

July 20, 2023

Neptune Township Planning Board
PO Box 1125
Neptune, NJ 07754-1125

**Re: RMH at Country Woods, LLC
Preliminary and Final Major Subdivision for
Country Woods at Neptune
Lot 1, Block 3101
Our File: NTPB 23-06**

Dear Board Members:

Our office has received and reviewed an application for Preliminary and Final Major Subdivision approval in conjunction with the above referenced project.

1. Submitted Documents

- Preliminary and Final Major Subdivision Plan for Country Woods at Neptune consisting of twenty-seven (27) sheets prepared by Brian R. Decina, P.E., and Michael J. Piga, LLA of French & Parrello Associates, dated January 16, 2023, with the last revised April 5, 2023.
- Preliminary and Final Major Subdivision Plan for Lot 1, Block 3101 consisting of two (2) sheets prepared by Thomas J. Ertle, P.L.S., of French & Parrello Associates, dated April 5, 2023, with no revisions.
- Boundary Survey prepared for Lot 1, Block 3101 consisting of one (1) sheet prepared by Thomas J. Ertle, P.L.S., of French & Parrello Associates, dated November 24, 2021, last revised December 14, 2022.
- Stormwater Management Report for Country Woods at Neptune prepared by Mark Shenoda, P.E., of French & Parrello Associates, dated January 16, 2023, last revised April 17, 2023.
- Operations and Maintenance Manual for Country Woods at Neptune prepared by Mark Shenoda, P.E., of French & Parrello Associates, dated January 16, 2023, with no revisions.

- Environmental Impact Statement for Country Woods at Neptune prepared by Jelena Balorda-Barone, P.E. of French & Parrello Associates, dated January 18, 2023, with no revisions.
- Community Impact Statement in support of a major subdivision application for Block 3101, Lot 1 prepared by Christine A. Nazzaro-Cofone, A.I.C.P., P.P., of Cofone Consulting Group, LLC, with no date.
- Traffic Impact Analysis prepared by John H. Rea, P.E. and Scott T. Kennel, Sr. of McDonough & Rea Associates, Inc., dated June 16, 2022, with no revisions.
- A copy of an example architectural plan from The Heritage at Neptune (Weston Model) consisting of three (3) sheets prepared by Thomas J. Brennan Architects, with no original date.
- A copy of an example architectural plan from The Heritage at Neptune (Emerson Model) consisting of five (5) sheets prepared by Thomas J. Brennan Architects, with no original date.
- A copy of an example architectural plan from The Heritage at Neptune (Juniper Model) consisting of four (4) sheets prepared by Thomas J. Brennan Architects, with no original date.

We have completed our engineering and planning review of the submitted documents and offer the following comments:

2. Site Analysis

- A. The subject property, known as Lot 1, Block 3101, consists of $\pm 1,269,766$ square feet (± 29.149 ac.) with dual frontage on Jumping Brook Road and Tee Place. The site is currently vacant and wooded. Over 50% percent of the property is encumbered by wetlands. Wells Brook which is a tributary to Jumping Brook transects the property. Jumping Brook merges into the Shark River which is part of the State; category one special water resources.

The site is bounded by residential to the north, a church to the east, residential uses and firehouse to the south, and Jumping Brook Road to the west.

- B. The proposed roadways are improved with curbs, sidewalks, and underground sewer/water utilities.
- C. The Applicant is proposing to subdivide the property into thirty-one (31) single-family homes and one (1) open space lot. All lots will be conforming.

3. Zoning and Land Use

- A. The property (Lot 1) is located in the R-1 Low Density Residential Zoning District.
- B. Detached single-family residences are permitted use within the zone.

4. Variance and Design Waivers

- A. Outlined in the table attached are the proposed bulk conditions for the site.

SEE ATTACHMENT #1

- B. Ordinance Section 421.D.1 Sections (a) and (b) states – Within any development, construction on steep slopes, as defined herein, shall be in accordance with the following provisions:

- 1) Construction on steep slopes of fifteen (15) percent or greater, but less than twenty-five (25) percent, shall be permitted in accordance with the following regulations:
 - a) A maximum of thirty (30) percent of the total lot area in this slope category may be used for construction purposes; and
 - b) Construction shall not result in the creation of critical slope areas.

The Applicant shall provide testimony and a steep slope plan to fully address the impacts of this ordinance. The Applicant proposes grading of steep slopes at proposed Lot 13, 14 and Right-of-way. Additionally, Lots 17 and 18, along with the open space Lot 32 also appear to be impacted. The Applicant shall provide a plan outlining compliance.

- C. Additionally, Lot 17, 18 and open space Lot 32 also appear to be impacted. The Applicant shall provide a map to demonstrate compliance. Ordinances Section 421.D.s Sections (a) through (e) states – No construction shall be permitted in critical slope areas (slopes of 25 percent or greater) unless all of the following criteria are met:
 - 1) The total soil disturbance in the critical slope area of the lot is no greater than one (1) cubic yard.
 - 2) The total area of removal or disturbance of vegetation in the critical slope area of the lot is no greater than twenty-five (25) square feet.

- 3) The increase in impervious ground cover in the critical slope area of the lot is no greater than twenty-five (25) square feet.
- 4) The construction does not include the removal of any tree having a diameter at point of measurement greater than eighteen (18) inches and,
- 5) The Applicant must demonstrate that the proposed slope disturbance is essential to a reasonable use of property.

The Applicant shall provide testimony and a steep slope plan to fully address the impacts of this ordinance. The Applicant proposes grading of steep slopes at proposed Lot 13, 14 and Right-of-way. Additionally, Lots 17 and 18, along with the open space Lot 32 also appear to be impacted. The Applicant shall provide a plan outlining compliance.

The Applicant must ensure no construction is proposed in steep slope areas or **a variance will be required.**

- D. Ordinance Section 421.F requires setbacks of one-half (1/2) the height for “Landscaping Retaining Walls”. The proposed setback for all the walls should be provided. A variance may be required for the proposed modular block well adjacent to the road Right-of-way. Dimensions should be provided.
- E. Ordinance Section 505.B.4. Table 5.2 indicates for single- and two-family dwellings, the minimum width is 9 feet, and the maximum width is 18 feet. The plans indicate a proposed driveway width of 22 feet. **A design waiver is required.**
- F. Ordinance Section 505.B.5 (Grading), states that driveway grades shall not exceed 6% at any point along the entire length of the driveway. By our office calculations some of the driveway exceeds 6%. **A design waiver is required. The plans should indicate all driveway slopes on the grading plan.**
- G. Ordinance Section 510.A. (Drainage Easements), states that within required drainage easements, no re-grading or the installation of structures, fences, trees, and shrubs shall be permitted unless otherwise elsewhere modified by this Ordinance. The plans indicate a proposed split rail fence and landscaping in the drainage easements. **A design waiver is required.**
- H. Ordinance Section 510.D. (Utility Easements), states that easements for public and local utilities shall conform to any requirements of the appropriate company or authority. Structures within utility easements shall be regulated by the appropriate authority. The plans indicate a proposed split rail fence and landscaping in the drainage easements. **A design waiver is required.**

5. Subdivision Plan Review

A. General Site Improvements

- 1) Proposed lot and block numbers should be assigned by the Neptune Township Tax Assessor.
- 2) Monumentation shall be in accordance with the Map Filing Law and Ordinance Section 512. The Applicant is required to provide metal alloy pins at all corners of approved lots.
- 3) The following General Notes shall be added to the plan:
 - a) “All construction shall be in accordance with Neptune Township Design Standards and Details.”
 - b) “No soil shall be removed from the site without the written approval of the Director of Engineering and Planning.”
 - c) “All proposed utilities shall be placed underground.”
 - d) Per Ordinance Section 516.B.7 “No utility meters or other utilitarian improvements that detract from the appearance of the front elevation shall be located on the front elevation of a residential structure.”
 - e) “During construction, the Developer shall comply with solid waste, public health and noise codes.”
 - f) A note should be added to the plan indicating that “Any fill to be imported shall be certified clean.”
- 4) The Applicant shall obtain zoning approval for each property prior to the start of construction.
- 5) The Applicant shall provide testimony addressing the parking in accordance with Residential Site Improvement Standards (RSIS).
- 6) A note should be added to the plan indicating the driveway apron and concrete curb shall be in accordance with RSIS.
- 7) All concrete details shall be revised to have a concrete compression strength of 4500 psi at 28 days.

- 8) The Applicant shall address the dedication of the Roadway and Stormwater Basin System to the Township of Neptune. Details of the dedication shall be addressed within the Developer's Agreement.
- 9) Retaining Walls – The Applicant shall provide testimony regarding the following concerns:
 - a) Ordinance Section 421.H.I – The Applicant's engineer shall certify that a failure of the structural retaining wall will not have an adverse impact on any adjoining property or public right-of-way.
 - b) Ordinance Section 421.I – Safety Requirements of Structural Retaining Walls. The top of any structure retaining wall, or tiered wall, with a height of greater than four (4) feet, shall be protected through the use of fencing with a minimum height of three (3) feet or, in the alternative provided safety concerns are adequately addressed, densely planted vegetation at 50% of the full growth screening.
 - c) Ordinance Section 421.J – Design. A licensed structural or civil engineer shall design all structural retaining walls, with signed and sealed plans submitted for review and approval by the Construction Official, Borough Engineer, Planning Board Engineer or Zoning Board of Adjustment.
Signed and sealed plans shall be submitted.
 - d) Ordinance Section 421.K – Inspection. A licensed structural or civil engineer, at the cost of the Applicant, shall inspect the construction of a structural retaining walls, and a signed and sealed certification that the wall has been properly constructed shall be submitted to the Construction Official upon completion of the wall.
Our office recommends this be made a condition of the approval, should the Board act favorably on the application.
 - e) Ordinance Section 527 – Design and maintenance of structural retaining walls shall be in accordance with the standards provided within this ordinance section.

- 10) The individual lot zoning data table on the preliminary & final subdivision plan and plat have the incorrect minimum requirements for lot depth and frontage. **The Zoning Table should be revised.**

- 11) The coversheet on the plat should be titled, "Preliminary and Final Major Subdivision".
- 12) The roadway centerline stationing should be shown on the grading and utilities plans.
- 13) The typical roadway section should include dimensions to right-of-way, sidewalk, and landscape strip.
- 14) Testimony on the type of dwelling foundations that are being proposed.
- 15) Ordinance Section 505.B.3. (Construction Specifications), states that driveways shall be paved with a minimum of four (4) inches of compacted sub-base material and two (2) inches of three-eighths inch roadway stone or comparable material or to an alternate standard as approved by the Township Engineer. **A detail should be provided.**
- 16) Ordinance Section 512.A. (Major Subdivision), states that as part of a major subdivision, concrete monuments shall be installed at all tract boundary corners and at all points of the right-of-way which establish a publicly dedicated street. Such monuments shall be located between the sidewalk and the front property line where appropriate. A metal alloy pin of permanent character shall be installed at all remaining lot corners of all approved lots. **The Applicant should provide additional concrete monuments along the right-of-way line of Block 3101.01, and one more concrete monument east of the entrance road.**
The plat should show metal alloy pin of permanent character shall be installed at all remaining lot corners of all approved lots.
- 17) Ordinance Section 512.B. (Single-Family Developments), states that the following look-a-like provisions/elevation standards shall be used to prepare and review any new single-family residential development. No dwelling unit shall hereafter be constructed in any residential zone which shall be like or substantially like any neighboring dwelling as hereinafter defined, in more than two of the following six respects:
 - 1) Height of the main roof ridge above the elevation of the first floor;
 - 2) Length of the main roof ridge;
 - 3) Width between outside walls at the ends of the dwelling under the main roof perpendicular to the length thereof;

- 4) Relative location with respect to each other of garage, if attached, porch, if any, and the remainder of the dwelling in the front elevation;
- 5) Relative location of windows in the front elevation;
- 6) The materials used in the front elevation.

Testimony should be provided.

- 18) Ordinance Section 522.B.5 (Street Names and Address numbers), states that a street name shall not conflict with or be mistaken for an existing street name in the Township unless the street is a logical extension of an existing street. All street names, whether for a public or private street, shall be approved by resolution of the Township Committee. The street address numbering system shall be as approved by the Township Clerk. This information shall be provided as part of the resolution compliance.

B. Traffic Circulation and Parking

- 1) Ordinance Section 517 (Sight Triangle), states that on all corner lots in all zones except Historic Zone Districts, there shall be an unobstructed sight triangle formed by measuring twenty-five (25) feet along each curb line from the point of intersecting curb lines at such corner and connecting such points to form a triangular area. **The plans should show all sight triangles and testimony should be provided.**
- 2) The Applicant has provided a traffic summary outlining the generated trips for the newly proposed 31 single family dwellings:
 - a. AM Peak Street hours
 - i. In – 6 cars
 - ii. Out – 16 cars
 - iii. Total – 22 cars
 - b. PM Peak Street hours
 - i. In- 18 cars
 - ii. Out – 11 cars
 - iii. Total – 29 cars
- 3) As indicated within the Traffic study the levels of service range from “A” to “F” with “A” being the highest or best attainable level of service.

At the intersection of Jumping Brook and County Club Drive the existing level of service is “B” during the AM peak hours and the proposed level of service with the newly proposed development will remain a level service of “B”. The existing level of service during PM peak hours is “C” and the proposed level of service with the newly

proposed development will remain a level of service of “C”.
Testimony to be provided.

At the intersection of Jumping Brook Road and West Jumping Brook Road the existing level of service is “B” during the AM peak hours and the proposed level of service with the newly proposed development will remain a level service of “B”. The existing level of service during PM peak hours is “C” and the proposed level of service with the newly proposed development will remain a level of service of “C”. **Testimony to be provided.**

- 4) The Applicant shall provide testimony on the 18 foot emergency access driveway into adjacent Lot 2. How will the access be maintained post construction?

C. Grading and Stormwater Management

- 1) The project disturbance is over one (1) Acre of land disturbance and increases the amount of impervious coverage by more than 0.25 Acres. The Applicant proposes the following:
 - The project consists of subdividing the property into thirty-two (32) lots. The Applicant is proposing thirty-one (31) single-family homes and one (1) open space lot.

The project must comply with NJDEP Best Management Practices with regard to green infrastructure, TSS removal, groundwater recharge, and stormwater quantity reduction.

- 2) The Applicant has designed the stormwater management system to address the NJDEP BMP Manual and Township of Neptune Stormwater Management Ordinance 21-07, Section III.A.
- 3) The Applicant is proposing the following design incorporates nine (9) basins, which consist of one (1) small infiltration basin and eight (8) small bio-retention basins. The outflow from the nine (9) basins will be directed to three (3) large-scale infiltration basins that will discharge the remaining flow through adjacent wetland areas to Wells Brook.
- 4) Under Ordinance Section 528.F.1.B(3).c.(1) – The Applicant must comply with the 2, 10, and 100 year pre. vs. post construction stormwater runoff rates. The Applicant’s stormwater report indicates the following NOAA data set. **The stormwater calculations shall be revised to address this rainfall data.**

- a. 2 year storm – 3.17 in/ 24 hours
- b. 10 year storm – 5.28 in/ 24 hours
- c. 100 year storm – 9.08 in/ 24 hours

5) The Applicant has addressed the following ordinance regulations:

a) Green Infrastructure

- (1) Ordinance 21-07, Section IV.O.2, states to satisfy the groundwater recharge and stormwater runoff quality standards at Section IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F and/or an alternative stormwater management measure approved in accordance with Section IV.G.
- (2) For groundwater recharge the following will be utilized within the design.

- One (1) small scale infiltration basin (#5)
- Eight (8) small scale bioretention basins (#1-4, and #6-9)
- Three (3) large scale infiltration basins (A,B, and C)

(3) All systems do not exceed the Maximum Contributory Drainage limit of 2.5 Acres.

(4) Ordinance 21-07, Section IV.O.3, states to satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from table or from Table 2 and/or alternate stormwater management measure approved in accordance with Section IV.G.

a) To address runoff quantity the Applicant proposes:

- One (1) small scale infiltration basin (#5)
- Eight (8) small scale bioretention basins #1-4, and #6-9)
- Three (3) large scale infiltration basins (A,B, & C)

b) Groundwater Recharge

- (1) Ordinance 21-07, Section IV.P.2.i, states-Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site.
- (2) The design utilizes the following ABMP areas to address the Post-Development Annual Recharge Deficit of 231,288 cubic feet:
 - Total Recharge System: ABMP area 29,295 sf
Annual BMP Recharge Vol 231,288 cu ft
effective depth =1.8 in
- (3) The Applicant complies with groundwater recharge systems.

c) TSS Removal

- (1) Ordinance 21-07 Section IV.Q.2.i states-eighty percent TSS removal of the anticipated load expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
- (2) The small-scale bioretention basins and small-scale infiltration basin will provide the minimum TSS removal rate of 80% in accordance with the NJDEP BMP Manual Chapter 9.6 and Ordinance 21-07 Section IV.F Table 1. The design complies with water quality standards.

d) Stormwater Runoff Quantity Standards

- (1) Ordinance Section 21-07 Section IV.R.2.III-In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete on of the following:
 - (a) Design stormwater management measures so that the post-construction peak runoff rates for

the 2-, 10-, and 100-year storm events are 50, 75, and 80 percent, respectively, of the preconstruction peak runoff rates. The percentages apply only to one of the post-construction stormwater runoffs that is attributable to the portion of the site on which the proposed development or project is to be constructed; or

- (2) The Applicant proposes the following:

Basin 1

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	2.78	50 %	1.39	0
10	4.69	75 %	3.52	0.02
100	10.59	80 %	8.47	1.38

Basin 2

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	0.67	50 %	0.34	0
10	1.35	75 %	1.01	0
100	4.06	80 %	3.25	0.99

Basin 3

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	0.42	50 %	0.21	0
10	0.84	75 %	0.63	0
100	2.31	80 %	1.85	0.85

Basin 4

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	2.84	50 %	1.42	0
10	5.49	75 %	4.12	0.06
100	11.62	80 %	9.30	0.16

Basin 5

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	3.88	50 %	1.94	0
10	6.96	75 %	5.22	0
100	13.79	80 %	11.03	5.24

Basin 6

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	1.03	50 %	0.52	0
10	2.15	75 %	1.61	0.22
100	4.67	80 %	3.74	2.64

Basin 7

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	3.55	50 %	1.78	0
10	6.39	75 %	4.79	1.27
100	12.69	80 %	10.15	7.55

Basin 8

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	0.36	50 %	0.18	0
10	0.66	75 %	0.50	0
100	1.31	80 %	1.05	0.01

Basin 9

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	0.30	50 %	0.15	0
10	0.57	75 %	0.43	0
100	1.41	80 %	1.13	0

Basin A

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	0.88	50 %	0.44	0.05
10	1.74	75 %	1.31	0.12
100	5.31	80 %	4.25	0.27

Basin B

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	1.26	50 %	0.63	0.06
10	2.34	75 %	1.76	0.15
100	11.82	80 %	9.46	5.13

Basin C

Design Storm	Existing Flow (cfs)	Reduction Rate	Maximum Allowable (cfs)	Proposed (cfs)
2	0.45	50 %	0.23	0.02
10	1.63	75 %	1.23	0.14
100	8.75	80 %	7.00	2.37

- 5) In accordance with the NJDEP BMP Manual, the Applicant has addressed the hydraulic impact of the basins as follows:

For Basin 1, the separation between the bottom of the basin and the seasonal high-water table is 4.9 feet. The maximum groundwater mounding for this basin is 3.3 feet, which passes.

For Basin 2, the separation between the bottom of the basin and the seasonal high-water table is 3.6 feet. The maximum groundwater mounding for this basin is 2.6 feet, which passes.

For Basin 3, the separation between the bottom of the basin and the seasonal high-water table is 3.5 feet. The maximum groundwater mounding for this basin is 3.4 feet, which passes.

For Basin 4, the separation between the bottom of the basin and the seasonal high-water table is 4.0 feet. The maximum groundwater mounding for this basin is 3.7 feet, which passes.

For Basin 5, the separation between the bottom of the basin and the seasonal high-water table is 2.5 feet. The maximum groundwater mounding for this basin is 2.49 feet, which passes.

For Basin 6, the separation between the bottom of the basin and the seasonal high-water table is 3.9 feet. The maximum groundwater mounding for this basin is 3.86 feet, which passes.

For Basin 7, the separation between the bottom of the basin and the seasonal high-water table is 3.5 feet. The maximum groundwater mounding for this basin is 3.47 feet, which passes.

For Basin 8, the separation between the bottom of the basin and the seasonal high-water table is 3.5 feet. The maximum groundwater mounding for this basin is 3.47 feet, which passes.

For Basin 9, the separation between the bottom of the basin and the seasonal high-water table is 2.0 feet. The maximum groundwater mounding for this basin is 0.95 feet, which passes.

- 6) The onsite piping system shows design velocity of pipe under 2 ft/sec, the Applicant should address the need to go under a self-cleaning velocity within the piping system and how maintenance will be affected.
- 7) Ordinance 21-07, Section IX, Part A, (1) requires whenever an Applicant seek municipal approval of a development subject to this ordinance, the Applicant shall submit all of the required components of the checklist for the Site Development Stormwater Plan in Section IX.C below as part of the submission of the application for approval. The Applicant shall submit a compliance check as required.
- 8) The Applicant shall provide a stormwater maintenance manual in accordance with NJDEP BMP standards. Within the manual, the following maps (11" x 17") shall be provided:
 - a) Grading Plan
 - b) Drainage and Utility Plan
 - c) Landscape Plan and Details
 - d) Soil Erosion Seeding Notes
- 9) The following notes shall be added to the Grading and Drainage Plan:
 - a) Stormwater management facilities shall be regularly maintained to ensure they function at design capacity and to prevent health hazards associated with debris buildup and stagnant water.
 - b) Responsibility for operation and maintenance of the stormwater facilities, including periodic removal and disposal of accumulated particulate material and debris, shall remain with the owners or owners of the property. Maintenance shall follow the operations maintenance manual approved by the Neptune Township Planning Board.
 - c) In the event that the facility becomes a danger to public safety or public health, or if it is in need of maintenance. The owner shall affect such maintenance and repair of the facility in a manner that is approved by the Township Engineer.
- 10) As outlined under Ordinance 21-07, Section IV, Part M-Any stormwater management measure authorized under the Municipal

Stormwater Management Plan or Ordinance shall be reflected in a deed notice recorded in the Office of the Clerk of the County of Monmouth. The Township will require quarterly reports of drainage maintenance as compliance of this approval and maintenance manual.

- 11) As part of the individual plot plan, requirements for each lot, the Township requires individual soil borings for each lot with a proposed basement. **A note should be added on the plans.**
- 12) The following should be added to the grading plan:
 - The plan should show stormwater flow arrow.
 - On Lot 22, a high point elevation should be provided.
 - On the plan the proposed grade elevation at each property corner along the right-of-way should be provided.
- 13) The proposed subdivision development will ultimately discharge stormwater to Wells Brook merging with the Jumping Brook into the Shark River via the proposed stormwater design. The Shark River and its tributary Wells Brook are Category One Special water resources areas. The Applicant shall provide testimony with regards to the NJASC 7:8-5.5(h) addressing the effects on the following protection of water quality, aesthetic value, exceptional ecological significance. The Applicant shall likewise address how the project will preserve and maintain these special water resources.
- 14) The Applicant shall comply with ordinance No. 07-11 section 529 (Township acceptance of Stormwater Management System) and section 530 (Stormwater Management Maintenance fee).

D. **Utilities**

- 1) The Applicant has provided the following proposed utility schematics with the Utility Plan Sheet:
 - a) Domestic water service
 - b) Sewer service
- 2) In accordance with Ordinance Section 526, all utility services shall be placed underground. The Applicant should add a note on the plans.
- 3) With regard to sanitary sewer improvements, the Applicant shall comply with the following:
 - a) The Applicant should obtain Township of Neptune Sewerage Authority (TNSA) approval for proposed sewer connection.

- b) Flow calculations should be provided for the facility, calculations shall be submitted regarding proposed flow and capacity of existing system.
- 4) The Applicant should obtain approval from New Jersey American Water Company to confirm proposed connection and capacity for the proposed single-family dwelling units.
- 5) Ordinance Section 526.A.1., states that all electric, telephone, television and other communication facilities, both main and service lines servicing new developments, shall be provided by underground wiring within easements and dedicated public rights-of-way, installed in accordance with the prevailing practices of the utility or other companies providing such services. The Applicant does not show or provide a note on the subdivision plan on the location of the electric, telephone, television, and other communication facilities. **Testimony should be provided.**
- 6) Ordinance section 526.A.1, states that main electric, telephone, television, and other communication facility lines servicing new developments shall be located within a utility easement at least then (10) feet in width. Said easement shall be located parallel and adjacent to a public or private right-of-way. This shall facilitate the location of street trees within a minimum five (5) foot wide tree lawn adjacent to the easement. The Applicant does not show or provide a note on the subdivision plan on the location of the electric, telephone, television and other communication facilities. **Testimony should be provided.**

D. **Environmental and Community Impact**

- 1) The Applicant is required to provide testimony for the Environmental Impact Statement in compliance with the Township of Neptune Land Development Ordinance No. 4-23; Section 2 entitled “Environmental Impact System”. The Applicant shall provide testimony with regard to the following:
 - a) Testimony shall be provided to address recycling and solid waste disposal for the site.
 - b) The document shall address that the project site is located within the flood hazard area.
- 2) The Applicant should also provide testimony to address related key elements of the Environmental Impact Ordinance section 811.01 with regards to noise, lighting, air pollution and impacts of water quality from the proposed development.

- 3) Testimony to be provided regarding the proposed import of material to raise the site. Information shall be required in accordance with Neptune Township Land Development Ordinance Section 420 Soil Conservation as to source and testing of source material for review and approval prior to import to the site.
- 4) The Applicant shall provide metes and bounds descriptions and area of the wetlands/buffers. A conservation easement encompassing all land located within the wetlands transition area should be provided. This information shall be added to the plans.
- 5) Silt fence should be provided for protection of the infiltration basins from siltation during construction activities.
- 6) Details should be provided for protection of the infiltration basins from siltation during site construction activities.
- 7) A note should be added to the construction notes prohibiting construction equipment from accessing the infiltration basin during construction to minimize compaction of existing underlying soils.
- 8) A copy of the approved NJDEP LOI and wetlands map shall be submitted.

E. **Lighting and Landscaping**

- 1) The following notes shall be added to the Landscape Plan:

Street trees are proposed with this application. Street trees shall be in accordance with Ordinance Section 523.E. The following notes shall be added to the plan.

- a) "Street trees shall be substantially uniform in size and shape and have straight trunks."
- b) "Trees shall be properly planted and staked in accordance with the Neptune Township Engineering Standards."
- c) Provision shall be made by the developer for regular watering and maintenance until landscaping is established."
- d) "Dead or dying trees shall be replaced by the developer during the next suitable planting season."

- e) “The developer shall be required to replace dead or dying plant material for a period of two (2) years from the date of issuance of a final zoning permit for occupancy and shall post a maintenance guarantee pursuant to Article X of the Township Ordinance” per Ordinance Section 509.F
- 2) The landscaping table shall be revised to address fall planting hazard per Ordinance 509.G.
- 3) A tree removal permit shall be obtained from the Township Conservation Office prior to any tree removal. The Applicant’s compliance with replacement tree requirements shall be provided during testimony.
- 4) Planting notes shall be revised to address Ordinance Section 509.E. “Only nursery-grown plant material shall be utilized.”
- 5) Ordinance Section 504.B.5. (Planting Strips), states that the area located between curbs and sidewalks or walkways shall be either planted with grass or another type of ground cover plant material. Planting strips located in the public right-of-way may be paved with bricks or other similar type of decorative paving materials as specified by the Township Engineer. In no instance, however, shall a planting strip be permitted to be covered with asphalt or loose stones of any variety. **Testimony should be provided.** The details shall be updated on the plan.
- 6) Ordinance Section 523.C. (Minimum Planting Size), states that all street trees shall have a minimum caliper of 3-½” at the time of planting. The Applicant is proposing a caliper size of 2-½” and 3” This shall be revised, or **A design waiver is required.**
- 7) Ordinance Section 523.D. (Street Tree Type), states that tree type may vary depending on overall effect desired but, as a general rule, all trees shall be large deciduous trees except as needed to achieve special effects. Tree selection shall be approved by the Board in accordance with the Neptune Township Shade Tree Commission Tree Planting Guide. Alternate selections may be approved at the discretion of the Board. The Applicant is proposing American Sycamore and Scarlet Oak for street trees. The American Sycamore is on the Neptune Township Shade Tree Commission Tree Planting Guide, but the Scarlet Oak is not. **Board approval is required.**

F. **Community Impact Analysis**

- 1) The Community Impact Statement has indicated that the development would generate the following:
 - 115 Residents
 - 26 Public school-age children
- 2) The Applicant shall address the impact on emergency response (i.e., Police, Fire, EMS) for the proposed site.
- 3) The Applicant shall provide testimony to address key elements of community impact with regards to dwellings and fiscal impact.
- 4) On page 3, the report references the 2021 Municipal tax rates. The 2023 tax rate is available from the Neptune Township Tax Office. The rate should be updated within the report.
- 5) On page 2, it is estimated that twenty-six (26) school age children will be generated by this development. Testimony to be provided.
- 6) Testimony shall be provided of financial impact. The report shall utilize tax data for 2023, and current school district budget 2022-2023.
 - a. As stated in the report
 - i. Tax Revenue (2021): annually revenue \$154,621
 - ii. School Cost (2018-2019): generated cost \$435,942

6. **Conditions of Approval**

- A. NJDEP – LOI and buffers
- B. Freehold Soil Conservation
- C. Monmouth County Planning Board
- D. New Jersey American Water
- E. Neptune Township Developers Agreement
- F. Neptune Township Sewer Department
- G. Neptune Township Tree Removal Permit/Replacement Tree Fees
- H. Neptune Township Fire Official

- I. Neptune Roadway Opening Permit
- J. The Applicant shall secure all county permits, for road opening, water sanitary gas and electric.
- K. Neptune Township Stormwater Management Maintenance fee
- L. Performance Guarantees and engineering inspection fees
- M. Payment of Affordable Housing Contribution in accordance with Ordinance Section 1001
- N. Signed and sealed structural retaining wall plan
- O. Structural retaining wall maintenance plan
- P. Escrow to address inspection of structural retaining wall.

Our office recommends the above completeness waivers be reviewed by the Planning Board prior to issuing our letter for completeness.

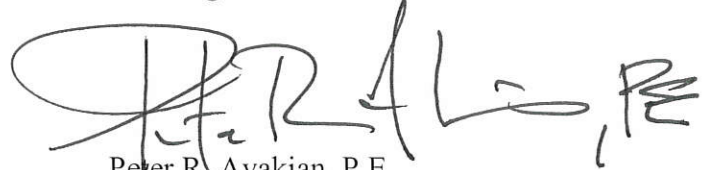
Should you have any questions or require additional information regarding this matter, please contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Jennifer Beahm, P.P.
Planning Board Planner



Peter R. Avakian, P.E.
Planning Board Engineer

DMH:cmp/mcs
Attachment

cc: Kristie Dickert, Administrative Officer
Mark Kitrick, Esq., Board Attorney
Salvatore Alfieri, Esq., Applicant's Attorney
Brian R. Decina, P.E., Applicant's Engineer
RMH at Country Woods at Neptune, LLC, Applicant

NT/PB/23/23-06a

**ATTACHMENT #1
PROPOSED BULK CONDITIONS FOR THE SUBDIVISION**

Description	Required	Existing Lot 1	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Proposed Lot 4	Proposed Lot 5	Proposed Lot 6	Proposed Lot 7	Proposed Lot 8	Proposed Lot 10	Proposed Lot 11	Proposed Lot 12	Proposed Lot 13	Proposed Lot 14	Proposed Lot 15	Proposed Lot 16	Proposed Lot 17
Minimum Lot Area (sf)	7,500 sf	N/A	10,758 sf	10,200 sf	10,200 sf	9,593 sf	9,593 sf	10,200 sf	10,200 sf	9,593 sf	13,452 sf	11,475 sf	11,475 sf	11,475 sf	11,475 sf	11,475 sf	11,707 sf	10,258 sf
Minimum Lot Width (ft)	75 ft	N/A	90.00 ft	85.00 ft	85.00 ft	90.00 ft	90.00 ft	85.00 ft	85.00 ft	90.00 ft	100.00 ft	85.00 ft	85.00 ft	85.00 ft	85.00 ft	85.00 ft	85.00 ft	85.00 ft
Minimum Lot Frontage(ft)	75 ft	N/A	203.99 ft	85.00 ft	85.00 ft	177.81 ft	177.81 ft	85.00 ft	85.00 ft	177.81 ft	228.56 ft	85.00 ft	85.00 ft	85.00 ft	85.00 ft	85.00 ft	92.46 ft	82.74 ft
Minimum Lot Depth (ft)	100 ft	N/A	120.00 ft	120.00 ft	120.00 ft	120.00 ft	120.00 ft	120.00 ft	120.00 ft	120.00 ft	135.00 ft	135.00 ft	135.00 ft	135.00 ft	135.00 ft	135 ft	123.80 ft	120 ft
Minimum Front Yard Setback	25 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Minimum Side Yard Setback	5 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Minimum Side Combined Side Yard Setback	15 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Minimum Rear Yard Setback (ft)	25 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Maximum Building Coverage	25 %	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Maximum Lot Coverage	35 %	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Maximum Number of Stories	2.5	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Maximum Building Height	35 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply

Description	Required	Proposed Lot 18	Proposed Lot 19	Proposed Lot 20	Proposed Lot 21	Proposed Lot 22	Proposed Lot 23	Proposed Lot 24	Proposed Lot 25	Proposed Lot 26	Proposed Lot 27	Proposed Lot 28	Proposed Lot 29	Proposed Lot 30	Proposed Lot 31	Proposed Lot 32	Proposed Lot 33
Minimum Lot Area (sf)	7,500	10,200 sf	10,200 sf	10,200 sf	10,200 sf	11,958 sf	10,200 sf	12,870 sf	10,287 sf	15,134 sf	12,568 sf	10,200 sf	10,200 sf	18,484 sf	11,913 sf	13,452 sf	809,819 sf
Minimum Lot Width (ft)	75 ft	85.00 ft	85.00 ft	85.00 ft	85.00 ft	100.00 ft	85.00 ft	85.00 ft	85.00 ft	75.20 ft	75.20 ft	85.00 ft	85.00 ft	90.00 ft	83.00 ft	100.00 ft	>75 ft
Minimum Lot Frontage(ft)	75 ft	85.00 ft	85.00 ft	85.00 ft	85.00 ft	213.80 ft	85.00 ft	80.75 ft	85.71 ft	63.34 ft	63.49 ft	85.00 ft	85.00 ft	76.16 ft	80.00 ft	228.56 ft	80 ft
Minimum Lot Depth (ft)	100 ft	120.00 ft	120.00 ft	120.00 ft	120.00 ft	120.00 ft	120.00 ft	126.57 ft	120.00 ft	153.74 ft	120.00 ft	120.00 ft	120.00 ft	136.88 ft	135.00 ft	135.00 ft	135.00 ft
Minimum Front Yard Setback	25 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Minimum Side Yard Setback	5 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Minimum Side Combined Side Yard Setback	15 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Minimum Rear Yard Setback (ft)	25 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Maximum Building Coverage	25 %	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Maximum Lot Coverage	35 %	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Maximum Number of Stories	2.5	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply
Maximum Building Height	35 ft	N/A	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply	To comply

- No lot 9
31 Building Lots (1-8; 10-32)
1 Open Space Lot (33)