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December 3, 2020

Marlboro Township Zoning Board
1979 Township Drive
Marlboro, NJ 07746

**Re: K. Hovnanian at Marlboro Place, LLC (ZB19-6683A)
Amended Preliminary and Final Major Subdivision
Engineering and Planning Review #1
Block 355 Lots 6, 7, 8 & 11
Location: Buckley Road, School House Road and
NJ State Highway Route 79 and Route 18
Zone: C-2 (Neighborhood Commercial)
CME File No.: HMRZ0355.05**

Dear Zoning Board Members:

Our office received the following information in support of the above-referenced application for Amended Preliminary and Final Major Subdivision approval:

- Amended Preliminary and Final Major Subdivision Plans (22 sheets) prepared by DW Smith Associates, LLC, dated March 13, 2019, last revised October 23, 2020;
- ALTA/NSPS Land Title Survey (1 sheet) prepared by DW Smith Associates, LLC, dated October 13, 2020, last revised October 19, 2020;
- Stormwater Management Report prepared by DW Smith Associates, LLC, dated March 13, 2019, last revised February 3, 2020;
- Stormwater Addendum prepared by DW Smith Associates, LLC, dated October 20, 2020.
- Environmental Impact Statement prepared by DW Smith Associates, LLC, dated December 19, 2018, unrevised;
- Architectural Plans – Brookdale (17 sheets) prepared by K. Hovnanian Companies, dated October 16, 2020, unrevised;
- Architectural Plans – Hanover (25 sheets) prepared by K. Hovnanian Companies, dated October 16, 2020, unrevised;
- Architectural Plans – Tomasen (18 sheets) prepared by K. Hovnanian Companies, dated October 16, 2020, unrevised;
- Architectural Plans – Andrews (7 sheets) prepared by K. Hovnanian Companies, dated October 23, 2020, unrevised;

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CONSULTING AND MUNICIPAL ENGINEERS

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- Architectural Plans – Haverford (4 sheets) prepared by K. Hovnanian Companies, dated October 16, 2020, unrevised;
- Architectural Plans – Howard (3 sheets) prepared by K. Hovnanian Companies, dated October 23, 2020, unrevised;
- A development application

In accordance with your authorization, we have reviewed this application for Amended Preliminary and Final Major Subdivision approval and offer the following comments:

1. Project Description

The subject 11.3 acre properties make up a corner tract within a C-2 Zone District and together provide road frontages as follows: approximately 95 feet along School Road East and approximately 1,145 feet along Buckley Road to the east, approximately 97 feet and 69 feet along NJ State Highway Route 18 to the south and 247 feet along NJ State Highway Route 79 to the west. Currently, the site contains two (2) existing dwellings and associated accessory buildings/structures associated with a residential/agricultural use of the properties with access provided from both NJ State Highway Route 79 and Buckley Road. A slope and drainage easement, approximately 13 feet wide is indicated onsite along the Buckley Road site frontage.

The property was granted Use Variance approval per Resolution dated December 11, 2018 and Preliminary and Final Major Subdivision approval per Resolution dated July 9, 2019 in accordance with a March 20, 2019 Settlement Agreement to develop the site with 26 single-family residential lots and 19 townhome lots including nine (9) low/moderate income units. Access is proposed by two (2) full-movement roads along the Buckley Road site frontage with all proposed lots having access along proposed interior roads. No access is permitted along the other existing roadway site frontages, however, an emergency access is provided along Route 79. A stormwater management basin is proposed along Buckley Road, including a recharge pipe system along said frontage, with municipal water and sanitary sewer service to all units. Perimeter landscaping is proposed around the entire site and existing roadways, as well as along interior roads.



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With this current submittal, the Plans have generally been revised as follows:

- Reconfigure townhome units to provide four (4) units along the east side of Holland Drive and 15 units along the west side of same, whereby five (5) units and 14 units respectively were approved. Lot numbering has been revised accordingly for said townhome units. No change to the total number of townhome units is proposed.
- Side entry garages have been eliminated at the townhome units with all now providing front entry garages.
- Retaining walls along the rear of the single-family homes have been removed and the shade tree and utility easements have been widened from 5 feet to 10 feet wide along the roadways.
- The proposed open space lot has been increased from 36,110 s.f. previously approved to 41,836 s.f. now proposed and minor reduction of overall impervious coverage for the project of 1,074 s.f. is provided.

2. Surrounding Uses

Properties north and south of the site, east of Route 79, are similarly zoned C-2 and contain commercial uses and scattered residential parcels to the north and vacant/wooded parcels to the south owned by the NJ Department of Transportation. Properties east of the site opposite Buckley Road are zoned C-2 and R-80 beyond and contain a residential/agricultural use along Buckley Road with a portion of the Henry Hudson Trail and residential parcels beyond. Properties west of the site opposite Route 79 are zoned R-30/20 and contain a mix of residential parcels.

3. Zoning Compliance

The subject property is situated within a C-2 Zone District. The table below summarizes the proposed subdivision guidelines utilized for the subject site in accordance with the above referenced Settlement Agreement:

DESCRIPTION	REQUIRED	PROPOSED
Minimum Tract Area	10 Acres	11.3 Acres
Maximum Number of Units	45	45
Maximum Impervious Coverage	60%	<60%



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DESCRIPTION	REQUIRED	PROPOSED
Minimum Lot Area (Single-family)	4,000 s.f.	4,000 s.f.
Minimum Lot Area (Attached & Semi-Attached)	Varies	3,458 s.f. (minimum)
Minimum Right-of-Way Width	40 Feet	40.0 Feet
Minimum Roadway Pavement Width	24 Feet	24.0 Feet
Minimum Perimeter Building Setback	50 Feet	50 Feet
Minimum Perimeter Building Setback Route 79	100 Feet	82.2 Feet (V)
Minimum Front Yard Setback	25 Feet	25 Feet
Maximum Attached Units	6	6
Minimum Distance Between Buildings (Attached & Semi-Attached)	25 Feet	25 Feet
Minimum Side Yard Between Freestanding Units (One Side)	10 Feet	13 Feet
Maximum Building Height (Front)	3-Story/35 Feet	<35 Feet
Minimum Average Unit Width (Single-Family)	30 Feet	>30 Feet
Minimum Unit Size	1,000 S.F.	>1,000 S.F.
Maximum Permitted Deck Size (Side and Rear)	10 Feet X 10 Feet	To Comply

(V) – Variance Required

The July 9, 2019 Resolution granting Use Variance and Preliminary and Final Major Subdivision approval for the site provided the following variances and/or design waivers which would remain pertinent:

- a. **Section 220-35C(4)** – No paved terrace or driveway shall be permitted closer than 5 feet to any side or rear property line; single-family Lots 6.02, 6.12, 6.13, and 8.18 appear to propose driveways within 5 feet of a side property line and all townhome lots provide common and/or zero setback driveways.
- b. **Section 220-34D(24)(e)** – The maximum grade for lawns more than 5 feet from a building shall be 25% (4:1); 33% (3:1) is proposed along the stormwater basins.
- c. **Section 220-95A** – Open fences not to exceed 3 feet in height are permitted within a front yard area; a 4 foot high split rail fence with wire mesh is proposed within front yard areas for the stormwater basin Lot 8.01.



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- d. **Section 220-97B** – Each off street parking space shall measure not less than 10 feet by 20 feet; 9 feet by 18 feet on-street parking spaces appear proposed;
- e. **Section 220-164** – The light intensity provided at ground level shall be a minimum of 0.3 footcandles anywhere in the areas to be illuminated; lighting levels below 0.3 footcandle are proposed within all interior roadways. We note that Condition #4 of the approving July 9, 2019 Resolution requires compliance with Ordinance lighting requirements.
- f. **Section 220-165B** – Insofar as is practical, side lot lines shall not deviate more than 10 degrees from either the right angle of a straight street or the radial of a curved street; side lot lines between Lots 6.02/6.03, 8.02/8.03, 8.09/8,10, 8.10/8.11 and 8.19/8.19 appear not to comply.
- g. **Section 220-165C** – Each lot must front upon an approved public street at least 50 feet in width; the interior roads to be dedicated as public right-of-way propose a 40 foot wide right-of-way width.
- h. **Section 220-169A** – Detached single-family dwellings shall have a minimum two-car garage, minimum 400 s.f., and shall provide a minimum 20 foot wide driveway; the proposed single-family dwellings propose an apparent one-car garage with an 18 foot wide driveway.
- i. **Section 220-169H(1)** – Circulation aisle width of 25 feet minimum required along 90 degree parking; a 24 foot wide cartway width is proposed for Holland Drive along the proposed on-street parking areas.

The Applicant has requested an additional variance for the following with this amended application:

- j. **Section 220-94.10E(5)(b)** – The overall building setback from State Highway Route 79 of 100 feet is required; approximately 82 feet is proposed to the side of the dwelling on Lot 8.25.
4. The Applicant has not requested any waivers from providing required Checklist submission items and none appear necessary.



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5. Based upon our review of the subject application, we estimate that the following fees are required:

a. Nonrefundable Application Fees:

Amended Preliminary and Final Major Subdivision) (1/2 of original fee)	\$2,450.00
Bulk Variance	\$250.00
Subtotal:	\$2,700.00

b. Professional Services Escrow Fees:

Resubmission of Application (25% of original fee)	\$2,250.00
Bulk Variance	\$1,500.00
Subtotal:	\$3,750.00

We recommend the Township collect \$2,700.00 in nonrefundable application fees and \$3,750.00 in professional services escrow fees from the Applicant prior to deeming the application complete. In addition, the Applicant will be required to pay all applicable revision fees as stipulated in the Township Ordinances.

6. This application is subject to the requirements of the Residential Site Improvement Standards (RSIS) adopted as NJAC 5:21-1 et. seq. The Applicant has not requested any waivers or de minimus exceptions from the RSIS requirements. An agreement to exceed said requirements should be filed with the DCA for any improvements which exceed the RSIS.
7. The Applicant should be prepared to discuss the following issues with the Board:
- A general overview of the proposed revisions to the project, including stormwater management.
 - Continued compliance with all Conditions of Approval contained within the July 9, 2019 Resolution.
 - Timing associated with the Sales Trailer and Model Unit Layout as provided on the Composite Plan.



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- d. Any permits/approvals required by outside agencies. The Applicant shall address the Board regarding the status of all outside agency approvals for the project. In addition, copies of all outside agency approvals shall be forwarded to this office.
8. Based on our review, we offer the following comments:
- a. It appears the surface area and volume of the modified basin has been reduced as a result of the removal of the retaining wall. We note that same has not been accounted for in the post-developed routing calculations within the SWM Addendum, as the stage / storage volume remains unchanged from the Stormwater Management Report, last revised February 3, 2020. The Applicant should address this apparent discrepancy and ensure that the modified basin remains in compliance with the water quality, quantity and groundwater recharge of the previously approved design.
 - b. Verify dimensions of outlet device #2 used in the routing calculations for the basin. Same appear to be inconsistent with the dimensions shown on the detail of the outlet control structure.
 - c. Verify the grate elevation of the outlet control structure on sheet 4 of 16. Same appear to be inconsistent with the grate elevation used in the routing calculations and the elevation shown on the detail of the outlet control structure.
 - d. Provide a revised post-development drainage area map reflecting the changes in the proposed drainage areas as indicated in the SWM Addendum.
 - e. Verify split rail fence note at Lot 8.23 and retaining wall at Lot 6.02 on the Composite Plan.
 - f. Verify number of lots indicated on the Major Subdivision Plat and verify date of survey indicated within the Surveyor's signature approval certification on same. Whether the revised lot numbers as well as street addresses and road names have been approved by the Township Tax Assessor should be clarified with the Board and verified within Note #10 on the Plat.
 - g. Proposed grading along the rear of single-family lots 8.22 thru 8.25, replacing previously proposed retaining walls, raises the existing elevation by approximately 3 feet within 15 feet of the rear/tract boundary property line which should be discussed with the Board.
 - h. Whether the previously approved Major Subdivision Plat has been filed with the County Clerk's Office should be verified with the Board. The currently submitted Plat must show all existing lot lines to be eliminated, whether they be previously approved subdivision lots or the original tract lots.



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- i. Survey markers either found or set, as per the submitted Survey Plan, should be indicated on the Plat and “no access” should be indicated along the Route 18 frontage.
- f. The Howard and Haverford Townhome Architectural Plans indicate possible basement areas which should be verified/clarified and patio areas are depicted offset from the rear of the buildings which should also be discussed. Whether the Andrews models would be permitted a 10 foot by 10 foot deck/patio area should be verified/clarified as only 3 feet by 3 feet pad is depicted on the Architectural Plans.
- j. Building and COAH unit layouts differ between sheet 1 and 2 of 7 within the Andrews Model Architectural Plans as well as differ from the Subdivision Plans. Also verify model unit names indicated on the Architectural Plan Sheet 1.
- k. Building heights on the townhome Architectural Plans should be indicated, per Ordinance definition, to the mean height between eaves and ridge for gable, hip and gambrel roofs.

Based upon the minor nature of the information requested, we recommend that this application is deemed complete subject to the Applicant complying with all applicable notification requirements as set forth in the Marlboro Township Land Use Ordinance and the Municipal Land Use Law.

The right is reserved to present additional comments pending the receipt of revised plans and/or the testimony of the Applicant before the Board.

If you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,
CME ASSOCIATES

Laura J. Neumann, PE, PP
*Zoning Board of Adjustment
Engineer and Planner*

LJN/GAC/pg

cc: Marlboro Township Engineering Department
Ronald Cucchiaro, Esq. – Zoning Board Attorney
K. Hovnanian at Marlboro Place, LLC – Applicant
DW Smith Associates, Inc. – Applicant’s Engineer
Salvatore Alfieri, Esq. – Applicant’s Attorney