

September 21, 2020

*Via electronic mail*

Planning Board  
Township of Berkeley Heights  
29 Park Avenue  
Berkeley Heights, New Jersey 07922

Attn.: Connie Valenti, Land Use Secretary

Re: **Engineering and Minor Subdivision Review**  
Block 3401, Lot 48  
110 Circle View Avenue (Jerry Cheng)  
Application No.: #M-2-20  
Township of Berkeley Heights, Union County, New Jersey  
NEA File No.: BERKSPL19.024

Honorable Board Members:

Neglia Engineering Associates (“NEA”) has reviewed the application and supporting documents for the above-referenced development. Specifically, we have reviewed the following:

- A copy of the Township of Berkeley Heights, Planning Board Application for a Minor Subdivision (No. M-2-20), dated September 1, 2020.
- A copy of the Township of Berkeley Heights, Planning Board/Zoning Board of Adjustment Check List – Minor Subdivision, prepared by Wayne J. Ingram, P.E., of Engineering and Land Planning Associates, Inc., dated November 20, 2019.
- A copy of the Township of Berkeley Heights, Application for Sanitary Sewer Capacity Allotment, prepared by Wayne J. Ingram, P.E., of Engineering and Land Planning Associates, Inc., dated November 20, 2019.
- A Waiver Request letter, prepared by Engineering and Land Planning Associates, Inc., dated November 20, 2019.
- A Submittal Letter, prepared by Derek Ranger, P.E., of Engineering and Land Planning Associates, Inc., dated November 26, 2019.



- Signed and sealed engineering plans consisting of seven (7) sheets entitled, “110 Circle View Avenue, Block 3401, Lot 48, Berkeley Heights Township, Union County, NJ,” prepared by Wayne J. Ingram, P.E., of Engineering and Land Planning Associated, Inc., dated August 4, 2020.

### **Project Description**

The property in question is located on Block 3401, Lot 48 within the ‘R-20’ Residential – Single Family Zone, per the Township of Berkeley Heights Zoning Map. The site is located at 110 Circle View Avenue, which is on the west side of Circle View Avenue. The subject property area is approximately 50,968 square feet (1.17 acres) and is surrounded by residential properties to the north, west, and south. The property is presently developed with a one (1) story frame dwelling, a two (2)-story frame dwelling, asphalt driveways, basketball court, brick walls, sheds, and a well house. The existing site also contains existing landscape areas, as well as existing stormwater and utility infrastructure. The subject property is reportedly owned by Jerry Cheng, located at 110 Circle View Avenue, Berkeley Heights, NJ 07922.

The Applicant is seeking approval for proposed Minor Subdivision and Preliminary and Final Site Plan approval. The two existing homes on the lot will be removed, two new lots will be created, and a new residential dwelling will be constructed on each lot. The minor subdivision is conforming to the ‘R-20’ Residential – Single Family Zone bulk standards, and therefore, no variances are requested.

#### **1. Waivers Request:**

The Applicant has requested the following partial check list/design waivers:

- 1.1. Existing elevations and contours (2’ contour internal and extended 50’ beyond tract);
- 1.2. Elevations drawings (front, back and side of proposed and existing building and signs) with dimensions;
- 1.3. Floor plans with dimensions;
- 1.4. Exterior wall material;
- 1.5. Exterior architectural lighting and details;
- 1.6. Written Use Plan;
- 1.7. Sight easements shown on plan;
- 1.8. Environmental Impact Statement;



- 1.9. A report shall be submitted by the Applicant that demonstrates Compliance with all applicable design standards and guidelines Contained within Part 19 – Design Standards of the Municipal Land Use Procedures Ordinance in accordance with Section 19.3.1.

## **2. Minor Subdivision Comments**

- 2.1. The Applicant’s professional (Wayne J. Ingram) shall add “AND PROFESSIONAL LAND SURVEYOR” under his signature in the title block in accordance with State Regulations (N.J.A.C. 13:40-8.5) for at least the Minor Subdivision Plat.
- 2.2. Since the Applicant is planning to file this subdivision by deed, this office recommends that the outbound corner markers for the original tract be set prior to receiving final approval. These corner markers shall be set in accordance with the applicable State Regulations. This office also requests submission of a written description for each new parcel for review and approval.
- 2.3. The Applicant is proposing a sanitary sewer easement across an adjacent parcel of land (Block 4201 Lot 3). The Applicant shall: provide proof of consent for said proposed easement along with the construction of a new sanitary sewer line and include this information on the minor subdivision plat as a note or certification/approval block; confirm the owner of the existing sewer line; confirm the owner of the existing easement, provide proof of their consent to encumber their easement rights, and provide a copy of the recorded document describing said easement.
- 2.4. The Applicant shall provide a tie distance for the proposed sanitary sewer easement to the subject parcel in order to confirm the intended location of the easement.

## **3. Engineering Comments**

- 3.1. At such time as a hearing is scheduled regarding this matter, a representative or owner of the project site shall be present to address questions from the Board.
- 3.2. The Minor Subdivision Plat shall be prepared by a Professional Licensed Surveyor in the State of New Jersey in order to confirm accurate values for each lot.
- 3.3. The Applicant shall comply with all requirements of the New Jersey Map Filing Law, as applicable.
- 3.4. The Applicant shall coordinate the proposed lot numbers with the tax assessor.
- 3.5. The Applicant shall provide testimony regarding the proposed easement. The Applicant shall submit any correspondence related to the execution of the easement. In addition, the Applicant shall provide



a proposed easement plan, signed and sealed by a Professional Surveyor in the State of New Jersey, with proposed metes and bounds of the easements.

- 3.6. The Applicant shall indicate the location of any proposed HVAC units, generators or transformers and their associated concrete pads. The Applicant shall ensure that the HVAC units are adequately screened and shall provide construction details for the proposed method of screening (i.e. landscaping, fencing, etc.).
- 3.7. The Applicant shall provide testimony with respect to the proposed building features, including but not limited to materials, colors, design elements, height, lighting and green infrastructure. Additional construction details must be provided to support the same.
- 3.8. The Applicant shall add a general note to plans stating all new electric, television, cable, gas and other utility lines servicing the buildings shall be installed underground.
- 3.9. The Applicant shall ensure that all disturbed work areas are stabilized. The Applicant shall topsoil, seed, hay, and straw mulch to ensure lawn growth, where appropriate. A note stating the same shall be provided on the Site Plan.
- 3.10. The Applicant shall be responsible for the repair and reconstruction of pavement, curb, sidewalk, or other public property damaged during construction. A note stating the same shall be provided on the Site Plan.
- 3.11. The Applicant shall ensure that the operations of soil movement vehicles are not to be utilized in a way that would deposit soil on any street, sidewalk, public place, or within any other private property. A note stating the same shall be provided on the Site Plan.
- 3.12. The Applicant shall be responsible for ensuring that any and all soils imported to the site are certified clean soils in accordance with current NJDEP Standards, with a copy of the said certification provided to the Township of Berkeley Heights and NEA prior to the import of any material by a professional. Recycled material or demolished materials are not permitted for the purposes of backfilling.
- 3.13. According to Section §11.1.7, there should be a minimum distance of five (5) feet between a driveway and a lot line. Proposed lot 48.01 appears to have insufficient clearance with proposed lot 48.02.
- 3.14. The Applicant shall comply with any applicable COAH requirements.



3.15. Prior to construction, site plans shall be submitted to Somerset-Union Soil Conservation District for review and approval. A copy of the SCD Permit shall be submitted to the Township and NEA once received.

#### **4. Grading, Drainage, and Utility Comments**

- 4.1. The Applicant shall indicate on the plans the location of all proposed roof leader drains and respective downspouts.
- 4.2. The Applicant shall confirm that there is available adequate potable water and sanitary sewer capacity with the appropriate utility company.
- 4.3. The Applicant shall ensure that the proposed improvements will not negatively impact adjacent lots, including but not limited to drainage considerations. The Applicant shall be responsible for any damages incurred upon adjacent lots, due to runoff.
- 4.4. Any existing utilities to be abandoned shall be capped or removed and noted on the plans.
- 4.5. Issues related to stormwater management and proposed utility connections will be addressed upon the filing of plot/site plans.
- 4.6. Testimony shall be provided regarding the feasibility of any utility connections. Proof of public service (will serve letters) shall be obtained from the local utility agencies.
- 4.7. All proposed utility connections should be coordinated with the appropriate authority or governing agency.
- 4.8. Percolation and permeability testing shall be performed in the vicinity of any proposed drainage improvements in order to verify proper functionality of the design. NEA shall be notified in advance of this testing, so that a representative of our office may be present for the same.
- 4.9. The Applicant shall provide testimony as to the adequacy of the proposed well(s) for potable water consumption. Same should include water quality concerns such as total coliform bacteria, nitrates, total dissolved solids, pH levels and potential presence of other contaminants.
- 4.10. Additional information must be provided regarding the existing sanitary sewer facilities within the sanitary sewer easement (i.e. pipe size, type, etc.). Furthermore, all proposed sanitary sewer improvements must be reviewed and approved by the Berkeley Heights Wastewater Operator (Treatment Plant).



## **5. Landscaping and Lighting Comments**

- 5.1. The Applicant shall confirm if landscaping and/or lighting improvements will be provided with the proposed improvements. If so, the Applicant shall submit a Landscaping Plan and/or Lighting Plan for review. Testimony of the same shall be provided.
- 5.2. The Applicant shall comply with the tree removal ordinance and the location of the proposed plantings shall be noted on the plot/site plans. A tree removal and replacement analysis shall be provided in order to verify compliance with Section §12.16.
- 5.3. According to Section §10.6.9A, shade trees shall be provided at 30 foot spacing along each side of the public street. The Applicant shall consider this requirement when formal plot/site plans are submitted for review and approval or request a waiver.

## **6. Final Comments**

- 6.1 Should the Board look favorably upon this application, a performance bond and inspection escrow will be established in accordance with the Municipal Land Use Law.
- 6.2 The Applicant shall obtain all approvals required by outside agencies, including but not limited to NJDOT, NJDEP, Union County, and Somerset-Union Soil Conservation District, as well as the Berkeley Height Police Department, Fire Department, Emergency Services and Department of Public Works. It is the applicant's responsibility to determine what outside agency permits are required. Copies of said approvals shall be provided upon receipt.
- 6.3 Any new or revised materials shall be filed with the Township and shall not be sent directly to the Board's professionals. The Township will forward the application and related materials to the Board's professionals when they are finished with their review. Materials submitted directly to NEA will not be reviewed.
- 6.4 Revised reports, plans and exhibits, which are to be considered at the hearing, should be submitted ten days prior to the scheduled hearing.
- 6.5 The above comments are based on a review of materials submitted and/or testimony provided to date. NEA reserves the right to provided new or updated comments as additional information becomes available.
- 6.6 The Applicant is responsible for the payment of all applicable fees, including but not limited to application, escrow, COAH, tax map revisions, permits, sewer, and the like.



We trust you will find the above in order. Should you have any questions or required additional information, please do not hesitate to contact the undersigned.

Very truly yours,

**Neglia Engineering Associates**

Thomas R. Solfaro, P.E., CME  
For the Board Engineer  
Township of Berkeley Heights

cc: William Robertson. – Planning Board Attorney (*via electronic mail*)  
August Santore, Esq. – Applicant's Attorney (*via electronic mail*)  
Wayne J. Ingram, P.E. – Applicant's Engineer (*via electronic mail*)