NJ 07733

WWW.JOSOSTUDIO.COM
JOSO@JOSOSTUDIO.COM
732.865.5460

SEAL
JOSEPH SOLFARO



ISSUANCE SCHEDULE

DATE	DESCRIPTION
10/28/2022	DRAFT PERMIT SET
11/15/22	ZONING SET



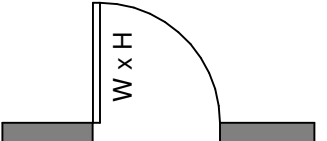
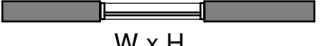
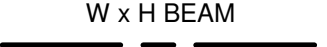

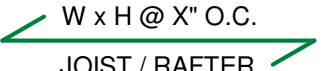


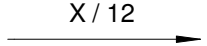

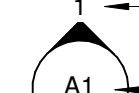

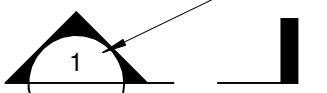

LOCUST RESIDENCE

17 LOCUST ST, HIGHLANDS, NJ

COVER PAGE

A-0.0

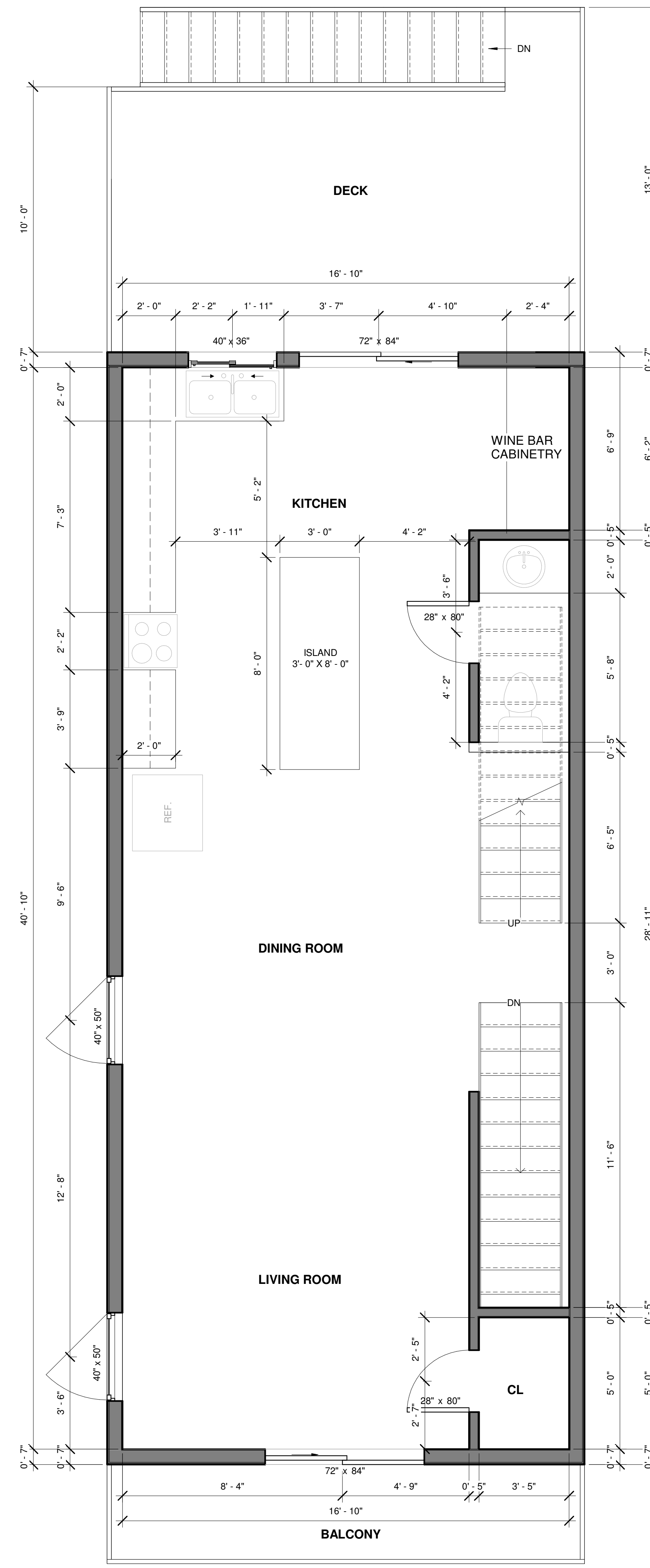
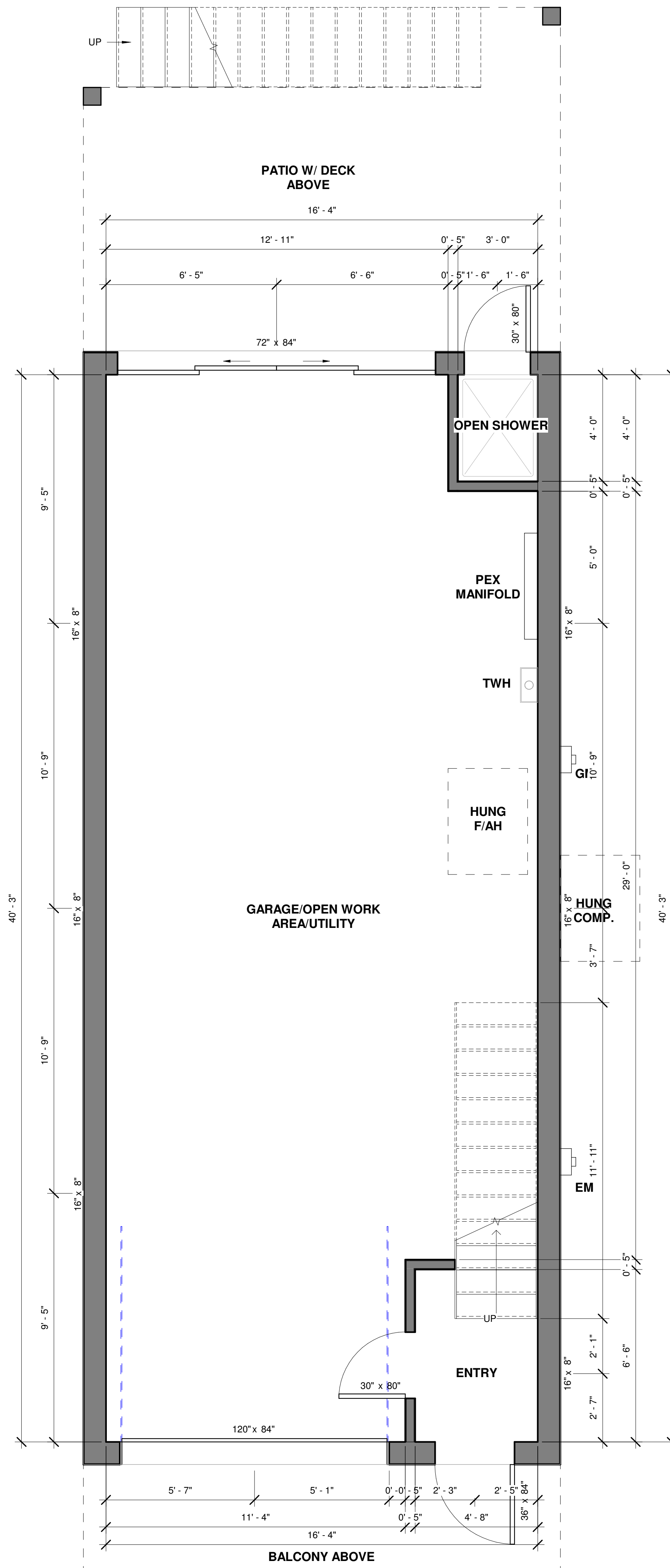
CONSTRUCTION LEGEND

-  EXISTING WALL
-  NEW WALL, TYPICAL:
EXTERIOR: (EXTERIOR TO INTERIOR)
 - NEW SIDING TO MATCH EXISTING
 - VAPOR BARRIER, 'TYVEK' OR EQ.
 - 1/2" MIN. EXTERIOR GRADE SHEATHING
 - 2" x 6" WOOD STUDS @ 16" O.C.
 - R-19 BATT INSULATION
 - 1/2" GYPSUM WALL BOARD
INTERIOR: (UNLESS OTHERWISE NOTED)
 - 1/2" GYPSUM WALL BOARD
 - 2" x 4" WOOD STUDS @ 16" O.C.
 - 1/2" GYPSUM WALL BOARD
-  **NEW DOOR & FRAME**
 (FINAL SIZE TO BE COORD. W/
 FINAL PRODUCT SELECTION)
-  **NEW WINDOW**
 (FINAL SIZE TO BE COORD. W/
 FINAL PRODUCT SELECTION)
-  **NEW BEAM - SEE PLANS FOR SIZE**
-  NEW 4" x 4" POSTS MIN. AT ALL MICROLLAM,
 PARALLAM HEADERS, GIRDERS, ETC.
 UNLESS OTHERWISE NOTED. EXTEND
 DOWN TO SOLID BEARING, (TYP)
-  **FRAMING SIZE, SPACING
 AND SPAN DIRECTION**
-  DIMENSIONS
-  MATERIAL TRANSITION
-  SLOPE
-  LINE OF HIDDEN OR
 OVERHEAD ITEM ABOVE
-  ELEVATION DRAWING #
-  SHEET #
-  SECTION DRAWING #
-  SHEET #

FLOOD VENT CALCULATION

GROUND FLOOR

- GROUND FLOOR AREA= 756 SQ. FT.
- VENT AREA= 128 SQ. IN.
- TOTAL VENTS NEEDED: 6**



JoSo Studio

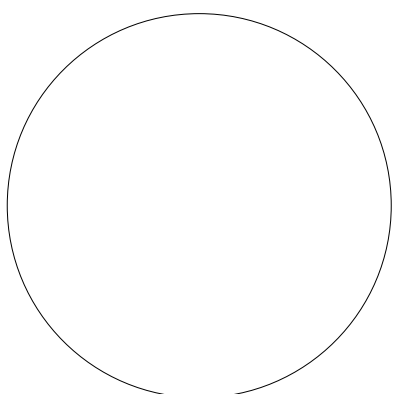
ARCHITECT: JOSEPH SOLFARO

567 JERSEY AVE (3RD FLR),
 JERSEY CITY, NJ 07302

10 FALCON RIDGE CIR,
 HOLMDEL, NJ 07733

WWW.JOSOSTUDIO.COM
 JOSO@JOSOSTUDIO.COM
 732.865.5460

SEAL
 JOSEPH SOLFARO



ISSUANCE SCHEDULE

DATE	DESCRIPTION
10/28/2022	DRAFT PERMIT SET
11/15/22	ZONING SET



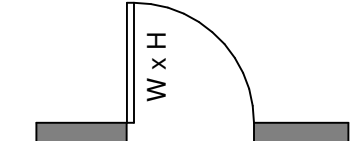

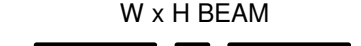

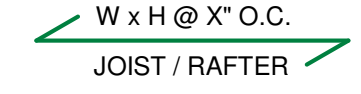

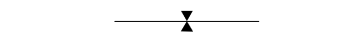
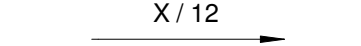
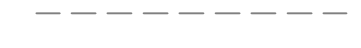
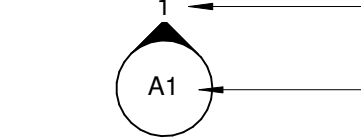
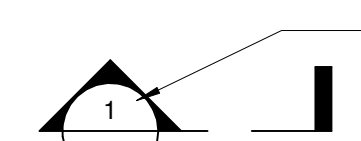

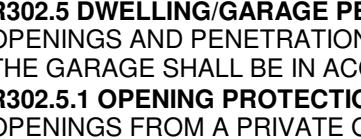
LOCUST RESIDENCE

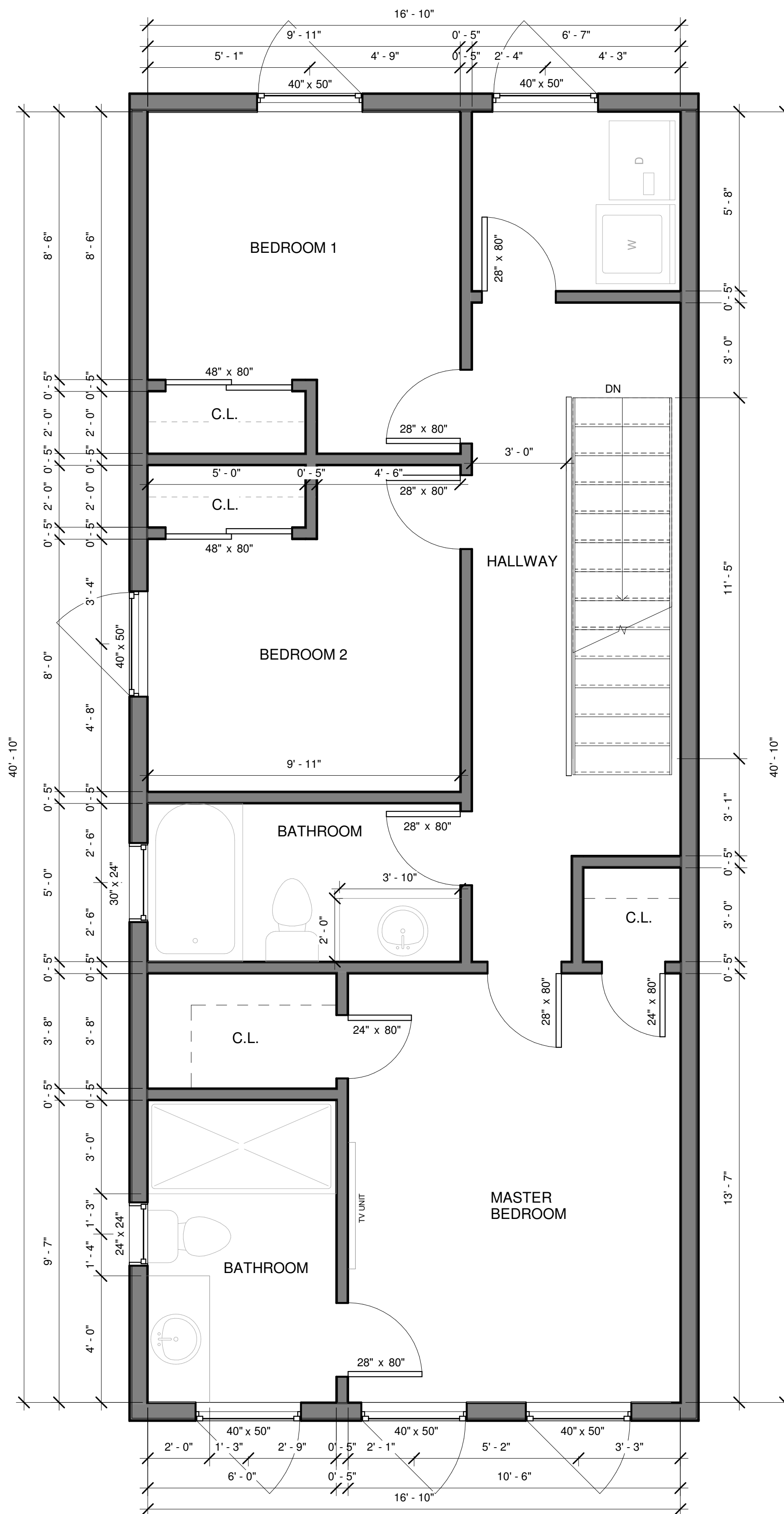
17 LOCUST ST, HIGHLANDS, NJ

GROUND AND FIRST
 FLOOR CONSTRUCTION
 PLANS

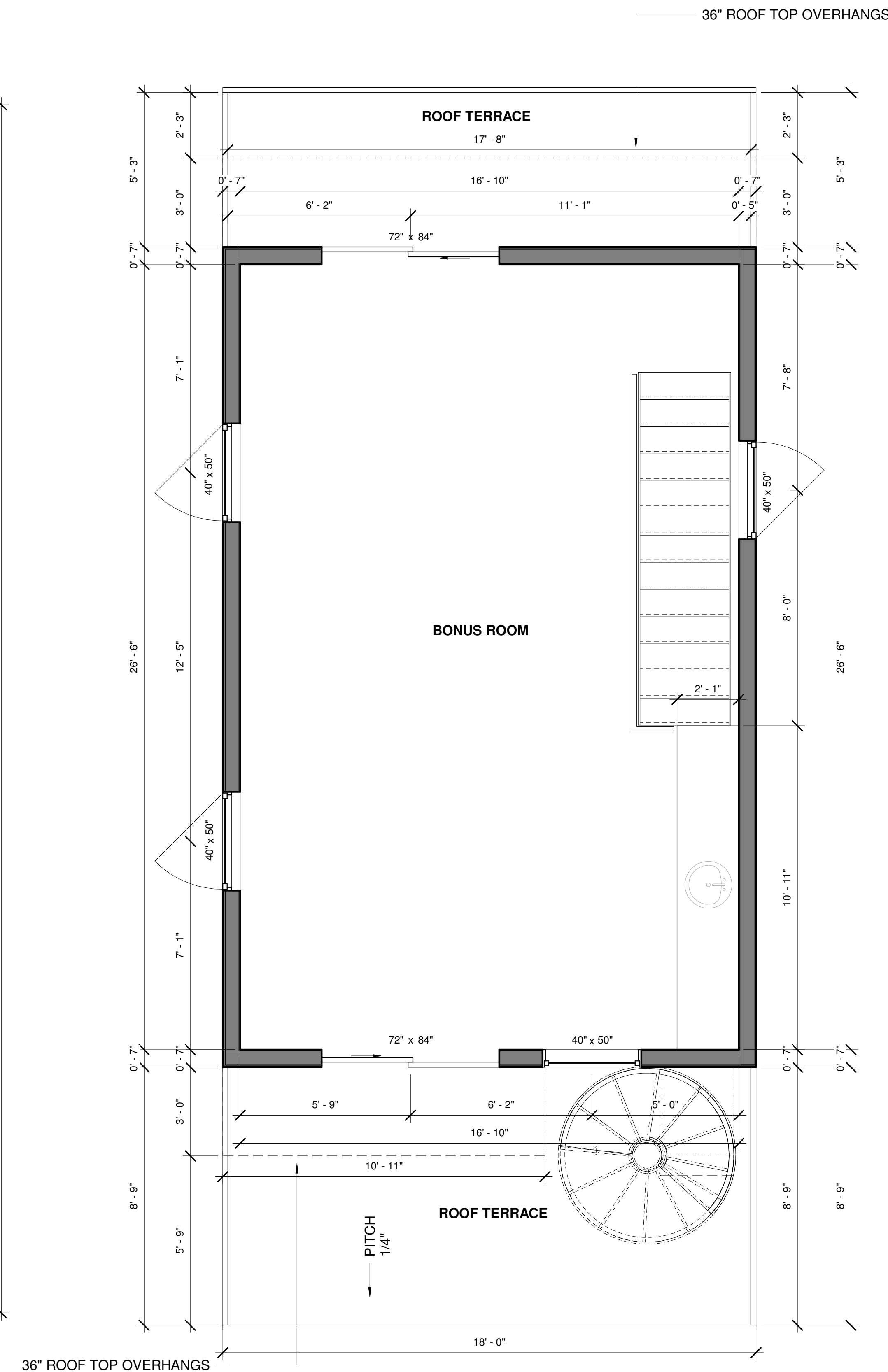
A-1.0

CONSTRUCTION LEGEND

-  EXISTING WALL
-  NEW WALL, TYPICAL:
 - EXTERIOR: (EXTERIOR TO INTERIOR)
 - NEW SIDING TO MATCH EXISTING
 - VAPOR BARRIER, 'TYVEK' OR EQ.
 - 1/2" MIN. EXTERIOR GRADE SHEATHING
 - 2" x 6" WOOD STUDS @ 16" O.C.
 - R-19 BATT INSULATION
 - 1/2" GYPSUM WALL BOARD
 - INTERIOR: (UNLESS OTHERWISE NOTED)
 - 1/2" GYPSUM WALL BOARD
 - 2" x 4" WOOD STUDS @ 16" O.C.
 - 1/2" GYPSUM WALL BOARD
-  NEW DOOR & FRAME
(FINAL SIZE TO BE COORD. W/ FINAL PRODUCT SELECTION)
-  NEW WINDOW
(FINAL SIZE TO BE COORD. W/ FINAL PRODUCT SELECTION)
-  NEW BEAM - SEE PLANS FOR SIZE
-  NEW 4" x 4" POSTS MIN. AT ALL MICROLLAM, PARALLAM HEADERS, GIRDERS, ETC. UNLESS OTHERWISE NOTED. EXTEND DOWN TO SOLID BEARING, (TYP)
-  W x H @ X" O.C.
JOIST / RAFTER
-  DIMENSIONS
-  MATERIAL TRANSITION
-  X / 12
SLOPE
-  LINE OF HIDDEN OR OVERHEAD ITEM ABOVE
-  ELEVATION DRAWING #
-  SHEET #
-  SECTION DRAWING #
-  SHEET #



1 SECOND FLOOR CONSTRUCTION PLAN
3/8" = 1'-0"



2 ATTIC CONSTRUCTION PLAN
3/8" = 1'-0"

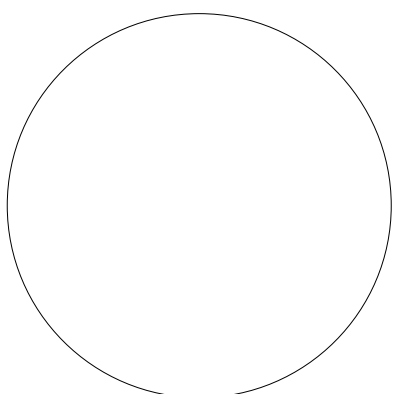
FIRE-RESISTANT CONSTRUCTION
R302.5 DWELLING/GARAGE PENETRATION PROTECTION
 OPENINGS AND PENETRATIONS THROUGH THE WALLS OR CEILINGS SEPARATING THE DWELLING FROM THE GARAGE SHALL BE IN ACCORDANCE WITH SECTIONS R302.5.1 THROUGH R302.5.3.
R302.5.1 OPENING PROTECTION
 OPENINGS FROM A PRIVATE GARAGE DIRECTLY INTO A ROOM USED FOR SLEEPING PURPOSES SHALL NOT BE PERMITTED. OTHER OPENINGS BETWEEN THE GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH SOLID WOOD DOORS NOT LESS THAN 1 3/8 INCHES (35MM) IN THICKNESS, SOLID OR HONEYCOMB CORE STEEL DOORS NOT LESS THAN 1 3/8" (35MM) THICK, OR 20-MINUTE FIRE-RATED DOORS.
R302.5.2 DUCT PENETRATION
 DUCTS IN THE GARAGE AND DUCTS PENETRATING THE WALLS OR CEILING SEPARATING THE DWELLING FROM THE GARAGE SHALL BE CONSTRUCTED OF A MINIMUM NO.26 GAUGE (0.48MM) SHEET STEEL OR OTHER APPROVED MATERIAL AND SHALL HAVE NO OPENINGS INTO THE GARAGE.
R302.5.3 OTHER PENETRATIONS
 PENETRATIONS THROUGH THE SEPARATION REQUIRED IN SECTION R309.2 (CARPORTS) SHALL BE PROTECTED AS REQUIRED BY SECTION R302.11, ITEM 4.
R302.6 DWELLING/GARAGE FIRE SEPARATION
 THE GARAGE SHALL BE SEPARATED AS REQUIRED BY TABLE R302.6. OPENING IN GARAGE WALLS SHALL COMPLY WITH SECTION R302.5. THIS PROVISION DOES NOT APPLY TO GARAGE WALLS THAT ARE PERPENDICULAR TO THE ADJACENT DWELLING UNIT WALL.

- INSULATION**
1. INSULATION SHALL BE 3" FIBERGLASS WITH CRAFT PAPER VAPOR BARRIER, R-13.
 2. STUFF ALL WINDOW AND DOOR CREVICES WITH LOOSE FIBERGLASS
 3. INSULATION AT ALL EXTERIOR WALLS WHERE NO GYPSUM BOARD COVERING IS BEING INSTALLED MUST BE CAVITY FIRE RATED INSULATION.
 4. INSULATION PAPER SHALL BE INSTALLED TO ALLOW FOR PAPER TO CONTACT BACK OF GYPSUM BOARD.
 5. INSTALL INSULATION AT EXTERIOR ALL OVERHANGS, CRAWL SPACES AND ROOF. R-30.
 6. DAMPPROOFING: ASPHALT ASTM D 449, TYPE T COLD APPLICATION. TO BE APPLIED TO ALL EXTERIOR BELOW GRADE SURFACES.
 7. ENCLOSED ATTIC SPACES AND ROOF RAFTERS SHALL HAVE CROSS VENTILATION FOR EACH SEPARATED SPACE BY VENTILATING OPENINGS PROTECTED AGAINST THE ENTRANCE OF RAIN. THE NET FREE VENTILATING OPENINGS SHALL NOT BE LESS THAN 1/3 OF ONE PERCENT OF THE HORIZONTALLY PROJECTED ROOF AREA, OR 1/3 OF ONE PERCENT IF AT LEAST 50% OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE EAVE OR CORNICE VENTS WITH THE BALANCE OF THE REQUIRED VENTILATION PROVIDED BY EAVE OF CORNICE VENTS.

JoSo Studio

ARCHITECT: JOSEPH SOLFARO
 567 JERSEY AVE (3RD FLR),
 JERSEY CITY, NJ 07302
 10 FALCON RIDGE CIR,
 HOLMDEL, NJ 07733
 WWW.JOSOSTUDIO.COM
 JOSO@JOSOSTUDIO.COM
 732.865.5460

SEAL
 JOSEPH SOLFARO



ISSUANCE SCHEDULE

DATE	DESCRIPTION
10/26/2022	UPDATED DESIGN DRAWINGS
11/15/22	ZONING SET



LOCUST RESIDENCE

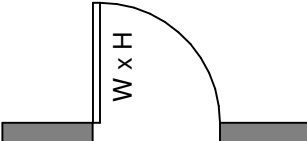
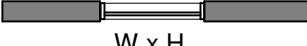


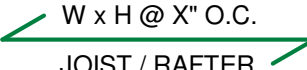
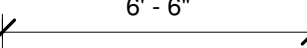

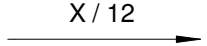

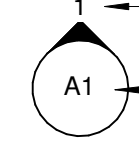
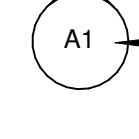
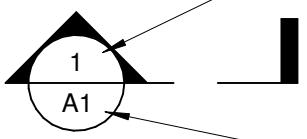
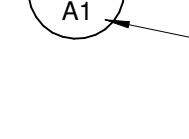
17 LOCUST ST, HIGHLANDS, NJ

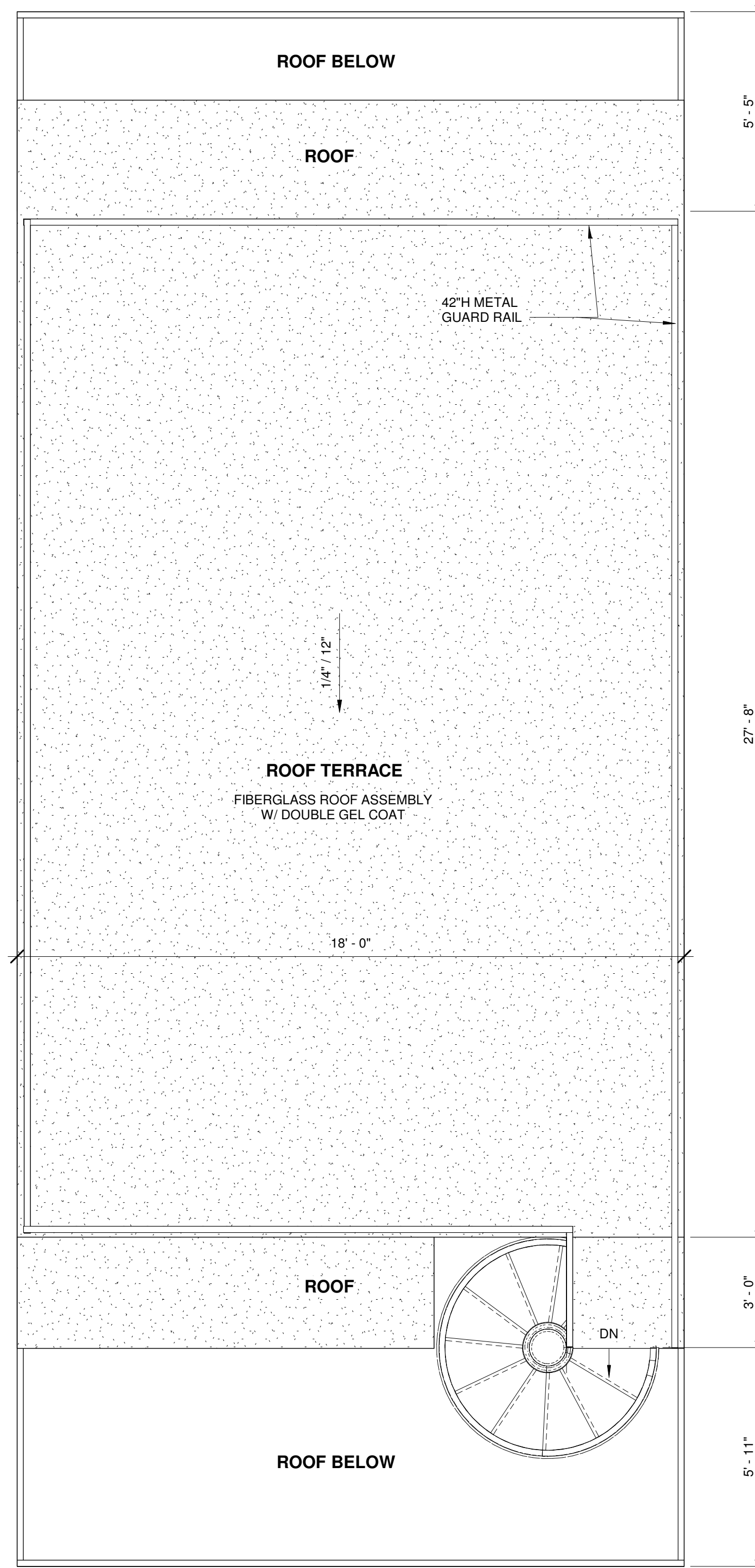
SECOND AND ATTIC
 FLOOR CONSTRUCTION
 PLANS

A-1.1

CONSTRUCTION LEGEND

-  EXISTING WALL
-  NEW WALL, TYPICAL:
EXTERIOR: (EXTERIOR TO INTERIOR)
 - NEW SIDING TO MATCH EXISTING
 - VAPOR BARRIER, 'TYVEK' OR EQ.
 - 1/2" MIN. EXTERIOR GRADE SHEATHING
 - 2" x 6" WOOD STUDS @ 16" O.C.
 - R-19 BATT INSULATION
 - 1/2" GYPSUM WALL BOARD

INTERIOR: (UNLESS OTHERWISE NOTED)
 - 1/2" GYPSUM WALL BOARD
 - 2" x 4" WOOD STUDS @ 16" O.C.
 - 1/2" GYPSUM WALL BOARD
-  **NEW DOOR & FRAME**
(FINAL SIZE TO BE COORD. W/ FINAL PRODUCT SELECTION)
-  **NEW WINDOW**
(FINAL SIZE TO BE COORD. W/ FINAL PRODUCT SELECTION)
-  **NEW BEAM - SEE PLANS FOR SIZE**
-  NEW 4" x 4" POSTS MIN. AT ALL MICROLLAM, PARALLAM HEADERS, GIRDERS, ETC. UNLESS OTHERWISE NOTED. EXTEND DOWN TO SOLID BEARING, (TYP)
-  **FRAMING SIZE, SPACING AND SPAN DIRECTION**
W x H @ X' O.C. JOIST / RAFTER
-  DIMENSIONS
-  MATERIAL TRANSITION
-  SLOPE
-  LINE OF HIDDEN OR OVERHEAD ITEM ABOVE
-  ELEVATION DRAWING #
-  SHEET #
-  SECTION DRAWING #
-  SHEET #



1 ROOF TERRACE CONSTRUCTION PLAN
3/8" = 1'-0"

JoSo Studio

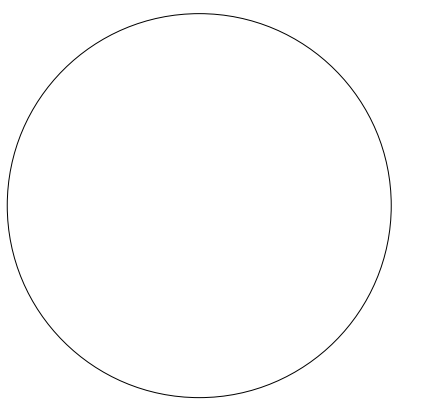
ARCHITECT: JOSEPH SOLFARO

567 JERSEY AVE (3RD FLR),
JERSEY CITY, NJ 07302

10 FALCON RIDGE CIR,
HOLMDEL, NJ 07733

WWW.JOSOSTUDIO.COM
JOSO@JOSOSTUDIO.COM
732.865.5460

SEAL
JOSEPH SOLFARO



ISSUANCE SCHEDULE

DATE	DESCRIPTION
10/26/2022	UPDATED DESIGN DRAWINGS
11/15/22	ZONING SET

LOCUST RESIDENCE

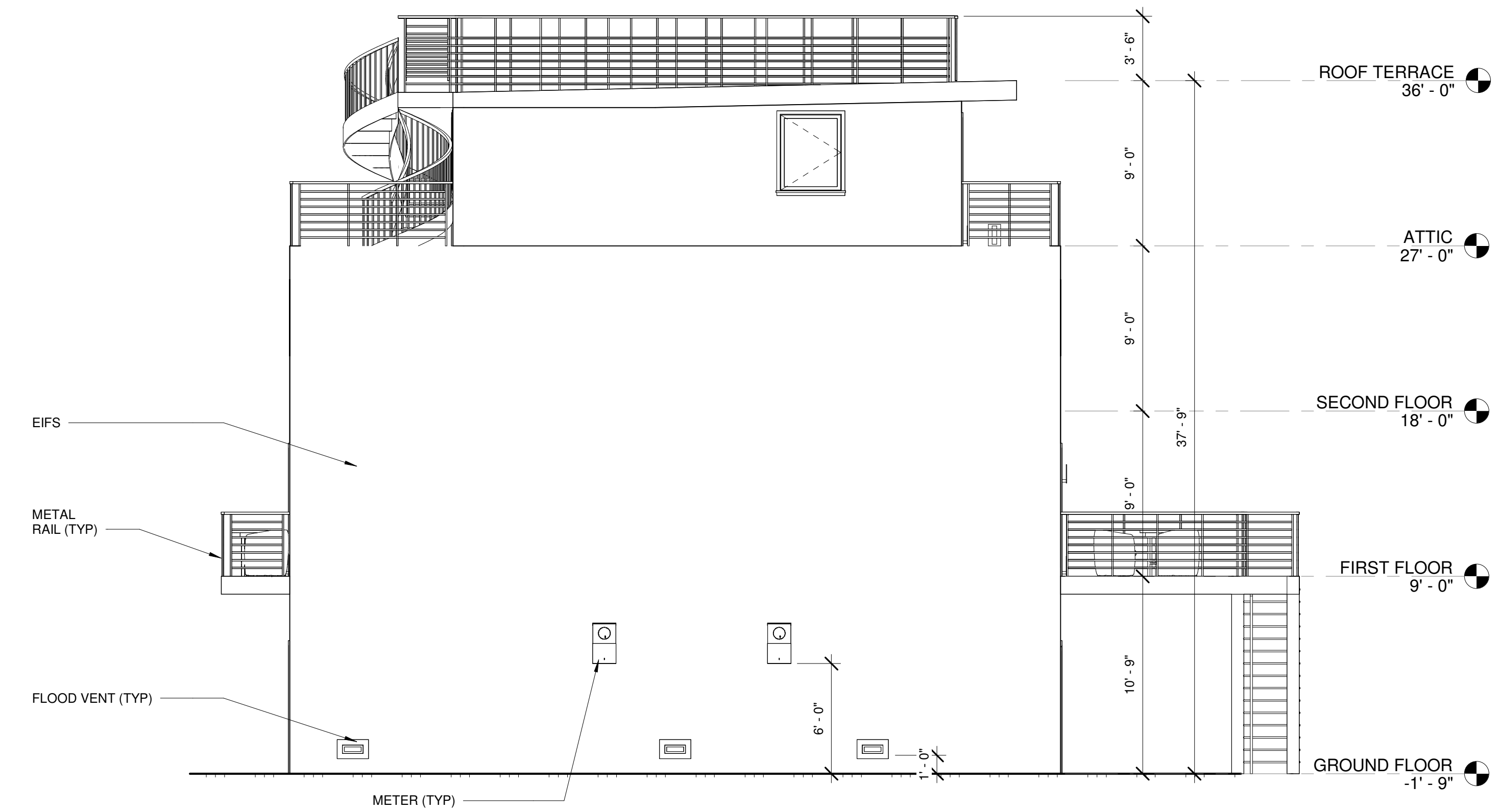
17 LOCUST ST, HIGHLANDS, NJ

ROOF TERRACE CONSTRUCTION PLAN

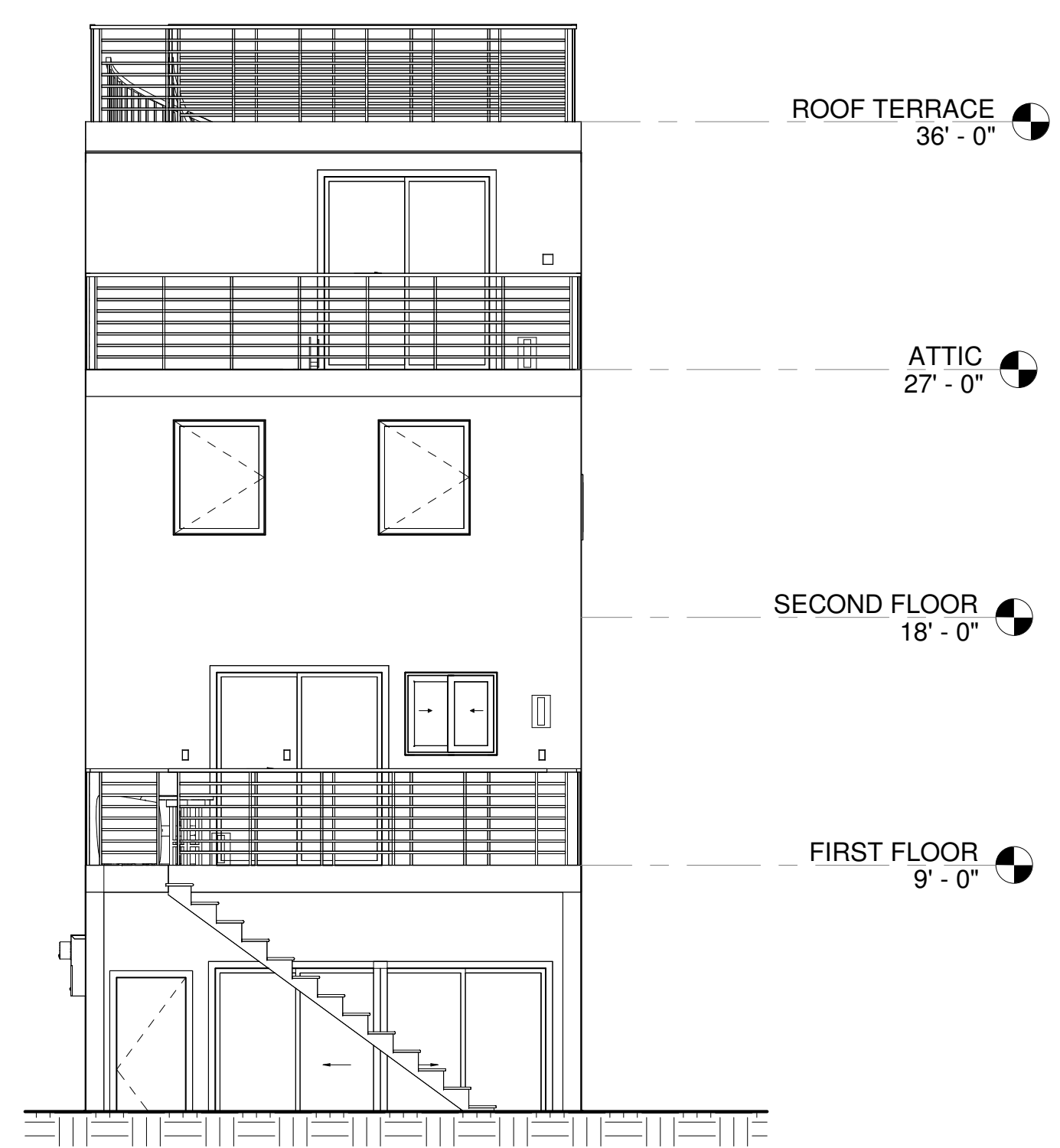
A-1.2



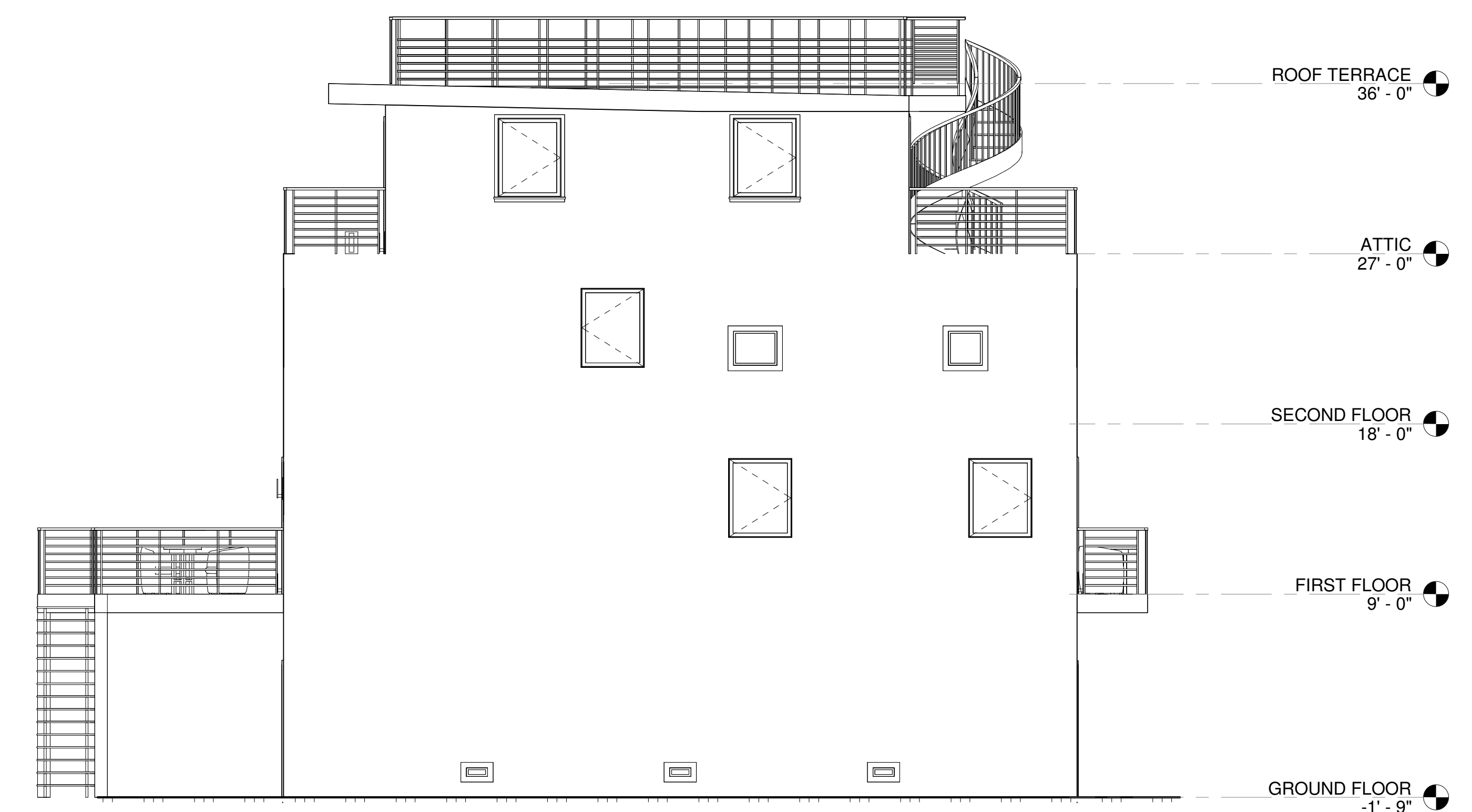
3 SOUTH
3/16" = 1'-0"



1 EAST
3/16" = 1'-0"



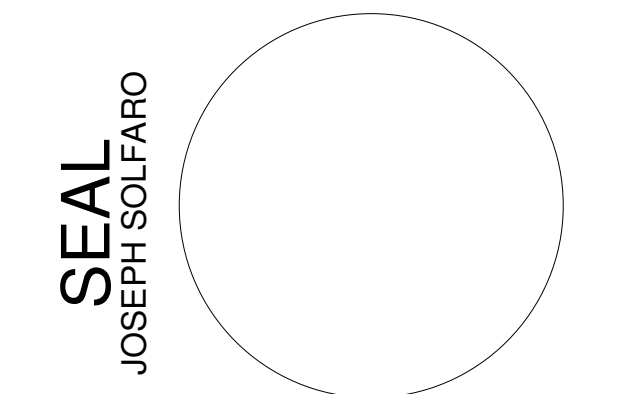
4 NORTH
3/16" = 1'-0"



2 WEST
3/16" = 1'-0"

JoSo Studio

ARCHITECT: JOSEPH SOLFARO
 567 JERSEY AVE (3RD FLR),
 JERSEY CITY, NJ 07302
 10 FALCON RIDGE CIR,
 HOLMDEL, NJ 07733
 WWW.JOSOSTUDIO.COM
 JOSO@JOSOSTUDIO.COM
 732.865.5460



ISSUANCE SCHEDULE

DATE	DESCRIPTION
10/28/2022	DRAFT PERMIT SET
11/15/22	ZONING SET

LOCUST RESIDENCE
 17 LOCUST ST, HIGHLANDS, NJ

ELEVATIONS



HGPB- R2020

October 25, 2023

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

Via Email (ntran@highlandsborough.org)

**Re: Catcherman, LLC
 17 Locust Street
 Block 101, Lot 27.04
 Single Family Residential (R-1.03) Zone
 Second 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 March 28, 2023.
2. Plot and Grading Plan, 17 Locust Street, Lot 27, Block 101, prepared by Sean M. Savage, P.E., of Matrix New World Engineering Progress, dated November 8, 2022, **revised August 8, 2023.**
3. **Response Letter to T&M Completeness Review, prepared by Sean M. Savage, PE of Matrix New World Engineering Progress, dated August 22, 2023.**
4. **Architectural Plans for 17 Locust Street, prepared by Joseph Solfaro, RA of JoSo Studio, dated October 28, 2022, last revised November 15, 2022, consisting of five (5) 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.**



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

**Re: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) Zone
Second Completeness Review**

5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Provided.**
6. The location and widths of existing and proposed streets servicing the site plan. **Provided.**
7. Specifications for and location of proposed surface paving and curbing. **Provided.**
8. Location of all structures within seventy-five (75) feet of the property. **Provided.**
9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Provided.**
10. Storm water management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities plus all required design data supporting the adequacy of the existing or proposed facilities to handle future storm flows. **Not applicable.**
11. Existing and proposed contours of the property and for seventy-five (75) feet outside the property at one (1) foot intervals when new buildings or parking areas are proposed. Spot elevations for any development in a flood hazard area. **Provided.**
12. The location and treatment of proposed entrances and exits to the public rights-of-way, including the possible utilization of traffic signals, channelization, acceleration, and deceleration lanes, additional widths and any other devices necessary to traffic safety and/or convenience. **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. **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. **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. Please note that as the electrical & gas meters are proposed 6 feet above grade to the bottom of the meters, utility**



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

**Re: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) Zone
Second Completeness Review**

providers may require a platform to be installed, which may not fit in the proposed side yards and would require additional variance in the side yard. It appears there may be sufficient elevation to lower the meter below the platform requirement height and still be above the BFE. Additionally, the correct building height as defined by Borough Ordinances for dwellings in the flood zone shall be included on the Plot Plan & Architectural Plan prior to the board hearing.

- 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: **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.

UPON CONFIRMATION FROM THE BOARD SECRETARY THAT THE BALANCE OF ALL APPLICATION AND ESCROW FEES HAS BEEN DULY POSTED, THE FOLLOWING SHALL OCCUR:

- 1. The application shall be deemed **COMPLETE.**
- 2. The Board Engineer shall commence the technical review.



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

**Re: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) Zone
Second 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:GM

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Erin Uriarte, Zoning Officer (euriarte@middletownnj.org)
Catcherman, LLC, Applicant (rdavis704@verizon.net)

G:\Projects\HGPB\R2020\Correspondence\Tran_EWH_Catcherman_17 Locust Street_Second Completeness Review.docx



HGPB- R2020

October 30, 2023

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

Via Email (ntran@highlandsborough.org)

**Re: Catcherman, LLC
 17 Locust Street
 Block 101, Lot 27.04
 Single Family Residential (R-1.03) Zone
 First Engineering Review**

Dear Ms. Tran:

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

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

1. Land Use Board Application, dated March 28, 2023.
2. Plot and Grading Plan, 17 Locust Street, Lot 27, Block 101, prepared by Sean M. Savage, P.E., of Matrix New World Engineering Progress, dated November 8, 2022, revised August 8, 2023.
3. Response Letter to T&M Completeness Review, prepared by Sean M. Savage, PE of Matrix New World Engineering Progress, dated August 22, 2023.
4. Architectural Plans for 17 Locust Street, prepared by Joseph Solfaro, RA of JoSo Studio, dated October 28, 2022, last revised November 15, 2022, consisting of five (5) sheets.

A. Project Description

The subject property is a pre-existing non-conforming, and undersized lot located in the R-1.03 Zone. The lot is currently undeveloped. The applicant is proposing to construct an 18 ft x 42 ft (756 SF) single-family dwelling on the lot and is seeking relief for bulk variances. The dwelling is proposed to have three (3) stories and will consist of a ground floor (garage/storage only), first floor living space, second floor living space with three (3) bedrooms, and an attic which leads to roof terraces on the front and back of the property through use of a circular staircase. Attached to the first floor is a balcony and elevated deck, a patio is also proposed beneath the deck.



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

Re: Catcherman, LLC
 17 Locust Street
 Block 101, Lot 27.04
 Single Family Residential (R-1.03) Zone
 First Engineering Review

B. Planning and Zoning

- The following bulk requirement summary is provided for the Board’s reference. In accordance with Ordinance §21-86, existing/proposed bulk deficiencies which require bulk ‘c’ variances are noted as follows:

R-1.03 Zone	Required R-1.03 Zone	Existing	Proposed
Min. Lot Area (sf)	14,000	2,500	2,500 (E,V)
Min. Lot Frontage/Width (ft)	75	25	25 (E,V)
Min. Lot Depth (ft)	200	100	100 (E,V)
Min. Front Yard Setback (ft)	35 ⁽¹⁾	NA	21 ⁽¹⁾
Min. Side Yard Setback (ft)	8/12	NA	3.0/4.0 (V)
Minimum Rear Yard Setback (ft)	25	NA	37.0
Maximum Building Height (ft)	32.5 ⁽²⁾	NA	36 (V) 32.75 (V)(c)
Maximum Lot Coverage	60%	NA	52.74%
Maximum Building Coverage	25%	NA	30.24% (V)

E= Existing Condition V= Variance Required N/A= Not Applicable c=Calculated by T&M

(1) Or the average of the existing front yard setback within two hundred (200) feet in the same block and zone, but not less than the average of the setbacks of the buildings on the two (2) nearest adjacent lots and in no case, less than half the required setback per Section 21-79.B. Applicant shall document prevailing setback.

(2) Building height measured from the grade plane, which is BFE+1’, or 13’ (NAVD88) to the midline of the highest roof. Bonus credit of 2.5’ for parking underneath.

- There is a discrepancy in the building height shown on the plot plan and the architectural plans. The applicant shall revise the plans to clarify. The correct building height as defined by Borough Ordinances for dwellings in the flood zone shall be included on the Plot Plan zoning schedule as well as the Architectural Plan. The basis of measurement should be the grade plane, defined as the Base Flood Elevation plus one foot, or elevation 13.0 in this case.
- 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:
 - 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



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

Re: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) Zone
First Engineering Review

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.
4. Pursuant to Borough Ordinance §21-98.F; *Nonconforming Lots in a Residential Zone. Any parcel of land with an area, width, or depth less than required in the zone in which such lot is located may be used as a lot for purposes permitted in the zone without a variance, provided that it meets the requirements below.*
1. *Pre-existing nonconforming vacant lots may be used for single-family residential purposes; and single-family or two-family uses on pre-existing nonconforming lots may be enlarged, if the following requirements are met:*
 - (a) *The proposed use will be a new single-family dwelling or the enlargement of an existing single-or two-family use. A single-family dwelling shall not be converted to a two-family dwelling.*
 - (b) *(Reserved)*
 - (c) *There is no available vacant land abutting the lot.*
 - (d) *The lot either provides off-street parking or the proposed enlargement includes the provision of off-street parking.*
 - (e) *The building and lot coverage will not be exceeded.*
 - (f) *For lots which do not meet the lot width requirements, the side yards may be reduced in the same proportion as the reduced width bears to the required width, but in no case shall the proposed side yards be less than one-half of the required side yards.*
 - (g) *For lots which do not meet the lot depth requirement, the front and rear yards may be reduced in the same proportion as the reduced lot depth to the required lot depth, but in no case shall the proposed front yard be less than the smallest front yard allowed under § 21-79B nor the proposed rear yard be less than eighty (80%) percent of the required rear yard for the zone.*

This Ordinance section provides an opportunity for pre-existing vacant lots that do not meet the minimum area, width, or depth requirements to get certain relief without having to go to the Land Use Board for variances, but only if all requirements enumerated in items “a” through “g” are met. In this case, the building coverage requirement is being exceeded, therefore the entirety of this section does not apply, and the applicant must therefore request various bulk standard relief as noted in the chart above.



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

Re: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) Zone
First Engineering Review

5. The applicant shall provide supporting information for the neighboring structures to confirm the prevailing front yard setback pursuant to Ordinance §21-79B.
6. The applicant shall confirm the dimensions of the proposed air conditioning unit platform to ensure it will be contained within the property boundaries. Pursuant to Ordinance §21-78.B.1, accessory structures of residential uses are required to have a yard setback of 3 ft from any property line. Therefore, a variance will be required if the platform is proposed in either of the side yards.

C. Additional Comments

1. As the electrical & gas meters are proposed 6 feet above grade to the bottom of the meters, utility providers may require a platform to be installed, which may not fit in the proposed side yards and would require additional variance in the side yard. It appears there may be sufficient elevation to lower the meter below the platform requirement height and still be above the BFE.
2. The applicant shall provide a breakdown table for building and lot coverage calculations.
3. The applicant shall review the proposed grading on the eastern property line. The bottom of wall elevations (exterior side of the property lines) should be consistent with existing grading along Lot 26.
4. Table 4.4 of Section 5:21-4.14 of R.S.I.S. requires two (2) off-street parking spaces for a three-bedroom single family dwelling, and Section 21-65.14.C.1 of the Ordinance requires a minimum of two (2) off-street parking spaces for a residential dwelling. The applicant shall confirm the proposed number of bedrooms for the new dwelling, as a bonus room with wet bar is proposed on the third floor attic space. The applicant provides two (2) off-street parking spaces for the dwelling.
5. The proposed structure is located within the AE-12 Flood Zone. Note, a Letter of Map Revision (LOMR) issued by FEMA in 2019 excludes this area from current mapping due to recent construction which has raised the grade in surrounding areas to the north above base flood elevation. However, Locust Street has not been raised and is still subject to flood and the requirements of the AE-12 Flood zone. The applicant shall provide testimony on proposed flood mitigation measures.
6. 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.
7. The applicant shall indicate downspout locations on the plan.
8. Although this project is not considered a major development. The improvements increase impervious coverage by approximately 1,125 square feet. The applicant shall provide testimony on any adverse drainage impacts to the adjacent properties as a result of the proposed improvements.



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

Re: Catcherman, LLC
17 Locust Street
Block 101, Lot 27.04
Single Family Residential (R-1.03) Zone
First Engineering Review

9. The applicant shall provide testimony regarding the suitability of existing utility connections and/or additional utility connections necessitated by the subject application. Proper trench restoration for all proposed utilities shall be shown on the plans, if required.
10. Section 21-65.10A of the Ordinance indicates that 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. No landscaping has been provided as part of this application; however, the applicant has clarified that it is their intention to provide grassed areas in the rear yard and stone along the side yards. The Board should determine if a landscaping plan is required.
11. A note shall be added to the plans stating that any/all existing curb, sidewalk, roadway, and other off-site objects either in poor condition or damaged by construction should be repaired and/or replaced to the satisfaction of the Borough Engineer.
12. If approved by the Board, the applicant shall be required to obtain any and all outside agency and department approvals, including but not limited to:
 - a. Construction Department
 - b. Floodplain Official
 - c. NJDEP/CAFRA
 - d. Any other agency or department having jurisdiction.
13. The Board may require any additional information which is reasonably necessary to ascertain compliance with the provisions of this chapter.

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

cc: Michael Muscillo, Borough Administrator (mmuscillo@highlandsborough.org)
Ron Cucchiaro, Esq., Land Use Board Attorney (RCucchiaro@weiner.law)
Erin Uriarte, Zoning Officer (euriarte@middletownnj.org)
Catcherman, LLC, Applicant (rdavis704@verizon.net)