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June 2, 2025

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

Attn: Renee Frotton – Planning Board Secretary

Re: *Pittenger (PB24-13)*
Bulk Variance Review No. 2
Location: 46 Second Avenue
Block 96, Lot 3
Zone: R-1 (Residential District)
Borough of Atlantic Highlands, Monmouth County, NJ
Our File: HAHP0096.02

Dear Planning Board:

Our office has performed a bulk variance review of the following information relative to the above referenced development application compared to the Borough of Atlantic Highlands Improvement Standards ordinance:

- As-Built Survey entitled “Updated As-Built Survey, Lot 3, Block 96, Borough of Atlantic Highlands, Monmouth County, New Jersey” consisting of one (1) sheet prepared by William E. McGrath, PLS, dated October 15, 2019, last revised April 7, 2025;
- Variance Plan, consisting of one (1) sheet prepared by KBA Engineering Services, LLC, dated May 8, 2025, last revised May 13, 2025;
- Submittal Letter prepared by William Pittenger, dated May 21, 2025; and
- Various other items previously submitted.

We have reviewed this application for Bulk Variance approval and offer the following comments:

1. Property Description

The subject property is an undersized lot containing 5,000 SF within an R-1 Zone District and provides 50 feet of road frontage along the eastern side of Second Avenue. The property currently contains a 2.5-story dwelling, covered front porch, detached garage, two (2) paver driveways, and top floor open deck.

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NJ CERTIFICATE OF AUTHORIZATION NO. 24GA28359000

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The Applicant proposes to construct a two (2) car driveway along the south side yard, along with a rear patio and stone paver walkway on the rear and sides of the property.

2. Surrounding Uses

Properties surrounding the subject site are similarly zoned R-1 and contain primarily single-family residential uses.

3. Zoning Compliance

The subject property is situated within an R-1 Zone District and the table below summarizes the bulk measures and zone requirements for the property:

Table 1: Bulk Standards, R-1 Zone (§150-89(D)(1) Exhibit 5-2)			
Standard	Required	Existing	Proposed
Minimum Lot Area (sq. ft.)	7,500	5,000	5,000 (EC)
Minimum Lot Frontage & Width (ft.)	75	50	50 (EC)
Minimum Lot Shape Diameter Interior Lot (ft.)	50	30	±30 (EC)
Principal Building Setbacks			
Front Yard (ft.)	20	12.12	12.12 (EC)
Side Yard (ft.)	10	4.57	±4.57 (EC)
Combined Side Yard (ft.)	20	16.66	16.66 (EC)
Rear Yard (ft.)	20	33.77	33.77
Accessory Building/ Struct. Setbacks			
Side Yard (ft.)	5	4.60	4.60 (EC)
Rear Yard (ft.)	5	1.34	1.34 (EC)
Building Coverage	25%	31.72%	31.72% (EC)
Lot (Impervious Surface) Coverage	50%	35.36%	±54.36% (V)
Building Height (stories.)	2 ½	2 ½	2 ½
Maximum Building Height (ft.)	35	38.4	38.4 (EC)
Maximum Useable Floor Area Ratio	0.40	0.49	0.49 (EC)

(EC): Existing Condition

(V): Variance Required

(TBP): To Be provided

4. It appears that the Applicant will require relief from the following variance with respect to this development application:

- a) **Section 150-54(F)** – The minimum required setback of a driveway within a side yard setback is 5 feet, whereas one foot is proposed.



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- b) **Section 150-29(A)(2)(Exhibit 5-2)** – The maximum required impervious lot coverage is 50%, whereas 54.36% is proposed.
5. The Applicant has requested submission existing non-conforming waivers at this time and several appear necessary.
- a) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum lot area required is 7,500 square feet, whereas 5,000 square feet is proposed to remain.
- b) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot width is 75 feet, whereas 50 feet is proposed to remain.
- c) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot shape diameter is 50 feet, whereas 30 feet is proposed to remain.
- d) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum front yard width required is 20 feet, whereas 12.12 feet is proposed to remain.
- e) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required side yard setback is 10 feet, whereas 4.57 feet is proposed to remain.
- f) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required combined side yard setback is 20 feet, whereas 16.66 feet is proposed to remain.
- g) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required accessory building side yard setback is 5 feet, whereas 4.60 feet is proposed to remain.
- h) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required accessory building rear yard setback is 5 feet, whereas 1.34 feet is proposed to remain.
- i) **Section 150-29(A)(2)(Exhibit 5-2)** – The maximum required building height is 35 feet, whereas 38.4 feet is proposed to remain.
- j) **Section 150-29(A)(2)(Exhibit 5-2)** – The maximum required usable floor area ratio is 0.40, whereas 0.49 is proposed to remain.
- k) **Section 150-29(A)(2)(Exhibit 5-2)** – The maximum required building lot coverage is 25%, whereas 31.72% is proposed to remain.

Based upon the items listed below, our office recommends that the application be deemed **COMPLETE**, conditioned upon the Board's approval of the submission waivers outlined above. The Applicant can be scheduled for the next available public hearing.



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Based upon our review of the subject application, we estimate that the following fees are required:

<u>Ordinance Section</u>	<u>Description</u>	<u>Application Fee</u>	<u>Escrow Fee</u>
168-2.D.(4)	Hardship Variance	\$150.00	\$500.00 (min)

We recommend the Borough collect \$150.00 in nonrefundable application fees and \$500.00 in professional services escrow fees from the Applicant prior to deeming the application complete.

6. The Applicant should be prepared to discuss the following with the Board:

- a) Reasons supporting the granting of the requested bulk variances and/or design waivers and continuance of the existing condition nonconformities.
- b) Stormwater runoff including how additional coverage and improvements will be mitigated. Applicant should discuss runoff from proposed improvements, roof leader location, yard drainage, and address concentration of flows and effects on adjacent properties. Applicant to discuss existing drainage patterns and impacts to same. Applicant to address the existing swale within the proposed driveway.
- c) Any landscaping work including buffers, proposed plantings, and tree removal. Applicant should specify the shade tree species proposed within the front yard. A tree removal permit is required for any trees to be removed.
- d) Applicant should demonstrate conformance with parking requirements. Per RSIS, two (2) off-street parking spaces are required for 4-bedroom residential homes. Applicant should discuss required spaces and impacts to on-street parking with installation of a curb cut/driveway. The applicant appears to be in compliance.
- e) Applicant should discuss installation of drainage system as it appears to cross beneath borough sidewalk. Applicant should discuss if a curb cut is proposed to access the driveway. It appears the driveway installation includes removal of a front yard retaining wall. Applicant should discuss grading impacts/wall relocation along the property line.
- f) Applicant should discuss any improvements in Borough Right of Way. It appears that the improvements will require a depressed curb and concrete apron.
- g) The applicant should provide a detail for concrete curb and concrete driveway apron. The applicant would be required to install a depressed curb in front of the driveway apron.
- h) The applicant should clarify whether grass or gravel cover is proposed between the pavers and stepping stones.



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

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

Very truly yours,

CME ASSOCIATES

Paul Kowaleski, PE
Planning Board Engineer's Office

PK/JT

cc: Robert Ferragina – Borough Administrator
Michael B. Steib, Esq. – Board Attorney
Michelle Clark – Zoning Officer
William Pittenger – Applicant