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January 28, 2025

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

Attn: Renee Frotton – Planning Board Secretary

**Re: Schoeller (PB24-15)**  
**Bulk Variance Review No. 2**  
**Location: 6 Prospect Avenue**  
**Block 74, Lot 5**  
**Zone: R-2 (Residential District)**  
**Borough of Atlantic Highlands, Monmouth County, NJ**  
**Our File: HAHP0074.05**

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 "Topographical Survey For: Michael Schoeller and Ann Schoeller" consisting of one (1) sheet prepared by Ronald L. Trinidad, PLS, dated April 28, 2023;
- Architectural plans entitled "Proposed Variance for Schoeller Residence, 6 Prospect Avenue, Atlantic Highlands, New Jersey, Block 74 ~ Lot 5" consisting of three (3) sheets prepared by Anthony M. Condouris, RA, dated August 13, 2024, last revised January 7, 2025;
- Development Permit Application, dated September 26, 2024;
- Planning Board Application dated October 10, 2024;
- Borough Transmittal Letter, dated October 15, 2024; and
- Plan entitled "Steep Slope Review Plan for Schoeller Residence, Lot 5, Block 74, Borough of Atlantic Highlands, Monmouth County, N.J." consisting of one (1) sheet prepared by Ronald L. Trinidad, PLS, dated December 3, 2024 (unsigned).

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 13,430 SF within an R-2 Zone District and provides 146.61 feet of road frontage along the southern side of Prospect Avenue. The property

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currently contains a 2-story dwelling, wooden shed, in-ground pool, concrete patio, hot tub, asphalt driveway, paver walkway, concrete paver deck, and two (2) stone retaining walls. The Applicant proposes to construct a 365 ft<sup>2</sup> covered front porch and remove a portion of the existing asphalt driveway.

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</b>
Minimum Lot Area (sq. ft.)	15,000	13,430	13,430 (EC)
Minimum Lot Frontage & Width (ft.)	100	146.61	146.61
Minimum Lot Shape Diameter Interior Lot (ft.)	65	<65	<65 (EC)
<b>Principal Building Setbacks</b>			
Front Yard (ft.)	25	38.2	35
Side Yard (ft.)	15	10.6	10.6 (EC)
Combined Side Yard (ft.)	30	28.8	28.8 (EC)
Rear Yard (ft.)	30	56.6	56.6
<b>Accessory Building/ Struct. Setbacks</b>			
Side Yard (ft.)	10	N/A	N/A
Rear Yard (ft.)	5	N/A	N/A
Building Coverage	15.00%	15.88%	18.60% (V)
Lot (Impervious Surface) Coverage	40.00%	39.38%	39.74%
Building Height (stories.)	2 ½	2 ½	2 ½
Maximum Building Height (ft.)	35	±27	±27
Maximum Acc. Building Height (stories.)	1	N/A	N/A
Maximum Acc. Building Height (ft.)	16	N/A	N/A
Maximum Useable Floor Area Ratio	0.35	0.268	0.268
Minimum Gross Floor Area, 2-Story (sq.ft.)	1,800	3,604	3,604

(EC): Existing Condition

(V): Variance Required

(TBP): To Be Provided



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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 comply with 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:

<b>Table 1: Allowable Steep Slope Areas, §150-78(E)</b>			
<b>Standard</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Maximum Lot Coverage	4,314 SF	5,223 SF	5,338 SF (V)
Maximum Impervious Area	4,305 SF	5,223 SF	5,338 SF (V)
Maximum Lot Disturbance	5,597 SF	N/A	± 615 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 building coverage is 15%, whereas 18.60% is proposed.
- b) **Section 150-78(E)** – The maximum lot coverage is 4,314 square feet, whereas 5,338 square feet is proposed.
- c) **Section 150-78(E)** – The maximum impervious area is 4,305 square feet, whereas 5,338 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 required lot area 15,000 ft<sup>2</sup>, whereas 13,430 ft<sup>2</sup> is proposed.
- b) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required side yard setback is 15 feet, whereas 10.6 feet is proposed.
- c) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required combined side yard setback is 30 feet, whereas 28.8 feet is proposed.

Based upon our review, 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:



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<b><u>Ordinance Section</u></b>	<b><u>Description</u></b>	<b><u>Application Fee</u></b>	<b><u>Escrow Fee</u></b>
168-2.D.(5)	Hardship Variance (3)	\$175.00 x 3 = \$525.00	\$500.00 (min)

We recommend the Borough collect \$525.00 in nonrefundable application fees and \$500.00 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:
- Reasons supporting the granting of the requested bulk variances and/or design waivers and continuance of the existing condition nonconformities.
  - 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.
  - 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 should provide usable floor area ratio calculations and confirm existence, area, and ceiling height of any basement level. We note should the covered porch be enclosed, the area would be subject to FAR (floor area ratio) requirements.
  - Applicant should demonstrate conformance with parking requirements.
  - Any landscaping work including buffers, proposed plantings, and permits required for tree removal.
  - Applicant should discuss any improvements in Borough Right of Way.
  - Applicant should provide site photos depicting existing conditions.
  - Applicant should provide signed/sealed steep slope plan.

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



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

Very truly yours,

**CME ASSOCIATES**

*Done Patrick 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  
Michael Schoeller & Ann Schoeller – Applicant