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Memo To: Ms. Cheryl Chrusz, Planning Board Secretary
Montgomery Township Planning Board
2261 Van Horne Road
Route 206
Belle Mead, NJ 08502

Date: November 1, 2023
55176 01

From: Rakesh R. Darji, PE, PP, CME
Environmental Resolutions, Inc.
Planning Board Engineer

RE: Harlingen Village Square
Preliminary and Final Site Plan
Application #PB-03-22
Engineering Review #3
Block 6001, Lots 33, 34, 34.01, 35, 35.01 and 36
US Route 206
Township of Montgomery, Somerset County

Our office has reviewed the plans and documents submitted by the applicant for a Preliminary and Final Subdivision and Site Plan application. The subject tract consists of Block and Lot numbers referenced above, comprising approximately 22 acres. A subdivision of these parcels is proposed. On approximately 11 acres, the applicant proposes to construct 36 two- or three-bedroom townhome units. Eighteen rental units comprised of 11 affordable family rental units and 7 market-rate apartment units will be constructed on approximately 2 acres. A 1/2-acre lot is proposed to contain a sanitary sewer pump station, dedicated to Montgomery Township and the remaining approximately 9 acres will be dedicated to Montgomery Township or otherwise conserved.

Noted changes from the site plan submittal of March 2023 to this current plan include:

- The proposed dog run has been relocated closer to the proposed play area.
- The intersection of Johannes Drive and Frederic Lane has been reconfigured with an added stop bar on Johannes Drive and a relocation of a crosswalk to eliminate any concerns with site triangle easements.
- The single, 10FTx20FT storage shed (bike storage) has been reconfigured to include 2 storage areas in the same location with bike storage racks located behind the proposed structures.
- The location of the trash enclosure has shifted and the dead-end area of the parking lot has been reconfigured for the Apartment Units.
- Parking spaces for the Apartment Units were originally 10FTx18FT and are now proposed to be 9FTx18FT.

The site is located along US 206 (Van Horn Road), north of Harlingen Road, within the SSIZ-3 (Site Specific Inclusionary Zone). Residential Districts are to the north, east and west. To the south is the Community Commercial-2 zone. The applicant proposes one road into the site from US 206.

The site is encumbered by critical areas to the east and southeast. These include critical slopes and critical slopes buffers, wetlands and wetlands buffers and finally, stream corridor and stream corridor buffers. Fox Run, a tributary of Pike Run, runs along the property line to the east.

The following information, submitted by the applicant in support of this application, has been reviewed by our office:

1. Response Letter, prepared by Van Cleef Engineering Associates, dated *July 27, 2023*.
2. Montgomery Township Land Development Application, dated January 2023.
3. Preliminary and Final Site Plan and Final Construction Plans, prepared by Van Cleef Engineering Associates, dated January 17, 2023, revised to *July 28, 2023*, consisting of the following:
 - a. Cover Sheet, sheet 1 of 37.
 - b. Existing Features Plan, sheet 2 of 37.
 - c. Site Plan/Preliminary Subdivision and Site Plan, sheet 3 of 37.
 - d. Site Plan, North, sheet 3a of 37.
 - e. Site Plan, South, sheet 3b of 37.
 - f. Grading Plan, North, sheet 4 of 37.
 - g. Grading Plan, South, Sheet 5 of 37.
 - h. Soil Erosion and Sediment Control Plan, North, sheet 6 of 37.
 - i. Soil Erosion and Sediment Control Plan, South, sheet 7 of 37.
 - j. Utility Plan, North, sheet 8 of 37.
 - k. Utility Plan, South, sheet 9 of 37.
 - l. Profiles, sheet 10 of 37.
 - m. Construction Details, sheets 11-13 of 37.
 - n. Pond Construction Wetlands Details, 14 of 37.
 - o. Soil Erosion and Sediment Control Details, 15 of 37.
 - p. Pump Station Layout and Electrical Details, sheet 16-19 of 37.
 - q. DEP Fresh Water Wetland Permit Details, sheets 20-21 of 37.
 - r. DEP Flood Hazard Area Permit Plans, sheets 22-23 of 37.
 - s. Sanitary Sewer Force Main Extension Profile, sheet 24 of 37.
 - t. Tree Mitigation Plan, sheet 25 of 37.
 - u. Landscape Plan, North, sheet 26 of 37.
 - v. Landscape Plan, South, sheet 27 of 37.
 - w. Landscape Details, sheet 28 of 37.
 - x. Lighting Plan, North, sheet 29 of 37.
 - y. Lighting Plan, South, sheet 30 of 37.
 - z. Lighting Details, sheet 31 of 37.
 - aa. Typical Building Plans, sheet 32 of 37.
 - bb. Signage and Striping Plan, sheet 33 of 37.
 - cc. Fire Truck Circulation Exhibit, sheet 34 of 37.
 - dd. Garbage Truck and School Bus Circulation Exhibit, sheet 35 of 37.
 - ee. Accessible Curb Ramp and Plan Details, sheet 36 of 37.
 - ff. Mailbox Location and Details Plan, sheet 37 of 37.
4. Final Plat, prepared by Van Cleef Engineering Associates, one sheet, dated January 17, 2023, revised May 18, 2023.
5. Outbound Survey of Block 6001, Lots 33, 34, 34.01, 35, 35.01 and 36, prepared by Van Cleef Engineering Associates, dated December 11, 2020, one sheet.
6. Drainage Report, prepared by Van Cleef Engineering Associates, dated January 17, 2023, revised to July 28, 2023, containing the following:
 - a. Existing Drainage Area Map
 - b. Proposed Drainage Area Map
 - c. Inlet Drainage Area Map

- d. Soil Exploration Exhibit
- e. MTD Drainage Area Map (new), July 28, 2023.
- 7. Environmental Impact Statement, prepared by EcolSciences, Inc., dated January 19, 2023.
- 8. Attachment D, Major Development Stormwater Summary.
- 9. Wetlands Delineation Plan, prepared by Van Cleef Engineering Associates, LLC, dated June 5, 2019, revised to November 21, 2019, *stamped approved by NJ DEP*.
- 10. Flood Hazard Area Delineation Map, prepared by Van Cleef Engineering Associates, LLC, dated November 21, 2019, revised to August 22, 2022, *stamped approved by NJ DEP August 29, 2022*.
- 11. Earthwork Analysis Exhibit, prepared by Van Cleef Engineering Associates, LLC, dated April 15, 2020, revised to May 18, 2023.
- 12. Stormwater Management Measures Operations and Maintenance Manual, prepared by Van Cleef Engineering Associates, LLC, dated January 17, 2023, revised to May 18, 2023.
- 13. Architectural Plans, COHA/Market Units, 6 sheets, prepared by Holliday Architects, dated August 23, 2018, revised to February 2022.
- 14. Elevations, prepared by Holiday Architects, LLC, 25 sheets, dated August 23, 2018, revised to May 19, 2023.
- 15. Email correspondence from Van Cleef Engineering (Mike Ford) to Montgomery Township Engineer (Mark Herrmann), dated April 27, 2023, re: CC Harlingen Force Main DEP Permit.
- 16. Correspondence from Schatzman Baker regarding sewer easement, dated August 19, 2014.

General Information

Applicant/ Owner: Harlingen Associates, LLC
36 Brower Lane
Hillsborough, NJ 08844
vscott@country-classics.com

Engineer: Michael Ford, PE
Van Cleef Engineering Associates, LLC
32 Brower Lane
Hillsborough, NJ 08844
mford@vancleefengineering.com

Architect: Scott Nehring, AIA
Holliday Architects, Inc.
Jackson Commons
30 Jackson Road, Suite A-4
Medford, NJ 08055
snehring@hollidayarchitects.com

Attorney: Richard Schatzmann, Esq.
Schatzman Baker, PC
215-216 Commons Way
Princeton, NJ 08540

Zoning

1. This parcel is within the Site-Specific Inclusionary Zone 3 (SSIZ-3) zoning district.
2. Townhomes, apartments and a sanitary sewer pump station are permitted uses within this zoning district.
3. Area, yard, and coverage requirements are detailed in §16-4.14.c.

	Required	Proposed	
Overall Tract			

Overall Tract Area	20 acres	22.189 acres	Complies
Overall Tract Width	400 FT	983.51 FT	Complies
Overall Tract Frontage	400 FT	976.84 FT	Complies
Overall Tract Depth	200 FT	613 FT	Complies
Maximum Tract Units	54	54	Complies
Townhomes			
Minimum Lot Size	11 acres	11 acres	Complies
Lot Coverage	40%	31.5%	Complies
Max Building Coverage	15%	12.2%	Complies
Minimum Building Separation	40 FT	44.3 FT	Complies
Minimum Front Yard Setback	80FT	101.4 FT	Complies
Minimum Side Yard Setback	25FT/50FT	62.4 FT	Complies
Minimum Rear Yard Setback	40 FT	40.6 FT	Complies
Parking Setback (US 206)	40 FT	89.5 FT	Complies
Parking Setback (property line)	10 FT	11 FT	Complies
Maximum Units per Building	6 Units	4 Units	Complies
Maximum Building Height	39 FT	<39 FT	Complies
Maximum Number of Units	36	36	Complies
Apartments			
Minimum Lot Area	1 acre	1.819 Acres	Complies
Minimum Front Yard Setback	40 FT	40.5 FT	Complies
Minimum Side Yard Setback	20 FT	20.5 FT	Complies
Minimum Rear Yard Setback	20 FT	22.9 FT	Complies
Maximum Impervious Coverage	40%	37.2%	Complies
Maximum Building Coverage	15%	14.7%	Complies
Maximum Building Height	39 FT	<39 FT	Complies
Maximum Accessory Building Height	15 FT	15 FT	Complies
Total Units	18 Units	18 Units	Complies
Parking Setback (US 206)	75 FT	119 FT	Complies
Parking Setback (property line)	10 FT	10 FT	Complies
Pump Station			
Minimum Lot Area	0.5 acres	0.5 acres	Complies
Minimum Lot Coverage	50%	<50%	Complies
Maximum Building Coverage	30%	<30%	Complies
Setback to existing ROW	75 FT	>75 FT	Complies
Setback to property line	10 FT	>10 FT	Complies
Parking Setback	5 FT	>5 FT	Complies

Variance

- §16-4.14c8(b)(1) states that roof eaves shall project at least 2 FT beyond the building façade; secondary roof eaves shall project at least 1 FT. The applicant is proposing roof eaves 1 FT. A variance will be required. *Testimony to be provided by the Architect at the Board Hearing.*
- This office defers to the Board Planner for further discussion on variance relief required for this application.

Waivers

- §16-5.3 discusses fence requirements. Section §16-5.3b discusses the fence height and location requirements. The following fences will require a waiver:
 - The plans show a proposed 10FT high privacy fence at the rear of the townhome units. It is unclear of the exact location of this fence, however, the maximum height of a fence shall be 4 FT. *A 6 FT high fence is proposed and its location has been provided. A waiver will be required.*

- b. A fence is proposed at the proposed sanitary sewer pump station. The height of the fence should be provided to determine if a waiver is required. *An 8 FT fence is proposed and a detail has been provided. A waiver will be required.*
4. §16-6.3c (Townhomes and apartments) states that parking space shall be provided in areas specifically designated for parking and there shall be no parallel or diagonal parking along interior streets. Twenty (20) parallel spaces are provided for the townhome part of this project. **A waiver will be required.**
5. §16-6.3g (Townhomes and apartments) discusses storage area for apartment units. In addition to storage within the unit itself, an additional 250 CF of storage area in a convenient, centrally located area in the cellar, basement or ground floor of the building shall be provided. The applicant is proposing space in a separate building. **A waiver will be required.**
6. §16-5.6(c) states that no soil shall be removed or imported to any site in excess of 20 CY per year with out prior approval of the Planning Board. The applicant states that 13,400 CY of soil has been hauled to the site with another 5,000 CY will be needed. **A waiver will be required.**
7. §16-5.6(d)3 states a minimum of 14 trees per acre of gross tract area shall be planted in open areas. The applicant is requesting that the total number of trees to be provided is based upon the total Limit of Disturbance. Should relief be granted, the applicant will provide 172 trees. **A waiver is required.**
8. Per Figure 4.3 of RSIS, the pavement section for residential access/neighborhood street is 1.5” HMA Surface course/3” HMA base course/4” DGA. The applicant is proposing to exceed this standard by providing 2” I-5 Surface Course, 4” I-2 base course and 4” DGA. **Acknowledged.**
9. Per RSIS §5:21-4.14(d)3, a two-car garage requires a minimum parking width of 20 FT and a minimum length of 18 FT. Driveway widths of 18 FT are provided for street facing garages and 10 FT for side-entry garages. **Acknowledged.**
10. Per RSIS §5:21-4.14(f), to determine the number of on-street parking availability, a length of 23 FT per space for on-street parking shall be used. The applicant is proposing on-street parallel parking of 22 FT in length. **Acknowledged.**
11. This office defers to the Board Planner for further discussion on waiver relief required for this application.

General

1. The applicant should provide testimony regarding the following:
 - a. Trash and recycling collection at the townhome community.
 - b. Trash and recycling collection at the apartment community.
 - c. Trash and recycling collection (if necessary) at the pump station.
2. The applicant states that an access agreement between the townhome use and the apartment use will be prepared to allow access from US Route 206 to the apartment parking lot. **Acknowledged, an access agreement will be provided.**
3. The legal descriptions of all easements should be provided to the Board Professionals for review. **Acknowledged.**
4. The applicant should discuss the storage requirements of §16-6.3g for each apartment unit to demonstrate that the proposed plans meet the 250CF requirements for storage, which can be located within apartment unit. **Testimony to be provided; relief is being requested as storage is proposed in separate building.**
5. The applicant should discuss if phasing is proposed for the project. If so, such phasing should be depicted on the site plan. **Testimony to be provided.**

6. The applicant should testify if discussion has taken place with the Township regarding the dedication of proposed Lot 33.03 and the pump station. The status of any discussion should be provided to the Board. *Testimony to be provided.*
7. The applicant should provide testimony regarding the ownership of the individual lots and of the open space lot. *Testimony to be provided.*
8. The applicant should discuss if a homeowner's association is proposed. Discussion regarding maintenance and responsibility of the various amenities (seating area, dog run, playground) in addition to stormwater maintenance should be provided. The homeowner's documents should be provided to the Board for review as a condition of approval. *Testimony to be provided.*
9. It is noted that the driveways for each end-unit townhome are located outside of the proposed lot line for each of these units. The responsible party for maintenance and upkeep of the driveways should be discussed as well as an easement for the homeowner to use the driveway to access the townhome. *Testimony to be provided.*
10. (new) The final plat shows that proposed Lot 33.03 contains 8.88 acres where the sanitary sewer extension plan (sheet 24 of 39) indicates this lot contains 9.031 acres. This should be clarified and the plans and/or plat revised accordingly.

Subdivision Plat

11. RECORDATION LAW

- a. All permanent easements, including sight triangle easements, utility easements, etc., shall be shown and dimensioned. There is an existing 10' wide drainage easement that runs along the southerly line of the tract that should be dimensioned. There is a 25' wide stream maintenance easement along Fox Run that should be dimensioned. *The existing easements have not been dimensioned.*

12. GENERAL SUBDIVISION COMMENTS

- a. Proposed Lot 33.04 (pump station) and Lot 33.03 (lands to be dedicated to the Township) will be land locked lots. The applicant should discuss access to both of these lots. *Testimony should be provided. The applicant indicated that access will be from other contiguous lands in the Township but in both cases, access will be over wetlands. Discussion should include if any permitting will be required.*
- b. The N.J.A.W. exclusive easement does not extend to the pump station lot. It appears that the water and sewer lines extend beyond the easement into the pump station lot. *No water is depicted on the Pump Station property; the sanitary easement should extend to the property line.*
- c. Closure reports of the entire tract and each proposed new lot should be provided. *Closure reports should be provided.*
- d. There is only one POB shown. It is for the N.J.A.W. easement. A POB should be noted for each proposed lot. *POB should be provided for each proposed lot.*
- e. The legal descriptions for each lot should be provided to the Board Professionals for review.
- f. (new) It is noted there are modified areas for the wetlands buffer. Have these modifications been approved by the NJ DEP or applied for. *An application to be submitted to the NJ DEP.*
- g. (new) There is an area of wetland swale that would need to be filled for purposes of Lots 33.12, 33.13, 33.14. Additional permitting may be required. *An application to be submitted to the NJ DEP.*
- h. (new) The curves for the exclusive and non-exclusive NJAW easements seem to be non-radial and non-concentric. As a minimum, these should be noted. *The applicant states these will be addressed.*
- i. (new) Wetlands limits, Flood Hazard areas and floodways are defined by metes and bounds as noted on the referenced plans. As these areas are restrictions to the new lots, the areas and metes and bounds should be shown on the final plat. *The final plat shall be revised to depict metes and bounds for these areas.*
- j. (new) All proposed easements (including sanitary) should be provided on the plat.

Site Plan

13. The applicant should discuss if a parking area is to be provided for the pump station. *The applicant states that in addition to the paved access drive, the paved area provided will allow for temporary parking of a service vehicle. No separate parking spaces/area to be provided. The plan should be updated to provide labels for the access drive, materials, location of paved area (if other than paved access drive), gates, etc.*

Grading / Drainage

14. The Township has a soil hauling limit of 20 CY without prior approval of the Planning Board. It is recommended that the applicant estimate the export and/or import of soil to be moved at this time and request a waiver from the Township. *The applicant has satisfactorily addressed this comment and a waiver is being requested.*
15. A temporary construction easement may be required for the proposed work on Block 6002, Lot 4. *Acknowledged.*

Sanitary and Pump Station Lot

16. *(new)* Our office recommends that any remaining comments contained in the May 11, 2022 memo of the Township Engineer be addressed. It is noted that the proposed sanitary system now includes two additional manholes, one within the ROW at the driveway entrance along US 206 and the second on the Public Works lot (Block 6002, Lot 4). Both of these provide an 8” stub for future connections.

Specifically, these comments remain outstanding:

- a. The sanitary sewer pump station will be dedicated to Montgomery Township per the Site-Specific Inclusionary Zone-3 zoning district. The proposed alignment through the Township basin lot may necessitate some form of mitigation such as compensating for impact to deed restricted properties. The concept plan shows approximately 9.031 acres of land to be dedicated to Montgomery Township. The applicant should discuss this concept at the Board hearing.
- b. Harlingen Associates, LLC has stated that a separate lot will be provide for the sanitary sewer station servicing their community (provided as Block 6001, Lot 33.03, 0.507 acres, March 3, 2022 memo from Harlingen Associates, LLC to the Township) and “perhaps the Village of Harlingen.” If the Township intends to accept the pump station, then the pump station and the collection system should be sized with adequate capacity to service the Village of Harlingen.
- c. The force main and pump station shall be located outside of the flood area, flood way, wetlands and associated buffers, DRCC stream corridor and deed restricted areas to the maximum extent possible without functionally interfering with the stormwater basin on Block 6009, Lot 6. The pump station lot should not be restricted, such as with conservation easements or other limitations. The applicant should provide testimony regarding the design and how it has lessened impacts to these critical areas.
- d. Should the township consider signing as the applicant for a NJ DEP permit, it should be clearly stated that it does not constitute approval of the sewer alignment and easement and does not reserve sewerage capacity availability. Sewer capacity availability will be subject to evaluation and reservation during the application process.
- e. Chapter 12 of the Township code governs the design, construction, connection, fees, service areas, etc. of the system. The design, construction, testing, etc. of the proposed sewer system must be in accordance with the provisions in this section of the Code. In addition, sewerage capacity must be reserved in accordance with Chapter 12
- f. Township Committee approval is required since this affects a deed restricted Township property.
- g. TWA approval is required in accordance with the NJ DEP, which includes, but is not limited to, the design, engineer’s report and certification.
- h. The design, plans, calculations, downstream capacity assessment, details and improvements will be subject to final review by the Board Engineer, Township Engineer and Township Sewer Utility. The design provided shows that 2 off-site manhole 8” stubs will be available for future connection.

- The applicant should discuss the design, showing that gravity feed is possible for connection to their proposed sewer improvements.
- i. Any modification of the deed restricted area on the Foxbrook Basin lot should be subject to review and approval by the Township Engineer, Board Engineer, Open Space Coordinator, Township Attorney and applicable committees. Any proposed modification of the restrictive covenants in the deed must be authorized by the Township Committee.
 - j. A Right-of-Way or other legal mechanism is needed to work on Township properties, including the basin and Public Works lots.
 - k. Impacts to 29 Stone House Court should require adequate notice and coordination with the property owner. It is noted that the applicant has previously acquired an easement for the construction of this force main.
 - l. Separate and independent building sewer connections should be provided for every townhouse unit or apartment unit in accordance with 12-3.2 of the Township Code. Each connection shall be no less than 4-inch in diameter with cleanouts and cleanout castings conforming to Township standard details. The detail should be updated to show the 4" diameter sewer connection.
 - m. The design of the pump station should be consistent with the other Township owned pump stations so that the existing public works equipment may be utilized to maintain and operate the pump station. The following should be incorporated into the design:
 - i. Allen Bradley Controller (Panel View)
 - ii. Flygt Pumps
 - iii. Grinder for Wet Well
 - iv. Natural Gas Powered Generator
 - v. Aquavx Scout Alarm Panel
 - vi. Paved area around pump station; grassy areas will require additional maintenance.
 - vii. Do not include mechanical cranes or davits. The working area around the station should accommodate the Township's existing cranes, jet truck, vehicles and other equipment. Discussion with the Township Engineer and Township Sewer Utility should be considered.
 - viii. Bioxide system necessity should be evaluated during detailed review.
 - ix. Valve chamber pit shall be equipped with flow meter, by-pass connections to force main, as well as sump pump or drain line between the valve vault and wet well.
 - x. Any other items that may be required by the Township Engineer or Sewer Utility.
17. The applicant should be prepared to discuss the options presented for the pump station, Option A and Option B, and the benefits of each. The Applicant should provide a concept plan illustrating that the proposed sewer design is feasible to collect and convey off-site sewer per §12-7.3d. The final design should be decided upon and depicted on revised plans should be Board act favorably on this application. *Testimony to be provided.*
18. An exhibit should be shared with the Board at the hearing depicting the options for the proposed sanitary sewer and off-site sewer service, demonstrating that the layout and sizing works for the off-site sewer. *Testimony to be provided.*
19. Testimony should be provided regarding the maintenance responsibilities for the sanitary lines beneath Frederic Lane and Johannes Drive (private roads). If the lines are to be privately owned, a note should be added to the plans stating that the Township shall have the right (but not the obligation) to enter upon the property to perform the requisite maintenance at the responsibly party's expense. *Testimony to be provided.*

Landscaping and Lighting

20. Our office defers to the Board's Landscape Architect for further comment regarding landscaping and lighting.

New Comments

21. The dimensions from the property line for the fence on the pump station property should be relocated for legibility, specifically the western dimension.
22. We defer to the Fire Marshal for site safety and access for emergency vehicles.

Permits and Approvals

23. The following is the list of outside agency approvals required for this application. The applicant should submit copies of all permits/approvals to the Board as each are received.
 - a. Somerset County Planning Board, application January 20, 2023.
 - b. Delaware and Raritan Canal Commission, application, January 20, 2023.
 - c. NJ DEP, Flood Hazard Area Verification, dated August 29, 2022.
 - d. NJ DEP, Freshwater Wetlands Letter of Interpretation, Line Verification, dated January 7, 2020.
 - e. NJ DEP, Freshwater Wetlands General Permit.
 - f. NJ DEP, TWA
 - g. Any others that may be required.

Administrative

24. The applicant shall pay all taxes, fees and required escrow due and owing.
25. This office reserves the opportunity to make further comment if additional information is presented.
26. All future resubmissions of the plans shall clearly indicate a revision date and be accompanied by a point-by-point response letter to the comments of the Board's professional staff.

Should you or the applicant have any questions, please do not hesitate to contact this office.

RRD/mbs

Cc: Harlingen Associates, LLC, applicant (vscott@country-classics.com)
Michael K. Ford, PE, Applicant's Engineer (mford@vancleefengineering.com)
Scott Nehring, Architect, (snehring@hollidayarchitects.com)
Richard Schatzman, Esq., Applicant's Attorney (c/o aslimak@schatzmanbaker.com)
Mark Herrmann, Township Engineer (mherrmann@montgomerynj.gov)