



**Consulting & Municipal
ENGINEERS**

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September 3, 2024

Borough of Atlantic Highlands
Planning Board
100 First Avenue
Atlantic Highlands, NJ 07716

Attn: Renee Frotton
Planning Board Secretary

Re: *Kalian Management, LLC (PB24-05)*
Technical Review #2
Preliminary & Final Major Subdivision Plan & Bulk Variance
Location: 14 East Garfield Avenue
Zone: R-1(Residential District)
Block 101, Lot 3
Atlantic Highlands Borough, Monmouth County, NJ
Our File: HAHP00101.04

Dear Planning Board Members:

Our office received the following information in support of the above-referenced application for Preliminary & Final Site Plan, and Bulk Variance Approval:

- Survey entitled "Boundary & Topographic Survey Map of Property Known as Lot 3 In Block 101", prepared by Justin J. Hedges, PLS, CFS dated June 28, 2023, revised April 16, 2024;
- P/F Major Subdivision Plans entitled "14 East Garfield Avenue, Tax Map Sheet #22, Borough of Atlantic Highlands Monmouth County, New Jersey" (8 sheets), prepared by Jason L. Fichter, PE, PP, CFM, CME dated December 18, 2023, last revised July 8, 2024;
- Stormwater Management Report for 14 East Garfield Avenue prepared by Jason L. Fichter, PE, PP dated December 18, 2023, revised May 10, 2024;
- Traffic Impact Analysis, prepared by Dolan & Dean Consulting Engineers, LLC dated May 6, 2024;
- Fire Official Approval dated July 8, 2024;
- Letter from Tax assessor assigning new lot numbers and addresses, date July 11, 2024
- Letters of Various Utility Service Availability;
- Zoning Officers denial, prepared by Michelle Clark, dated January 24, 2024;

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NJ CERTIFICATE OF AUTHORIZATION NO. 24GA28359000

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- Review response letter dated July 8, 2024;
- Application for Variance, Subdivision, and Development plan checklist; and
- Various other application documents.

In accordance with the Board's authorization, we have reviewed this application for Preliminary & Final Major Subdivision Approval, with Bulk Variances for completeness and offer the following comments:

1. Property Description

The subject property is an oversized lot, with 266' of frontage along East Garfield Avenue. The lot is located within the Residential (R-1) Zone district. The existing property includes a 1-½ story Masonic Temple, concrete walkways and a shed.

The Applicant proposes to remove the existing building and structures located on the property and to subdivide the parcel to create five (5) proposed single family residential lots. The site plans also indicate the following customary site improvements associated with a major subdivision including but not limited to: concrete sidewalks, signs, storm drainage, and utility connections.

2. Surrounding Uses

Properties to the south, north and east are similarly zoned R-1 and contain primarily single-family residential uses.

The property located directly to the west of the site is a commercial strip mall with various businesses.

3. Zoning Compliance

Lot 3 is situated within the Residential (R-1) zone district. The table below summarizes the bulk zone requirements of the assumed lot subdivision:

Table 1: Bulk Standards, R-1 Zone (§150-29.A(2) (Exhibit 5-2))							
Standard	Required	Existing	3.01	3.02	3.03	3.04	3.05
Minimum Lot Area (sq. ft.)	7,500	40,300	7,537	7,560	7,992	8,847	8,365
Minimum Lot Frontage & Width(ft.)	75	266	52 (V)	56 (V)	52 (V)	52 (V)	54 (V)
Minimum Lot Shape Diameter Interior Lot (ft.)	50	>50	37.1 (V)	36 (V)	35 (V)	35 (V)	34.8 (V)
Principal Building Setbacks							
Front Yard (ft.)	20	29.5	30	30	30	30	30
Side Yard (ft.)	10	55.6	7 (V)	10	7 (V)	7 (V)	7 (V)
Side Yard Combined (ft.)	20	233.1	17 (V)	20	17 (V)	17 (V)	17 (V)
Rear Yard (ft.)	20	34.6	70.44	70.24	67.49	96.32	93.87



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Table 1: Bulk Standards, R-1 Zone (§150-29.A(2) (Exhibit 5-2))

Standard	Required	Existing	3.01	3.02	3.03	3.04	3.05
Accessory Building/ Struct. Setbacks							
Side Yard (ft.)	5	7.9	N/A	N/A	N/A	N/A	N/A
Rear Yard (ft.)	5	24.1	N/A	N/A	N/A	N/A	N/A
Building Coverage	25%	6.1%	17.18%	17.13%	17.00%	16.90%	16.85%
Lot (Impervious Surface) Coverage	50%	35%	26.13%	26.06%	25.44%	24.53%	24.91%
Building Height (Stories)	2 ½	1 ½	2	2	2	2	2
Maximum Building Height (ft.)	35	<35	TBP	TBP	TBP	TBP	TBP
Maximum Acc. Building Height (ft.)	16	<16	N/A	N/A	N/A	N/A	N/A
Maximum Useable Floor Area Ratio	0.40	TBP	To Comply	To Comply	To Comply	To Comply	To Comply
Minimum Gross Floor Area (sq-ft)	1,500	TBP	To Comply	To Comply	To Comply	To Comply	To Comply

(EC): Existing Condition

(TBP): To Be Provided

(V): Variance

4. The following bulk variance relief from the Atlantic Highlands Development regulations appears to be required.
 - a) **Section 150-29.A(2) (Exhibit 5-2) Minimum Lot Frontage** - The minimum front lot frontage is 75 feet in the R-1 zone, whereas the proposed lot frontage is shown less than 75 feet along East Garfield Avenue Lots 3.01, 3.02, 3.03, 3.04 and 3.05. The aforementioned total five (5) instances of required bulk variance relief.
 - b) **Section 150-29.A(2) (Exhibit 5-2) Minimum Lot Shape Diameter** - The minimum lot shape diameter is 50 feet in the R-1 zone, whereas the proposed lot shape diameter is shown less than 50 feet along East Garfield Avenue Lots 3.01, 3.02, 3.03, 3.04 and 3.05. The aforementioned total five (5) instances of required bulk variance relief.
 - c) **Section 150-29.A(2) (Exhibit 5-2) Side Yard Setback** - The minimum side yard setback is 10 feet in the R-1 zone, whereas the proposed side yard setback is shown less than 10 feet along East Garfield Avenue Lots 3.01, 3.03, 3.04 and 3.05. The aforementioned total four (4) instances of required bulk variance relief.
 - d) **Section 150-29.A(2) (Exhibit 5-2) Combined Side Yard Setback**- The minimum combined side yard setback is 20 feet in the R-1 zone, whereas the proposed combined side yard setback is shown less than 20 feet along East Garfield Avenue Lots 3.01, 3.03, 3.04 and 3.05. The aforementioned total four (4) instances of required bulk variance relief.



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5. The following design waivers from Article VII and IX Appear to be necessary. The Applicant shall either revise the application or request design waiver relief from the Board.
 - a) In accordance with sections 150-85.D(1)(a) street trees shall be installed on both sides of all streets. Either large trees greater than 40' spaced at 50' intervals, medium trees 30'-40' in height spaced at 40' intervals, or small trees up to 30' spaced at 30' intervals are required.
6. The Applicant has requested submission waivers from providing the following required checklist items and it appears several more are required. The Applicant's justification of the request submission waivers is provided in *italics* and shall be confirmed/supplemented by testimony in support of the below requested submission waivers.
 - a) Checklist Item A.4 – Soil removal permit signed by the Borough Engineer.
 - b) Checklist item A.7 – Three copies of Performance guarantee.
 - c) Checklist item A.11 – Current letter certifying that the assigned block and lot numbers.
 - d) Checklist item A.12 – Deed of easement, right of way, drainage, sewer, sight, open space, etc., approved by Borough Attorney and Borough Engineer.
 - e) Checklist item B.9.d – The total area of driveway, access roads, walkways, in square feet and % of lot.
 - f) Checklist item L – Freehold Soil Conservation District Approval. *FSCD Approval will be provided upon receipt.*
 - g) Checklist item O – County Planning Board Approval. *Monmouth County Planning Board Approval will be provided upon receipt.*
 - h) Checklist item S – Letter from the Atlantic Highlands Regional Sewerage Authority/ Department indicating receipt of application. *Such letter will be provided upon receipt.*
7. The Applicant or their professionals should be prepared to discuss the following issues with the Board
 - a) The Applicant or their professionals should be prepared to discuss the reasons supporting the granting of the requested bulk variances and/or design waivers.
 - b) The Applicant shall provide testimony that the Subdivision application is in compliance with the performance standards of Section 150-67; including but not



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limited to noise, air pollution, liquid waste, solid waste, radiation, fire, vibration, electromagnetic interference, heat, glare, and lighting and illumination.

- c) The Applicant or their professionals shall provide testimony regarding any impacts to adjacent properties.
 - d) It is noted that many of the proposed residential lots show the building footprint in very close proximity to the front setback line. Should any proposed roofed covered front porches extend past the front setback line additional bulk variance relief may be required. We also note that individual plot plans will be required for each lot showing the limit of building setbacks, grading, and impervious coverage.
 - e) The Applicant shall provide confirmation from the Atlantic Highlands Tax Assessor that the proposed Lot designations are acceptable.
 - f) The applicant should discuss their plan for demolition of the site and any phasing associated with construction.
 - g) The applicant shall obtain a tree removal permit prior to the removal of any trees on the property.
 - h) The applicant shall discuss the size of the proposed lots compared to the size of the neighboring lots.
 - i) Applicant should discuss the feasibility of a four-lot subdivision and if the requested variances would still be required.
 - j) It appears that the applicant is proposed to remove three street trees and approximately eight on-street parking spaces. The applicant should discuss the need for same.
 - k) Applicant shall confirm restoration of curb and sidewalk to be proposed with this application. Applicant shall also speak to curb across the street as it appears to have a minimal curb reveal.
 - l) The Applicant shall be required to obtain a review and approval from the Fire Marshal.
8. Subdivision Plat Review Comments
- a) A formal subdivision plat shall be provided for review.
 - b) A point of beginning should be provided on the major subdivision plat, proposed bearing distances should be verified.
 - c) A signature block conforming to the map filing law shall be provided on the final plat for the Atlantic Highlands Planning Board Chairman and Secretary.



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- d) A signature block conforming to the requirements of the "Title Recordation Law" shall be provided on the final plat for the Municipal Engineer signature.
- e) A signature block should be provided on the final plat for an affidavit setting forth the names and addresses of all the record title owners of lands subdivided by the map and written consent to the approval of the map.
- f) A signature block conforming to the requirements of the "Title Recordation Law" shall be provided for the Municipal Clerk on the final subdivision plat.
- g) The Major Subdivision Plat shall be prepared and signed by a licensed Land Surveyor in the state of New Jersey.
- h) We reserve the right for any future subdivision plat comments pending receipt of revised plans.

9. Traffic Circulation and Parking

- a) We recognize all proposed lots will meet minimum parking requirements, but due to the limited lot frontage of each lot and installation of five (5) proposed driveways along E Garfield Avenue there will be significant impacts to on-street parking in front of these proposed lots. The Applicant or their professionals shall provide testimony regarding impacts to the on-street parking as a result of the proposed development noting its proximity to the First Avenue central business district.
- b) The applicant shall discuss the traffic impacts of the proposed development, specifically the trips generated by the existing use and proposed use. A traffic impact analysis was submitted. Applicant shall provide testimony on its findings.
- c) Number of bedrooms in existing and proposed conditions. It appears that four (4) bedrooms are proposed in each home.
- d) Applicant should demonstrate conformance with parking requirements. Per RSIS, three (3) off-street parking spaces are required for 4-bedroom residential homes. The applicant appears to be in compliance.

10. Grading, Stormwater Management

- a) The applicant should provide a statement about the proposed grading for the properties.
- b) The Applicant should clarify if any of the proposed basements will contain a sump pump. We recommend that any proposed sump pumps be directly connected to discharge to the stormwater management system. Including providing a clean-out labeled 'storm' within the right-of-way.



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- c) Applicant shall speak to the collection of stormwater in the rear yard of each proposed lot. Stormwater appears to be directed towards the rear of the businesses located on First Avenue and towards East Garfield Avenue. The applicant shall speak to the increase of flows directed towards East Garfield and verify the existing stormwater collection system has capacity for same.
- d) The Applicant shall indicate the volume of fill required for the proposed development and indicate, if known the source of the fill material. We recommend that this becomes a condition of any approval that the Board may grant.
- e) As currently configured, it appears that the applicant is proposing 9,858 SF (0.226 acres) of new impervious area. The applicant notes that properties can be built – out to the maximum 50% while remaining under the 0.25 acres of new impervious threshold. Our calculations do not concur, they show the new impervious total to be around 20,150 SF (0.463 acres) should all proposed lots be built-out to 50 % impervious cover. In this scenario, this would be considered a major development. The application should demonstrate scenarios where all lots are developed to maximum allowable impervious / cover by-right within the zone and need to address stormwater. The application should further discuss the future individual homeowners and the potential obligation to address stormwater as a major development. We also note that this application was submitted prior to Ordinance 11-2024 being adopted by Mayor and Council and is governed by Ordinance 02-2021, adopted February 11, 2021. Should the applicant be denied and resubmit another application for board review, it will be governed by the stricter stormwater regulations outlined in Ordinance 11-2024, adopted June 13, 2024.
- f) The limit of disturbance appears to generally follow lot lines; the applicant should consider minimizing areas of disturbance.

11. Utility and Off-site comments

- a) The Applicant shall demonstrate downstream capacity of the proposed sanitary sewer system. The Applicant shall be required to comply with all the standards and regulations of the Atlantic Highlands Water and Sewer Department, including but not limited to securing both an availability of sanitary service letter and final sewer permit approval prior to making any connections.
- b) The Applicant shall demonstrate the availability of potable water. The Applicant shall be required to comply with all the standards and regulations of the Atlantic Highlands Water and Sewer Department, including but not limited to securing both an availability of water service letter and a final water permit prior to making any connections.



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- c) The Applicant or their professional shall indicate if any utility easements are proposed in the roadway or residential lots.
- d) The Applicant is proposing to provide water and sanitary sewer service to the proposed homes via service connections to the existing utility mains within the East Garfield Avenue right-of-way. The Applicant should provide a status update relative to the required applications for the proposed utility service connections and clarify whether there have been any comments and/or recommendations received from the applicable agencies.
- e) The existing clay sanitary main is in poor condition, adding 5 more connections at this location will only exacerbate the issues at this location. We recommend the applicant replace the sanitary main from First Avenue to Third Avenue. Approval from the Atlantic Highlands Water and Sewer Department will be required.

12. Landscaping and Lighting

- a) The application should provide a landscaping plan to indicate any proposed plantings.
- b) The applicant should provide a tree saving plan and make every effort to save existing mature trees on the property. Applicant should specifically discuss removal of existing trees along the western property line that provide buffer to the adjacent property, and any proposed street trees and tree removal along East Garfield Ave.
- c) The Applicant shall clarify if any fencing is proposed within the proposed subdivision.

13. Construction Detail Comments

- a) The pavement key detail shall be revised to indicate a minimum key width of 12 inches for the milled section of the surface course.
- b) The Branch and Lateral detail shall be revised to include a notation that as-built drawings are required for the location of plumbing wyes on the proposed sewer main to be submitted to the Atlantic Highlands Sewer Department post construction.
- c) The driveway apron detail shall indicate that the sidewalk directly behind the driveway apron be 6" thick.

14. The Applicant shall obtain approval or a letter of no interest from all regulatory agencies having jurisdiction. Including, but not limited to the following:

- a) Freehold Soil Conservation District;
- b) NJDEP Treatment Works Approval (TWA);



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- c) Fire Marshal approval or letter of no interest;
- d) Atlantic Highlands Police Department;
- e) Atlantic Highlands Emergency Management Services;
- f) Atlantic Highlands Water & Sewer Department;
- g) Atlantic Highlands Department of Public Works;
- h) Atlantic Highlands Tax Assessor;
- i) Any other municipal, state, federal, or governmental agency having jurisdiction.

The right is reserved to present additional comments pending the receipt of revised Plans and/or testimony of the Applicant before the Board.

Should you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,

CME Associates



Douglas M. Rohmeyer, PE, CME, CFM
Planning Board Engineer

DMR/DEP/PK

cc: Rob Ferragina - Borough Administrator
Michelle Clark - Zoning Officer
Michael B. Steib, Esq. - Board Attorney
Kalian Management, LLC - Applicant
Rick Brodksy, Esq. - Applicant's Attorney
Jason Fichter, PE - Applicant's Engineer