

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

PLANNING BOARD AGENDA
AMENDED

April 14, 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. **CERTIFICATE OF APPRECIATION**
MICHAEL HIGGINS

V. **USE VARIANCE APPLICATION**
STUTO, JOSEPH
399 NORTH BOULEVARD
BLK – 18 LOT – 20

VI. **USE VARIANCE APPLICATION**
TONELLI, JAMES
1808 FERNWOOD RD.
BLK – 14 LOT – 40

VII. **FORM COMMITTEE TO DISCUSS PROPOSED ORDINANCE**
AMENDING HEIGHT & REINSTATING PARKING EXEMPTION ON MAIN STREET FOR PERMITTING COMMERCIAL USES

VIII. **FUTURE MEETING DISCUSSIONS**
PLANNING BOARD APPLICATION AND ESCROW FEES, STONES IN DRIVEWAYS, VERGE

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

X. **MOTION TO ADJOURN**

THE NEXT REGULAR MEETING OF THE LAKE COMO PLANNING BOARD WILL BE HELD ON MONDAY, MAY 12, 2025 AT 7:00 PM IN THE MEETING ROOM. ALL MEETINGS ARE OPEN TO THE PUBLIC.

CERTIFICATE OF APPRECIATION

PRESENTED TO

MICHAEL HIGGINS

BY

THE BOROUGH OF LAKE COMO PLANNING BOARD

On this 14th day of April, 2025, The Planning Board of the Borough of Lake Como would like to thank you for your dedication and the valuable contributions you made to our community while serving on the Board. May you do well in all of your future endeavors. No one can give a community a richer gift than a generous part of a precious lifetime. Please accept our heartfelt wishes for continued good health and happiness in life.

Mayor Kevin G. Higgins

Chairman Joseph Cavalluzzi

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

April 14, 2025

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

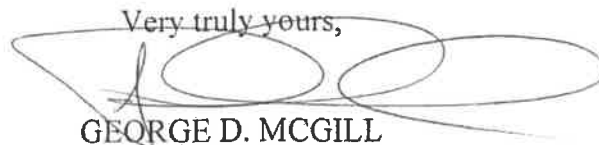
**Re: Joseph Stuto Land Use Application
399 North Boulevard, Lake Como**

Dear Ms. Graham:

Thank you for informing me that there will only be six Board members available to vote on our application at tonight's hearing. As such, we respectfully request that the Board carry our application. Unfortunately, both our client and architect will be away on vacation for the May meeting, so I am writing to request that the Board carry our application to the June 9, 2025 meeting without further notice or publication requirements. The applicant agrees to waive any time limits for the Board to act.

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

Very truly yours,

A handwritten signature in black ink, appearing to read 'G. McGill', is written over a large, stylized, scribbled-out signature area.

GEORGE D. MCGILL

Ck# 892 \$ 70⁰⁰ Rec'd by VHM Date 1/10/24 Permit # 24-05

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

Borough of Lake Como 452

Zoning Application for Residential and Commercial Properties

ZONING

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 448 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	<input type="checkbox"/> 2 - 2 1/2 Story
<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: 16'-4" x 21'-4" **Height of New Building/Addition:** 13 FT
Area of New Building/Addition: 1320 sq. ft. **Number and Types of Rooms:** 4 BEDROOMS, & 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 1/2 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 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, varian 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-399 North Blvd., Lake Como

Zone: R-50	Required	Existing	Proposed	Proposal w/extra land
Principle Use	Single-Family	Single-Family	Single-Family	Single-Family
Lot Area	5000 sq.ft.	2994 sq.ft.*	2994 sq.ft.*	3244 sq.ft.**
Lot Frontage	50 ft.	28.86 ft.*	28.86 ft.*	32.53 ft.**
Lot Width	50 ft.	28.16 ft.*	28.16 ft.*	31.7ft.±**
Lot Depth	100 ft.	106.32ft.±	106.32ft.±	106.32ft.±
Front Setback	20 ft. or Average	17ft.±*	17ft.±*	17ft.±*
Side Setbacks	5ft. & 5ft.	3.7ft.* & 0 ft.*	3.7ft.* & 0 ft.* (5.33ft.± at addition)	3.7ft.* & 4ft.±** (5.33ft.± at addition)
Rear Setback	10 ft.	50 ft.±	33ft.±	33ft.±
Building Height	2 1/2story/35ft. Narrow Lot Width= (56.3%x35=19.7ft.)	1 1/2 /24ft.±*	2 1/2 /34ft.±*	2 1/2 /34ft.±* (63.4%x35=22.2ft.)
Accessory Bldg.				
Side Setback	5 ft.	2.5 ft.±*	NA	2.5ft.±*
Rear Setback	5 ft.	.5 ft.±*	NA	.5ft.±*
Shed Area	100 sq.ft.	80 sq.ft.	NA	80 sq.ft.
Building Area	40%max.	29.2%±(875sf)	40%(1196sf)	39.3%(1276sf)
Impervious Area	60%max.	49%(1467sf)	54.6%(1636sf)	52.9%(1716sf)
Front Yard (Landscape)	50% min. (28.86x16=472x50%=236sf)	49.2%(232sf)*	49.2%(232sf)*	55.7%(302sf) (472+70=542x50%=271sf)
Parking	2	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: _____ *ESC*

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 APT." 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-50

Proposed: SINGLE-FAMILY

Lot Area: 2994 SQ. FT.

Building Area: 1320 SQ. FT. (PLVS GARAGE & DECK)

10. Map Information:

Map Dated: JUNE 16, 2023

Prepared By: DOMINICK J. VENDETTO III

Map Entitled: TOPO 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 OUR SOME OF TO REMOVE 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

Joseph C. Stuto

Applicant/Agent



Borough of Lake Como

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

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

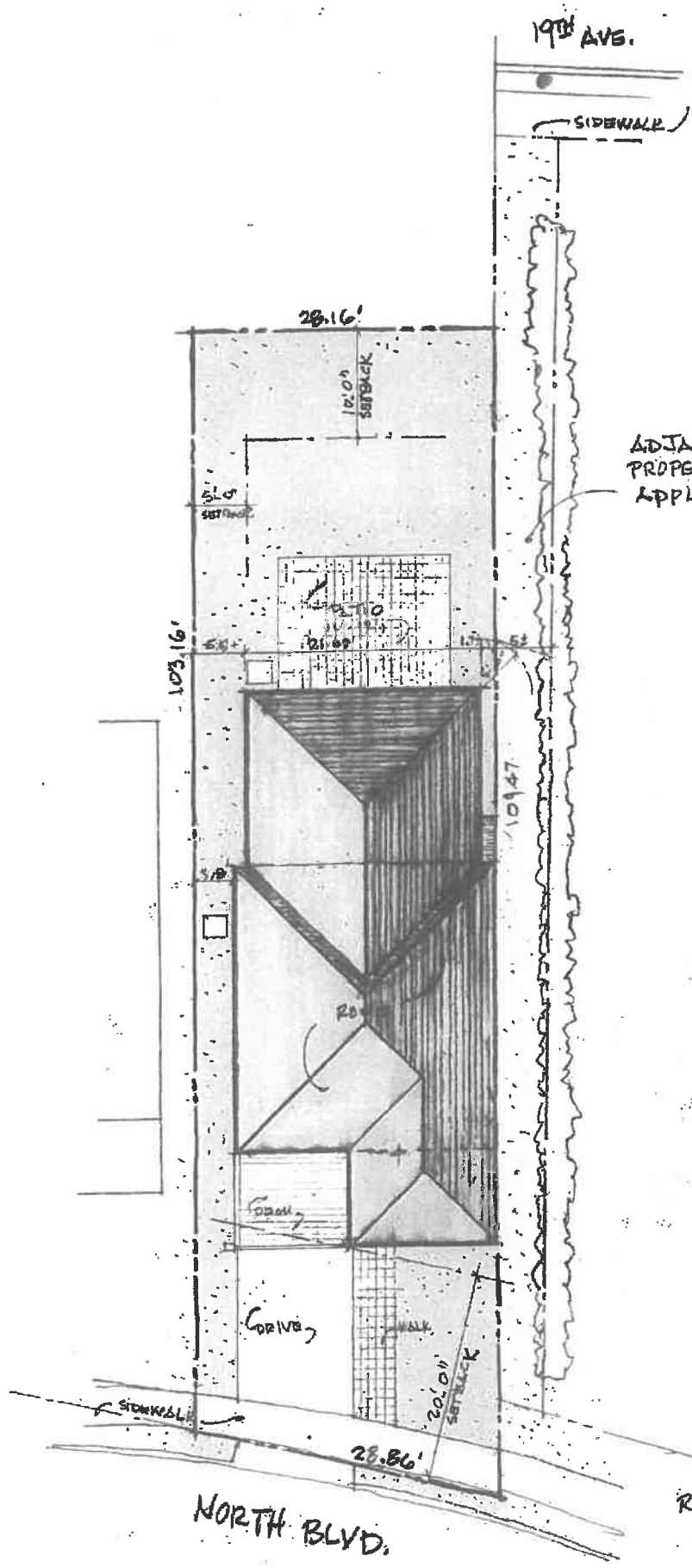
1. One (1) original and three (3) copies of application form. Fill out application in its entirety. Answer all questions pertaining to your application. Update all tax information from Tax Collector/Assessor's office.
2. Appropriate fee-check made payable to the Borough of Lake Como in accordance with 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	_____
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.



ADJACENT BOROUGH OWNED
PROPERTY NOT PART OF
APPLICATION

LOT.....20
BLOCK.....18

NORTH BLVD.

00 PLOT PLAN 00
1" = 10'-0"

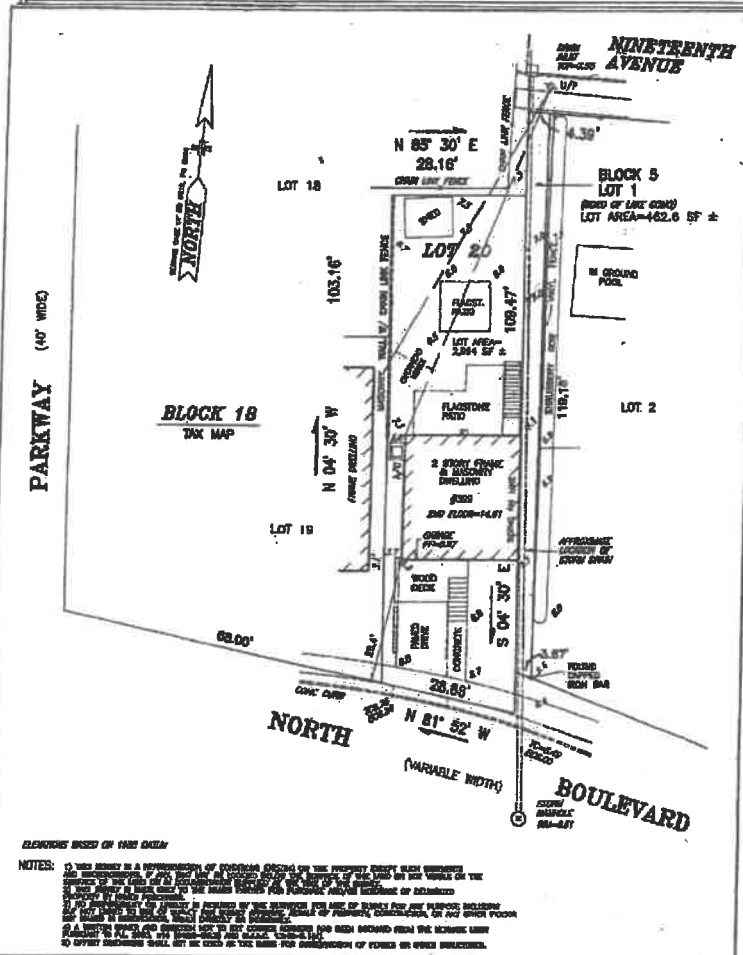
REVISED 10-14-2024 & 1-4-25

Stuto Residence
389 North Blvd., Lake Como, NJ

Mark A. Fessler, AIA
Mark A. Fessler, Architect
Lic. # NJ-21A100659100
PO. Box 448, Spring Lake, NJ 07762
732-701-9770

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=56.9%x35-19.7ft.)	2 1/2 story / 19.7ft.	1 1/2story / 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

REVISED 10-14-24 & 1-4-25

Stuto Residence
 399 North Blvd., Lake Como, NJ

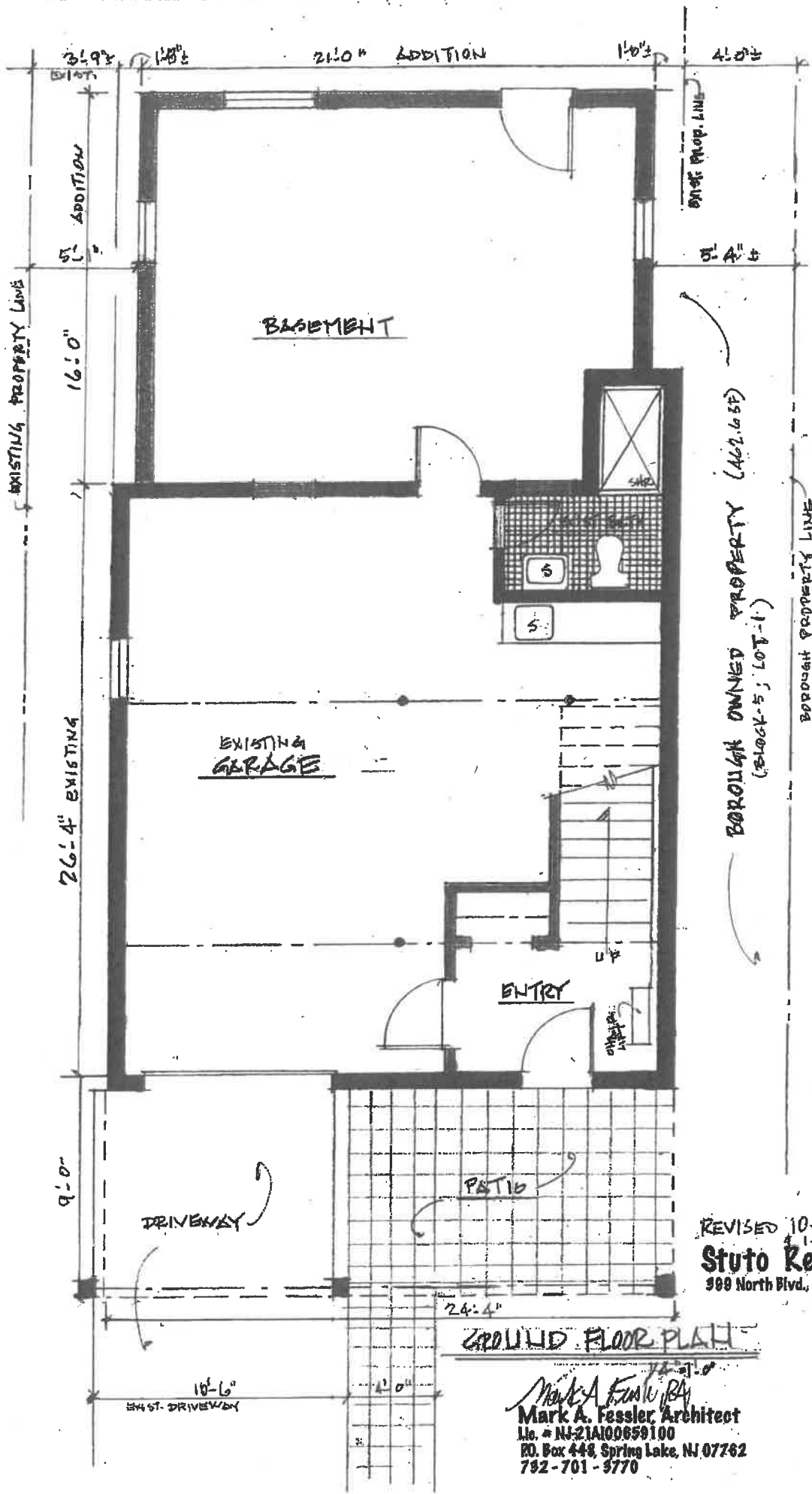
Mark A. Fessler
Mark A. Fessler Architect
 Lic. # NJ-21A100659100
 P.O. Box 448, Spring Lake, NJ 07762
 732-701-3770

CERTIFIED TO:
 JOSEPH C. STUTO

**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 #30093
 626 FERWOOD TERRACE, LINDEN, NJ 07036
 908-310-3988 FAX 908-925-0829

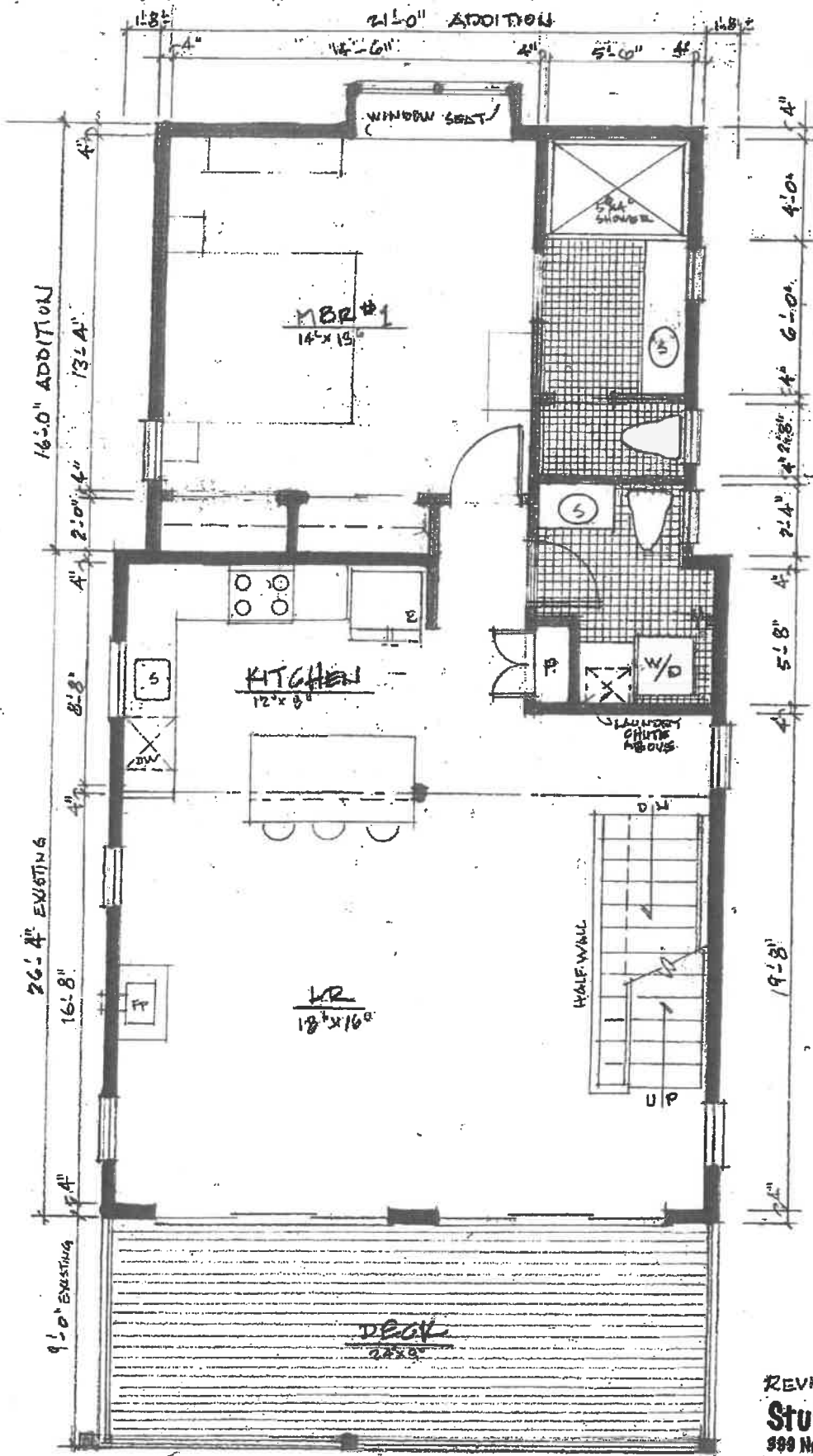
REVISED: AUGUST 22, 2023 : LOT 1 AREA
 JUNE 16, 2023
 SCALE: 1"=20'
 JOB 33140
 FB213-114



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

GROUND FLOOR PLAN

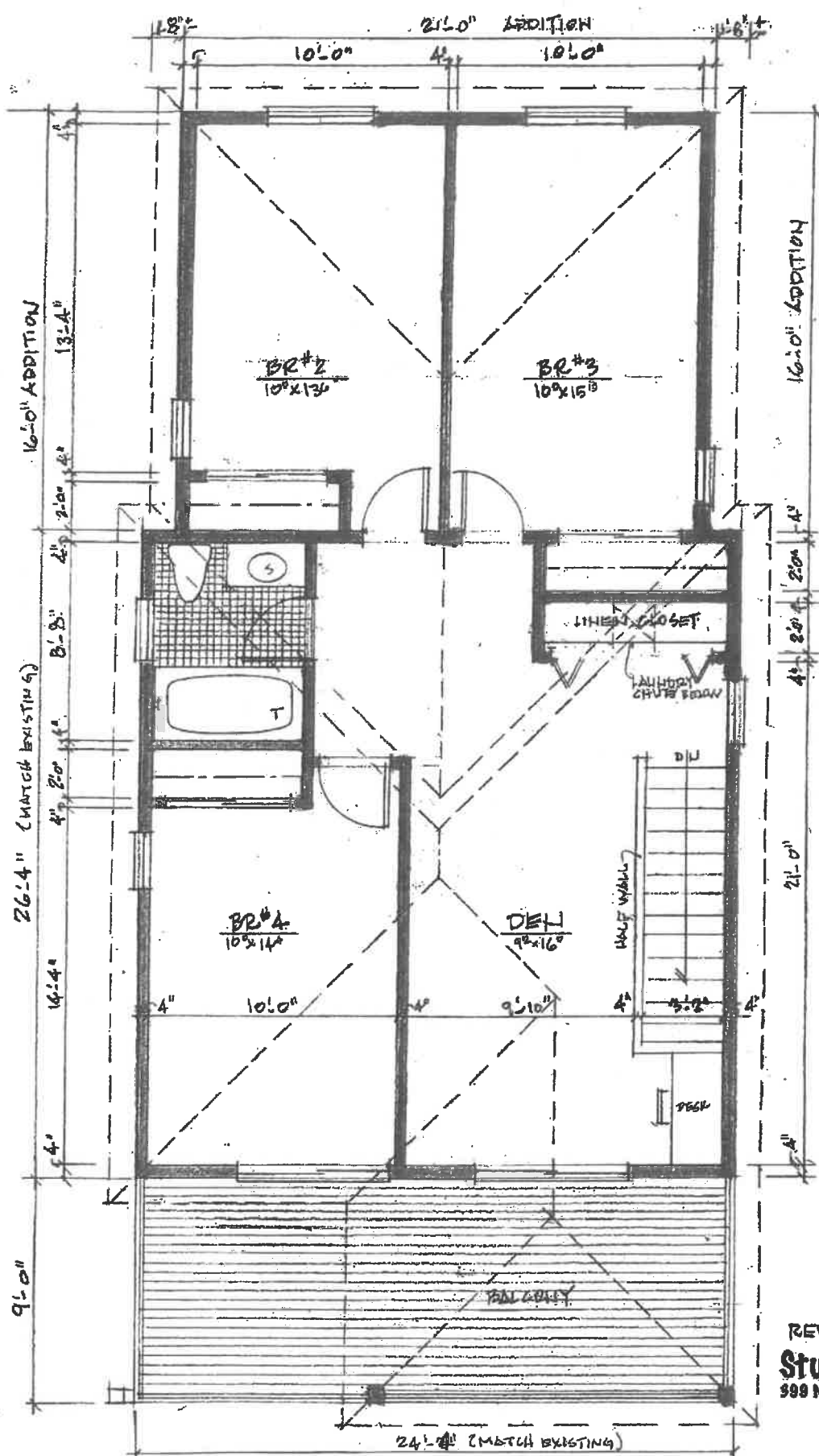
Mark A. Fessler, RA
Mark A. Fessler, Architect
 Lic. # NJ-21A100659100
 P.O. Box 448, Spring Lake, NJ 07762
 792-701-9770



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

00 MAIN FLOOR PLAN 00
 24'-0"

Mark A. Fessler, P.A.
Mark A. Fessler, Architect
 Lic. # NJ-21A100859100
 400 Fox 448, Spring Lake, NJ 07762
 732-701-5770



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

•• LIPPETZ FLOOR PLAN ••
 1/4" = 1'-0"

Mark A. Fessler, P.A.
Mark A. Fessler, Architect
 Lic. # NJ-21A100659100
 P.O. Box 448, Spring Lake, NJ 07762
 732-701-2770



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

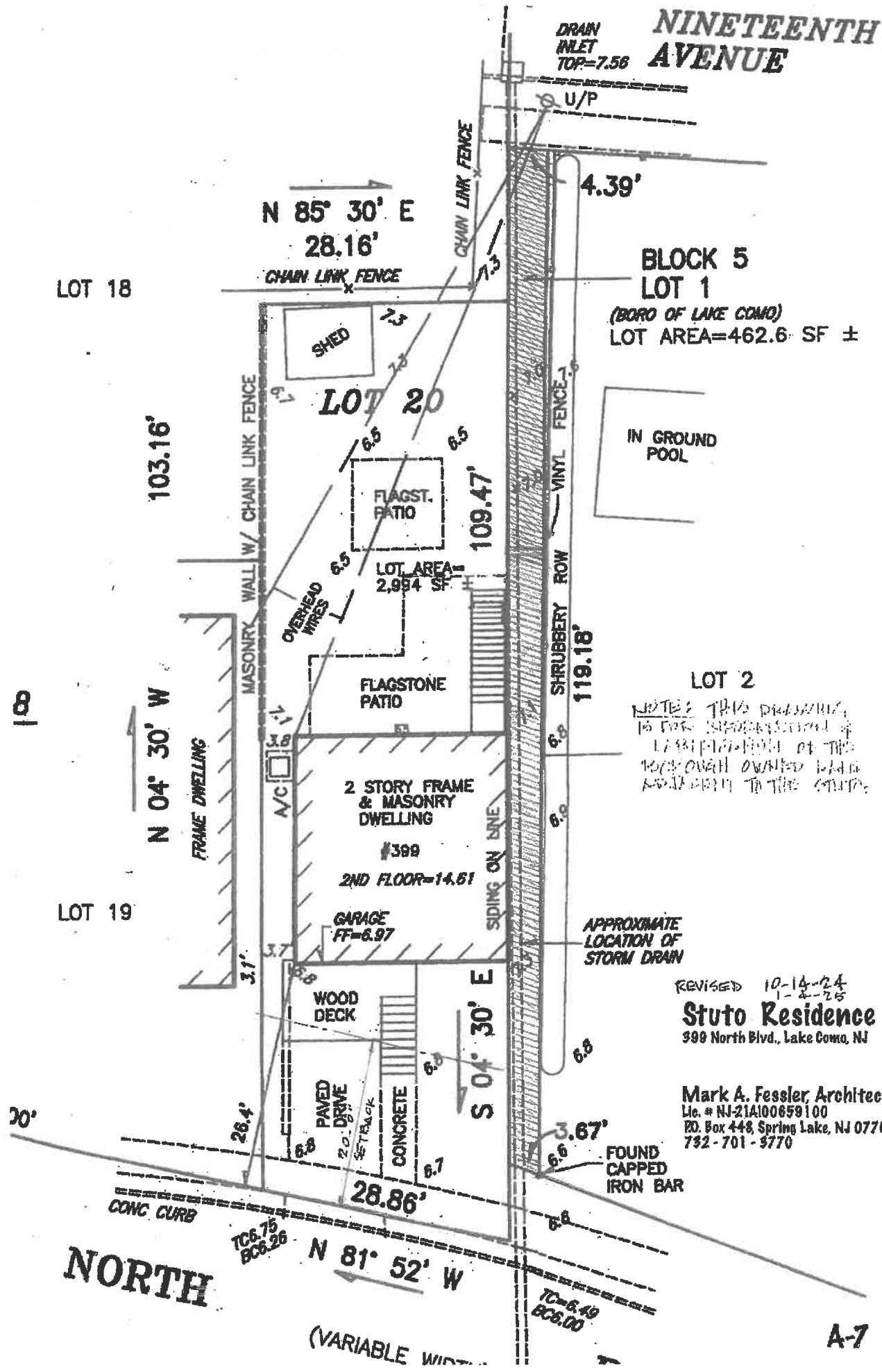
REVISED 10-14-24 #1-2-25

Stuto Residence
398 North Blvd., Lake Como, NJ

Mark A. Fessler
Mark A. Fessler, Architect
 Lic. # NJ-21A100659100
 P.O. Box 448, Sp. Ing Lake, NJ 07762
 732-701-3770

A-6

NINETEENTH AVENUE



DRAIN INLET TOP=7.56

U/P

N 85° 30' E
28.16'

BLOCK 5
LOT 1
(BORO OF LAKE COMO)
LOT AREA=462.6 SF ±

LOT 20

IN GROUND POOL

FLAGST. PATIO
LOT AREA=2,954 SF

2 STORY FRAME & MASONRY DWELLING
#399
2ND FLOOR=14.61

LOT 2
NOTE: THIS DRAWING IS FOR INFORMATION OF THE PROPERTY OWNER. ANY WORK DONE SHALL BE APPROVED BY THE OWNER.

GARAGE FF=6.97

APPROXIMATE LOCATION OF STORM DRAIN

REVISED 10-14-24
1-2-25

Stuto Residence
999 North Blvd., Lake Como, NJ

Mark A. Fessler, Architect
Lic. # NJ-21A100659100
P.O. Box 448, Spring Lake, NJ 07762
732-701-3770

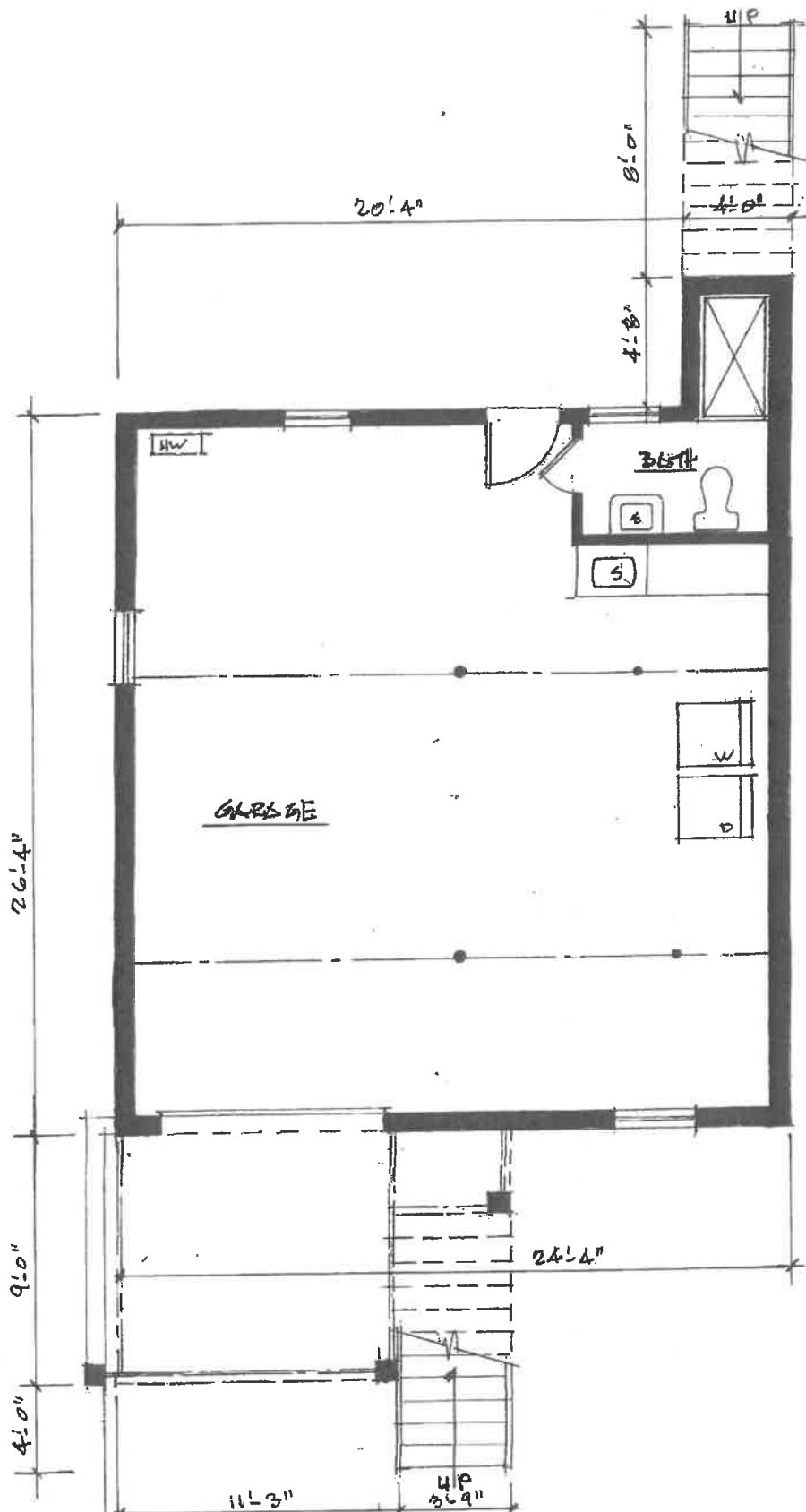
WOOD DECK
PAVED DRIVE
CONCRETE

FOUND CAPPED IRON BAR

NORTH

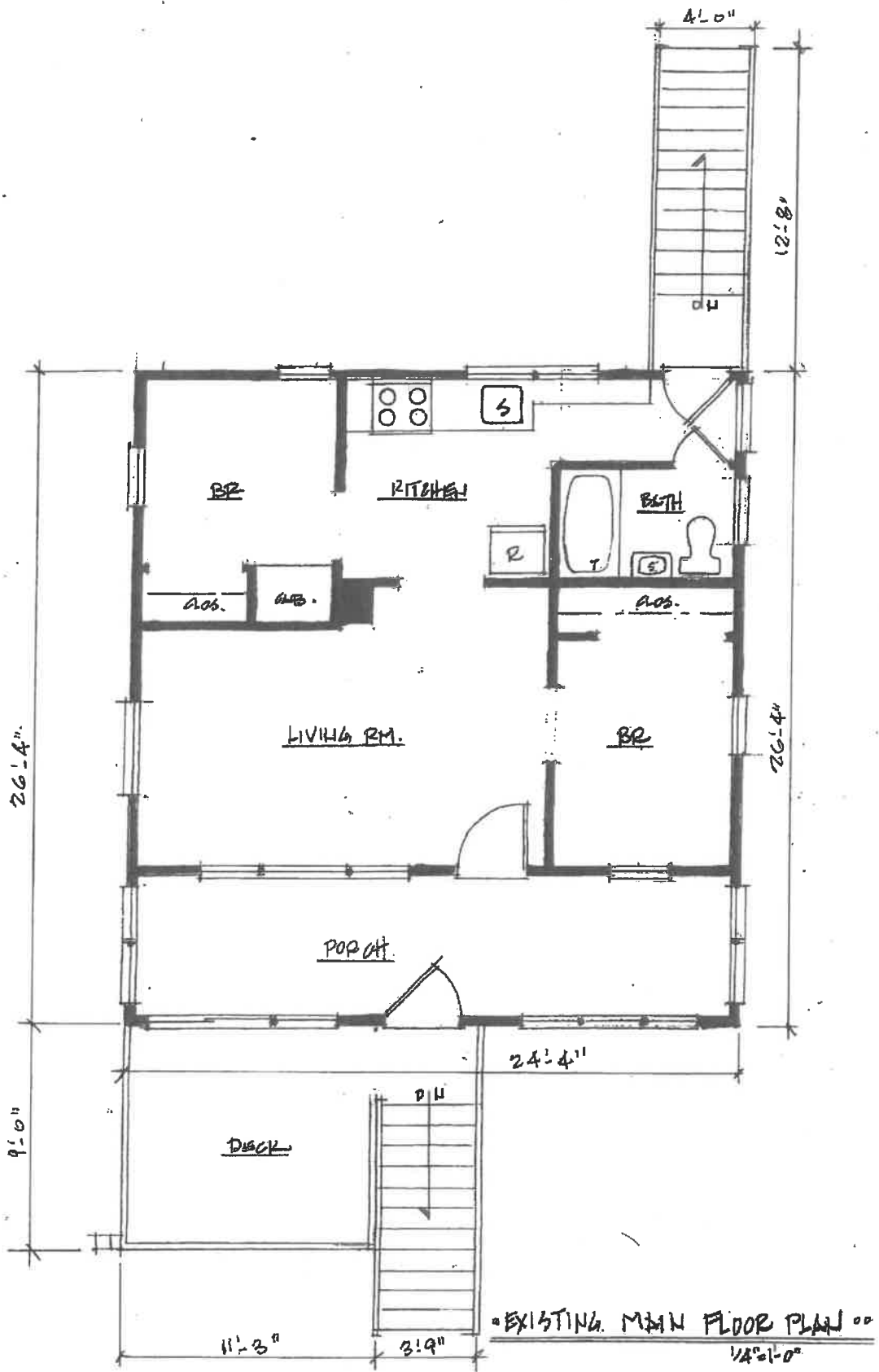
N 81° 52' W

(VARIABLE WIDTH)



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

EXISTING GROUND FLOOR PLAN
 1/4" = 1'-0"
 10-14-24 & 1-4-25
Stuto Residence
 999 North Blvd., Lake Como, NJ



EXISTING MAIN FLOOR PLAN

Mark A. Fessler
Mark A. Fessler, Architect
 Lic. # NJ-21A100659100
 P.O. Box 448, Spring Lake, NJ 07762
 732-701-5770

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



Mark A. Fessler, P.A.
Mark A. Fessler, Architect
Lic. # NJ-21A100659100
PO. Box 448, Spring Lake, NJ 07762
732-701-3770

52
Stuto Residence
389 North Blvd., Lake Como, NJ



architects + engineers

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

ENGINEERING NJ #24GA28019100

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 #24GA28019100

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

ZONING

Ck# 004024 \$ 70.00 Rec'd by AKY Date 12-4-24 Permit # 24-99

* 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: clarke@comcast.net

Address: PO Box 7373 Shrewsbury, MA 01707

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, NJ

Phone Number: 732-397-8166

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 checked="" type="checkbox"/> Addition	<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 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: 17'11" x 49'6" **Height of New Building/Addition:** 20'
Area of New Building/Addition: 801 sq. ft. **Number and Types of Rooms:** 4 Beds / 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: 2500 sq. ft.

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

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

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, variance 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: _____ JPR 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: 12/16/24

Invoice #: 24-00496

Application Id: 4721

Application Date: 12/15/24

Owner/Property Details

Block/Lot/Qual: 14. 40.

Phone #: (732)397-8166

Owner Name: TONELLI, JAMES E II & JENNIFER O

Zoning District:

Address: 760 BARRON AVENUE

Location: 1808 FERNWOOD ROAD

WOODBIDGE, NJ 07095

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

[Signature] 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 ASSUMED 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 LISTED IN CERTIFICATION EITHER DIRECTLY OR INDIRECTLY.

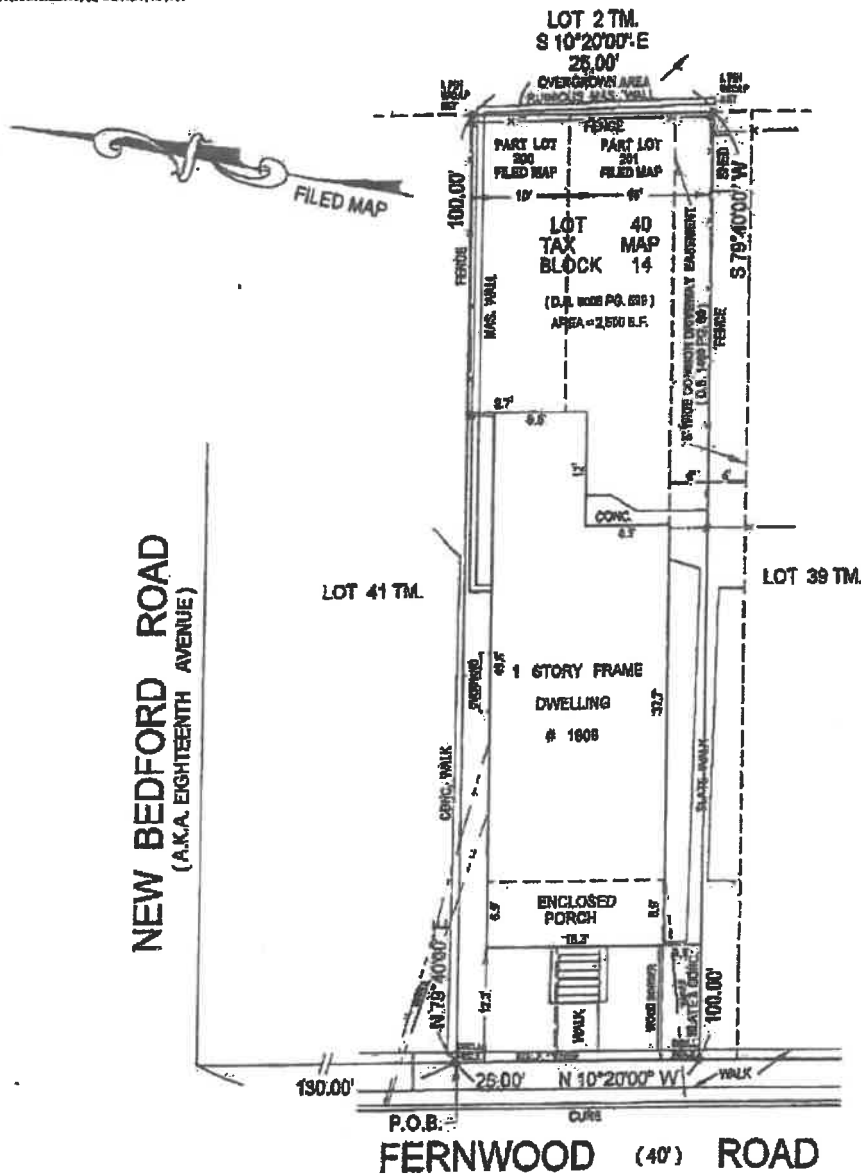
NOTE: UNDERGROUND UTILITIES, IF ANY, HAVE NOT BEEN LOCATED.

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, NONEXISTENCE 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. 18:48-6.1 (4).



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

SURVEY OF PROPERTY FOR: JAMES TONELLI and JENNIFER TONELLI
 SITUATED IN: BOROUGH OF LAKE COMD, MONMOUTH COUNTY, N.J.
 PREPARED BY: THOMAS M. ERNST & ASSOCIATES, PROFESSIONAL LAND SURVEYORS, INC.
 457 SPOTSWOOD-ENGLISHTOWN ROAD P.O. BOX 221 JAMESBURG, N.J. 08831
 CERTIFICATE NUMBER 24GA27687000 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 (SAOA/ATMA);
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY;
 PROPERTY TRANSFER SERVICES, INC.;
 and JOHN F. KWASNIK, ESQUIRE

Thomas M. Ernst
 THOMAS M. ERNST
 PROFESSIONAL LAND SURVEYOR
 NEW JERSEY LIC. # 19000

PTS-18-48281

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 EASEMENT
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
EASEMENTS 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 Owners Name
 Lot 40 Bldg Desc 1SF1G Street Address
 Qual Addl Lots City & State
 Acct# Acreage 0.057 Class 2 Property Location 1808 FERNWOOD ROAD
 Bank 00000 Land Impr 512,500 Exemption Code Value 3
 Zip 07095 Total 602,900 Net Taxable Value Deductions Cd No-Ov 0
 Zone R-40

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

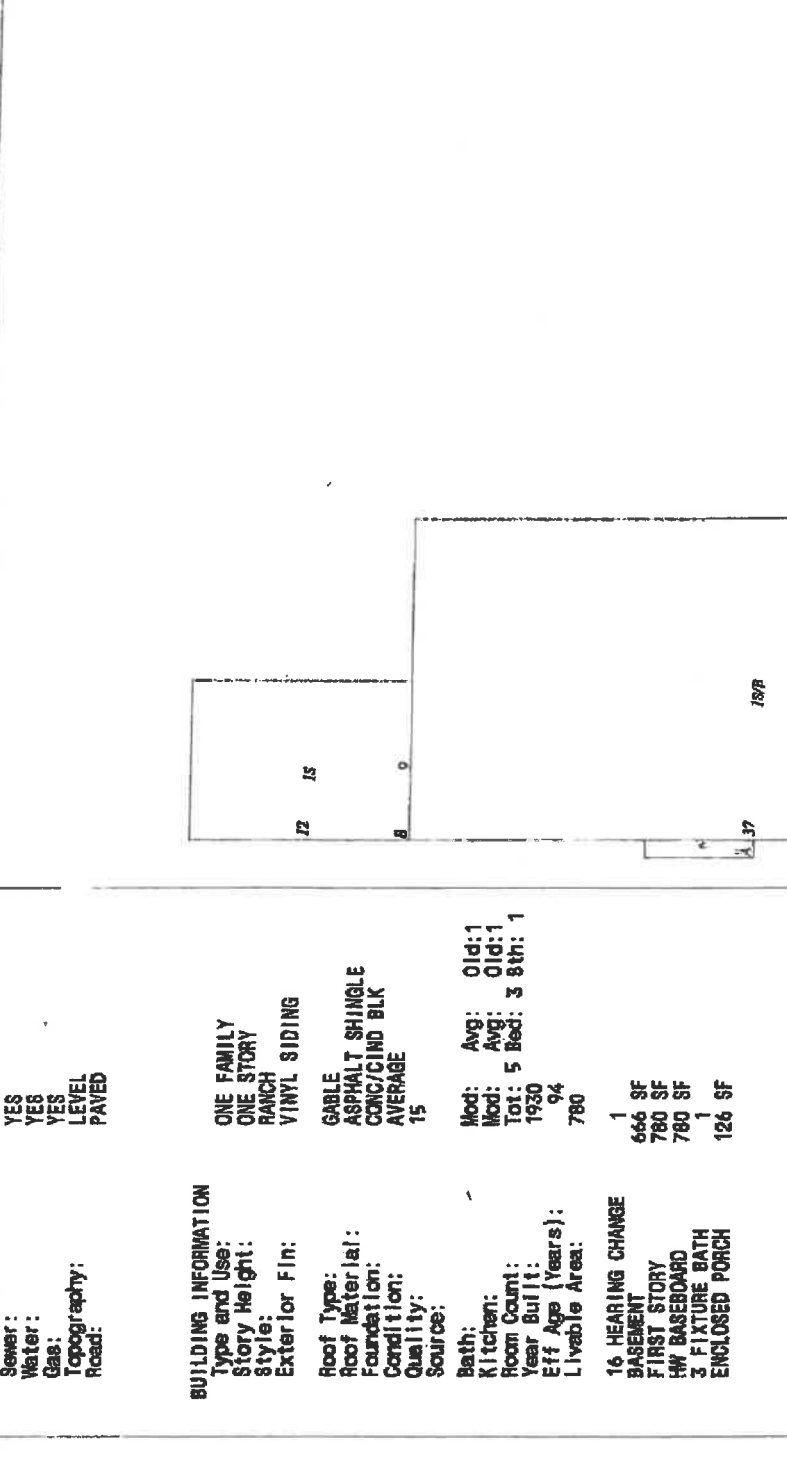
Roof Type: GABLE
 Roof Material: ASPHALT SHINGLE
 Foundation: CONC/CIND BLK
 Condition: AVERAGE
 Quality: 15
 Source:

Bath: Mod: Avg: Old: 1
 Kitchen: Mod: Avg: Old: 1
 Room Count: Tot: 5 Bed: 3 Bth: 1
 Year Built: 1930
 Eff Age (Years): 94
 Livable Area: 780

16 HEARING CHANGE 1
 BASEMENT 666 SF
 FIRST STORY 780 SF
 HW BASEBOARD 780 SF
 3 FIXTURE BATH 1
 ENCLOSED PORCH 126 SF

SALE DATE 00/00/00
 SALE PRICE 0

SKETCH





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:	_____
<input type="checkbox"/> Granted <input type="checkbox"/> Denied	

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

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

JAMES TONELLI
760 BARRON AVE.
WOODBIDGE, 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

Existing:

residential

Zone:

R-40

Proposed:

Lot Area:

2500 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

**ADDITION & ALTERATIONS TO:
TONELLI RESIDENCE
1908 FERWOOD ROAD
LAKE COMO, NEW JERSEY**

Architects:
Saizan & Winkler Architects, LLC
5000 Ferwood Avenue
Lake Como, New Jersey
Marlboro, NJ 07728

BUILDING DATA

5000 FERWOOD AVENUE LAKE COMO, NEW JERSEY	1908 FERWOOD ROAD LAKE COMO, NEW JERSEY
Architects: Saizan & Winkler Architects, LLC 5000 Ferwood Avenue Marlboro, NJ 07728	Architects: Saizan & Winkler Architects, LLC 5000 Ferwood Avenue Marlboro, NJ 07728
USE GROUP: R-4, RESIDENTIAL	CONSTRUCTION TYPE: V3
EXISTING FLOOR AREA: 1,100 SF	NEW WORK FLOOR AREA: 1,100 SF
EXISTING TOTAL FLOOR AREA: 1,100 SF	NEW WORK TOTAL FLOOR AREA: 1,100 SF
EXISTING GROUND COVER: 1,100 SF	NEW WORK GROUND COVER: 1,100 SF
EXISTING SIDEWALK: 1,100 SF	NEW WORK SIDEWALK: 1,100 SF
EXISTING DRIVEWAY: 1,100 SF	NEW WORK DRIVEWAY: 1,100 SF
EXISTING PORCH: 1,100 SF	NEW WORK PORCH: 1,100 SF
EXISTING DECK: 1,100 SF	NEW WORK DECK: 1,100 SF
EXISTING PATIO: 1,100 SF	NEW WORK PATIO: 1,100 SF
EXISTING STAIRS: 1,100 SF	NEW WORK STAIRS: 1,100 SF
EXISTING ROOF: 1,100 SF	NEW WORK ROOF: 1,100 SF
EXISTING FOUNDATION: 1,100 SF	NEW WORK FOUNDATION: 1,100 SF
EXISTING EXTERIOR WALLS: 1,100 SF	NEW WORK EXTERIOR WALLS: 1,100 SF
EXISTING INTERIOR WALLS: 1,100 SF	NEW WORK INTERIOR WALLS: 1,100 SF
EXISTING CEILING: 1,100 SF	NEW WORK CEILING: 1,100 SF
EXISTING FLOORING: 1,100 SF	NEW WORK FLOORING: 1,100 SF
EXISTING PAINT: 1,100 SF	NEW WORK PAINT: 1,100 SF
EXISTING FINISHES: 1,100 SF	NEW WORK FINISHES: 1,100 SF
EXISTING MECHANICAL: 1,100 SF	NEW WORK MECHANICAL: 1,100 SF
EXISTING ELECTRICAL: 1,100 SF	NEW WORK ELECTRICAL: 1,100 SF
EXISTING PLUMBING: 1,100 SF	NEW WORK PLUMBING: 1,100 SF
EXISTING HVAC: 1,100 SF	NEW WORK HVAC: 1,100 SF
EXISTING INSULATION: 1,100 SF	NEW WORK INSULATION: 1,100 SF
EXISTING GLAZING: 1,100 SF	NEW WORK GLAZING: 1,100 SF
EXISTING ROOFING: 1,100 SF	NEW WORK ROOFING: 1,100 SF
EXISTING EXTERIOR FINISHES: 1,100 SF	NEW WORK EXTERIOR FINISHES: 1,100 SF
EXISTING INTERIOR FINISHES: 1,100 SF	NEW WORK INTERIOR FINISHES: 1,100 SF
EXISTING LANDSCAPE: 1,100 SF	NEW WORK LANDSCAPE: 1,100 SF
EXISTING UTILITIES: 1,100 SF	NEW WORK UTILITIES: 1,100 SF
EXISTING SECURITY: 1,100 SF	NEW WORK SECURITY: 1,100 SF
EXISTING ACCESSIBILITY: 1,100 SF	NEW WORK ACCESSIBILITY: 1,100 SF
EXISTING SUSTAINABILITY: 1,100 SF	NEW WORK SUSTAINABILITY: 1,100 SF
EXISTING HISTORIC PRESERVATION: 1,100 SF	NEW WORK HISTORIC PRESERVATION: 1,100 SF
EXISTING ARCHITECTURAL DETAILS: 1,100 SF	NEW WORK ARCHITECTURAL DETAILS: 1,100 SF
EXISTING MATERIALS: 1,100 SF	NEW WORK MATERIALS: 1,100 SF
EXISTING CONSTRUCTION METHODS: 1,100 SF	NEW WORK CONSTRUCTION METHODS: 1,100 SF
EXISTING CODES AND REGULATIONS: 1,100 SF	NEW WORK CODES AND REGULATIONS: 1,100 SF
EXISTING BEST PRACTICES: 1,100 SF	NEW WORK BEST PRACTICES: 1,100 SF
EXISTING INNOVATION: 1,100 SF	NEW WORK INNOVATION: 1,100 SF
EXISTING QUALITY CONTROL: 1,100 SF	NEW WORK QUALITY CONTROL: 1,100 SF
EXISTING RISK MANAGEMENT: 1,100 SF	NEW WORK RISK MANAGEMENT: 1,100 SF
EXISTING COMMUNICATION: 1,100 SF	NEW WORK COMMUNICATION: 1,100 SF
EXISTING COLLABORATION: 1,100 SF	NEW WORK COLLABORATION: 1,100 SF
EXISTING TRANSPARENCY: 1,100 SF	NEW WORK TRANSPARENCY: 1,100 SF
EXISTING ACCOUNTABILITY: 1,100 SF	NEW WORK ACCOUNTABILITY: 1,100 SF
EXISTING INTEGRITY: 1,100 SF	NEW WORK INTEGRITY: 1,100 SF
EXISTING ETHICS: 1,100 SF	NEW WORK ETHICS: 1,100 SF
EXISTING PROFESSIONALISM: 1,100 SF	NEW WORK PROFESSIONALISM: 1,100 SF
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architects + engineers

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

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.' with a stylized flourish at the end.

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

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

COLLINS, VELLA & CASELLO, L.L.C.

ATTORNEYS AT LAW
2430 HIGHWAY 34, B-12
MANASQUAN, NEW JERSEY 08736

Dennis A. Collins, Esquire
1963 - 2024

Gregory W. Vella, Esquire
Joseph M. Casello, Esquire

Tel: 732-751-1766
Fax: 732-751-1866

Direct Email: GWVESQ@aol.com

March 20, 2025

Via email ahuismas@lakecomonj.org
& regular mail

Andrew Huisman, Administrator
Borough of Lake Como
1740 Main Street
Lake Como, New Jersey 07719

RE: Villas at Lake Como II
1716 Main Street, Lake Como, New Jersey

Dear Mr. Huisman:

As you are aware, I represent Villas at Lake Como II, who obtained approval to construct apartments over the existing commercial uses located on the first floor of the building in 2007. The existing commercial component has been there for over 30 years. I previously provided you with a copy of the Resolution of Lake Como Planning Board, as well as the Architectural Plans for this approval.

This redevelopment of the site would have been a substantial improvement to the Borough of Lake Como and Main Street. However, the prior administration in 2010 modified the Land Use Ordinance, which derailed all redevelopment and improvements to Main Street and prohibited this project. It is our belief that certain modifications in 2010 stagnated all development along Main Street.

It is my client's position that the Borough of Lake Como, Main Street, all the business and property owners on Main Street would benefit by the removal certain provisions of the 2010 Ordinance. Specifically, my client believes that the elimination of the off-street parking exemption for commercial businesses of 3,000 sq. ft. or less along Main Street has been a substantial detriment to the redevelopment of Main Street, as well as the removal of the exemption for aesthetic improvements about the maximum height requirements.

With the hope of revitalizing Main Street, we are asking the Borough to adopt the proposed Ordinance brings back the off-street parking exemption to commercial uses that are 3,000 sq. ft.

or less and permits aesthetic exceptions to the height requirements, which will exempt flagpoles, chimneys, antennas, residential cupolas and similar structures for general business uses and mixed use buildings other than only residential structures and religious buildings.

We hope that the Borough will review this Ordinance with its professionals and permit us an opportunity to discuss this with the Committee in the hope that Main Street will begin its revitalization and beautification.

I look forward to hearing from you.

Respectfully submitted,

/s/ Gregory W. Vella

Gregory W. Vella

GWV:de

Enclosure

cc: Louro Development Group (joeldg39@gmail.com & drjoelouro@gmail.com)
Amy L. Boney, Borough Clerk
Adam Schneider, Esq (Board Attorney) Via Email
Marguerite M. Schaffer, Esq. (Borough Attorney) Via Email

BOROUGH OF LAKE COMO, MONMOUTH COUNTY, STATE OF NEW JERSEY

ORDINANCE NO. 2025-

**ORDINANCE OF THE BOROUGH OF LAKE COMO
AMENDING DEFINITION OF BUILDING HEIGHT AND EXEMPT OFF-STREET
PARKING FOR PERMITTING COMMERCIAL USES**

WHEREAS, the Borough Council of the Borough of Lake Como believes it to be in the best interest by the Borough of Lake Como to amend the Land Use Development Ordinances to provide for an exception to off-street parking for commercial use between 16th and 18th Avenue on Main Street and amend the height definition to exempt certain aesthetic improvements which will promote the revitalization and redevelopment of Main Street in Lake Como; and

WHEREAS, this Ordinance is intended to amend Ordinance 2010-842 which modifies the height requirements for aesthetic improvements to commercial and mixed use buildings and removed the exemption of off-street parking requirements for permitted commercial uses in general business established containing 3,000 sq. ft. or less of public area located on Main Street between 16th and 18th; and

NOW, THEREFORE, BE IT ORDAINED by the Council for the Borough of Lake Como that Section 17 of the Code of Borough of Lake Como be amended as follows:

New Section:

17-10.7.a.6.(b), (12), (a) – Exemption for off-street parking, loading and driveways

12(a), An exemption is made for off-street parking requirements for permitted commercial uses in general business establishments containing 3,000 sq. ft. or less on public area located on Main Street between 16th and 18th Avenues. A building or property may contain multiple general business establishments, and the exception will only pertain to each establishment, if that business unit is 3,000 sq. ft. or less.

Revised Section:

SECTION 17-11.2 Height Limits.:

- a. No commercial building shall exceed the height limits as prescribed in Section 17-7 and Section 17-11.2(b).

- b. No single-family residential, religious building, commercial building or mixed use building shall exceed the height limits as prescribed in Section 17-7, except as follows: church spires, flagpoles, chimneys, antennas, residential cupolas and similar structures may be erected on the building above the height limits prescribed by this

chapter, but in no case may the combined height of the structure be more than 124% of the maximum height permitted for the use in the district.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 7. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 8. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED as aforesaid.

Douglas E. Witte, Council President

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Lake Como Borough Council held on _____. Said Ordinance will again be read and considered for final passage at a meeting of the Lake Como Borough Council to be held at 7:00 p.m. on _____ at 1740 Main Street, Lake Como, New Jersey 07719. At said time and place, all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.

Amy L. Boney, Borough Clerk

MAYORAL APPROVAL

APPROVED BY THE MAYOR ON
THIS ____ DAY OF _____, 2025

Kevin Higgins, Mayor