



State of New Jersey

DEPARTMENT OF TRANSPORTATION

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PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Commissioner

SHEILA Y. OLIVER
Lt. Governor

August 24, 2021

Jaclyn Flor
Engenuity
2 Bridge Ave, Suite 323
Red Bank, NJ 07701

**Re: NJDOT Letter of No Interest
173 Maple Avenue
Route 35 NB MP 33.40
Block 103 Lot 1
Red Bank Borough, Monmouth County**

Dear Ms. Flor,

The Department has reviewed your July 6, 2021 letter which was received on July 13, 2021 and Sheet title: Construction Plan, Sheet Number 3 of 8 designed by Engenuity, dated 06/29/2021 and revised through 06/29/2021 and supporting materials requesting a Letter of No Interest for the above referenced site. Based upon the information submitted, the proposed total expansion of 1,930 sf. Medical-Dental Office Building & 1-unit Multifamily Housing (Low-Rise) will not create a significant increase in traffic as defined in the New Jersey State Highway Access Management Code. Accordingly, a new access permit will not be required.

This is a non-conforming lot with the maximum allowable trips of 66 trips in the AM Peak Hour, 66 trips in the PM Peak Hour and 66 trips in the Weekend Peak Hour. The proposed site (1,930 sf. Medical-Dental Office Building & 1-unit Multifamily Housing (Low-Rise)) is generating 9 trips in the AM Peak Hour, 9 trips in the PM Peak Hour, and 5 trips in the Weekend Peak Hour. Since the site does not have direct access to Route 35 and only has access to Waverly Place, it is assumed that 100% of the trips will utilize alternative access.

Also, please be advised that any physical changes to any of the Route 35 driveway(s) will cause a new permit to be required despite that the proposed total expansion of 1,930 sf. Medical-Dental Office Building & 1-unit Multifamily Housing (Low-Rise) not constitute a significant increase in traffic.

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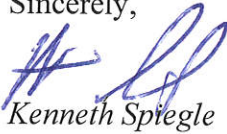
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The above conclusions were based upon the information provided and any change to these plans, or the proposed size and type of development may change the conclusions reached by the Department.

The State Highway Access Management Act and the State Highway Access Management Code describe activities, which require an access permit. N.J.S.A. 27:7-92(a) and N.J.A.C. 16:47-8.1(a). They also describe changes or expansions in use, which would require a new permit. N.J.S.A. 27:7-92(d) and 27:7-95(a); N.J.A.C. 16:47-4.3(a) and 16:47-2.1, "significant increase in traffic." Finally, they describe a category of permits that are "grandfathered." "Grandfathered" permits apply to all driveways and streets, which were in existence prior to September 21, 1992. N.J.S.A. 27:7-92(c) and N.J.A.C. 16:47-8.3. These citations may be helpful in understanding the conclusions that we reached.

I trust that this adequately responds to your request. If you have any questions concerning the above matters, please contact me at (609) 963-1247 or Kenneth.Spiegler@dot.nj.gov

Sincerely,



Kenneth Spiegler

Project Engineer

Office of Major Access Permits

New Jersey Department of Transportation