

TOWNSHIP OF MIDDLETOWN

Planning Board
1 Kings Highway
Middletown, NJ 07748-2594

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TECHNICAL MEMORANDUM

DATE: January 24, 2022
BOARD: Planning Board
APPLICATION: Barbieri/Adamo (#2019-107)
142 New Monmouth Road
Block 630, Lot 25
Preliminary & Final Minor Subdivision Plan
Second Review (1st Review: February 11, 2020)

PROJECT DESCRIPTION

The application is seeking approval to subdivide an existing lot containing a total area of +/- 43,488 square feet into two (2) new lots, Lot 25.01 and Lot 25.02, for single family residential homes. The proposed lots will contain 21,744 square feet. The applicant is proposing to remove two (2) areas of the existing driveway containing a total area of ~~2,210.09~~ **3,247** square feet.

PROPERTY DESCRIPTION, ZONING AND SURROUNDING LAND USE

The subject property, known as Block 630 Lot 25 has frontage along New Monmouth Road. The property contains an existing dwelling, covered porch, two (2) wood decks and a gravel driveway. The property is located in the Residential R-22 Zone. The surrounding properties contain single family homes in the R-22 Zone.

PLANNING COMMENTS

1. Variances and Waivers

The applicant is proposing the following variance conditions. Please refer to Table A at the end of this report.

- a. Lot Area- Section 540-911A.1.a requires a minimum lot area for interior lots of 21,875 square feet. The applicant is proposing a lot area of 21,744 square feet for each lot, which is 131 square feet shy of the minimum required lot area. Both Lot 25.01 and 25.02 will require variance relief pursuant to N.J.S.A. 40:55D-70(c). **Continuing Comment.**
- b. Lot Frontage- Section 540-911A.3.a requires a minimum lot frontage of 125 feet. The applicant is proposing a frontage of 87.5 feet for each lot. Both Lot 25.01 and 25.02 will require variance relief pursuant to N.J.S.A. 40:55D-70(c). **Continuing Comment.**

Many Neighborhoods. One Middletown!

Belford ◦ Chapel Hill ◦ Fairview ◦ Harmony ◦ Leonardo ◦ Lincroft ◦ Locust ◦ Middletown Village
Monmouth Hills ◦ Navesink ◦ New Monmouth ◦ North Middletown ◦ Nut Swamp ◦ Oak Hill ◦ Port Monmouth ◦ River Plaza

- c. Circle Diameter- Section 540-624.K.1 requires a minimum circle diameter of 77 feet. The applicant is proposing a circle diameter of 47.5 feet for each lot. Both Lot 25.01 and Lot 25.02 will require variance relief pursuant to N.J.S.A. 40:55D-70(c). **Continuing Comment.**
- d. Lot Coverage- Section 540-911.B.2.b requires a maximum lot coverage of 20%, while the existing Lot 25 maintains a lot coverage of 16.4%. With the proposed subdivision Lot 25.02, containing the existing dwelling unit, garage and other improvements, will maintain a lot coverage of 20%. The plans, however, depict that a small portion of pavers to the west of the garage will be removed along with the gravel driveway. Is there a reason to keep a small portion of the pavers on site? Upon site visit, we noticed paved area to the easterly side of the masonry garage. The plans do not depict the pavers and it appears to not have been considered in the lot coverage calculations. The applicant's engineer must revise the plans to show the paved area and include the same in the calculations or in the alternative, variance relief pursuant to N.J.S.A. 40:55D-70(c) would be required. **Plans have been revised. Lot 25.02 is proposing 18.4% lot coverage and conforms with this standard.**

There is an existing dwelling unit on Lot 25, which will now be a part of Lot 25.02. Testimony should be provided that the new house on Lot 25.01 will meet with the setback and lot coverage requirements despite the noncompliance with the lot area, frontage and circle diameter requirements. **Addressed.**

- e. Accessory Side Yard Set Back- Section 540-911.A.2 requires a side yard setback for accessory structures of 20 feet. With the proposed subdivision, the existing detached garage on Lot 25 will maintain a setback of 10.5 feet. Therefore, variance relief pursuant to N.J.S.A. 40:55D-70(c) is required. **Continuing Comment.**
- f. Driveway Setback Requirement- Section 540-612E requires that driveways setback five feet (5') from the property line. With the proposed subdivision, the applicant will maintain a setback of one foot (1') from the proposed property line. Therefore, variance relief pursuant to N.J.S.A. 40:55D-70(c) is required. **Plans have been revised. The proposed driveway for both lots conform to this setback standard.**
- g. Section 540-612.J.3 requires that all driveways shall be paved with bituminous concrete. The existing driveway is gravel. The applicant should pave the driveway to comply with the ordinance requirement. This shall be a condition of approval. We refer to the Planning Board Engineer for additional comments. **Plans have been revised to remove the existing driveway on Lot 25.02 and construct a new asphalt driveway. A waiver will be required for the proposed driveway material.**

2. Existing Non-Conforming Conditions

- a. Principal Front Yard Setback- Pursuant to Section 540-911.A.2, a minimum front yard setback of 40 feet is required, the existing house on Lot 25.02 maintains a setback of 29.1 feet. This is an existing non-conformity and is not affected by the proposed subdivision. **Continuing Comment.**
- b. Principal Side Yard Setback- Pursuant to Section 540-911.A.2, a minimum side yard setback of 20 feet is required, the existing dwelling unit maintains a setback of 9.1 feet. This is an existing non-conformity and is not affected by the proposed subdivision. **Continuing Comment.**

3. Building Design

- a. Building Height – The applicant should confirm that the proposed dwelling unit on Lot 25.01 will conform to the maximum height restrictions. **Continuing Comment.**
- b. At this time, no house is proposed on Lot 25.01. However, Section 540-619.B.4 requires a side entry garage (if a garage is proposed) on proposed Lot 25.01. If no garage is proposed, then the proposed driveway shall maintain a K-turn. This shall be a condition of approval. **Continuing Comment.**

4. Landscaping & Street Trees

- a. Section 540-645.C. requires street trees every 30 feet on center. The applicant shall plant new trees along the frontage for Lot 25.01. There is an existing American Holly on the proposed Lot 25.02 and an American Sycamore proximate to the applicant's easterly property line. Given the presence of these trees, we recommend that the applicant add two street trees or at a minimum at least one street tree on Lot 25.02. **Plans have been revised. The applicant proposes one street tree on Lot 25.02. Addressed.**
- b. A tree save plan shall be submitted at the time of grading plan review for Lot 25.01. This shall be a condition of approval. **Continuing Comment.**

We defer to the Planning Board Engineer for additional landscaping comments. **Continuing Comment.**

5. Miscellaneous

- a. Upon site visit we noticed that portion of the sidewalk was in disrepair. This must be repaired. **Addressed.**
- b. All the proposed block and lot numbers must be approved by the Tax Assessor. **Continuing Comment.**
- c. Appurtenances such as condenser units and other equipment shall be fully screened from view. **Continuing Comment.**
- d. All utilities shall be installed underground in conformance with RSIS standards. **Continuing Comment.**
- e. Affordable Housing Trust Fund – Typically contribution to the Township Affordable Housing Trust Fund at time of issuance of certificates of occupancy, pursuant to Section 540-531.C.19. As the applicant is creating one lot, therefore, is exempt from this requirement. **Continuing Comment.**

6. Approving Agencies

Final approval or letter of no jurisdiction should be obtained from the following agencies and any other agencies having jurisdiction.

- **New Jersey Department of Transportation Continuing Comment**

- Freehold Soil Conservation District **Continuing Comment**
- TOMSA **Continuing Comment**
- Middletown Township Fire Advisory Board **Continuing Comment**
- New Jersey American Water **Continuing Comment**
- New Jersey Natural Gas **Continuing Comment**
- Comcast Cable **Continuing Comment**
- JCP&L **Continuing Comment**
- Verizon **Continuing Comment**

DOCUMENTS REVIEWED

- **Monmouth County Planning Board Letter of Conditional Approval, dated September 27, 2021.**
- Minor Subdivision Plan Block 630 Lot 25, prepared by Patrick R. Ward PE, PP and Justin J. Hedges, PLS of InSite Engineering, LLC., consisting of one (1) sheet and dated October 3, 2019 and revised through **August 25, 2021**;
- Boundary and Tree Location Survey prepared by Justin J Hedges, P.L.S. of InSite Surveying consisting of one (1) sheet and dated December 6, 2019;
- Undersized Lot Exhibit prepared by Patrick Ward, P.E., P.P., of InSite Engineering, LLC consisting of one (1) sheet dated November 27, 2019; and
- Project Narrative.

We reserve the right to make additional comments based upon the submission of additional documents or testimony presented to the Board.

Report Prepared by:



Amy H. Citrano, PP, AICP
Director of Planning

Table A

Variance	Description	Approved(?)
Lot Area	21,744 square feet proposed on Lot 25.01; where 21,875 square feet is required.	
Lot Area	21,744 square feet proposed on Lot 25.02; where 21,875 square feet is required.	
Lot Frontage	87.5 feet proposed on Lot 25.01; where 125 feet is required.	
Lot Frontage	87.5 feet proposed on Lot 25.02; where 125 feet is required.	
Circle Diameter	47.5 feet proposed on Lot 25.01; where 77 feet is required.	
Circle Diameter	47.5 feet proposed on Lot 25.02; where 77 feet is required.	
Accessory Side Yard	10.5 feet proposed on Lot 25.02; where 20 feet is required.	
Driveway Setback	1 foot proposed on Lot 25.02; where 5 feet is required.	
Waiver		
Driveway Section 540-612.J.3	Gravel driveway existing and will remain; Asphalt driveway proposed on Lot 25.02 , while bituminous concrete driveway required.	



