



MIPB-R9140

December 18, 2025

Ms. Debi Yuro, Secretary  
Township of Middletown Planning Board  
One Kings Highway  
Middletown, New Jersey 07748

*via E-Mail (dyuro@middletownnj.org)*

**Re: Milano Brothers, LLC  
Walada Avenue & Arlington Avenue  
Blocks 122, 158, & 159, Lots 122, 1, & 3  
Preliminary & Final Major Subdivision  
First Engineering Review**

Dear Board Members:

As requested, our office has reviewed the above referenced Preliminary & Final Major Subdivision application, consisting of the following:

- Preliminary & Final Major Subdivision Plan, prepared by Robert D. Sive, P.E., of Crest Engineering Associates, Inc., dated May 30, 2023, last revised September 29, 2025, consisting of thirteen (13) sheets.
- Final Plat prepared by Daniel P. Hundley, P.L.S., of Crest Engineering Associates, Inc., dated April 23, 2025, last revised September 29, 2025, consisting of one (1) sheet.
- Boundary and Topographic Survey prepared by James J. Heiser, P.L.S., of DPK Consulting, LLC, dated December 23, 2023, last revised September 22, 2025, consisting of one (1) sheet..
- Tree Management Plan prepared by Robert D. Sive, P.E., of Crest Engineering Associates. Inc., dated March 20, 2025, consisting of one (1) sheet.
- Soils Report prepared by Z. John Zingis Jr. of Air, Land & Sea Environmental Management Services, dated July 19, 2022.
- Completeness Review, prepared by Amy Citrano, P.P. of the Township of Middletown, dated October 8, 2025.
- NJDEP Land Use Permitting Report
- NJDEP LOI Extension Letter prepared by Ariana Tsiaattalos, of NJDEP, dated December 22, 2022.

Based on our review and site visit, we offer the Board the following comments and suggestions:

#### **A. Project Description**

The tract in question consists of Lot 1 of Block 1589, Lot 2 of Block 159, and Lot 122 of Block 12 and located within the R-7 zone. The tract fronts on two unimproved right-of-way paper streets, Arlington Avenue and Barton Place. The overall tract area is undeveloped and wooded.

The applicant is seeking Major Subdivision approval to subdivide three (3) combined lots as well as vacate a portion of the Arlington Avenue right-of-way for the creation of four (4) new lots fronting on Barton Place. The subject application proposes the construction of four (4) single family residential dwellings within the proposed lots, along with constructing a new roadway and cul-de-sac on Barton Place with associated curbing and sidewalk to connect to Walada Avenue. Utility extensions are proposed from Walada Avenue to service the proposed dwellings. Additionally, the applicant proposes to construct an underground infiltration system within proposed Lots 1 & 2, as well as individual drywell systems on each of the four proposed Lots.



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### B. Variances and Design Waivers

ORDINANCE SECTION	ORDINANCE REQUIREMENT	PROPOSED CONDITION	VARIANCE/WAIVER REQUIRED?
<b>540-624.K</b>	The building envelope for any lot shall be of such dimensions that it shall be able to contain within it the shape of a circle whose minimum diameter is not less than 50 FT	Lot 1: 44 FT Lot 2: 44 FT Lot 3: 44 FT Lot 4: 44 FT (Applicant to Confirm)	Variances Required for Proposed Lots 1, 2, 3, & 4
<b>540-916.(3)</b>	Minimum Lot Frontage of 75 FT.	Lot 1: 39.27 FT Lot 2: 64.00 FT Lot 3: 39.27 FT Lot 4: 66.45 FT	Variances Required for Proposed Lots 1, 2, 3, & 4
<b>540-609.I.(3)</b>	The minimum slope for lawns shall be 3/4%	Approximately: Lot 3: 0.4% Lot 4: 0.4%	Waivers Required for Proposed Lots 3& 4
<b>540-609.I.(4)</b>	The maximum lawn grading within five feet of a building is 10%.	Approximately: Lot 1 = 21% Lot 2 = 49% Lot 4 = 34%	Waivers Required.
<b>540-612.J</b>	Access drives for single- and two-family dwellings shall have a minimum width of 10 feet and a maximum width of 12 feet when they provide access to a one-car garage	Lot 1: 15 FT Lot 2: 15 FT Lot 3: 15 FT Lot 4: 15 FT	Testimony to be provided.
<b>540-619.B.4</b>	Garages, whether attached or detached, shall be arranged to open to the side or rear of the lot, except fully detached garages located entirely to the rear of the principal building.	Garages to open to the front of the lot.	Waiver Required.
<b>540-622.B.6</b>	Besides screening and street tree requirements, additional trees shall be planted throughout the subdivision. The number of trees planted shall be not less than 10 per acre, calculated on the basis of the entire subdivision tract.	No additional trees proposed.	Waiver Required.
<b>540-631.C.2(a)</b>	Flexible asphalt concrete pavements shall have an equivalent structural depth of at least 10 inches for local, local collector, and minor collector streets. Having a minimum wearing surface of not less than 1 1/2 inches of pavement, hot-mix asphalt (HMA) (Mix 9.5M64), and a minimum HMA (Mix 19M64) base course of not less than 2 1/2 inches and a dense-graded aggregate base course to provide the remaining depth.	The applicant does not propose 9.5M64 HMA Surface Course or 19M64 HMA Base Course. Porous asphalt pavement proposed.	Waiver Required.



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ORDINANCE SECTION	ORDINANCE REQUIREMENT	PROPOSED CONDITION	VARIANCE/WAIVER REQUIRED?
540-634.A	<p>Sidewalk construction shall be required on both sides of all streets within a development and entirely around the perimeter of all cul-de-sacs. Where the development abuts only one side of an existing street, the sidewalks shall only be required for that side.</p> <p>Sidewalks shall also be constructed at other places, such as pedestrian walkways, access points to open space or where the sidewalk can connect to another existing sidewalk system.</p>	<p>Sidewalk is only proposed along both sidewalks of the street, with the exception of the north side of Barton Place abutting adjacent Lot 4.</p>	Waiver required.
540.641.G	Minimum two-way pavement width shall be 30 ft. for local roads.	Roadway Width: 28 FT	Waiver Required.
540-651.B	In zone districts in the Township where the maximum percent of lot coverage is greater than 15%, no more than 40% of such wooded areas within the net tract area may be cleared or developed. The remaining 60% shall be maintained as permanent open space or preserved within the lot.	Approximate Clearing Limit > 40%	Waiver Required.

### **C. Off-Site and Off-Tract Improvements**

1. The applicant proposes a pervious pavement drainage system within the public roadway of Barton Place. This proposal will create challenges of ensuring restoration of this drainage system to its original design specifications if/when future excavation/repairs are conducted by the Township, Utility Authorities, or local contractors. In addition, maintenance of the system will be challenging for the Township. As such, we do not recommend this drainage proposal. The applicant shall investigate alternative drainage solutions to eliminate this system from the Township Right-of-Way.
2. The applicant proposes a 28 ft. wide paved road with an approximately 18.5 ft. radius cul-de-sac within the Barton Place Right-of-Way. The proposed radius does not meet Township Ordinance§540.641.D.(3) to provide a 50 ft. paved radius, nor does it meet RSIS requirements for cul-de-sacs which require a 40 ft. radius and an additional 8 ft. radius beyond the edge of the cartway to the proposed Right-of-Way (48 ft. radius R.O.W.). The applicant shall review the design and provide plans complying with RSIS and Township requirements. In addition, the applicant shall provide the radius dimension of the paved area of the cul-de-sac on the plans, currently, the only dimension provided is the radius to the proposed Right-of-Way.



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3. The applicant proposes sidewalk along the property frontages as well as on the south side of Barton Place to the intersection of Walada Avenue. No sidewalk is proposed on the north side of Barton Place to connect to this intersection. Per Ordinance §540-634.A, sidewalk is required on both sides of all streets within a development. If sidewalk is not installed, an appropriate contribution should be made in accordance with Ordinance §540-419.A. It should be noted that sidewalks are required per RSIS requirements.
4. The applicant shall be responsible to mill and overlay the pavement along Walada Avenue with 2 inches of 9.5M64 surface course pavement to 1 ft. beyond the outside limits of trenching or, to the opposite side curb line if trenching extends beyond the centerline. Repair areas shall be rectangular in nature. Based on available mapping, it appears the existing gas main is in the west side of Walada Avenue and additional excavation and street restoration will be required than depicted on the plans.
5. The applicant shall be aware that any damages to the existing pavement due to the proposed construction shall be repaired or replaced to the satisfaction of the Township Engineer.
6. We recommend the applicant provide crosswalk and stop bar striping at the intersection of Walada Avenue.
7. The plans shall be revised to dimension the proposed curb radii at the intersection of Walada Avenue. The minimum curb radius shall be 5 ft.
8. The applicant proposes a sanitary sewer extension from Walada Avenue. We defer to TOMSA for review of the sanitary sewer improvements.
9. The applicant is proposing to relocate a fence that exists within the Barton Place Right-of-Way which appears to be owned by Lot 4. The fence is proposed to be relocated within the property boundaries of Lot 4. Based on aerial imagery, it appears there is an existing above-ground pool in the rear yard of Lot 4 which may conflict with the relocated fence. The applicant shall provide testimony regarding this. A construction easement agreement will be required to be obtained from the owner of Lot 4.

#### **D. Site Requirements/Layout**

1. It is noted that no-parking restrictions are proposed on both sides of the proposed roadway. The R7-1 sign detail shall be revised to be consistent with MUTCD standards.
2. The applicant is proposing driveways and garages on each lot. Per RSIS a one-car garage and driveway combination count as 2 spaces. therefore, it appears that adequate parking is provided for the proposed single-family dwellings, however, the applicant shall provide testimony to confirm.
3. The applicant proposes 15 FT wide driveways with garages. Per Ordinance §540-612.J., access drives for single-family dwellings with a one-car garage are permitted to be a maximum of 12 FT and drives serving two-car garages may be up to 24 FT wide. The applicant shall confirm if the garages are proposed as one- or two-car garages. A design waiver may be required upon further review.



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4. The applicant shall note locations of A/C and other mechanical equipment on the individual plot plans, these areas shall be screened in accordance with the requirements of the Ordinance and shall meet any applicable setback requirements.
5. It is noted that the nearest existing fire hydrant is located on the corner of Walada Avenue and Main Street, over 400FT from the intersection of Walada Avenue and Barton Place. The applicant proposes a fire hydrant at the cul-de-sac bulb. We defer further review to the Township Fire Advisory Board.
6. The plans shall revise the circle diameter to be measured within the lot's buildable envelope.

**E. Drainage/Grading**

1. The proposed area of disturbance exceeds 1.0 acre (1.02 acres) and the increase in motor vehicular surface (0.18 ac) and non-motor vehicular impervious surface (0.18 ac), therefore, the project is considered a “major development” as defined by N.J.A.C. 7:8, and is subject to the NJDEP Stormwater Management standards.
2. The applicant indicates that the stormwater quantity requirement is addressed by reducing the post construction peak runoff rates and the volumes for the 2, 10 and 100-year storm events by using (2) drywells for each proposed dwelling, Pervious Paving driveway systems and a stone trench.
3. This project increase in motor vehicle impervious surface area does not exceeds 0.25 acres; therefore, the water quality requirements are not applicable per N.J.A.C. 7:8-5.5.
4. The applicant indicates that the project meets the groundwater recharge requirements to maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site, in accordance with N.J.A.C. 7:8-5.4(a)2i(1) by (2) drywells for each proposed dwelling, Pervious Paving, driveway systems and a stone trench.
5. The applicant is proposing pervious pavement within the new Barton Place roadway. After discussion with the Township Engineer, this is not an acceptable design for a municipal roadway. The Township does not have the capabilities to maintain this system and this system does not meet Township Roadway standards. The applicant shall re-evaluate the drainage design to remove pervious pavement from within the Township Right-of-Way and provide an alternative design.
6. Per Section 7:8-5.8(c) of RSIS, the responsibility for maintenance of the stormwater system in a residential development shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The applicant shall provide testimony confirming that the stormwater systems will be maintained by a Homeowners Association (HOA). HOA documents outlining maintenance responsibilities shall be provided as a condition of any approval.



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7. The application shall provide the following documents for review,
  - FEMA Map
  - Test pits information on “Grading and Drainage Plan”
  - Roof drain connection to the drywells
  - Locations of the inspection port for the stone trench and drywells.
  - Infiltration basin notes.
  - Stormwater Management Facilities Operations & Maintenance.
  - the X (1/2 length of basin, X direction in feet) and Y (1/2 length of basin, Y direction in feet) swapped Groundwater Mounding Calculations
8. The applicant appears to propose flood vents at each dwelling and is within the fluvial 100-year floodplain. The applicant shall confirm and provide the following,
  - a. Confirm compliance with the NJDEP Flood Hazard Area (FHA) rules.
  - b. Provide all required permits associated with this project.
  - c. Depict the flood plain limits on the plans.
  - d. We defer to the Township Floodplain Administrator for any additional comments.
9. According to NJ SWM BMP Chapter 12, Soil Testing Criteria, Section 2.3, two (2) soil borings are required for each green infrastructure if the BMP is greater than 500 square feet in area.
10. Applicant shall provide the offsite (adjacent lots) topo and contours to ensure no offsite runoff sheet flows onto adjacent properties.
11. Applicant shall revise the width of the Stone Trench Detail from 5.5' to 10' in the plan view detail.
12. Pursuant to NJAC 7:8-5.2(m) all stormwater management measures must be reflected in a deed notice recorded in the Office of the Monmouth County Clerk. A form of deed notice should be submitted to the Township for approval before filing.
13. As part of the NJDEP Stormwater reporting procedures the applicant should complete and submit to the Township Engineer the NJPDES Tier A, MS4 – Attachment D – Major Development Stormwater Summary sheet upon final approval from the Board. A copy shall also be provided to the Board Engineer.
14. Pursuant to Ordinance 540-609.I.((3), a minimum yard slope of 0.75% is required, whereas there appear to be areas in Lots 3 & 4 with slopes as low as approximately 0.4%. The applicant shall review and increase the minimum slopes proposed, as feasible.
15. The plans should be revised to reduce/eliminate the slopes within 5 feet of the buildings to a maximum of 10% in accordance with Ordinance 540-609.I.((4).
16. Detailed grading information shall be provided for the proposed curb ramps along Walada Avenue.



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#### **F. Environmental**

1. It is noted that the applicant has received a Freshwater Wetlands Letter of Interpretation – Extension which verified the absence of any wetlands on the property. This extension is valid until October 2027.
2. It is noted that this property is located within the AE-13 Flood zone. We defer further review to the Township Floodplain Manager.

#### **G. Lighting and Landscaping**

1. The applicant is proposing post top streetlights with a 16 ft. mounting height. The applicant shall confirm that the proposed streetlighting meets the requirements of the Ordinance, Section 540-643.
2. Per section 540-528.C.12(a) of the Ordinance, light spillage shall not exceed 0.5 foot-candles beyond any property line. Based on the proposed lighting levels it appears that there is spillage into Lots 4 and 5 exceeding 0.5 fc. The plans shall be revised to address this. The applicant shall also address any issues with glare and provide adequate shielding for nearby residences.
3. The applicant shall review the lighting at the southern curb ramp on Walada Avenue. It appears an existing streetlight on Walada will provide additional illumination for this crossing. However, this was not modeled in the lighting plan. The applicant shall confirm that the crossing will be adequately lit.
4. A Light Pole Foundation construction detail shall be provided.
5. The lighting schedule and plans shows a quantity of 5 total light poles, but the colonial post top standard detail states 6 total streetlights. The applicant shall revise the plans accordingly.
6. The applicant shall confirm that the proposed lighting will be directed downwards.
7. The applicant shall confirm if the proposed lighting will be dark sky compliant.
8. Ordinance §540-651.B permits no more than 40% of wooded areas within the net tract area to be cleared or developed. The proposed clearing appears to exceed this requirement. The plans shall be revised to confirm.
9. Ordinance §540-645 requires street trees to be planted at a maximum spacing of 30 ft. on center. Based on a total frontage of 209 FT, 7 street trees are required whereas 5 are proposed. The plans shall be revised to comply, or a design waiver will be required.
10. In addition to street tree requirements, Ordinance §540-622.B.6. requires 10 additional trees per acre to be planted throughout subdivisions, whereas no additional trees are proposed. The plans shall be revised to comply, or a design waiver will be required.



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11. Ordinance §540-645.E.2. requires shade trees to have a minimum caliper size of three (3) inches, whereas, the plans note 2.5 to 3 inches. The plan shall be revised to provide a minimum of 3-inch caliper.
12. Ordinance §540-645.B requires that proposed street trees shall not lie closer than five feet to sidewalks. The plans shall be revised to confirm compliance with this requirement.
13. The applicant has provided a Tree Management Plan. The following comments pursuant to the tree removal and replacement requirements of Ordinance 2024-3446 are offered:
  - a. The plan bases tree removal on 0.1-acres tree inventory plots. As less than 1 acre of the tract is proposed to be cleared, the number and species of trees to be removed are to be based on the actual count.
    - i. The tree count shall include the existing tree along the north lot line of Lot 5, which is located outside the limit shown on the woodlands management plan, as it would require removal for the construction of the roadway and sidewalk.
  - b. Per the tree removal and replacement calculations, a total of 212 replacement trees are required. The landscaping plan proposes 5 street trees, however only up to 5% of trees required by a landscaping plan may be credited towards replacement requirements. Therefore only 1 street tree may be credited as a replacement tree.
  - c. The applicant shall advise how they will comply with the tree replacement and/or waiver requirements by either providing the remaining 211 trees on-site, by providing the remaining 211 trees off-site, or, if a waiver is approved by the Board, by providing a contribution to the Tree Replacement Trust Fund.
  - d. The Tree Management Plan and tree replacement requirements are also subject to review to the Township Engineer, Township Planner, and the Township's Tree Expert. We defer further review to them for same.
14. It appears a marginal +/-6" buffer strip is proposed between the curb and sidewalk which will be difficult to maintain. We recommend this be eliminated.

## **H. Subdivision**

1. The applicant proposes right-of-way vacations for portions of the unimproved paper streets, Arlington Avenue and Barton Place. As a condition of approval, the applicant will be required to receive approval the Township Committee prior to filing the subdivision. The limits of the Right-of-Way vacations should be reviewed by the Township Engineer. The Township Committee should also determine if the additional sections of Arlington Avenue within these areas should remain as paper streets or be vacated to the adjacent properties.
2. The applicant shall obtain confirmation in writing from the Township Tax Assessor that the proposed lot numbering is acceptable. Additionally, the existing lots are within separate blocks, however the proposed lot numbering does not indicate which block the proposed lots will be a part of. This should be confirmed with the Tax Assessor as well.
3. The plan shall be revised to include additional curve data for the proposed lots lines along the cul-de-sac (delta angle/chord distance/chord bearing).



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4. Drainage and utility easements are depicted on the plans. The Subdivision plan should be revised to further dimension the proposed easements from proposed lots lines and provide additional line/curve data for confirmation of easement limits.
5. If approved, easement documents and metes and bounds descriptions for all easements shall be provided for review by the Board Engineer and Board Attorney.

#### **I. Miscellaneous**

1. The plans shall be revised to depict existing structures on adjacent lots abutting the property. Additionally, Lots 4 & 5 should further detail existing improvements on the property to help further assess any impacts of the proposed improvements.
2. The plans shall be revised to properly indicate all waivers and variances required/requested for this application.
3. The final plan submitted for signatures must be signed by the owner and notarized.
4. The applicant shall be responsible to obtain a road opening permit from the Township Department of Public Works for utility connections on Walada Avenue.
5. A note shall be added to the plan stating that all improvements will be ADA/PROWAG compliant where applicable.
6. Approvals or letters of service should be obtained from the following agencies:
  - Middletown Township Fire Advisory Board
  - Township of Middletown Sewerage Authority (TOMSA).
  - Monmouth County Planning Board
  - NJDEP
  - Freehold Soil Conservation District.
  - New Jersey American Water
  - New Jersey Natural Gas
  - Comcast Cable
  - JCP&L
  - Verizon
  - All other agencies and departments having jurisdiction.



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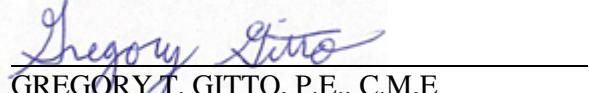
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If you have any questions or require additional information, please call.

Very truly yours,

**T&M ASSOCIATES**

**ROBERT R. KEADY, P.E., C.M.E.**  
**MIDDLETOWN PLANNING BOARD ENGINEER**

  
**GREGORY T. GITTO, P.E., C.M.E.**  
**GROUP MANAGER**

RRK:GTG:GMM:AJA

cc: Amy Citrano, PP, AICP, Director of Planning, ([acitrano@middletownnj.org](mailto:acitrano@middletownnj.org))

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