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March 9, 2020

Marlboro Township Environmental Commission
1979 Township Drive
Marlboro, NJ 07746

Attn: Rohit Gupta, Chairman

**Re: Marlboro Development Group, LLC/Marlboro Green (PB #1202-20)
Preliminary and Final Major Subdivision and Site Plan –
Environmental Review
Block 213.01, Lot 44
Location: NJ State Highway Route 79, Stevenson Drive and Bucks Lane
Zone: GH1D (Generational Housing 1 District)
CME File No.: HMRP0213.02**

Dear Chairman Gupta and Commission Members:

Our office received the following information that was submitted in support of the above-referenced application for Preliminary and Final Major Subdivision and Site Plan approval:

- Preliminary and Final Major Site Plan (21 sheets) prepared by Matrix New World Engineering, Land Surveying and Landscape Architecture, PC dated January 22, 2020, unrevised;
- Preliminary and Final Major Subdivision Plat (1 sheet) prepared by Matrix New World dated January 22, 2020, unrevised;
- Boundary and Topographic Survey (2 sheets) prepared by Matrix New World dated April 3, 2019, unrevised;
- Construction Trailer Location Plan (1 sheet) prepared by Matrix New World dated January 22, 2020, unrevised;
- Architect Plans – Affordable Apartments (3 sheets) prepared by Thomas J. Brennan Architects dated January 21, 2020, unrevised;
- Architect Plans – Townhomes (3 sheets) prepared by Pulte Group – Northeast Corridor, dated December 6, 2019, unrevised;



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- Stormwater Management Report prepared by Matrix New World dated January 22, 2020, unrevised;
- Environmental Impact Statement prepared by Matrix New World dated January 22, 2020, unrevised;
- A Development Application and Checklist.

In accordance with your authorization, we have reviewed this application for Preliminary, Final Major Subdivision, and Site Plan approval and offer the following comments, from an environmental perspective:

1. Project Description

As we reported to the Township Planning Board in our review letter, the subject property is indicated to contain 13.7 acres as a corner lot within a GH1D (Generational Housing 1 District) Zone and provides 535 feet of road frontage along NJ State Highway Route 79 to the west, 757 feet of frontage along Stevenson Drive to the north and 199 feet of frontage along Bucks Lane to the south. The property is currently vacant/wooded and contains isolated wetland areas. The property is encumbered by a Grade Crossing Easement along a portion of the Stevenson Drive site frontage and a Sight Triangle Easement at the Route 79 and Stevenson Drive intersection. A portion of the Henry Hudson Trail adjoins the property along the easterly property line.

The Applicant is seeking Preliminary and Final Major Subdivision approval to subdivide the property into four (4) new lots consisting of one (1) lot for attached townhome dwellings within 18 buildings, one (1) lot for multi-family affordable housing rental units within one (1) building and two (2) lots for commercial development providing one (1) building each.

The Applicant is also seeking Preliminary and Final Major Site Plan approval for the above outlined development of the property. More specifically the Applicant proposes development of the four (4) new lots as follows:

- Lot 44.01 would contain 10.7 acres and provide 541 feet of road frontage along Stevenson Drive to the north and 199 feet of frontage along Bucks Lane to the



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south. The lot would contain 85 market rate townhome dwellings within 18 3-story buildings and four (4) stormwater basins, including a centrally located wet pond basin.

- Lot 44.02 would contain 0.8 acres (38,604 s.f.) as a corner lot providing 142 feet of road frontage along Route 79 to the west and 215 feet of frontage along Stevenson Drive to the north. The Lot is to contain 20 affordable housing rental units within one (1) three-story building.
- Lot 44.03 would contain 1.1 acres (48,405 s.f.) and provide 229 feet of road frontage along Route 79 to the west. The lot would contain an 8,110 s.f. (76 feet x 100 feet) one-story multi-tenant commercial building.
- Lot 44.04 would contain 1.0 acres (45,330 s.f.) and provide 164 feet of road frontage along Route 79 to the west. The lot would contain a 4,000 s.f. (38 feet x 100 feet) commercial building, whether multi-tenant is unclear.

Access to the townhome portion of the development is proposed by a full-movement drive along Bucks Lane and a full-movement, boulevard style drive along Stevenson Drive. All buildings are to have access along private internal roadways and 59 on-street parking spaces, including two (2) electric vehicle parking/charging spaces, are proposed with all townhome units to contain a two-car garage with driveway. No roadway connection is proposed between the townhome component and either the commercial or affordable housing components. An apparent full-movement drive is proposed along Route 79 as well as a full-movement drive along Stevenson Drive to provide access to the commercial lots and affordable housing units, respectively, with shared access between the areas. Forty parking spaces are proposed on the affordable housing lot while 42 spaces are proposed on the 8,110 s.f. commercial building lot and 20 spaces proposed on the 4,000 s.f. commercial building lot. Each commercial building is depicted, per the Site Plan, to provide a drive-thru lane. All buildings are to be serviced by municipal sanitary sewer via connection to an existing gravity system within Stevenson Drive and municipal water by connection to existing mains within Stevenson Drive and Buck Lane. Stormwater management for the commercial buildings and affordable housing units is proposed by two (2) underground detention systems discharging to an existing drainage system along Route 79 while the townhome development is to provide three (3) surface area basins



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and a wet pond basin interconnected and discharging to an existing drainage system with Stevenson Drive. Landscape and lighting improvements are proposed throughout all areas of the development and two (2) refuse enclosures, one (1) each, are proposed to service the commercial and affordable housing areas. Site identification signage is proposed consisting of two (2) column signs along the Bucks Lane access drive, one (1) monument sign along the townhome area access drive along Stevenson Drive and two (2) pylon signs along Route 79 with one (1) at the commercial area access drive and one (1) at the Route 79 and Stevenson Drive intersection. Monument wall signs also appear proposed at the commercial area access drive and the affordable housing access drive. The westerly onsite wetland area is to remain while the two (2) easterly wetland areas are to be eliminated. A sidewalk connection to the adjoining Henry Hudson Trail is proposed from the townhome area.

2. Surrounding Uses

Properties north, south and west of the subject site along Route 79 are zoned C-1 and contain a predominate mix of commercial uses, with scattered residential, agricultural and vacant/wooded parcels, including residential parcels adjoining the site along Bucks Lane. Properties east of the site opposite the Henry Hudson Trail are zoned SCPR containing residential parcels.

3. Zoning Compliance

The subject property is designated within a Generational Housing 1 District per recently adopted legislation New Law Ordinance No. 2019-14, Section 220-XX.1 "Generational Housing 1 District". The table below summarizes the bulk measures and zone requirements of the development per Ordinance Section 220-XX.1.

Overall Tract:



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<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
Maximum Residential Density	105 units with maximum 20 multi-family	105 units with 20 multi-family
Minimum Commercial Space	8,000 s.f. gross floor	12,110 s.f. ±
Maximum Commercial Space	16,000 s.f. gross floor	12,110 s.f. ±

Attached Single-Family/Townhouse Dwellings:

<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
Maximum Tract Area	10 acres	10.7 acres
Maximum Building Height	3 ½ story/40 feet	3 ½ story/34.2 feet
Maximum Units per Building	6 units	6 units
Minimum Building Setback – Side to Side	20 feet	20 feet
Minimum Building Setback – Front to Back	30 feet	41.8 feet
Minimum Building Setback – Back to Back	45 feet	50.2 feet
Minimum Building Setback – Tract Boundary	15 feet	22.3 feet



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<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
Minimum Building Setback- Internal Road/Drive Aisle	15 feet	15 feet

Multi-Family/Mixed Use Building:

<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
Minimum Tract Area	20,000 s.f.	38,604 s.f.
Maximum Building Height	3 ½ story/40 feet	3 ½ story/35 feet
Minimum Building Setback – Route 79	25 feet	28.2 feet
Minimum Building Setback – Stevenson Drive	25 feet	86.1 feet
Minimum Building Setback – Other Boundary	8 feet	10 feet
Minimum Building Setback – Internal Road/Drive Aisle	5 feet	11.7 feet
Minimum Building Setback- Other Building	25 feet	>25 feet

Commercial Building:



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<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
Minimum Tract Area	25,000 s.f.	45,330 s.f.
Maximum Building Height	3 ½ story/40 feet	1 story/19.6 feet
Minimum Building Setback – Internal Road/Drive Aisle	2 feet	5.6 feet
Minimum Building Setback – Route 79	60 feet	76.0 feet
Minimum Building Setback – Other Boundary	2 feet	3.9 feet
Minimum Building Setback – Drive Thru Aisle	0 feet	0 feet

Accessory Structures:

<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
Maximum Building Height	15 feet	N/A
Minimum Building Setback – Side Yard	3 feet	N/A
Minimum Building Setback – Rear Yard	5 feet	N/A

Parking Area Setback



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<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
Any Adjacent Property Line	10 feet	15 feet
Any Internal Subdivision Line	0 feet	0.5 feet
Any Commercial Building	0 feet	4 feet
Any Multi-Family/Mixed Use Building	5 feet	8.6 feet
Any Attached Single Family / Townhouse Dwelling	10 feet	10 feet
Any Internal Drive Aisle	0 feet	0 feet
Any Solid Waste/Recycling Facility	0 feet	6 feet

The Applicant has not requested any variances and/or design waivers with this application, however, variances and/or design waivers appear necessary for the following:

- a. **Section 220-35D(24)(e)** – The maximum grade for lawns within 5 feet of a building shall be 10% and for lawns more than 5 feet of building 25% (4:1); greater than 10% within 5 feet of a building appears proposed at the corners and rear of townhome Building 16, along the rear of Building 9 and along a rear portion of Building 8 and 33% (3:1) grading, not associated with a stormwater basin, appears proposed east of the refuse enclosure for the multi-family building.
- b. **Section 220-XXG(6)** – No building shall have an uninterrupted horizontal width of greater than 40 feet without a change in vertical plane of the façade. A step-back or projection with a minimum depth of 18 inches shall be provided; the easterly façade of townhome Building 6 and westerly façade of Building 5 do not appear to comply.



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- c. **Section 220-XX.1H(2)** – A landscape buffer with a minimum width of 20 feet shall be provided around all tract boundaries where the property abuts a residential use or zone; 20 foot wide landscape buffers are required along adjoining Lot 48 which is indicated to contain a residential dwelling.
 - d. **Section 220-XX.1G(1)** – In connection with commercial uses, one (1) externally or internally illuminated pylon project identification sign shall be permitted; 2 pylon site identification signs appear proposed along Route 79.
 - e. **Section 220-97B** – Each off-street parking space shall measure not less than 10 feet by 20 feet; 9 feet by 18 feet parking spaces are proposed at the commercial sites. We note that 9 feet by 18 feet spaces are also proposed at the townhome and affordable housing sites which would be compliant with Residential Site Improvements Standards (RSIS) Section 5:21-4.15.
 - f. **Section 220-97C(4)** – Driveways shall have a minimum width of 20 feet for one-way traffic and 25 feet for two-way traffic for all non-residential single-family uses; 24 foot wide driveways with two-way traffic are proposed at the commercial sites as well as an 18 foot drive for one-way traffic leading to a depicted drive-thru area at the 4,000 s.f. commercial building site (Lot 44.04). We note a one-way drive-thru lane of 12 feet to 15 feet wide depicted at the 8,110 s.f. commercial building and dual 10.7 foot wide lanes proposed at the 4,000 s.f. commercial building drive-thru which should be discussed with the Board.
 - g. **Section 220-99A(3)** – No part of any sign shall be located closer to any lot line than 10 feet or a distance equal to the height of the sign, whichever is greater, the monument wall, apparently containing a sign element, along the access drive from Stevenson Drive for the affordable housing site (Lot 44.02) is within 10 feet of the proposed subdivision line for the townhome site (Lot 44.01) and the column sign along the west side of the Bucks Lane access drive for the townhome site (Lot 44.01) is within 10 feet of the property lien for adjoining Lot 47.
4. 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.



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- a. The Applicant appears to require a de minimus exception from the RSIS requirements for the following:
 - i. Section 5:21-4.16 (Table 4.4) – Requirements for attached units (apartment, condominium and townhouse) include provisions for guest parking at a ratio of 0.5 spaces per dwelling unit, whereby 40 spaces would be required for the 20 affordable housing units plus 10 spaces for guest parking thereby requiring 50 total parking spaces; 40 parking spaces are proposed for the affordable housing units.
5. The Applicant has been asked to discuss the following issues with the Planning Board:
 - a. Reasons supporting the granting of required variances and/or design waivers.
 - b. Compliance with the Generational Housing District requirements per Ordinance Section 220-XX, especially regarding the mix of low and moderate income affordable dwelling units (220-XXD(3)), income limits and bedroom distribution (220-XXD(4)) and building design standards (220-XXD). Compliance with the Generational Housing 1 District requirements per Ordinance Section 220-XX.1 for the specific properties must also be discussed.
 - c. The application package indicates the affordable housing units are to be rental units which should be verified with the Board.
 - d. Whether any phased construction of the improvements is proposed should be reviewed with the Board.
 - e. Whether the proposed roads are to be private roadways must be clarified with the Board.
 - f. The need for any recreational amenities should be discussed with the Board. Calculations of the recreation facility ratio indicated within the Zone Data Schedule should be reviewed with the Board.
 - g. Timing associated with the installation and removal of the sales and construction trailers and construction of the model units must be reviewed with the Board. Parking associated with the construction trailer should also be reviewed.



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- h. Operations associated with the electric vehicle parking/charging spaces, including any restrictions regarding time/duration of parking/charging should be reviewed with the Board.
- i. Whether any fencing along the sides of private rear yard areas, as well as accessory shed structures, would be permitted should be discussed with the Board.
- j. The proposed stormwater management of the site and compliance with NJDEP requirements regarding quantity, quality and recharge must be reviewed with the Board. The need for any fencing at the basins should also be discussed.
- k. Circulation of large wheel-base vehicles (emergency, refuse, buses, etc.) throughout the sites must be reviewed with the Board. Our office would recommend providing a Truck Turning Radius Plan.
- l. The number and type of site identification signs must be reviewed with the Board, whereby two (2) pylon signs and two (2) monument wall signs appear proposed along Route 79 for the commercial sites, 1 monument wall sign along Stevenson Drive appears proposed for the affordable housing units and two (2) column signs along Bucks Lane as well as one (1) monument sign along Stevenson Drive appears proposed for the townhomes. Whether any or all of the signs are to be double sided should be clarified with the Board and on the sign details. Whether monument wall signs are permitted for the commercial uses, per Ordinance Section 220-XX.1G(1), must be reviewed with the Board as well as whether the cap molding on the townhome monument sign should be included within the sign height, thereby requiring a variance/design waiver per Ordinance Section 220-XX.1G(5) and whether the base width would also require variance/design waiver for same. Whether the monument walls, with or without signage, if permitted, for the commercial uses must comply with Ordinance Section 220-XXE(3) should also be discussed with the Board. We note also that the pylon sign at the Route 79 and Stevenson Drive intersection is proposed within an apparent sight triangle easement.
- m. The need for any bicycle rack at the 4,000 s.f. commercial building should be discussed with the Board.



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- n. The effect of the proposed development upon the existing grade crossing easement along Stevenson Drive must be reviewed with the Board.
 - o. The Zone Data Schedule for the entire tract includes requirements for minimum acreage, minimum open space and maximum impervious coverage which should be clarified as to which Ordinance Section(s) are associated with said requirements.
 - p. The proposed improvements along the roadway site frontages including the need for a sight triangle easement at the Bucks Lane and Road C intersection, must be reviewed with the Board. Our office defers all comment regarding any improvements within the Route 79 right-of-way to the NJDOT, including Access Permit. The need for a traffic report should also be discussed.
 - q. Whether a homeowners association is to be setup or not, for the maintenance and operations of the subdevelopment.
 - r. The need for any profile along the Bucks Lane and/or Route 79 site frontages as well as the entire site frontage along Stevenson Drive should be discussed with the Board.
 - s. The need for any bypass lane along the drive-thru at the 4,000 s.f. commercial building should be discussed with the Board.
 - t. The need for a basin access drive to the wet pond should be discussed with the Board.
 - u. The need for any improvements (curb, sidewalk, widening, right-of-way dedication, etc.) along Bucks Lane must be reviewed with the Board.
6. This application may be subject to the following outside agency approvals:
- a. Monmouth County Planning Board
 - b. Freehold Soil Conservation District
 - c. NJDOT Access Permit
 - d. Marlboro Township Environmental Commission (this application)



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- e. Marlboro Township Fire Bureau
- f. Marlboro Township Police Department
- g. Marlboro Township Water Department
- h. All other outside agency approvals as may be required. 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 our office.

7. Environmental Considerations

a. Township Ordinance

- 1) The plans should be revised to depict the depth of the seasonal high water table for each soil profile log as noted by Terracon report dated September 4, 2019. It is acknowledged that the Applicant's Engineer has evaluated a series of soil profile pits to determine the subsurface conditions relative to stormwater management and to establish the elevations of the dwellings basements. It should be noted, however, that this submission is not fully compliant with Ordinance §220-137D(18) (Plat design standards for subdivisions and site plans), in that groundwater monitoring needs to be performed over a twelve (12) week period, where the results of the monitoring are to be included in a report to the Township. We recognize, however, that the intent of the Ordinance is to establish the groundwater depths for design purposes, and that will be accomplished with the submitted report, once the depth to the seasonal high water table is identified in the soil logs. With this, the Applicant should indicate if a waiver is requested. The locations of the soil profile pits should be included on the Grading Plan (sheet 5 of 21).
- 2) The Applicant needs to submit a preliminary site investigation report in accordance Ordinance §220-159.1, that indicates historical information



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on the previous uses of the site and identifies any areas of concern that may warrant soil testing. A review of historical aerial photography reveals the property has had past agricultural use, which causes the need for the Site Investigation.

b. NJDEP Regulatory

- 1) The Applicant should submit the Line Verification type of Letter of Interpretation that was received from the NJDEP to this office for our files.
- 2) The Applicant should submit the Averaging Plan type of transition area waiver, as outlined within the Freshwater Wetlands Protection Act Rules (as found at NJAC 7:7- 8.2), to this office once received from the NJDEP for our files.

c. General

- 1) A note should be added to the plans that states any imported fill needs to meet the definition of Clean Fill, pursuant to the Technical Requirements for Site Remediation (as found at NJAC 7:26E-1.8).

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

Very truly yours,
CME ASSOCIATES

Joseph A. Giddings, CSE
Consultant to the Environmental Commission

JAG
Enclosure(s)
cc: Matrix Newworld (Applicant's Engineer)