

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

PLANNING BOARD AGENDA

**OCTOBER 06, 2025
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 ADVERTISEMENT IN THE COAST STAR ON FEBRUARY 20, 2025, AND BY POSTING IT ON THE BULLETIN BOARD IN BOROUGH HALL. A COPY OF THE SAID NOTICE HAS BEEN FILED WITH THE BOROUGH CLERK AND SENT TO THE COAST STAR. NOTICE OF THE MEETING WILL ALSO BE POSTED ON OUR WEBSITE. ALL MEETINGS ARE OPEN TO THE PUBLIC.

**** FLAG SALUTE ****

III. ROLL CALL

IV. COMMUNICATIONS

**ADOPTION OF ORDINANCE AMENDING
THE ZONING MAP**

BOROUGH CLERK AMY BONEY

V. CONTINUED VARIANCE APPLICATION

**TONELLI, JAMES
1808 FERNWOOD RD.
BLK - 14 LOT - 40**

VI. APPEAL OF ZONING DETERMINATION/VARIANCE

**CZERMINSKI, DIANE
3 RIPLEY LANE
BLK - 16 LOT - 17**

VII. USE VARIANCE APPLICATION

**STUTO, JOSEPH
399 NORTH BOULEVARD
B - 18 LOT - 20**

VIII. UPDATES & UNFINISHED BUSINESS

**ENNIS, MICHAEL AGREEMENT FOR DEED OF EASEMENT FOR SIDEWALK
1844 FERNWOOD RD.
BLK - 14 LOT - 21**

IX. FUTURE MEETING DISCUSSIONS

PLANNING BOARD APPLICATION AND ESCROW FEES; STONES IN DRIVEWAYS; VERGE

X. MINUTES TO BE APPROVED

MINUTES TO BE APPROVED AS TYPEWRITTEN REVIEWED AND E-MAILED.

XI. MOTION TO ADJOURN

THE NEXT REGULAR MEETING OF THE LAKE COMO PLANNING BOARD WILL BE HELD IN THE MEETING ROOM ON MONDAY, NOVEMBER 10, 2025, AT 7:00 PM. ALL MEETINGS ARE OPEN TO THE PUBLIC.



Borough of Lake Como

1740 Main Street • Lake Como, New Jersey 07719
(732) 681-3232 • FAX (732) 681-8981

Kevin G. Higgins
Mayor

Andrew Huisman
Administrator

Lake Como Planning Board
RE: Ordinance 2025-13

Dear Chairman Cavaluzzi & the Lake Como Planning Board,

This letter is to notify the Planning Board that Ordinance 2025-13 amending the Zoning Map of the Borough of Lake Como was adopted at the September 16, 2025 meeting of the Mayor and Council. Notice of the adoption was advertised in the September 25, 2025 Coast Star newspaper and the ordinance will go into effect after the required estoppel period. A certified copy of this ordinance was sent to Monmouth County Planning Board along with copies sent to the Tax Assessor, Board of Adjustment, Zoning Officer, Borough Attorney, Municipal Court and surrounding Municipalities.

Respectfully,

A handwritten signature in cursive script that reads "Amy L. Boney".

Amy L Boney, RMC
Borough Clerk



architects + engineers

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

| ENGINEERING NJ #24GA28019100

September 23, 2025

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

**Re: Completeness/Technical Review #4
Tonelli Variance Application
1808 Fernwood Road
Block 14, Lot 40
H2M Project No. LKCP 2502**

Dear Chairman and Board Members:

I am in receipt of an amended application package for the referenced project. The package includes Architectural Plans (2 sheets) prepared by Michael R. Winkler, R.A., dated September 2, 2025. The application also includes two (2) previously submitted documents: (1) a survey of the property prepared by Thomas Ernst, PLS, dated November 6, 2018, and (2) a completed Planning Board Application. Accordingly, based on my review of these documents in conjunction with the Borough Zoning Ordinance, I offer the following comments for your use through the public hearing process. It should be noted that this application has been the subject of a number of public hearings at this point.

General

The property in question is located on the eastern side of Fernwood Road, approximately 130 feet south of the intersection with 18th Avenue. This location is within the Borough's Residential Zone 40 (R-40). The subject lot currently contains a one-story dwelling, and a shared driveway space with the neighboring 1810 Fernwood Road. The Applicant proposes to selectively demolish the existing principal structure, construct a new front porch with inset steps, construct a full second story addition including a new balcony over the front porch, and create one off-street parking space at the front of the property that does not conflict with the joint access easement with the neighbor. The existing and proposed uses are conforming for the zone; however, the existing lot, existing dwelling, existing lot, and proposed dwelling are non-conforming for the zone.

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. Code Section 17-9.1 sets forth the development criteria for the R-40 Zone. My review of the criteria in conjunction with the proposed plan identified the following non-conformities:
 - Minimum Lot Area – 4000 sq. ft. required; 2,500 existing;
 - Minimum Lot Frontage – 40 feet required; 25 feet existing; and
 - Building Height – 18.75 feet maximum (for a flat roof), 18 feet existing, **21.88 feet proposed.**

The existing non-conformities cited above are provided for the Board's information as none are exacerbated by the proposal.

The Board should note that the architectural layout of the proposed dwelling was revised in an effort to eliminate the height variance. In doing so, the sloped roof was reduced to a flat roof and ultimately a slightly pitched roof in order to achieve the 21.88-foot maximum height (62.5% of the 35-foot maximum height). In accordance with the Borough's Code Section 17-7, the maximum height for flat roofs shall be a maximum of 30 feet. Factoring in the lot width-based 37.5% reduction, the maximum allowable building height for this lot is 18.75 feet when utilizing a flat roof. The difference in the allowable and the proposed heights is 3.13 feet, which well exceeds the criteria for a bulk variance. Accordingly, a Use Variance (d(6)) will be required for this proposed non-conformity for Building Height. However, it should be noted that this circumstance was discussed at September 2025 Planning Board meeting as this is the strictest reading of the ordinance. The revised plans call for a 2/12 roof pitch. It was generally agreed that the Board would have to confirm whether that proposed 2/12 roof pitch qualified as a sloped roof or still should be considered a flat roof. If the Board were to determine the proposed roof at 2/12 qualifies as a pitched roof, the allowable building height increases to 21.88 feet and the proposed building would be conforming for Building Height with no variance for Building Height required.

2. Code Section 17-10.7 requires 2 off-street parking spaces to accommodate the proposed 3-bedroom dwelling. The revised plans depict only a single off-street space. A bulk variance will be required for this proposed non-conformity.
3. While there is no real change in the footprint of the principal structure, the proposed roofline plan calls for significant modification of how roof runoff will be distributed and ultimately discharged on-site. I recommend the Board elicit testimony regarding this issue and consider conditioning any approval on preparation of suitable grading and drainage plan to ensure neighbors are safeguarded from the effects of the new stormwater discharge characteristics.
4. The survey depicts that a portion of the existing sidewalk is located on the Applicant's property. The Board should condition any approval on the Applicant providing a proper easement for the sidewalk to encroach on the property in perpetuity.
5. The site visit revealed tripping hazards in the sidewalk fronting the property. The Board should condition any approval on the correction of these deficiencies.

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

cc: James Tonelli, Applicant
George McGill, Applicant's Attorney
Adam Schneider, Esq., Board Attorney (via email)



architects + engineers

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

| ENGINEERING NJ #24GA28019100

August 28, 2025

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

**Re: Completeness/Technical Review #3
Tonelli Variance Application
1808 Fernwood Road
Block 14, Lot 40
H2M Project No. LKCP 2502**

Dear Chairman and Board Members:

I am in receipt of an amended application package for the referenced project. The package includes Architectural Plans (2 sheets) prepared by Michael R. Winkler, R.A., dated August 21, 2025. The application also includes two (2) previously submitted documents: (1) a survey of the property prepared by Thomas Ernst, PLS, dated November 6, 2018, and (2) a completed Planning Board Application. 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 Zoning Ordinance, I offer the following comments for your use through the public hearing process.

General

The property in question is located on the eastern side of Fernwood Road, approximately 130 feet south of the intersection with 18th Avenue. This location is within the Borough's Residential Zone 40 (R-40). The subject lot currently contains a one-story dwelling, and a shared driveway space with the neighboring 1810 Fernwood Road. The Applicant proposes to selectively demolish the existing principal structure, construct a new front porch with inset steps, construct a full second story addition including a new balcony over the front porch, and create two off-street parking spaces at the front of the property. The existing and proposed uses are conforming for the zone; however, the existing lot, existing dwelling, existing lot, and proposed dwelling are non-conforming for the zone.

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. Code Section 17-9.1 sets forth the development criteria for the R-40 Zone. My review of the criteria in conjunction with the proposed plan identified the following non-conformities:
 - o Minimum Lot Area – 4000 sq. ft. required; 2,500 existing;
 - o Minimum Lot Frontage – 40 feet required; 25 feet existing;

- Building Height – 18.75 feet maximum, 18 feet existing, **21.88 feet proposed**; and
- Floor Area Ratio – 1.0 maximum allowable, 0.64 existing, **1.08% proposed**.

The existing non-conformities cited above are provided for the Board's information as none are exacerbated by the proposal.

As noted above, this section specifies the maximum floor area ratio for the R-40 zone as 1.0. The total floor area for the dwelling (excluding the stairs, deck, and balcony) is calculated at 2,705 square feet, which results in a floor area ratio of 1.08 on this lot. Accordingly, a Use Variance (d(4)) will be required for this proposed non-conformity.

Additionally, the architectural layout of the proposed dwelling was revised in an effort to eliminate the height variance. In doing so, the sloped roof was reduced to a flat roof in order to achieve the 21.875-foot maximum height (62.5% of the 35-foot maximum height). In accordance with the Borough's Code Section 17-7, the maximum height for flat roofs shall be a maximum of 30 feet. Factoring in the lot width-based 37.5% reduction, the maximum allowable building height for this lot is 18.75 feet when utilizing a flat roof. The difference in the allowable and the proposed heights is 3.13 feet. Accordingly, a Use Variance (d(6)) will be required for this proposed non-conformity for Building Height.

2. Code Section 17-10.7 requires 2 off-street parking spaces accommodate the proposed 3-bedroom dwelling. The revised plans depict only a single off-street space. A bulk variance will be required for this proposed non-conformity.
3. While there is no real change in the footprint of the principal structure, the proposed roofline plan calls for significant modification of how roof runoff will be distributed and ultimately discharged on-site. I recommend the Board elicit testimony regarding this issue and consider conditioning any approval on preparation of suitable grading and drainage plan to ensure neighbors are safeguarded from the effects of the new stormwater discharge characteristics.
4. The survey depicts that a portion of the existing sidewalk is located on the Applicant's property. The Board should condition any approval on the Applicant providing a proper easement for the sidewalk to encroach on the property in perpetuity.
5. The site visit revealed tripping hazards in the sidewalk fronting the property. The Board should condition any approval on the correction of these deficiencies.
6. The elevation drawings on Sheet A-0 of the Architectural Plans are not to scale, thus the building elevation cannot be confirmed. The Architectural Plans should be revised to be an acceptable scale.
7. The "Building Data" table on Sheet A-0 of the Architectural Plans contains values that do not sum to the reported totals. The "Building Data" table should be revised to reflect the correct existing and proposed conditions.

Tonelli Variance Application
1808 Fernwood Road
August 28, 2025
Page 3 of 3



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.

A handwritten signature in black ink, appearing to read 'Alan P. Hilla, Jr.' with a stylized flourish at the end.

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

cc: James Tonelli, Applicant
George McGill, Applicant's Attorney
Adam Schneider, Esq., Board Attorney (via email)



architects + engineers

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| ENGINEERING NJ #24GA28019100

June 23, 2025

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

**Re: Completeness/Technical Review #2
Tonelli Variance Application
1808 Fernwood Road
Block 14, Lot 40
H2M Project No. LKCP 2502**

Dear Chairman and Board Members:

I am in receipt of an amended application package for the referenced project. The package includes Architectural Plans (2 sheets) prepared by Lori Saizan, RA, NCARB, dated May 25, 2025, a survey of the property prepared by Thomas Ernst, PLS, dated November 6, 2018, and a completed Planning Board Application. 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 Zoning Ordinance, I offer the following comments for your use through the public hearing process.

General

The property in question is located on the eastern side of Fernwood Road, approximately 130 feet south of the intersection with 18th Avenue. This location is within the Borough's Residential Zone 40 (R-40). The subject lot currently contains a one-story dwelling, and a shared driveway space with the neighboring 1810 Fernwood Road. The Applicant proposes to selectively demolish the existing principal structure, construct a new front porch with inset steps, construct a full second story addition including a new balcony over the front porch, and create two off-street parking spaces at the front of the property. The existing and proposed uses are conforming for the zone; however, the existing lot, existing dwelling, existing lot, and proposed dwelling are non-conforming for the zone.

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. Code Section 17-9.1 sets forth the development criteria for the R-40 Zone. My review of the criteria in conjunction with the proposed plan identified the following non-conformities:
 - Minimum Lot Area – 4000 sq. ft. required; 2,500 existing;
 - Minimum Lot Frontage – 40 feet required; 25 feet existing;
 - Front Yard Impervious Coverage – 50% maximum allowable, **84% proposed**; and

- o Building Height – 21.875 feet maximum; 18 feet existing; **23.5 feet proposed.**

The existing non-conformities cited above are provided for the Board's information as none are exacerbated by the proposal. Bulk variance relief will be required for the proposed non-conforming conditions **bolded** above.


It should be noted that the Building Height depicted on the amended architectural plans is seemingly measured to adjacent grade and not the top of curb at the front of the property as required by the ordinance. The Board should elicit testimony regarding this discrepancy and consider approving a specific Building Height as referenced in accordance with the ordinance.

2. The Board should be made aware that the proposed plan would eliminate the shared driveway that was split with the neighbor at 1810 Fernwood Road. The Board should elicit testimony regarding the shared space and how it is used, and also the legality of eliminating the shared space.
3. While there is no real change in the footprint of the principal structure, the proposed roofline plan calls for significant modification of how roof runoff will be distributed and ultimately discharged on-site. I recommend the Board elicit testimony regarding this issue and consider conditioning any approval on preparation of suitable grading and drainage plan to ensure neighbors are safeguarded from the effects of the new stormwater discharge characteristics.
4. The survey depicts that a portion of the existing sidewalk is located on the Applicant's property. The Board should condition any approval on the Applicant providing a proper easement for the sidewalk to encroach on the property in perpetuity.
5. The site visit revealed tripping hazards in the sidewalk fronting the property. The Board should condition any approval on the correction of these deficiencies.

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

cc: James Tonelli, Applicant
George McGill, Applicant's Attorney
Adam Schneider, Esq., Board Attorney (via email)



architects + engineers

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ENGINEERING NJ #24GA28019100

February 27, 2025

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

**Re: Completeness/Technical Review
Tonelli Variance Application
1808 Fernwood Road
Block 14, Lot 40
H2M Project No. LKCP 2502**

Dear Chairman and Board Members:

I am in receipt of an application package for the referenced project. The package includes Architectural Plans (2 sheets) prepared by Lori Saizan, RA, NCARB, dated October 5, 2024, a survey of the property prepared by Thomas Ernst, PLS, dated November 6, 2018, and a completed Planning Board Application. 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 Zoning Ordinance, I offer the following comments for your use through the public hearing process.

General

The property in question is located on the eastern side of Fernwood Road, approximately 130 feet south of the intersection with 18th Avenue. This location is within the Borough's Residential Zone 40 (R-40). The subject lot currently contains a one-story dwelling, and a shared driveway space with the neighboring 1810 Fernwood Road. The Applicant proposes to remove the enclosed porch, construct a new partial front porch, construct a full second story addition, construct a new balcony over the front porch, and create a parking space in the southwest corner of the property. The existing and proposed uses are conforming for the zone; however, the existing lot, existing dwelling, existing lot, and proposed dwelling are non-conforming for the zone.

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. Code Section 17-9.1 sets forth the development criteria for the R-40 Zone. My review of the criteria in conjunction with the proposed plan identified the following non-conformities:
 - o Minimum Lot Area – 4000 sq. ft. required; 2,500 existing;
 - o Minimum Lot Frontage – 40 feet required; 25 feet existing;
 - o Front Yard Setback – 20 feet required; 12.3 feet existing; **11.2 feet proposed;**

- Side Yard Setback (north) – 3 feet required; 2.7 feet existing; **2.7 feet proposed**; and
- Building Height – 21.875 feet maximum; 18 feet existing; **28.33 feet proposed**.

The existing non-conformities cited above are provided for the Board's information as none are exacerbated by the proposal. Bulk variance relief will be required for the proposed non-conforming setbacks **bolded** above. A Use criteria variance (d(6)) will be required for the proposed Building Height as it exceeds the allowable height by more than 10%.

2. Code Section 17-7 specifies that all open front porches which project into the front yard setback must also be one-story. There is a proposed second story balcony above the proposed open front porch. Since the proposed front porch does not meet the open front porch requirements, the front yard setback applies to the porch and the balcony and a variance will be required for the proposed condition in aggregate, as noted above.
3. Code Section 17-10.7 outlines the off-street parking and driveway requirements for single-family dwellings. The proposed dwelling would contain 4 bedrooms, which requires two off-street parking spaces. The Applicant is proposing one non-conforming parking space for the dwelling. A variance will be required for the proposed reduced size of the space to be provided (18 feet long where 19 feet is required) and the number of spaces (1 space provided where 2 spaces are required).

The Board should be made aware that the proposed parking space occupies space that was previously split with the neighbor at 1810 Fernwood Road to be utilized as a shared driveway. The proposed parking space would eliminate the shared driveway condition, with the space to be exclusively used by occupants at 1808 Fernwood Road. The Board should elicit testimony regarding the shared space and how it is used, and also the legality of eliminating the shared space.

4. While there is no real change in the footprint of the principal structure, the proposed roofline plan calls for significant modification of how roof runoff will be distributed and ultimately discharged on-site. I recommend the Board elicit testimony regarding this issue and consider conditioning any approval on preparation of suitable grading and drainage plan to ensure neighbors are safeguarded from the effects of the new stormwater discharge characteristics.
5. The survey depicts that a portion of the existing sidewalk is located on the Applicant's property. The Board should condition any approval on the Applicant providing a proper easement for the sidewalk to encroach on the property in perpetuity.
6. The plans do not depict the modifications proposed to accommodate the proposed driveway apron and to reduce the curb cut that currently serves the subject property and the neighbor. The plans should be revised to reflect these improvements.
7. The site visit revealed tripping hazards in the sidewalk fronting the property. The Board should condition any approval on the correction of these deficiencies.

Tonelli Variance Application
1808 Fernwood Road
February 27, 2025
Page 3 of 3



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.

A handwritten signature in black ink, appearing to read "Alan P. Hilla, Jr.", is written over the company name.

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

cc: James Tonelli, Applicant
Adam Schneider, Esq., Board Attorney (via email)

ZONING

Clk# 004024 \$ 70.00 Rec'd by MM Date 12-4-24 Permit # 54-99

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

Borough of Lake Como 4721

Zoning Application for Residential and Commercial Properties

1. **Address of Property:** 1808 Fernwood Rd.
Block: 14 **Lot:** 40 **Zone:** R-40 Res.
2. **Property Designation:** Single Family ☒ Multi Family ☐ Commercial ☐
3. **Applicant's Name*:** Raymond Clarke / email: clarkeguncontrol
Address: PO Box 7373 Shrewsbury, MA 01707 2011
Phone Number: 732-832-9464
- *Applicant is:** Owner ☐ Contractor ☒ Other ☐
(If other, please describe) _____
4. **Owner's Name:** James Tonelli
Address: 1808 Fernwood Rd. Lake Como, MA
Phone Number: 732-397-8166

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

<input checked="" type="checkbox"/> New Home	<input type="checkbox"/> Alteration to Existing Home: 1 - 1 1/2 Story <input type="checkbox"/> 2 - 2 1/2 Story <input type="checkbox"/>
<input checked="" type="checkbox"/> Addition	<input type="checkbox"/> Pool: Above Ground <input type="checkbox"/> In-Ground <input type="checkbox"/>
<input type="checkbox"/> Shed	<input type="checkbox"/> Fence <input type="checkbox"/> Deck <input type="checkbox"/> Other *If other, please describe: _____
Water Line: Existing <input type="checkbox"/> New <input type="checkbox"/> Upgraded <input type="checkbox"/>	
Sewer Line: Existing <input type="checkbox"/> New <input type="checkbox"/> Upgraded <input type="checkbox"/>	

Dimension of New Building/Addition: 80' x 7'11" x 49'6" **Height of New Building/Addition:** 28'
Area of New Building/Addition: 80' sq. ft. **Number and Types of Rooms:** 4 Bed / 3 Bath

* 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:

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

7. Land Use Information:

Zone: R-40 R-50 R-60 MF GB Lot Size: 2,500 sq. ft.

Setbacks: Front Yard 29.6' Rear Yard 34.54' Side Yard 2.7' Side Yard 3.8'

	Existing		Proposed	
Building Coverage	<u>37</u>	%	<u>35</u>	%
Impervious Coverage	<u>44</u>	%	<u>41</u>	%
Front Yard Landscape Area		%		%
Structure Height from Curb	<u>18'</u>	%	<u>28'</u>	%
Floor Area Ratio				
Bedrooms	<u>3</u>		<u>4</u>	
Parking Spaces	<u>0</u>		<u>1</u>	
Flood Zone	<u>NO</u>			

8. 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.

Raymond W. Clark
Signature of Applicant

12-4-24
Date

Office Use Only

Zoning Reviewer: _____

Date: 12/16/24

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:

SEE ZONING DENIAL



Borough Of Lake Como
1740 Main Street
Lake Como, NJ 07719
(732)681-3232

DENIAL
Zoning Permit

Permit Number: Z2400099	Permit Issue Date: 12/15/24	Invoice #: 24-00496
Application Id: 4721	Application Date: 12/15/24	
Owner/Property Details		
Block/Lot/Qual: 14. 40. Owner Name: TONELLI, JAMES E II & JENNIFER O Address: 760 BARRON AVENUE WOODBIDGE, NJ 07095	Phone #: (732)397-8166 Zoning District: Location: 1808 FERNWOOD ROAD	
Contractor: CLARKE GENERAL CONTRACTING LLC Address: 88 PORTLAND RD Highlands, NJ 07732		
Phone Number: License #: 13VH07145700		
This is to certify that the above description premises together with any building thereon are used as or for:		
ADDITION/ALTERATION SECOND FLOOR ADDITION		
Conditions:		
DENIAL 1. ADDITION ON AN EXISTING 2500 SF LOT IN THE R-40 ZONE 2. EXISTING FRONT YARD SETBACK IS 19.2'. NO SECOND FLOOR PORCH BALCONY IS ALLOWED 3. EXISTING LEFT SETBACK IS 2.7'. ADDITION MUST MEET THE 3' SETBACK 4. THE NEW HEIGHT IS LIMITED TO 21.875' BECAUSE OF REDUCED LOT WIDTH. 28' IS PROPOSED WHICH IS NOT PERMITTED. 5. BEDROOMS WILL INCREASE FROM 3 TO 4. THERE IS NO OFF STREET PARKING PROVIDED		
Payments (Office Use Only)		

NOTE: If construction does not commence within one (1) year of issuance or if construction ceases for a period of six (6) months, this permit is void.

Zoning Officer

Date

22 12/16/24

NOTE: THIS CERTIFICATION IS MADE ONLY TO PERSON NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY THE NAME PURCHASER, NO RESPONSIBILITY OR LIABILITY IS ASSIGNED BY SURVEYOR FOR USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING BUT NOT LIMITED TO USE OF SURVEY FOR SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LIMITED BY CERTIFICATION EITHER DIRECTLY OR INDIRECTLY.

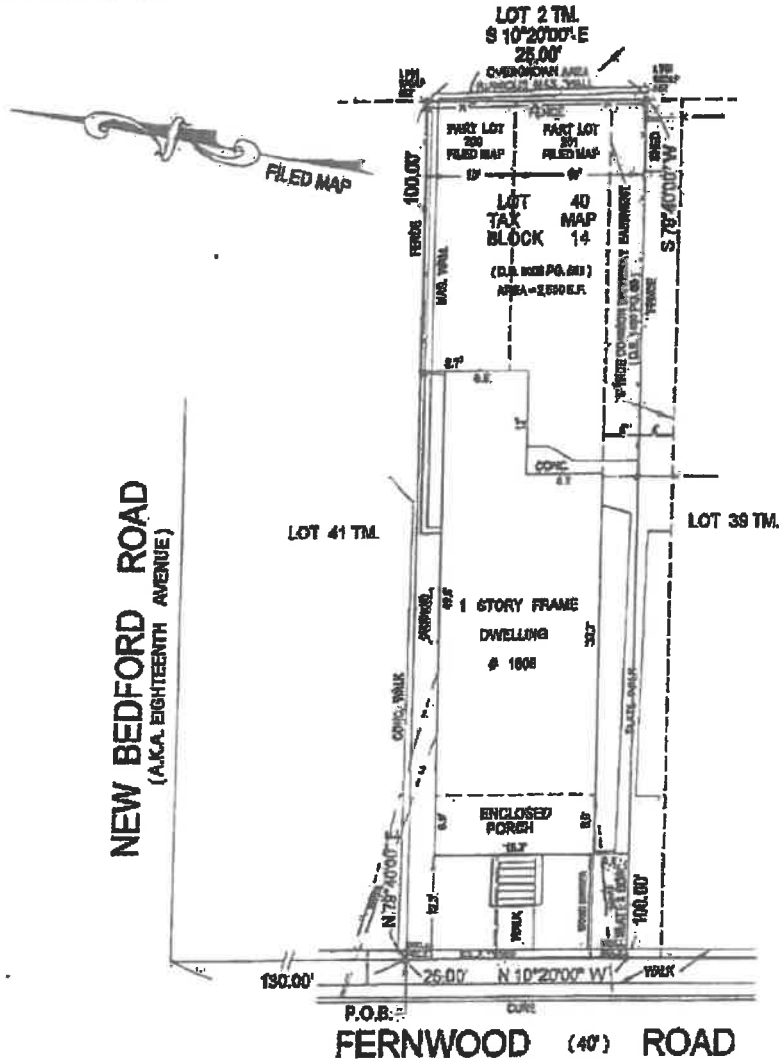
NOTE: UNDERGROUND UTILITIES, IF ANY, HAVE NOT BEEN LOCATED.

NOTE: THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF ANY TITLE REPORT AND/OR SEARCH. THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO VARIOUS EASEMENTS AND/OR "RIGHTS OF OTHERS". THIS SURVEY IS SUBJECT TO REVISIONS AS SUCH A REPORT AND/OR SEARCH MAY REVEAL.

THIS SURVEY DOES NOT DETERMINE THE EXISTENCE, NON-EXISTENCE OR LOCATION OF FRESHWATER WETLANDS OR OTHER ENVIRONMENTAL CONDITIONS.

NOTE: SURVEY SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

PROPERTY CORNER MARKERS HAVE BEEN SET IN ACCORDANCE WITH N.J.A.C. 15:44-5.1 (d).



PROPERTY ALSO KNOWN AS THE SOUTHERLY 10' OF LOT 200 AND THE NORTHERLY 15' OF LOT 201 AS SHOWN ON MAP OF BELMAR PINES, TRACT 2, WALL TOWNSHIP, MONMOUTH COUNTY, N.J., FILED: SEPT. 17, 1821, CASE NO. 21-20

SURVEY OF PROPERTY FOR: JAMES TONELLI and JENNIFER TONELLI
SITUATED IN: BOROUGH OF LAKE COMO, MONMOUTH COUNTY, N.J.
PREPARED BY: THOMAS M. ERNST & ASSOCIATES, PROFESSIONAL LAND SURVEYORS, INC.
457 SPOTSWOOD-ENGLISHTOWN ROAD P.O. BOX 221 JAMESTOWN, N.J. 08831
CERTIFICATE NUMBER 240A27867000 PHONE (732) - 251 - 1001 FAX (732) - 251 - 9470
DATE: NOVEMBER 6, 2018 SCALE: 1" = 15'

CERTIFIED TO: JAMES TONELLI and JENNIFER TONELLI;
ROUNDPOINT MORTGAGE SERVICING CORPORATION, ISAOA/ATMA;
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY;
PROPERTY TRANSFER SERVICES, INC.;
and JOHN F. KWASNIEK, ESQUIRE

Thomas M. Ernst
THOMAS M. ERNST
PROFESSIONAL LAND SURVEYOR
NEW JERSEY LIC. # 18000

PTS-18-45281

THOMAS M. ERNST & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & PLANNERS
PO BOX 221 457 SPOTSWOOD ENGLISHTOWN ROAD
JAMESBURG, NJ 08831
PHONE (732) 251-1001 FAX (732) 251-9470

**DEED DESCRIPTION
LOT 40 BLOCK 14
BOROUGH OF LAKE COMO
MONMOUTH COUNTY**

Beginning at a drill hole in the easterly line of Fernwood Road distant southerly 130.00' from the intersection of the easterly line of Fernwood Road with the southerly line of New Bedford Road (a.k.a. Eighteenth Avenue) and running thence;

- 1) N 79°-40'-00" E 100.00' to an iron pin, thence;
- 2) S 10°-20'-00" E 25.00' to an iron pin, thence;
- 3) S 79°-40'-00" W 100.00' to a drill hole in the easterly line of Fernwood Road, thence;
- 4) Along the easterly line of Fernwood Road
N 10°-20'-00" W 25.00' to the point and place of beginning.

PROPERTY ALSO KNOWN AS THE SOUTHERLY 10' OF LOT 200 AND THE
NORTHERLY 15' OF LOT 201 AS SHOWN ON MAP OF BELMAR PINES, TRACT 2,
WALL TOWNSHIP, MONMOUTH COUNTY, N.J., FILED: SEPT. 17, 1921,
CASE NO 21 - 20

SUBJECT TO AND TOGETHER WITH AN 8' WIDE COMMON DRIVEWAY BASEMENT
THE CENTER OF WHICH RUNS ALONG THE FOURTH COURSE OF THE ABOVE
DESCRIBED PROPERTY AS DESCRIBED IN D.B. 1400 PG. 60, AND ANY OTHER
BASEMENTS AND RESTRICTIONS OF RECORD

The above description is drawn in accordance with a survey prepared by THOMAS M. ERNST
& ASSOCIATES, PROFESSIONAL LAND SURVEYORS, INC., DATE: NOV. 6, 2018.
PTS-18-48281

Block 14 Land Desc 25X100
 Lot 40 Bldg Desc 18F1G
 Qual Addl Lots
 Acct: Acreage 0.057 Class 2
 Owners Name
 Street Address
 City & State
 Property Location 1800 FERWOOD ROAD
 Bank 00000 Impx
 Zip 07095 Total
 Zone R-40
 Exemption Code
 Value 0
 Net Taxable Value Deductions
 Cd No-Or

DESCRIPTION

SITE INFORMATION
 Sewer: YES
 Water: YES
 Gas: YES
 Topography: LEVEL
 Road: PAVED

BUILDING INFORMATION
 Type and Use: ONE FAMILY
 Story Height: ONE STORY
 Style: RANCH
 Exterior Fin: VINYL SIDING
 Roof Type: GABLE
 Roof Material: ASPHALT SHINGLE
 Foundation: CONC/CMND BLK
 Condition: AVERAGE
 Quality: 15
 Source:
 Bath: Mod: Avg: Old: 1
 Kitchen: Mod: Avg: Old: 1
 Room Count: Tot: 5 Bed: 3 8th: 1
 Year Built: 1930
 Eff Age (Years): 94
 Livable Area: 760

16 HEARING CHANGE
 BASEMENT 1
 FIRST STORY 666 SF
 HW BASEBOARD 760 SF
 3 FIXTURE BATH 1
 ENCLOSED PORCH 126 SF

SKETCH

SALE DATE 00/00/00
 SALE PRICE 0

12/15/26 Scale: 10

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Borough of Lake Como

1740 Main Street • Lake Como, New Jersey 07719
(732) 681-3232 • FAX (732) 681-8981

Kevin G. Higgins
Mayor

Andrew Hirsman
Administrator

PLANNING BOARD APPLICATION

FOR MUNICIPAL USE ONLY

Application Number: _____

Received By: _____

Fees Collected: _____

Hearing Date: _____

Resolution Adopted By Board: _____

☐ Granted

☐ Denied

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

1. Applicant(s) Name, Address & Telephone Number

James Tonnelli

760 Barton Ave.

Woodbridge, NJ 07095

2. If the applicant is being represented by an attorney, please state name, address & telephone number

N/A

3. Applicant is:

☐ Corporation ☐ Partnership ☒ Individual ☐ Other

NOTE: If application 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:

☒ Owner ☐ Lessee

5. If applicant is not Owner, please state name, address and telephone number of the 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, including bulk or use variances - please specify

o Front yard setback 11'8" Second floor balcony
Left side setback, building height & driveway

☐ Informal Hearing

7. Give a brief description of application:

Adding second floor, off street parking

8. Street Address of Property:

1808 Fernwood Rd.

Block: 14

Lot: 40

9. Use of Property:

Residential R-5

Exsting:

residential

Zone:

R-40

Proposed:

Lot Area:

2600 sq. ft.

Building Area:

791

10. Map Information:

Map Dated:

Prepared By:

Map Entitled:

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

I certify that the statements and information contained in the application are true. I authorize the applicant to submit this application and process for approval

1-17-25

Date

Applicant/Agent



architects + engineers

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

| ENGINEERING NJ #24GA28019100

September 2, 2025

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

**Re: Completeness/Technical Review
Czerminski Application
3 Ripley Lane
Block 16, Lot 17
H2M Project No. LKCP 2506**

Dear Chairman and Board Members:

I am in receipt of an application package for the referenced project. The package includes Plot/Grading Plan (1 sheet) prepared by Michael T. Cannon, P.E., P.L.S., dated April 15, 2025, a completed Planning Board Application, and denied Zoning Application. 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 Zoning Ordinance, I offer the following comments for your use through the public hearing process.

General

The property in question is located at the eastern side of Pine Terrace, approximately 600 feet south of the intersection with 18th Avenue. This location is within the Borough's Residential Zone 40 (R-40). The property is unique in that it does not contain a curb cut along Pine Terrace and is accessed via easement by Ripley Lane. The Applicant proposes to reconfigure the existing driveway to connect to a new curb cut at Pine Terrace and construct a second-story addition, as well as an enclosed rear porch and concrete walkways. The existing lot, existing dwelling, proposed lot, proposed dwelling and proposed driveway are all conforming for the zone, and Zoning Permit(s) have been issued for the building modifications.

Land Use/Site Planning Issues

As I believe that this proposal does not create any variance conditions, it is my understanding that the Applicant is seeking to appeal the Zoning Application denial for the new curb cut on Pine Terrace. To this effect, I have conducted a review of the subject property to identify any variances required. My review of the proposed plan identified the following issues that should be addressed through the public hearing process:

1. Ordinance 2024-01 specifies the requirements for drywells and seepage pits for new structures and additions. A drywell is proposed on the Plot/Grading Plan; however, it appears to be established along the surface of the entire southern boundary shared with Lot 16. Ordinance

2024-01 establishes that drywells must be located 5 feet from any property line and must have a minimum of two feet of cover. Additionally, roof leaders from the proposed pass-through garage and additions, including the enclosed porch. Variances are required for the three (3) identified non-conformities: (1) drywell within 5 ft setback, (2) drywell does not achieve 2ft minimum cover, and (3) roof leaders not included on Plot/Grading Plan.

2. A site visit revealed the sidewalk and curb adjacent to the Applicant's property along Pine Terrace is in disrepair. The Board should condition any approval on the replacement of sidewalk and curb.

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

cc: Diane Czerminski, Applicant (via email)
George McGill, Esq., Applicant's Attorney (via email)
Adam Schneider, Esq., Board Attorney (via email)



Borough of Lake Como

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

PLANNING BOARD APPLICATION

FOR MUNICIPAL USE ONLY

Application Number: 25-

Received By: NH

Fees Collected: App 8

Hearing Date: ESL # 1750

Resolution Adopted By Board: _____

☐ Granted

☐ Denied

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

1. Applicant(s) Name, Address & Telephone Number

Diane Czerminski

3 Ripley Lane

Lake Como, New Jersey 07719

732-236-4417

2. If the applicant is being represented by an attorney, please state name, address & telephone number

George D. McGill, Esq.

708 10th Avenue, Belmar, NJ, 07719

Office: 732-419-9000 Cell: 732- 618-2447

3. Applicant is:

☐ Corporation ☐ Partnership ☒ Individual

NOTE: If application 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:

☒ Owner ☐ Lessee

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

Not Applicable

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
- X Variance requests, including bulk or use variances – please specify
 - o **Appeal of Zoning Officer Denial of Permit pursuant to N.J.S.A. 40:55D-70(a).**
 - o **Bulk Variance: Construct curb cut on Pine Terrace for driveway access therefrom.**
Please see attached Addendum for details.
- ☐ Informal Hearing

7. Give a brief description of application:

See attached Addendum.

8. Street Address of Property:

3 Ripley Lane, Block 16, Lot 17

9. Use of Property:

Existing: **Single-family Residential**
Zone: **R-40**
Proposed: **Single-family Residential.**
Lot Area: **5,000 sq. ft.**
Building Area: **existing-35.2 %**

10. Map Information:

Map Dated: **April 15, 2025**
Prepared By: **Michael T. Cannon, P.E, P.L.S.**
Map Entitled: **Plot/Grading Plan for #3 Ripley Lane**

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

Access to the property is solely through an easement extending from Ripley Lane to the subject property. Ingress and egress solely by the need to back down the lane.

I certify that the statements and information contained in the application are true. I authorize the applicant to submit this application and process for approval.

August 6, 2025

Date August 6, 2025


Applicant/Agent

Application Addendum

I have been retained to represent the applicant, Diane Czerminski, who is the owner and resident of a property known as 3 Ripley Lane. The applicant seeks to appeal the determination of the zoning officer and the Denial of the Permit issued April 1, 2025 finding "no additional curb cuts are permitted by Borough Ordinance, in order to construct a curb cut on Pine Terrace for driveway access therefrom. The Czerminski property is accessed by an easement that traverses five properties and connects with Ripley Lane proper. The Czerminski property and dwelling is oriented toward the easement and they have a parking area in front of the house along the easement connecting to Ripley Lane. The property otherwise backs up to Pine Terrace. The applicant would like to construct a driveway along the southerly side of the property with access to Pine Terrace. There is no present curb cut for this property along Pine Terrace or anywhere else on the property due to the easement access from Ripley Lane.

The history of the permitting process is a bit confusing. The applicant obtained a Permit to construct the driveway by a Permit issued May 13, 2024. The Permit was then denied by a Denial of Permit dated April 1, 2025. The plans regarding the driveway were substantially the same. The Denial of Permit states that the Borough Ordinances did not permit the curb cut. The Denial does not contain a specific site to the Ordinances. I have reviewed B.O. 17-10.7a4, which controls access to properties and which is attached hereto. I do not see where there may be a prohibition to the curb cut as proposed. First, there is no existing curb cut at the property and second, the Ordinances do not prohibit two access points. Granted, the Ordinance speaks to conditions where two curb cuts are proposed on the same street but that is not our circumstance here. The existing access to the front of the property is via an easement over existing lots and connected to Ripley Lane and the applicant seeks only a single curb cut on Pine Terrace. Under the circumstances, I would think that the lone curb cut on Pine Terrace should be permitted. I ask the Board to entertain a discussion of this matter prior to the discussion of any variance relief. I welcome the input of the Board Professionals in this regard. I otherwise have filed for variance relief to permit the curb cut on Pine Terrace though I do not think such a condition is prohibited.

As to the variance relief, if same is deemed necessary, the relief may be granted because the design makes for safer vehicle circulation. Presently, the Czerminskis have access to the property from an easement that connects to Ripley Lane. The access permitted by the easement does not allow for sufficient area in which to turn their vehicles around. The Czerminskis are therefore required to back their vehicles down the entire length of the easement and enter Ripley Lane in reverse. The proposed driveway and curb cut will provide for improved vehicular circulation and allow the Czerminskis to exit their driveway onto the easement in a forward fashion thus promoting safety regarding vehicular operation. The addition of a driveway would also provide for additional parking on the property, which would be a benefit to the community. With the addition of the driveway apron, there still will be 37 feet of curblane along the street which in reality is sufficient for two cars to park. The grant of the relief will not impair the Zone Plan because the property would have one curb cut on Pine Terrace which I think we can acknowledge is a normal situation in the Borough. By granting the variance relief, the Board may eliminate the circulation circumstance that now exists and provide for a safer means of ingress and egress to the property, along the easement, and to Ripley Lane. I do not think the grant would represent a substantial detriment to the public good but would be a benefit to the public for the reasons stated above.

§ 17-10.7 Off-Street Parking, Loading and Driveways.

[Ord. No. 90-535; Ord. No. 92-558; Ord. No. 96-621; Ord. No. 96-625; Ord. No. 2008-821; Ord. No. 2008-824; Ord. No. 2010-842]

a. General Provisions.

1. Landscaping.

- (a)** Except for detached dwelling units, a screen planting of a dense evergreen material not less than four feet in height shall be provided between the off-street parking areas and any lot line or street line except where a building intervenes or where the distance between such areas and the lot line or street line is greater than one hundred fifty (150') feet.
- (b)** All loading areas shall be landscaped and screened sufficiently to obscure the view of the parked vehicles and loading platforms from any public street, adjacent residential district or uses and the front yards of adjacent commercial and industrial uses. Such screening shall be by a fence, wall, planting or combination of the three and shall not be less than four (4') feet in height.
- (c)** Each off-street parking shall have a minimum area equivalent to one parking space per every 30 parking spaces landscaped with one-half (1/2) of the spaces having shrubs no higher than three (3') feet and the other one-half (1/2) having trees with branches no lower than seven (7') feet. Such spaces shall be distributed throughout the parking area in a manner not impairing visibility.

2. Lighting. Lighting used to illuminate off-street parking areas shall be arranged to reflect the light away from residential premises and streets and be in accordance with subsection 17-10.5. All parking facilities providing five (5) or more parking spaces shall be lighted.

3. Surfacing and Curbing.

- (a)** Off-street parking lots and loading areas; together with their access aisles, driveways and fire lanes, shall not occupy more than thirty-five (35%) percent of the lot area. All parking and loading areas and access drives shall be paved as determined by the Borough Engineer and approved as part of the site plan approval. All parking areas, regardless of size and location, shall be suitably drained and maintained.
- (b)** All off-street parking and loading areas shall be provided with curbing so that vehicles cannot be driven onto required perimeter landscaped areas, buffer zones and street rights-of-way and so that each parking and loading area has controlled entrances and exits and drainage control. Curbing or wheel stops shall be located to prevent any part of a vehicle from overhanging internal sidewalks or landscaped areas. Parking and loading spaces shall not be an extension of any street right-of-way.
- (c)** All off-street parking lots shall have adequate designations to indicate traffic flow and parking spaces.

4. Access. Access points from any one lot crossing the street line shall be limited to a maximum of two along the frontage of any single street. The center lines of any separate access points shall be spaced at least 70 feet apart; shall handle no more than two lanes of traffic; shall be at least 40 feet from any property line; and shall be set back from the street line of any intersecting street at least 50 feet or 1/2 the lot frontage, whichever is greater, except that in no case need the setback

distance exceed 299 feet. Continuous open driveways in excess of 16 feet at the street line shall be prohibited, except that for non-residential uses, driveways of more than 16 feet may be permitted with the approval of the Planning Board, giving due consideration to the proposed width, curbing, direction of traffic flow, radii of curves and method of dividing traffic lanes. Curbing shall be depressed at the driveway and the curbing may be rounded at the corners and the driveway connected with the street in the same manner as another street.

5. Location of Parking Spaces. All required off-street parking spaces shall be located on the same lot or premises as the use served, except that two uses may share the same lot and except further, that in cases when it is determined during site plan review that the requirements for on-site, off-street parking cannot be met because of existing conditions, the location and adequacy of off-site parking spaces to service the use shall be specified on the site plan for approval by the Planning Board.
6. Type of Facility.
 - (a) Parking spaces may be on, above or below the surface of the ground. When parking spaces are provided within a garage or other structure, the structure shall adhere to the proper accessory or principal building setbacks, as applicable.
 - (1) The provisions of parking spaces shall also include adequate driveway and necessary turning areas for handling the vehicles for which provision is made.
 - (2) Parking may occupy front, side and rear yard areas subject to site plan approval. The provisions of parking and loading spaces shall also include adequate driveway and necessary turning areas for handling of the vehicles for which provision is made. Aisles providing for access to parking spaces, shall have the following minimum dimensions. Where the angle of parking is different on both sides of the aisle, the larger aisle width shall prevail.



Borough Of Lake Como
1740 Main Street
Lake Como, NJ 07719
(732)681-3232

DENIED
Zoning Permit

Permit Number: Z2500021

Permit Issue Date: 04/01/25

Invoice #: 25-00095

Application Id: 4812

Application Date: 03/29/25

Owner/Property Details

Block/Lot/Qual: 16. 17.

Owner Name: CZERMINSKI, DIANE

Address: 2207 OLD MILL ROAD

SPRING LAKE HEIGHTS, NJ 07762

Phone #:

Zoning District:

Location: 3 RIPLEY LANE

Contractor: CZERMINSKI, DIANE

Address: 2207 OLD MILL ROAD

SPRING LAKE HEIGHTS, NJ 07762

Phone Number: (732)236-4417

License #:

~~This is to certify that the above description premised together with any building thereon, are used as or for:~~

FENCE INSTALL PER PLOT PLAN MARKED
4'HIGH

INSTALL DRIVEWAY FROM PINE TERRACE TO

Conditions:

DENIAL

FENCE CAN PROCEED.

NO ADDITIONAL CURB CUTS ARE PERMITTED PER BOROUGH ORDINANCE.

SHED CANNOT BE LOCATED IN AN EASEMENT.

Payments (Office Use Only)

NOTE: If construction does not commence within one (1) year of issuance or if construction ceases for a period of six (6) months, this permit is void.

Zoning Officer

Date

2022 4/1/25

ZONING

Ck# 91602 \$ 750 Rec'd by [Signature] Date 3-25 Permit # 258764

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

Borough of Lake Como 4862

Zoning Application for Residential and Commercial Properties

1. Address of Property: 3 Ripley Lane
Block: 16 Lot: 17 Zone: R.4
2. Property Designation: Single Family ☒ Multi Family ☐ Commercial ☐
3. Applicant's Name*: Czerminski
Address: 3 Ripley Lane
Phone Number: C/O Jimmy Alberts 732-522-1243
*Applicant is: Owner ☒ Contractor ☐ Other ☐
(If other, please describe) _____
4. Owner's Name: Czerminski
Address: 3 Ripley Lane
Phone Number: 732-236-4417
5. Type of Proposal: (please check)

<input type="checkbox"/> New Home	<input type="checkbox"/> Alteration to Existing Home: 1 - 1 1/2 Story <input type="checkbox"/> 2 - 2 1/2 Story <input type="checkbox"/>
<input type="checkbox"/> Pool: Above Ground <input type="checkbox"/> In-Ground <input type="checkbox"/>	
<input type="checkbox"/> Shed <input checked="" type="checkbox"/> Fence <input type="checkbox"/> Deck <input type="checkbox"/> Other *If other, please describe: <u>Driveway</u>	
Water Line: Existing <input type="checkbox"/> New <input type="checkbox"/> Upgraded <input type="checkbox"/>	
Sewer Line: Existing <input type="checkbox"/> New <input type="checkbox"/> Upgraded <input type="checkbox"/>	

Dimension of New Building/Addition: x Height of New Building/Addition: Shed
Area of New Building/Addition: 64 sq. ft. Number and Types of Rooms: _____

* 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: Fence install per plot plan - Drawing - 4' high
Install Driveway from Pine To Ripley Easement
MAY curb cut on Pine 14'
Add 8x8 Shed - house on crawl - 3' SB TO north line
Keeps us under Allowed Building %

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

David J. J. J.

Office Use Only

Zoning Reviewer:

JR

Date:

3/29/25

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:

SEE ZONING DENIAL



Borough Of Lake Como
1740 Main Street
Lake Como, NJ 07719
(732)681-3232

Zoning Permit

Permit Number: Z2400036		Permit Issue Date: 05/13/24	Invoice #: 24-00210
Application Id: 4546		Application Date: 05/10/24	
Owner/Property Details			
Block/Lot/Qual: 16. 17. Owner Name: CZERMINSKI, DIANE & HAKUSA, STEVEN A Address: 3 RIPLEY LANE LAKE COMO, NJ 07719		Phone #: (732)522-1243 Zoning District: Location: 3 RIPLEY LANE 2	
Contractor: ALBURTUS MODULAR HOMES INC. Address: 1540 ROUTE 138 SUITE301 Wall, NJ 07719 Phone Number: License #: 13VH03868400			
This is to certify that the above description premises together with any building thereon are used as or for:			
ADDITION/ALTERATION			
Conditions			
APPROVED PER PLAN			
CONSTRUCTION PERMITS REQUIRED			
Payments (Office Use Only)			

NOTE: If construction does not commence within one (1) year of issuance or if construction ceases for a period of six (6) months, this permit is void.

Zoning Officer

Date

5/13/24

ZONING

Clk# 285 \$ 70⁰⁰ Rec'd by VAA Date 5-6-74 Permit # 24-36

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

Borough of Lake Como 4546
Zoning Application for Residential and Commercial Properties

1. **Address of Property:** 3 RIPLEY LANE
Block: 16 Lot: 17 Zone: _____
2. **Property Designation:** Single Family ☒ Multi Family _____ Commercial _____
3. **Applicant's Name*:** JAMES ALBERTS
Address: 902 MAIN STREET BELMAR
Phone Number: 732-522-1243 / office # 280-5
***Applicant is:** Owner _____ Contractor ☒ Other _____
(If other, please describe) _____
4. **Owner's Name:** CZEYMINSKI
Address: 2207 OLD MILL RD W211 NJ
Phone Number: 732-236-4417
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 checked="" type="checkbox"/>
<input type="checkbox"/> Pool: Above Ground	<input type="checkbox"/> In-Ground	
<input type="checkbox"/> Shed	<input type="checkbox"/> Fence	<input type="checkbox"/> Deck
<input type="checkbox"/> Other *If other, please describe: _____		
Water Line: Existing <input checked="" type="checkbox"/> New _____ Upgraded _____		
Sewer Line: Existing <input checked="" type="checkbox"/> New _____ Upgraded _____		

Dimension of New Building/Addition: 1518 sq. ft. **Height of New Building/Addition:** 32' incl
Area of New Building/Addition: _____ sq. ft. **Number and Types of Rooms:** 3 BR 2 1/2 BATHS FOUNDATI

* 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: BUILD ON TOP OF EXISTING FOOT PRINT - 051st floor

ADD DRIVEWAY FROM PINE TO RIPLEY
ADD GARAGE

6. *** Must Submit with 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:

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:

SEE ZONING PERMIT

ZONE R-40	REQUIRED	EXISTING	PROPOSED	COMMENTS
Min. Lot Area	4000 SF	5000		
Min. Lot Width	40'	50		
Min. Lot Depth	100'	100		
Principle Structure				
Front Yard Setback or Average	20'	24.3		
Side Yard Setback	3'	7.8		
Side Yard Setback	3'			
Rear Yard Setback	10'	10.3		
Building Height from curb top	35'	35		
Base Flood Elevation		X		
ABFE				
Finished Floor Elevation				
Accessory Structure				
Side Yard Setback	3'	3'	3'	
Rear Yard Setback	3'		20'	
Principle Structure Separation	5'			
Pool (Side, Rear & Buildings)	5'			
Height measured from ground				
Garage	16' Height			
Shed	12' Height			
Max Area				
Lot Requirements				
Building Coverage	40%		352.70	
Principal Structure			1516	
Accessory Structure			240	
Shed				
Deck (50%)			40.70	
Impervious Lot Coverage	60%		1756	
Building Total from above			787	162/2
Driveway (Pavers 50%)			274	81 + 706
Patio (Pavers 50%)			2817	
Sidewalk/Steps				
Front Yard Landscape Area	50%			
Parking Spaces Minimum 9'x19'				
1-2 Bedrooms	1 Space			
3-4 Bedrooms	2 Spaces		2+	
5-6 Bedrooms	3 Spaces			
Plus 1 Bedroom	Plus 1 Space			
GRADING PLAN	>=400SF			

When using the average front yard setbacks on the existing block, work with the principal structure (not the porch & steps don't count) and any thing more 20', count only 20'

Accessory Structures Only in Side or Rear Yard not Front Yard

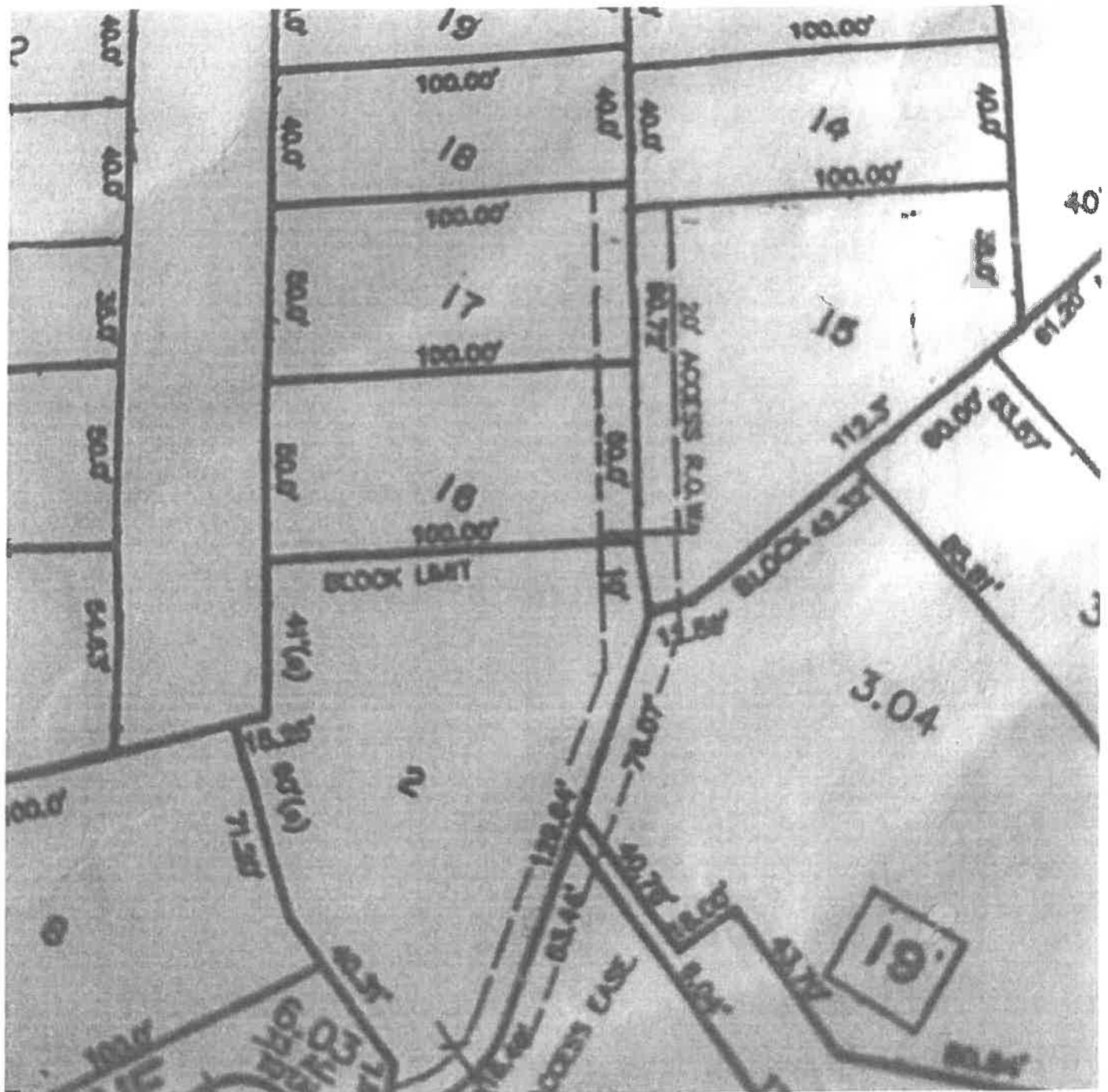
Open Porches (1 story only/4' above grade) can extend 8' into the front setback (10' Back Minimum)

(No Subject)

From: James Alburtus (alburtus@yahoo.com)

To: alburtus@yahoo.com

Date: Friday, August 2, 2024 at 05:22 PM EDT

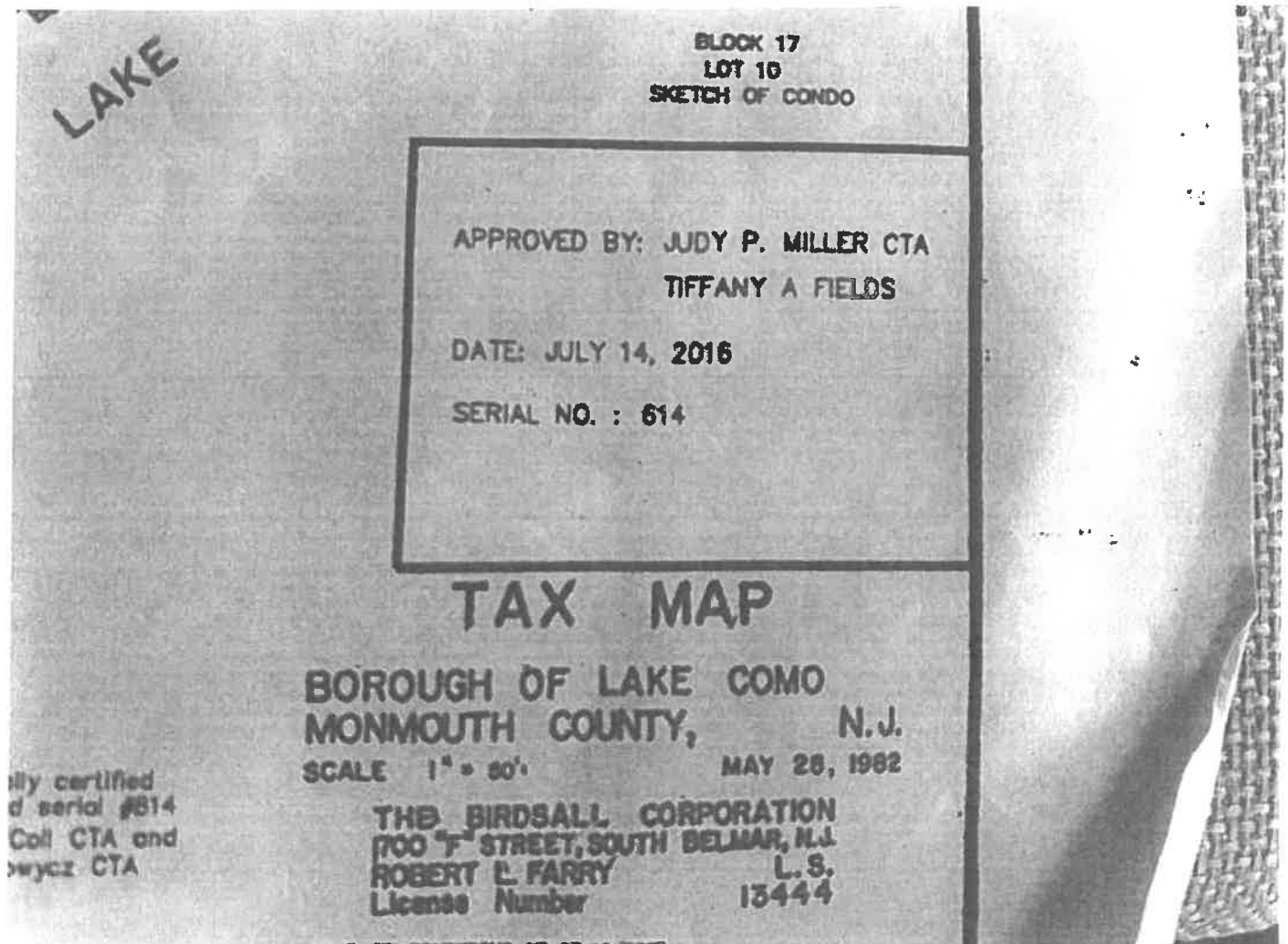


(No Subject)

From: James Alburtus (alburtus@yahoo.com)

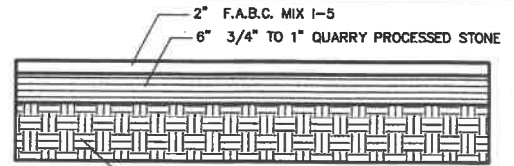
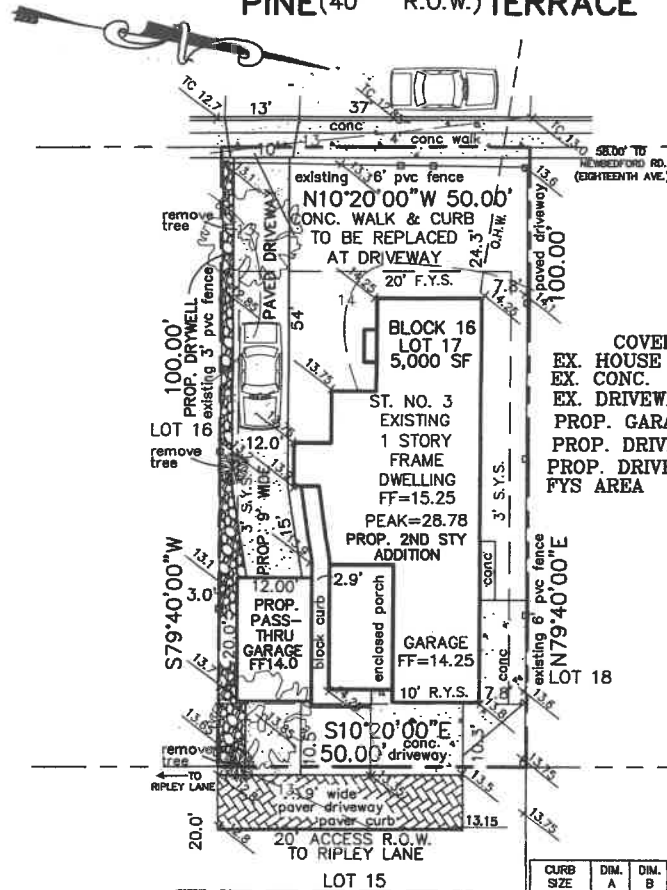
To: alburtus@yahoo.com

Date: Friday, August 2, 2024 at 05:23 PM EDT



[Yahoo Mail: Search, Organize, Conquer](#)

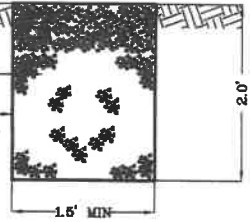
PINE(40' R.O.W.) TERRACE



PAVED DRIVEWAY DETAIL

N.T.S.

3/4\"/>



DRY WELL DETAIL

N.T.S.

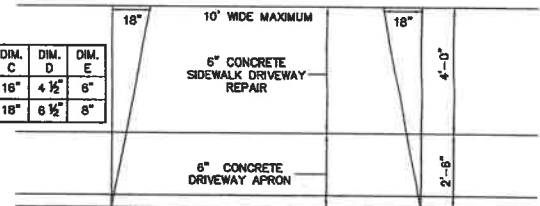
COVERAGE TABLE	
EX. HOUSE	1,518 SF
EX. CONC.	274 SF
EX. DRIVEWAY	162 SF
PROP. GARAGE	240 SF
PROP. DRIVEWAY	706 SF
PROP. DRIVEWAY IN FYS	205 SF
FYS AREA	1,135 SF

ZONING

DISTRICT R-40 SINGLE FAMILY RESIDENTIAL

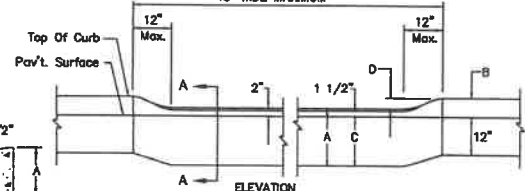
DESCRIPTION	REQUIRED SINGLE FAMILY	LOT 17 PROVIDED SINGLE FAMILY
LOT AREA	4000 SF	5,000 SF
LOT FRONTAGE	40 FT	50.00 FT
LOT WIDTH	40 FT	50 FT
LOT DEPTH	100 FT	100 FT
FRONT SETBACK	20 FT	24.3 FT
SIDE SETBACK	3 FT	7.80 FT
REAR SETBACK	10 FT	10.3 FT
MAX HT. PRINC BLDG	35 FT	35.0 FT
MAX LOT COVERAGE	80 %	58.0 %
MAX BUILDING COVERAGE	40 %	35.2 %
IMP. COVERAGE IN FYS	50 %	18.0 %

CURB SIZE	DIM. A	DIM. B	DIM. C	DIM. D	DIM. E
6" X 18"	18"	6"	18"	4 1/2"	6"
8" X 20"	20"	8"	18"	6 1/2"	8"



DEPRESS CONC. CURB

13\"/>



METHOD OF DEPRESSING CURB AT DRIVEWAYS

N.T.S.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

CONCRETE SIDEWALK & APRON

N.T.S.

CONSTRUCTION NOTES:

- ALL SIDEWALK AND DRIVEWAY APRON CONCRETE TO BE N.J.D.O.T. CLASS "B".
- PROVIDE PREFORMED BITUMINOUS FIBER EXPANSION JOINTS, 1/2" THICK, AT 20'-0" (MAXIMUM) INTERVALS. PROVIDE DUMMY JOINTS AT INTERVALS EQUAL TO THE SIDEWALK WIDTH BETWEEN EXPANSION JOINTS.
- PROVIDE WELDED WIRE FABRIC REINFORCEMENT, TYPE 6 x 6 - W2.9 x W2.9, AT DRIVEWAY APRONS.
- CURB AND SIDEWALK SHALL BE POURED SEPARATELY.
- LONGITUDINAL JOINTS BETWEEN CURB AND SIDEWALK SHALL BE PREFORMED BITUMINOUS FIBER EXPANSION MATERIAL 1/2" THICK.
- FOR CURB, PROVIDE PREFORMED BITUMINOUS FIBER EXPANSION JOINTS, 1/2" THICK AT 20'-0" MAX. INTERVALS. PROVIDE DUMMY JOINTS (FORMED) MIDWAY BETWEEN EXPANSION JOINTS.

NOTES:

PROPERTY OF HAKUSA/CZERMINSKI KNOWN AS BLOCK 16 LOT 17 AS SHOWN ON THE TAX MAP FOR THE BOROUGH OF LAKE COMO, MONMOUTH COUNTY, NEW JERSEY

REFERENCE: DEED BOOK 9692 PAGE 6547
TOPOGRAPHIC SURVEY BY THE CANNON GROUP, P.C. DATED 12/8/23
ELEVATION DATUM NAVD 1988

GENERAL NOTES:

- CONTRACTOR TO VERIFY ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION
- ALL UTILITIES TO BE REUSED
- THIS PLAN IS NOT TO BE SCALED FOR DISTANCES
- ANY CONFLICTS OR DEVIATION FROM THIS PLAN SHALL BE APPROVED BY THE ENGINEER
- ROOF CUTTERS AND LEADERS TO BE DIRECTED TO STREET.
- EXISTING DRIVEWAY TO REMAIN DURING CONSTRUCTION.
- EXISTING TREES ON SITE MARKED TO BE REMOVED
- PROPERTY LOCATED IN THE R-40 ZONE
- PROPERTY LOCATED IN FLOOD ZONE "X" (NO MIN. FLOOD), FIRM 540328 PANEL 0001

PLOT/GRADING PLAN FOR #3 RIPLEY LANE

LOT 17 BLOCK 16, BORO OF LAKE COMO
MONMOUTH COUNTY, NEW JERSEY

THE CANNON GROUP, P.C

291 HERBERTSVILLE ROAD, 1ST FLOOR - 3
BRICK, NEW JERSEY, 08724

PHONE (732) 458-0003 FAX (732) 458-1103

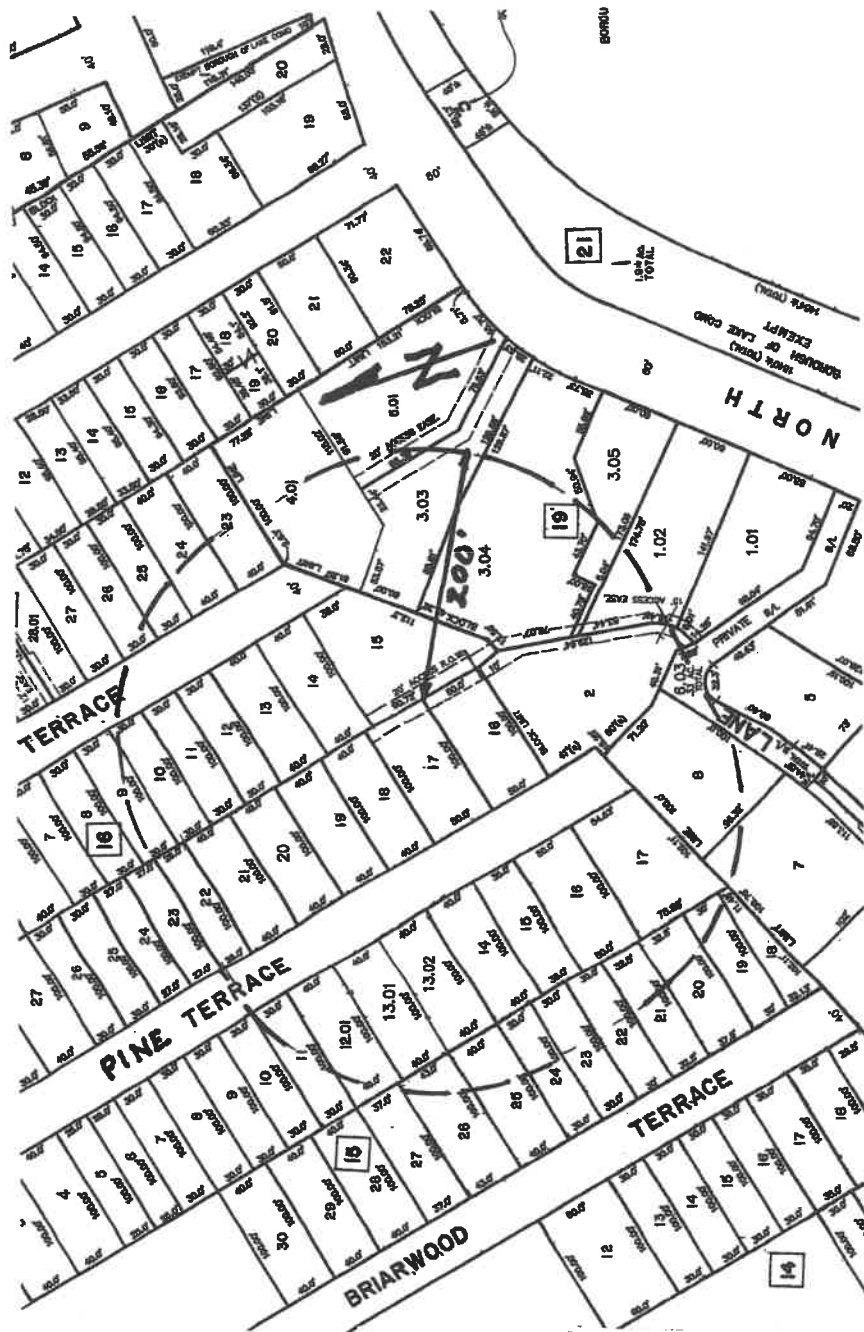
MICHAEL T. CANNON

Michael T. Cannon

PROF. ENGINEER & LAND SURVEYOR N.J. LIC. #34691

REVISION

CHK:	MTC
DRN BY	MTC
DATE	4/15/25
SCALE	1"=20'
JOB #	23144
DWG#	REVPL0T
SHEET	1 OF 1



200 FT. RADIUS MAP FOR #3 RIPLEY LANE

LOT 17 BLOCK 16, BORO OF LAKE COMO
MONMOUTH COUNTY, NEW JERSEY

THE CANNON GROUP, P.C

291 HERBERTSVILLE ROAD, 1ST FLOOR - 3
BRICK, NEW JERSEY, 08724

PHONE (732) 458-0003 FAX (732) 458-1103

MICHAEL T. CANNON

Michael T. Cannon
PROF. ENGINEER & LAND SURVEYOR N.J. LIC. #34691

REVISION

CHK:	MTC
DRN BY	MTC
DATE	4/15/25
SCALE	1"=100'
JOB #	23144
DWG#	RADMAP
SHEET	1 OF 1



architects + engineers

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

ENGINEERING NJ #24QA28019100

February 3, 2025

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

**Re: Completeness/Technical Review #3
Stuto Use Variance Application
399 North Boulevard
Block 18, Lot 20
H2M Project No. LKCP2407**

Dear Chairman and Board Members:

I am in receipt of an amended application package for the referenced project. The application package includes Plot Plan and Architectural Plans (10 sheets) prepared by Mark A. Fessler, R.A., dated revised January 20, 2025, a completed application, and a survey of the property prepared by Dominick J. Venditto, dated revised August 22, 2023.

At this time, I find this revised application is substantially complete at this time and may be scheduled for a public hearing at the Board's convenience. Based on my review of these submitted documents in conjunction with the Borough Ordinance and good engineering practice, I offer the following comments for your use through the public hearing process. It should be noted as this matter has yet to be heard by the Board, this review letter supersedes my review letter dated January 2, 2025.

General

The property in question is located on the northerly side of North Boulevard, approximately 90 feet east of the intersection with Parkway. This location is within the Residential R-50 Zone. The undersized lot currently contains a 2-story frame & masonry dwelling with raised deck above the driveway, and two flagstone patios and a shed in the rear. The Applicant proposes to demolish the shed and patios in the rear and install (1) a 3-story addition to the rear of the existing dwelling; (2) a full width expansion of the second floor deck in the front of the dwelling; and (3) full additional story above the expanded floorplan of the existing structure. The existing and proposed uses are conforming for the zone; however, the existing lot and existing and principal structure are non-conforming for the zone.

The Board should be mindful that this property was before the Board around 10 years ago and while I do not have any of the documentation from that action at this time, the Board Secretary will be providing copies of the resolution for your information prior to the hearing. The Board should also be aware that various documents as part of the application package refer to Borough owned land on the easterly side of the subject lot that contains existing drainage infrastructure, and though the Applicant has sought to acquire same, this land is not under consideration through this application.

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. Code Section 17-9.1(d) sets forth the Requirements within the R-50 Zone. A review of the plans in conjunction with this section identified the following non-conformities:
 - Lot Area – 5,000 square feet required, 2,994 square feet existing;
 - Lot Frontage – 50 feet required, 28.86 feet existing;
 - Lot Width – 50 feet required, 28.16 feet existing;
 - Front Yard Setback – 20 feet minimum, 17 feet existing (to 2nd floor deck), 17 feet proposed (to 3rd floor deck);
 - Side Setback (west side) – 5 feet minimum, 3.7 feet existing, 3.7 feet proposed (to 3rd floor addition to existing structure);
 - Side Setback (east side) – 5 feet minimum, 0 feet existing, 0 feet proposed (to 2nd floor deck and 3rd floor addition to existing structure), 1.66 feet proposed (to 1st, 2nd and 3rd floor addition to the rear);
 - Building Height – 2.5 stories/19.7 feet maximum, 2 stories/24 feet existing, 3 stories/32.75 feet proposed; and
 - Building Coverage – 40% maximum allowable, 30.7% existing, 40.2% proposed.

The existing non-conforming conditions cited above are provided for the Board's information only as they are existing conditions. Bulk variances will be required for the non-conforming dimensions cited above with the exception of Building Height. The proposed Building Height as determined by ordinance would be 3 stories totaling 32.75 feet. This includes the ground floor, main floor, and upper floor, as depicted by the Architectural Plans. Due to the narrow width of the site, the building height is permitted to be 20.3 feet (58% of 35ft). The proposed height of 32.5 feet is in excess of the maximum by 12.2 feet, which is approximately 60% over the allowable amount. As this dimension exceeds 10% of the allowable building height, a Use Variance will be required for the proposed Building Height.

2. There is no Grading Plan provided and topographic contours/elevations are not represented on the Plot Plan. There is no information provided regarding intended stormwater management at the site. The Board should elicit testimony regarding stormwater management and condition any approval on submission of an acceptable Grading Plan.
3. The Plot Plan and survey do not depict an easement for the sidewalk that is located on the property. The Board should consider any approval on the Applicant providing an easement to permit the existing sidewalk to remain as part of this application.
4. Sheet A-7 appears to be an unscaled close-up of the property survey with hatching in the previously mentioned adjacent land strip. This sheet should be modified as it promotes confusion with respect to the adjacent Borough property and its relationship to the Applicant's property.

5. The property is in the FEMA Flood Zone AE 9, which has a flood elevation of 9 feet. The finished floor of the existing garage is 6.97 per the survey. This property is subject to flooding of the ground floor. The proposed improvements exceed 50% of the property's market value, thus triggering FEMA's 50% Rule with regard to Substantial Improvement. Among the Rule's requirements, all improvements and the existing building to comply with the post-FIRM construction requirements. Of specific concern is the existence of a bathroom on the ground floor that is proposed to remain per the Architectural Plans. This bathroom must be removed per FEMA requirements. The Board should elicit testimony regarding the FEMA 50% Rule and how the Applicant intends to comply with all of the requirements.
6. The proposed plan identifies an existing mechanical unit in the westerly side yard and appears to propose a new mechanical unit at the rear of the proposed structure. As the 50% Rule cited above would require the existing unit to be raised in the non-conforming side yard location, the Board should elicit testimony regarding the placement of all raised mechanical equipment in a conforming location in the rear yard.
7. The Board should expressly condition any approval on the removal of the rear shed as that is not clearly proffered within the application but has bearing of the Building Coverage calculation.

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

cc: Joseph Stuto, Applicant
Adam Schneider, Esq., Board Attorney (via email)
George McGill, Esq., Applicant's Attorney (via email)



architects + engineers

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

| ENGINEERING NJ #24GA28018100

January 2, 2025

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

**Re: Completeness/Technical Review #2
Stuto Use Variance Application
399 North Boulevard
Block 18, Lot 20
H2M Project No. LKCP2407**

Dear Chairman and Board Members:

I am in receipt of an amended application package for the referenced project. The application package includes Plot Plan and Architectural Plans (10 sheets) prepared by Mark A. Fessler, R.A., dated revised October 14, 2024, a completed application, and a survey of the property prepared by Dominick J. Venditto, dated revised August 22, 2023.

At this time, I find this application is substantially complete at this time and may be scheduled for a public hearing at the Board's convenience. Based on my review of these submitted documents in conjunction with the Borough Ordinance and good engineering practice, I offer the following comments for your use through the public hearing process

General

The property in question is located on the northerly side of North Boulevard, approximately 90 feet east of the intersection with Parkway. This location is within the Residential R-50 Zone. The undersized lot currently contains a 2- story frame & masonry dwelling with raised deck above the driveway, and two flagstone patios and a shed in the rear. The Applicant proposes to install an addition to the rear of the existing dwelling and install a full additional story, including an expansion of the deck in the front of the dwelling. The existing and proposed uses are conforming for the zone; however, the existing lot and existing and principal structure are non-conforming for the zone.

The Board should be mindful that this property was before the Board around 10 years ago and while I do not have any of the documentation from that action at this time, the Board Secretary will be providing copies of the resolution for your information prior to the hearing. The Board should also be aware that various documents as part of the application package refer to Borough owned land on the easterly side of the subject lot that contains existing drainage infrastructure, and though the Applicant has sought to acquire same, this land is not under consideration through this application.

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. Code Section 17-9.1(d) sets forth the Requirements within the R-50 Zone. A review of the plans in conjunction with this section identified the following non-conformities:

- Lot Area – 5,000 square feet required, 2,994 square feet existing;
- Lot Frontage – 50 feet required, 28.86 feet existing;
- Lot Width – 50 feet required, 28.16 feet existing;
- Front Yard Setback – 20 feet minimum, 17 feet existing (to 2nd floor deck), 17 feet proposed (to 3rd floor deck);
- Side Setback (west side) – 5 feet minimum, 3.7 feet existing, 3.7 feet proposed (to 3rd floor addition to existing structure);
- Side Setback (east side) – 5 feet minimum, 0 feet existing, 0 feet proposed (to 2nd floor deck and 3rd floor addition to existing structure), 1.33 feet proposed (to 1st, 2nd and 3rd floor addition to the rear);
- Building Height – 2.5 stories/19.7 feet maximum, 2 stories/24 feet existing, 3 stories/32.75* feet proposed;
- Building Coverage – 40% maximum, 29.2% existing, 41.4**% proposed; and
- Impervious Coverage – 60% maximum, 49% existing, 63.8**% proposed;

* The values reported above for Building Height, Building Area, and Impervious Area differ from the table on Sheet A-2 of the Architectural Plans. The values utilized in the table were not reproducible and were found to be variance conditions by our calculations which were based on scaling of the provided plans.

The existing non-conforming conditions cited above are provided for the Board's information only as they are existing conditions. Bulk variances will be required for the non-conforming dimensions cited above with the exception of Building Height. The proposed Building Height as determined by ordinance would be 3 stories totaling 32.75 feet. This includes the ground floor, main floor, and upper floor, as depicted by the Architectural Plans. Due to the narrow width of the site, the building height is permitted to be 20.9 feet (59.8% of 35ft). The proposed height of 32.5 feet is in excess of the maximum by 11.6 feet, which is approximately 55.5% over the allowable amount. As this dimension exceeds 10% of the allowable building height, a Use Variance will be required for the proposed Building Height.

2. We have noted scaling discrepancies across the Survey, Plot Plan and Architectural Plans that should be revised prior to final submission to ensure consistency between reported dimensions and scaled dimensions.
3. There is no Grading Plan provided and topographic contours/elevations are not represented on the Plot Plan. There is no information provided regarding intended stormwater management at the site. The Board should elicit testimony regarding stormwater management and condition any approval on submission of an acceptable Grading Plan.

4. The Plot Plan and survey do not depict an easement for the sidewalk that is located on the property. The Board should consider any approval on the Applicant providing an easement to permit the existing sidewalk to remain as part of this application.
5. Sheet A-7 appears to be an unscaled close-up of the property survey with hatching in the previously mentioned adjacent land strip. This sheet should be modified as it promotes confusion with respect to the adjacent Borough property and its relationship to the Applicant's property.
6. The property is in the FEMA Flood Zone AE 9, which has a flood elevation of 9 feet. The finished floor of the existing garage is 6.97 per the survey. This property is subject to flooding of the ground floor. The proposed improvements exceed 50% of the property's market value, thus triggering FEMA's 50% Rule with regard to Substantial Improvement. Among the Rule's requirements, all improvements and the existing building to comply with the post-FIRM construction requirements. Of specific concern is the existence of a bathroom on the ground floor that is proposed to remain per the Architectural Plans. This bathroom must be removed per FEMA requirements. The Board should elicit testimony regarding the FEMA 50% Rule and how the Applicant intends to comply with all of the requirements.
7. The proposed plan identifies an existing mechanical unit in the westerly side yard and appears to propose a new mechanical unit at the rear of the proposed structure. As the 50% Rule cited above would require the existing unit to be raised in the non-conforming side yard location, the Board should elicit testimony regarding the placement of all raised mechanical equipment in a conforming location in the rear yard.

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

cc: Joseph Stuto, Applicant
Adam Schneider, Esq., Board Attorney (via email)



architects + engineers

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

| ENGINEERING NJ #24GA28018100

September 25, 2024

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

**Re: Completeness/Technical Review
Stuto Variance Application
399 North Boulevard
Block 18, Lot 20
H2M Project No. LKCP2407**

Dear Chairman and Board Members:

I am in receipt of an application package for the referenced project. The application package includes a completed application form, architectural plans (7 sheets) prepared by Mark Fessler, RA, dated January 30, 2024, and a survey of the property prepared by Dominick J. Venditto, dated revised August 22, 2023. Based on a review of the submitted documents, I find the application is incomplete at this time for lack of the following:

- Application Form signed by the Owner (architect cannot act as agent); and
- Written description of extra land issue referred to in application.

I trust this report is suitable for your purposes. I will await submission of these documents before proceeding further with my review. 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

cc: Joseph Stuto, Applicant
Adam Schneider, Esq., Board Attorney (via email)
Mark Fessler, Applicant's Architect

Ck# 892 \$ 170⁰⁰ Rec'd by VHM Date 1/14 Permit # 24-05

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

Borough of Lake Como 4452

Zoning Application for Residential and Commercial Properties

1. Address of Property: 399 NORTH BLVD.

Block: _____ Lot: _____ Zone: R-50

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

3. Applicant's Name*: MARK A. FESSLER, R.A.

Address: P.O. BOX 440 SPRING LAKE, NJ 07762

Phone Number: 732-701-3770

*Applicant is: Owner _____ Contractor _____ Other *ARCHITECT
(If other, please describe) _____

4. Owner's Name: JOSEPH + SUE STUTO

Address: 399 NORTH BLVD, LAKE COMO, NJ 07719

Phone Number: 917-359-6390

5. Type of Proposal: (please check)

<input type="checkbox"/> New Home	<input checked="" type="checkbox"/> Alteration to Existing Home: 1 - 1 1/2 Story _____ 2 - 2 1/2 Story <input checked="" type="checkbox"/>
<input type="checkbox"/> Pool: Above Ground _____ In-Ground _____	
<input type="checkbox"/> Shed _____ Fence _____ Deck _____	<input type="checkbox"/> Other *If other, please describe: _____
<u>Water Line: Existing</u> <input checked="" type="checkbox"/> <u>New</u> _____ <u>Upgraded</u> _____	
<u>Sewer Line: Existing</u> <input checked="" type="checkbox"/> <u>New</u> _____ <u>Upgraded</u> _____	

Dimension of New Building/Addition: 16'-4" x 21'-4" Height of New Building/Addition: 13.4 FT.
Area of New Building/Addition: 1320 sq. ft. Number and Types of Rooms: 4 Bedrooms,
1 NEW SITTING ROOM/DEN & 2 NEW BATHROOMS.

* 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:

OWNERS WISH TO ADD ANOTHER STORY & A REAR ADDITION TO THEIR EXISTING 3 BR/2 BAT
GARAGE APT. DWELLING, WHICH WOULD THEN BECOME THEIR PERMANENT RESIDENCE.
THE HOUSE IS LOCATED IN THE FLOOD ZONE & THE EXISTING GROUND LEVEL WILL CONTINUE
TO BE USED FOR A GARAGE & STORAGE. PLEASE REFER TO THE ATTACHED
PLANS & ZONING CHART WHICH DETAILS THE EXISTING NON-CONFORMING CONDITIONS.

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, variance and other permits granted with respect to said property shall be complied with.

Mark A. Kunk, RA
Signature of Applicant

JAN. 8, 2024
Date

Office Use Only

Zoning Reviewer: [Signature]

Date: 1/15/24

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:

SEE ATTACHED

Zoning Application #24-05 399 North Blvd

Owner proposes

ADDITION/ALTERATION

ADDITION 16'4" X 21'4" 34' HEIGHT

**4 BEDROOMS, NEW SITTING ROOM/DEN, & 2 NEW BATHROOMS. FIRST FLOOR IN
FLOOD ZONE TO BE USED AS GARAGE & STORAGE**

DENIAL

**EXISTING LOT IS 2994 SF IN A R-50 ZONE
28.86' X 106.32'**

VARIANCES WILL BE NEEDED FROM THE PLANNING BOARD:

FRONT SETBACK	17' WHERE 20' IS REQUIRED
SIDE SET BACKS	3.7' & 0' WHERE 5' IS REQUIRED
BUILDING HEIGHT	34' WHERE 22.2' IS PERMITTED.

THE NEIGHBORING EAST LOT IS IN DISPUTE AT THIS TIME

Approved
Denied
Received

John P. Rowe, Zoning Officer

Date

ZONING CHART				
Stuto Residence-389 North Blvd., Lake Como				
Zone: R-50		Required	Existing	Proposed
Principle Use		Single-Family	Single-Family	Single-Family
Lot Area		5000 sq.ft.	2994 sq.ft.*	3244 sq.ft.**
Lot Frontage		50 ft.	28.86 ft.*	32.53 ft.**
Lot Width		50 ft.	28.16 ft.*	31.7 ft.**
Lot Depth		100 ft.	106.32 ft.±	106.32 ft.±
Front Setback		20 ft. or Average	17 ft.±	17 ft.±
Side Setbacks		5 ft. & 5 ft.	3.7 ft.* & 0 ft.*	3.7 ft.* & 4 ft.±**
Rear Setback		10 ft.	50 ft.±	(5.33 ft.± at addition)
Building Height		2 1/2 story/35 ft.	1 1/2 /24 ft.±*	33 ft.±
Narrow Lot Width= (60.3% x 35 = 19.7 ft.)				2 1/2 /34 ft.±*
Accessory Bldg.				(63.4% x 35 = 22.2 ft.)
Side Setback		5 ft.	2.5 ft.±*	2.5 ft.±*
Rear Setback		5 ft.	.5 ft.±*	.5 ft.±*
Shed Area		100 sq.ft.	80 sq.ft.	80 sq.ft.
Building Area		40% max.	29.2%±(875sf)	39.3%(1276sf)
Impervious Area		60% max.	49%(1467sf)	52.9%(1716sf)
Front Yard (Landscape))		50% min.	49.2%(232sf)*	55.7%(302sf)
(28.86x16=472x50%=236sf)				(472x70=330x50%=271sf)
Parking		2	2	2
* Denotes an Existing Non-conforming Condition ** Denotes an Improved Non-conforming Condition				



Borough of Lake Como

1740 Main Street • Lake Como, New Jersey 07719
(732) 681-3232 • FAX (732) 681-8981

Kevin G. Higgins
Mayor

Andrew Huisman
Administrator

PLANNING BOARD APPLICATION

FOR MUNICIPAL USE ONLY

Application Number: _____

Received By: _____

Fees Collected: _____

Hearing Date: _____

Resolution Adopted By Board: _____

☐ Granted

☐ Denied

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

1. Applicant(s) Name, Address & Telephone Number

JOSEPH STUTO

399 NORTH BLVD. LAKE COMO NJ 07719

917-359-6390

2. If the applicant is being represented by an attorney, please state name, address & telephone number

3. Applicant is:

☐ Corporation ☐ Partnership ☐ Individual ☐ Other _____

NOTE: If application 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:

☒ Owner ☐ Lessee

5. If applicant is not Owner, please state name, address and telephone number of the 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, including bulk or use variances – please specify

o UNDERSIZE LOT AREA & WIDTH; FRONT & SIDE YARD SETBACKS;
BUILDING HEIGHT

☐ Informal Hearing

7. Give a brief description of application:

OWNERS WISH TO CONVERT THEIR EXISTING "GARAGE BDT" VACATION HOME
INTO THEIR PERMANENT YEAR ROUND HOME BY ADDING AN ADDITION TO THE
REAR OF THE HOME AND ADDING AN ADDITIONAL STORY TO THE EXISTING.

8. Street Address of Property:

399 NORTH BLVD., LAKE COMO, NJ

Block: 19

Lot: 20

9. Use of Property:

SINGLE-FAMILY

Existing:

SINGLE-FAMILY

Zone:

R-30

Proposed:

SINGLE-FAMILY

Lot Area:

2994 SQ. FT.

Building Area:

1320 SQ. FT. (PLUS GARAGE & DECK)

10. Map Information:

Map Dated:

JUNE 16, 2023

Prepared By:

DOMINICK J. VENDETTO III

Map Entitled:

TOP SURVEY OF 399 NORTH BLVD, LAKE COMO

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

HOUSE IS LOCATED IN A FLOOD ZONE (BFE 100) AND

ADJACENT TO A 402.5 SQ. FT. STRIP OF LAND OWNED

BY THE BOROUGH OF LAKE COMO, WHICH THE APPLICANT

IS TRYING TO PURCHASE ALL OR SOME OF TO RESOLVE THEIR
NON-CONFORMING CONDITIONS.

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

the applicant to submit this application and process for approval.

1-30-24

Date


Applicant/Agent



Borough of Lake Como

1740 Main Street, P.O. Box 569 • Lake Como, New Jersey 07719-0569
(732) 661-3282 • FAX (732) 661-6961

GENERAL INFORMATION

Meeting Dates: As published pursuant to N.J.S.A. 40:55D-9 et and additional meetings scheduled as required.

Time & Place: 7:00pm
Lake Como Borough Hall Meeting Room
1740 Main Street, Lake Como, NJ 07719

Chairman: Joseph Cavaluzzi

Attorney: Adam Schneider, Esq.

PROCEDURES CHECKLIST:

Submit following with each application

1. One (1) original and three (3) copies of application form. Fill out application in its entirety. Answer all questions pertaining to your application. Update all tax information from Tax Collector/Assessor's office.
2. Appropriate fee-check made payable to the Borough of Lake Como in accordance with fee schedule.
3. Include fifteen (15) full size prints of site plan and/or subdivision map and/or survey and/or photographs as required. Survey should be signed, certified and dated within last ten (10) years.

****PLEASE FOLD PLANS. DO NOT ROLL****

Major Subdivision	_____
Minor Subdivision (3 or less lots)	_____
Preliminary Subdivision	_____
Final Subdivision	_____
Site Plan - Preliminary	_____
Site Plan - Final	_____
Hardship variance(s) - Single Family	<input checked="" type="checkbox"/> _____
Informal	_____
Other	_____

NOTE: When an application includes request for more than one action, the total accumulated for each action shall be collected. No application will be scheduled for hearing unless it is considered complete at least 21 days prior to the meeting date.

NOTE: When application represents requests for both preliminary and final approval simultaneously, both fees shall be collected.

MARK A. FESSLER
REGISTERED ARCHITECT
Lic#NJ-21-AI00659100

732-701-37

PO BOX 445
SPRING LAKE
NJ 07762

Lake Como Planning Board
c/o Vivica Graham, Board Secretary
1740 Main St., Lake Como, NJ 07719

January 8, 2025

RE: Stuto Variance Application
399 North Blvd., Lake Como
Block:18; Lot: 20

Vivica-

I received Alan Hilla's Engineering Review letter, for the above project, dated 1/2/2025.


1) After reviewing Alan's letter, I went back out to the property to verify the existing dimensions of the house footprint, and revised some dimensions to both the existing house and the addition accordingly, so that the project will not exceed the building & impervious cover requirements. The revised plans (which have additional dimensions added) show that the 'Proposed Building Coverage' to be 1195 sq.ft. or 39.9% (existing house @ 640 sq.ft. + front deck @ 219 sq.ft. + the rear addition @ 336 sq.ft.) and the 'Proposed Impervious Lot Coverage' to be 1732 sq.ft. or 57.8% (building coverage @ 1195 sq.ft. + existing town sidewalk @ 115 sq.ft. + existing driveway & front walk @ 218 sq.ft. + rear patio @ 192 sq.ft. + A/C pads @ 12 sq.ft.).

2) The 'review letter' refers to the proposed project as a '3-story house' while my zoning chart refers to it as a '2 1/2 stop house'. Both the Planning Board and the Building Code allow for houses in flood zones to be raised up to be above the 'base flood elevation' with a garage/storage area below, and not count the area below the 'base flood elevation' as a story. There are numerous houses in the flood zone area that the Planning Board and the Building Dept. have allowed and have not considered them to be 3-story.

3) The existing property has a grade elevation at the rear property line of elevation 7.3 ft. and slopes down to an elevation of 6.7 ft. at the front sidewalk, which will allow surface water to drain to North Blvd. There is presently a depressed area in the middle of the rear yard, which would be raised accordingly with this project.

4) The 4 ft. wide Borough sidewalk is located within the Stuto property, similar to all the properties on either side of Parkway and a few other streets in town. To my knowledge none of these other properties have been required to deed an easement to the Borough; though it is an issue that the mayor & council might want to review on a town wide scale.

Respectfully submitted,


Mark A. Fessler, R.A.

ARCHITECTURAL
SOLUTIONS BY

MARK A. FESSLER
REGISTERED ARCHITECT
Lic#NJ-21-A100659100

732-701-37

PO BOX 448
SPRING LAKE
NJ 07762

Lake Como Planning Board
c/o Vivica Graham, Board Secretary
1740 Main St., Lake Como, NJ 07719

January 24, 2025

RE: Stuto Variance Application
399 North Blvd., Lake Como
Block:18; Lot:20

Vivica-

My submitted drawings revision dated 1/4/2025 were numerically dimensionally correct, however, some of the drawings were slightly out of scale graphically. The numbers shown were all correct but some of the drawings were slightly out of scale.

As per Alan Hilla's request, I have redrawn everything so that the drawings are now both graphically and dimensionally correct. These redrawn drawings have been dated 1/20/2025.

Attached are two 'signed & sealed' sets. Please get one set to Alan as soon as possible.

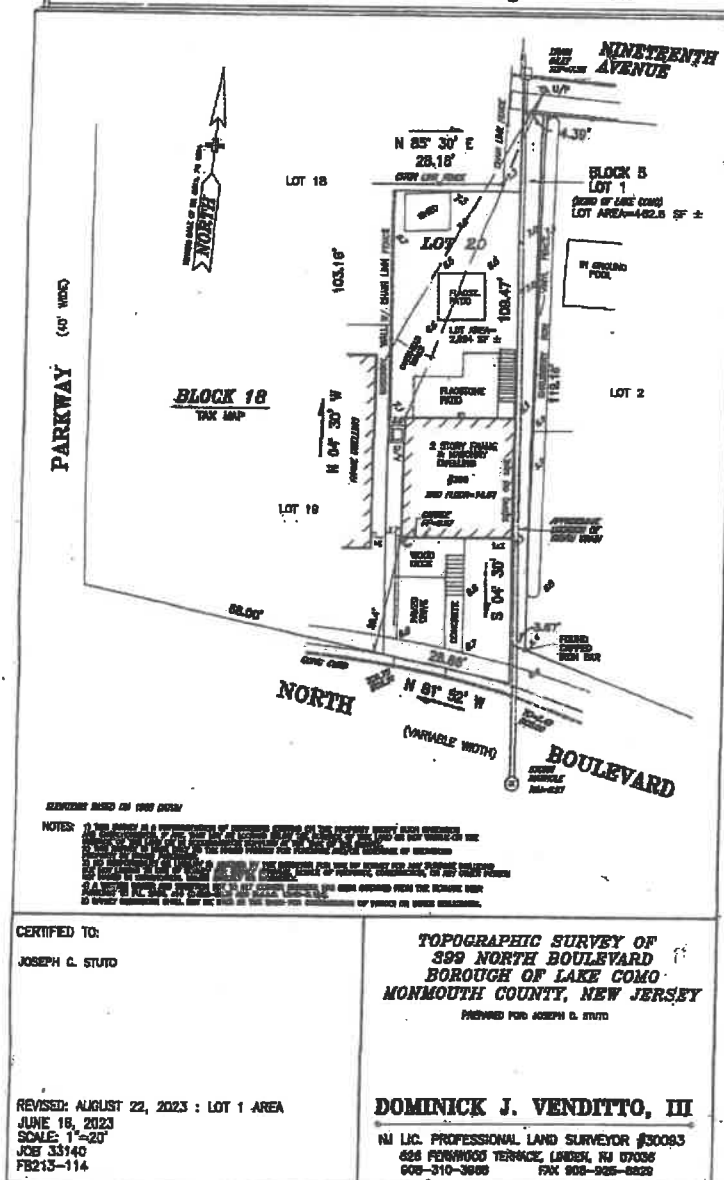
Thank you.



Mark A. Fessler, R.A.

ZONING CHART Stuto Residence - 399 North Blvd., Lake Como, NJ			
Zone : R-50	Required	Existing	Proposed
Principle Use	Single-Family	Single-Family	Single-Family
Lot Area	5,000 sq.ft.	2994 sq.ft. *	2994 sq.ft.*
Lot Frontage	50 ft.	28.86 ft. *	28.86 ft.*
Lot Width	50 ft.	28.16 ft.*	28.16 ft.*
Front Setback	20 ft. / or average	17 ft.± @ exist. deck*	17 ft. @ deck*
Side Setbacks	5 ft. & 5 ft.	3.7 ft. & 0 ft.	3.7 ft. & 0 ft.
Rear Setback	10 ft.	50 ft. ±	33 ft.±
Building Height (Narrow Lot Width=66.9% x 35=19.7ft.)	2 1/2 story / 19.7ft.	1 1/2 story / 24ft.± *	2 1/2 story / 33ft.± **
Accessory Bldg.			
Side Setback	5 ft.	2.5 ft.± *	NA
Rear Setback	5 ft.	.5 ft.± *	NA
Shed Area	100 sq. ft.	80 sq. ft.	NA
Building Coverage	40% (1197.6sf)	30.7% ±(921sf)	39.9% ±(1195sf)
Impervious Coverage	60% (1796.4sf)	54.6%± (1635sf±)	57.8%± (1732sf±)
Parking	2	2	2
Front Yard (Landscaping) (28.86 X 16.0 = 462 sq.ft. X 50%)	50%min. (231sf)	51.3% (236.8%)	51.3% (236.8%)

* Denotes an Existing Non-Conforming Condition
 ** Denotes an Increased Non-conforming Condition



LOT.....20
 BLOCK.....18
 1-20-2025

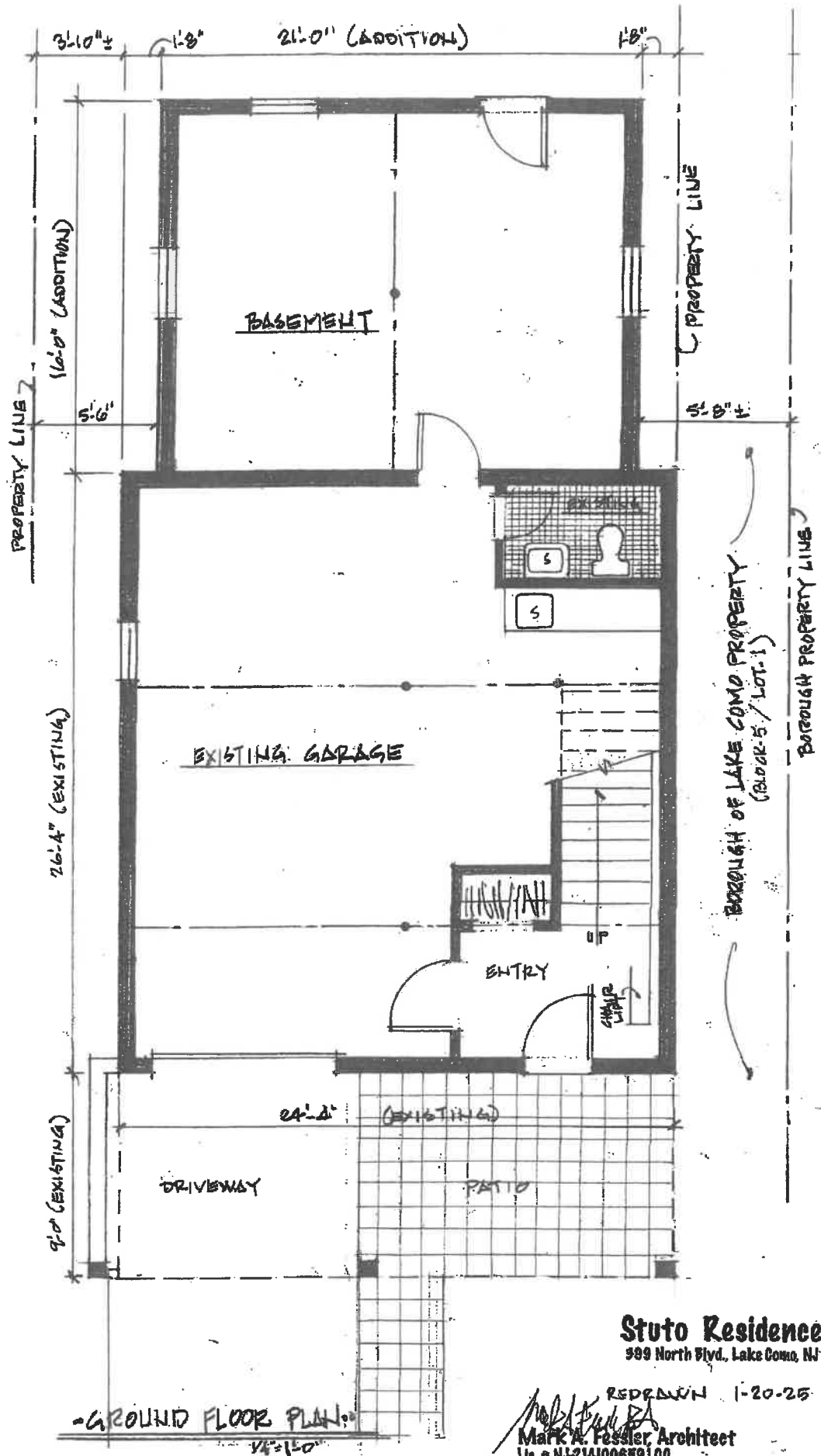
REVISED 10-14-24 & 1-4-25
Stuto Residence
 399 North Blvd., Lake Como, NJ

Mark A. Fessler
Mark A. Fessler, Architect
 Lic. # NJ-21A100899100
 P.O. Box 448 Spring Lake, NJ 07762
 732-701-4770

TOPOGRAPHIC SURVEY OF
399 NORTH BOULEVARD
BOROUGH OF LAKE COMO
MONMOUTH COUNTY, NEW JERSEY
 PREPARED FOR JOSEPH C. STUTO

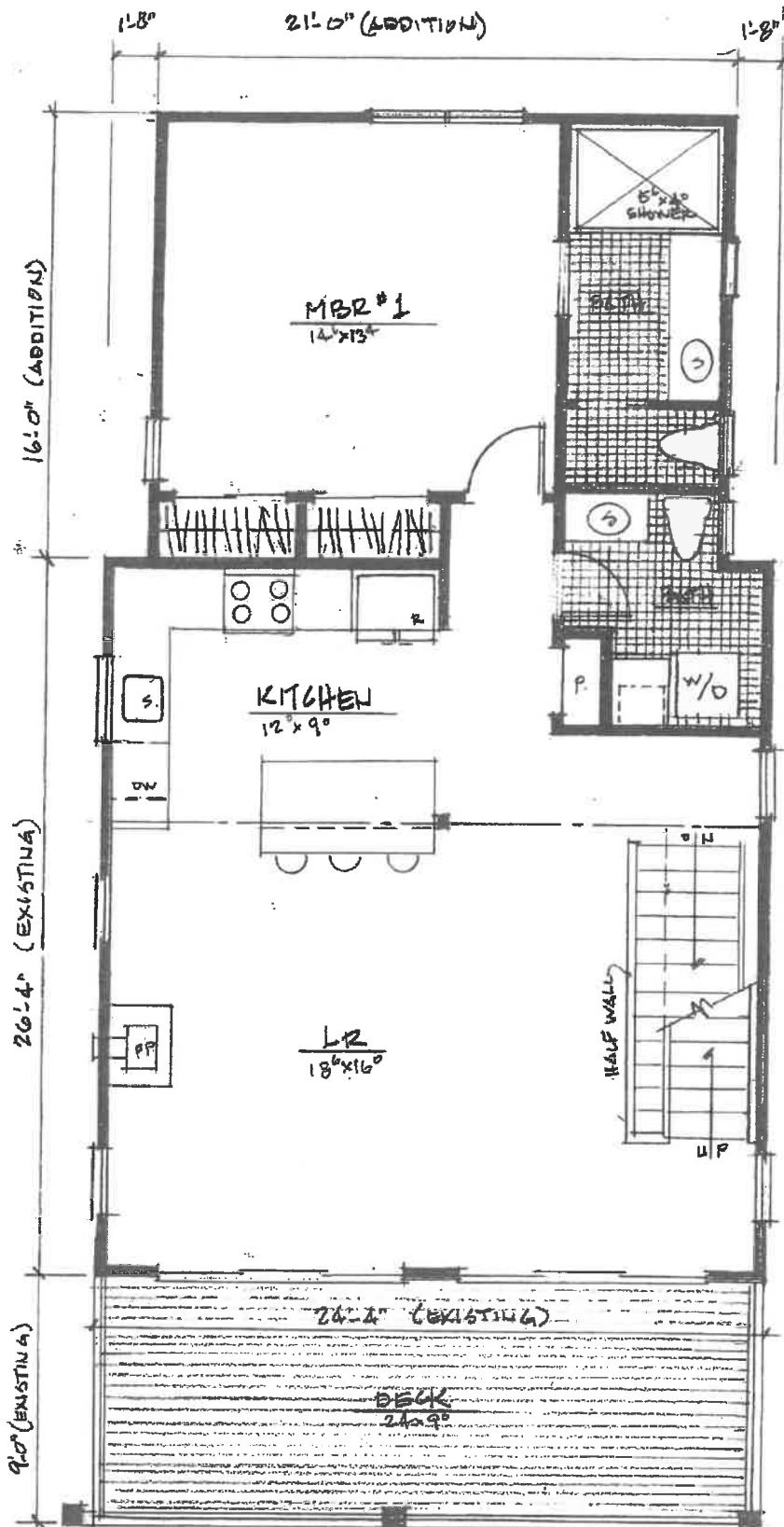
DOMINICK J. VENDITTO, III
 NJ LIC. PROFESSIONAL LAND SURVEYOR #30083
 626 FERNWOOD TERRACE, LAKEN, NJ 07038
 908-310-3888 FAX 908-325-8822

REVISED: AUGUST 22, 2023 : LOT 1 AREA
 JUNE 18, 2023
 SCALE: 1"=20'
 JOB# 33140
 FB213-114



-GROUND FLOOR PLAN-
 1/4" = 1'-0"

Stuto Residence
 999 North Blvd., Lake Como, NJ



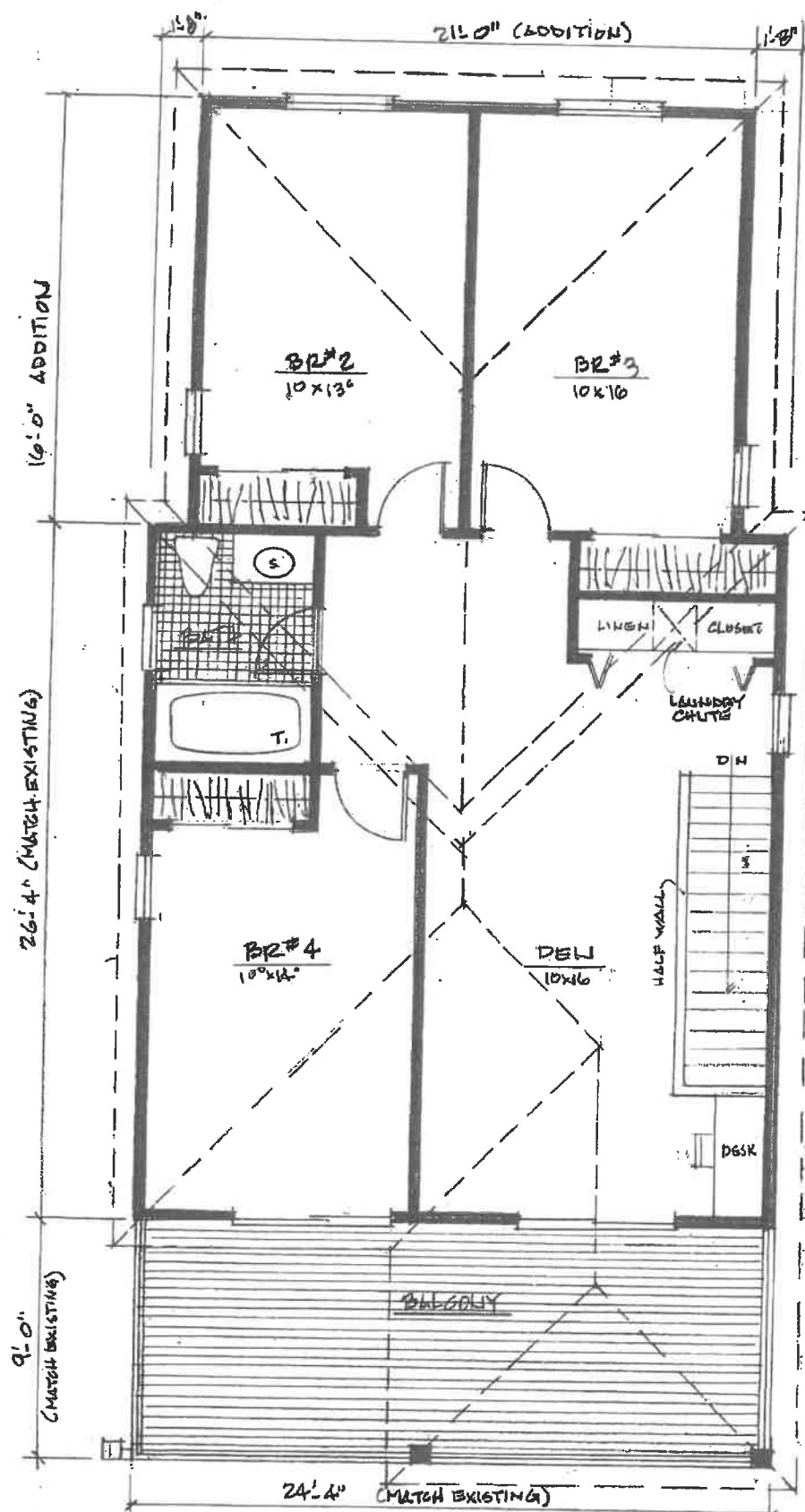
00 MAIN FLOOR PLAN 00

1/4" = 1'-0"

Stuto Residence
399 North Blvd., Lake Como, NJ

REDRAWN 1-20-25

Mark A. Fessler
Mark A. Fessler, Architect
Lic. # NJ-21A00859100
RD. Box 448 Spring Lake, NJ 07762
732-701-4770



00 UPPER FLOOR PLAN 00
1/4"=1'-0"

Stuto Residence
399 North Blvd., Lake Como, NJ

Mark A. Fessler, P.A.
Mark A. Fessler, Architect
Lic. # NJ-21A100050100
PO. Box 440, Spring Lake, NJ 07762
732-701-3770



00 FRONT ELEVATION 00

1/4" = 1'-0"

REDRAWN 1-20-25

Stuto Residence
399 North Blvd., Lake Como, NJ

Mark A. Fessler
Mark A. Fessler Architect
Lic. # NJ-21A00659100
P.O. Box 448, Sp. Ing. Lake, NJ 07762

A-R

NINETEENTH AVENUE

DRAIN
INLET
TOP=7.56
U/P

LOT 18

N 85° 30' E
28.16'

CHAIN LINK FENCE

BLOCK 5
LOT 1

(BORO OF LAKE COMO)
LOT AREA=462.6 SF ±

4.39'

IN GROUND
POOL

LOT 20

SHED

FLAGST.
PATIO

LOT AREA=2,994 SF

FLAGSTONE
PATIO

2 STORY FRAME
& MASONRY
DWELLING

#399

2ND FLOOR=14.61

GARAGE
FF=6.97

WOOD
DECK

PAVED
DRIVE

CONCRETE

S 04° 30' E

28.86'

N 81° 52' W

(VARIABLE WIDTH)

NORTH

LOT 19

103.16'

N 04° 30' W

FRAME DWELLING

MASONRY WALL W/ CHAIN LINK FENCE

CHAIN LINK FENCE

SHRUBBERY ROW

119.18'

APPROXIMATE
LOCATION OF
STORM DRAIN

LOT 2

NOTES: THIS DRAWING
IS FOR INFORMATION &
CLARIFICATION OF THE
KNOCKDOWN OWNED LOTS
ADJACENT TO THE SITE.

REVISED 10-14-24
1-2-25

Stuto Residence

998 North Blvd., Lake Como, NJ

1-20-2025

Mark A. Fessler, Architect

Lic. # NJ-21A100659100

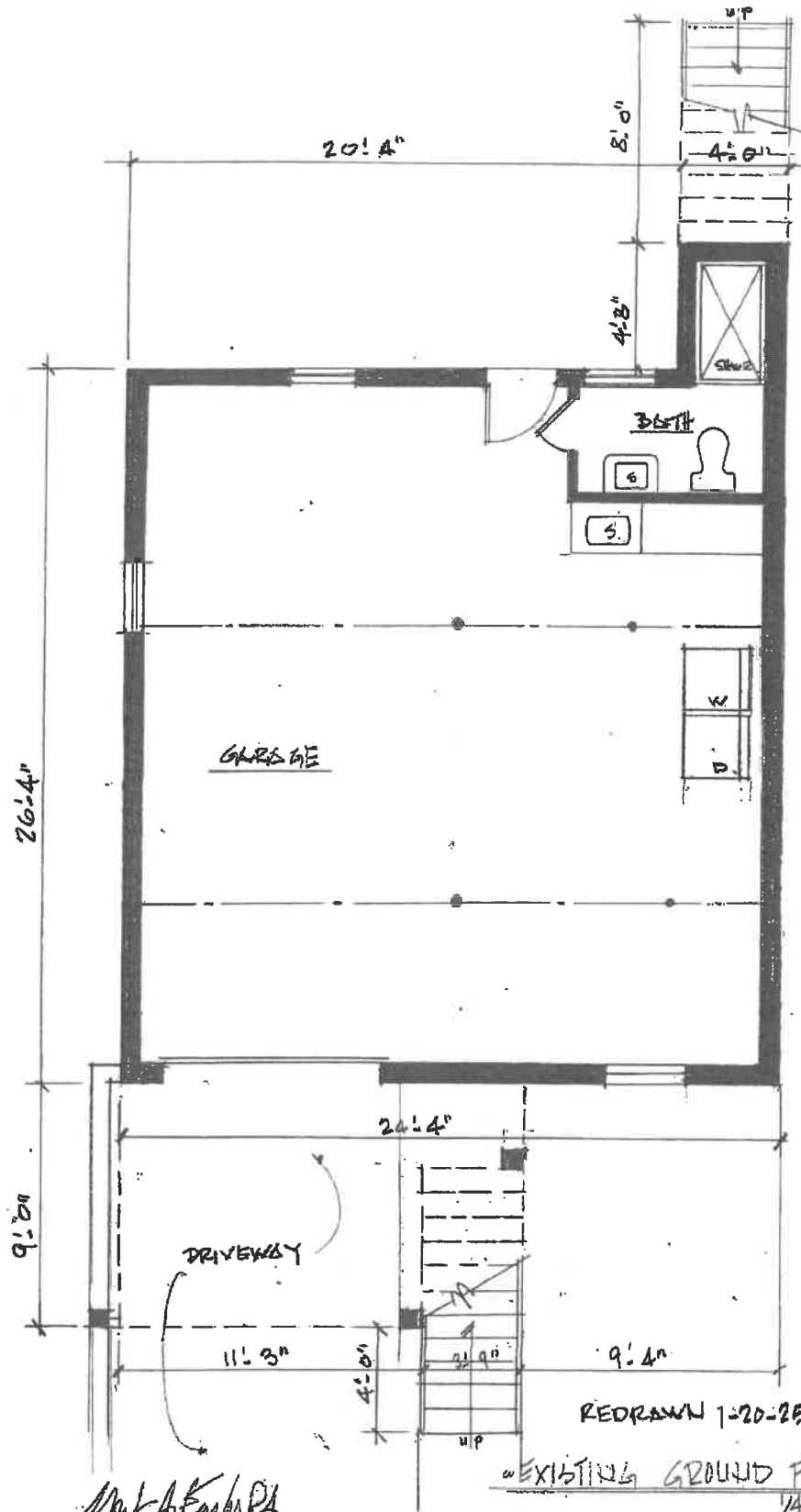
20, Box 448, Spring Lake, NJ 07762

732-701-9770

FOUND
CAPPED
IRON BAR

Mark A. Fessler

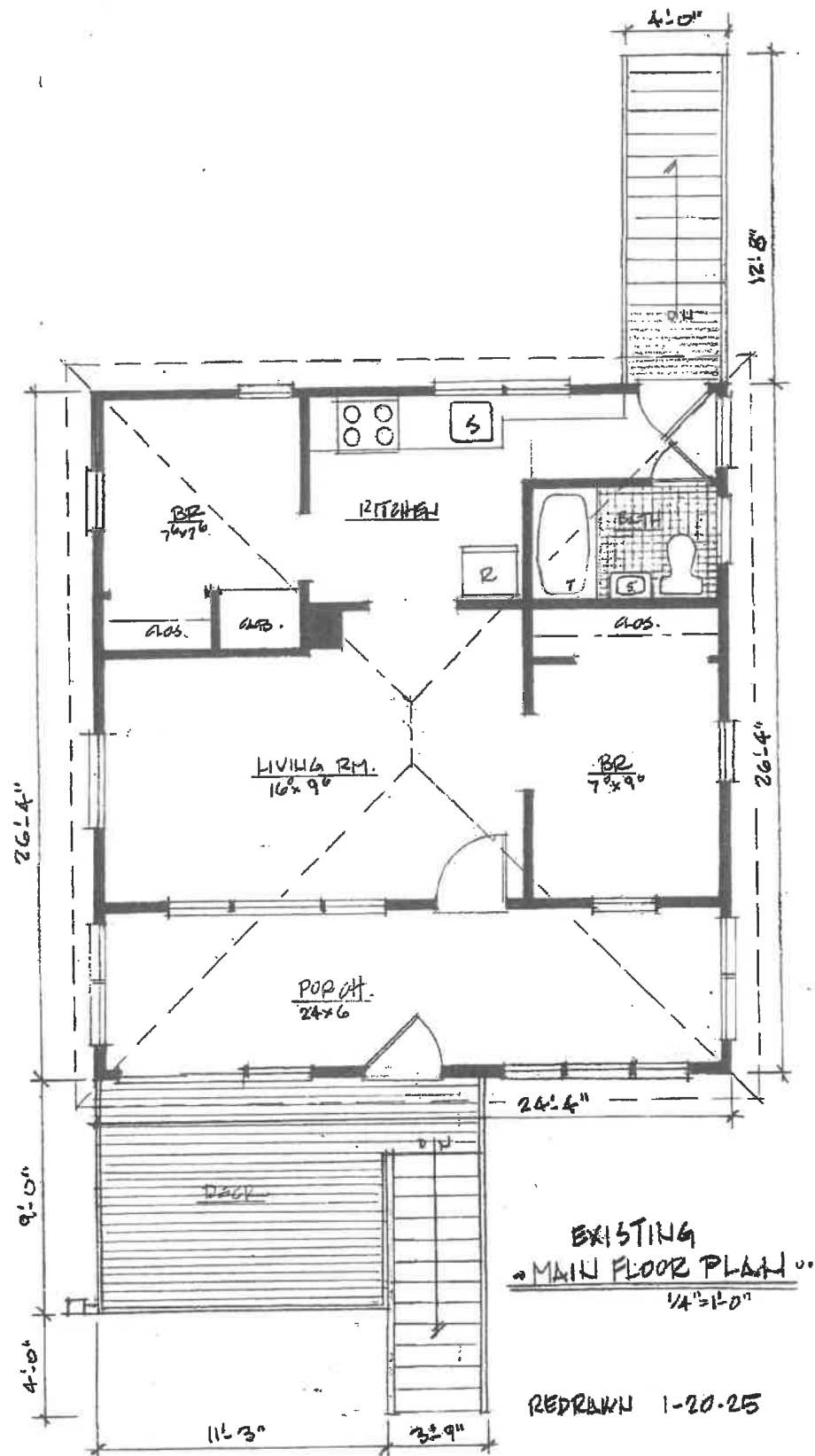
A-7



Mark A. Fessler
Mark A. Fessler, Architect
 Lic. # NJ-21A100659100
 P.O. Box 448, Sp. Ing Lake, NJ 07762
 792-701-9770

REDRAWN 1-20-25
 "EXISTING GROUND FLOOR PLAN"
 1/4" = 1'-0"
 REDRAWN 1-20-25

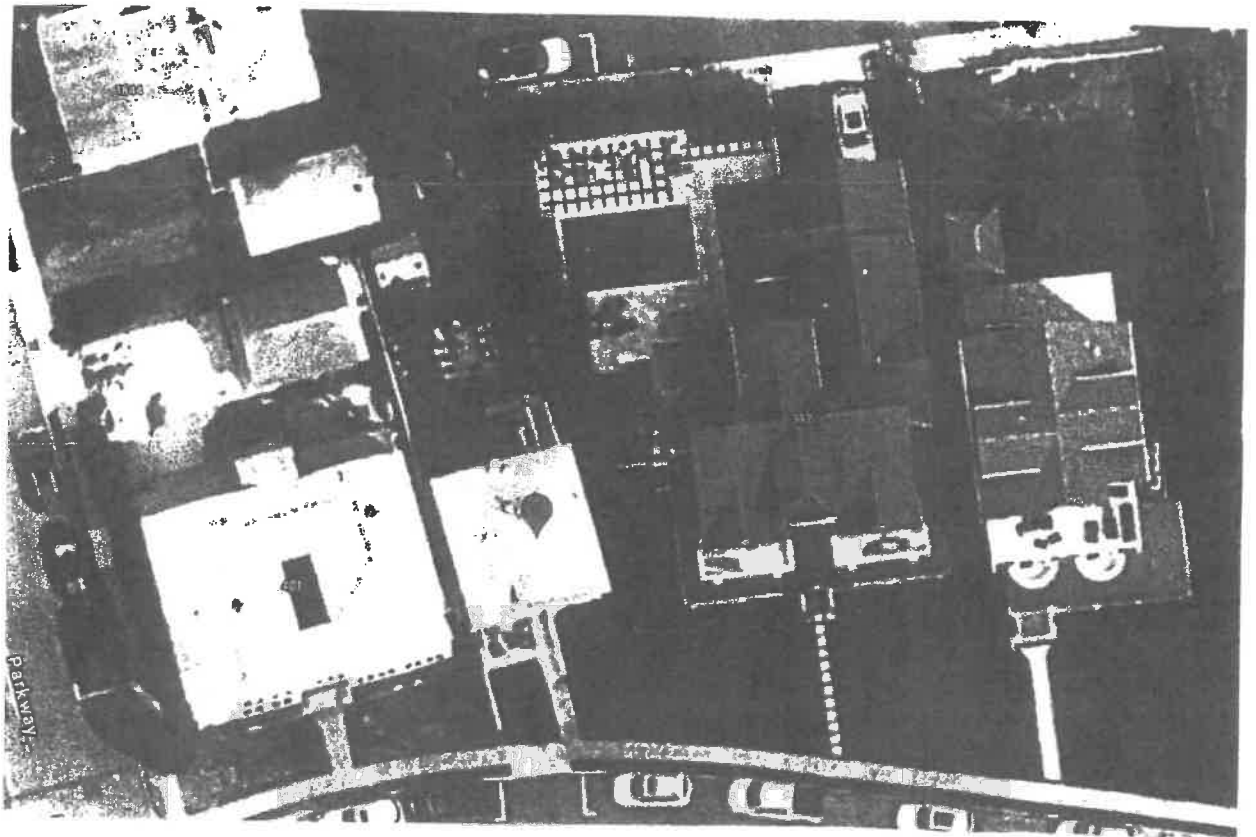
Stuto Residence
 999 North Blvd., Lake Como, NJ



Mark A. Fessler
Mark A. Fessler, Architect
 Lic. # NJ-21A198659100
 P.O. Box 444, Spring Lake, NJ 07762
 732-701-5770

Stuto Residence
 999 North Blvd., Lake Como, NJ

A-9



Mark A. Fessler
Mark A. Fessler, Architect
 Lic. # NJ-21A100679100
 20. Box 444, Sp. Ing. Lake, NJ 07762
 792-701-9770

Stuto Residence
 399 North Blvd., Lake Como, NJ
 1-20-2025

McGill & Hall, L.L.C.

ATTORNEYS AT LAW
708 10th Avenue, Second Floor
Belmar, N.J. 07719
Telephone (732) 419-9000
Fax: 732-749-7480

George D. McGill, Esq.
Email, gdm@mcgillhall.com
Direct Dial, 732 749 7501

Thomas Hall, Esq. *N.J. and N.Y. Bars*
Email, th@mcgillhall.com
Direct Dial, 732 749 7502

October 2, 2025

Viveca Graham
Planning Board Secretary
Borough of Lake Como
1740 Main Street
Lake Como, NJ 07719

Re: Michael and Amy Ennis
1844 Fernwood Road; Block 14, Lot 21
Re: Submission of Deed of Easement

Dear Ms. Graham:

As you are aware, I represent Amy and Michael Ennis in reference to the application made regarding the above property. In satisfaction of the first condition of the Resolution of Approval, please find herewith an original of the Deed of Easement in reference to that portion of the existing sidewalk presently located on the subject property. Kindly have the Deed of Easement executed on behalf of the Borough and returned to me for recording with the Office of the County Clerk. For convenience, I will be happy to personally pick up the Deed upon execution.

As always, thank you for your courtesies and kind assistance in this matter.

Very truly yours,



GEORGE D. MCGILL

cc: Mickey and Amy Ennis (via email)
Al Hilla, Jr., P.E. (Via email)
Adam Schneider, Esq., (via email)

Prepared by George D. McGill, Esq.

DEED OF EASEMENT MADE TO THE BOROUGH OF LAKE COMO FOR THE
MAINTENANCE, REPAIR AND RECONSTRUCTION OF A SIDEWALK FOR
BLOCK 14, LOT 21, AS SERVIENT ESTATE

This Agreement is made on October 2, 2025 between:

Amy Ennis and Michael Ennis, (referred to and known as herein as Grantors),
and

The Borough of Lake Como, (referred to and known as herein as Grantee)

Recitals:

A. The Grantors are the owners of certain real property commonly known as 1844 Fernwood Road, Borough of Lake Como, State of New Jersey; also known as Block 14, Lot 21 on the Tax Maps of the Borough of Lake Como, (the Servient Estate).

B. The Grantee is the Borough of Lake Como.

C. The Grantors desire to grant and the Grantee desires to acquire certain rights in the Servient Estate.

D. This Deed of Easement is made in satisfaction of a condition of approval as found in a Resolution 2025-03 of the Planning Board of the Borough of Lake Como dated June 12, 2025.

IT IS THEREFORE AGREED:

1. **Grant of Easement.** Grantors do hereby grant and convey unto Grantee, its successors and assigns, a nonexclusive easement ("Easement") to install, maintain, reconstruct and repair a sidewalk along the generally westerly side of the servient estate, along the thoroughfare known as Fernwood Road, for public use and access as a sidewalk. The portion of the servient estate, of Block 14, Lot 21, ("Easement Area"), is more particularly described by metes and bounds, prepared by James J. Schack, P.L.S. attached hereto as Schedule A; and as shown on the copy of the Grading Plan prepared by William E. Jensen, Jr. P.E. dated July 21, 2025, and last attached hereto as Schedule B. Said easement being 1.25 feet in width and running along the courses as described and as depicted in the schedules referenced above.

2. **Purpose.** The purpose of this Easement is to permit access over, along, across, and upon the Easement Area, for the purpose of the use, installation, maintenance, construction and reconstruction of the aforementioned sidewalk, however nothing herein shall obligate the Grantee to so act.

3. **Time.** The grant is perpetual in nature.

4. **Maintenance.** The Grantors and Grantee shall be responsible for maintenance, repair and replacement of the sidewalk commensurate with the obligations imposed on each under applicable and current law. To the extent that the Grantee performs any maintenance, repairs or replacement of the sidewalk, Grantee shall return any disturbance to the Grantors' property to its original state as is reasonably possible.

5. **Promises by Grantors.** The Grantors further covenant with the Grantee as follows:

a. The Grantors are lawfully seized of property known as Block 14, Lot 21, and specifically that portion thereof described in Exhibit A.

b. The Grantors have the right to convey the said rights and easement regarding said property to the Grantee as set forth herein.

6. **Who is Bound.** The grants, promises and covenants made herein are legally binding upon the Grantors and all who lawfully succeed to the Grantors' rights and responsibilities; and upon the Grantee and all who lawfully succeed to the Grantee's rights and responsibilities.

INTENDING TO BE LEGALLY BOUND, The Grantors and Grantee have executed this document as of the date stated below.


George D. McGill, Esq.


Amy Ennis


George D. McGill, Esq.


Michael Ennis

Witness

For the Borough of Lake Como
Andrew Huisman

STATE OF NEW JERSEY

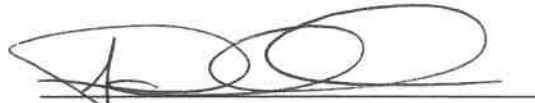
ss:

COUNTY OF MONMOUTH

I CERTIFY that on October 2, 2025,

Amy Ennis and Michael Ennis personally came before me and stated to my satisfaction that they:

- (a) are the persons named in this instrument; and
- (b) executed this instrument as the Grantors as their voluntary act;



George D. McGill, Esq.

Attorney at Law of the State of New Jersey

STATE OF NEW JERSEY

ss:

COUNTY OF MONMOUTH

I CERTIFY that on October ____, 2025,

Andrew Huisman, for the Borough of Lake Como, personally came before me and stated to my satisfaction that this person:

- (a) is the person named in this instrument;
- (b) executed this instrument as the representative of the Grantee as its voluntary act;

Record and return to:
George D. McGill, Esq.
708 10th Avenue
Belmar, NJ, 07719

EXHIBIT A



BAY POINT
SURVEYING

2150 Route 35 Suite 250

Sea Girt, NJ 08750

732-749-8999 ☎

info@baypointssurveying.com ✉

www.baypointssurveying.com 🌐

**DESCRIPTION OF PROPOSED
SIDEWALK EASEMENT OVER
TAX LOT 21, BLOCK 14
BOROUGH OF LAKE COMO
COUNTY OF MONMOUTH**

Date: August 5, 2025

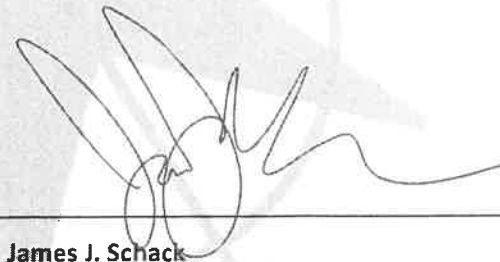
ALL that certain lot, tract or parcel of land, situate in the Borough of Lake Como, County of Monmouth, State of New Jersey, being known as a proposed sidewalk easement as shown on a plan entitled, "1844 FERNWOOD ROAD GRADING PLAN OF LOT 21 – BLOCK 14, BOROUGH OF LAKE COMO, MONMOUTH COUNTY, NEW JERSEY", prepared by Jensen Design Group, dated 7-21-25, and being described as follows:

BEGINNING at a point in the Easterly line of **Fernwood Road** (40 foot right of way) said point being distant 730.00 feet south from the intersection formed by said Easterly line and the Southerly line of **Eighteenth Avenue** (formerly known as New Bedford Road, right of way varies) and running; thence,

- 1) North 73° 40' 30" East, 1.25 feet to a point; thence
- 2) South 16° 19' 30" East, 30.00 feet to a point; thence
- 3) South 73° 40' 30" West, 1.25 feet to a point in said Easterly line of **Fernwood Road**; thence
- 4) Along said line, North 16° 19' 30" West, 30.00 feet along said line to the true point and place of **BEGINNING**.

CONTAINING an area of 37.5 square feet.

This description is written in conjunction with and is depicted on a map entitled, "1844 FERNWOOD ROAD GRADING PLAN OF LOT 21 – BLOCK 14, BOROUGH OF LAKE COMO, MONMOUTH COUNTY, NEW JERSEY", prepared by Jensen Design Group, dated 7-21-25



James J. Schack
Professional Land Surveyor
New Jersey License #24GS04339600

8-5-2025

Date

