

| FOR OFFICIAL USE |                   |   |
|------------------|-------------------|---|
| Case No:         | <b>LUB2021-04</b> | Fee Paid: <b>\$625.00</b> Date Filed: <b>08/16/2021</b> |

1. (I/we) Christopher Marron, the applicant(s), whose Post Office address is  
39 Barberie Ave. Highlands, NJ 07732  
and whose phone number is [REDACTED] (am/are) the (owner/contact purchaser) of  
property located at 39 Barberie Ave. Highlands, NJ 07732 and designated as Block 76  
Lot(s) 15 on the Tax Map of the Borough of Highlands.
2. The property is in the R-201 zone. It has a street frontage of 50 feet with an area of  
3750 Square feet.
3. The proposed percentage of lot coverage by both the existing structure and proposed additions will be  
26.75%.
4. The following structures, buildings or uses are located on the property  
Single Family Residential Home Only
5. Application is hereby made for a variance to:  
Front and side setback
6. The reasons for this request and the grounds urged for the relief are as follows:  
Addition of space to current property. All proposed additional living space will be contained on  
current foundation. New front porch and stairs would add to lot coverage and change front setback.
7. The section of the Borough Zoning Ordinance upon which this application is based is Section  
#24-86A4a
8. Property taxes have been paid through 11/1/2021  
The sewer bills have been paid through 8/16/2021
9. Has the property been separated from a larger tract of land? (Yes / No) \*Circle One\*  
If so, when? \_\_\_\_\_ . Has the Land Use Board approved a subdivision? (Yes / No)  
When? \_\_\_\_\_ . Attach copies of any approved map or approval resolution.



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10. Has there been any previous appeal involving these premises ( Yes ☒ No ) \*Circle One\*

Date of Filing: \_\_\_\_\_

Character of Appeal: \_\_\_\_\_

Disposition and Date: \_\_\_\_\_

\*\*Attach copy of decision\*\*

11. By filing a second application, does applicant and owner, if other than applicant, waive any and all rights gained in the first application? ☒ (Yes) / No ) \*Circle One\*

12. Are there any outstanding building code or zoning violations or other violations of law on the property in question or on any other property in the Borough of Highlands in which the applicant has any interest, directly or indirectly? No

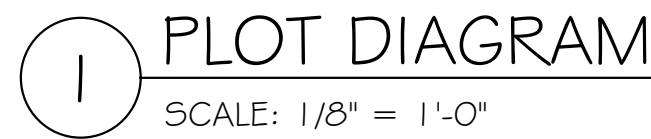
13. Is the applicant a corporation or a partnership? Yes \_\_\_\_\_ No No  
(If so, you must be represented by an attorney. If yes, please complete a Disclosure Statement and attach the same to the application.)

Chris Marron

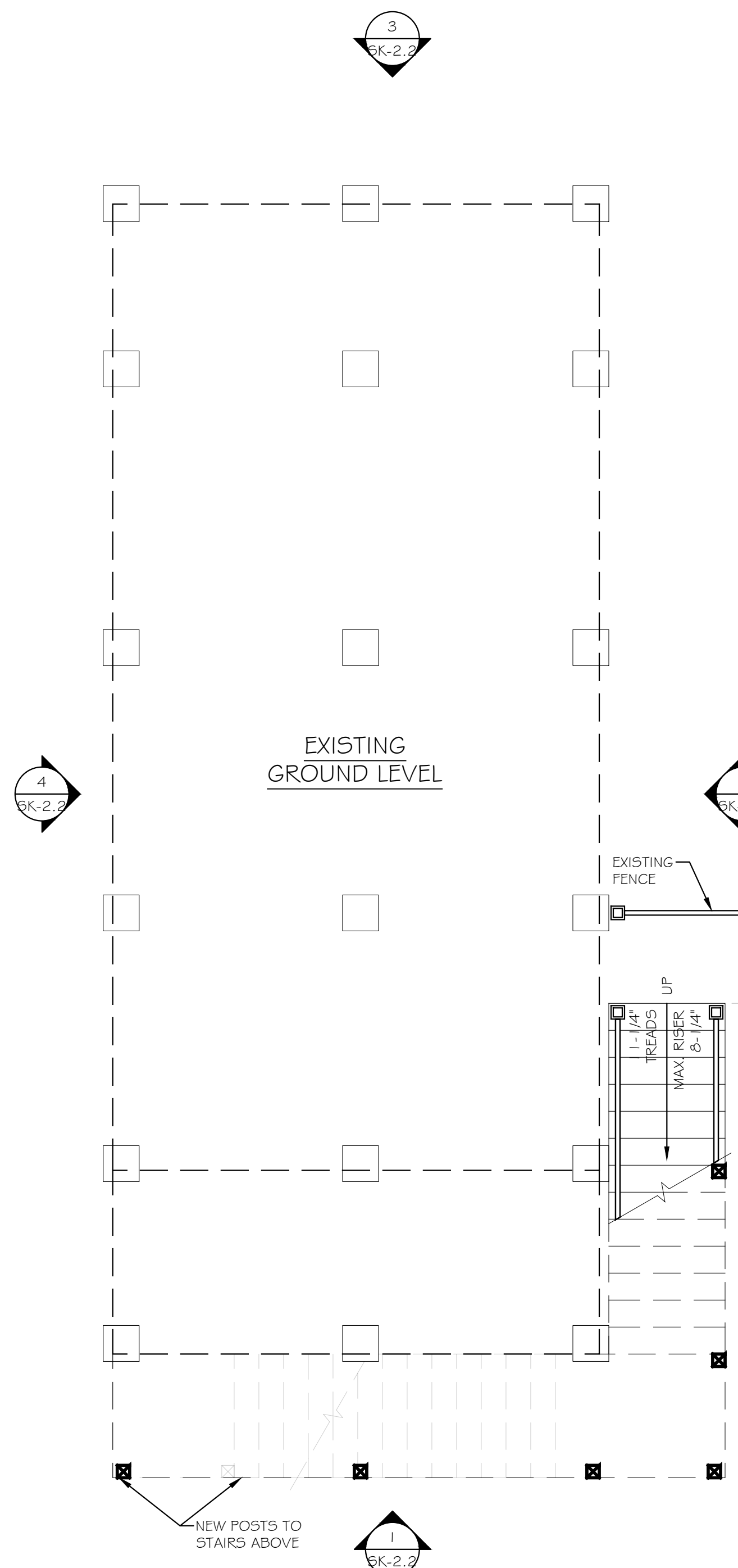
Signature

8/16/2021

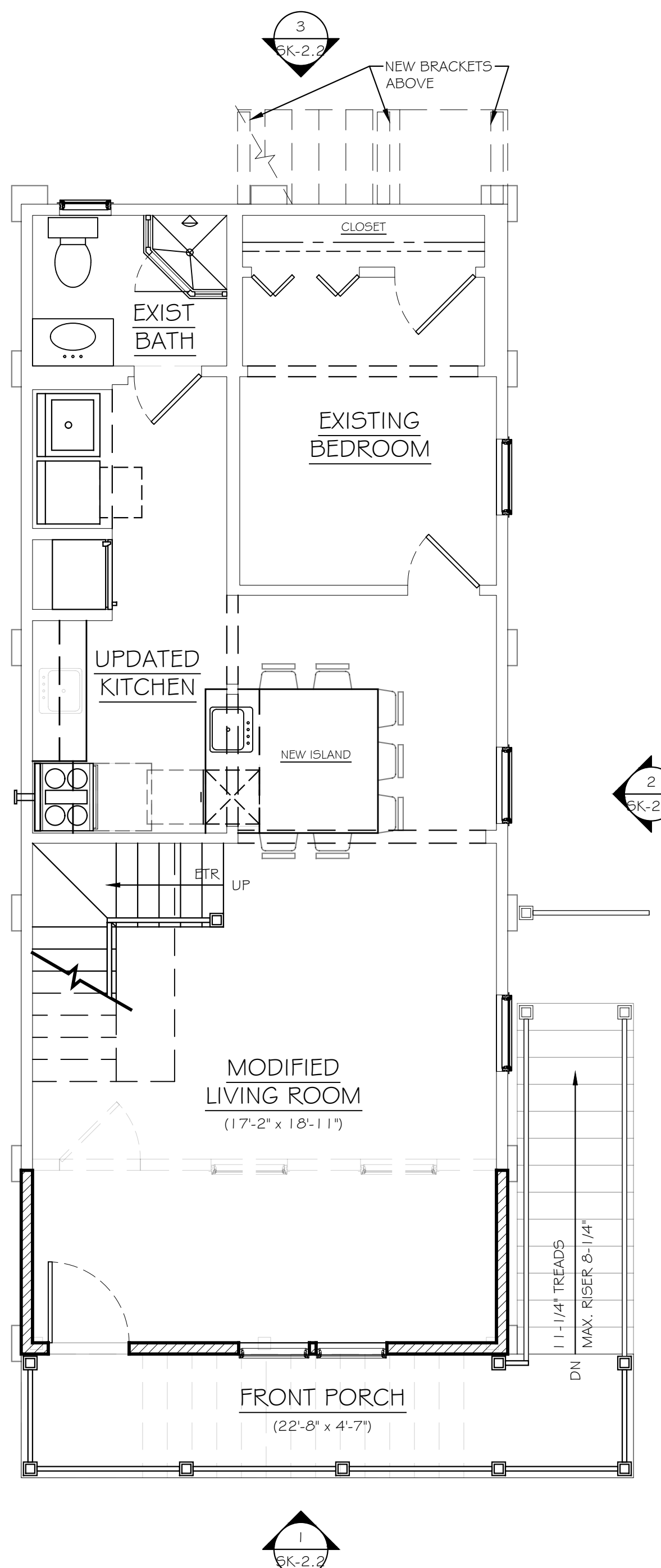
Date



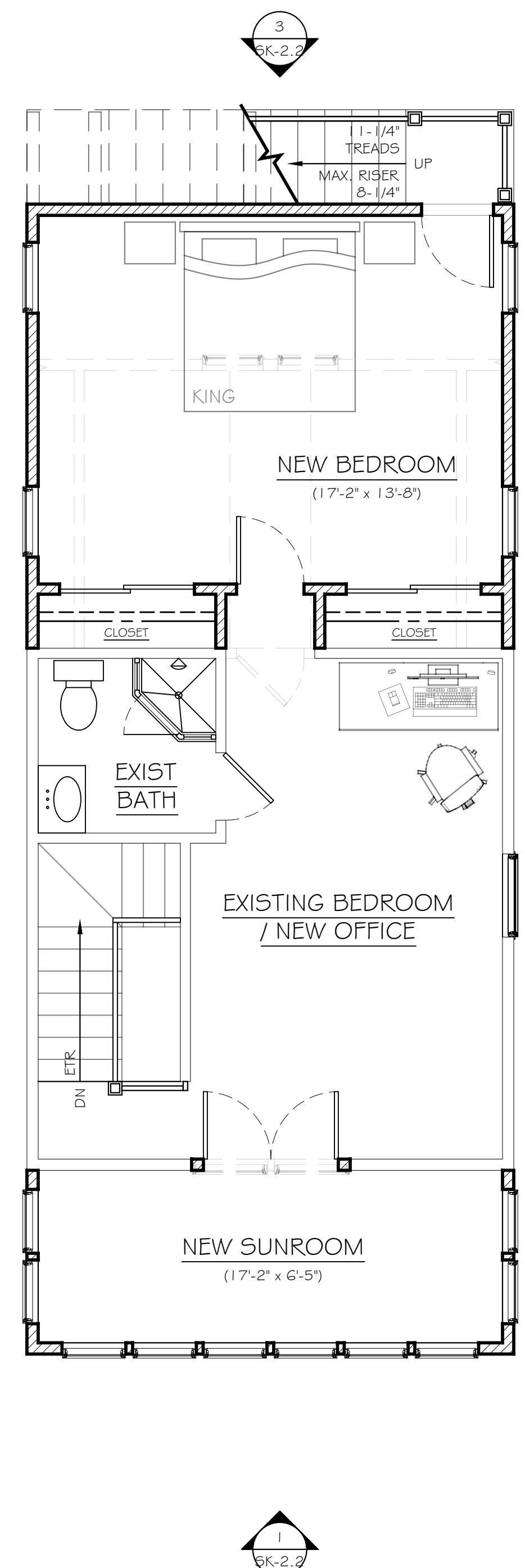
NOTE:  
THE ADJACENT DRAWING IS A REPRODUCTION OF AN  
ORIGINAL SURVEY TAKEN BY 'SENECA SURVEYING  
CO., INC.' DRAWING DATED 2015-12-16. ORIGINAL  
SURVEY SHOWN FADED TO CALL ATTENTION TO ANY  
MARK-UPS BY THIS OFFICE.



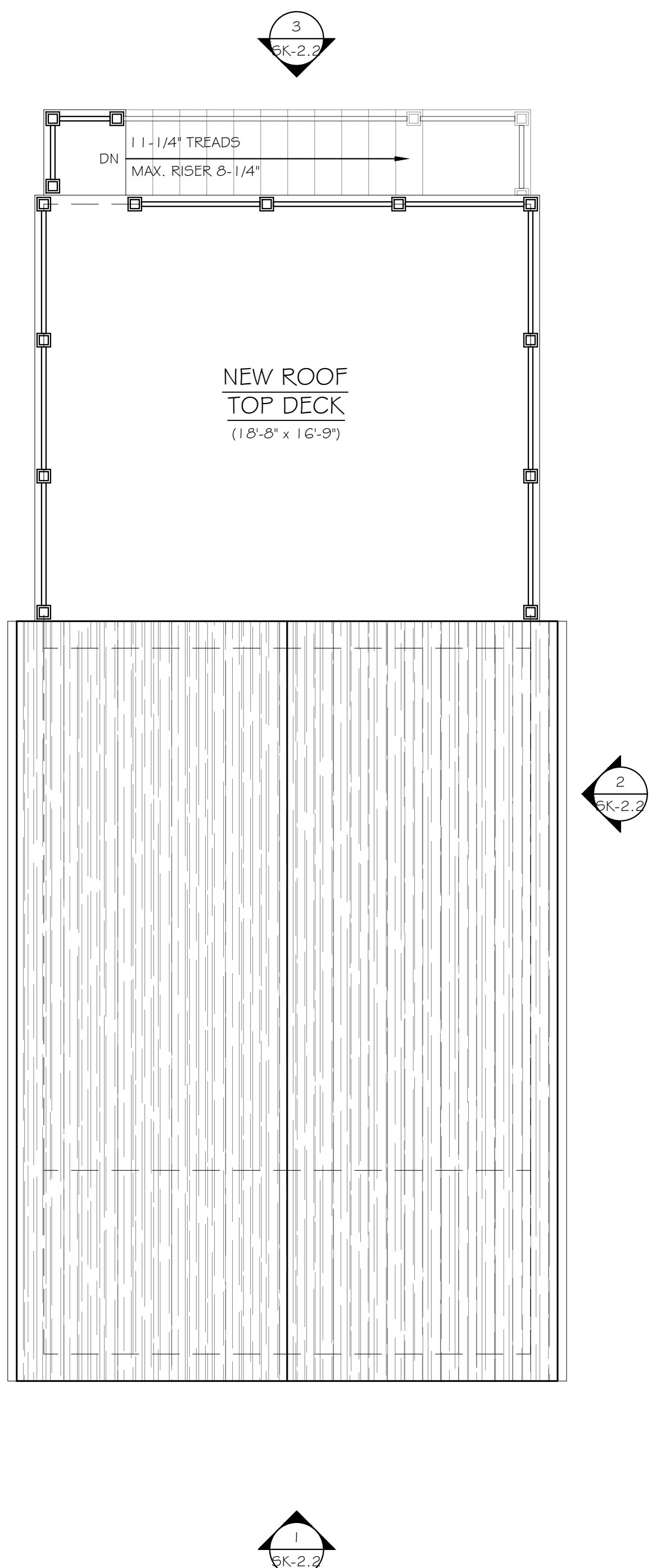
**1 PROPOSED GROUND LEVEL PLAN**  
SCALE: 1/4" = 1'-0"



**2 PROPOSED FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**3 PROPOSED SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**4 PROPOSED ROOF PLAN**  
SCALE: 1/4" = 1'-0"

| WALL LEGEND |                                       |
|-------------|---------------------------------------|
| DETAIL      | DESCRIPTION                           |
|             | EXISTING WALLS TO BE DEMOLISHED       |
|             | EXISTING WALLS TO REMAIN              |
|             | NEW 2x WALL STUDS (SEE PLAN FOR SIZE) |

A. VINCENT MINKLER  
NJ Lic. No. 21A101978200

**SK-2.1**  
SHEET 02 OF 03

PROJECT:  
ADDITIONS & ALTERATIONS FOR:  
**THE MARRON RESIDENCE**

39 BARBERIE AVE  
BLOCK 76, LOT 15  
BOROUGH OF THE HIGHLANDS, MONMOUTH COUNTY, NJ 07732

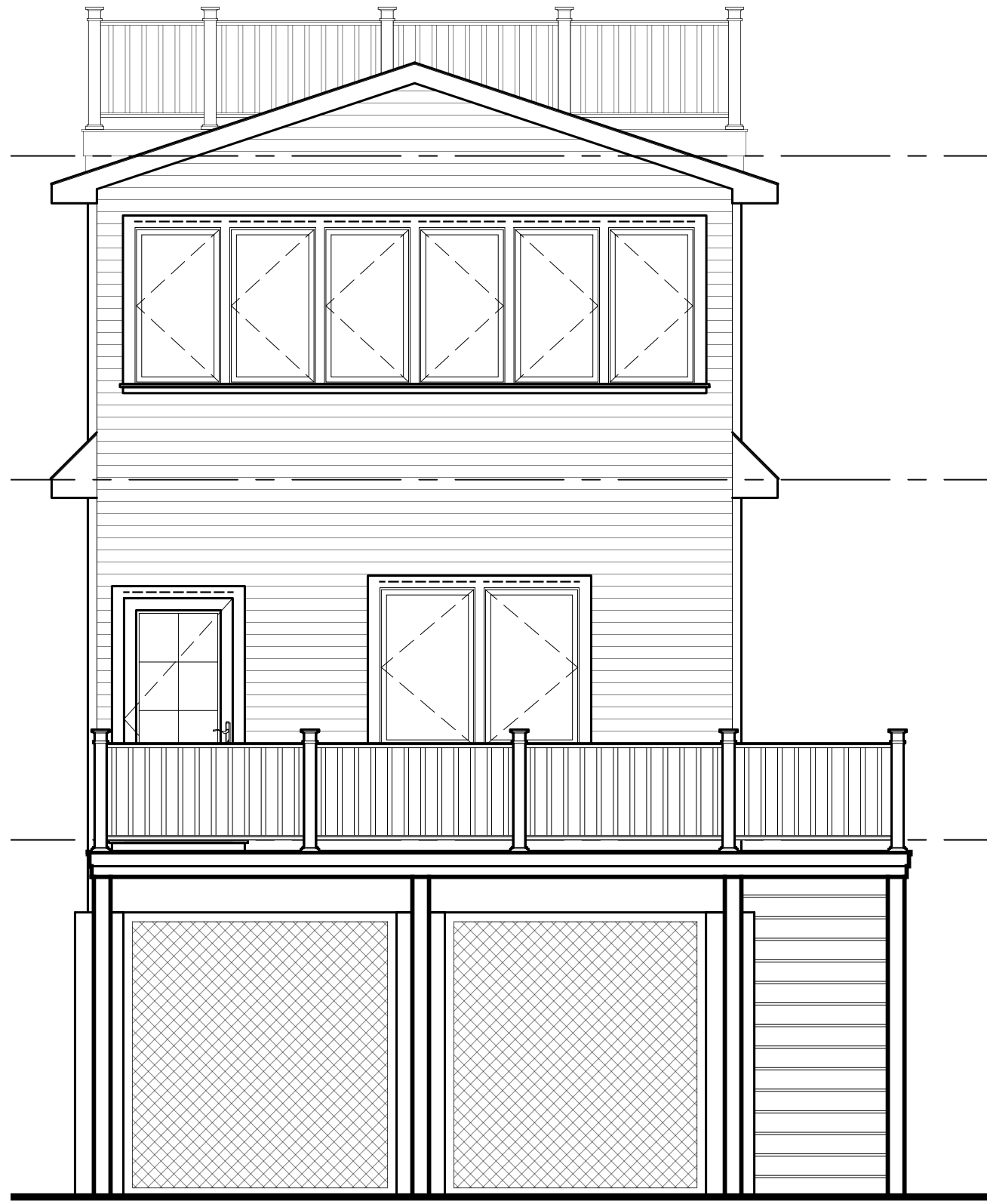
**MINKLER**  
ARCHITECTURE & DESIGN

54 CHAPEL HILL RD, RED BANK, NJ 07701  
P: 908-692-8412 Email: vinminkler@gmail.com

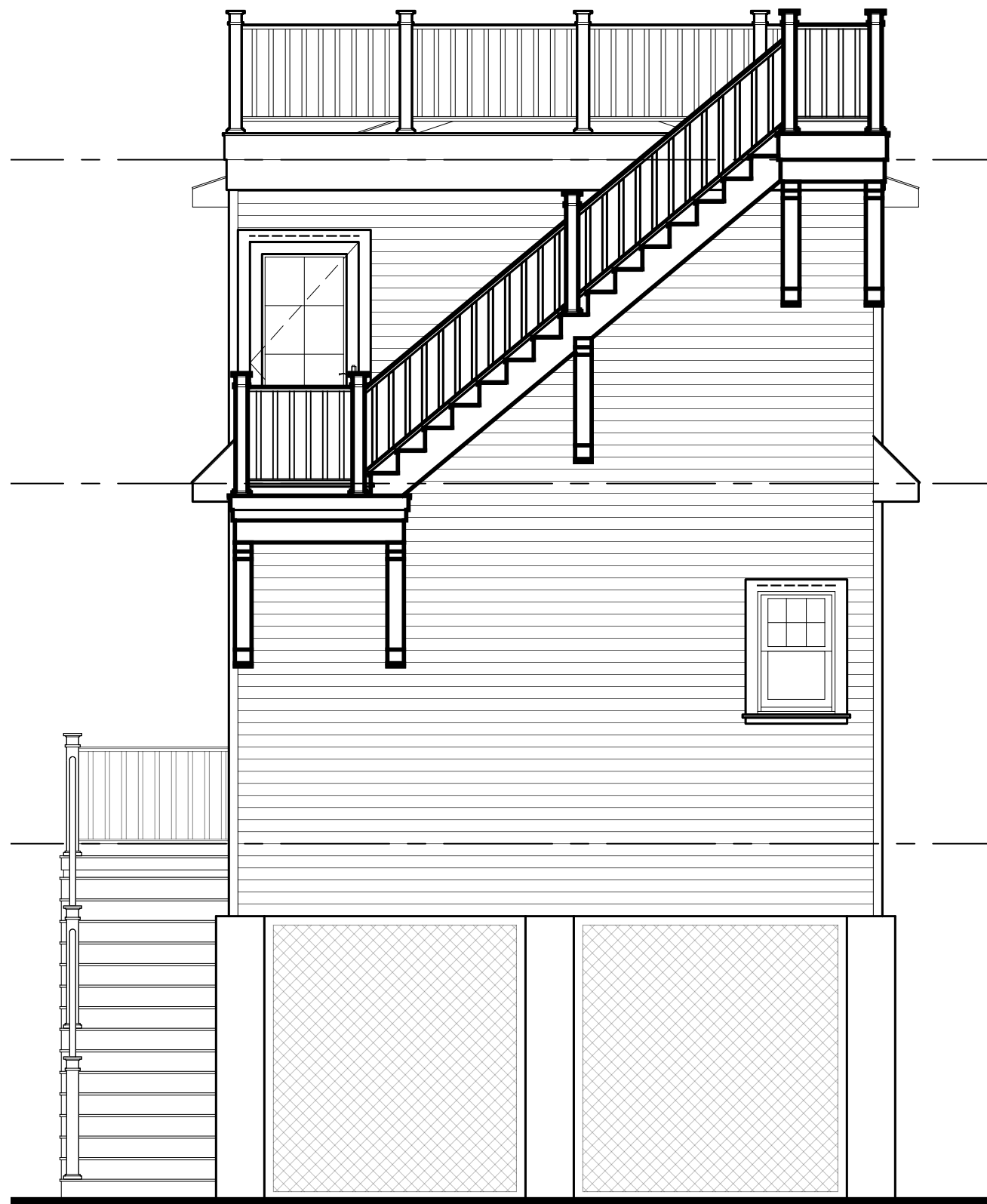
REVISIONS:

DATE: NOVEMBER 29, 2020





1 FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



3 REAR ELEVATION  
SCALE: 1/4" = 1'-0"



2 RIGHT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



4 LEFT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

PROJECT:

ADDITIONS & ALTERATIONS FOR:  
THE MARRON RESIDENCE

39 BARBERIE AVE  
BLOCK 76, LOT 15  
BOROUGH OF THE HIGHLANDS, MONMOUTH COUNTY, NJ 07732

A. VINCENT MINKLER

NJ Lic. No. 21A101978200

SK-2.2  
SHEET 03 OF 03

MINKLER  
ARCHITECTURE & DESIGN

54 CHAPEL HILL RD, RED BANK, NJ 07701  
P: 908-692-8412 Email: vinminkler@gmail.com

REVISIONS:

DATE:

NOVEMBER 29, 2020



HGPB- R1870

September 22, 2021  
Via Email

Michelle Hutchinson, Land Use Board Secretary  
Borough of Highlands Land Use Board  
42 Shore Drive  
Highlands, New Jersey 07732

**Re: 39 Barberie Avenue—Christopher Marron  
Block 76, Lot 15  
R-2.01 Zone  
First Engineering Review**

Dear Ms. Hutchinson,

As requested, our office has reviewed the above-referenced application. The application package included the following:

1. Land Use Board Application.
2. Zoning denial letter, dated January 26, 2021.
3. One (1) set of Architectural Plans prepared by Minkler Architecture & Design, dated November 29, 2020, consisting of three (3) sheets.

**A. Project Description**

The subject property is a conforming interior lot located in the R-2.01 Zone. The applicant proposes to construct a two-story addition to the front of the house in the footprint of the current front porch. Access stairs will be added to the southerly (right elevation) side to a new uncovered front porch/elevated walkway. The applicant also proposes to construct a second-floor addition to the rear of the home, along with a new cantilevered second-floor access staircase to a new roof-top deck.

The subject application requires bulk variance relief for the front yard setback of 9.25' along Barberie Avenue. It is noted that the pre-existing covered front porch was already located at 9.25'.

The subject property is located in flood zone AE-11 and the plans should note that accordingly. The dwelling was elevated some time after Superstorm Sandy.



Re: 39 Barberie Avenue—Christopher Marron  
Block 76, Lot 15  
R-2.01 Zone  
First Engineering Review

**B. Zoning and Planning**

1. Bulk Requirements

| R-2.01 Zone                    | Required | Existing                | Proposed            |
|--------------------------------|----------|-------------------------|---------------------|
| Min. Lot Area (sf)             | 3,750    | 3,750                   | 3,750               |
| Min. Lot Frontage (ft)         | 50       | 50                      | 50                  |
| Min. Lot Depth (ft)            | 75       | 75                      | 75                  |
| Min. Front Yard Setback (ft)   | 20*      | 9.25(E) (covered porch) | 9.25(V) (dwelling)* |
| Minimum Rear Yard Setback (ft) | 20       | 22.25                   | 22.25               |
| Min. Side Yard Setback (ft)    | 6/8      | 1.5(E) / 29.75          | 1.5(V) / 29.75      |
| Maximum Building Height (ft)   | 30       | 29.5                    | 29.5                |
| Lot Coverage                   | 75%      | 32%                     | 33.7%               |
| Building Coverage              | 33%      | 22.75%                  | 26.75%              |

E= Existing Condition V= Variance Required N/A= Not Applicable

\* Or the average of the existing front yard setback within two hundred (200) feet in the same block and zone, per Ordinance Section 21-79. The prevailing setback shall be the average setback of buildings on the same block in the same zone, but not less than the average of the setbacks of the buildings on the two (2) nearest adjacent lots and in no case, less than half the required setback.

2. The following existing non-conformities will remain:
  - a. Side yard setback.
3. The proposed application will require the following bulk 'c' variances:
  - a. Front Yard Setback for principal building.

To be entitled to bulk variance relief, the applicant must provide proof to satisfy the positive and negative criteria pursuant to N.J.S.A. 40: 55D-70c for the bulk variances:

- **Positive Criteria.** The applicant must prove either a hardship in developing the site in conformance to the zone standards due to exceptional narrowness, shallowness, or shape of the property; or due to exceptional topographic conditions or physical features uniquely affecting the property; or due to an extraordinary and exceptional situation affecting the property or its lawful existing structures. Alternatively, the applicant may satisfy the positive criteria by demonstrating that the variance relief will promote a public purpose as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D-2) and thereby provide improved community planning that benefits the public and the benefits of the variance substantially outweigh any detriment.



Re: 39 Barberie Avenue—Christopher Marron  
Block 76, Lot 15  
R-2.01 Zone  
First Engineering Review

- **Negative Criteria.** The applicant must also show that the bulk variances can be granted without substantial detriment to the public good or substantially impairing the intent and purpose of the zone plan. This requires consideration of the impact of the proposed variances on surrounding properties and a determination as to whether or not the variance would cause such damage to the character of the neighborhood as to constitute a substantial detriment to the public good.

**C. Additional Comments**

1. It is noted that the survey referenced is from 2015 and does not accurately depict some site features such as the concrete driveway and pvc fence.
2. The applicant shall confirm that the existing concrete driveway complies with Ordinance section 21-65.5 for maximum width of 18' at the curb and 22' on the lot.
3. The property is within the AE-11 flood zone, and the plans should reflect the flood elevation on the architectural plans.
4. The building height should also be noted on the architectural elevations, with the Ordinance definition of height utilized (distance from grade plane to midline of roof).
5. The applicant should be required to replace any frontage sidewalks that are in poor condition, or which are damaged as part of construction.
6. The applicant shall ensure that any proposed roof leaders do not impact adjacent properties.
7. The applicant shall obtain outside agency approvals from the following as required:
  - a. Construction Official;
  - b. Floodplain approval;
  - c. NJDEP;
  - d. All other departments and agencies having jurisdiction.

Should you have any questions or require any additional information, please call.

Very truly yours,

T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., P.P., C.M.E., C.F.M.  
LAND USE BOARD ENGINEER





**Re: 39 Barberie Avenue—Christopher Marron**  
**Block 76, Lot 15**  
**R-2.01 Zone**  
**First Engineering Review**

**cc: Michael Muscillo, Borough Administrator (via email)**  
**Ron Cucchiaro, Esq., Planning Board Attorney (via email)**  
**Marianne Dunne, Zoning Officer (via email)**  
**Christopher Marron, 39 Barberie Avenue, Highlands, NJ 07732**

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HGPB- R1870

August 27, 2021  
Via Email

Michelle Hutchinson, Land Use Board Secretary  
Borough of Highlands Land Use Board  
42 Shore Drive  
Highlands, New Jersey 07732

**Re: 39 Barberie Avenue– Christopher Marron  
Block 76, Lot 15  
R-2.01 Zone  
Review of Site Plan Plat Requirements (completeness)**

Dear Ms. Hutchinson,

As requested, we have reviewed the above-referenced application in accordance with the Borough of Highlands Zoning and Land Use Regulations section entitled Part 3, Subdivision and Site Plan Review, Article VI, Application Procedure, and Article VIII, Plat and Plan Details, section 21-58D – Minor Site Plan.

The applicant submitted the following documents in support of this application:

1. Land Use Board Application.
2. Zoning denial letter, dated January 26, 2021.
3. One (1) set of Architectural Plans prepared by Minkler Architecture & Design, dated November 29, 2020, consisting of three (3) sheets.

The above information was reviewed for completeness purposes as follows:

**Preliminary Site Plan (Minor):** The preliminary site plan shall be drawn at a scale of not more than one hundred (100) feet to the inch and shall include such details as may be necessary to properly evaluate the application and determine compliance with this chapter. The site plan shall be drawn by a licensed New Jersey professional engineer and land surveyor and, where applicable to the proposed use or construction, the following information shall be clearly shown.

1. Date, name, location of site, name of owner, scale and reference meridian. **Provided.**
2. Area of the lot and all lot line dimensions and bearings. **Provided.**
3. The location of all existing watercourses, wooded areas, easements, rights-of-way, streets, roads, highways, rivers, buildings, structures and any other feature on the property and within seventy-five (75) feet of the property line. **Provided.**
4. Location, use and ground floor area of all existing and proposed buildings, with the building setback, side line and rear yard distance. **Provided.**
5. Elevations at the corners of all proposed buildings and paved areas and at property corners if new buildings or paved areas are proposed. **Not provided.**
6. The location and widths of existing and proposed streets servicing the site plan. **Provided.**
7. Specifications for and location of proposed surface paving and curbing. **Not provided.**
8. Location of all structures within seventy-five (75) feet of the property. **Partially provided.**



Re: 39 Barberie Avenue– Christopher Marron  
Block 76, Lot 15  
R-2.01 Zone  
Review of Site Plan Plat Requirements (completeness)

9. Location of off-street parking areas, with dimensions, showing proposed parking and loading spaces, with dimensions, width of proposed access drives and aisles and traffic circulation. **Not provided.**
10. Storm water management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities plus all required design data supporting the adequacy of the existing or proposed facilities to handle future storm flows. **Not applicable.**
11. Existing and proposed contours of the property and for seventy-five (75) feet outside the property at one (1) foot intervals when new buildings or parking areas are proposed. Spot elevations for any development in a flood hazard area. **Not provided.**
12. The location and treatment of proposed entrances and exits to the public rights-of-way, including the possible utilization of traffic signals, channelization, acceleration, and deceleration lanes, additional widths and any other devices necessary to traffic safety and/or convenience. **Not applicable.**
13. The location and identification of proposed open space, parks or other recreation areas. **Not applicable.**
14. The location and design of landscaping, buffer areas and screening areas showing size, species and spacing of trees and plants and treatment of unpaved areas. **Not provided.**
15. The location of sidewalks, walkways, traffic islands and all other areas proposed to be devoted to pedestrian use. **Not applicable.**
16. The nature and location of public and private utilities, including maintenance and solid waste disposal, recycling and/or storage facilities. **Not provided.**
17. Specific location and design of traffic control devices, signs and lighting fixtures. The Board may require of the applicant expert testimony concerning the adequacy of proposed traffic control devices, signs and lighting fixtures. **Not applicable**
18. Preliminary architectural plans for the proposed buildings or structures indicating typical floor plans, elevations, heights and general design or architectural styling. **Partially Provided. Since the proposed structure is located within the VE Zone, plans should be revised to include details regarding the materials to be used for the foundation walls and compliance with V zone construction requirements.**
19. The present and past status and use and contemplated use of the property and all existing buildings on the property. A cleanup plan where such is necessary because of the past or present use of the site. **Not applicable.**
20. A soil erosion and sediment control plan is required. Said plan shall be submitted to the Soil Conservation District and approval of the application shall be conditioned upon certification of the soil erosion and sediment control plan by the District. **Not Provided.**
21. Soil Borings, when required by the Board Engineer. **Not Required**



Re: 39 Barberie Avenue– Christopher Marron  
Block 76, Lot 15  
R-2.01 Zone  
Review of Site Plan Plat Requirements (completeness)

22. Certification statement for the required municipal signatures, stating: **Not provided**

- Application No. \_\_\_\_\_ approved/disapproved by the Highlands Land Use Board as a Minor Site Plan on \_\_\_\_\_.

(date)

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

23. Certification statement for the County Planning Board approval / disapproval, if required. **Not applicable.**

24. The Board may require any additional information which is reasonably necessary to ascertain compliance with the provisions of this chapter.

Although numerous items noted above have not been submitted to the Board, adequate information has been provided in order to perform a technical review of the application. **Upon payment of the balance of the fees required, the application can be deemed COMPLETE and can be referred to the Board Chairman for consideration of scheduling the public hearing. Please note that scheduling of hearings may be delayed as a result of the Covid-19 pandemic.**

The application fee and escrow fee calculation letter will be provided under separate cover. **We will commence our technical review letter upon confirmation from the Board Secretary that the balance of fees due has been properly posted.**

Should you have any questions or require any additional information, please call.

Very truly yours,

T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., P.P., C.M.E., C.F.M.  
LAND USE BOARD ENGINEER

EWH:DW:lkc

cc: Michael Muscillo, Borough Administrator (via email)  
Ron Cucchiaro, Esq., Planning Board Attorney (via email)  
Marianne Dunne, Zoning Officer (via email)  
Christopher Marron, applicant (cmarron31@gmail.com)



HGPB- R1870

August 27, 2021  
Via Email

Michelle Hutchinson, Land Use Board Secretary  
Borough of Highlands Land Use Board  
42 Shore Drive  
Highlands, New Jersey 07732

**Re: 39 Barberie Avenue– Christopher Marron  
Block 76, Lot 15  
R-2.01 Zone  
Fee and escrow calculation**

Dear Ms. Hutchinson,

As requested, we have reviewed the above-referenced application in accordance with the Borough of Highlands Land Use Regulations Part 6 - Fee Schedule.

The applicant submitted the following documents in support of this application:

1. Land Use Board Application.
2. Zoning denial letter, dated January 26, 2021.
3. One (1) set of Architectural Plans prepared by Minkler Architecture & Design, dated November 29, 2020, consisting of three (3) sheets.

Please note the following fee calculations:

- |                            |                   |
|----------------------------|-------------------|
| <b>1. Application fee:</b> | <b>\$625.00</b>   |
| <b>2. Escrow fee:</b>      | <b>\$1,250.00</b> |

Please note that the initial application deposits shall be deducted from the total fees shown.

Should you have any questions or require any additional information, please call.

Very truly yours,

T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., P.P., C.M.E., C.F.M.  
LAND USE BOARD ENGINEER

EWB

cc: Michael Muscillo, Borough Administrator (via email)  
Ron Cucchiaro, Esq., Planning Board Attorney (via email)  
Marianne Dunne, Zoning Officer (via email)  
Christopher Marron, applicant (cmarron31@gmail.com)

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DETERMINATION OF FEES  
39 Barberie Avenue  
Block 76, Lot 15

HGPB-R1870

**A. APPLICATION FEES (Ord. 21-107)**

A. 3 Variances

Residential "C" Variances

|   |    |    |        |    |        |
|---|----|----|--------|----|--------|
| 3 | EA | \$ | 125.00 | \$ | 375.00 |
|---|----|----|--------|----|--------|

C.3 Site Plan

Minor

|   |    |    |        |    |        |
|---|----|----|--------|----|--------|
| 1 | EA | \$ | 250.00 | \$ | 250.00 |
|---|----|----|--------|----|--------|

**B. ESCROW FEES (Ord. 21-108)**

B. Escrow Deposits (twice Application Fee; Minimum \$750)

|   |    |    |          |    |          |
|---|----|----|----------|----|----------|
| 1 | LS | \$ | 1,250.00 | \$ | 1,250.00 |
|---|----|----|----------|----|----------|

|                                  |           |               |
|----------------------------------|-----------|---------------|
| <b>Application fees subtotal</b> | <b>\$</b> | <b>625.00</b> |
|----------------------------------|-----------|---------------|

|                            |           |                 |
|----------------------------|-----------|-----------------|
| <b>Escrow fee subtotal</b> | <b>\$</b> | <b>1,250.00</b> |
|----------------------------|-----------|-----------------|

|              |           |                 |
|--------------|-----------|-----------------|
| <b>Total</b> | <b>\$</b> | <b>1,875.00</b> |
|--------------|-----------|-----------------|

## **DENIAL OF DEVELOPMENT PERMIT**

January 26, 2021

Chris Marron  
39 Barbarie Avenue  
Highlands, NJ 07732

RE: 39 Barbarie Avenue  
Block 76, Lots 15

Please be advised that the above referenced application to construct a 2-story addition, where there is an existing porch; and construct a 2<sup>nd</sup> story, 298 s.f. addition; and construct a new roofed porch has been reviewed for compliance with the Borough of Highlands Zoning Ordinance. The property is located in the R-201 zone.

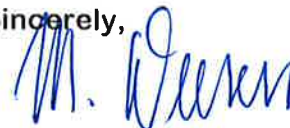
This application will require the following approvals:

**Submission of a Floodplain Certification has not been included. This is a requirement.**

**#21-86A4a      Side setback: 6' and 8' is required, 1.5' is existing/proposed  
Front setback: 20' is required, 5' proposed**

Please contact the Land Use Board Secretary, Nancy Tran, at 732-872-1224 to proceed with an application. Should you have any questions, feel free to contact me.

Sincerely,



Marianne Dunn  
Zoning Officer



Borough of Highlands  
42 Shore Drive, Highlands, NJ 07732  
Phone: 732-872-1224  
Fax: 732-872-0670

# Flood Plain Review Application

## Applicant Fees (non-refundable)

Enclosed \$50 Residential Fee

\_\_\_\_\_ \$100 Non-Residential Fee

## Borough Hall use Only

Block # \_\_\_\_\_

Lot # \_\_\_\_\_

Flood Zone/ \_\_\_\_\_

FIRM-FEMA PANEL3452970001B

## Applicant Information

Name: Christopher Marron

Date of Application: 1/29/2021

Street 39 Barberie

City Highland State NJ Zip 07732

Phone # 732-232-5699

## Project Site Information

Street same as above City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Has the above premises been the subject of any prior application to the Land Use Board to the applicant's knowledge?

- ☒ Yes  
☐ No

Please supply the Borough with a Topography Map done by a Land Surveyor or an Engineer. Upon approval, please supply an Elevation Certification before a CO is issued.

will email Marianne Dunn

- \_\_\_\_\_ Topography map  
\_\_\_\_\_ Elevation Certificate  
\_\_\_\_\_ Building plans

## Proposed Use

Describe in detail, the activity or activities to be performed:

Addition on current structure. Living space will all be contained on current foundation.

## Borough Hall Use Only

☐ Approved ☐ Disapproved

Flood Plain Administrator  
Borough of Highlands / FEMA

\_\_\_\_\_ Date

## BOROUGH OF HIGHLANDS

[illegible]

**DEPARTMENT SIGNATURE:**

RECEIVED BY:

DT XL: