

# MEETING AGENDA OF PLANNING BOARD/BOARD OF ADJUSTMENT OF HIGH BRIDGE BOROUGH

**Meeting Date:** July 20th, 2015 - **Meeting Time:** 7:30 P.M.

**Meeting Location:** High Bridge Rescue Squad, 95 West Main St, High Bridge, NJ 08829

Actual meeting may contain discussion of items not mentioned on the agenda and alternatively any items specifically listed may be omitted.

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## 1. CALL TO ORDER:

This is a Regular meeting of the Planning/Zoning Board of the Borough of High Bridge. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a Notice was published in the Express Times on January 15th, 2015 and the notice of and agenda for this meeting were posted on the bulletin board in the Borough Hall.

2. **FLAG SALUTE:** Led presiding officer.

3. **ROLL CALL:** P = Present, A=Absent

Mark Desire\_\_\_\_\_, Chris Zappa\_\_\_\_\_, Tom Richards\_\_\_\_\_, Steve Dhein\_\_\_\_\_, Don Howell\_\_\_\_\_,  
Keith Milne\_\_\_\_\_, Doug Walker\_\_\_\_\_, Brent Dugan\_\_\_\_\_, John Moskway\_\_\_\_\_.

4. **READING AND APPROVAL OF MINUTES:** None at this time.

## 5. VISITORS:

A. Rob Fernandes – formal review of the High Bridge Views application

## 6. PUBLIC COMMENTS:

It is the policy of the Planning Board that all public comments on an issue shall be limited to one minute (1) per person per *agenda* subject. Comments may be made only on subjects pertaining to current Borough agenda. No debating between residents. Comments should be addressed to Chairman and Board Members at the public microphone.

## 7. WRITTEN COMMUNICATIONS:

A. High Bridge Views application

B. Joe Modzelewski review letter

C. Darlene Green review letter

8. **UNFINISHED BUSINESS:** None at this time.

9. **NEW ORDINANCES:** None at this time.

## 10. PUBLIC COMMENTS:

It is the policy of the Planning Board that all public comments on an issue shall be limited to five (5) minutes per person and no person may make more than one (1) comment per subject. Comments may be made on any subject pertaining to Board issues. Comments pertaining to Public Hearings should be saved for that section of the agenda. No debating between residents. Comments should be addressed to Chairman and Board members at the public microphone.

11. **DISCUSSION:** None at this time.

12. **ADJOURNMENT:** Motion to adjourn: \_\_\_\_\_ Second: \_\_\_\_\_ Voice vote:

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**Next Meeting Date:** August 17<sup>th</sup>, 2015

**Meeting Location:** High Bridge Rescue Squad, 95 West Main St, High Bridge, NJ 08829

**Meeting Time:** 7:30 P.M.

Municipal Use Only  
Exemption Review Worksheet

Information Submitted:

1. Certified Sanborn Map Report, dated November 13, 2014.
2. Plan entitled "Highlands Exemption Plan", dated May 26, 2015, revised through July 7, 2015, prepared by Engineering and Land Planning Associates, Inc.
3. Borough of High Bridge Highlands Exemption Determination Application, received June 5, 2015.

Project Summary:

The Applicant is seeking preliminary and final approval to construct a 12,245 square foot building that will contain 12 apartments and associated site improvements. Two of the units will be reserved for affordable housing.

The site has historically been used for a variety of purposes. As indicated by the Highlands Exemption Plan, the majority of the site is covered by gravel and compacted dirt. Tests on site reveal that the gravel/compacted dirt areas are present at least one to three inches below grade.

Exemption Review:

Presently, the site contains 16,604 square feet of impervious surfaces. The building and proposed associated improvements will be built largely over the existing compacted surfaces. New impervious coverage totals 2,028 square feet and all compacted gravel/dirt surfaces outside of the limits of the building, parking lot and other improvements will be removed and replaced with vegetative surface. Therefore, there will be a net decrease in proposed impervious lot coverage over the pre-June 23, 2011 conditions of 2,965 square feet.

This office has reviewed the materials submitted, after careful review of the information submitted, it has been determined that the project qualifies for Exemption #4.

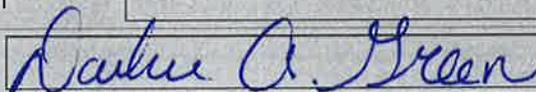
Comments:

As the Certified Municipal Exemption Designee I hereby certify the following finding for this application

The project as proposed has been determined to be Exempt

Date: Jul 7, 2015

Signature:





Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

Perryville III Corporate Park  
53 Frontage Road, Suite 120  
PO Box 4017  
Clinton, NJ 08809  
T: 908.238.0900  
F: 908.238.0901  
[www.maserconsulting.com](http://www.maserconsulting.com)

July 7, 2015

**VIA EMAIL**

Vincent T. Bisogno, Esq.  
88 South Finley Avenue  
PO Box 408  
Basking Ridge, NJ 07920

Re: High Bridge Views  
Block 29.02, Lot 12  
High Bridge, NJ  
MC Project No. HIP-026

**Borough Determination: Highlands Act – Exempt  
Exemption #4**

Dear Mr. Bisogno:

This letter is in response to your recent request for a Municipal Highlands Exemption Determination within the Highlands Planning Area. The Application requests Exemption #4. Please see the attached worksheet, which contains this office's findings. Should you have any questions with regard to the above Municipal Highlands Exemption Determination, please do not hesitate to contact my office.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink that reads 'Darlene A. Green'.

Darlene A. Green, P.P., AICP  
Borough Planner/Municipal Exemption Designee

Enclosures – Borough of High Bridge Highlands Exemption Review Worksheet

cc: Barb Kinsky, Board Secretary (via email [pbsecretary@highbridge.org](mailto:pbsecretary@highbridge.org) w/ enclosures)  
Joseph Modzelewski, Board Engineer (via email [Joseph.Modzelewski@hatchmott.com](mailto:Joseph.Modzelewski@hatchmott.com) w/ enclosures)  
Rob Fernandes, Applicant (via email [rob@rfernandeshomes.com](mailto:rob@rfernandeshomes.com) w/ enclosures)  
Maryjude Haddock-Weiler, Highlands Council (via email [maryjude.haddock-weiler@highlands.state.nj.us](mailto:maryjude.haddock-weiler@highlands.state.nj.us) w/ enclosures)

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Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

Perryville III Corporate Park  
53 Frontage Road, Suite 120  
PO Box 4017  
Clinton, NJ 08809  
T: 908.238.0900  
F: 908.238.0901  
www.maserconsulting.com

July 8, 2015

**VIA EMAIL**

Planning Board  
Borough of High Bridge  
71 Main Street  
High Bridge, NJ 08829

Re: R. Fernandes Homes, LLC  
Center Street  
Block 29.02, Lot 12  
*PB01-2015*  
MC Project No. HIP-026

Dear Board Members:

R. Fernandes Homes, LLC seeks preliminary and final site plan approval to construct a 12,245 square foot apartment building with 12 units. Two of the units will be reserved for affordable housing. Associated improvements include a parking lot, trash area and walkways. The Applicant received a Highlands Exemption Determination on July 7, 2015, which indicated that the proposed project falls under Exemption #4.

The following documents, which were submitted in support of the Application, have been reviewed:

1. Plans entitled "Preliminary and Final Major Site Plan High Bridge View", prepared by Wayne J. Ingram, P.E. of Engineering and Land Planning Associates, Inc., dated June 29, 2015, consisting of 9 sheets.
2. Architectural plans entitled "High Bridge Apartments", prepared by Thomas Brennan, RA of Thomas Brennan Architects, dated June 9, 2015, consisting of 2 sheets.
3. Application checklist, dated June 29, 2015, consisting of 4 pages.
4. Variance Application, dated June 27, 2015, consisting of 6 pages.
5. Office of Planning Board and Zoning Board of Adjustment Application, dated June 29, 2015, consisting of 4 pages.

**A. Existing Zoning and Surrounding Land Use**

The subject property is located in the DB Zone. It has frontage on Center Street. North of the site is a single-family home. East of the site is Borough-owned property. South of the

site is a single-family home. West of the site are a single-family home and the Casa Maya parking lot. See the image below for the general location of the subject site.<sup>1</sup>



Yard and bulk requirements in the DB Zone are according to Ordinance #2014-16:

- Minimum Lot Size – 5,000 square feet
- Minimum Frontage Width – 50 feet
- Maximum Front Yard Setback – 8 feet
- Minimum Side Yard Setback (one) – 0 feet
- Minimum Side Yard Setback (both) – 5 feet
- Minimum Rear Yard Setback – 15 feet
- Maximum Lot Coverage – 90%
- Maximum Building Coverage – 60%
- Maximum Height: 3 stories and 45 feet
- Minimum Accessory Building Side Yard Setback – 5 feet where adjacent to R-4 Zone
- Minimum Accessory Building Rear Yard Setback – 5 feet where adjacent to R-4 Zone

The Borough also adopted Ordinance #2015-15 to permit a new conditional use (Mixed-use Commercial Residential) in the DB Zone. The conditions are as follows:

- (a) The parcel shall be within one quarter mile of a rail station or mass transit stop.
- (b) The parcel shall have frontage on Center Street or Mill Street, but shall not have frontage on Main Street.

<sup>1</sup> Image courtesy of [www.bing.com/maps](http://www.bing.com/maps)



- (c) Minimum lot area shall be 20,000 square feet.
- (d) Minimum side yard setback shall be 10 feet, each.
- (e) Maximum building coverage shall be 60%.
- (f) Maximum impervious coverage shall be 95%.
- (g) Maximum building height shall be 3 stories and 45 feet.
- (h) Maximum density shall be 34 dwelling units per acre.
- (i) Ground floor uses shall be limited to apartments, retail, personal service and/or office uses.
- (j) Upper floor uses shall be limited to apartments.
- (k) 25% of the total number of apartments shall be reserved for affordable households. These units shall be consistent with the regulations of COAH and UHAC.
- (l) The developer/property owner shall be responsible for retaining a qualified Administrative Agent to manage their affordable housing units.
- (m) Residential parking shall be provided in accordance with RSIS, non-residential parking shall be provided in accordance with the Borough's code.
- (n) All other bulk requirements shall follow the standards for the DB Zone.

#### **B. Variances**

The Application triggers D(3) variances as it is deviating from the standards outlined under the condition use - Mixed-use Commercial Residential. The Application requires the following "D" variances:

1. Section 405.C6(k) – Percentage of affordable units. The Ordinance requires 25% of the units to be reserved for affordable households.

The Applicant proposes two units or 16.7% of the units to be reserved for affordable households.

2. Section 405.C6(m) – Number of parking spaces. The Ordinance requires residential parking to comply with RSIS. Under RSIS, the Application would require 22.4 parking spaces.

The Applicant proposes 21 parking spaces.

#### **C. Variance Proofs Required**

##### *"D" Variances*

Pursuant to the Municipal Land Use Law, a "D" variance requires the Applicant to demonstrate to the Board that the variance can be granted without substantial detriment to the public good and without substantial impairment of the intent of the zone plan and zoning ordinance. The Applicant also needs to demonstrate to the Board, by a showing of "special reasons", that the site is peculiarly suited for the particular use being proposed.

1. Positive Criteria (Special Reasons):



The Applicant must demonstrate that the particular use is peculiarly fitted or particularly suitable to the site and its setting and that special reasons exist to support the grant of the variance application. These special reasons exist when one or more purposes of zoning are promoted (N.J.S.A. 40:55D-2).

The court also found in Saddle Brook Realty v. Board of Adjustment, 388 N.J. Super. at 76, that there are three categories of circumstances where the “special reasons” may be found where: (1) the proposed use inherently serves the public good; (2) the property owner would suffer “undue hardship” if compelled to use the property in conformance with the permitted uses of the zone; or (3) the use would serve the general welfare because the “proposed site is particularly suitable for the proposed use”.

2. Negative Criteria:

The Applicant must demonstrate that the grant of the variance would not be substantially detrimental to the public good or substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

Regarding the “substantial detriment to the public good” prong of the negative criteria, the court affirmed in Medici v. BPR Co., 107 N.J. 1, that the focus is on the impact of the proposed variance upon the adjacent properties and whether or not it will cause such damage to the character of the neighborhood as to constitute “substantial detriment to the public good”.

The court also stated, with regard to the “substantial detriment to the zone plan and zoning ordinance” prong of the negative criteria, that “the added requirement that boards of adjustment must reconcile a proposed use variance with the provisions of the master plan and zoning ordinance will reinforce the conviction expressed in Ward v. Scott [11 N.J. 117 (1952)], the negative criteria constitute an essential ‘safeguard’ to prevent the improper exercise of the variance power” (107 N.J. 22).

**D. Design Waivers**

The Application requires the following design waivers:

1. Section 807.F – Location of parking lot. The Ordinance requires parking lots to be located at least 25 feet from a property line.

The Applicant proposes parking within 10 feet of Lot 11’s property line.

2. Section 808.D11 – Size of landscaping at installation. The Ordinance requires evergreens to be at least six feet tall and shrubs to be at least three feet tall at planting.

The Applicant proposes Spartan Juniper to be installed at four to five feet. Also proposed is American Boxwood at 30 to 36 inches and PJM Rhododendron at 30 to 36 inches.



### **E. Comments**

Based on our review of the above-reference materials, we offer the following comments:

1. The Applicant's professionals must provide testimony to support the grant of the variances and design waiver requested. Testimony must address both the negative and positive criteria requirements of the MLUL.
2. The Zoning Table on Sheet 1 contains errors. There is not minimum lot circle required in the DB Zone. The front yard setback is a maximum and it is eight feet. The minimum side yard setback is for each side yard. The Applicant shall revise the Zoning Table to fix these errors.
3. The Board should note that the Fair Housing Act, specifically, N.J.S.A. 52:27D-329.9, requires any developments consisting of new residential units to reserve at least 20% of the residential units as low or moderate income units, to the extent economically feasible. Therefore, 20% of 12 units are 2.4 units. This office contacted the Highlands Council on May 20, 2015 to determine if the Highlands would round up or down. The Highlands Council indicated that two affordable units are reasonable, especially as three affordable units would equal a 25% set-aside. The Highlands Council suggested the Applicant submit an Addendum that addresses the following points:
  - Three COAH units are not economically feasible for the following reasons.....
  - The units are going to be rental units and can provide bonus credits for the Borough, therefore, providing more than 2 credits towards the Borough's obligation.
  - Basic math indicates that 2.4 is rounded down to 2.

This Addendum was not included in the Application. The Applicant needs to provide the Addendum or address this issue during testimony. This office has no issue with the Board granting the deviation as the Mayor and Council have recognized the discrepancy with the Fair Housing Act and is in the process of amending this section of the ordinance.

4. The Applicant should revise the plans to eliminate the design waiver required from Section 808.D11.
5. The Applicant shall be prepared to provide testimony on the affordable units – which units are they? Will the Applicant comply with UHAC and agree to bear the cost of retaining a qualified Administrative Agent?
6. The floor plans show double doors on the sprinkler room, while the elevations show a single door. This shall be revised to be consistent.

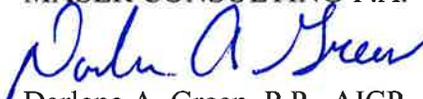


7. The Applicant shall be prepared to clarify what appear to be windows on the furnace rooms. Are these vents disguised as windows?
8. It is unclear which trees, if any, along Lot 11's property line will be preserved. It is also unclear how the existing tree line located south of the building will be impacted by the construction. The Applicant shall be prepared to provide testimony regarding this issue.
9. Section 807.A1 requires a screen consisting of plants between off-street parking areas and the front and side lot line. In an effort to comply with this requirement, the Applicant shall add two more Colorado Spruce in the front yard closer to the property line to fill in the gaps. Additionally, the Applicant shall add at least two evergreen plants along Lot 11's property line to buffer the parking from the home. Otherwise, the Applicant shall request a design waiver from this provision of the Ordinance.
10. A tree protection detail is shown on Sheet 7, but the plans do not indicate where the tree protection fence will be installed. The Applicant shall be prepared to provide testimony regarding this issue.

Should you have any questions with regard to the above comments please do not hesitate to contact my office. We reserve the right to make additional comments based upon further review or submission of revised plans or new information.

Very truly yours,

MASER CONSULTING P.A.

  
Darlene A. Green, P.P., AICP  
Borough Planner

DAG/dw

cc: Barb Kinsky, Board Secretary (via email [pbsecretary@highbridge.org](mailto:pbsecretary@highbridge.org))  
Joseph Modzelewski, Board Engineer (via email [Joseph.Modzelewski@hatchmott.com](mailto:Joseph.Modzelewski@hatchmott.com))  
Steve Dhein, Board Chair (via email [pbchair@highbridge.org](mailto:pbchair@highbridge.org))  
Rob Fernandes, Applicant (via email [rob@rfernandeshomes.com](mailto:rob@rfernandeshomes.com))  
Vincent Bisogno, Esq., Applicant Attorney (via email [vbisogno@baskingridgelaw.com](mailto:vbisogno@baskingridgelaw.com))  
Wayne Ingram, Applicant Engineer (via email [Wayne@elp-inc.com](mailto:Wayne@elp-inc.com))



**Hatch Mott  
MacDonald**

**Hatch Mott MacDonald**

412 Mt. Kemble Avenue  
Suite G22  
Morristown, NJ 07960  
T 908.730.6000 F 973.267.2890  
www.hatchmott.com

July 14, 2015

Borough of High Bridge  
Zoning Board of Adjustment  
71 Main Street  
High Bridge, New Jersey 08829

**RE: High Bridge View Major Site Plan and Use Variance  
High Bridge Borough  
Block 29.02, Lot 12  
Center Street**

Dear Board Members:

In connection with the above-referenced, I have reviewed the following documents against application completeness requirements of the High Bridge Borough Land Use and Development Ordinance.

- Plans consisting of 9 sheets generally titled *Preliminary and Final Major Site Plan High Bridge View Block: 29.02, Lot 12 High Bridge Borough, Hunterdon County, New Jersey* prepared by Engineering & Land Planning Associates, Inc. dated June 26, 2015;
- Building elevations and floor plans consisting of 2 sheets generally titled *New Apartment Building for R. Fernandes Homes - High Bridge Apartments* prepared by Thomas J. Brennan Architects dated 6/6/15;
- *Boundary & Topographic Survey Lot 12 Block 29.02 Borough of High Bridge Hunterdon County, New Jersey* prepared by LRC Group dated May 18, 2015;
- *Variance Application Borough of High Bridge* consisting of 6 sheets dated 6/27/15;
- *Borough of High Bridge Office of Planning Board and Zoning Board of Adjustment* application form consisting of 4 sheets dated 6/29/15;
- *High Bridge Planning Board Checklist Details Required for Minor Subdivision Plats and Minor Site Plans* prepared by Wayne J. Ingram, PE dated 6/29/15;
- *High Bridge Planning Board Checklist of Details Required for Variance Applications* prepared by Wayne J. Ingram, PE dated 6/29/15;
- *Checklist Waiver Requests* prepared by Engineering & Land Planning Associates, Inc. dated June 31, 2015;



- Submission cover letter from Vincent T. Bisogno, Esq. dated June 29, 2015;
- *High Bridge Planning Board Checklist, Details Required for Preliminary Major Subdivision Plats and Preliminary Major Site Plans* (not submitted);
- *High Bridge Planning Board Checklist, Details Required for Final Major Subdivision Plats and Preliminary Major Site Plans* (not submitted).

Subject property is a 0.78 acre vacant lot fronting on Center Street at its southerly intersection with Main Street. Applicant is seeking approval to construct a 12,245 ± square foot, 3-story apartment building containing eight (8) one-bedroom apartments and four (4) two-bedroom apartments. Two (2) proposed rental units will be deed restricted for low and moderate income households. Proposed site improvements include a paved and partially curbed access drive and parking area, concrete walk, retaining wall, site lighting, solid waste enclosure and landscape plantings.

The property falls within the Downtown Business (DB) zone district where principal permitted uses include merchant shops and point-of-sale service establishments together with incidental dwelling use to accommodate not more than two families on the upper stories but not the ground floor of the building. Proposed development requires a “D” variance for deviations from conditional use standards set forth in Section 405.C.6 of the Borough Land Use Ordinance. The property was recently issued a Highlands Exemption #4 by the Borough.

The following identifies the incomplete and conditionally complete checklist items, as well as checklist waivers requested by the applicant in writing.

- √- = conditionally complete
- I = incomplete
- W = written waiver request

A. Checklist of Details Required for Variance Applications

1. √- *Certification from the Borough Tax Collector that all taxes and assessments are paid to date. **Subject to verification by Borough Clerk.***
2. √- *Certification from the Borough Utilities Collector that all municipal utilities are paid to date. **Subject to verification by Borough Clerk.***
3. √- *Application and escrow fees per Section 701. **Subject to additional fee and escrow for use variance.***
4. I *Copies of certified mail receipts and a copy of the letter showing that notice of the application was sent to all property owners within two hundred (200) feet of the tract. **Subject to a written waiver request, item may be waived for completeness purposes only, but must be furnished prior to any public hearing.***



5. I *A copy of the public notice in the official newspaper of the Borough. **Subject to a written waiver request, item may be waived for completeness purposes only, but must be furnished prior to any public hearing.***
6. √- *Licenses, Permits and Other Approvals Required by Law. **Approvals list should include High Bridge Borough Utility Authority in connection with adequate sanitary sewer allocation.***

Plans shall show or include the following:

7. I *Reference meridian (north arrow) using NAD83. **North arrow is referenced as “deed” based. Subject to a written waiver request, item may be waived for completeness only, but must be provided prior to any approval.***
8. W *The locations of existing and proposed property lines (with bearings and distances); streets; structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed); parking spaces; loading areas; driveways; watercourses; railroads; bridges; culverts; drain pipes; any natural features such as critical areas, rock outcroppings, wooded areas and individual trees greater than 8 inches dbh; and any historic features such as family burial grounds and buildings more than fifty (50)-years old, both within the tract and within two hundred (200) feet of its boundary. **Plans are deficient with respect to some features that exist within the outer limit of 200 feet from the site. A waiver for completeness may be appropriate given the proposed scope of development, with the understanding that additional features within the entire 200 feet may be deemed necessary during the review and approval process.***

B. Checklist of Details Required for Preliminary Major Site Plan Applications

1. √- *Certificate from the Borough Tax Collector that all taxes and assessments are paid to date. **Subject to be verification by Borough Clerk.***
2. √- *Certificate from the Borough Utilities Collector that all municipal utilities are paid to date. **Subject to be verification by Borough Clerk.***
3. √- *Completed application form (22 copies). **Subject to applicant submitting additional copies required.***
4. √- *Application and escrow fees per Section 701. **Subject to submission of additional fee and escrow for use variance.***
5. √- *Plats or plans (22 copies) signed and sealed by a N.J Professional Engineer in one (1) of the following four standard sheet sizes (8 ½” x 13” ; 15” x 21” ; 24” x 36” ; or 30” x 42” ), and folded into eighths (8ths)*



*with title block revealed. Subject to the applicant submitting the additional copies required.*

6. I *Reference meridian (north arrow) using NAD83. **North arrow is referenced as “deed” based. Subject to a written waiver request, item may be waived for completeness purposes but shall be provided prior to any approval.***
7. I *Existing and proposed contours tied horizontally to the New Jersey State Grid Coordinate System NAD83 and vertically to the U.S. Geodetic Survey System, NAVD88 as required by this Ordinance. **Topographic elevation datum is not indicated on plans. Subject to a written waiver request, item may be waived for completeness purposes but shall be provided prior to any approval.***
8. I *Location of existing utility structures on the tract and within two hundred (200) feet of its boundaries. **Plans show utility structures in close proximity to the site, but are deficient with respect to all utility structures within 200 feet of the site. Subject to a written request, waiver of such deficiency may be appropriate for the proposed scope of development.***
9. I *Environmental Impact Statement. See Section 604. **Section 604 stipulates that any major site plan shall include an EIS unless specifically waived by the Board. Given the close proximity of existing neighboring development and onsite steep slopes, minimally a partial EIS should be provided.***
10. √- *Licenses, Permits and Other Approvals Required by Law: The applicant shall list all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project. The list shall include approvals required by the Borough, as well as agencies of the County, State and Federal governments. Where approvals have been granted, copies of said approvals shall be attached. When approvals are pending, a note shall be made to that effect. **Approvals list should include High Bridge Borough Utility Authority in connection with adequate sanitary sewer allocation.***
11. I *Drainage plans in accordance with Article 8, Section 802.C. **Drainage plans pursuant to NJ State Stormwater Management Rules are not required based on plan information indicating proposed development will not increase existing impervious cover, and disturbed area will be less than one acre. Applicant’s engineer shall submit for review and evaluation a written “Drainage Statement” which includes supporting documentation to that effect. Available NJDEP aerial photos depict the site predominantly vegetated from 1997 to present date.***



- C. Final Major Subdivision Plats and Final Major Site Plans
1. √- *Completed application form (22 copies). Subject to the applicant submitting additional copies required.*
  2. √- *Application and escrow fees per Section 701. Subject to submission of additional fee and escrow for use variance.*
  3. √- *Plats or plans (22 copies) signed and sealed by a N.J. Licensed Professional Land Surveyor or Engineer, as required, and folded into eighths (8ths) with the title block revealed. Subject to the applicant submitting additional copies required.*
  4. I *Additional details required at the time of preliminary approval. To be determined, but may be waived for completeness purposes only, subject to a written waiver request.*
  5. √- *Certification from the Borough Tax Collector that all taxes and assessments are paid up-to-date. Subject to verification by Borough Clerk.*
  6. I *Letters directed to the Chairman of the Board and signed by a responsible official of each utility company providing service to the tract, as required by this Ordinance. Subject to a written waiver request, item may be waived for completeness purposes only, but should be provided prior to any final approval.*
  7. I *Certification in writing from the applicant to the Board that the applicant has:*
    - a. *Installed all improvements in accordance with the requirements of this Ordinance; and/or*
    - b. *Posted a performance guarantee in accordance with Section 702.D. of this Ordinance. Appropriate as a condition of final approval. Subject to a written waiver request, item may be waived for completeness purposes only.*
  8. I *Licenses, Permits and Other Approvals Required by Law: Applicant shall list all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project. Appropriate as a condition of final approval. Subject to a written waiver request, item may be waived for completeness purposes only.*
  9. I *Drainage plans in accordance with Article 8, Section 802.C. See comment under B.11 above.*
  10. I *Approved Grading Plan and Soil Erosion and Sediment Control Plan. Subject to a written waiver request, item may be waived for completeness purposes only.*



Hatch Mott  
MacDonald

Application should not be deemed administratively complete until the checklist deficiencies indicated above have been addressed and / or appropriate written checklist waiver requests are made by the applicant and granted by the Board.

Very truly yours,

Hatch Mott MacDonald

A handwritten signature in black ink, appearing to read "Joe Modzelewski".

Joseph Modzelewski, PE, PP, CME  
Zoning Board of Adjustment Engineer  
T 908.730.6000 x 207 F 908.730.6500  
joseph.modzelewski@hatchmott.com

JM:

c: William Caldwell, Esq. (email)  
Darlene A. Green, PP (email)  
Wayne J. Ingrahm, PE (email)  
R. Fernandes Homes, LLC, Applicant (email)  
Vincent T. Bisogno, Esq. (email)

Applicant \_\_\_\_\_

File Number \_\_\_\_\_

## HIGH BRIDGE PLANNING BOARD

### CHECKLIST

#### DETAILS REQUIRED FOR MINOR SUBDIVISION PLATS AND MINOR SITE PLANS

- Application form (~~22~~<sup>15</sup> copies).
- Plats or plans (~~22~~<sup>15</sup> copies) signed and sealed by a N.J.P.L.S. or N.J.P.E, as required, and folded into eighths (8ths) with title block revealed.
- Scale of not less than one (1) inch equals one hundred (100) feet, one (1) of the following four (4) standard sheet sizes (8 1/2" x 13"; 15" x 21"; 24" x 36"; or 30" x 42").
- Key map at less than one (1) inch equals two thousand (2,000) feet.
- Title block.
- Name of subdivision or development, High Bridge Borough, Hunterdon County.
- Name, title, address and telephone number of subdivider or developer.
- Name, title, address and license number of the professional or professionals who prepared the plat or plan.

N/A In the case of a Minor Subdivision:

Plats prepared by a New Jersey licensed professional land surveyor with the following certification:

#### CERTIFICATION BY SURVEYOR:

I certify that, to the best of my knowledge and belief, this subdivision plat is based on a field survey made on (insert date), under my direct supervision, in accordance with rules and regulations promulgated by the State Board of Professional Engineers and Land Surveyors. The information shown hereon correctly represents the conditions found as of the date of the field survey, except such improvements or easement, if any, below the surface and not visible.

\_\_\_\_\_  
N.J. Licensed Land Surveyor and No.  
(Affix Seal)

\_\_\_\_\_  
Date

- Scale.
- Date of original preparation and each subsequent revision thereof and a list of specific revisions entered on each sheet.
- Acreage figures (both with and without areas within public rights-of-way) and north arrow.
- Approval signature lines.
- Existing block and lot numbers(s) of the lot(s) to be subdivided or developed as they appear on the Borough Tax Map.
- Subdivision or development boundary line (heavy solid line).
- Waiver The location of existing and proposed property lines (with bearings and distances), streets, structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed), signs, parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, stone walls or stone rows, drain pipes, any natural features such as wetlands and treed areas, any specimen trees and any historic features such as family burial grounds and buildings more than fifty (50) years old, both within the tract and within two hundred (200) feet of its boundary.
- The location and width of all existing and proposed utility easements, the use(s) for which they are intended to be limited, and the manner in which the easements will be controlled.
- Zoning districts affecting the tract, including district names and requirements.
- Proposed buffer and landscaped areas.
- N/A Delineation of flood plains, including both floodway and flood hazard areas.
- Contours as shown on the U.S.G.S. topographic sheets.
- N/A Marshes, ponds and land subject to flooding within the tract and within one hundred (100) feet thereof.
- The names of all adjacent property owners as they appear on the most recent Tax List prepared by the Borough Tax Assessor.
- Certificate from the Borough Tax Collector that all taxes and assessments are paid to date.
- Certificate from the Borough Utilities Collector that all municipal utilities are paid to date.
- N/A Concerning minor subdivision only, existing and proposed monuments.
- N/A If any proposed lot is not served by a sanitary sewer, date of approval by the Board of Health of site evaluation tests, certified by a licensed professional engineer, indicating that the proposed lot can adequately accommodate a septic system. The location(s) of the test hole(s), location of proposed septic disposal area, test results and compliance with the "Individual Sewage Disposal Code of New Jersey" or applicable Borough Board of Health Ordinances, whichever may be more restrictive, shall be shown on the plat and certified by a licensed professional engineer.
- Road right-of-way dedication and improvement, as applicable.

**Section 608. Checklists.**

**A. Checklist of Details Required for Variance Applications.**

The following items must be submitted with the written application:

- Certification from the Borough Tax Collector that all taxes and assessments are paid to date.
- Certification from the Borough Utilities Collector that all municipal utilities are paid to date.
- Completed application form (15 copies).
- Application and escrow fees per Section 701.
- Certification of ownership or authorization to file application.
- A list of names of all adjacent property owners within two hundred (200) feet of the tract as they appear on the most recent Tax List prepared by the Borough Tax Assessor. Names should also appear on the project plan.
- Copies of certified mail receipts and a copy of the letter showing that notice of the application was sent to all property owners within two hundred (200) feet of the tract.
- A copy of the public notice in the official newspaper of the Borough.
- Deed descriptions, including metes and bounds, easements, covenants, restrictions, and roadway and sight triangle dedications (can be submitted after approval).
- The Board reserves the right to require additional information such as an EIS before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area; provided, however, that no application shall be declared incomplete for lack of such additional information.
- Licenses, Permits and Other Approvals Required by Law. The applicant shall list all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project. The list shall include approvals required by the Borough, as well as agencies of the County, State and Federal governments. Where approvals have been granted, copies of said approvals shall be attached. When approvals are pending, a note shall be made to that effect.

Plans shall show or include the following:

- Plats or plans (15 copies) signed and sealed by a N.J.P.L.S. or N.J.P.E., or Registered Architect, if required by law, in one (1) of the following four (4) standard sheet sizes (8 1/2" x 13"; 15" x 21"; 24" x 36"; or 30" x 42"), and folded into eighths (8ths) with title block revealed.
- Scale (written and graphic) of not less than one (1) inch equals one hundred (100) feet.
- Key map based on tax map at no less than one (1) inch equals one thousand (1,000) feet.
- Title block.
- Name of subdivision or development, High Bridge Borough, Hunterdon County.

- Existing block and lot number(s) of the lot(s) as they appear on the Borough Tax Map.
- Name, title, address and telephone number of developer.
- Name, title, address and license number of the professional or professionals who prepared the plot or plan.
- Name, title and address of the owner or owners of record.
- Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet.
- Acreage to the nearest 0.01 acre (both with and without areas within public rights-of-way) for each lot.
- Reference meridian (north arrow) using NAD83.
- Approval signature lines.
- Subdivision or development boundary line (heavy solid line).

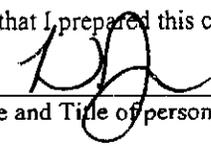
Waiver The locations of existing and proposed property lines (with bearings and distances); streets; structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed); parking spaces; loading areas; driveways; watercourses; railroads; bridges; culverts; drain pipes; any natural features such as critical areas, rock outcroppings, wooded areas and individual trees greater than 8 inches dbh; and any historic features such as family burial grounds and buildings more than fifty (50)-years old, both within the tract and within two hundred (200) feet of its boundary.

- The location and width of all existing and proposed easements, the uses(s) for which they are intended, and the manner in which the easements will be controlled and maintained.
- Zoning districts affecting the tract, including district names and requirements.
- Proposed buffers and landscaped areas, if applicable.
- Contours as shown on the Borough's GIS web site with areas of steep slopes delineated.

N/A Wetlands, transition areas, streams, and floodplains, including floodway and flood fringe areas, within the tract and within one hundred (100) feet thereof. If wetlands or transition areas are present on the tract, then the applicant must submit a copy of a Letter of Interpretation from the NJDEP.

- Grading Plan and Soil Erosion and Sediment Control Plan in accordance with Article 8, Section 813.
- Road right-of-way dedication and improvements, as applicable.
- Existing and proposed sight triangle easements, as applicable.

I certify that I prepared this checklist and have indicated the items for which a waiver is requested.

  
 \_\_\_\_\_  
 Signature and Title of person who prepared checklist

6/24/11  
 \_\_\_\_\_  
 Date

# CHECKLIST WAIVER REQUESTS

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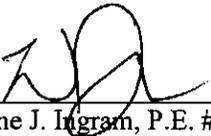
Prepared by:  
Engineering & Land Planning Associates, Inc.  
June 30, 2015

## Checklist Waiver Requests:

Property Lines and Features within 200'

A partial waiver is requested to reduce the distance from the property of the information shown. This is due to the limited nature of the project and lack of affects beyond the adjacent properties. We believe sufficient survey work is provided to adequately evaluate the project.

## Certification of Preparer

  
\_\_\_\_\_  
Wayne J. Ingram, P.E. #48393  
Engineering & Land Planning Associates, Inc.

6/30/15  
\_\_\_\_\_  
Date

FEE PAID \_\_\_\_\_

VARIANCE APPLICATION  
BOROUGH OF HIGH BRIDGE

NO. \_\_\_\_\_ DATE FILED \_\_\_\_\_ HEARING \_\_\_\_\_

INSTRUCTIONS

Application for appeals to the Planning Board of the Borough of High Bridge must be made on this form and filed with the Secretary of the Board and Building Inspector. Additional information may be required by the Board.

After filing the application, you will be notified of the date the hearing will be held on your application, together with detailed instructions concerning the procedure you must follow to give notice of the hearing to adjoining property owners.

In the event a variance is granted, you are hereby notified that said variance shall expire unless work is commenced and diligently prosecuted within nine (9) months from the date of the granting of the variance.

1. Name of Applicant: R. Fernandes Homes, LLC  
Address: 25 Mountainview Boulevard, Suite 200, Basking Ridge, NJ 07920  
Telephone: 908-303-4510

2. Name and address of present owner (if other than above)  
Dennis Murphy, 637 East Hill Road, Califon, NJ 07830

3. Interest of applicant if other than owner: Contract Purchaser

4. Description of Property: Center Street  
How zoned: DB  
Street Address: Vacant Lot  
Tax Map Block No.: 29.02 Lot No.: 12  
Size of Lot: 33,933 s.f. Size of Building: 12,245 s.f.  
Number, size and use of accessory buildings: N/A

Height of Building: 42' No. of Stories: 2 1/2

Setback from front property line: 7.8 feet.

Rear Yard: 60.7 feet.

From side lot lines: 7.8 feet and 28.7

Prevailing setback of adjoining buildings within block:

Varies

5. Attach a plot plan showing the block and lot numbers, dimensions of lot, dimensions of present and proposed structures, and location of all structures in relation to all other structures and to property lines. If available, plans of any proposed buildings.

6. Specify the relief sought from the Board under R.S. 40:55D-70 et seq. (Refer to sections of the zoning ordinance involved for each request):

Applicant seeks Preliminary & Final Site Plan Approval for  
a 12,245 s.f. apartment building with 12 units, two of which will  
be for affordable housing. A Parking Variance is requird.

7. Has there been any previous appeal involving these premises?  
If so, state character of appeal and date of disposition.

None known.

8. If variance is under R.S. 40:55D-70 give details on any of the following which may apply:

A - Exceptional narrowness, shallowness, or slope of the property:

The only variance involved is for 2 parking spaces and Applicant  
will submit testimony that the lot and building can accommodate  
the parking variance.

B - Exceptional topographic conditions: N/A

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C - Other extraordinary and exceptional situations or conditions of the property:

N/A

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D - Exceptional and undue hardships upon the owner of the property:

N/A

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9. If a use variance for a use not permitted in the zone (R.S. 40:55D-70 (d), which the board may only recommend to the governing body, specify the details on the following:

A - How this is a particular case: N/A

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B - What are the special reasons for the variance: N/A

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10. Specify how the relief requested, if granted, can be granted without substantial detriment to the public good and without substantially impairing the intent and plan of the zoning ordinance, and how it would affect the following purposes of zoning:

A - To lessen congestion in the streets: N/A

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B - Secure safety from fire, flood, panic and other dangers:

N/A

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C - Promote health, morals, or the general welfare:

2 Low & Moderate Income Units are proposed.

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D - Provide adequate light and air:

N/A

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E - Prevent the overcrowding of land or building:

N/A

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F - Avoid undue concentration of population:

N/A

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G- Other: The use proposed promotes the public health, safety and welfare  
by providing apartments in High Bridge and providing for low and moderate  
income residents.

PROPOSED USE: See above.

This application for a Variance includes an application for the following:

Subdivision (Minor) \_\_\_\_\_, Site Plan X, Use \_\_\_\_\_

ATTACHED HERETO AND MADE A PART OF THIS APPLICATION I SUBMIT THE FOLLOWING:  
(All papers must be submitted with application).

A - The original building application signed by the Building Official and/or a true copy of the official order issued by the Building Official and signed by him where applicable.

B - TWENTY-TWO COPIES (22) of a map showing all lots and owner's names within 200 feet of the property; if buildings exist thereon, the map shall be certified "location" map and clearly indicate such buildings and their approximate location, together with "prevailing set-back" dimensions.

C - TWENTY-TWO COPIES of a Plot Plan and clearly indicate such buildings thereon with all front, side and rear yard dimensions.

D - ONE (1) COPY OF LIST OF PROPERTY OWNERS SERVED, indication method of service on each, date of service, together with copies of the post office receipts, if any.

E - TWENTY-TWO COPIES OF SUBDIVISION, SITE PLAN, OR CONDITIONAL USE application, when applicable.

\*\*\*File all copies with the Secretary of the Board ONLY when a variance is sought.

I HEREBY CERTIFY THAT ALL THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT

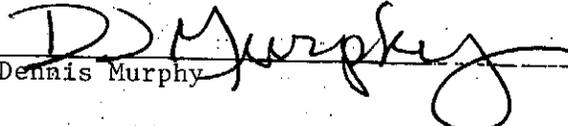
DATE 6/27/2015 SIGNATURE OF APPLICANT [Signature]  
Robert Fernandes, Member

If application signed by other than owner, state relationship of person signing:

If property is not presently owned by applicant, state name, address, and telephone number of owner:

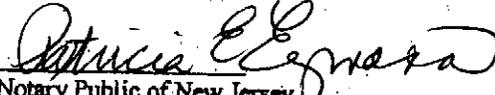
No

Signature of owner consenting to this application:

  
Dennis Murphy

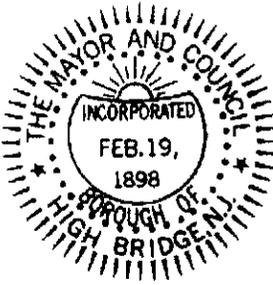
State of New Jersey  
County of Hunterdon

Sworn to and subscribed  
before me this 29  
day of June 2013

  
Notary Public of New Jersey

PATRICIA E. ENZMANN  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Mar. 24, 2016

\*\*\*NOTE: ATTACH COPY OF CONTRACT OF SALE.



# Borough of High Bridge

71 MAIN STREET, HIGH BRIDGE NJ 08829-1905  
Telephone: (908) 638-6455 x21 Fax: (908) 638-9374

A.YOUNG@HIGHBRIDGE.ORG  
www.highbridge.org

OFFICE OF PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT

**Name of Owner:** Dennis Murphy  
**Address:** 637 East Hill Road  
Califon, NJ 07830  
**Telephone:** (908) 832-7888 **Email:** djvmurphy@gmail.com

*I have reviewed this application & accompanying documentation & consent to filing of the same with the High Bridge Planning Board / Zoning Board of Adjustment.*

**Owner's Signature** Dennis Murphy **Date** 6-29-15

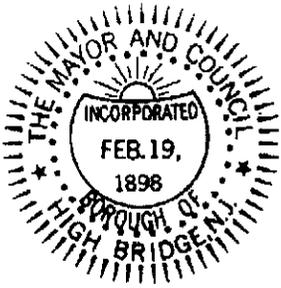
**Name of Applicant (if different from owner):** R. Fernandes Homes, LLC  
**Address:** 25 Mountainview Boulevard, Suite 200,  
Basking Ridge, NJ 07920  
**Telephone:** (908) 303-4510 **Email:** rob@rfernandeshomes.com

**Applicant's Signature** Robert Fernandes

**Name of Attorney:** Vincent T. Bisogno, Esq., Bisogno, Loeffler & Zelle, LLC  
**Address:** 88 South Finley Ave., P.O. Box 408  
Basking Ridge, NJ 07920  
**Telephone:** (908) 766-6666 **Email:** vbisogno@baskingridgelaw.com

**Name of Engineer:** Engineering & Land Planning Associates, INC.  
**Address:** 140 West Main Street  
High Bridge, NJ 08829  
**Telephone:** (908) 238-0544 **Email:** wingram@elp-inc.com

**Name of Applicant's Agent:** N/A  
**Address:** \_\_\_\_\_  
\_\_\_\_\_  
**Telephone:** ( ) \_\_\_\_\_ **Email:** \_\_\_\_\_



# Borough of High Bridge

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 www.highbridge.org  
 OFFICE OF PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT

I do hereby appoint Robert Fernandes to perform all duties as maybe required to  
 Agent's Name (please print)

Prosecute this application before the designated agencies & departments of the Borough I  
 do further acknowledge my agent will be the sole recipient of all documentation  
 (reports, agendas, etc.) produced by the Borough of High Bridge with regard to this matter.

[Signature]  
 Applicant's Signature  
 Robert Fernandes

6/29/2015  
 Date

[Signature]  
 Owners Signature Dennis Murphy

6/29/2015  
 Date

=====

### Property Information

Zoning District: DB Tax Map: Page: 11 Block 29.02 Lot: 12

Present use of Property: Vacant

Property Dimensions, etc.:

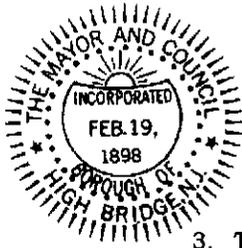
	Minimum	Actual	Proposed
Lot Area	<u>20,000 s.f.</u>	<u>33,933 s.f.</u>	<u>33,933 s.f.</u>
Lot Width at Street	<u>                    </u>	<u>                    </u>	<u>                    </u>
Lot Width of Setback Line	<u>                    </u>	<u>                    </u>	<u>                    </u>
Lot Depth	<u>                    </u>	<u>141</u>	<u>141</u>
Front Setback	<u>N/A</u>	<u>N/A</u>	<u>7.8</u>
Left Side Setback	<u>10</u>	<u>N/A</u>	<u>113' ±</u>
Right Side Setback	<u>                    </u>	<u>                    </u>	<u>28.7</u>
Rear Yard Setback	<u>15'</u>	<u>N/A</u>	<u>60.7</u>
Maximum Bldg Height	<u>45'</u>	<u>N/A</u>	<u>42'</u>
Structures, Blacktop & Other	<u>60%</u>	<u>0</u>	<u>12.8</u>
Coverage (SF)			
Lot Coverage %	<u>95%</u>	<u>49</u>	<u>40.1</u>

1. Is the property a corner lot?

No

2. Date this Applicant acquired the property or an interest in the property:

May 22, 2015



# Borough of High Bridge

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A YOUNG@HIGHBRIDGE.ORG  
www.highbridge.org  
OFFICE OF PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT

3. The Zone in which the property is located:  
DB
4. Acreage of entire tract:  
.78 Acres
5. Is the property located:  
On a County Road?     Yes  No  
Within 200 feet of a Municipal Boundary?     Yes  No  
Located on a State Highway?     Yes  No
6. Are there any existing or proposed deed restrictions, easements, right of ways or other dedication?     Yes  No (if yes please attach a copy)
7. Has this property been subject of any prior approvals or denials by the Planning Board of Board of Adjustment?     Yes  No (if yes, please specify)

What special reasons support the granting of the variance, if applicable?

N/A

Description of approval being requested:

Applicant is requesting preliminary and final site plan approval to construct a 12,245 s.f. apartment building with 12 units, two of which will be deed restricted for low and moderate income.

Please list requests for waivers of submission of documents and the reasons therefore:

Variance required for two parking spaces. Ordinance requires 23. Applicant proposed 21.



# Borough of High Bridge

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 AYOUNG@HIGHBRIDGE.ORG  
 www.highbridge.org  
 OFFICE OF PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT

Application Date: June, 2015 Block: 29.02 Lot: 12  
 Fees Paid: Application: \$ \_\_\_\_\_ Ck #: \_\_\_\_\_  
 Escrow: \$ \_\_\_\_\_ Ck #: \_\_\_\_\_  
 Application Address: \_\_\_\_\_

<u>APPLICATION TYPE:</u>	<u>FEE</u>	<u>ESCROW</u>
<input type="checkbox"/> Appeal \$ _____	_____	_____
<input type="checkbox"/> Request for Zoning Interpretation	_____	_____
<input checked="" type="checkbox"/> Hardship / Bulk Variance (Parking)	<u>120.00</u>	<u>2,000.00</u>
<input type="checkbox"/> Use Variance	_____	_____
<input type="checkbox"/> Conditional Use Permit	_____	_____
<input type="checkbox"/> Conceptual Review	_____	_____
<input type="checkbox"/> Minor Subdivision	_____	_____
(Total # of Lots _____)		
<input checked="" type="checkbox"/> Preliminary Site Plan	<u>900.00</u>	<u>2,000.00</u>
(_____ S.F. Improvements)		
<input type="checkbox"/> Preliminary Major Subdivision	_____	_____
(Total # of Lots _____)		
<input checked="" type="checkbox"/> Final Site Plan	<u>600.00</u>	<u>1,000.00</u>
(_____ S.F. Improvements)		
<input type="checkbox"/> Final Major Subdivision	_____	_____
(Total # of Lots _____)		
<input type="checkbox"/> General Development Plan	_____	_____
<input type="checkbox"/> Re-Submittal	_____	_____
<input type="checkbox"/> Other: _____	_____	_____
<b>Total Amount Paid:</b>	<b>\$ <u>1,620.00</u></b>	<b>\$ <u>5,000.00</u></b>

Fees can be found in the High Bridge Ordinances at [www.highbridge.org](http://www.highbridge.org)