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April 29, 2020

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Barnegat Township Planning Board  
900 West Bay Avenue  
Barnegat, NJ 08005

**Re: Application No. PB20-04**  
**Minor Subdivision with variances– Review #1**  
**Block 92.09, Lots 1 & 32**  
**100 Fawcett Boulevard & 18 Fawcett Boulevard**  
**Applicant: Walters Development Co., LLC**  
**500 Barnegat Boulevard North, Building 100**  
**Barnegat, NJ 08005**  
**Barnegat Township, Ocean County, NJ**  
**Our File: VBGP0092.26 (60001)**

Dear Planning Board Members:

Our office has received for review an application for Minor Subdivision approval for the above-referenced property. The application was accompanied by the following information:

- A print of a Minor Subdivision plan (1 sheet) entitled "Minor Subdivision Plan of Walters Homes, Lot 1 and Lot 32 in Block 92.09, Township of Barnegat", prepared by Jeffrey R. Gellenthin, PLS with K2 Consulting Engineers of Haddonfield, New Jersey dated December 9, 2019;
- A completed Land Use and Development Application with a filing date of March 20, 2020;
- A completed Completeness Check List for Minor Subdivision Application prepared by Edward M. Walters, Jr. dated March 18, 2020;
- A completed Affidavit of Non-Collusion by Edward M. Walters Jr., dated March 18, 2020;
- A completed Applicant/Developer Escrow Agreement dated March 18, 2020;
- A completed List of Professionals & Consultants;
- A copy of a February 14, 2020 Tax Release from the Barnegat Township Tax Collector's office which certifies that the taxes on lots 1 & 32, block 92.09 are current;
- A copy of a completed Contribution Disclosure Statement from Edward M. Walters, Jr. dated March 18, 2020;
- A copy of a completed Contribution Disclosure Statement from Steven W. Ward, Esq. dated February 19, 2020;
- A copy of a completed Contribution Disclosure Statement from John Kornick, PE, dated February 19, 2020;
- Certificate of Filing, issued by Pinelands Commission, application # 1990-0788.141 dated 2/5/20.



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We have reviewed the information submitted in support of this application and offer the following comments:

#### **A. GENERAL COMMENTS**

The property in question is a rectangular tract on the northeast corner of the intersection of Mermaid Drive and Fawcett Boulevard in the Ocean Acres development. It is located in the Residential High (RH) Zone, has a total area of 21,960 sf or 0.504 acres and is presently vacant and wooded.

The Applicant proposes to consolidate the two (2) existing lots and resubdivide them into two (2) new lots. New lot 32 will front on Fawcett Boulevard and will have an area of 10,032 sf while new lot 1 will be a corner lot having an area of 11,795 sf.

The future dwellings on each lot will be serviced by connections to the municipal sanitary sewer and water systems. Per proposed bulk schedules on plat, it appears no variances are requested for future proposed principal and accessory structures. In addition, the roof drains from each proposed dwelling will be connected to dry wells.

#### **B. VARIANCES AND/OR WAIVERS REQUESTED**

1. The Applicant has requested the following variances:
  - a. The lot depth of proposed Lot 1 is 97.86 feet whereas 120 feet is required.
2. The applicant has not requested any waivers as part of this Minor Subdivision application.

#### **C. WAIVERS AND/OR EXCEPTIONS FROM THE RESIDENTIAL SITE IMPROVEMENT STANDARDS (RSIS)**

This application is subject to the requirements of the Residential Site Improvement Standards (RSIS) adopted as N.J.A.C. 5:21-1, et seq.

1. The Applicant has not requested any *de minimis* exceptions from the RSIS.
2. The Applicant has not requested any waivers from the RSIS.

#### **D. SUBMISSION REQUIREMENTS**

The Applicant has addressed all of the submission requirements for this Minor Subdivision application.

#### **E. PLAT DETAILS & DESIGN COMMENTS**

1. The Land Use Ordinance stipulates that on all corner lots, the minimum lot width and lot depth shall be measured along both abutting street lines. In the RH Zone, a lot width of 75 ft and a lot depth of 120 ft are required. Therefore, the Applicant requires a variance



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for new lot 1 to permit a lot depth of 97.86 ft from Mermaid Drive whereas a minimum lot depth of 120 ft is required.

2. The Applicant should provide testimony to the Board to demonstrate why the requested variance should be granted.
3. Applicant has indicated, per note 12, intention to file subdivision by plat.
4. The proposed block and lot numbers and street addresses must be approved in writing by the Tax Assessor. We note application, page 4, item 7, notes proposed lot as 1.01, not the 1 as per plan.
5. It is noted the owner/applicant address in the application differs from the plat, revise accordingly.
6. According to our records, Mermaid Drive and Fawcett Boulevard in front of the property being subdivided are presently unimproved paper streets. Therefore, the Applicant is advised that they will not be able to obtain a certificate of occupancy for the proposed dwellings until the required road and infrastructure improvements have been constructed and accepted by the Township in accordance with the provisions of the Ocean Acres Development and Reimbursement Agreement between the Township of Barnegat and Mark Madison, LLC.
7. The curve data schedule must include the central angle.
8. If the proposed subdivision line is non-radial to this right-of-way curve, it should be labeled as such.
9. The North Arrow meridian should reference actual filed plan information.
10. A monument/corner marker is required along the proposed subdivision line at the Fawcett Boulevard right-of-way line and a surveyor's certification regarding setting of same should be provided.
11. A clerk's affidavit regarding acceptance of the roadway right-of-way dedication must be provided.
12. Outbound closure calculation should be indicated on the plan and lot closure calculations should be provided to this office.
13. Add the timeframe (190 days) for filing of the plat or deed with the Ocean County Clerk's office to the signature approval certification.
14. Provide the filing information for the plan referenced within General Note #3.

#### **F. ASSESSMENTS**

1. The Applicant is subject to a tax map assessment in the amount of \$600.00 as set forth in Section 55-135B(1) of the Ordinance.



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## G. OUTSIDE AGENCY APPROVALS

This application is subject to the following outside agency approvals. Upon receipt, copies of all outside agency approvals shall be forwarded to the Planning Board and our office.

1. The Pinelands Commission – ***Certificate of Filing Issued on February 20, 2020 (Application #1990-0788.141).***
2. Ocean County Planning Board.

Based on our review of the submitted information, we find that the Applicant has addressed all of the submission requirements set forth in the Ordinance. Therefore, we recommend that this application be deemed ***complete*** for consideration by the Planning Board subject to the Applicant complying with all applicable notification requirements as set forth in the Barnegat Township Land Use Ordinance and the Municipal Land Use Law.

If you have any questions or require any additional information regarding this application, please feel free to call.

Very truly yours,

**CME Associates**

Kurt J. Otto, PE, PP, CFM  
*Planning Board Engineer*

KJO/db

cc: Martin Lisella, Administrator  
Barnegat Township Zoning Official  
Michael J. McKenna, Esq. – Planning Board Attorney  
Walters Development Co., LLC – Applicant  
Steven W. Ward, Esq. – Applicant's Attorney  
Jeffrey R. Gellenthin, PLS – Applicant's Surveyor