

YOUR GOALS. OUR MISSION.

MIPB-R8800

July 25, 2023

Ms. Erin Uriarte, Board Secretary
Township of Middletown Planning Board
One Kings Highway
Middletown, New Jersey 07748

via E-Mail (eruarte@middletownnj.org)

**Re: 66 Moore Street Corp.
Hillside Avenue
Block 460, Lots 2, 3, 4, & 5
Block 461, Lots 7, 8, 9, & 10
Major Subdivision
Second Engineering Review
MTPB #2021-400**

Dear Board Members:

As requested, our office has reviewed the above referenced major subdivision application, consisting of the following:

- Preliminary and Final Major Subdivision Plan, prepared by Mathew R. Wilder, P.E., of Morgan Engineering & Surveying, dated February 27, 2020, last revised May 2, 2023, consisting of nine (9) sheets.
- NJDEP Letter of Interpretation, dated June 7, 2016.
- Denial of Development Permit, dated August 5, 2020.
- Preliminary & Final Major Subdivision Plan: Final Plat prepared by David J. Von Steenburg, PLS of Morgan Engineering & Surveying dated February 27, 2020, last revised May 2, 2023.
- Boundary and Topographic Survey prepared by David J. Von Steenburg, PLS of Morgan Engineering & Surveying, dated October 18, 2019, last revised March 11, 2021.
- Metes and Bounds Description: Proposed Lots 5.01; 2.01; 7.01; 10.01 prepared by David J. Von Steenburg, PLS of Morgan Engineering & Surveying dated March 20, 2023.
- Metes and Bounds Description of Sight Triangle Easement: Proposed Lot 5.01; 7.01 prepared by David J. Von Steenburg, PLS of Morgan Engineering & Surveying dated March 20, 2023.
- Metes and Bounds Description of 10' Shade Tree, Utility and Roadway Easement: Proposed Lot 5.01; 2.01; JO.OJ; 7.01 prepared by David J. Von Steenburg, PLS of Morgan Engineering & Surveying dated March 20, 2023.
- Metes and Bounds Description of Drainage Easement: Proposed Lot 10.01; 7.01 prepared by David J. Von Steenburg, PLS of Morgan Engineering & Surveying dated March 20, 2023.
- Storm water Management Report for Preliminary & Final Major Subdivision prepared by Morgan Engineering & Surveying dated December 8, 2021, last revised March 21, 2023.
- Stormwater Operation & Maintenance Report for Preliminary & Final Major Subdivision prepared by Morgan Engineering & Surveying dated December 8, 2021, last revised March 21, 2023.
- Attachment D - Major Development Stormwater Summary prepared by Mathew Wilder, PE of Morgan Engineering & Surveying dated May 18, 2023.



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- New Jersey Storm water BMP Manual: Appendix A - Low Impact Development Checklist.
- Project Narrative prepared by Morgan Engineering & Surveying dated June 13, 2023.

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

A. Project Description

The applicant is seeking subdivision approval to subdivide combined 1.02-acre lots into **Four (4)** ~~six (6)~~ new lots. Currently the site mainly consists of wooded areas and the proposed lots are intersected by Hillside Avenue which is unimproved in this location. The subject application proposes **four (4)** ~~six (6)~~ new dwellings on Hillside Avenue and proposes to extend Hillside Avenue to the east and eventually connect to Monmouth Avenue with a new roadway and curbing. The applicant also intends to provide utility extensions through the newly improved section of Hillside Avenue and a large underground infiltration system ~~beneath Hillside Avenue and Monmouth Avenue on proposed Lots 7.01 and 10.01~~. The property is located with the R-10 zone.

B. Variiances and Design Waivers

ORDINANCE SECTION	ORDINANCE REQUIREMENT	PROPOSED CONDITION	VARIANCE/WAIVER REQUIRED?
540-619.B.4.	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.	Wavier Required
540-651.B	In zone districts in the Township where the maximum percent of lot covered 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.	63% of wooded areas to be cleared. Appears to be reduced on the revised plan, Applicant to confirm revised clearing area.	Waiver Required
540-914.A.1.a	R-10 Zone: Lot area (interior lots) – 10,000 SF	Lot 2.01 – 7,088 SF Lot 2.01 – 10,025 SF Lot 10.01 – 7,075 SF Lot 10.01 – 10,000 SF	Variance Required Variance no longer required
540-914.A.1.b	R-10 Zone: Lot area (corner lots) – 12,500 SF	Lot 5.01 – 8,062 SF Lot 5.01 – 12,367 SF Lot 7.01 – 8,136 SF Lot 7.01 – 12,392 SF	Variance Required



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ORDINANCE SECTION	ORDINANCE REQUIREMENT	PROPOSED CONDITION	VARIANCE/WAIVER REQUIRED?
540-914.A.3.a	R-10 Zone: Lot frontage (interior lots) – 100 feet	Lot 2.01 – 68.78' Lot 2.01 – 100.00' Lot 10.01 – 73.52' Lot 10.01 – 105.36'	Variance Required Variance no longer required
540-914.A.3.b	R-10 Zone: Lot frontage (corner lots) – 110 feet	Lot 5.01 – 85.0' Lot 5.01 – 100.0' Lot 7.01 – 80.39' Lot 7.01 – 100.0'	Variance Required
540-914.B.2.a	R-10 Zone: Maximum building coverage – 20%	Lot 2.01 – 21.7% Lot 2.01 – 14.21% Lot 10.01 – 21.7% Lot 10.01 – 14.25%	Variance Required Variance no longer required
540-914.B.2.b	R-10 Zone: Maximum lot coverage – 25%	Lot 2.01 – 31%–21.7% Lot 5.01 – 27%–17.6% Lot 7.01 – 27% 17.6% Lot 10.01 – 31% 21.8%	Variance Required Variance no longer required

C. Off-Site and Off-Tract Improvements

1. The applicant proposes utility extensions from the improved section of Hillside Avenue and from Orchard Avenue. The applicant shall revise the plans to note the limits of pavement repair. The applicant shall be responsible to mill and overlay the entire width of the pavement along Hillside Avenue and Orchard Avenue with 2 inches of 9.5M64 surface course pavement to the outside limit of trenching. **Addressed.**
2. The applicant proposes a sanitary sewer extension from the improved section of Hillside Avenue. We defer review of the sanitary sewer line improvements to the Township of Middletown Sewerage Authority. **Continuing comment.**
3. We note that the property abuts US Naval Weapons Station Earl property. We defer to the Navy for their review and comment, as necessary. The applicant shall obtain an approval or letter of no interest. **Continuing comment.**
4. The applicant shall show the limits of pavement and curb repair on Monmouth Avenue associated with the proposed street extension. **Partially addressed. We recommend the limits of curb replacement be extended to the limits of the proposed new inlets on Monmouth Avenue.**



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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. **Continuing comment.**
6. Sidewalk shall be installed along the property frontages. If sidewalk is not installed, an appropriate contribution should be made in accordance with ordinance Section 540-419.A. It should be noted that sidewalks are required per RSIS requirements. **Continuing comment. Applicant is requesting a waiver from providing sidewalks. If a waiver is to be granted, the applicant shall post the required contribution.**
7. We note that the applicant is proposing an underground infiltration basin with a biofiltration system within the roadway on Monmouth Avenue and Hillside Avenue. The plans should be revised to eliminated these systems from the Township Right-of-Way and provide an alternative drainage design. **Addressed. The applicant has removed the infiltration system from the Township Right-of-Way.**

D. Site Requirements/Layout

1. The applicant is proposing a 24 ft. wide paved road and 30 ft. wide Right-of-Way with concrete curbing and no sidewalk, which does not meet RSIS requirements. Based on the RSIS classifications, this appears to be a medium intensity Residential Access Street which requires a minimum right-of-way of 50 ft. and 28 ft. cartway width with curb and sidewalk on both sides of the street. The applicant shall review the design and provide plans complying with RSIS requirements. As the existing right-of-way of Hillside Avenue is 30 ft., the project will likely require a right-of-way dedication or easement. **Addressed.**
2. The applicant is proposing to extend Hillside Avenue to connect Monmouth Avenue and Orchard Avenue. The applicant shall revise the plans to clearly show the limits of demolition and proposed pavement. **Addressed.**
3. The applicant is proposing 20 ft. wide by 26 ft. long driveways and two-car garages on each lot. Per RSIS a two-car garage and driveway combination count as 3.5 spaces, therefore, it appears that adequate parking is provided for the proposed single-family dwellings, however, the applicant shall provide testimony to confirm. In addition, if the applicant is required to adjust the roadway to comply with RSIS requirements, this may impact the parking. **Continuing comment.**
4. The applicant shall provide a sight triangle and sight triangle easement in accordance with Section 540-507 of the Ordinance. **Addressed.**
5. The applicant shall provide an existing condition plan or survey for review. **Addressed.**



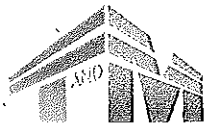
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6. As currently designed, there are no traffic control devices associated with this site. We recommend the applicant provide a stop sign and stop bar at the intersection between Hillside Avenue and Orchard Avenue. Details of same shall be provided. **Partially addressed. The stop bar appears to have been added, however, the plan references a "Street sign", but no "STOP" sign. This shall be clarified. A stop sign detail shall also be provided.**
7. All concrete in the proposed construction details shall be NJDOT Class B, 4500 psi. The details shall be revised to note same. **Addressed.**
8. The applicant also shows proposed drainage, shade tree, and utility easements on the plans. Easement documents and metes and bounds descriptions for all easements shall be provided for review by the Board Engineer and Board Attorney. **Continuing comment. The applicant shall provide the easement documents as a condition of any approval.**

E. Drainage/Grading/Utilities

1. The proposed project disturbs more than 1 acre; therefore, is considered a "major development" as defined by N.J.A.C. 7:8 and is subject to the NJDEP Stormwater Management requirements. The applicant is proposing an underground infiltration system within Monmouth Avenue and Hillside Avenue; however, a stormwater management report has not been provided. The applicant shall provide a stormwater management report addressing the major development requirements. Further review of the proposed drainage will be conducted upon receipt. **Continuing comment. The applicant has now provided a stormwater management report reflecting the revised drainage design. Additional comments based on our review of these documents have been added below.**
2. The applicant is proposing two (2) underground infiltration systems beneath Hillside Avenue and Monmouth Avenue. Soil testing information shall be provided to confirm the permeability rate and separation from the seasonal high-water table. **Addressed. The applicant has now provided the soil testing information for the revised stormwater design.**
3. The applicant shall provide Drainage Area Maps that shall delineate the time of concentration (T_c) path indicating sheet flow, shallow concentrated flow, and/or channel flow. **Partially addressed. The applicant has provided drainage area maps, however, inlet drainage area maps shall also be provided.**
4. The applicant shall provide the Low Impact Development Checklist for review. **Addressed.**



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5. As part of the new NJDEP Stormwater reporting procedures the applicant must complete and submit to the Township Engineer the NJPDES Tier A, MS4 – Attachment D – Major Development Stormwater Summary sheet. **Addressed.**
6. A Stormwater Management Maintenance Plan is required with an Operations and Maintenance (O&M) Manual providing the name/contact information of the person(s) responsible for the preventative and corrective maintenance tasks and schedules. **Partially addressed. The O&M manual has contradictory language in the “Responsible Party” section on page 2. The paragraph notes that the property owner will be responsible for the maintenance of the system and then notes a Homeowners Association will be responsible. This shall be clarified.**
7. Based on the grading information provided, there appears to be a low spot along the southern gutter line in front of Lot 2.01 (elevation 62.01) the plans shall be revised to address this. **Addressed.**
8. The applicant shall confirm that the infiltration system is to be owned and maintained by a Homeowner’s Association. **Partially addressed. See comment D.6. above.**
9. If approved, the applicant shall note that individual lot grading plans will be required for review prior to construction. These grading plans shall show all roof leader pipes with pipe size, slope, inverts, length, material, and discharge locations. The roof leaders shall be adequately sized to convey the 25-year storm. **Continuing comment.**
10. We defer further review to the Township Fire Official. **Continuing comment.**
11. 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 small scale bio-retention infiltration systems.
12. This project increase in motor vehicle impervious surface area exceeds 0.25 acres; therefore, the water quality requirements are applicable per N.J.A.C. 7:8-5.5. The applicant indicates that the proposed Filterra Manufactured Treatment Devices (MTDs) have been designed to comply with the 80% TSS removal requirement.
13. 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 using underground infiltration basins. The applicant shall provide the groundwater recharge spreadsheets for review.



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14. The applicant shall provide time of concentration (Tc) calculations for review.
15. The applicant has provided a groundwater mounding analysis for each basin, however, since these basins are rectangular, the applicant shall provide additional mounding analyses for the opposite directions.
16. We note that the applicant has prepared drain-down calculations for the proposed infiltration systems, however, these calculations shall be updated to utilize the most restrictive tested infiltration rate. This rate shall also be utilized in the mounding analyses.
17. The applicant shall revise the pond reports to utilize the most restrictive tested infiltration rate.
18. Appendix 7 of the stormwater management report provides information regarding the proposed manufactured treatment devices. Based on the proposed drainage area map, it appears the drainage areas on the Contech sizing forms are not consistent with the map. The applicant shall review and confirm sizing is adequate based on the current drainage areas or if adjustments need to be made.
19. The applicant shall confirm the type of tree which is to be planted within the Contech Filterra systems as shown in the details.
20. The applicant shall provide pipe calculations for all proposed drainage pipes.
21. The applicant should document how overflow will be managed onsite. We note multiple yard drains within a few feet of the rear property lines on Lots 7.01 and 10.01. Any overflow should be directed away from adjacent properties.

F. Roadway Geometry

1. The applicant is proposing a 24 ft. wide paved road, 30 ft. wide Right-of-Way, and concrete curbing throughout the development. The proposed roadway does not meet the Township Street Design and Construction Standards set forth in Section 540-641.G. of the Ordinance. We defer to the Township Engineer with respect to the roadway design meeting the Township Standards. Continuing comment. The applicant is requesting a waiver.



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G. Environmental

1. A note is included on the plan that references an Approved Letter of Interpretation (LOI) from 2016. The LOI is valid for a period of five (5) years. The applicant shall obtain an updated LOI and provide a copy to the Board. **Continuing comment. The applicant agrees to obtain an updated LOI and will provide a copy upon receipt.**

H. Lighting and Landscaping

1. Section 540-622.B.6. of the Ordinance requires ten (10) additional trees per acre to be planted throughout subdivisions, whereas, no additional trees are proposed. The applicant shall revise the plans to comply or a design waiver will be required. **Addressed.**
2. Section 540-645 of the Ordinance requires street trees to be planted at a maximum spacing of 30 ft. on center. Based on a total frontage of 225 ft. along Hillside Avenue and 100 ft. on Monmouth Avenue, the project requires a total of seventeen (17) street trees, whereas, fourteen (14) trees are proposed. The applicant shall provide an additional three (3) street trees or a design waiver will be required. **Addressed.**
3. Section 540-645.E.2. of the Ordinance 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. **Addressed.**
4. The applicant shall revise the location of street tree plantings to avoid conflicts with proposed utilities. We note several proposed trees which are proposed in direct conflict with proposed utility lines. **Addressed.**
5. The applicant is proposing LED streetlighting with a 13 ft. mounting height. The applicant shall confirm that the proposed streetlighting meets the requirements of the Ordinance, Section 540-643. **Addressed.**
6. A construction detail for the Light Pole Foundation shall be provided. **Addressed.**
7. The applicant shall confirm if the proposed lighting will be dark sky compliant. **Addressed.**

I. Subdivision

1. We note that the applicant has not provided a subdivision map for the layout. The applicant shall provide this for review. The map shall be drafted in accordance with the requirements of the New Jersey Map Filing Law. **Partially addressed. The applicant has now provided a subdivision map. The applicant shall address the following regarding map filing law;**



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- a. Section 46:26.B-2.b.8 of the Map Filing Law requires a minimum of three corners distributed around the tract shall indicate coordinate values.
 - b. Section 46:26.B-2.b.8 of the Map Filing Law requires all monumentation, including monuments found, set, and to be set, be clearly shown on the plat. Appropriate certification that monuments have been set, or will be set at a later date, shall be included on the plat.
2. The applicant proposes to subdivide Block 460, Lots 2, 3, 4, & 5 and Block 461, Lots 7, 8, 9, & 10, into ~~six (6)~~ four (4) new lots 2.01, 4.01, & 5.01 and 7.01, 8.01, & 10.01 respectively. While this appears to be the correct approach to the proposed number designation, the applicant's surveyor is directed to correspond with the Township's Tax Assessor's office to request confirmation in writing that this proposed lot numbering in accordance with the Assessor's preference and to assure that that there is no conflict with the Assessor's tax parcel data base numbering system. **Continuing comment.**

J. Miscellaneous

1. The applicant shall confirm that a Homeowners Association is proposed and indicate which improvements are to be maintained accordingly. **Partially addressed. The applicant has indicated that a homeowner's association is proposed and will maintain the proposed drainage system, however, additional clarity shall be provided regarding other improvements such as street trees, roadway improvements, and roadway drainage.**
2. The plans shall be revised to properly indicate all waivers and variances required/requested for this application. **Addressed.**
3. The applicant shall obtain approval of the plans from the Fire Department prior to obtaining building permits. **Continuing comment.**
4. All Easements shall be provided in accordance with Ordinance Section 540-614. **Continuing comment. Deeds of all easements shall be provided.**
5. The applicant shall be responsible to obtain a road opening permit from the Township Department of Public Works for the utility connections within Hillside Avenue and Orchard Avenue. **Continuing comment.**
6. A note shall be added to the plan stating that all improvements will be ADA/PROWAG compliant where applicable.



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7. Approvals or letters of service should be obtained from the following agencies: **Continuing comment.**

- Freehold Soil Conservation District.
- Township of Middletown Sewerage Authority (TOMSA).
- Monmouth County Planning Board
- NJDEP
- New Jersey American Water
- New Jersey Natural Gas
- Comcast Cable
- JCP&L
- Verizon
- All other agencies and departments having jurisdiction.

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.
SUPERVISING ENGINEER

RRK:GTG

cc: Amy Citrano, Director of Planning (acitrano@middletownnj.org)
Kevin I. Asadi, Esq., Applicant's Attorney (kasadi@zagerfuchs.com)
David W. Buckman, AIA, Applicant's Architect
Mathew R. Wilder, P.E., Applicant's Engineer (mathew@morganengineeringllc.com)