

TOWNSHIP OF MIDDLETOWN

Planning Board

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TECHNICAL MEMORANDUM

DATE: September 27, 2021
BOARD: Planning Board
APPLICATION: RJJ Group (#2019-402)
Block 638, Lots 192 & 194
451 Kings Highway East, R-45 Zone
Amended Preliminary and Final Major Subdivision

PROJECT DESCRIPTION

The applicant is proposing to subdivide two existing lots known as Lots 192 & 194 containing a total area of approximately 37 acres into four (4) lots known as Lots 192.01, 192.02, 192.03 and 192.04. Lot 192.01 is unbuildable and a landlocked parcel containing wetlands and sanitary and utility easements. Lot 192.02 will contain an existing guest house and all other improvements will either be relocated or removed. Lot 192.04 is a buildable lot and no development is proposed; and Lot 192.03 will contain the existing dwelling and all other existing improvements will be relocated or remain.

PROJECT HISTORY

On July 7, 2021, the Planning Board granted preliminary and final major subdivision plan approval with variances to subdivide the approximately 37 acre subject property into six (6) buildable lots for single family residential homes and one (1) non-buildable lot containing wetlands and sanitary and utility easements.

PROPERTY DESCRIPTION

The site consists of two (2) lots; Lot 192 and Lot 194. Lot 192 is approximately 37.4 acres with frontage along Kings Highway East and East Road. The majority of the lot is wooded and contains wetlands. The southerly portion of the site is cleared and contains an existing dwelling, a barn and several accessory structures. Gravel driveways, walkways, and fencing make up the remaining structures on site. Lot 194 is approximately 0.5 acres and fronts along East Road. Existing improvements on the lot are a gravel driveway, a drainage swale, and utility lines.

The properties to the west, located in the R-45 zone, include a Township owned property and a single family residence. To the east, in the R-45 zone, is the US Navy Property and East Road. Across East Road are single family homes. To the north are single family homes in the R-22 and R-45 zones. To the south, across Kings Highway East, are single family homes in the R-22 zone.

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

PLANNING COMMENTS

A. Variances

1. Lot Frontage – Section 540-908.A(3) requires a minimum lot frontage of 200’ where Lot 192.01 has 0’ of frontage; and variance relief is required. Lot 192.01 is unbuildable and a landlocked parcel containing wetlands and sanitary and utility easements.
 - a. A 15’ wide access easement is proposed on adjacent Block 638, Lot 191 presumably to provide access to the landlocked parcel Lot 192.01. We defer to the Board Attorney for procedural requirements proposing an easement on a lot not part of the application. If the easement is permitted, metes and bounds descriptions and the legal easement document shall be provided for review by the Board Attorney and Board Engineer.
2. Buildable Lot Area – Section 540-908.A(1)(c) requires a minimum buildable lot area of 30,000 s.f. where Lot 192.01 has 0 s.f.; and variance relief is required. Lot 192.01 is unbuildable and a landlocked parcel containing wetlands and sanitary and utility easements.
3. Gross Floor Area – Section 540-908.A(4) requires a minimum gross floor area of 1,800 s.f. where Lot 192.02 contains a gross floor area of 1,770 s.f.; and variance relief is required.
4. First Floor Area – Section 540-908.A(5) requires a minimum first floor area of 1,300 s.f. where Lot 192.02 contains a first floor area of 885 s.f.; and variance relief is required.
5. Buffer Areas and Screening – The subject property maintains frontage along Kings Highway East and East Road, and as per Section 540-606, a 50’ landscaped buffer is required along both frontages. The plans show a 50’ landscaped buffer along Kings Highway East.
 - a. Plans shall be revised to indicate a 50’ wide buffer preserving the existing woods along East Road.
 - b. A landscape plan in compliance with Section 540-606 shall be provided for the proposed buffer along Kings Highway East. This shall be made a condition of approval.
6. No development is proposed on Lot 192.04. The applicant shall address in testimony the intentions for Lot 192.04. The building envelope shall be shown to show compliance with zoning and verification that no specimen trees will be removed to accommodate development of the lot.

B. Site Design

1. A sight triangle shall be provided at the intersection of Kings Highway East and East Road as per Section 540-507 and 540-614.C. Easement documents shall be provided for review.
2. The applicant must place all of the proposed preservation areas within a conservation easement. Easement documents shall be provided for review.
3. Section 540-645.C requires that street trees be planted 30 feet on center along all street frontages. The applicant shall provide or seek a waiver.
4. The applicant shall address compliance with Section 540-651 Wooded Areas, where no more than 20% of the net tract area shall be cleared or developed.
5. Section 540-634.A requires sidewalk construction along the entirety of the lot frontages. There is existing sidewalk along the southerly portion of King Highway East and sidewalk on the northerly portion of Kings Highway (same side as the subject site) from Kings Landing community in the westerly direction towards Route 35. The applicant shall provide testimony

regarding the difficulty of providing sidewalk along the lot frontage along Kings Highway East. The Board may choose to waive sidewalk installation along Kings Highway East and East Road. In the event the Board chooses to waive sidewalk, then a contribution in lieu to the Township Sidewalk Trust Fund would be required.

6. The proposed subdivision is creating a landlocked parcel, Lot 192.01. Testimony should be provided regarding the maintenance on that lot.
7. A road opening permit is required from the Township of Middletown's Department of Public Works for the relocation of the driveway on 192.02.
8. Affordable Housing Trust Fund – A contribution will be required to the Township Affordable Housing Trust Fund at time of issuance of certificates of occupancy, pursuant to Section 540-531.C.19.c.1.
9. Street Addresses – The applicant will be required to provide a street address plan for approval by the Zoning Officer.
10. Lot Numbering – New lot numbering shall be subject to review and approval by the Tax Assessor.
11. Environmental Disturbance Fund – A contribution to the Township's Environmental Disturbance Fund will be required prior to issuance of any construction permit.
12. Portion of the subdivision tract abuts Normandy Road, the Navy right of way. An approval from the Navy is required.

C. Approving Agencies

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

- US Navy
- NJDEP
- Freehold Soil Conservation District
- TOMSA
- Middletown Township Fire Advisory Board

DOCUMENTS REVIEWED

- Preliminary & Final Major Subdivision Plans, prepared for RJJ Group LLC, prepared by Kennedy Consulting Engineers, LLC, consisting of four (4) sheets, dated August 16, 2021;
- Boundary and Topographic Survey prepared by Yorkanis & White, Inc consisting of four (4) sheets, dated March 16, 2015 and revised through December 19, 2018;
- Zoning Officer denial;
- Certificate of Title;
- Disclosure of Ownership;
- Deed;
- Certification that property taxes are current; and
- Summary of request of waivers.

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. Sarrinikolaou, PP, AICP

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