

**BOROUGH OF LAKE COMO  
1740 MAIN STREET  
LAKE COMO, NJ 07719**

**PLANNING BOARD AGENDA**

**NOVEMBER 7, 2022  
REGULAR MEETING**

**7:00 PM  
LAKE COMO**

**I. CALL TO ORDER**

**II. SUNSHINE LAW:**

**THE NOTICE REQUIREMENTS OF R.S. 10:4-18 OPEN PUBLIC MEETINGS ACT HAVE BEEN SATISFIED BY THE PUBLICATION OF THE REQUIRED ADVERTISE-  
MENT IN THE COAST STAR ON FEBRUARY 3, 2022, AND BY POSTING IT ON THE  
BULLETIN BOARD IN BOROUGH HALL. A COPY OF SAID NOTICE HAS BEEN FILED  
WITH THE BOROUGH CLERK AND SENT TO THE COAST STAR. NOTICE OF THE IN-  
PERSON MEETING WILL ALSO BE POSTED ON OUR BOROUGH WEBSITE. ALL  
MEETINGS ARE OPEN TO THE PUBLIC.**

**\*\* FLAG SALUTE \*\***

**III. ROLL CALL**

**IV. REQUEST TO CARRY CONTINUED VARIANCE APPLICATION  
VAIL, SUSAN  
1819 FERNWOOD ROAD  
BLK - 13 LOT - 7**

**V. REQUEST FOR EXTENSION TO FILE SUBDIVISION  
TOLOMANOSI, VANCHI  
1707 MAIN STREET  
BLK - 11 LOT - 12**

**VI. MEMORIALIZATION OF A RESOLUTION  
HAMMER, LOIS & MICHAEL  
2112 MARGERUM AVENUE  
BLK - 34 LOT - 14**

**VII. PRELIMINARY AND FINAL SITE PLAN/USE VARIANCE APPLICATION  
ZERO'S ENT., INC. T/A BAR ANTICIPATION  
703 -16<sup>TH</sup> AVENUE BLK - 22 LOT - 22, 23, 24**

**VIII. CONCEPTUAL PLAN REVIEW  
BAYWATCH AT LAKE COMO  
2209 MAIN STREET  
BLK - 35 LOT - 21**

**IX. INFORMAL APPLICATION  
MC INTYRE, SHANNON & SIGLE, GEORGE  
1822 FERNWOOD ROAD  
BLK - 14 LOT - 33**

**X. PLANNING & ZONING DISCUSSIONS**

- 1. REDEVELOPMENT COMMITTEE      JOE CAVALUZZI & ALAN HILLA, JR.**  
**(WILL UPDATE AS NEEDED)**
- 2. GRADING/DRAINAGE ORDINANCE      JOE CAVALUZZI & ALAN HILLA, JR.**  
**(SEE MANASQUAN, WALL, BRIELLE & SPRING LAKE ORDINANCES)**

**XI. FUTURE MEETING DISCUSSIONS**

**PLANNING BOARD APPLICATION AND ESCROW FEES, STONES IN DRIVEWAYS,  
50% LANDSCAPE AREA IN FRONT YARD & VERGE, GRADING PLAN, USE FOR  
ACCESSORY STRUCTURES TO BE ADDRESSED AS MASTER PLAN UPDATE.**

**XII. MINUTES TO BE APPROVED**

**MINUTES TO BE APPROVED AS TYPEWRITTEN REVIEWED AND  
E-MAILED (PACKET TO FOLLOW).**

**XIII. MOTION TO ADJOURN**

**THE NEXT REGULAR MEETING OF THE LAKE COMO PLANNING BOARD WILL  
BE HELD IN PERSON ON MONDAY, DECEMBER 12, 2022, AT 7:00 PM IN THE  
MEETING ROOM. ALL MEETINGS ARE OPEN TO THE PUBLIC.**

# DANIEL JUDE MAXWELL, LLC

## Attorney-at-Law

Daniel Jude Maxwell, Esq.\*

\*NJ and NY Bars

302 Washington Avenue  
Suite 101  
Spring Lake, NJ 07762

732-230-5003

Maxwell@DanielJudeMaxwell.com

www.danieljudemaxwell.com

October 31, 2022

Borough of Lake Como

Planning Board

Via Email: [vgraham@lakecomonj.org](mailto:vgraham@lakecomonj.org)

Re: Applicant: Susan Vail  
1819 Fernwood  
DJM F/N: 46-22-09

Dear Borough of Lake Como Planning Board:

We respectfully request that the application now pending before the board be postponed for one cycle. We now have an updated agreement with the adjacent neighbor.

Please contact me if you have any questions regarding this letter.

Thank you.

Yours very truly,



Daniel Jude Maxwell

Sent via email [vgraham@lakecomonj.org](mailto:vgraham@lakecomonj.org)



1707 Oak Terrace - Block 11, Lot 12 External

Inbox



**Bill Marth**  
to me, Vancho, Garret

Dear Lake Como Planning Board,

On January 10, 2022, myself and my business partners, Vancho Tolomanosi and Garret MacAllen, received approval to subdivide this lot.

We understand the time to perfect the subdivision has passed. We would respectfully ask for a 180 day extension to perfect the subdivision by deed.

If you have any questions, feel free to contact me on my mobile number at 908-625-8034. Thank you for your courtesies with regard to this matter.

Respectfully submitted,

William Marth



**APPLICANT: LOIS AND MICHAEL HAMMER**  
**ATTORNEY: GREGORY VELLA, ESQ.**  
**APPLICATION NO. 2022-07**  
**BLOCK 34, LOT 14**  
**PROPERTY: 2112 MARGERUM AVENUE**

**THE LAKE COMO PLANNING BOARD**

**THE RESOLUTION OF THE PLANNING BOARD  
OF THE BOROUGH OF LAKE COMO,  
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

**WHEREAS,** Lois and Michael Hammer, Applicants, are the owners of the property located at 2112 Margerum Avenue, Block 34, Lot 14 in the Borough of Lake Como, County of Monmouth, and State of New Jersey, hereinafter referred to as the "Applicants", and have filed an application with the Planning Board of the Borough of Lake Como, hereinafter referred to as the "Board;" and

**WHEREAS,** The Applicants appeared before the Board on October 17, 2022, represented by their attorney, Gregory Vella, Esq. of the Law Firm of Collins, Vella and Casello, and all notice requirements mandated by statute were made and notices provided to the public, and proof submitted to the Board; and

**WHEREAS,** the Board has jurisdiction to hear, consider, and determine the application at issue; and

**WHEREAS,** the Board having given due consideration to the exhibits moved into evidence, and testimony presented at the meeting and does hereby makes the following findings of fact and conclusion of law:

1. The property in question is located on the east side of Margerum Avenue between 21<sup>st</sup> and 22<sup>nd</sup> Avenues. It is located in the Borough's single-family residential district, R 40. The applicant wishes to construct a new 2 ½ story residential dwelling on the existing foundation with ancillary site improvements.

The proposed use is conforming to the zone, however the existing lot proposed rowing units or non-conforming.

2. The Applicants previously appeared before the Board informally and received approval to do renovation on the existing house. Mr. Hammer testified that after beginning work on the property he discovered that the first floor was buttressed by concrete platforms. He testified this is an old style of construction but rendered the potential renovations impossible to complete. He decided then that the house needed to be demolished and reconstructed on top of the existing foundation. He further testified that the foundation was in acceptable condition and that the house would be properly constructed using the existing foundation, therefore he did not seek to move the house to a different location on the property. Testimony was also offered that even if the foundation was constructed on a different location, it would create different problems and require variances.

3. The following variances are required for the proposed project to be approved:

- A. Lot area where 4,000 square feet is required, and 3547 square feet is existing.
- B. Lot depth where 100 feet is required, and 55 feet is existing.
- C. Front yard setback where 6.1 feet is required, 9.25 feet is existing, and 6.87 feet is proposed.
- D. Rear yard setback where 10 feet is required, 3.18 feet is existing, and 3.18 feet is proposed.
- E. Side yard setback where 3 feet is required, 2.45 is existing, and 2.45 is proposed.

4. Mr. Hammer testified that he is a licensed builder in the State of New Jersey with approximately 25 years of experience building houses. He started the project on the existing house with the intention of refurbishing the structure, as per his informal approval. However, he found that the condition of the property, specifically the use of concrete platforms on the first floor made the approved project impossible. He then proceeded with the demolition of the home and filed these plans with the Borough. His intention is to build approximately the same size house previously existing on the lot using the



existing foundation. If the existing foundation is not found to be structurally sound, it will be removed, and a new foundation will be installed and inspected by the municipality. The shape and size of the lot made the construction of a home without variances impossible. The lot is undersized, and even if the Applicants were to construct a new basement more centrally located on the property variances would still be required. Furthermore, he and his engineer testified that the house is buffered on two sides by garages on other properties and is not disruptive to the neighborhood. In addition, the outdoor shower and old deck will be removed.

5. Testimony was presented by Charles Stewart, a Licensed Engineer in the State of New Jersey. Mr. Stewart testified both as an engineer and as a licensed planner. Testimony was offered as to the need and practical basis for the variances, including the size and shape of the lot, and the impracticality of moving the house to a different location on the property. He also testified as to the buffer provided by buildings on the neighbor's property. He also testified as to the placement of a new curb cut and the parking. He further agreed to provide a topography, grading plan, and a drainage plan to be approved by the Board Engineer prior to the issuance of any building permits.

6. Gretchen Schmidhauser supported the application as the demolished house was dilapidated. The neighborhood will be improved with a tract of new construction and will be appropriately maintained. She did express concern for drainage issues as there are already water problems in the neighborhood. Mr. Hammer responded that he intended to address those concerns by raising the grading of his basement and providing a drainage plan to the Borough Engineer.

7. The Board finds that the Applicants have established and demonstrated that the lot is of such a size and shape that the strict application of the zoning ordinances would result in practical difficulties. Specifically, the Board finds that the size of the lot is an existing condition that cannot be modified, the house that was on this property was in serious need of repair, and the Applicants offered credible testimony that once he started work on the structure he realized that the house could not be restored to livable condition, and with the house demolished, the proposed new house is appropriate for the zone both in size and its location on the property. The neighboring properties both offer a buffer with their garages. The Applicants are not increasing nonconformities as to the rear or side

yard setbacks. Thus, the variance is reasonable and can be approved without being disruptive to the neighborhood or substantially conforming to the intent and purpose of the municipal zoning plan and ordinance.

**NOW THEREFORE BE IT RESOLVED** by the Lake Como Planning Board that it adopts the following findings facts and conclusions of law:

1. Based on the aforesaid findings of fact, the Board concludes that the granting of the approval request by the Applicants will improve the appearance of the property and that the proposed dwelling will be appropriate for the zone in both size and location on the property.

2. The following variances are hereby granted:

- A. Lot area where 4,000 square feet is required, and 3547 square feet is existing.
- B. Lot depth where 100 feet is required, and 55 feet is existing.
- C. Front yard setback where 6.1 feet is required, 9.25 feet is existing, and 6.87 feet is proposed.
- D. Rear yard setback where 10 feet is required, 3.18 feet is existing, and 3.18 feet is proposed.
- E. Side yard setback where 3 feet is required, 2.45 is existing, and 2.45 is proposed.

**BE IT FURTHER RESOLVED** by the Planning Board of the Borough of Lake Como that the application is approved with the following conditions.

1. Drainage and grading plan will be submitted to the Borough Engineer and approved prior to any building permits being granted.

2. The Applicants shall submit plans showing the removal of the old deck and the outdoor shower. The new plan should also contain pavers as described at the public hearing. If the existing foundation proves unsound, a new foundation will be constructed, subject to inspection by the Borough.

3. All construction and development on the site will be consistent with the

plans, renderings and testimony presented at the public hearing, and subject to any and all conditions set forth at the public meeting whether or not included in this resolution.

4. Subject to the Applicants complying with any and all Federal, State County, Local laws, rules and regulations affecting or pertaining to the development and use of the site in question. Furthermore, if any governmental agency grants a waiver or variance of a regulation which affects this approval, any condition attached hereto or otherwise requires any changes to the plans herein approved, this matter shall be brought back before the Board for review of any such action and the Board shall have the right to modify this approval and/or the conditions attached hereto as a result of any such actions.

**RESOLUTION 2022-07**

**MOVED BY:**

**SECONDED BY:**

**ADOPTED BY THE FOLLOWING VOTES:**

**AYES:**

**NAYS:**

**ABSTAIN:**

The above resolution was approved by the Planning Board of the Borough of Lake Como at its regular meeting on the 17<sup>th</sup> day of October, 2022. I do hereby certify that the foregoing is a true and correct copy of Planning Board Resolution No. 2022-07.

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**CHAIRMAN, Joseph Cavaluzzi**



ZONING

Ck# 3592 \$ 70.00 Rec'd by ll Date 8/27/18 Permit # 18-54

**\* A NON-REFUNDABLE \$70.00 FEE MUST BE SUBMITTED WITH THIS APPLICATION \***

## **Borough of Lake Como**

### **Zoning Application for Residential and Commercial Properties**

1. **Address of Property:** 703 16<sup>th</sup> AVE  
**Block:** 22 **Lot:** 22, 23 + 24 **Zone:** \_\_\_\_\_

2. **Property Designation:** Single Family \_\_\_\_\_ Multi Family \_\_\_\_\_ Commercial \_\_\_\_\_

3. **Applicant's Name\*:** Zero's Enterprises Inc.

**Address:** 703 16<sup>th</sup> AVE

**Phone Number:** 732-681-7422

**\*Applicant is:** Owner X Contractor \_\_\_\_\_ Other \_\_\_\_\_  
(If other, please describe) \_\_\_\_\_

4. **Owner's Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

5. **Type of Proposal: (please check)**

_____ New Home	_____ Alteration to Existing Home: 1 - 1 ½ Story	_____ 2 - 2 ½ Story
_____ Pool: Above Ground	_____ In-Ground	ADDITION IN FRONT OF Bld. + ENCLOSED Rear deck.
_____ Shed	_____ Fence	_____ Deck <u>X</u> Other *If other, please describe: _____
Water Line: Existing <u>X</u> New _____ Upgraded _____		
Sewer Line: Existing <u>X</u> New _____ Upgraded _____		

**Dimension of New Building/Addition:** \_\_\_\_\_ **Height of New Building/Addition:** \_\_\_\_\_

**Area of New Building/Addition:** \_\_\_\_\_ **sq. ft. Number and Types of Rooms:** \_\_\_\_\_

FRONT 557 sq ft + 1,556 enclosed deck in Rear

\* If multiple additions are being applied for, itemize the additions and provide all pertinent information for each addition as requested above. \* If addition is a pool, please indicate type and height of fencing.

**Additional Information:**

Proposing 557 sq ft Front addition.

Enclosing deck with 1,556 enclosure

6. \*\*\* Must Submit Two (2) Copies of Plot Plan/Survey Indicating Proposed Structures with Dimensions and Setbacks from Property Lines \*\*\*

7. Applicant certifies that all statements and information made and provided as part of this application are true to the best of their knowledge, information and belief. Applicant further states that all pertinent municipal ordinances, and all conditions, regulations and requirements of site plan approvals, variances, and other permits granted with respect to said property shall be complied with.

Signature of Applicant

Date

8-24-18

Office Use Only

Zoning Reviewer:

MARK RESSLER

Date:

8/28/18

Application Complete: Yes ☐ No ☐

Approved: ☐

Rejected: \* AS NOTED

Planning/Variance Board action needed: Yes ☐ No ☐

Proposed Work Needs Construction Permits: Yes ☐ No ☐

Mercantile License Needed? Yes ☐ No ☐

Notes: \* PLANNING BOARD REVIEW & PLANNING VARIANCES REQUIRED. (NUMBER OF PARKING SPACES DOES NOT CONFORM TO ORDINANCE NOR DOES THE PROPOSED PARKING SPACE SIZE (8'x18' V.S. 9'x19'26'6") CONFORM.

\* PROPOSED SETBACKS & BUILDING COVERAGE CONFORMS, BUT PROPOSED ADDITIONS WOULD INCREASE THE YEAR ROUND "USE" AND "OCCUPANCY" OF THE BUILDING.

\* NOTE: ALL INTERIOR CHANGES (INCLUDING ADD TO THE SECOND FLOOR) SHOULD BE REVIEWED TO ACCURATELY DETERMINE THE ACTUAL OCCUPANCY.

Mark Ressler

8/28/18



# Borough of Lake Como

1740 Main Street, P.O. Box 569 • Lake Como, New Jersey 07719-0569  
(732) 681-3232 • FAX (732) 681-8981

Kevin G. Higgins  
Mayor

## FORMAL PLANNING BOARD APPLICATION

Louise A. Mekosh  
Borough Clerk/Administrator

### For Municipal Use Only

Application No. 19- *(Continued as new app. 11-07-22)*  
Received by Clerk: 12/19/18  
Fees Collected: \$1250.00 *Esc + add'l*  
Hearing Date: 4/8/19 *Clarkburg*  
Resolution Adopted by Board: \_\_\_\_\_  
( ) Granted ( ) Denied

=====

If something is not applicable to application being submitted, please specify with N/A.

1. Applicant(s) Name & Address Zero's Enterprises, Inc.  
703 16<sup>th</sup> Avenue, P.O. Box 483  
Belmar, NJ 07719  
Telephone No. 732-681-7422
2. If the applicant is being represented by an attorney, please state name, address, and telephone no. Gregory W. Vella, Esq.  
Collins, Vella & Casello, LLC  
2317 Hwy 34, Suite 1A  
Manasquan, NJ 08736  
732-451-1766
3. Applicant is:  
☒ Corporation  
☐ Partnership  
☐ Individual  
☐ Other

**NOTE:** If applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership.

4. The relationship of applicant to the property in question is: X Owner \_\_\_\_\_ Lessee

1.

1740 Main Street, P.O. Box 569 • Lake Como, New Jersey 07719-0569  
(732) 681-3232 • FAX (732) 681-8981

5. If applicant is not Owner, please state name and address and telephone number of Owner:

N/A

6. Application is a request for the following:

☒ Preliminary Site Plan

☒ Final Site Plan

☐ Joint Preliminary and Final Site Plan

☐ Minor Subdivision (3 or less lots)

☐ Preliminary Subdivision

☐ Final Subdivision

☐ Joint Preliminary and Final Subdivision

☐ Variance requests - please specify \_\_\_\_\_

including Bulk or Use Variances \_\_\_\_\_

☐ Informal Hearing

7. Give brief description of application: Front  
addition of 557 sq. ft. and 1556 enclosed  
deck in rear.

8. Street Address of Property: \_\_\_\_\_

Block: 22

Lot(s): 22, 23, 24 **\*\*Must be Current Blk/Lot**

9. Use of Property: \_\_\_\_\_

Existing Bar / Restaurant

Zone General Business Proposed Bar / Restaurant

Lot Area: 143,782 sq. ft.

Building Area: approximately 9,690 sq. ft.

10. Map Information: \_\_\_\_\_

Map Dated \_\_\_\_\_

Prepared by Mark E. Rene, P.E.

Map Entitled \_\_\_\_\_

11. Additional comments by applicant which may be relevant to hearing: \_\_\_\_\_

I certify that the statements and information contained in this application are true.

9-17-11  
Date

[Signature]  
Applicant/Agent

ATTORNEY FOR APPLICANT

I authorize the applicant to submit this application and process for approval.



## **List of Owners of Zero's Enterprises, Inc.**

50% Reginald Hyde

50% Richard Hyde





architects + engineers

4810 Belmar Boulevard, Ste 201  
Wall Township, NJ 07753 | tel 732.414.2661

ENGINEERING NJ #24GA28019100  
LAND SURVEYING NJ #24GA28019100  
LANDSCAPE ARCHITECTURE NJ #24GA28019100

October 31, 2022

Lake Como Planning Board  
c/o Viveca Graham, Board Secretary  
1740 Main Street  
P.O. Box 569  
Lake Como, NJ 07719

**Re: Zero's Enterprises, Inc.  
Completeness/Technical Review No. 3  
703 16<sup>th</sup> Avenue  
Block 22, Lots 22, 23, and 24  
H2M Project No. LKCP 1802**

Dear Chairman and Board Members:

I am in receipt of an application package for the referenced project. The package includes a completed Planning Board Application, a Zoning Board Application, Architectural Plans (4 sheets) prepared by George F. Sincx, AIA, dated revised November 6, 2019, a Final Site Plan prepared by Reme and Associates, LLC, dated 12/27/17, latest revision July 21, 2021, and site survey prepared by Robert M. Ragan, PLS, latest revision February 3, 2020. At this time, I find that this application is substantially complete and may be scheduled for a public hearing at the Board's convenience. Accordingly, based on my review of these documents in conjunction with the Borough Ordinance, I offer the following comments for your use through the public hearing process.

### **General**

The property in question is located on the southern side of Sixteenth Avenue, west of Green Street. This location is within the Borough's General Business Zone (GB). The subject lot currently contains a two-story tavern/restaurant building and associated accessory structures that occupies nearly the entire parcel. It appears that the Applicant is proposing a 557 square foot front building addition (2-story), internal remodeling, a 1,556 square foot first floor deck enclosure. The existing & proposed use and proposed additions to the principal structure are conforming for the zone; however, many other existing conditions at the site are non-conforming for the zone.

The Board should note that despite the project characterization provided above, I am unclear about the extent of the proposed application. I do not believe that Note #3 on the Site Plan squares with the original application documents or the architectural plans cited above. I believe that Board should elicit testimony regarding the full extent of the proposed conditions (and any additional relief that they may require) before advancing to the specific items addressed below.

Lastly, it should be noted that this site has a great many existing non-conformities that are understood to be legally existing through previous Board approvals. Accordingly, this review only addresses the proposed improvements as set forth by the application documents.

### **Land Use/Site Planning Issues**

My review of the proposed plan identified the following issues that should be addressed through the public hearing process:

1. It is my understanding that the Applicant was to consolidate a number of lots through previous Board approval(s). However, the Site Plan depicts individual lots and calculations based on those individual lots. The Board should elicit testimony regarding these circumstances to clarify the record, and, in the event of an approval, require the Applicant to file a revised Site Plan reflecting the testimony provided and condition any approval on the consolidation of those lots.
2. Code Section 17-9.3(e) sets the maximum building height for structures in this Zone at 35 feet. The Applicant's plans do not provide enough information to accurately determine the proposed Building Height (which is measured from the top of curb elevation at the midpoint of the front lot line). Notwithstanding, the proposed front addition to the building scales both 35 feet and 39 feet above adjacent grade (depending on which elevation view is scaled). Calculating the proposed Building Height by the Ordinance definition (by referencing both the Architectural and Engineering Plans) yields a proposed height of either 37.1 feet or 41.1 feet. I believe the Applicant's intention is the former, in which case the front addition still exceeds that which is allowable. Accordingly, a bulk criteria variance will be required for the proposed front addition. The Board should confirm this intention through the course of the public hearing. Also, in the event the Board grants approval, the Board should condition that approval such that the architectural plan scale properly and that the corresponding information also makes its way on the engineering plan as well.

Also, there are no indications of how ADA provisions for second floor access will be provided. The Board should elicit testimony regarding this issue.

Lastly, the Site Plan identifies the side setback at Green Street as 5 feet required, and 5.07 feet existing. By definition, the Green Street side of the principal structure is actually a Front Yard, requiring a 20-foot setback. While this inaccuracy does not affect the proposal, the plans should be revised to reflect this distinction.

3. The architectural plans depict an expanded railing above the enclosed deck at the rear of the principal structure. It is not clear why this railing is necessary. The Board should elicit testimony regarding that second-floor deck, including access and intent for use.

Also, the scaled distances of this second-floor deck area between the architect's plans and the architect's elevations are not the same. The Board should elicit testimony regarding this discrepancy and require revised plan be provided to address same.

4. The Site Plan depicts a dumpster area, area west of the volleyball courts. The Board should elicit testimony regarding the circumstances of this feature (including dumpster sizes, location, enclosure and security). Also, it appears that there is a shed associated with this area. The Board should elicit testimony regarding this structure as well. Lastly, the Board should also elicit testimony regarding vehicular access to the dumpster area in light of the proposed parking lot expansion set forth on the Site Plan (which seemingly precludes such access).

5. Code Section 17-10.7 sets forth the off-street parking requirements for uses throughout the Borough. I believe the Site Plan correctly calculates the existing and proposed parking burden (255 spaces and 261 spaces, respectively) and provides an accurate "proposed" parking count (200 spaces) if the application is approved. In the proposed condition, a variance will be required for the proposed non-conforming parking provision (261 spaces required, 200 provided).

An issue that is linked to the provision of the proposed 200 spaces is the reliance on the parking lot to the west of the railroad tracks, which technically affords 89 spaces. I am unaware of the legal mechanism provided to ensure the use of that lot in perpetuity and it has become clear that that lot rarely affords the total number of spaces credited here as it is cluttered with various vehicles and construction equipment, thereby reducing the actual usefulness of the lot. The Board should elicit testimony regarding the legal mechanism to link the off-site lot to the Bar-A property and further inquire as to how the Applicant will operate that lot in the future to afford maximum availability of the spaces there.

6. The site visit revealed that the pavement surface and drainage of the lot to be modified is unacceptable by municipal standards. The Board should elicit testimony regarding the proposed improvement of that lot (not just the addition to it) and require that (1) positive drainage of the lot be achieved through some sort of recharge system, and (2) the completion of the lot be completed prior to final inspections of the building improvements.
7. The Site plan is silent with regard to any existing or proposed screening or landscaping of the parking lot to be improved. The Board should elicit testimony regarding this issue and consider conditioning any approval on the provision of suitable screening/landscaping.

I trust this report is suitable for your purposes. If you have any questions regarding this application, please contact me.

Very truly yours,  
**H2M ASSOCIATES, INC.**



Alan P. Hilla, Jr., P.E., P.P., CME  
Planning Board Engineer

APH:chw

CC: Zero's Enterprises, Inc., Applicants  
Adam Schneider, Esq., Board Attorney  
Gregory W. Vella, Esq., Applicant Attorney



NOTES:

1. PROPERTY KNOWN AS BLOCK 24, LOTS 22, 23, & 24 IN THE BOROUGH OF LAKE COMO, MONMOUTH COUNTY, NJ. OWNER: REMUE, INC.
2. TAKEN/PAID (EXISTING USE)
3. ADD NEW EXTERIOR PAINT SPACE AND 4TH FLOOR SECOND LEVEL DECK, APARTMENT, APARTMENTAL SITE. PROPERTY IS LOCATED WITHIN THE GENERAL BUSINESS ZONE.
4. BLOCK RECONSTRUCTION.

EXISTING	EXISTING (EXTERIOR) (2)
MIN. LOT AREA	141,257 SF (3.275 ACRES)
MIN. LOT WIDTH	250.00 FT
MIN. LOT DEPTH	364.00 FT
MIN. FRONT YARD SETBACK	20.00 FT
MIN. SIDE YARD SETBACK	5.00 FT (3) - VARIANCE REQUIRED
MIN. REAR YARD SETBACK	20.00 FT
MIN. FRONT YARD SETBACK	20.00 FT
MIN. SIDE YARD SETBACK	5.00 FT (3) - VARIANCE REQUIRED
MIN. REAR YARD SETBACK	20.00 FT
MAX. BUILDING HEIGHT	35 FT (ON 3 STORES)
MAX. BUILDING COVERAGE	6.55% (EX/7.13% (7))

PARKING REQUIREMENTS (PER ORDINANCE 17-02) (R150X10)

- ONE (1) SPACE FOR EVERY ONE HUNDRED (100) SQUARE FEET OF INTERIOR GROSS FLOOR AREA (DOES NOT INCLUDE LOBBY, STAIRS, ELEVATOR SHAFTS, MECHANICAL ROOMS, ETC.)
- ONE (1) SPACE FOR EVERY ONE HUNDRED FIFTY (150) SQUARE FEET OF EXTERIOR AREA LICENSED FOR THE CONSTRUCTION OF ALCOHOLIC BEVERAGES, INCLUDING, BUT NOT LIMITED TO PATIOS, DECKS, GROVES, OUTSIDE + PATIOS SPACES 9'x9' (DOA SPACES TO BE 8' WIDE WITH 5' SIDES (17' FOR VAN ACCESSIBLE))
- INTERIOR GFA = 6,600 + 537 (NEW) = 7,137 SF @ 1 SPACE/100 SF = 71.37 REQUIRED
- EXTERIOR AREA (PER AREA) = 23,170 SF @ 1 SPACE/150 SF = 154.47 REQUIRED
- TOTAL REQUIRED = 285.84 SPACES

EXISTING: 90 SPACES + 88 OFF SITE SPACES (LAST WEST OF RAILROAD ON ADJACENT PROPERTY) = 178 SPACES PROVIDED: 178 SPACES + 88 OFF SITE SPACES = 266 SPACES (PARKING VARIANCE REQUIRED 111 ON SITE, 89 OFF SITE)

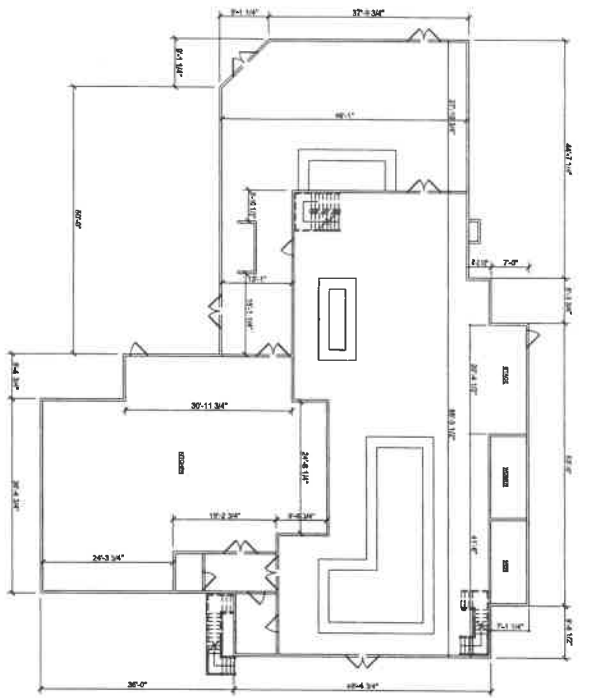
INTERIOR SECOND FLOOR RECONSTRUCTION WILL BE WITHIN EXISTING BUILDING FOOTPRINT

5 DOA SPACES PROVIDED (PER DEC 2016 TABLE 100.1)

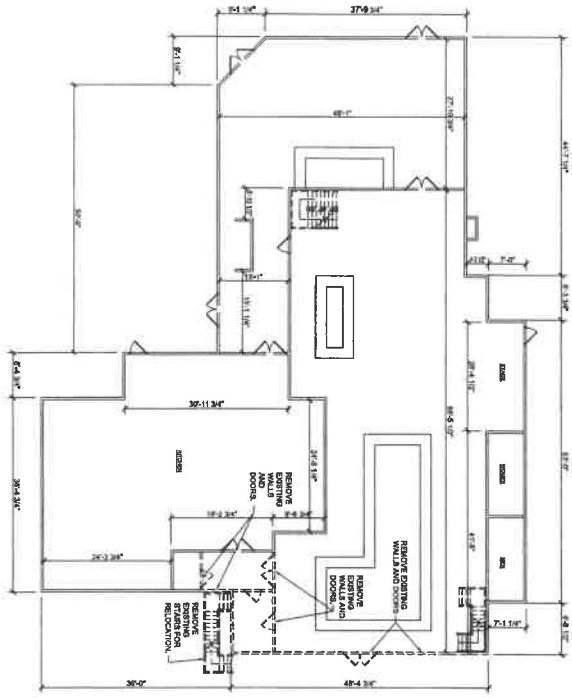
3. SITE PLAN IS BASED ON THE PROPERTY SURVEY TITLED "PLAN OF SURVEY FOR ZEV'S DIFFERENCES, BLOCK 22, LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 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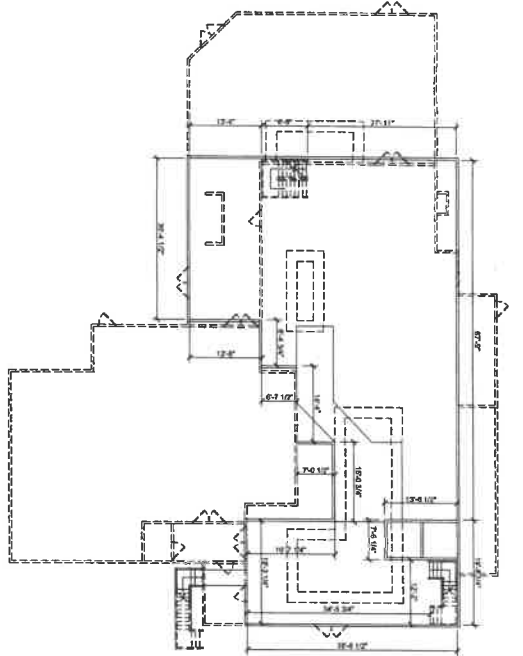




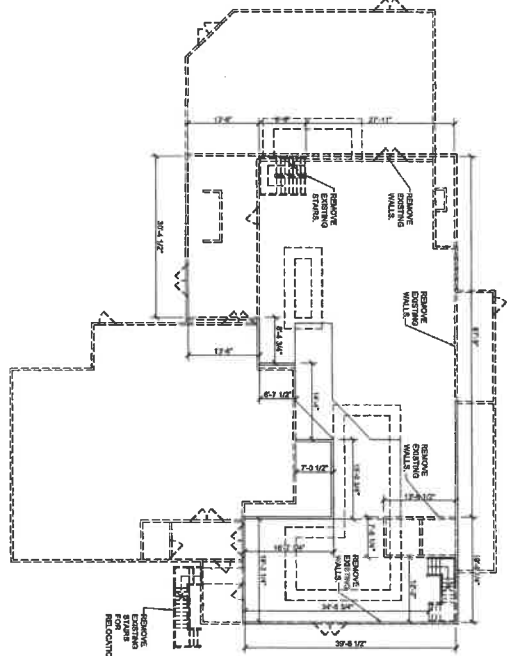
1 EXISTING FIRST FLOOR PLAN  
Scale  $\frac{3}{8}" = 1'-0"$



3 FIRST FLOOR DEMOLITION PLAN  
Scale  $\frac{3}{8}" = 1'-0"$



2 EXISTING SECOND FLOOR PLAN  
Scale  $\frac{3}{8}" = 1'-0"$



4 SECOND FLOOR DEMOLITION PLAN  
Scale  $\frac{3}{8}" = 1'-0"$

SYMBOL LEGEND	
	EXISTING
	DEMOL
	LOBBY LINE
	STRUCTURE ABOVE

BAR ANTICIPATION  
703 16TH AVENUE  
BELMAR, NJ

EXISTING AND DEMOLITION PLANS

DATE 12-03-18  
DRAWN BY: GNL  
SCALE: AS NOTED  
CHECKED BY: GFS

REVISIONS		
NO.	DATE	OWNER COMMENTS
1	11/6/19	OWNER COMMENTS
AREA:		7,384 SQ. FT.

SINCOX ASSOCIATES  
ARCHITECTS/PLANNERS

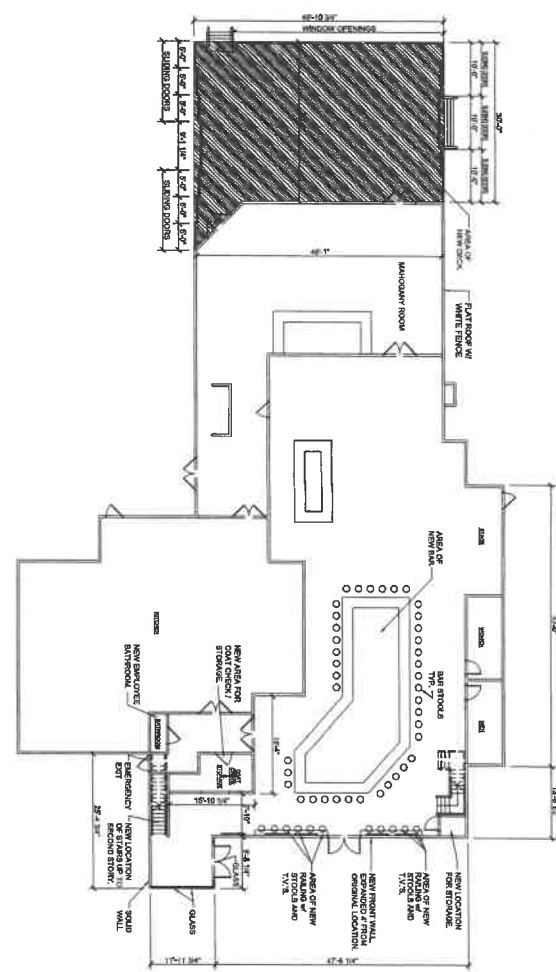
P.O. BOX # 2896  
WESTFIELD, NEW JERSEY 07090

TEL. NO. 908-232-8888  
FAX NO. 908-232-4439

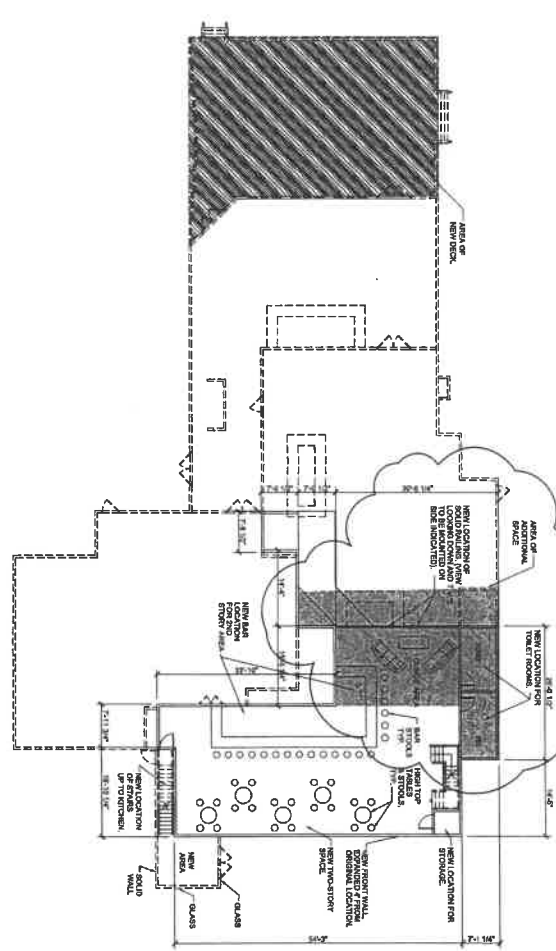
GEORGE F. SINCOX AIA  
P. 020817 P. 388/6  
NY 020817 A. 5554

PROJECT NO.  
**A-1**  
SHEET 1 OF 3





1 PROPOSED FIRST FLOOR PLAN - 4,077 SQ.FT.  
Scale:  $\frac{3}{8}" = 1'-0"$



1 PROPOSED SECOND FLOOR PLAN - 1,818 SQ.FT.  
Scale:  $\frac{3}{8}" = 1'-0"$

SYMBOL LEGEND	
	EXISTING
	PROPOSED
	STRUCTURE ABOVE

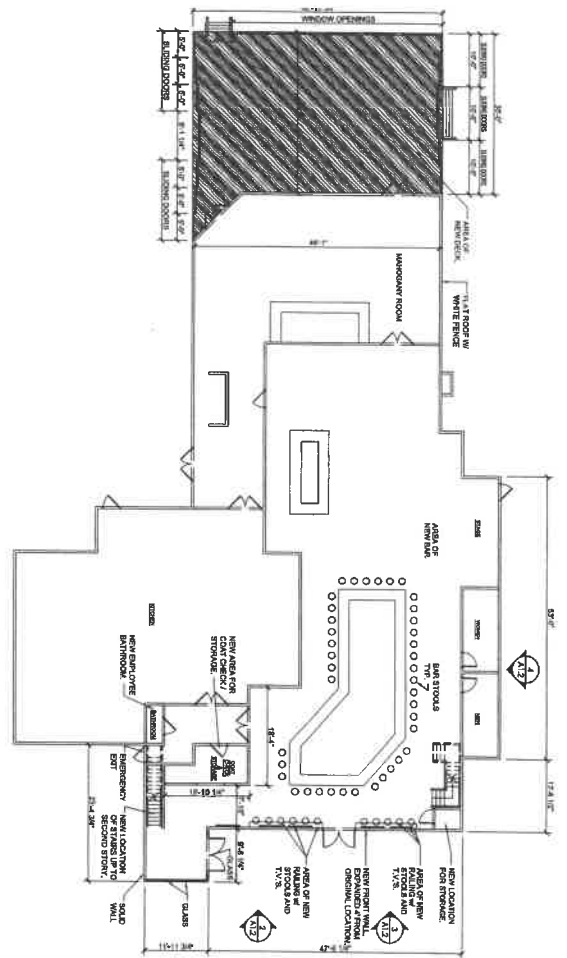
REVISIONS		
NO.	DATE	OWNER COMMENTS
1	1/6/19	OWNER COMMENTS

AREA: 7 381 SQ.FT.

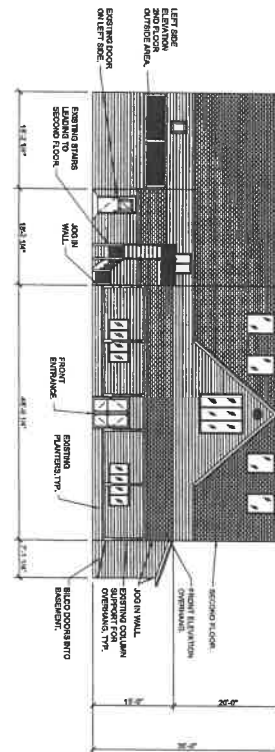
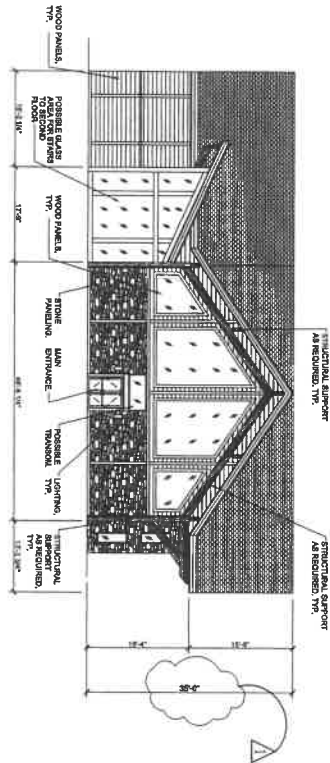
BAR ANTICIPATION 703 16TH AVENUE BELMAR, NJ	
DATE: 12-03-18	DRAWN BY: eRL
SCALE: AS NOTED	
CHECKED BY: G-S	

SINCOX ASSOCIATES ARCHITECTS/PLANNERS	
P.O. BOX # 2696 WESTFIELD, NEW JERSEY 07090	
TEL: 908-232-8188	FAX: 908-232-4439
GEORGE = SINCOX AIA NJ C 111 PA 88818 NY 02081/VA 5562	

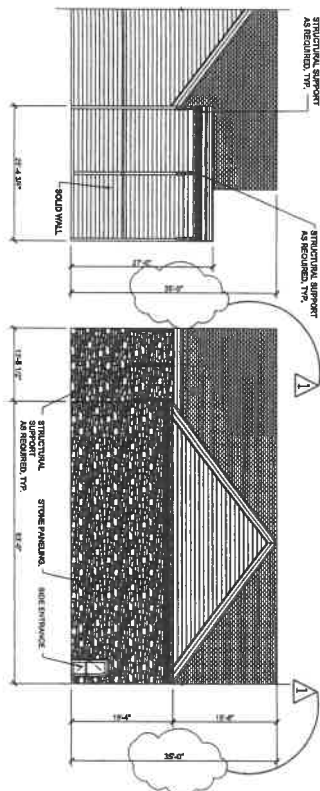


Scale:  $\frac{3}{32}'' = 1'-0''$ 

Scale:  $\frac{3}{32}'' = 1'-0''$


$$\text{Scale: } \frac{3}{32}'' = 1'-0''$$


Scale:  $\frac{3}{32}'' = 1'-0''$



SINCOX ASSOCIATES  
ARCHITECTS/PLANNERS

P.O. BOX # 2696  
WESTFIELD, NEW JERSEY 07090

TEL. NO.908-232-8188  
FAX NO.908-232-4439

GEORGE F. SINCOX AIA  
NJ C7471 PA 38616  
NY 020817 VA 5564

BAR ANTICIPATION  
703 16TH AVENUE  
BELMAR, NJ

## PROPOSED PLAN & EXTERIOR ELEVATIONS

DATE: 12-05-18
DRAWN BY: CRL
SCALE: AS NOTED
CHECKED BY: GFS

REVISIONS		
NO.	DATE	
1	11/6/19	OWNER COMMENTS
AREA: 7 384 SQ.FT.		

PROJECT NO.  
**A-3**  
SHEET 3 OF 3

SHEET 3 OF 3



Ck# CASH \$ 70.00 Rec'd by VHA Date 10/29/22 Permit # 52-74

**\* A NON-REFUNDABLE \$70.00 FEE MUST BE SUBMITTED WITH THIS APPLICATION \***

## **Borough of Lake Como**

### **Zoning Application for Residential and Commercial Properties**

1. **Address of Property:** 2209 MAIN STREET REAR YARD  
**Block:** 35 **Lot:** 21 **Zone:** \_\_\_\_\_

2. **Property Designation:** Single Family \_\_\_\_\_ Multi Family ☒ Commercial \_\_\_\_\_

3. **Applicant's Name\*:** ADRIAN GARCIA

**Address:** 2209 MAIN STREET REAR, LAKE COMO NJ

**Phone Number:** 609 356-4203

**\*Applicant is:** Owner \_\_\_\_\_ Contractor \_\_\_\_\_ Other ☒ TENANT  
(If other, please describe) \_\_\_\_\_

4. **Owner's Name:** BAY WATCH AT LAKE COMO

**Address:** PO BOX 483 BELMAR, NJ 07719

**Phone Number:** 609-982-0157

5. **Type of Proposal: (please check)**

\_\_\_\_\_ **New Home** \_\_\_\_\_ **Alteration to Existing Home:** 1 - 1 ½ Story \_\_\_\_\_ 2 - 2 ½ Story \_\_\_\_\_

\_\_\_\_\_ **Pool:** Above Ground \_\_\_\_\_ In-Ground \_\_\_\_\_

\_\_\_\_\_ **Shed** \_\_\_\_\_ **Fence** \_\_\_\_\_ **Deck** \_\_\_\_\_ **Other** \*If other, please describe: \_\_\_\_\_

**Water Line:** Existing \_\_\_\_\_ New \_\_\_\_\_ Upgraded \_\_\_\_\_

**Sewer Line:** Existing \_\_\_\_\_ New \_\_\_\_\_ Upgraded \_\_\_\_\_

**Dimension of New Building/Addition:** 7' x 7' **Height of New Building/Addition:** \_\_\_\_\_

**Area of New Building/Addition:** 49 sq. ft. **Number and Types of Rooms:** 1

\* If multiple additions are being applied for, itemize the additions and provide all pertinent information for each addition as requested above. \* If addition is a pool, please indicate type and height of fencing.

**Additional Information:**

PUT ON EXISTING CEMENT PAD IN BACKYARD

**ZONING**





6. \*\*\* Must Submit Two (2) Copies of Plot Plan/Survey Indicating Proposed Structures with Dimensions and Setbacks from Property Lines \*\*\*

7. Applicant certifies that all statements and information made and provided as part of this application are true to the best of their knowledge, information and belief. Applicant further states that all pertinent municipal ordinances, and all conditions, regulations and requirements of site plan approvals, variances, and other permits granted with respect to said property shall be complied with.

X Adrian Garcia  
Signature of Applicant

10/19/22  
Date

.....  
Office Use Only

Zoning Reviewer: "SEE ATTACHED" Date: \_\_\_\_\_

Application Complete: Yes \_\_\_\_\_ No \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected: \_\_\_\_\_

Planning/Variance Board action needed: Yes \_\_\_\_\_ No \_\_\_\_\_

Proposed Work Needs Construction Permits: Yes \_\_\_\_\_ No \_\_\_\_\_

Mercantile License Needed? Yes \_\_\_\_\_ No \_\_\_\_\_

Notes:



6. \*\*\* Must Submit Two (2) Copies of Plot Plan/Survey Indicating Proposed Structures with Dimensions and Setbacks from Property Lines. \*\*\*
7. Applicant certifies that all statements and information made and provided as part of this application are true to the best of their knowledge, information and belief. Applicant further states that all pertinent municipal ordinances, and all conditions, regulations and requirements of site plan approvals, variances, and other permits granted with respect to said property shall be complied with.

---

Signature of Applicant

Date

**Office Use Only.**

**Zoning Reviewer:** John Rowe **Date:** 10/27/2022

**Application Complete:** Yes ☒ No ☐

**Approved:** ☐ **Rejected:** ☒

**Planning/Variance Board action needed:** Yes ☒ No ☐

**Proposed Work Needs Construction Permits:** Yes ☐ No ☒

**Mercantile License Needed:** Yes ☐ No ☒

**Notes:** PROPERTY IS A PREEXISTING, NON -CONFORMING USE. THE SHED WOULD BE INSTALLED ON AN EXISTING PATIO SO THE LOT COVERAGE WOULD NOT INCREASE. AN INFORMAL HEARING BEFORE THE PLANNING IS REQUIRED.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**Approved**  
**Denied**  
**Received**

  
\_\_\_\_\_  
**John P. Rowe, Zoning Officer**

10/27/22  
**Date**



**BAYWATCH AT LAKECOMO LLC**

**P.O.BOX 483  
BELMAR, NEW JERSEY 07719  
609-9020157**

**October 12, 2022**

**Borough of Lake Como  
1740 Main Street  
Lake Como NJ 07719  
Attn: Mr. John Rowe-Zoning Officer**

**RE: Request for a Shed at 2209 Main Street**

**Dear Mr. Rowe:**

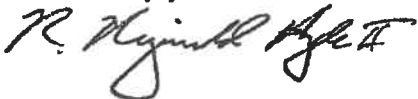
**Please except this letter as our written permission for our tenant, Mr. Adrian Garcia of 2209 Main Street, to install a shed on the existing cement slab located in the backyard of 2209 Main Street for storage.**

**At this time there is no storage for bikes, beach chairs or gardening tools, and we feel that this shed would be beneficial to everyone so that these items will no longer be in view by neighbors or passers by.**

**Mr. Garcia will be responsible for the purchase of shed and any all fees associated with zoning and building permits that maybe needed.**

**I thank you for your kind attention to this matter.**

**Sincerely yours,**



**R. Reginald Hyde II  
Owner  
BAYWATCH AT LAKECOMO LLC  
PO BOX 483  
Belmar, NJ 07719**





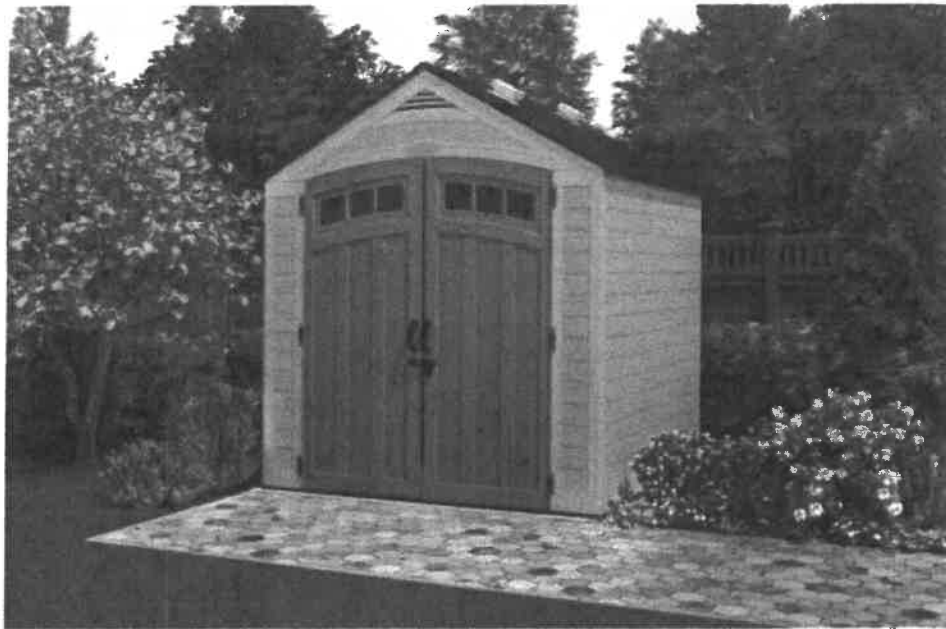
Suncast Vi...  
homedepot.com



Suncast

## Vista 7 ft. x 7 ft. Resin Storage Shed

★★★★☆ (1895) ✓







## Specifications

Dimensions: H 98 in, W 88 in, D 85.25 in

## Dimensions

Approximate Depth (ft.)

Approximate Width (ft.)

Assembled Depth (in.)

85.25 in

Assembled Height (in.)

98 in

Assembled Width (in.)

88 in

Coverage Area (sq. ft.)

50 ft<sup>2</sup>

Door Opening Height (In.)

75

Door Opening Width (In.)

60

Exterior Peak Height (ft.)

Sidewall Height (in.)

72

## Details

Assembly Required

Yes

Capacity (cu. ft.) - Total

326.9 cu ft

Color Family

Beige

Door Type

Double

Features

Door Latch,Double Door,Lockable Door,Vents,Windows

Floor Options

With Floor

Foundation

Foundation Not Included

Included

Floor

Manufacturers Recommended Assembly Time (hours)



4.5

Manufacturers Recommended Tools needed for Assembly

Safety glasses, Phillips screw driver, Mallet, Socket Wrench 7/16", wrench, Square, Flash

Maximum Roof Load

Maximum Wind Resistance

65

Number of People Recommended by Manufacturer to Assemble

2

Number of Windows

2

Product Weight (lb.)

325 lb

Returnable

90-Day

Roof Color Family

Brown

Roof Material

Plastic

Roof Material

Plastic

Roof Pitch

7:12

Roof Shape

Peak

Shed Type

Plastic

Siding Color Family

Beige/Bisque

Storage Capacity (cu. ft.)

327

Style

Traditional

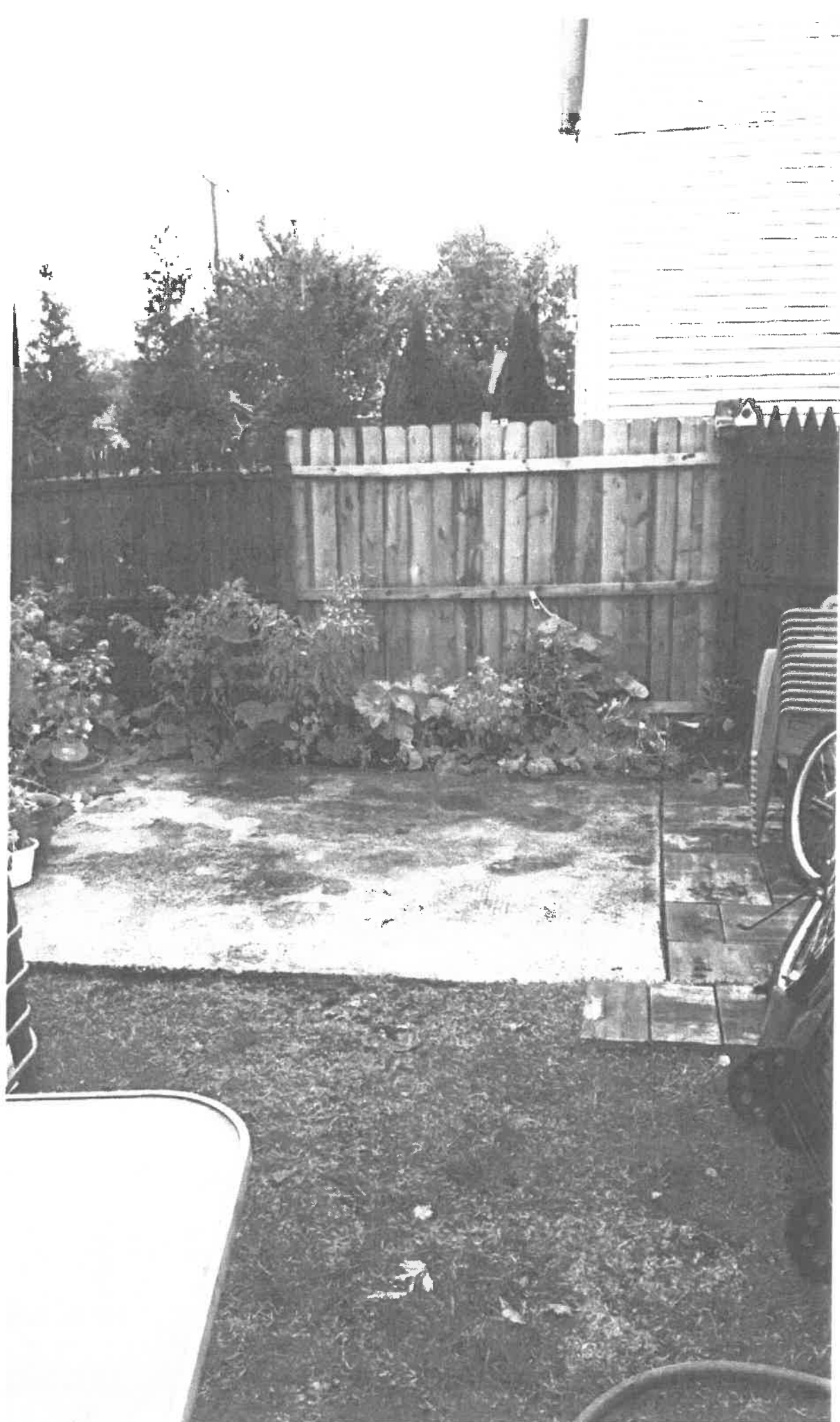
Style

Cottage









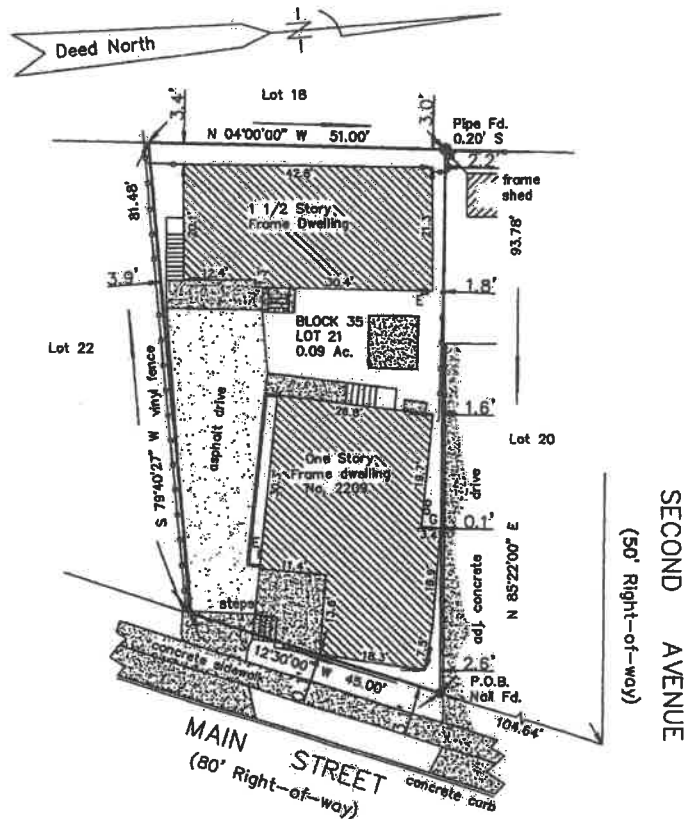




REVISIONS	PLAN OF SURVEY MADE FOR		
NO. DATE	BAYWATCH AT LAKE COMO, LLC		
	TAX BLOCK 35 LOT 21		
	BOROUGH OF LAKE COMO		
	MONMOUTH COUNTY		NEW JERSEY
	RAGAN LAND SURVEYING P.C.		
	1913 Cottage Place		
	Wall Township	New Jersey	
	Ph. 732-280-7000	Fax 732-280-6900	
Scale:	Date:	Deed Reference:	File No.:
1" = 20'	Oct. 12, 2015	OR-8416 Pg.9220	515-087



THIS CERTIFICATION IS MADE BY THE ABOVE NAMED PARTIES FOR THE PURCHASE AND/OR MORTGAGE OF THE HEREIN DELINEATED PROPERTY. THE SURVEYOR'S LIABILITY IS ASSUMED BY THE SURVEYOR FOR THE USE OF THE SURVEY FOR ANY OTHER PURPOSE INCLUDING BUT NOT LIMITED TO, USE OF THE SURVEY FOR SURVEY AFFIDAVIT, REAL ESTATE, PROBATE, ESTATE, ETC. THE SURVEYOR HAS BEEN ACCURATELY PREPARED IN THE FIELD AND THE SURVEY HAS BEEN ACCURATELY PREPARED ON THE GROUND AND THAT NO VISIBLE ENCROACHMENTS EXIST EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN HEREON. A WRITTEN WAIVER AND DECLARATION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L.2003.14(C)(4)(b)-(4)(c) AND N.J.A.C. 13-40-3.1 (d).



KNOWN AND DESIGNATED AS LOT 15 AND PART OF LOT 16 AS SHOWN ON A CERTAIN MAP ENTITLED "MAP OF TENT CITY, WALL TWP., MONMOUTH CO., N. J." DATED 1918 AND FILED IN THE OFFICE OF THE MONMOUTH COUNTY CLERK ON SEPTEMBER 16, 1919 AS CASE NO. 21-26.

This plan is certified to:

BAYWATCH AT LAKE COMO, LLC;  
COLLINS, VELLA & CASELLO, LLC;  
TRIDENT ABSTRACT TITLE AGENCY, LLC;  
MANASQUAN BANK.

ROBERT M. RAGAN

NEW JERSEY PROFESSIONAL LAND  
SURVEYOR LICENSE NO. 38977

REVISIONS NO. DATE	PLAN OF SURVEY MADE FOR BAYWATCH AT LAKE COMO, LLC		
	TAX BLOCK 35 LOT 21 BOROUGH OF LAKE COMO MONMOUTH COUNTY NEW JERSEY		
	RAGAN LAND SURVEYING P.C. 1913 Cottage Place Wall Township New Jersey Ph. 732-280-7000 Fax 732-280-6900		
Scale: 1" = 20'	Date: Oct. 12, 2015	Deed Reference: OR-8416 Pg.9220	File No.: S15-097



Ck# 403 \$ 70<sup>00</sup> Rec'd by VH Date 8-22-22 Permit # 22-58

\* A NON-REFUNDABLE \$70.00 FEE MUST BE SUBMITTED WITH THIS APPLICATION\*

## Borough of Lake Como

### Zoning Application for Residential and Commercial Properties

1. Address of Property: 1822 FERNWOOD ROAD

Block: 14 Lot: 33 Zone: R-40

2. Property Designation: Single Family ☐ Multi Family ☐ Commercial ☐

3. Applicant's Name\*: MOSS ARCHITECTURE, LLC

Address: 429 MONMOUTH AVE. BRADLEY BEACH, NJ

Phone Number: 732.567.8311 07760

\*Applicant is: Owner ☐ Contractor ☐ Other ☒  
(If other, please describe) ARCHITECT

4. Owner's Name: MR. GEORGE SIGEL & MS. SHANNON MCINTYRE

Address: 1822 FERNWOOD ROAD

Phone Number: \_\_\_\_\_

5. Type of Proposal: (please check)

<input type="checkbox"/> New Home	<input checked="" type="checkbox"/> Alteration to Existing Home: 1 - 1 1/2 Story	<input type="checkbox"/> 2 - 2 1/2 Story
<input type="checkbox"/> Pool: Above Ground	<input type="checkbox"/> In-Ground	
<input type="checkbox"/> Shed	<input checked="" type="checkbox"/> Fence	<input type="checkbox"/> Deck
<input type="checkbox"/> Other *If other, please describe: <u>ALTERATION TO EXISTING ACCESSORY GARAGE</u>		
<u>Water Line:</u> Existing <input type="checkbox"/> New <input type="checkbox"/> Upgraded <input checked="" type="checkbox"/>	<u>T.B.D.</u>	
<u>Sewer Line:</u> Existing <input checked="" type="checkbox"/> New <input type="checkbox"/> Upgraded <input type="checkbox"/>		

Dimension of New Building/Addition: 14.33' x 57' Height of New Building/Addition: 26 ft.

Area of New Building/Addition: 983 sq. ft. Number and Types of Rooms: 9 rooms  
FAMILY/KITCHEN/DINING; MUD/LAUNDRY; OFFICE/GUEST; 3 BEDROOMS; 3 BATHS

\* If multiple additions are being applied for, itemize the additions and provide all pertinent information for each addition as requested above. \* If addition is a pool, please indicate type and height of fencing.

Additional Information:

**\* SEE FULL SIZE PLAN IN MAP DRAWER**



6. **\*\*\* Must Submit Two (2) Copies of Plot Plan/Survey Indicating Proposed Structures with Dimensions and Setbacks from Property Lines \*\*\***

7. Applicant certifies that all statements and information made and provided as part of this application are true to the best of their knowledge, information and belief. Applicant further states that all pertinent municipal ordinances, and all conditions, regulations and requirements of site plan approvals, variances, and other permits granted with respect to said property shall be complied with.

MOSS ARCHITECTURE, INC.

Signature of Applicant

J. Moss, RA.

8/2/22

Date

Office Use Only

Zoning Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

Application Complete: Yes \_\_\_\_\_ No \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected: \_\_\_\_\_

Planning/Variance Board action needed: Yes \_\_\_\_\_ No \_\_\_\_\_

Proposed Work Needs Construction Permits: Yes \_\_\_\_\_ No \_\_\_\_\_

Mercantile License Needed? Yes \_\_\_\_\_ No \_\_\_\_\_

Notes:





6. \*\*\* Must Submit Two (2) Copies of Plot Plan/Survey Indicating Proposed Structures with Dimensions and Setbacks from Property Lines. \*\*\*
7. Applicant certifies that all statements and information made and provided as part of this application are true to the best of their knowledge, information and belief. Applicant further states that all pertinent municipal ordinances, and all conditions, regulations and requirements of site plan approvals, variances, and other permits granted with respect to said property shall be complied with.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

Office Use Only

**Zoning Reviewer:** John Rowe **Date:** 09/06/2022

**Application Complete:** Yes ☒ No ☐

**Approved:** ☐ **Rejected:** ☒

**Planning/Variance Board action needed:** Yes ☒ No ☐

**Proposed Work Needs Construction Permits:** Yes ☒ No ☐

**Mercantile License Needed:** Yes ☐ No ☒

**Notes:** ADDITION/ALTERATION WITH REDUCED DETACHED GARAGE. THERE IS AN INCREASE FROM 2 TO POTENTIALLY 4 BEDROOMS SO 2 EXISTING PARKING SPACES ARE PROVIDED. ALL REQUIREMENTS ARE MET EXCEPT FOR THE EXISTING 30' FRONTAGE WHERE 40' IS REQUIRED IN THE R-40 ZONE. AN INFORMAL HEARING SHOULD BE REQUESTED AS PROVIDED FOR IN BOROUGH CODE 17-10.6(J)2

\_\_\_\_\_  
**Approved**  
\_\_\_\_\_  
**Denied**  
\_\_\_\_\_  
**Received**

  
\_\_\_\_\_  
**John P. Rowe, Zoning Officer**

9/6/22  
\_\_\_\_\_  
**Date**





# Borough of Lake Como

1740 Main Street, [REDACTED] Lake Como, New Jersey 07719

(732) 681-3232 • FAX (732) 681-8981

Kevin G. Higgins  
Mayor

## INFORMAL PLANNING BOARD APPLICATION

Louise A. Mekosh  
Borough Clerk/Administrator

### For Municipal Use Only

Application No. 2022 INF -  
Received by Clerk: 9-15-22  
Fees Collected: \$125.00 GEORGE P. SIGLE  
Hearing Date: \_\_\_\_\_  
Resolution Adopted by Board: \_\_\_\_\_  
( ) Granted ( ) Denied

If something is not applicable to application being submitted, please specify with N/A.

1. Applicant(s) Name  
& Address

Shannon McIntyre & George Sigle  
1822 Fernwood Rd  
Belmar, NJ 07719  
717-471-1297

Telephone No.

2. If the applicant is being represented by an attorney, please state name, address, and telephone no.

3. Applicant is:  
Corporation  
Partnership  
Individual  
Other

**NOTE:** If applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership.

4. The relationship of applicant to the property in question is: X Owner \_\_\_\_\_ Lessee

1.



5. If applicant is not Owner, please state name and address and telephone number of Owner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Application is a request for the following:

- ( ) Preliminary Site Plan  
( ) Final Site Plan  
( ) Joint Preliminary and Final Site Plan  
( ) Minor Subdivision (3 or less lots)  
( ) Preliminary Subdivision  
( ) Final Subdivision  
( ) Joint Preliminary and Final Subdivision  
( ) Variance requests - please specify \_\_\_\_\_  
including Bulk or Use Variances \_\_\_\_\_

☒ Informal Hearing

7. Give brief description of application:

- DEMOLISH EXISTING 1 1/2 STORY 3 BEDROOM STRUCTURE TO EXIST. FOUNDATION. REMOVE PORTION OF EXIST. DETACHED GARAGE STRUCTURE.
- CONSTRUCT NEW 2 STORY 3 BEDROOM WOOD FRAME DWELLING OVER EXIST BLDG. FOOTPRINT / BASEMENT FOUNDATION W/ REAR ADDITION

8. Street Address of Property: 1822 FERNWOOD ROAD  
Block: 14 Lot(s): 33 \*\*Must be Current Blk/Lot

9. Use of Property: Existing SINGLE FAMILY RESIDENTIAL  
Zone R-40 Proposed SINGLE FAMILY RESIDENTIAL

Lot Area: 3000 SF. Building Area: 983 SF. PRINCIPLE / 216 SF. DETACHED GARAGE

10. Map Information: SURVEY / LOT Map Dated 5/4/21  
Prepared by MOSS ARCHITECTURE LLC  
Map Entitled PLOT PLAN DWG A-1 DATED 8/15/22

11. Additional comments by applicant which may be relevant to hearing: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that the statements and information contained in this application are true.

9/14/22  
Date

Shannon McElye  
Applicant/Agent

I authorize the applicant to submit this application and process for approval.



*Borough of Lake Como, NJ  
Tuesday, September 6, 2022*

## Chapter 17. Development Regulations

### § 17-10.6. Nonconforming Buildings and Uses.

[Ord. No. 90-535; Ord. No. 99-662; Ord. No. 2010-842]

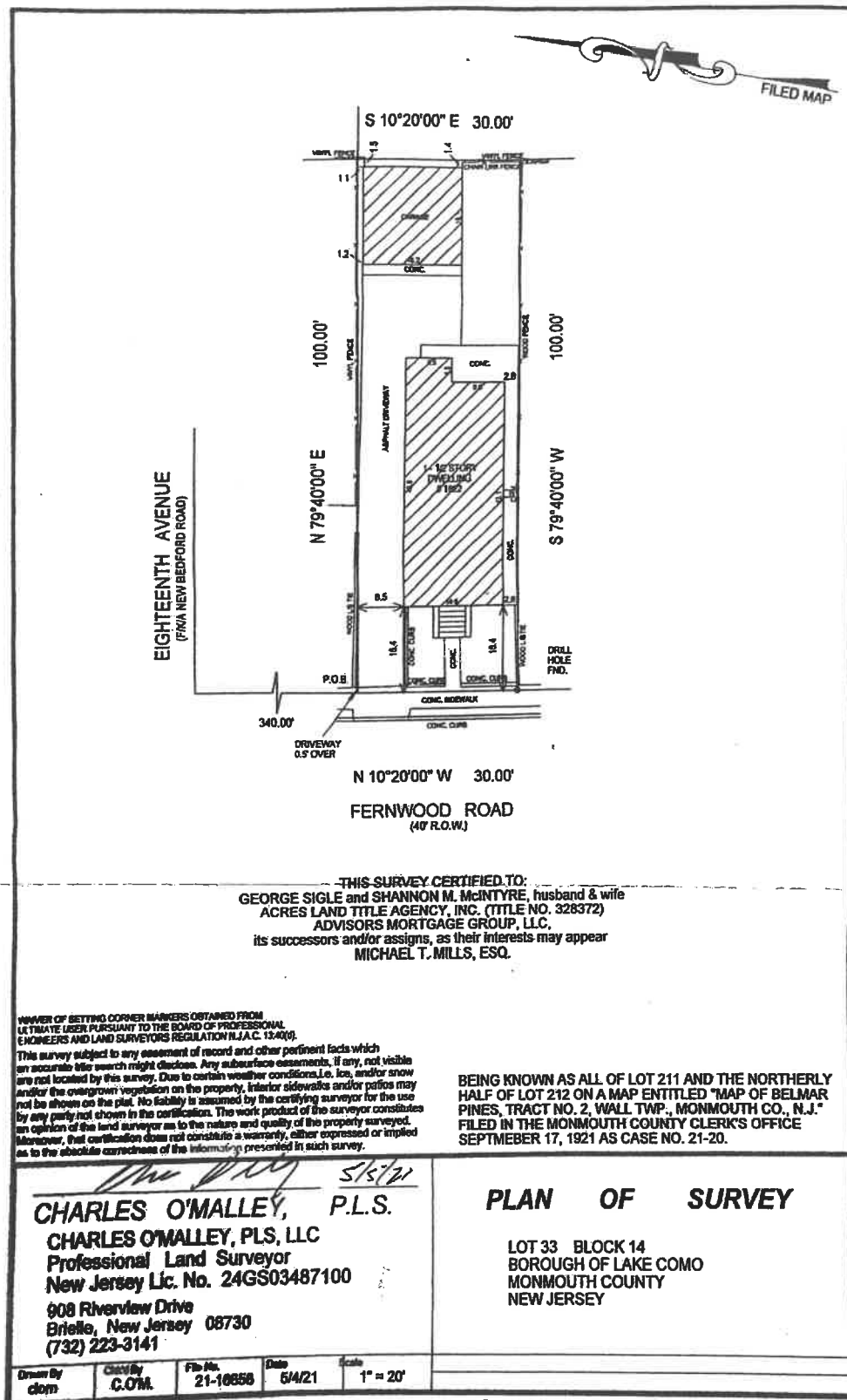
- a. **Existence and Continuance.** At the date of adoption of this chapter, any lot, building or structure which has been and is still being used for a purpose which does not conform to the requirements of the particular zone where the lot, building or structure is situated and which use is lawful and properly licensed, if required, and is not prohibited by any other existing ordinance of the Borough or any statute of the State of New Jersey or the United States of America, the use may be continued, subject to other provisions contained in this section and any change of title or possession shall not affect the continuance of such existing use. The existing use may be continued as aforesaid, provided further however, that:
1. No nonconforming lot shall be further reduced in size.
  2. No nonconforming building shall be enlarged, extended or increased, unless such enlargement would tend to reduce the degree of non-conformance.
  3. No nonconforming use may be expanded.
  4. No structural alterations or changes shall be made to any building, accessory building, garage or structure containing a nonconforming use.
  5. No structural alterations shall be made in any building or structure containing a nonconforming use, to change such a building or structure to another or an additional nonconforming use.
  6. No building shall be constructed upon a conforming lot which lot contains a nonconforming building or use.
- b. **Revision and Change of Use.**
1. No nonconforming use of a lot, building or structure shall, if once changed into a conforming use, be changed back to a nonconforming use.
  2. A nonconforming use shall not be changed to, substituted by or replaced by another nonconforming use.
- c. **Abandonment.** A nonconforming use shall be adjudged abandoned when there occurs a cessation of any such use or activity by an apparent act or failure to act on the part of a tenant or owner. Such use shall not thereafter be reinstated and the structure shall not be reoccupied, except in conformance with this chapter.
- The provisions of this subsection shall refer to the actual use and to the use indicated by the form and construction of the building or structure.
- d. **Unsafe Buildings.** Nothing in this section shall be construed so as to prevent the strengthening or restoration to a safe and lawful condition of any part of a building or structure declared to be unsafe or unlawful by the Building Official, Chief of the Fire Department or other duly authorized Borough official.





- e. **Change of Location.** No nonconforming use of any portion of a lot, building or structure may be moved to any other part or parcel of land upon which the same was conducted at the time of the adoption of this chapter.
- f. **Restoration.** If any nonconforming building or structure shall be partially destroyed or damaged by reason of windstorm, fire, explosion or other act of God or the public enemy, repairs and restoration of such nonconforming building or structure shall take place within one year from the date of such destruction and damage. Complete restoration must be achieved within one year of commencement of repairs or restoration. Otherwise such resumption and continuance of the nonconforming usage shall not be permitted.
- g. **Alteration.** Upon application to the Board after notice to property owners and residents within two hundred (200) feet of the affected property, as provided by the Municipal Land Use Law of the State of New Jersey, a nonconforming building structure may be altered (but not enlarged or extended) during its life, to an extent not exceeding in aggregate 10% of the recorded true value, as appraised in the records of the tax assessor of the Borough, unless the building is changed to a building conforming to the requirements of this chapter.
- h. **Construction Approved Prior to Chapter.** Nothing herein contained shall require any change in plans, construction or designated use of a building for which a building permit has been heretofore issued and the construction of which shall have been diligently prosecuted within three months of the date of such permit and the ground story framework of which, including the second tier of beams, shall have been completed within six (6) months of the date of the permit and which entire building shall be completed according to such plans as filed within one year from the date of adoption of this chapter.
- i. **District Changes.** Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall also apply to any non-conforming uses existing therein or created thereby.
- j. **Lots and Structures.**
  - 1. Whenever title to two or more contiguous lots is held by the same owner, and one or more of said individual vacant lot (lots) should, by reason of exceptional shallowness, topographical conditions, substandard area or yard space or similar measurements, not conform with the minimum lot area and dimension requirements for the zone in which it is located, even if the said lot (lots) is part of a subdivision which has not been developed for 10 years, the contiguous lot (lots) of said owner shall be considered as a single lot.
  - 2. Any existing lot on which a building or structure is located and which lot does not meet the minimum lot size, or a structure which violates any yard requirements, may have additions to the principal building and/or construction of an accessory building without an appeal for variance relief provided: (a) the existing use(s) on the lot are conforming to the permitted use(s) stipulated in this chapter for the lot in question; (b) the permitted building coverage is not exceeded; (c) the accessory building and/or addition do not violate any other requirements of this chapter such as, but not limited to, height, setback and parking; (d) the property owner has filed a zoning permit application with the Building Department which the zoning reviewer has determined meets the requirements in this chapter; (e) the property owner files for an informal hearing to the Lake Como Planning Board accompanied by a check in the amount of one hundred twenty-five (\$125) dollars made payable to the Borough of Lake Como.





THIS SURVEY CERTIFIED TO:  
 GEORGE SIGLE and SHANNON M. MCINTYRE, husband & wife  
 ACRES LAND TITLE AGENCY, INC. (TITLE NO. 328372)  
 ADVISORS MORTGAGE GROUP, LLC,  
 its successors and/or assigns, as their interests may appear  
 MICHAEL T. MILLS, ESQ.

REVIEW OF SETTING CORNER MARKERS OBTAINED FROM  
 ULTIMATE USER PURSUANT TO THE BOARD OF PROFESSIONAL  
 ENGINEERS AND LAND SURVEYORS REGULATION N.J.A.C. 13A:09.

This survey subject to any easement of record and other pertinent facts which  
 an accurate title search might disclose. Any subsurface easements, if any, not visible  
 are not located by this survey. Due to certain weather conditions, i.e. ice, and/or snow  
 and/or the overgrown vegetation on the property, interior sidewalks and/or patios may  
 not be shown on the plat. No liability is assumed by the certifying surveyor for the use  
 by any party not shown in the certification. The work product of the surveyor constitutes  
 an opinion of the land surveyor as to the nature and quality of the property surveyed.  
 Moreover, that certification does not constitute a warranty, either expressed or implied  
 as to the absolute correctness of the information presented in such survey.

BEING KNOWN AS ALL OF LOT 211 AND THE NORTHERLY  
 HALF OF LOT 212 ON A MAP ENTITLED "MAP OF BELMAR  
 PINES, TRACT NO. 2, WALL TWP., MONMOUTH CO., N.J."  
 FILED IN THE MONMOUTH COUNTY CLERK'S OFFICE  
 SEPTEMBER 17, 1921 AS CASE NO. 21-20.

*Charles O'Malley* 5/5/21  
**CHARLES O'MALLEY, P.L.S.**  
**CHARLES O'MALLEY, PLS, LLC**  
 Professional Land Surveyor  
 New Jersey Lic. No. 24GS03487100  
 908 Riverview Drive  
 Brielle, New Jersey 08730  
 (732) 223-3141

## PLAN OF SURVEY

LOT 33 BLOCK 14  
 BOROUGH OF LAKE COMO  
 MONMOUTH COUNTY  
 NEW JERSEY

Drawn by clm	Checked by C.O.M.	File No. 21-18558	Date 5/4/21	Scale 1" = 20'
-----------------	----------------------	----------------------	----------------	-------------------

N.T.S. (EAST TO WEST) [2 FT. OFF.]



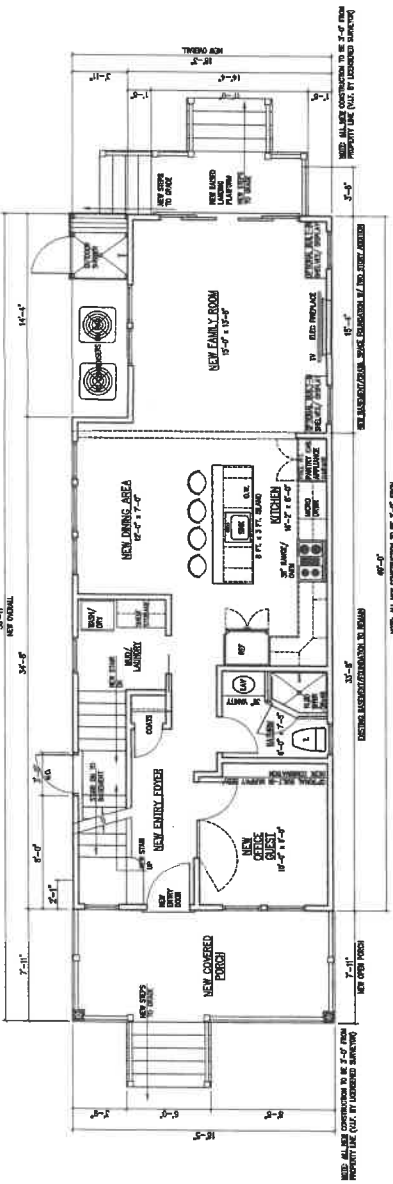




## GENERAL NOTES

[illegible][illegible]

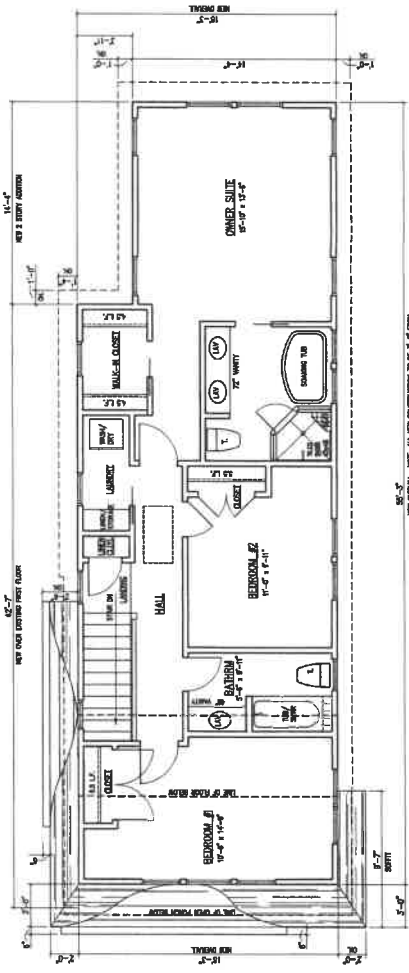
**\*NOTE: SEE DWG. S-1 FOR FRAMING PLANS**

[illegible]

**FIRST FLOOR PLAN**

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

NOTE: ALL DIMENSIONS FROM FACE TO FACE OF FINISHED WALLS, UNLESS OTHERWISE NOTED.

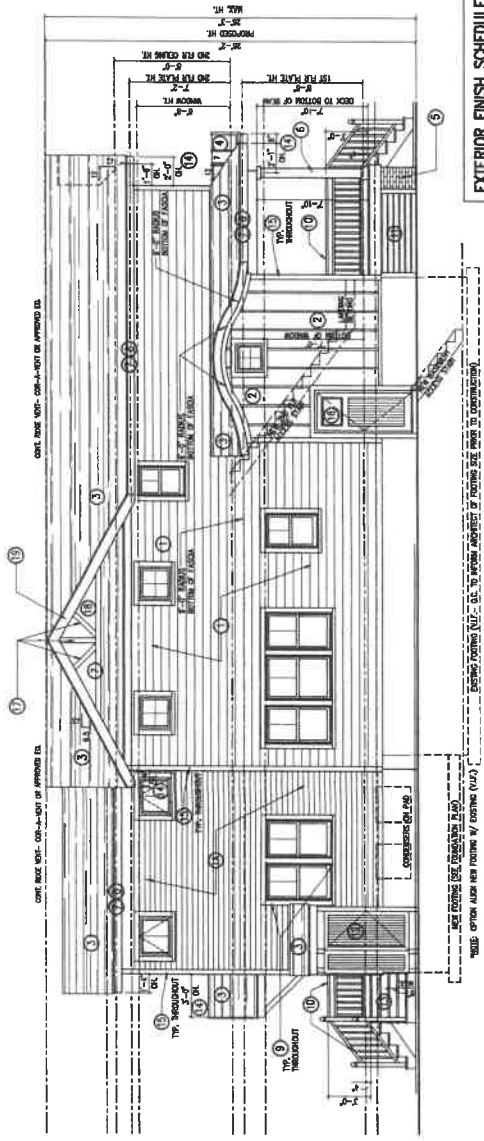


1  
A-2

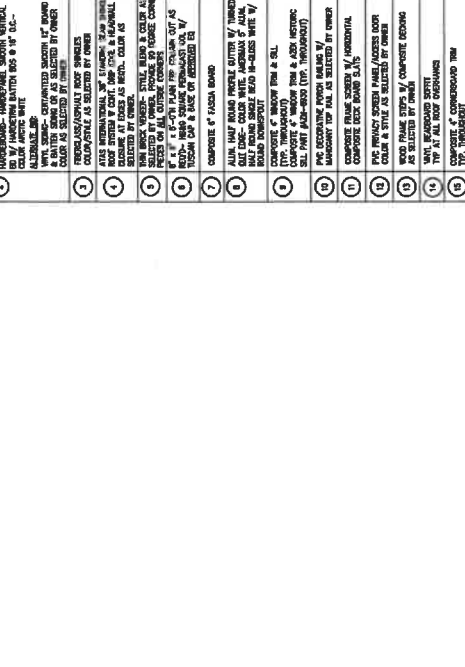
**\*\*NOTE:**  
ALL EXTERIOR WALL FRAMING SHALL BE 2 x 8 STUDS  
@ 16" O.C. W/ R-19 BATT INSULATION  
PRODUCT 2" FROM ALL DIMENSIONS  
EXTERIOR WALL STUDS THEN STUDS







2  
A-4  
LEFT-SIDE (DRIVEWAY/NORTH) ELEVATION  
SCALE: 1/8" = 1'-0"

[illegible]

Architectural drawings of a building elevation, including a front elevation and a rear elevation. The front elevation shows a two-story structure with a gabled roof, multiple windows, and a central entrance. The rear elevation shows a similar two-story structure with a gabled roof and a central entrance. Both elevations include detailed annotations for materials, dimensions, and construction notes.



$$\frac{1}{A-1}$$



## Chapter 28. Stormwater Regulations

**Editor's Note:** See Chapter 32, Section 32-17 for additional Stormwater Management Regulations.

### § 28-1. STORMWATER DRAINAGE IMPROVEMENTS ON REAL PROPERTY.

[1] *Editor's Note: Prior ordinance history includes portions of Ordinance No. 2007-07.*

#### § 28-1.1. Purpose.

[Ord. No. 2043-08 § 2]

This section is enacted to support the goals of the stormwater management best practices established by the New Jersey Department of Environmental Protection ("NJDEP") for the purpose of maximizing the retention of water on private property in order to: reduce runoff onto public streets; improve percolation; reduce stormwater and sediment entering storm drains and waterways; and to reduce standing water and ponding in public streets.

#### § 28-1.2. Applicability.

[Ord. No. 2043-08 § 3]

This section applies to all new construction or development, the expansion of an existing building footprint by more than 500 square feet, or the installation of an inground swimming pool, because such improvements impact water runoff to neighboring properties, public streets and storm drains, and displacement of ground water.

#### § 28-1.3. General Regulations.

[Ord. No. 2043-08 § 4]

The general regulations established by this section are as follows:

- a. The basement or crawl space floor level of any new structure, or the basement or crawl space floor level of an expansion of an existing structure by more than 500 square feet, or the lowest base point of an inground swimming pool, must be at least one foot above the seasonal high groundwater level as certified by a professional engineer. The certification shall be based on soil borings and other recognized criteria used to determine seasonal high groundwater levels.
- b. No sump pump outlet shall drain or be pumped directly or indirectly onto a sidewalk or public street. A sump pump outlet must be terminated within the area of the lot on which it is located.
- c. Irrigation sprinklers shall not discharge water onto a public street.
- d. Curbs and driveway aprons shall be constructed pursuant to Section 20-3 of Chapter 20 (Streets and Sidewalks).
- e. Concrete, asphalt and paver driveways must be crowned to direct the flow of stormwater onto the lot on which the improvements are constructed. There shall be no curb reveal at the edges of a driveway.
- f. The lot must be graded so that stormwater does not flow onto neighboring properties.
- g. Water from a gutter, downspout or sump pump must be piped directly into a drywell or seepage pit installed on the lot, except that this provision shall not apply to properties in the R-4 Zone. The drywell or seepage pit must be constructed to meet the following criteria:
  1. The drywell or seepage pit system shall be designated to contain stormwater runoff from one inch of precipitation in a twenty-four-hour period.
  2. No such water shall enter the municipal sanitary sewer system.
- h. All drainage plans to demonstrate compliance with the requirements of this section must be submitted to the Zoning Officer prior to the issuance of a construction permit.



## Chapter 225. Land Development

### Article V. General Development Regulations

#### § 225-28. Lot grading and drainage.

[Added 10-22-2001 by Ord. No. 29-2001]

The grading and drainage of lots shall be accomplished to secure proper drainage and to prevent the collection of stormwater while minimizing the destruction of existing vegetation and the alteration of the existing topographic features of properties. Towards that end, the following standards shall apply:

- A. The existing elevation of any land shall not be altered by more than 18 inches by means of soil removal, fill, grading or retaining wall construction, except as part of an approved development application.
- B. Significant alteration of the topographic features of a lot, pursuant to Subsection A above, shall be prohibited, particularly where existing trees and shrubs are to be removed and/or existing stabilized slopes are to be significantly altered. The utilization of new retaining walls as part of a lot grading plan is prohibited. The significant alteration or penetration of an existing slope in excess of two feet in height for the purpose of driveway construction shall be prohibited.
- C. No alteration of an existing elevation of the land or an approved grading plan shall be permitted without the approval of the Borough Engineer, or Planning Board Engineer in the case of alteration of a grading plan approved by the Planning Board.
- D. In general lots shall be graded as follows:  
[Amended 12-16-2003 by Ord. No. 14-2003; 4-10-2012 by Ord. No. 2012-005]
  - (1) The minimum slope of an unpaved yard surface shall be 1 1/2% except for well-defined swales which shall have a minimum slope of 1%.
  - (2) The minimum slope on a paved yard surface shall be 1%.
  - (3) The maximum slope of an unpaved yard surface shall be 10% within five feet of a structure and 25% elsewhere.
  - (4) The maximum slope of a paved yard surface shall be 5% except for a driveway which shall have a maximum slope of 10%.
  - (5) All plans must conform to the most recent stormwater management regulations.<sup>[1]</sup>
- E. Roof leaders and sump pump drains shall not be permitted to spill at or through the curb of any street in the Borough. Roof leaders and sump pump drains for all new structures or additions with a building footprint of 750 square feet or greater shall be piped directly to dry wells or seepage pits to be installed on the lot. The dry wells or seepage pits shall meet the following criteria:  
[Added 12-16-2003 by Ord. No. 14-2003]

- (1) Each dry well or seepage pit shall provide a minimum of 75 cubic feet of storage volume exclusive of the perimeter stone. A minimum of one cubic foot of storage volume exclusive of

the perimeter stone shall be provided for each 12 square feet of roof area tributary to the dry well.

- (2) The dry wells shall be a minimum of two feet above the groundwater table and have a minimum of one foot of cover. They shall be located a minimum of 10 feet from any structure or property line and shall not be located under an impervious surface.
- (3) The dry well shall be placed on, and be surrounded on the sides by, a six-inch layer of stone wrapped with a geotextile material to prevent migration of the backfill material into the stone.
- (4) Overflows to the yard surface shall be provided at each leader pipe in case of back up of the dry well.

F. Basements.

[Added 12-16-2003 by Ord. No. 14-2003; amended 1-25-2005 by Ord. No. 4-2005; 3-23-2021 by Ord. No. 2021-002]

- (1) Basement floor slabs shall be a minimum of two foot above the seasonal high groundwater elevation.



## Wall Twp Grading Code

### A.140-116 Protection of natural features

Existing natural features such as streams, lakes, ponds and the natural configuration of the ground shall be retained where possible. If it can be demonstrated to the satisfaction of the Planning Board when reviewing applications for subdivisions, site plan or conditional uses, or to the satisfaction of the Board of Adjustment in all other cases, that such feature will substantially interfere with a permitted use of a property, such features may be altered only to the extent absolutely necessary to render premises suitable for such permitted use.

### B.

#### Elevation alterations.

##### (1)

No alteration of any existing elevation of land or an approved grading plan shall be permitted without the written approval of the Township Engineer.

##### (2)

The existing elevation of any land in the Township shall not be altered more than two feet by means of soil removal, fill, or grading, except as part of an approved development application. Should the Township Engineer determine a proposed modification to an approved grading plan to be substantial, such approval shall be withheld and the applicant or developer shall be required to apply to the approving agency for approval or an amended grading plan.

**Topsoil, sand and gravel.**

**No topsoil shall be removed from any premises in any zone. No subsoil, sand or gravel shall be removed from any premises in any zone except that:**

**A.**

The Land Use Officer may issue a permit for the removal of subsoil from excavations for building foundations or other structures, provided that the total amount to be removed from the lot does not exceed 500 cubic yards.

**B.**

The appropriate hearing agency for any development application may grant a temporary bulk variance for the removal of soil, sand or gravel other than as set forth in Subsection A above. Such removal shall also be regulated by Chapter 188, Soil Removal.

## Brielle Grading Ordinance

### Soil Removal.

[Ord. #255; Ord. #592; 1972 Code § 89-9; Ord. #957]

No soil, mineral or similar material may be removed from or placed on any lot, except that which is purely incidental to the construction of a building or structure. When the quantity of cubic feet to be excavated (except for a building foundation) or filled equals or exceeds 2% of the square feet of the lot to be filled or excavated, or in any event if the change in elevation is two feet or more, site plan approval of the Plan shall first be obtained from the Planning Board.

(Maximum quantity of fill allowable (cubic feet) = Lot area in square feet x 0.02. Example: 15,000 square foot lot x 0.02 = 300 cubic feet maximum allowable fill).

Application for the permit must contain elevations or contours at not more than two foot intervals and proposed finished grades on a map drawn to a scale of not less than one inch equals 50 feet which map shall be furnished by a licensed engineer or land surveyor. No fill material shall consist of any type of industrial wastes, building debris, obnoxious materials, or similar substances. The Planning Board shall determine its appropriateness for the area.

