



**Consulting & Municipal
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December 10, 2024

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

Attn: Renee Frotton – Planning Board Secretary

Re: Gordon (PB24-17)
Bulk Variance Review No. 1
Location: 12 Bayside Drive
Block 15, Lot 3.02
Zone: R-3 (Residential District)
Borough of Atlantic Highlands, Monmouth County, NJ
Our File: HAHP0015.01

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:

- Architectural plans entitled "Additions & Renovations to the Gordon Residence 12 Bayside Drive, Borough of Atlantic Highlands, Monmouth County, New Jersey" prepared by Edward W. O'Neil R.A., dated July 1, 2024;
- Topographic survey entitled "Boundary and Partial Topographic Survey" prepared by David J. Von Steenburg P.L.S., dated October 16, 2024;
- Site Plan entitled "Steep Slope Plan for Block 15 lot 3.02" prepared by A.J. Garito Jr. PE, dated August 27, 2024 from Two Rivers Engineering;
- A denial letter from the Zoning Officer Michelle Clark, dated October 16, 2024;
- A copy of the Application for Development Permit denied by the Zoning Officer Michelle Clark, dated October 16, 2024;
- A copy of "Narrative of Development" letter from Timothy Gordon;
- A copy of the Coastal Applicability Determination Checklist, dated May, 2024;
- A letter from the State of New Jersey DEP dated September 9, 2024; and
- Steep Slope Permit Application and Checklist dated September 25, 2024.

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NJ CERTIFICATE OF AUTHORIZATION NO. 24GA28359000

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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 14,183 SF within an R-3 Zone District and provides 101.93 feet of road frontage along the northern side of Bayside Drive. The property currently contains a 1-story dwelling, detached garage, in-ground pool, concrete patio, and wooden deck.

The Applicant proposes to construct a 2nd story addition, expanding the front of the home, add a rear deck, and expand the driveway.

2. Surrounding Uses

Properties surrounding the subject site are similarly zoned R-3 and contain primarily single-family residential uses.

3. Zoning Compliance

The subject property is situated within an R-3 Zone District and the table below summarizes the bulk measures and zone requirements for the property:

Table 1: Bulk Standards, R-3 Zone (§150-89(D)(1) Exhibit 5-2)			
Standard	Required	Existing	Proposed
Minimum Lot Area (sq. ft.)	30,000 SF	14,183	14,183 (EC)
Minimum Lot Frontage & Width (ft.)	100	101.93	101.93
Minimum Lot Shape Diameter Interior Lot (ft.)	65	71.3	71.3
Principal Building Setbacks			
Front Yard (ft.)	25	33.2	25.8
Side Yard (ft.)	15	16.3	16.3
Combined Side Yard (ft.)	30	52.6	52.0
Rear Yard (ft.)	30	73.5	70.8
Accessory Building/ Struct. Setbacks			
Side Yard (ft.)	10	6.7	6.7 (EC)
Rear Yard (ft.)	5	94.1	94.1
Building Coverage	12.00%	12.4%	15.50% (V)
Lot (Impervious Surface) Coverage	30.00%	26.2%	34.1% (V)
Building Height (stories.)	2 ½	1	2
Maximum Building Height (ft.)	35	18	32.3
Maximum Acc. Building Height (stories.)	1	1	1



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Table 1: Bulk Standards, R-3 Zone (§150-89(D)(1) Exhibit 5-2)			
Standard	Required	Existing	Proposed
Maximum Acc. Building Height (ft.)	16	12.3	12.3
Maximum Useable Floor Area Ratio	0.175	7.1%	16.7% *
Minimum Gross Floor Area, 2-Story	1,800	1,037 SF	2,567 SF

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

* Applicant to provide UFAR calculations and confirm presence/absence of basement/cellar.

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. A summary of the approximate allowable steep slope areas is provided in Table 1 below as calculated by the Applicant's surveyor.

Table 1: Allowable Steep Slope Areas, §150-78(E)			
Standard	Required	Existing	Proposed
Maximum Lot Coverage	3,491.48 SF	3,715.95 SF	4,836.40 SF (V)
Maximum Impervious Area	4,063.05 SF	3,715.95 SF	4,836.40 SF (V)
Maximum Lot Disturbance	5,281.97 SF	N/A	596.00 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 maximum lot coverage of building is 12%, whereas 15.5% is proposed.
- b) **Section 150-29(A)(2)(Exhibit 5-2)** – The maximum lot impervious surface coverage is 30%, whereas 34.1% is proposed.
- c) **Section 150-78(E)** – The maximum lot coverage in allowable steep slope areas is 3,491.48 SF, whereas 4,836.40 SF is proposed.
- d) **Section 150-78(E)** – The maximum impervious area coverage in allowable steep slope areas is 4,063.05 SF, whereas 4,836.40 SF is proposed.



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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 minimum required lot area 30,000 SF, whereas 14,183 SF is proposed to remain.
 - b) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required accessory side yard setback is 10 feet, whereas 6.7 feet is proposed to remain.
 - c) **Section 150-54(A)(2)** – Detached accessory buildings shall not be located in front yard, proposed to remain.
7. Based upon our review, our office recommends that the application be deemed **COMPLETE**. Once the items noted below have been submitted, our office will continue the review for completeness, prepare any additional review comments and indicate when the Applicant may be scheduled for a 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 4 = \$700.00	\$500.00 (min)

We recommend the Borough collect \$700.00 in non-refundable application fees and \$500.00 in professional services escrow fees from the Applicant prior to deeming the application complete.

8. 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 provide usable floor area ratio calculations and confirm existence, area, and ceiling height of any basement level.



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- e) Applicant should confirm number of bedrooms in the existing and proposed conditions.
- f) Applicant should demonstrate conformance with parking requirements. We note five-bedroom residential homes require 3.0 off-street parking spaces. The applicant appears to comply.
- g) Any landscaping work including buffers, proposed plantings, and permits required for tree removal.
- h) Applicant should discuss any improvements in Borough Right of Way.
- i) Applicant should provide site photos depicting existing conditions.
- j) Applicant should provide testimony on the existing detached garage and confirm if utilities and/or living space exists within this structure.
- k) Applicant should discuss area of additions and confirm no underground improvements existing within the improvement footprint.
- l) Applicant to discuss construction access to the property.
- m) Applicant appears to have tall hedges along the right-of-way at the front of the property. Applicant should discuss driveway sight lines.

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

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

DEP/DR

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