



December 11, 2023

Ms. Janice Talley, PP, AICP  
Director of Planning and Community Development  
Township of Montclair  
205 Claremont Avenue  
Montclair, New Jersey 07042

Re: Minor Subdivision & Conceptual  
New House Site Plans – 509 Park Street, LLC  
509 Park Street  
Block 2710, Lot 29  
Township of Montclair  
Our File No. MTES-160

Dear Ms. Talley:

We are in receipt of the following documents for the above referenced application:

- Plan set consisting of eleven (11) sheets entitled, “Preliminary and Final Minor Subdivision prepared for 509 Park Street, LLC, Block 2710, Lot 29, Township of Montclair, Essex County, New Jersey”, dated through 12-7-2023, prepared by Petry Engineering, LLC, received 12-7-2023.

Based on our review of the above referenced documents and our initial reviews of February 3, 2023, March 28<sup>th</sup>, 2023 and October 26<sup>th</sup>, 2023, we offer the following:

**General**

1. The Applicant/Owner in this matter is:

509 Park Street, LLC  
509 Park Street  
Montclair, New Jersey 07043

The Township shall be notified of any change in the above referenced information.

2. The subject site is a developed lot located on the east side of Park Street across from the intersection with Glenwood Road. The property is located within the R-1 Residential Zone district and contains 66,740 square feet.

The property is rectangular in shape and is encumbered by steep slopes. An existing home is located in the center portion of the property and accessed by a driveway off of Park Street.

The site contains a detached garage, pool, walls, fountain, green house, etc. sprawling throughout the parcel.

3. The applicant is now proposing the following:

- Subdivision of the parcel, Lot 29 into two (2) lots, proposed as Lot 29.01 and 29.02. Lot 29.01 would contain 47,838 square feet, Lot 29.02 would contain 18,902 square feet.
- Retainage of the existing home, pool, and driveway, with a new “return” retaining wall along a small portion of the south side yard for Lot 29.01.
- Retainage of the detached garage, green house, driveway walls, etc. on Lot 29.01.
- Retainage of the fountain, walls, etc. on the proposed south new Lot 29.02.
- Future conceptual development of proposed Lot 29.02 with a 2-story home with detached two car garage, retaining walls, driveway access off of Park Street and onsite drainage improvements.

The Applicant shall confirm the application before the Township is solely for the Minor Subdivision at this time.

The Applicant shall summarize in testimony all existing improvements that will be retained, primarily as located within the new proposed Lot 29.02.

### Variations

4. The proposed subdivision and conceptual development contains a variance, as outlined within the Title Sheet. This includes lot depth deficiency for Lot 29.01.

The existing home on proposed Lot 29.01 also has an existing non-conforming front yard setback of 47.0 feet, which will remain unchanged, as well as a non-conforming retaining wall height of 7.5 feet within the rear yard, which also remains unchanged.

**Soil Movement – Conceptual Design**

5. The final engineered design for the subdivided lot would require an estimated total quantity of soil excavation and fill with support calculations. All excess excavation would need to be removed from the site. Any fill brought onto the site would need to be certified as clean in compliance with NJDEP standards. The truck routes would be recommended to be submitted to the Police Department for acceptance.
6. A Soil Erosion & Sediment Control plan and details will need to be provided for the future development of Lot 29.02. The lot development will require Hudson, Essex, Passaic (HEPSCD) Soil Conservation District Certification.
7. Prior to any site development of Lot 29.02, silt fencing must be properly installed, embedded into the soil 6 inches and maintained throughout construction. For the disturbance within the steep slope areas, super silt fence may prove warranted along the east rear portion of the subdivided parcel.
8. During construction of Lot 29.02, any soil tracked onto the street will be required to be immediately removed.

The Applicant is reminded the Township will not tolerate any offsite silt and soil tracking. Any breach of silt controls would result in an immediate Stop Work Order being issued until all soil erosion controls are repaired and replaced.

9. Applicable to the future development of Lot 29.02, any roadway, curbing, or storm inlets along the property frontage damaged due to construction activities will be required to be repaired by the applicant to the satisfaction of the Township's Construction and Engineering Departments.

The Applicant has added notes to the plans addressing these requirements/concerns.

**Tree Removal/Preservation – Conceptual Design**

10. The future development of Lot 29.02 would require existing tree specimen information and tree replanting information. This would include Lot 29.01 for the required retaining wall construction. With the conceptual home development, the Applicant is indicating twenty-one (21) trees to be removed.

Native tree replanting, soil stabilization of steep slopes and landscaping improvements would need to be addressed for Lot 29.01.

The trees to be removed within the Park Street Right-of-Way for the driveway and associated wall for Lot 29.02 would need to be identified and compensated for. The final location and width of the new driveway shall be re-evaluated to minimize tree loss.

### Steep Slopes

11. With the development plans for Lot 29.02, the Applicant would be subject to addressing compliance to steep slope Sections 294-5.B, D & H and 294-6.C through J. We note the limit of disturbance as required by Section 294-5B should include the disturbance within Lot 29.01.

### Stormwater Management – Conceptual Design

12. The site design for proposed Lot 29.02 is noted as conceptual. The engineer has provided acceptable drainage calculations utilizing this conceptual development.

The stormwater improvements shall be calculated from the impervious coverage increase for both Lots 29.01 and 29.02, as per Township Ordinance.

Lot 29.02 shall be included in stormwater management improvements since the lot area decrease results in an impervious coverage increase.

The disturbance areas for the entire parcel as a whole and for the lots individually shall be provided to confirm if this development would be classified as a major development.

A Stormwater Management Report and Maintenance Manual will be required with a fully engineered drainage design.

13. The future property owner for each lot will be responsible for maintenance of the stormwater management facilities. The stormwater systems are recommended to be inspected at least twice annually, as well as, after every rainfall event greater than 2 inches.
14. During future development of Lot 29.02, no runoff from these properties shall adversely affect any adjacent property both during and subsequent to construction. In the event a drainage problem persists, the applicant will be responsible to remedy the matter at his/her own cost.

### Site Plans – Conceptual Design

15. The fully engineered site design for Lot 29.02 will require the minimum setbacks proposed, accurate to the tenth, to all structures, driveway, deck, etc.

The applicant should summarize the dimensions of each of the two proposed lots. The minimum conforming setbacks between homes should be highlighted, especially the separation distance between the new home on Lot 29.02 and the existing home to the south on Lot 28.

The Applicant has proposed the wider side yard setback requirement along the shared property line of Lot 29.02 and Lot 28 to maximize the separation distance between the homes. This minimum separation distance shall be defined.

16. The applicant has provided the maximum allowable roof ridge calculation and supporting information from the average of the lowest existing or proposed conceptual building perimeter grade at 10-foot intervals for the home and detached garage. The building heights are compliant at less than 35 feet and less than 15 feet respectively.
17. All walls within a fully engineered site design, exceeding four (4') feet will require stability calculations and construction details. Post construction certification will be required for all walls four (4') feet and higher.
18. The fully engineered site plan design would be requested to contain the mapped location for air conditioning units, any generator etc. Additionally, the Applicant should present conceptual development including rear pools and associated patios and pool equipment.
19. The proposal for any sump pumps within the final design would need to be addressed.
20. All utilities servicing the new house would need to be addressed on the fully engineered site plan for Lot 29.02.
21. The existing lot contains fencing encroachments onto the neighboring property to the south, lot 28. This proposed intention for this encroachment shall be confirmed. The stone wall along the frontage is located within the Park Street Right of Way. This is proposed to remain and portions removed as needed to accommodate the new driveway.

The fully engineered plans need to address the specific modifications required for the front stone wall to accommodate the driveway for Lot 29.02.

22. The stone wall's future maintenance between two property owners should be addressed in testimony.
23. Lot 28's shed encroaches onto this property (proposed Lot 29.02) 2.25 feet. Resolve for same shall be addressed in testimony and on the plans.
24. Lot 29.02's conceptual detached garage location should be reconsidered. As shown it is within the center of the home's rear sight line, viewing the roof. This is not visually appealing, bisects the rear yard and eliminates the use of the immediate rear yard area to the home. Perhaps the garage roof can be "flat" with a walkout from the home as an elevated deck or patio with steps to the ground area rear yard, architecturally working with the descending topography.
25. The Applicant shall summarize the front setback analysis and has provided separation distances between the homes on the streetscape elevation plan.

**Minor Subdivision**

26. The Tax Assessor would need to confirm the proposed lot numbers and addresses for the subdivided lots.
27. The applicant shall confirm intention for map filing with the County of Essex or deed submission and filing.
28. Essex County approval is required for the subdivision.

Please address the above and any Planning Board requests. If you should have any questions, please do not hesitate to contact me.

Very truly yours,

BOSWELL ENGINEERING



Marisa A. Tiberi, P.E.

MAT/jg

cc: 509 Park Street LLC  
Petry Engineering LLC

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