



**Consulting & Municipal
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January 27, 2025

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

Attn: Renee Frotton – Planning Board Secretary

**Re: Two Hill Properties, LLC
Bulk Variance Review No. 1
Location: 2 Hill Road
Block 22, Lot 9
Zone: R-2 (Residential District)
Borough of Atlantic Highlands, Monmouth County, NJ
Our File: HAHP0022.01**

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 “2 Hill Road; New Single-Family Residence” prepared by Brian Parnagain AIA, of Parnagain Architects, LLC., dated September 16, 2024;
- Topographic survey entitled “Boundary and Topographic Survey” prepared by Justin J. Hedges, PLS, CFS, dated October 16, 2023;
- Site Plan entitled “Plot Plan” prepared by Douglas D. Clelland, PE, of InSite Engineering, LLC., dated September 23, 2024, last revised November 5, 2024;
- A copy of the Application for Development Permit denial, dated September 30, 2024;
- A copy of the Application for Variance, dated December 4, 2024;
- A copy of the Limited Geotechnical Investigation & Slope Stability Analysis by Whitestone dated January 8, 2024.

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 15,107 SF within an R-2 Zone District and provides 266.6 feet of road frontage along Monmouth County Route 8 Ocean Boulevard and 210.5

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NJ CERTIFICATE OF AUTHORIZATION NO. 24GA28359000
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feet of road frontage along Hill Road. The property currently contains a 2.5-story dwelling and two wooden decks.

The Applicant seeks to demolish the existing single-family residence and proposes a new 3-story single-family residence with an in-ground pool and patio at grade.

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:

We note that the subject property is a three (3) sided corner lot. Per Borough ordinance section 150-50(e), each corner lot must maintain a rear yard setback for at least one yard area other than a front yard. We further recognize that this property has two distinct lot frontages on Hill Road and Ocean Boulevard, therefore the remaining side of the property shall be considered a rear yard.

Table 1: Bulk Standards, R-2 Zone (§150)			
Standard	Required	Existing	Proposed
Min. Lot Area (sq. ft.)	15,000 SF	15,107 SF	15,107 SF
Min. Lot Frontage & Width (ft.)	100 feet	210.5 feet	210.5 feet
Min. Lot Shape Diameter Corner Lot (ft.)	65 feet	39.87 feet	39.87 feet (EC) TBP*
Principal Building Setbacks			
Front Yard (Ocean Boulevard) (ft.)	25 feet	23.40 feet	32.66 feet
Front Yard (Hill Road) (ft.)	25 feet	20.60 feet	21.05 feet (V)
Rear Yard (ft.)	30 feet	11.70 feet	11.70 feet (V)
Building Height (stories.)	2 ½	2 ½	3 (V)
Max. Building Height (ft.)	35 feet	21.96 feet	31.47 feet
Max. Useable Floor Area Ratio	0.35	N/A	0.32
Min. Gross Floor Area, Total	1,800 SF	N/A	3,715 SF
Minimum Gross Floor Area, 1 st Floor	1,200 SF	N/A	1,413 SF
Accessory Building Setbacks (Pool Equipment Enclosure)			
Rear Yard (ft.)	5 feet	N/A	1.81 feet (V)
Min. Distance from Principal Building (ft)	5 feet	N/A	3.97 feet (V)
Lot Coverage			
Max. Building Coverage (%)	15%	13.95%	14.96%
Max. Impervious Coverage (%)	40%	26.34%	32.46%



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Standard	Required	Existing	Proposed
Pool			
Min. Rear Yard Setback	5 feet	N/A	2.40 feet (V)
Patio			
Min. Rear Yard Setback	5 feet	N/A	1 foot (V)

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

* Lot Shape Diameter to be confirmed by applicant.

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.

Standard	Required	Existing	Proposed
Maximum Lot Coverage	2,253.10 SF	3,978.82 SF	4,903.84 SF (V)
Maximum Impervious Area	2,666.54 SF	3,978.82 SF	4,903.84 SF (V)
Maximum Lot Disturbance	3,466.50 SF	N/A	7,755 SF (V)

(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 front yard setback in 25 feet, whereas 21.05 feet is proposed to Hill Road.
 - b) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum rear yard setback in 30 feet, whereas 11.70 feet is proposed.
 - c) **Section 150-29(A)(2)(Exhibit 5-2)** – The maximum number of stories is 2.5, whereas the three (3) stories are proposed.



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- d) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum side yard setback for an accessory structure is 10 feet, whereas 1.81 feet is proposed for the pool equipment enclosure.
 - e) **Section 150-54(D)** – The minimum distance from the principal building is 5 feet, whereas 3.97 feet is proposed for the pool equipment enclosure.
 - f) **Section 150-54(G)(2)** – The minimum rear yard setback for is 5 feet, whereas 2.4 feet is proposed for the pool.
 - g) **Section 150-54(G)(2)** – The minimum rear yard setback for is 5 feet, whereas 1 foot is proposed for the patio.
 - h) **Section 150-54[A](2)** – The allowable yard location for a pool is the side/rear yard, whereas the pool is proposed in the front yard.
 - i) **Section 150-78(E)** – The maximum lot coverage is 2,253.10 square feet, whereas the 4,903.84 square feet is proposed.
 - j) **Section 150-78(E)** – The maximum impervious area is 2,666.54 square feet, whereas 4,903.84 square feet is proposed.
 - k) **Section 150-78(E)** – The maximum lot disturbance is 3,466.50 square feet, whereas 7,755 square feet is proposed.
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 lot shape diameter is 60 feet, whereas 39.87 feet is 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 11 = \$1,925.00	\$500.00 (min) x 11 = \$5,500.00



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We recommend the Borough collect \$1,925.00 in non-refundable application fees and \$5,500.00 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. The applicant should further discuss runoff from proposed improvements, roof leader location, yard drainage, and address concentration of flows and effects on adjacent properties.
 - c) Applicant to specifically discuss the existing slope downward toward Ocean Boulevard and the history of slope instability and signs of stormwater washout/erosion as noted in Whitestone's report.
 - d) Applicant to discuss the factor of safety used for geotechnical design of this property.
 - e) Applicant to discuss constructability on the steep slopes on the property as the geotechnical report notes "implementation of any slope stability may not be feasible from a constructability standpoint due to equipment accessibility and the avoidance of vegetation disturbance along the face of the slope".
 - f) The applicant should discuss installation and monitoring of the slope inclinometers to evaluate earth movement over time as the report mentions. The applicant should discuss responsibility for the same over time and should the applicant sell the home.
 - g) The report also indicated that surficial sloughing can still result from improper water control and concentrated runoff over the face of the slope. The applicant should discuss the impact of the pool located adjacent to the downslope.
 - h) Applicant to discuss geotechnical report and stability of soil on this property. We note that the report states "It is Whitestone's preliminary opinion that the existing site will contain an ongoing risk of slope instability".
 - i) Any landscaping work including buffers, proposed plantings, and permits required for tree removal.
 - j) Applicant to specify any tree removal on the plans by tree size, species and type. The applicant shall obtain a tree removal permit prior to the removal of any trees on the property.



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- k) The applicant shall discuss any tree removal in close proximity to the Easterly property line. It appears that several trees near the east property line would need to be removed. The applicant shall speak to the slope stability of their property and neighboring property should all tree roots be removed.
- l) The applicant should discuss the proximity of the proposed pool, equipment enclosures and patio to the property line. The applicant should also discuss the proximity to the neighboring structure of same.
- m) Applicant should discuss the proximity of the pool and enclosure to the property line and need for same. The applicant should also discuss the proposed location of the pool in the front yard.
- n) The applicant should discuss the proximity of the pool, equipment enclosure and patio to the slope at the front of the property.
- o) The application proposes to disturb greater than 5,000 square feet. The applicant must demonstrate compliance with Ordinance 11-2024, Section 311-5 Stormwater Management Requirements for Minor Development.
- p) Applicant should discuss any improvements in Borough Right of Way. Applicant to discuss the proposed connection to the Borough stormwater infrastructure and sanitary main. Applicant should provide calculations to ensure adequate capacity. Applicant should also discuss curb and pavement repairs within Borough right-of-way. Please note that this application appears to warrant a road opening permit.
- q) Applicant should further discuss the direct connection to the Borough's stormwater infrastructure. Specifically discussing the existing drainage area and proposed drainage area being directed to this inlet. The applicant should discuss overflow scenarios where the leader drain connection system does not have sufficient capacity to convey all the stormwater.
- r) Applicant should confirm the proposed heights of any retaining walls and provide calculations for same.
- s) Applicant should discuss area of additions and confirm no underground improvements existing within the improvement footprint.
- t) Applicant to discuss construction access to the property and any associated disturbance for construction.
- u) The Applicant should discuss conformity with the neighborhood aesthetic, including lot size, layout, and architecture.
- v) Confirm number of bedrooms in the existing and proposed conditions. It appears that a total of three (3) bedrooms are proposed. Applicant should specifically discuss the two "office" areas.



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- w) Applicant should demonstrate conformance with Borough and RSIS parking requirements. The architectural plan provided with this application indicates that three (3) bedrooms are proposed; therefore, a minimum of 2 parking spaces are required. We note that should the two “office” areas be considered bedrooms, a minimum of 3 parking spaces would be required.
- x) The proposed contours near the pool appear to be inaccurately labeled.
- y) The applicant should fully conform with Section 150-54 regarding pool installation.
- z) The subject property fronts County Route 8, Ocean Boulevard. The applicant shall coordinate with Monmouth County regarding any requirements.

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, CFM, CME
Planning Board Engineer

DMR/PMK

cc: Robert Ferragina – Borough Administrator
Michael B. Steib, Esq. – Board Attorney
Michelle Clark – Zoning Officer
Two Hill Properties, LLC – Applicant
Douglas D. Clelland, PE – Applicants Engineer
Parnagian Architects – Applicants Architect