

MAYOR
ALEX ROMAN
DEPUTY MAYOR
CHRISTINE McGRATH
COUNCILMEMBERS
JACK McEVOY
CYNTHIA L. M. HOLLAND
CHRISTOPHER H. TAMBURRO

TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY



TOWNSHIP MANAGER
JOSEPH O. D'ARCO
TOWNSHIP CLERK
JENNIFER KIERNAN
TOWNSHIP ATTORNEY
BRIAN J. ALOIA, ESQ.

VERONA COMMUNITY CENTER
880 BLOOMFIELD AVENUE
VERONA, NEW JERSEY 07044

MUNICIPAL BUILDING
600 BLOOMFIELD AVENUE
VERONA, NEW JERSEY 07044
(973) 239-3220
WWW.VERONANJ.ORG

DEPARTMENT OF PUBLIC WORKS
10 COMMERCE COURT
VERONA, NEW JERSEY 07044

February 3, 2022 (Original)
March 3, 2022 (Revised)

Township of Verona Zoning/Engineering Dept.
10 Commerce Court
Verona, NJ 07044

Re: Minor Subdivision Review

Owner: Mr. Michael Nicholson
Applicant 9 Hickory Drive
North Caldwell, NJ 07006
Property: 4 Arnold Way
Lot 6 Block 2304
Zone: R-100 (Very Low Density)

Submittals:

This office is in receipt of the following applications, drawings, reports, specifications which were submitted by the owner/applicant for review and consideration.

- Township of Verona Planning Board Application dated 02/02/22
- Survey Map of Property Entitled "Minor Subdivision, #4 Arnold Way, Lot 6 Block 2304" Prepared by Morgan Engineering and Surveying. Dated 12/07/21

Zoning Request:

Based upon the documents submitted and reviewed we understand the owner/applicant is seeking approval from the Township of Verona Planning Board to subdivide the existing property commonly known as 4 Arnold Way, Lot 6 Block 2304 which is shown to have a lot area of $0.682 \pm$ acres and to create two (2) separate lots which are shown on the minor subdivision map as proposed Lot 6.01 having a lot area of $0.212 \pm$ acres and 6.02 having the remainder which is $0.470 \pm$ acres. The owner/applicant has not included any individual site plan, grading plan, utility plan, soil erosion sediment control plan or landscape plan at this time. The submittal of these plans to the Township Engineer should be a requirement of any condition(s) of approval by the Board should the newly created lot (6.02) ever be developed in the future.

Existing Conditions:

The existing property is at the end of the improved right of way for Arnold Way which is a no through street and there is no cul-de-sac at its terminus. The entire property slopes generally from the Northwest to the Southeast. The upper portion of the lot is severely slopped at or near 54%, the site then levels off for the next 20 feet at roughly 5%, from there the remainder is sloped at or around 12%. A majority of the property is vegetative and heavily wooded consisting of very large mature trees. The public utilities on Arnold Way stop directly in front of the existing home. Extension of those utilities or a long service main leading from the newly proposed lot and down the public right of way would necessary to service any potential new home on the proposed lot 6.02. Since the property is situate within the R-100 zone it is not exempted from the requirements of the Township of Verona's Steep Slope Ordinance §150-23 of the current Zoning Ordinance known as Chapter 150 of the Municipal Code and any future development must adhere to those regulations which will in no doubt reduce the amount of buildable area that remains on lot 6.02.

Existing Zoning:

Based upon the area, yard and bulk regulations for the R-100 Zone §150-17.1 the area and width of the lot meet the minimum requirements, the dwelling however does not currently meet the following setbacks, which therefore make the principal structure an existing non-conforming structure,

- Min. Front Yard Setback (35 feet required) 21.0 feet existing.
- Min. Rear Yard Setback (30 feet required) 24.1 feet existing.

Proposed Zoning Analysis:

Based upon the area, yard and bulk regulations for the R-100 Zone §150-17.1 the proposed lot area for the proposed Lot 6.01 will not meet the minimum requirements for lot area and will exceed the maximum amount permitted for improved lot coverage. The proposed Lot 6.02 shall not meet the minimum required Lot Width.

Therefore in order for the subdivision to be approved the following variances shall be required:

VARIANCES REQUIRED

**§150-17.1 D. (1) Proposed Lot 6.01 does not meet the minimum required lot size.
Required Lot Size: 12,000 sq.ft. / Proposed Lot Size: 9,224 sq.ft.**

**§150-17.1 D. (4) Proposed Lot 6.01 exceeds the maximum allowable improved lot coverage.
Maximum Improved Lot Coverage: 35% / Proposed 38.8%**

- **Address additional variances as may be deemed necessary by the Planning Board.**
- **Address any comments as per the Township Engineer. (If any)**
- **Address any comments as per the Township Building Department. (If any)**

Comments:

1. As of March 3rd 2021 the Township has adopted a new stormwater ordinance in compliance with new NJDEP requirements. The new ordinance requires that all permit requests that seek to add 400 square feet or more of impervious coverage must comply with these new regulations. Since the eventual development of the new lot 6.02 shall exceed that amount of new impervious coverage a condition of any approval granted by the Board should require that any future development of Proposed Lot 6.02 shall be required to submit a Site Plan/Grading and Drainage Plan along with stormwater calculations to the Township Engineer for approval. This plan must show the mitigation for all stormwater runoff in accordance with the Townships Stormwater Ordinance §455 of the Municipal Code.
2. The applicant's design engineer must submit all soils data (Test Pits) including USDA soils classification, soils permeability (K Value) as well as sizing calculations for the chosen stormwater system. The engineering/zoning office strongly recommends the use of **GREEN INFRASTRUCURE** for management of stormwater runoff derived from the additional impervious areas.
3. The applicant's design engineer that designs the said stormwater mitigation system must inspect the excavation, construction and final grades of the entire system.
4. The applicant's design engineer must submit a letter to the Township engineer that said system was installed in accordance with the design which was submitted. This letter must be signed and sealed by a professional engineer that is licensed in the State of NJ.
5. The applicant must submit an as-built survey for lot 6.02 that accurately shows any and all the improvements which constructed as part of the Site Plan.
6. The applicant's plans do not show or locate any existing individual trees on the property. The Township of Verona has a comprehensive **Tree Protection, Removal and Replacement Ordinance**, Section 493 of the Municipal Code. A condition of any Board approval should require that a tree protection, removal and replacement plan be filed and approved by the appropriate land use board prior to the cutting, pruning and removal of **any and all** trees on the property and prior to the commencement of any and all work on site.

7. If the existing (natural) grade on/within either of the proposed lots is to be raised or lowered by more than 6 inches then the applicants engineer or contractor must submit to the engineer/zoning office a letter which indicates where the fill material is coming from and a letter that certifies that it is "clean fill". Recycled aggregate(s), construction debris and organic material(s) of any kind are not permitted as fill.
8. Any and all fill material placed should comply with all State of NJ Soil Erosion and Sediment Control Standards and that of the Hudson Essex Passaic Soil Conservation Districts (HEPSCD) regulations for soil compaction in regards to land grading and top soil.
9. All areas within the Township are very sensitive to storm water runoff, land disturbance and increases in impervious coverages. A condition of the Boards approval should include that any potential development of the lot(s) require a Letter of No Interest or "Exemption" from the Soil Conservation District, by submitting a "Request for Determination of Non-Applicability" to the Hudson Essex Passaic Soil Conservation District. Please provide a copy of that determination to the township engineer's office once it is obtained. If the Soil Erosion District has determined that the site does not fall under their jurisdiction the Township of Verona shall require that the owner/applicant install and maintain proper soil erosion measures as outlined under the State of New Jersey "Standards for Soil Erosion and Sediment Control in New Jersey" 7th edition revised through July 2017. A complete soil erosion and sediment control plan that also includes both temporary and final soil stabilization must be submitted to the engineer for review and approval prior to receiving a building permit.
10. The applicant must comply with the requirements of the Affordable Housing Development Fee Ordinance (if applicable).
11. The applicant shall be responsible for all water and sewer tie in fees.
12. The Township Tax Assessor's office shall assign official lot numbers and street addresses upon approval.
13. N.J.S. 40:55D-47, provides that approval of a minor subdivision shall expire 190 days from the date of adoption of the resolution of municipal approval, unless within such period a plat in conformity with such approval and the provisions of the Map Filing Law (N.J.S. 46:23-9.9 et seq.), now the Recordation Act, Maps (N.J.S. 46:26B-1 et seq.), or a deed clearly describing the approved minor subdivision is filed by the developer with the county recording officer, the municipal engineer and the municipal tax assessor. It is further required that the deed shall be signed by the chairman and secretary of the planning board (or the zoning board of adjustment if the subdivision is approved by that board under its ancillary powers). N.J.S. 40:55D-47(f) and (g) provides when extensions of time may or must be granted.

Please feel free to contact this office should you have any questions,

Respectfully Submitted,

Michael C. DeCarlo

Michael C. DeCarlo
Engineering Manager – Zoning Official