

AGENDA

PLANNING BOARD TOWNSHIP OF MIDDLETOWN November 4, 2020

MEETING TIME 6:30 PM – VIRTUAL MEETING through WebEx Event Center

For instructions and link to join this meeting from your mobile device or computer please copy and paste the following URL into your browser: <https://tinyurl.com/mtownpb1104> or
To call into the meeting, dial +1-408-418-9388
Enter the event access code 173 732 3808 Passcode: 2020

1. OPENING STATEMENT BY CHAIRMAN

2. ROLL CALL

MR. JOHN DEUS

MR. VLAD BERSON

Class IV Member
MR. CARL RATHJEN

Class I/Mayor's Designee
MS. ROSEANN ETESON

Class IV Member
MR. KEVIN COLANGELO

Class II/Public Official Member
MR. KEVIN SETTEMBRINO

Class IV Member
MR. STEVE SCHWEIZER

Class III/Township Committee Member

Class IV Member
MR. DAVID MERCES

Alternate #1

Class IV Member
MR. JOSEPH AMECANGELO

MR. JOHN RENTSCHLER

Class IV Member

Alternate #2

3. SALUTE TO THE FLAG

4. READING OF AGENDA BY THE SECRETARY

5. APPROVAL OF MINUTES

Minutes to be posted to Township Website Upon Approval

6. APPROVAL OF RESOLUTIONS

- 6.I. #2020-200, Middletown Walk
Available via Records Request after Adoption

7. ADMINISTRATIVE MATTERS

- **Payment of Vouchers**

- 7.I. Consistency Review - Ordinance No. 2020-3300 Amending Chapter 540, Planning And Development Regulations Sections 203 And 606

Documents:

[2020-3300 ORDINANCE AMENDMENTS CHAPTER 540-203 AND 540-606.PDF](#)

- 7.II. Capital Review - Navesink Fire Company

Documents:

[NAVESINK FIRE CO - FINAL_REVISIED PLAN.PDF](#)

PROJECT NARRATIVE - NAVESINK FIRE CO.PDF

8. OLD BUSINESS
9. NEW BUSINESS
10. ADJOURNMENT

For Questions related to the Agenda, please contact the [Planning Board Secretary](#).

ORDINANCE #2020-3300

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF MIDDLETOWN, COUNTY OF MONMOUTH
AMENDING CHAPTER 540, PLANNING AND DEVELOPMENT REGULATIONS
SECTIONS 203 AND 606**

WHEREAS, Middletown Township’s Planning and Development regulations include standards that control the location, scale and type of land uses within the Township; and

WHEREAS, on October 27, 2004, the Middletown Township Planning Board adopted a Comprehensive Master Plan, and said Master Plan was reaffirmed and readopted by the Planning Board on October 1, 2008, and thereafter updated on July 15, 2009, September 12, 2011, and August 6, 2014; and

WHEREAS, the Middletown Township Committee routinely reviews various zoning regulations and design standards in order to address particular issues that may arise on a Township-wide basis; and

WHEREAS, in accordance with Section 40:55D62 of the Municipal Land Use Law, the Middletown Township Committee is charged with adopting zoning standards ordinances relating to the nature and extent of uses of the land and of buildings and structures thereon in order to protect the general health, safety and welfare of the public.

NOW, THEREFORE, be it ordained by the Township Committee of the Township of Middletown, in the County of Monmouth, State of New Jersey that the code of the Township of Middletown be and is hereby amended and supplemented to read as follows:

(Additional regulations or amended text indicated in **bold type**; deleted text is shown in *strikethrough italics*.)

Section 1

540-203 Definitions

LOT COVERAGE

The area of the lot covered by buildings and structures and accessory buildings or structures and expressed as a percentage of the total lot area. For the purpose of this Ordinance, lot coverage shall include all parking areas and automobile access driveways and internal roadways, whether covered by an impervious or pervious material, patios associated with an in-ground or above-ground swimming pool, and all other impervious surfaces except for the following:

- A. Exterior walkways and plazas designed exclusively for pedestrian use as part of a commercial, industrial, or office development and which are part of an overall landscaping plan acceptable to the Planning Board or Zoning Board of Adjustment.

- B. Unroofed patios not associated with an in-ground or aboveground swimming pool, terraces, and decks, provided the patios, terraces, and decks do not exceed 1,000 square feet in area and maintain a minimum side yard and rear yard setback of 10 feet each except in the R-10, RTF, R-7, R-5, R-O zone districts, and R-15 nonconforming 5,000 to 10,000 square foot lots and R-15 nonconforming less than 5,000 square foot lots, where the minimum side yard and rear yard setback shall be five feet each, and pedestrian walks which are accessory to a single-family dwelling, **and sidewalks, of no greater than three feet, located around a lawfully existing and approved swimming pool.** [Amended 11-16-2015 by Ord. No. 2015-3155]
- C. In-ground or aboveground swimming pool surface areas up to 800 square feet; the surface area of an in-ground or aboveground swimming pool above 800 square feet shall be considered as lot coverage.

CABANA

A one-story, ground level detached accessory structure with a closed roof permitted to serve a lawfully existing and approved inground swimming pool on a residential property to be used for recreational or storage purposes associated with the residential use of the property. Only one pool cabana is permitted per residential property. In addition, cabana shall comply with the following:

A.

Lot Size (square feet)	Maximum cabana size (square feet)
10,000 – 22,000	150
22,001 – 45,000	200
45,001 or more	250

- B. **The pool cabana must be seasonal (closed for at least 90 days) and is not permitted to have heating equipment, air conditioning, contain a full service kitchen or be designed for cooking or sleeping.**
- C. **A deed restriction containing the following language to be filed with the Monmouth County Clerk’s office:**

The grantor and grantee specifically represent and warrant that this deed contains a Deed Restriction whereby the cabana use will not contain heating equipment, bedroom and/or living quarters, full service kitchen or be designed for cooking or sleeping. This deed restriction is intended to prohibit conversion to a habitable space.

- D. **Cabanas shall meet the accessory setback requirements for the zone in relation to the location in the yard, lot coverage and setback as well as additional requirements set forth within Section 540-508.**

Section 2

540-1 Attachment 1

Appendix A

Schedule of Permitted Uses (540-902.B)

- A. Cabanas are to be a permitted accessory use in the R-220, R-130, R-110, R-90, R-45, R-45A, R-30, R-22, R-22A, R-15, R-10, RTF, R-7, R-5, R-0, RR, and B-1 zones.**

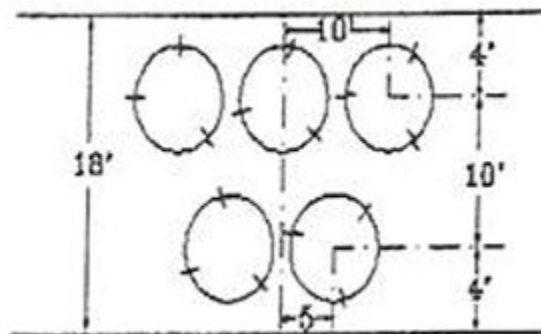
Section 3

540-606 Buffer areas and screening.

- A. Buffers shall be required for residential tracts fronting on arterial and collector streets **to be subdivided into more than three lots**; on the perimeter of all tracts zoned for **townhouse and multifamily residential development**, and industrial zone districts; and on the perimeter of all tracts of nonresidential uses which abut areas zoned residential or abut conforming residential uses.
- B. A buffer shall include an area, topsoiled and containing ground cover, seed, and/or sod and appropriate plantings of evergreen, and deciduous trees and shrubs. Where buffers are required, the buffer shall be at least 50 feet wide and located within common open space areas. In no case shall part of the private yard area assigned to an individual dwelling be considered as part of the buffer. A landscaped buffer screen, where required, shall comply with the following minimum standards:
- (1) Shrubs and trees required as buffer elements shall be comprised of a variety of species approved by the Municipal Agency based on the recommendations of the Township Engineer's Office and shall conform to the current American Standard for Nursery Stock sponsored by the American Association of Nurserymen, Inc.
[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
 - (2) Where a commercial, business, or industrial use abuts an existing residential zone, a landscaped buffer, at least 50 feet wide, shall be required along the perimeter and within the commercial, industrial or business use lot.
 - (3) Preexisting vegetation and trees shall be preserved and incorporated into the landscaped buffer, provided that additional plantings will be incorporated to comply with the minimum standards above.
 - (4) A berm may be used as part of the landscaped buffer screen in which case the landscaping requirements may be reduced in minimum height and quantity, provided a suitable and attractive visual screen is maintained. The berm shall not be less than three feet horizontally. The design of the berm shall be reviewed by the Township Engineer.

- (5) The intensity of the buffer screen may be reduced by the Planning Board if it is found that the proposed use is visually attractive and not detrimental to the appearance of the neighboring uses.
 - (6) Within a buffer area, no use, activity or sign shall be established other than the following:
 - (a) Driveways which are necessary to provide proper means of ingress and egress for parking areas. Driveways, when located in a buffer, shall provide direct access from the road or right-of-way line to the nearest non-buffered area. Loop or peripheral roads shall not be located within a buffer area.
 - (b) Directional signs in conjunction with said driveways which are necessary for the proper guidance and control of vehicular traffic, provided that not more than one such sign is erected in conjunction with each driveway. Project identification signs shall also be permitted.
- C. Within buffer areas required by § 540-606A above, there shall be provided screening in accordance with the following regulations:
- (1) Except as otherwise provided herein, the screening area shall be a minimum of 18 feet in width and shall be planted with evergreen trees approved by the Municipal Agency based on the recommendations of the Township Engineer's office. Trees shall be planted in two staggered rows 10 feet apart and shall be between six and eight feet in height and shall conform to the current standard for nursery stock of the American Association of Nurserymen. Within each row, the trees shall be planted on ten-foot centers (Figure No. 1). The Municipal Agency may vary the spacing of the trees depending upon the species and the size of the specimens.

**Figure No. 1, Standard Screening
Double Staggered Row of Evergreen Trees**



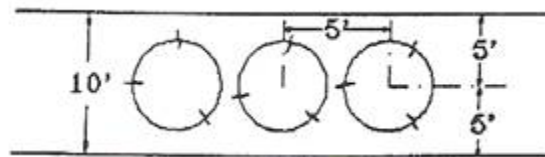
[2] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (2) In cases where it is determined to be desirable by the Municipal Agency, evergreen trees planted with a minimum height of four feet may be substituted for the six-foot trees required under § 540-606, provided that the developer shall install a solid six-foot-high stockade fence along the outside of the required screening strips in accordance with § 540-616 prior to commencing the construction of improvements on the site. The spacing of the trees may be varied by the Municipal Agency depending upon the size and species of the specimen to be used. The stockade fence shall be maintained in good condition by the

developer as long as it exists or until such time as the evergreen trees have grown to a minimum height of 10 feet, at which time the developer may remove the stockade fence in lieu of maintaining it.

- (3) Where suitable trees exist within a screening area, they should be retained and supplemented with shade-tolerant evergreen trees to provide the equivalent of the required screening as determined by the Municipal Agency.
- (4) Where all proposed buildings, parking areas, and other improvements are located 100 feet or more from a property line abutting a residential zone or use, the Planning Board may permit a screening area 10 feet in width planted with a single row of evergreen trees in a location approved by the Municipal Agency planted on five-foot centers with a minimum height of six to eight feet of a type and species to be substituted for the screening area required in Figure 1 (see Figure 2 below). Spacing requirements for the buffer plantings may be varied by the Municipal Agency depending upon the size and species of the specimens to be used.

**Figure No. 2, Modified Screening
Single Row of Approved Evergreen Trees**



- (5) The required height for a screening area shall be measured in relationship to the elevation of the land at the nearest required rear, side or front yard setback line of the abutting residentially zoned properties. Where the average ground elevation of the location at which the screening strip is to be planted is less than the average ground elevation at the nearest required rear, side or front setback line on the abutting residentially zoned property, the Municipal Agency may require the height of trees planted in the required screening strip be increased by an amount equal to the difference in elevation. Where the average ground elevation of the location of which the screening strip is to be planted is greater than the average ground elevation at the nearest required rear, side or front setback line on the abutting residentially zoned property, the Municipal Agency may permit the height of trees planted in the required screening strips to be decreased by an amount equal to 1/2 the difference in elevation, except that in no case shall the required height be reduced to less than four feet.
- (6) All trees in a screening area shall be watered weekly through the first growing season. The developer shall construct a six-inch-deep earth saucer six inches outside the drip line of each tree to hold water and fill with wood chips or other suitable mulch. Trees shall be nursery grown, balled and bagged, sheared and shaped, of the required height and planted according to accepted horticultural standards.

(7) At the following locations within required screening areas, evergreen shrubs with a maximum mature height of 30 inches or less, approved by the Municipal Agency as to type, location and spacing, shall be provided in lieu of the evergreen trees specified above.

(a) Within sight triangle easements.

(b) Within 25 feet of intersections where sight triangle easements are not provided.

(c) Within 25 feet of access drives.

(8) Waiver. The Municipal Agency, after examination and review, may waive, fully or partially, provisions of this section in heavily wooded areas, in areas unsuitable for plantings or because of other exceptional conditions, and/or may require supplementary plantings.

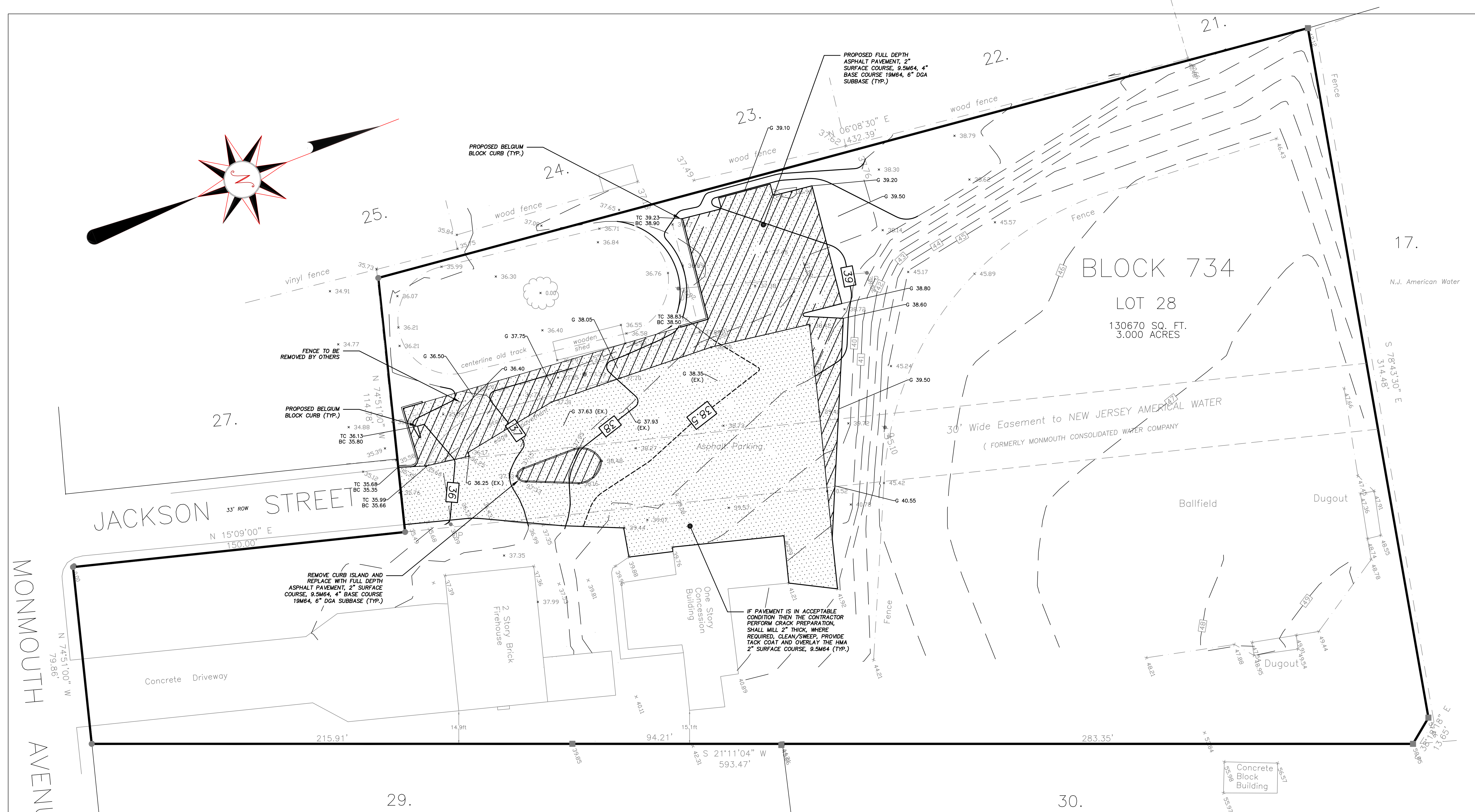
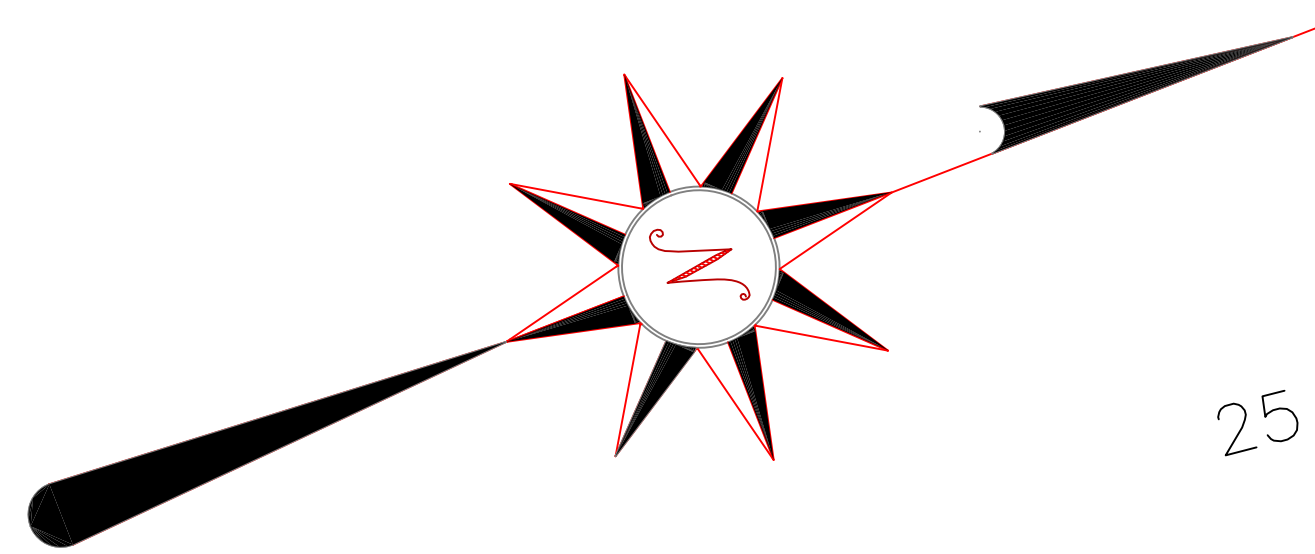
PASSED ON FIRST READING:

PASSED AND APPROVED:

Anthony Perry, Mayor

ATTEST:

Heidi R. Brunt, Township Clerk

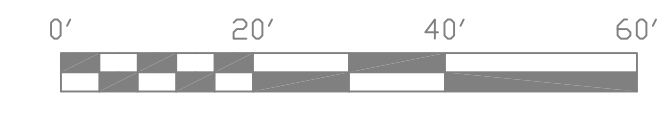


LEGEND

* 36.74 spot elevations

Expansion & Overlay drawing have been prepared by Members of Navesink Hook & Ladder Fire Co. #1.

Parking lines to be sketched at a later date in conjunction with the line striper.



Elevations refer to National Geodetic Vertical Datum of 1929 (NGVD-29). Local Bench Mark Elevation = 42.12 at concrete monument at north west property corner of Lot 28.

Contour interval = 1.0 ft.

I HEREBY CERTIFY TO:
NAVESINK HOOK AND LADDER COMPANY

THIS SURVEY HAS BEEN ACCURATELY PREPARED WITH THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF, BASED ON ACTUAL MEASUREMENTS TAKEN ON THE SITE.
Date of Topography: 2-27-20

RICHARD E. STOCKTON
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE NO. 15102

PARTIAL TOPOGRAPHY FOR
NAVESINK HOOK & LADDER CO.

LOT 28 BLOCK 734
MIDDLETOWN TOWNSHIP, MONMOUTH CO., NJ

RICHARD E. STOCKTON & ASSOC., INC.
SURVEYING & MAPPING-PLANNING-CONSTRUCTION SURVEYING
PO BOX 124, ATLANTIC HIGHLANDS, NJ 07716, 732-872-2827
Certificate of Authorization: 246A27987100

RICHARD STOCKTON, REGISTERED LAND SURVEYOR NO. 15102

DATE: 2-27-20	FILE: 2067	DRAWN: RLT	JOB NO: 5077
SCALE: 1" = 20'	CAD#: N-5077.dwg	CHECKED: Res	DWG NO: D-721 A

NAVESINK HOOK AND LADDER Co., No. 1

MIDDLETOWN TOWNSHIP VOLUNTEER FIRE DEPARTMENT
POST OFFICE BOX 341
NAVESINK, NEW JERSEY 07752



October 28,2020

Middletown Township Planning Board
1 Kings Highway
Middletown, NJ 07748

PROJECT NARRATIVE: Navesink Firehouse Parking Lot Expansion and Paving Proposal

Thank you for allowing the Navesink fire company members to present this capital review to the Planning Board, a proposal to expand and repave the existing parking lot behind our firehouse building located at 141 Monmouth Avenue in the Navesink section of Middletown Township.

For many years, due to the condition of current surface, the fire company has had intentions of adding an asphalt top-coat to the parking lot, however, we had taken on other capital projects that we felt needed to be accomplished first. We now have the means and a proposed plan which resurfaces the existing paved area and expands the lot with about 20% more parking space. In addition, drainage improvements will be made to the existing topography, an existing utility pole will be removed with the electrical sources needed for our Annual Firemen's Fair moved underground and an existing island at the entrance will also be removed. Once completed, in addition to parking spaces, the lot will be striped to ensure ease of entry and exit from the area, and define a dedicated pathway for emergency equipment to access the ballfield at all times.

Front and center with this plan is safety. The existing pavement was installed piecemeal over many years, much of inadequate thickness and with many uneven surfaces. The utility pole, guide wires and the island are tripping and collision hazards. We wish to have a fresh, flat surface clear of any obstruction for our visitors and members; whether for the Firemen's Fair, the many meetings and events held at the firehouse, or the fans and players using the little league ballfield that we maintain on the firehouse grounds. The Sandy Hook Recreational Little League teams have used our field for many years, and it is the home field for a local youth baseball travel team. The ballfield plot is also a registered landing zone for medevac helicopters.

A goal, also, is to provide a better footprint to conduct the annual Firemen's Fair, our largest of all fundraising events, held on the firehouse grounds each year for about 130 years. Providing a level, clean and expanded surface will give us the space to not only spread-out the activities, but to also have enough room to set-up the event in an optimal layout depending on what activities we choose to have onsite year to year.

In the two areas where there will be expansion of lot surface, precipitation will infiltrate the soil surrounding those areas. It should be noted that we have asked for advice from Township Engineer, Ted Maloney throughout our scoping study, and he is in agreement with this final plan. We thank Ted for his assistance.

In closing, the firehouse property resides in the Navesink Historical District. At the direction of the Township Planner, we will be submitting this plan to the Middletown Township Landmarks Commission as well.

We would be happy to answer any questions that you may have.