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March 15, 2023

Howell Township Planning Board
4567 Route 9 North
PO Box 580
Howell, NJ 07731

Re: Lesette Cholula (SD-3008)
Minor Subdivision – Engineering Review #1
Block 110.01, Lot 65
Location: 125 West 3rd Street
Zone: R-50 (Residential)
Our File: HHWP0110.10

Dear Board Members:

Our office has received the following information in support of the above referenced application for Minor Subdivision Approval:

- Minor Subdivision Plan (1 sheet) prepared by Geller Sive & Company, LLC, dated December 12, 2022, unrevised;
- Conceptual Grading Plan (1 sheet) prepared by Geller Sieve & Company, LLC, dated December 12, 2022, unrevised;
- Boundary and Topographic Survey (1 sheet) prepared by DPK Consulting, LLC, dated May 10, 2022, unrevised;
- Certified List of Property Owners prepared by the Howell Township Tax Assessor, dated January 20, 2023;
- Monmouth County Planning Board Application, dated January 18, 2023;
- Statement of Corporate Ownership;
- Submission Waiver Requests, dated December 2022;
- Submission Letter prepared by Todd A. Cohen, Esq., dated January 18, 2023;
- Resubmission Letter prepared by Todd A. Cohen, Esq., dated February 1, 2023;
- A development application and checklist.

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CONSULTING AND MUNICIPAL ENGINEERS

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

1. Project Description

The existing 20,000 s.f. property is located within an R-50 Zone District and contains 100 feet of frontage along the southern side of West 3rd Street. The property is located approximately 650 feet west of the West 3rd Street and Route 9 intersection. Currently, the property contains a 1-story dwelling with a gravel driveway, a concrete driveway, shed and paver patio. It appears the existing dwelling is serviced by public water and sanitary sewer.

The Applicant proposes to subdivide the existing lot into two (2) new lots. Proposed Lot 65.01 will be 10,000 sf in size, with 50 feet of frontage along West 3rd Street and will contain the existing 1 story dwelling and associated improvements. Proposed Lot 65.02 will also be 10,000 s.f. in size, with 50 feet of frontage along West 3rd Street. The existing concrete driveway within proposed Lot 65.02 is to be removed and a future single-family dwelling is intended to be constructed. Public water and sanitary is to be extended to the new dwelling on proposed Lot 65.02.

2. Zoning Compliance

The subject property is situated within an R-50 Zone District and the table below summarizes the bulk standards and zone requirements for the site:

Description	Required	Proposed
Minimum Lot Area	5,000 s.f.	10,000 s.f. (Lot 65.01) 10,000 s.f. (Lot 65.02)
Minimum Lot Frontage	50 feet	50.0 feet (Lot 65.01) 50.0 feet (Lot 65.02)
Minimum Front Yard Setback	25 feet	36.6 feet (Lot 65.01) > 25 feet (Lot 65.02)
Minimum Side Yard Setback	6 feet	1.4 feet (Lot 65.01) (V) > 10 feet (Lot 65.02)
Minimum Rear Yard Setback	20 feet	125.4 feet (Lot 65.01) > 20 feet (Lot 65.02)
Maximum Building Height	30 feet and 2 ½ stories, whichever is less	< 30 feet/1 story (Lot 65.01) < 30 feet/2 ½-stories (Lot 65.02)



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Accessory Building Location	5 feet from the side or rear property lines	1.8 feet (shed) (Lot 65.01) (EC) N/A (Lot 65.02)
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(EC) – Existing Condition, (V) – Variance Required

The following existing conditions appear to remain pertinent to the property:

- a. **Section 188-11C** – For lots 10,000 square feet or less, structures of 10 feet tall or less shall be set back at least five (5) feet from side and rear property lines; whereas the existing shed located on proposed Lot 65.01 is set back 1.8 feet from the side property line.
- b. **Section 188-119A** – All residential dwellings shall be served by a paved or concrete driveway. Pavers are acceptable and shall be permitted as well; whereas the existing dwelling on Lot 65.01 will utilize the existing gravel driveway.
- c. **Section 188-119C** – No driveway shall be constructed closer than five (5) feet from any property line; whereas the existing driveway on proposed Lot 65.01 is set back approximately two (2) feet from the side property line.
- d. **Section 188-119D** – Single lot driveways less than 150 feet in length shall be a minimum of 12 feet wide; whereas the existing driveway on proposed Lot 65.01 is approximately 11 feet wide.

The Applicant has requested the following variance:

- a. **Section 188-71 (Schedule II)** – The minimum side yard setback for principal buildings is 6 feet; whereas the existing one-story dwelling is set back 1.4 feet from the proposed property line.

The Applicant has not requested any design waivers with this application; however, the following design waiver appears necessary for this application:

- a. **Section 188-132** – Sidewalks shall be constructed on both sides of all proposed streets, along the entire frontage of the subject property, and in other selected areas determined by the Board; whereas no sidewalk exists or is proposed along the West 3rd Street frontage. If the Board grants a waiver from providing sidewalk along the frontage, we note that minor subdivision applications are exempt from contributing to the Howell Township sidewalk fund.



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3. The Applicant has requested waivers from providing the following required checklist submission items:

- a. **Checklist Item #5** – Utilities Department filing fee.
- b. **Checklist Item #20** – Architectural Plans.
- c. **Checklist Item #60** – All drainage conveyances within 2,000 feet.
- d. **Checklist Item #70** – Use of existing and proposed buildings by floor area.
- e. **Checklist Item #72** – Construction details.

Additionally, it appears the following checklist waivers would also be required:

- f. **Checklist Item #4** – Previous Planning and/or Zoning Board approvals.
- g. **Checklist Item #52** – Use designation of all lots within 200 feet.
- h. **Checklist Item #64** – Estimated sewerage disposal rate (GPD).

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

a. **Nonrefundable Application Fees:**

Minor Subdivision	\$300.00
Bulk Variance – Single Family Use: \$500 plus \$20 per variance (1)	\$520.00
Subtotal:	\$820.00

b. **Professional Services Escrow Fees:**

Minor Subdivision – 1 to 10 Lots: \$4,000 plus \$100 per lot (2)	\$4,200.00
Bulk Variance	\$2,000.00
Subtotal:	\$6,200.00

We recommend the Township collect \$820.00 in nonrefundable application fees and \$6,200.00 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.



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5. 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 and an agreement to exceed said requirements shall be filed with DCA for all proposed improvements which exceed RSIS.
6. The Applicant should be prepared to discuss the following issues with the Board:
 - a. The subdivision history of the tract.
 - b. Whether the subdivision, if approved, would be filed with the County Clerk's Office by Deed or Plat.
 - c. Timing associated with the removal of the existing driveway within the limits of proposed Lot 65.02 as it relates to the recording of the subdivision with the County Clerk's office.
 - d. Compliance with the Residential Site Improvement Standards for the existing dwelling. It appears that the existing driveway to remain within proposed Lot 65.01 provides sufficient space for 3 cars.
 - e. Whether the Applicant will agree to install drywells to recharge the stormwater runoff from the roof of the new dwelling on proposed Lot 65.02.
 - f. The need for any improvements (curb, sidewalk, street trees, right-of-way dedication, etc.) along West Third Street.
 - g. Any permits/approvals required by outside agencies. The Applicant should 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.
7. Based upon our review, we note the following:
 - a. The Minor Subdivision Plan must be prepared in accordance with the Map Filing Law, including the following:
 - i. Provide an approval from the Township Tax Assessor with regards to the new lot numbers.
 - ii. Depict a minimum of three (3) corners around the tract with actual computed coordinate values.
 - b. Provide a note that a tree removal permit shall be secured prior to any site disturbance.



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- c. Provide a note that tree protection fencing will be installed to protect all trees to remain on site during construction, in accordance with Section 188-191. Our office notes that it does not appear tree removal is proposed at this time.

Prior to application being deemed complete, the Board must act on the Applicant's request for the submission waivers outlined in Item #3 of our report. We recommend the Applicant comply with all applicable notification requirements as set forth in the Howell 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 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
Planning Board Engineer

LJN/JAR/ROM

cc: Howell Township Environmental Commission
Ronald Cucchiaro, Esq., Board Attorney
Lesette Cholula – Applicant (lesette.ramirez@gmail.com)
Geller Sive & Company, LLC – Applicant's Engineer (rsive@gellersive.com)
Todd A. Cohen, Esq. – Applicant's Attorney (mail@toddacohenesq.com)