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1460 Route 9 South  
Howell, NJ 07731  
732.462.7400 ☎  
www.cmeusa1.com 🌐

November 26, 2024

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

Attn: Renee Frotton – Planning Board Secretary

**Re: Paris (PB24-14)  
Bulk Variance Review No. 1  
Location: 22 Prospect Avenue  
Block 74, Lots 2 & 3  
Zone: R-2 (Residential District)  
Borough of Atlantic Highlands, Monmouth County, NJ  
Our File: HAHP0074.04**

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:

- Topographical survey entitled "Survey of Tax Lots 2 & 3, Block 74, Boro. of Atlantic Highlands, Monmouth County, NJ" consisting of one (1) sheet prepared by Andrew J. Kirtland, PLS, dated June 11, 2021;
- Minor subdivision plan entitled "Minor Subdivision Plan of Lots 2 & 3, Block 74, Atlantic Highlands, Monmouth County" consisting of one (1) sheet prepared by Walter Joseph Hopkin, PE, dated April 16, 2024;
- Zoning Board Denial letter, dated August 26, 2024;
- Planning Board Application, undated; and
- Borough Transmittal Letter, dated October 15, 2024.

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

**1. Property Description**

The subject property is a lot containing 22,731.5 SF within an R-2 Zone District and provides 273 feet of road frontage along the eastern side of Prospect Avenue. The property currently contains a 2.5-story dwelling, enclosed front porch, asphalt driveway, paver

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walkways and a front wooden deck. The Applicant proposes to subdivide property and construct a 1,410 SF building and a paved driveway. The Applicant also proposes to remove a portion of an existing wooden walkway.

## 2. Surrounding Uses

Properties surrounding the subject site are similarly zoned R-2 and contain primarily single-family residential uses.

## 3. Zoning Compliance

The subject property is situated within an R-2 Zone District and the table below summarizes the bulk measures and zone requirements for the property:

<b>Table 1: Bulk Standards, R-2 Zone (§150-89(D)(1) Exhibit 5-2)</b>				
<b>Standard</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed Lot (2)</b>	<b>Proposed (Lot 3)</b>
Minimum Lot Area (sq. ft.)	15,000	22,731.5	8,637.3 (V)	14,094.2 (V)
Minimum Lot Frontage & Width (ft.)	100	273.20	102.77	170.43
Minimum Lot Shape Diameter Interior Lot (ft.)	65	<65	48 (V)	80
Principal Building Setbacks				
Front Yard (ft.)	25	42	25	42.0
Side Yard (ft.)	15	41	17.3	4.2 (V)
Combined Side Yard (ft.)	30	90	34.6	45.2
Rear Yard (ft.)	30	14.52	68.6	14.5 (V)
Accessory Building/ Struct. Setbacks				
Side Yard (ft.)	10	N/A	N/A	N/A
Rear Yard (ft.)	5	N/A	N/A	N/A
Building Coverage	15%	9.68%	15%	16.62% (V)
Lot (Impervious Surface) Coverage	40%	21.4%	19.9%	36.3%
Building Height (stories.)	2 ½	<2 ½	<2 ½	<2 ½
Maximum Building Height (ft.)	35	39.19	<35 ft	39.19 (EC)
Maximum Acc. Building Height (stories.)	1	N/A	N/A	N/A
Maximum Acc. Building Height (ft.)	16	N/A	N/A	N/A
Maximum Useable Floor Area Ratio	0.35	<0.35*	<0.35*	<0.35*
Minimum Gross Floor Area, 2-Story	1,800	>1,800	>1,800	>1,800

(EC): Existing Condition (V): Variance Required (TBP): To Be Provided

\*Applicant to provide existing and proposed usable floor area ratio (UFAR) calculations



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4. The subject property is located within the steep slope area of the Borough. A slope area permit is required for the proposed work.
- a) Based upon our review of this application we find that the proposed improvements will not meet the numeric requirements of Steep Slope Application, per Ordinance Section 150-78.E, as a maximum impervious area variance is required for Lot 3 and maximum lot disturbance variance is required for Lot 2. A summary of the approximate allowable steep slope areas is provided in Table 1 below:

<b>Table 1: Allowable Steep Slope Areas, §150-78(E)</b>						
<b>Standard</b>	<b>Required (Lot 2)</b>	<b>Required (Lot 3)</b>	<b>Existing (Lot 2)</b>	<b>Existing (Lot 3)</b>	<b>Proposed (Lot 2)</b>	<b>Proposed (Lot 3)</b>
Maximum Lot Coverage	3,506.70 SF	5,742.40 SF	13 SF	5,120.98 SF	1,718.20 SF	5,120.98 SF
Maximum Impervious Area	3,079.15 SF	5,044.65 SF	13 SF	5,120.98 SF	1,718.20 SF	5,120.98 SF (V)
Maximum Lot Disturbance	4,002.90 SF	6,558.05 SF	N/A	N/A	7,667 SF (V)	678 SF

**(EC): Existing Condition**

**(V): Variance Required**

**(TBP): To Be Provided**

5. It appears that the Applicant will require relief from the following variance with respect to this development application:
- a) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot area 15,000 ft<sup>2</sup>, whereas 8,637.3 ft<sup>2</sup> is proposed on Lot 2.
- b) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot area 15,000 ft<sup>2</sup>, whereas 14,094.2 ft<sup>2</sup> is proposed on Lot 3.
- c) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot shape diameter is 65 feet, whereas 48 feet is proposed on Lot 2.
- d) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required side yard setback is 15 feet, whereas 4.2 feet is proposed on Lot 3.
- e) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required rear yard setback is 30 feet, whereas 14.5 feet is proposed on Lot 3.
- f) **Section 150-29(A)(2)(Exhibit 5-2)** – The maximum building coverage is 15%, whereas 16.62% is proposed on Lot 3.



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- g) **Section 150-78(E)** – The maximum impervious area is 5044.65 square feet, whereas 5,120.98 square feet is proposed on Lot 3.
- h) **Section 150-78(E)** – The maximum lot disturbance is 4,002.90 square feet, whereas 7,667 square feet is proposed on Lot 2.

6. It appears that the following existing non-conformities would remain with respect to this application.

- a) **Section 150-29(A)(2)(Exhibit 5-2)** – The maximum required building height is 35 feet, whereas 39.19 feet is proposed to remain on Lot 3.

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. 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.(5)	Hardship Variance	\$175.00 x 8 = \$1,400.00	\$500.00 (min)
168-2.D.(5)	Minor Subdivision	\$500.00	\$450.00

We recommend the Borough collect \$1,900.00 in nonrefundable application fees and \$950.00 in professional services escrow fees from the Applicant prior to deeming the application complete.

7. 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) The Applicant should discuss stormwater discharge resulting from the proposed improvements, noting that the property is located in the Borough's defined steep slope area. Applicant should demonstrate compliance with the steep slope requirements of Ordinance Section 150-78.D. Should any portion of the post developed lot impact drainage conditions on the subject property or adjacent properties, the Applicant will be required to correct any deficiencies as directed by the Borough Engineer.
- c) 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.
- d) Applicant should submit architectural drawings and provide usable floor area ratio calculations and confirm existence, area, and ceiling height of any basement level.
- e) Applicant should depict and quantify limit of disturbance on site plan.



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- f) Applicant should depict any proposed utilities on the site plan.
- g) Applicant should confirm number of bedrooms in the existing and proposed conditions for each property.
- h) Applicant should demonstrate conformance with parking requirements. We note three-bedroom residential homes require 2.0 off-street parking spaces, while four-bedroom homes require 2.5 spaces.
- i) Applicant should discuss impacts to on-street parking
- j) Any landscaping work including buffers, proposed plantings, and permits required for tree removal.
- k) Applicant should discuss any improvements in Borough Right of Way.
- l) Applicant should discuss compliance with all applicable requirements outlined in §150-89 (Improvement Standards) of the Borough of Atlantic Highlands municipal code.
- m) Applicant shall post performance guarantee for improvements within the Borough right-of-way (§150-52)
- n) Applicant should provide site photos depicting existing conditions.

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**

*Don Paulish for:*

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

DEP/ATH

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