

Holland Township Land Use Board

Minutes of the Regular Meeting

August 8, 2022

(Notice-The Chairman reserves the right to change or revise the order of the agenda as needed. Formal action may or may not be taken)

The meeting was called to order by the Land Use Chairman Mike Miller:

Chairman: “I call to order the August 8, 2022 Meeting of the Holland Township Land Use Board. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Land Use Administrator by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Publishing the notice in the December 9, 2021 edition of the Hunterdon County Democrat
3. And faxing to the Express-Times for informational purposes only.

Chairman: Please recite the Pledge of Allegiance

Chairman: Identification of those at the podium

Present: Jerry Bowers (arrived 7:01pm), Bill Ethem, Dave Grossmueller, Ken Grisewood, Michael Keady, William Martin, Mike Miller, Nickolas Moustakas, Kelley O’Such, , John Gallina, Esq., Paul Sterbenz, Engineer, Darlene Green, Planner, Donna Mackey for Lucille Grozinski, Court Reporter and Maria Elena Jennette Kozak, Land Use Administrator.

Absent: Dan Bush, Joe Cinquemani, Ryan Preston, Scott Wilhelm.

Let the record show there is a quorum.

Minutes

The motion to dispense with the reading of the minutes of June 13, 2022, the executive minutes of June 13, 2022 and the minutes of July 11, 2022 was made by William Martin and seconded by Mike Keady. All present were in favor of the motion with the exception of Dave Grossmueller who abstained from July 11, 2022 . Motion carried.

Old Business:

There was no old business scheduled for this meeting.

New Business:

There was no new business scheduled for this meeting.

Completeness Review:

Block 24 Lot 5 – 225 Spiring Garden Road - Mark Tilley & Suzanne Lieb - Minor Site Plan – Received into the office on April 21, 2022 – The 45-day completeness deadline is June 5, 2022 – Deemed incomplete May 9 2022. Additional information received. Board Action Needed for Completeness. If complete, then this application will go into a Public Hearing.

Attorney Gallina stated that Attorney Gruenberg is not present due to circumstances beyond control. Attorney Gallina and Attorney Gruenberg have had conversations and if the board deems the application complete then the public hearing will be held at the scheduled September 12, 2022 meeting. This was a situation that was out of everyone’s control and apologies for inconveniences are extended to all.

There were some remaining items that were outstanding as reflected in the previously distributed professional review prepared by our engineer. As a reminder, a professional review is an advisory review and submitted for the board to accept some, none or all the recommendations in the report. Land Use Administrator Kozak has modified the submitted reviews for the minutes. Hard Copies of all report(s) can be viewed in their entirety in the application file

July 8, 2022

Land Use Board

Township of Holland

61 Church Road

Milford, NJ 08848

Completeness Report #2 and Technical Report #1
Minor Site Plan Application
Mark Tilley & Suzanne Lieb
Lot 4, Block 25 – 225 Spring Garden Road
Colliers Engineering & Design Project No. HLP-0033

Dear Board Members:

Pursuant to your request, we have reviewed for completeness and technical standpoints, plans, applications and other documents filed by Applicants Mark Tilley and Suzanne Lieb in support of a Minor Site Plan Application for Lot 4 in Block 25 situated at 225 Spring Garden Road including:

Original Submission

1. Completed Planning Board & Board of Adjustment Application Form, dated April 15, 2022.
2. Owner's Certification dated April 18, 2022.
3. Narrative Statement for the Application for Minor Site Plan approval, undated.
4. Completed Checklist for Determining Completeness of Application for Minor Site Plan, including a list of Waiver Requests, prepared by Eric Rupnarain, PE, dated March 23, 2022.
5. Consent of Owner to the filing of the application, dated April 18, 2022.
6. Site Walk Authorization for the subject parcel, dated April 18, 2022.
7. Completed Replenishment of Escrow Accounts Agreement, dated April 15, 2022.
8. April 21, 2022 Property Tax Record for the subject parcel indicating that the taxes for the property are current through the 1st Quarter of 2022.
9. April 21, 2022 Submission to the Hunterdon County Health Department for the subject property.
10. April 21, 2022 Submission to the Hunterdon County Planning Board for the subject property.
11. Plan entitled "Site Plan prepared for Block 24, Lot 5, Sheet #24, Holland Township, Hunterdon County, New Jersey" consisting of six (6) sheets, as prepared by Eric Rupnarain, dated March 18, 2022, unrevised (**Note: Superseded by Item 12 below**).

Current Submission

12. Plan entitled "Site Plan prepared for Block 24, Lot 5, Sheet #24, Holland Township, Hunterdon County, New Jersey" consisting of seven (7) sheets as prepared by Eric Rupnarain, dated March 18, 2022, last revised May 24, 2022.
13. Architectural Plan entitled "Proposed 'Liquid Shapes' Brewery 225 Spring Garden Road Milford, NJ", consisting of one (1) sheet, as prepared by Ralph L. Finelli. RA. dated May 30, 2022, unrevised.
14. Copy of an Application for a NJ Highlands Council Exemption for 225 Spring Garden Road (Block 24, Lot 5), dated June 17, 2022, unsigned.
15. Copy of a Certified 200-foot List of Property Owners for Block 24, Lot 5, prepared by Township Tax Assessor, Michelle Trivigno, CTA, dated April 12, 2022.

Application Summary

The property in question is situated on the east side of Spring Garden Road between Riegelsville Road (CR627) and McEntee Road. Lot 4 contains 31.0617-Acres, and the parcel is situated in the Township's R-5 (Residential 5-Acre) District where detached single-family residential homes and agricultural uses are permitted with minimum lot areas of 5-Acres or greater.

Lot 4 is currently developed with a one (1) two-story single family residential dwelling, a second residential building, barn, corn crib, silo, and accessory structure which formerly served as a commercial boarding kennel and grooming operation. Other improvements include two (2) gravel driveways, two (2) septic systems, a single well, and gravel parking area which served the former kennel on site. The gravel driveways both provide access to Spring Garden Road, one at the western property frontage, and the other to the north.

The applicant is seeking minor site plan approval to convert the existing kennel building into a brewery and tasting room. The Applicants intend to grow hops and other agricultural products and process the products into beer on the site. The microbrewery will be owned and operated by the Applicants, with the possibility of having two (2) part-time employees. The proposed site improvements include ADA accessible parking improvements, lighting, the reconstruction

of the existing gravel driveway accessing Spring Garden Road to the north, the demolition of the second residential building, and corn crib, and the installation of a freestanding monument sign at the newly improved driveway. We have the following comments on administrative and technical issues:

A. Completeness

1. Based upon a review of the submission package, the following deficiencies are noted:
 - a. Checklist Item F-10 – Confirmation that the application has been submitted to the Hunterdon County Soil Conservation District. PROVIDED
 - b. Checklist Item F-16 – Submission of protective covenants or deed restrictions, including open space restrictions (i.e., Property Deed and/or Title Search). PROVIDED
 - c. Checklist Item F-17 – An Applicability Determination, Exemption Determination or Consistency Determination from the New Jersey Highlands Council indicating the projects status relative to the Highlands Regional Master Plan has not been provided. WORKING ON THIS – THEY ARE ASKING FOR A TEMPORARY WAIVER AND THE GUY AT HIGHLANDS WAS ON VACATION AND DID NOT GET AROUND TO DOING THIS. THIS IS A REQUIREMENT OF HOLLAND TOWNSHIP BEFORE THEY DEEM AN APPLICATION COMPLETE. THERE WAS QUESTION WHY THEY WERE SEEKING EXEMPTION 4 WHICH IS ABOUT IMPERVIOUS COVERAGE AND ONE AND DONE – CAN NOT BE SOUGHT AGAIN VS AG EXEMPTION WHICH IS WHAT MOST GO THRU AS THERE IS NOT INCREASE TO IMPERVIOUS COVERAGE
 - d. Checklist Item F-29 – The 200-foot property owners list has been provided but is not included on the submitted plan. PROVIDED

Unless waived by the Board, the above deficiencies must be addressed by the Applicant for the application to be deemed complete. We note however, that Item c. above cannot be waived in accordance with the Township’s approved Highlands Council petition.

2. The Applicant is seeking waivers from the following checklist items:
 - a. Checklist Item F-11 – Submission of a Traffic Impact Study. PROVIDED TODAY – WILL DO TESTIMONY
 - b. Checklist Item F-12 – Submission of an Impact Assessment of Water Supply.
 - c. Checklist Item F-13 – Submission of an NJDEP Freshwater Wetlands Letter of Interpretation.
 - d. Checklist Item F-35 – The inclusion of bearings and distances for the subject parcel and preparation of the plan based upon an actual property survey by a licensed land surveyor.
 - e. Checklist Item F-37 – The inclusion on the plan of the locations and descriptions of all survey monuments found or set.
 - f. Checklist Item F-44 – The depiction of all existing elevation contours at 2-foot intervals within the tract and 50-feet thereof.
 - g. Checklist Item F-46 – The depiction of all floodways, flood hazard areas, freshwater wetland areas, wetland transition zones, special water resource protection areas, and riparian zones.
 - h. Checklist Item F-50 – The depiction of all existing sewage disposal systems and wells on the parcel and within 100-feet thereof.
 - i. Checklist Item F-59 – The preparation of a landscape plan and buffer planting plan.

Testimony must be provided in support of the above waiver requests.

We would however request that the Applicant provide the record survey and septic design plans or supporting documentation from the Hunterdon County Health Department that are referenced in General Notes 2 and 3 of the Overall Site Plan.

3. The Applicant has indicated that the following items are not applicable:
 - a. Checklist Item F-14 – Submission of a Flood Hazard Area Permit.
 - b. Checklist Item F-15 – Submission of a Financial Disclosure Statement for a corporation or partnership.
 - c. Checklist Item F-51 – The depiction of all soil permeability and testing logs on site.
 - d. Checklist Item F-56 – The depiction of all signs and their proposed illumination.
 - e. Checklist Item F-60 – The location and size of any existing or proposed above-ground storage tanks.
 - f. Checklist Item F-61 – Descriptions of proposed machinery operations, productions, by-products, processes, and materials for any manufacturing or industrial use.

Testimony must be provided in support of the above non-applicability determinations.

B. Technical Comments

1.0 Planning and Zoning

- 1.01 We defer to Board Attorney John Gallina, Esq. and Board Planner Darlene Green, PP, AICP, as to planning and zoning issues, any specific relief that is required from the Township's Zoning Ordinance, and the proofs that must be put forth to justify the relief that is requested, including for the proposed free-standing sign.
- 1.02 As discussed previously the Applicant must provide documents and testimony related to the proposed brewery and tasting room as an Agricultural Use.
- 1.03 A written Operational Statement and testimony must be provided related to the brewery and tasting room operation, including indoor and outdoor seating, events, tasting schedules, days and hours of operation, etc.

2.0 Site Layout/ Grading/ Drainage/ Utilities

- 2.01 Testimony must be provided regarding the disposition of the existing barn and silo which are proposed to remain. The barn is in disrepair and needs significant attention to address safety considerations before the site is opened to the public, especially considering its proximity to the parking area and future brewery building. During our site visit it was noted that there were numerous slate roof tiles around the building and gravel parking area that have fallen off the building which pose a continuing hazard.
- 2.02 The Site Plan must be revised to include a driveway profile to demonstrate that the driveway complies with the standards in Township Ordinance Chapter 72-Driveways and in order to facilitate construction.
- 2.03 In accordance with comment 2.03 above and Ordinance Section 72-8, any portion of an uphill driveway which exceeds 5% in its first 200 feet must be surfaced with a bituminous surface. Based upon the provided contours it appears that the first 50-feet of the driveway will range from 7.4% to 8% in grade. The plan must be revised to indicate the paving of the driveway extending to the top of the vertical crest. A pavement section of 2-inches of HMA 9.5M64 surface course asphalt, 4-inches of HMA 19M64 base course asphalt and 5-inches of Dense Graded Aggregate Stone must be provided. This will also bring the driveway into compliance with Ordinance Section 72-12.A. which requires all driveways to be paved within 50-feet of the street centerline.
- 2.04 The Applicant is currently proposing site improvements that will increase the impervious surface on the site by 1,946-SF. This exempts the project from the provisions of the Holland Township Stormwater Management Ordinance (Article XXIV of the Township Land Use Code). Should the proposed impervious surface increase to 2,000-SF, or greater in the post construction condition, the Applicant will be subject to the Minor Stormwater Development Provisions of the ordinance and stormwater management measures will need to be designed and constructed on-site.
- 2.05 Correspondence must be provided from the Hunterdon County Health Department related to the existing septic system, its current condition and fitness for use for the proposed brewery/ tasting room.

3.0 Landscaping/ Lighting

- 3.01 The Site Plans must be updated to identify the existing trees to be removed as part of the construction of the proposed driveway and the regrading of the property frontage along Spring Garden Road. Only those trees necessary to facilitate the construction of the proposed features shall be removed in accordance with LUO Section 100-177.E.
- 3.02 In accordance with LUO Section 100-177.K. shade trees shall be provided at 75-foot intervals along all streets, with a minimum caliper of 2.5-inches. Four (4) trees shall be provided within the limits of disturbance along the property frontage where feasible, outside of the depicted site triangles to replace those trees which are being removed to facilitate the construction of the proposed driveway improvements.
- 3.03 Freestanding lighting has been provided throughout the site to provide illumination along the proposed driveway and parking area. The illumination levels appear to meet the typical minimum recommended parking area lighting levels of 0.2-footcandles for parking areas, with an average illumination of 0.6-footcandles. The applicant should address in testimony the proposal for lighting with regards to the hours that lighting will be operational on-site and which, if any, fixtures will be utilized to maintain after-hours security lighting.

4.0 Miscellaneous

- 4.01 The applicant should provide a written traffic statement and testimony to the Board, including anticipated traffic levels (customers, deliveries, staff) including vehicles per hour and per day. The report should also include the mix of vehicles (i.e., types and frequencies of deliveries by truck), and the anticipated routes of customers and deliveries to the site.

4.02 The construction details on Sheet 5 must be revised as follows:

- a. To update the On-Site Pavement Detail to include the portion of the driveway that is to be paved per the Township LUO. Additionally, the detail must reference the current asphalt mix designations in accordance with NJDOT standards (i.e., HMA 9.5M64 Surface Course, HMA 19M64 Base Course and Dense Graded Aggregate (DGA) Base Course).
- b. To update the Gravel Parking & Driveway Detail to reference NJDOT standard DGA Base Course stone in place of the current 'Quarry Process blend'.
- c. To provide an MUTCD designation for the "Hidden Driveway Ahead" sign proposed to be installed along Spring Garden Road in the approach to the site entry drive.

5.0 Approvals/ Fees/ Guarantees

We recommend that the Board condition any approvals granted for this application on the following:

- a. The payment of real estate taxes.
- b. The payment of any outstanding fees and assessments, if any.
- c. The procurement of approvals or waivers thereof from outside review agencies with jurisdiction including the Hunterdon County Soil Conservation District, Hunterdon County Planning Board and the Hunterdon County Health Department.
- d. The applicant revising its plans and technical reports to address comments by the Board and its professionals.
- e. The posting of performance guarantees and inspection fees in amounts to be determined by the municipal engineer.
- f. No construction is permitted until taxes and fees are paid, all outside agency approvals or waivers thereof are obtained, the site plan is revised in a manner satisfactory to the Board Engineer and Board Planner, performance guarantees and inspection fees are posted, and the applicant attends a preconstruction conference to be scheduled by the municipal engineer.
- g. Any other conditions through the legal review of Board Attorney John Gallina, Esq.

Conclusion

At this time, we recommend that the application be deemed incomplete by the Board due to the lack of either a Consistency Determination, or approval of the requested Exemption from the Highlands Council for the proposed project.

If any Board Members have questions or comments on this report, please do not hesitate to call us.

Adam Wisniewski will be at the July 11, 2022 Board meeting to review this report with you.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)



Paul W. Sterbenz, PE,
Planning Board Engineer



Adam T. Wisniewski, PE
Project Manager

cc: Maria Elena Kozak, Board Secretary (via email planningboard@hollandtownship.org)
Darlene A. Green, PP, AICP, Board Planner (via email darlene.green@colliersengineering.com)
John Gallina, Esq. Board Attorney (via email jpgesq@embarqmail.com)
Steven Gruenberg, Esq., Applicant's Attorney (via email stevenpgruenberg@gruenberglegal.com)
Eric B. Rupnarain, PE, Applicant's Engineer (via email ebr@gbamail.com)

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Email Mon 8/8/2022 9:39 AM received and distributed to the board and professionals with attached Highland's letter Mon 8/8/2022 9:46 AM

Good morning, Maria Elena.

With regard to the above application, attached please find a copy of the NJDEP Highlands Exemption letter. We are forwarding this to you so that the Board may deem the application complete and then proceed to hold a public hearing on the application tonight. If you have any questions or would like to discuss, please do not hesitate to contact Steve directly. Thank you.

Regards,

Barbara A. Stubbins, Paralegal

Steven P. Gruenberg, Attorney at Law

151 Main Street

Flemington, NJ 08822

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Website: <http://gruenberglegal.com>

Mark Tilley & Suzanne Lieb 17 Eder Terrace
South Orange, New Jersey 07079

RE: Highlands Applicability Determination DLUR File No.: 1015-22-0001.1

Activity No.: APD220001

Applicant: Mark Tilley & Suzanne Lieb Block: 24; Lot: 5

Municipality: Holland Township County: Hunterdon

Water Quality Management Plan: Upper Delaware

Agency Determination: Highlands Act – Exempt
Exemption No. 4

Water Quality Management Plan – Consistent

Dear Mr. Tilley and Ms. Lieb:

August 1, 2022

This letter is in reply to your request for a Highlands Applicability Determination and Water Quality Management Plan Consistency Determination. Based on the information submitted and Division of Land Resource Protection (Division) review, it has been determined that the project described below qualifies for Highlands Act Exemption No. 4. The project is considered Consistent in the Water Quality Management Plan (WQMP). This project was published in the July 6, 2022 DEP Bulletin.

Under Exemption No. 4, at the property located at 225 Spring Garden Road Holland Township, Hunterdon County, the applicant is proposing 1,946 Square Feet of new impervious surface in addition to the currently existing 23,372 square feet of impervious surface resulting in a total of 25,318 square feet of impervious surface on site. This will be an 8% increase of impervious surfaces which meets the limits required under Exemption No. 4.

The site plan(s) entitled: “OVERALL SITE PLAN PREPARED FOR BLOCK 24, LOT 5, SHEET #24 HOLLAND TWP., HUNTERDON COUNTY, NEW JERSEY”, sheet No. 2 of 6, and “DETAIL SITE PLAN PREPARED FOR BLOCK 24, LOT 5, SHEET #24 HOLLAND TWP., HUNTERDON COUNTY, NEW JERSEY”, sheet No. 3 of 6, dated March 18, 2022, last revised May 24, 2022, and prepared by Eric B. Rupnarain, P.E. of Goldbaum Baill Engineering, Inc., has been reviewed by DEP staff to determine the applicability of the New Jersey Highlands Water Protection and Planning Act Rules at N.J.A.C. 7:38 (Highlands Rules), as well as the requirements defined in the Statewide Water Quality Management Planning rules at N.J.A.C. 7:15 (WQMP rules). Review of the provided materials has demonstrated that the proposed project qualifies for exemption No. 4 at N.J.A.C. 7:38-2.3(a)4.

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DLRP File No.: 1015-22-0001.1 APD220001

The proposed Project is deemed exempt from the provisions of the Highlands Rules. If the Division subsequently determines the information submitted to obtain this decision is inaccurate, the exemption shall be void.

This determination does not eliminate the need for any permits, approvals, or certifications required by any other Federal, State, County or municipal review agency with jurisdiction over this activity, including, but not limited to, freshwater wetlands or flood hazard permits or review of stormwater management.

The Division also reviewed your Project for consistency with the WQMP rules and the provisions and recommendations of the Upper Delaware. Based on our review, the proposed Project is Consistent with the WQMP and is in accordance with the WQMP rules at N.J.A.C. 7:15.

In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this approval may request a hearing within 30 days after notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Administrative Hearing Request Checklist. The DEP Bulletin is available through the Department's website at <http://www.nj.gov/dep/bulletin> and the Checklist is available through the Division's website at http://www.nj.gov/dep/landuse/download/lur_024.pdf. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information about this process.

If you have any questions or require further assistance, please call Michael Tropiano at (609) 777- 0454 or email Michael.Tropiano@dep.nj.gov.

Sincerely,

Digitally signed by Patrick Ryan Date: 2022.08.01

10:46:03 -04'00'

Patrick Ryan, Environmental Supervisor

Bureau of Freshwater Wetlands and Highlands Permitting Division of Land Resource Protection

cc: Holland Township Clerk
Holland Township Construction Official
Holland Township Environmental Commission
Holland Township Board Official
Hunterdon County Planning Board Official Highlands Council - Lisa Plevin
Agent – Eric Rupnarain

Attorney Gallina mentioned that Attorney Gruenberg was hopeful that the Land Use Board would deem the application complete. Engineer Sterbenz stated that he was supportive of the board deeming the application complete as the outstanding checklist item pertaining to the Highlands Council has been satisfied and the applicant can move forward with a public hearing at the scheduled September meeting. With no questions being asked, a motion was made by Jerry Bowers and seconded by Bill Ethem to deem the application complete and schedule a public hearing for September 12, 2022 at the Land Use Board which will begin at 7pm. At a roll call vote, all present were in favor of the motion with the exception of Kelley O'Such who was ineligible to vote due the Municipal Land Use Law guidelines. Motion carried.

Resolution

There were no resolutions scheduled for this meeting.

Public Hearings

Block 26 Lot 27 – 105 Riegelsville Rd – Davina Lapczynski – Received into our office June 22, 2022 – The 45-day completeness deadline is July 11, 2022. Deemed Complete July 11, 2022. Public Hearing scheduled for August 8, 2022. Applicant granted an extension to the September 12, 2022 meeting (email 071822). Board Action needed September 12, 2022.

Block 3 Lot 66 – 195 Mylar Road - Kaszas – Minor Site Plan Application - Received into our office May 23, 2022 – The 45-day completeness deadline is July 7, 2022 – Deemed incomplete June 13, 2022. Additional information received. Deemed Complete July 11, 2022. Public Hearing scheduled for August 8, 2022. Board Action needed.

Engineer Hill is present and was sworn in by Attorney Gallina. Discussion of various items needed for a minor subdivision were brought up regarding the need for access to Goff Road in order to create a driveway to keep the property from being land locked. Lot 43 denied Lot 66 the continued use of the driveway easement that has been used for many years off Myler Road. There is wording that allowed either party to terminate the driveway use. Engineer Hill responded to the reports represented by the board's planner and engineer. Engineer Hill will revise the maps with the wetlands analysis on Goff and the lot to the north that will also be added.

Exhibit A1 – map wetlands FW2-TPC1 Hakihoakake Creek UNT

Exhibit A2 – map of proposed driveway plan & profile May 2022 prepared by FREY Engineering

Attorney Gallina stated that lots fronting Goff Lane have access to get to Myler based on prior litigation of someone on Goff Lane and that the minutes reflected that the Township could not give or deny permission to use the road as the township did not take over the road known as Goff Lane. Engineer Hill thanked Attorney Gallina as he wanted to get that information into the record. The Highlands Council letter did not show restriction on Lot 28 so they can build a driveway. The Engineer and Planners review questioned the chart showing lot requirements.

Exhibit A3 - set of plans- sheet C1 driveway existing conditions – May 2022 – prepared by FREY Engineering

JP&L are asking for additional information on the plans. The applicant is to use the JCP&L easement because the property owners need to cross under the wires. On Sheet C2 of the plans, this is shown. The slope of the driveway will be added to the plans. The property owners started with a simple driveway application then had to submit a minor site plan application with a septic system as well so the disturbance is included with the plans. Sheet C3 shows the septic towards the top end of the property and the storm drain needs to stay 50' away which pushes discharge more center. The ditches off the sides will be recalculated. The stone base helps with filtering and depth and width requirements for filter to length of the driveway will give more clarification. The planner got caught up with structures in 2022 from an arial of the property and the property owner is getting rid of the 2 tents covering a trailer and a boar with the sale of the property. It all goes away when the property owner transfers rights. The proposed driveway will not be paved but will be gravel. Member O'Such questioned stormwater and whether it meets the ordinance requirements with Engineer Hill responding that it does not and that he will have updates for our Engineer and maybe modify how it is handling discharge from three points to meet the requirement. Member O'Such asked if Engineer Hill was comfortable with his proposal in keeping the application a minor site plan and the response was yes and that 2 soil logs will be required so he will use what was used at septic as the soil is the same. Engineer Hill stated that permeability is the biggest problem. The applicant will need safe discharge measures which is stone. Engineer Sterbenz asked if the plans will be revised to address comments 2.01 and 2.04 of his letter with Engineer Hill responding YES. Engineer Hill feels that nothing is out of place with this application and his opinion after spending a lot of time reviewing files pertaining to this property supports that there was a driveway or the intention was for one to be there so what is being proposed is normal for them trying to move off Myler and use Goff. The issues are more of what is the proper step going forward with 20' on Goff which no one knows who owns and it is an easement held by 5 to 6 properties so the applicant is just not sure who is in charge. Attorney Gallina stated that there is an agreement between owners with the Kazsas not signing because they were using Myler, however there is a paragraph on this agreement that states that everyone can still use Goff. Engineer Hill asked Attorney Gallina if he was thinking that each owner on that agreement should be contacted and Attorney Gallina stated that it could be a question with each owner so no dispute in maintenance of road and improvements would exist. Engineer Hill stated that exception 5 from the Highlands Council applies. More discussions took place regarding the review letters of the board's professionals with the board's planner stating that her opinion is that the items agreed by the applicant should be completed before the board votes. Revise the plans, etc. Make it clearer for the board to vote. Engineer Hill discussed with the applicant and they all agreed to make corrections and come back for the continued public hearing at the scheduled September meeting.

Engineer Hill will send the information to Land Use Administrator Kozak that needs to be forwarded to the Holland Township Volunteer Fire company for review.

Exhibit B1 Planner Letter of August 2, 2022

As a reminder, a professional review is an advisory review and submitted for the board to accept some. none or all the recommendations in the report. Land Use Administrator Kozak has modified the submitted reviews for the minutes. Hard Copies of all report(s) can be viewed in their entirety in the application file

August 2, 2022

Land Use Board

Township of Holland

61 Church Road

Milford, NJ 08848

Re: Frank Kaszas

195 Myler Road
Block 3, Lot 66
Review Letter #1
Project No. HLZ-0014

Dear Board Members,

Frank Kaszas, the Applicant, seeks Minor Site Plan approval to construct a driveway to Goff Lane (a private common driveway) to the west of the existing home. Goff Lane is a deeded 40-foot-wide right of access extending from Myler Road to multiple surrounding lots. Access to the dwelling from Myler Road is currently provided by a private gravel driveway through adjacent Lot 43. According to the Application, the access arrangement between Lot 43 and 66 has existed for the past 50 years however, no access easement or agreement was recorded with either of the deeds. The owner of Lot 43 has denied the Applicant access through their property to continue, which has left the subject property with no access to a public roadway. The Applicant intends to sell the property and the lack of access has caused issue with the sale of the property. Therefore, the Applicant is seeking to construct a driveway to gain access to Goff Lane. The Applicant also proposes to install a new septic tank and disposal bed to the north of the dwelling, which has been approved by the Hunterdon County Health Department. Site improvements include a driveway with a parking area, grading, and drainage.

The following documents, which were submitted in support of the Application, have been reviewed:

1. Plans entitled "Driveway / Minor Site Plan", prepared by James A. Hill, PE of Frey Engineering, LLC, dated May 2022, signed on various dates through June 13, 2022, consisting of 4 sheets.
2. Plan entitled "Septic Design for Paul & Frank Kaszas", prepared by Jess H. Symonds, PE, dated April 20, 2022, consisting of 8 sheets.
3. Plan entitled "Proposed Driveway Plan & Profile", prepared by James A. Hill, PE, PP, CME of Frey Engineering, LLC, dated May 2022, consisting of 1 sheet. (Note that this is Sheet C-2 of Item #1 with a hand drawn wetland area.)
4. Survey entitled "Location Survey", prepared by Ronald L. Haffling, PLS of Ronald L. Haffling & Assoc., Inc., dated February 14, 2006, revised through April 21, 2006, consisting of 1 sheet.
5. Survey entitled "Survey for A. Staats in Holland Township", prepared by S. Carrocio, PLS dated December 1965, consisting of 1 sheet.
6. Survey entitled "Holland-Dover Transmission Line No. 2", prepared by Studer & McEldowney Civil Engineers & Land Surveyors, dated July 7, 1953, consisting of 1 sheet.
7. Copy of Subdivision Map, dated June 8, 1963, consisting of 3 pages.
8. Packet of Maps entitled "Highlands Maps", dated May 24, 2022, consisting of 15 pages.
9. Planning Board & Board of Adjustment Application Form, dated May 18, 2022.
10. Planning Board & Board of Adjustment Application Form, Highlands Land Use, no date.
11. Checklist for Determining Completeness of Application, Minor Site Plan, no date.
12. Checklist for Determining Completeness of Application Submitted Under Chapter 101 Highlands Land Use Ordinance, no date.
13. NJDEP Highlands Applicability Determination Application, dated May 23, 2022.
14. NJDEP Highlands Applicability Determination Application, Attachment A, dated May 23, 2022.
15. Hunterdon County Planning Board Development Review Application, no date.
16. Hunterdon County Health Department Application for Permit to Construct/Alter an Individual Subsurface Sewage Disposal System, dated May 18, 2022. (It should be noted this Application was approved on June 20, 2022.)
17. Hunterdon County Soil Conservation District Application for Soil Erosion and Sediment Control Plan Certification, no date.
18. Hunterdon County Soil Conservation District Letter of Certification, prepared by R. Greg Manners, District Chairman, dated July 21, 2022, consisting of 1 page.

19. First Energy Real Estate/Right-of-Way Request Form, dated June 30, 2022.
20. Project Site Design and Drainage Report, prepared by James A. Hill, PE of Frey Engineering, LLC, dated May 23, 2022.
21. Copy of "Description of property situated at 195 Myler Road, Holland Township, Hunterdon County, New Jersey", prepared by Ronald L. Haffling, PLS of Ronald L. Haffling & Assoc., Inc., dated February 14, 2006, consisting of 2 pages.
22. Copy of Agreement concerning Goff Lane, signed on various dates from December 7, 1997 to January 13, 1998. **(It should be noted that Paul and Frank Kaszas are crossed off and did not sign the document.)**
23. Copy of Deed, dated September 15, 1993, recorded on September 20, 1993.
24. Copy of Deed, dated August 26, 1982, recorded on August 31, 1982.
25. Copy of Deed, dated June 3, 1961, recorded on June 29, 1961.
26. Copy of Right-of-Way Grant for Electric Lines, dated September 2, 1953.
27. E-mail correspondence from David Kruger, PWS, CWD of Environmental Technology, Inc., dated June 7, 2022.
28. E-mail correspondence from Judy Thornton, PP, AICP, Principal Planner at New Jersey Highlands Council, dated June 13, 2022.
29. Letter entitled "Block 3, Lot 66", prepared by Michael M. Espinoza of JCP&L Real Estate Services, dated July 26, 2022, consisting of 3 pages. (It should be noted that this approved the request detailed in Item #20.)
30. Letter entitled "Frank and Robin Kaszas", prepared by James A. Hill, PE, PP, CME of Frey Engineering, LLC, dated June 30, 2022, consisting of 4 pages.
31. Letter entitled "HCPB File #X2215.001 Frank and Robin Kaszas", prepared by Kristopher Melchers, Planner Trainee of the Hunterdon County Planning Board, dated June 28, 2022, consisting of 1 page.
32. Letter entitled "Highlands Act - Exempt", prepared by Terry Pilawski, Bureau of Watershed Regulation Chief, dated January 10, 2006, consisting of 6 pages. (It should be noted this exemption approval is for a single-family dwelling on adjacent Lot 28 in Block 3.)

It should be noted that this office also received two unreadable documents (that appear to be deeds or easements) and maps without titles or dates.

Existing Zoning and Surrounding Land Use

The subject property is in the R-5 Residential District south of Myler Road and the municipal boundary. The property is in the Highlands Protection Area and is surrounded by residential properties. See the image on the following page for the general location of the site.ⁱ Note that the approximate location of the driveway to Goff Lane is shown in blue.



As per Section 100-46, the bulk requirements for the R-5 District are as follows:

- Minimum Lot Area – 5 acres
- Minimum Lot Width – 325 feet
- Minimum Lot Depth – 350 feet
- Maximum Building Height – 35 feet
- Maximum Stories – 2.5 stories
- Minimum Setback (from the street line) – 75 feet
- Minimum Rear Yard Setback – 75 feet
- Minimum Side Yard Setback – 75 feet

Variances

We do not have enough information to determine what, if any, variances are required for the Application. The Applicant has indicated on the paperwork that they are seeking relief from NJSA 40:55D-35 to direct the issuance of a permit for a lot lacking street frontage, but we do not believe that relief is required, which is discussed further under Section D.

The following pre-existing non-conforming condition exists:

1. Section 100-46 – The Ordinance requires a side yard setback of 75 feet. The existing dwelling is approximately 49 feet from the property line shared with Lot 43 to the east.

Waivers/Exceptions

This Application does not require any waivers/exceptions.

Comments

Based on our review of the above-referenced materials, we offer the following comments:

General

1. The Applicant has requested relief from NJSA 40:55D-35 to direct the issuance of a building permit for a lot lacking street frontage. However, the Applicant is not proposing a new building or structure on the site. A new driveway is proposed to connect to Goff Lane. Therefore, we do not believe relief from NJSA 40:55D-35 is required.
2. Various documents submitted, such as the Survey, Site Plans, Applications, etc., refer to the 40-foot-wide easement as either Goff Lane or Goff Road. The Agreement document indicates the easement is commonly known as Goff Lane. The documents should be revised to note the name of the easement as Goff Lane.
3. Section 100-111 of the Ordinance permits lots fronting on driftways if certain conditions are met. Subsection A. requires at least 500 feet of frontage on the driftway. It is unclear how much frontage the subject site has on Goff Lane and if relief was previously granted for a substandard condition. Testimony shall be provided, which may trigger a variance.
4. Section 100-111 also requires compliance with Section 100-161. We offer the following comments regarding compliance with Section 100-161:
 - a. Section 100-161A.(1) requires proof by deed or otherwise that the driftway (Goff Lane) existed prior to March 7, 1953. We have received an agreement from 1961 referring to the 40-foot-wide easement known as Goff Lane. Testimony shall be provided on the driftway's existence prior to 1961.
 - b. Section 100-161A.(2) requires proof that the Applicant can use such driftway for ingress/egress and make improvements to the driftway. We have received an agreement from 1997/1998 concerning Goff Lane, however, Mr. Kaszas' name is crossed off the agreement. Testimony shall be provided.
 - c. Section 100-161A.(5)(a) requires the traveled way of the driftway to be a minimum of 18 feet wide with a crown of three inches. It is unclear how wide Goff Lane is or if it has a crown. Testimony shall be provided, which may trigger a variance.
5. The Board may also wish to hear testimony regarding the condition of Goff Lane, its slope, and if there are any pull off areas for emergency vehicles.
6. Based on the documents submitted, it is unclear what improvements, if any, are permitted within the Goff Lane easement. Testimony shall be provided.
7. This office is in receipt of an email dated June 13, 2022 from Judy Thornton, Principal Planner, at the New Jersey Highlands Council. Ms. Thornton's email indicates the application for the driveway on Lot 66 is exempt from the Highlands Act. However, the email flags a potential issue where the driveway extends onto adjacent Lot 28, Block 3. Lot 28 was developed under Exemption #1. The Applicant has submitted a letter, dated January 10, 2006, from the NJDEP. The letter confirms a proposed single-family dwelling located on adjacent Lot 28 (to the south) qualified under Exemption #1. Page 2 of the letter provides limitations to the exemption, which states "Please be advised this exemption does not permit the construction of a new access road which would promote future development in the Highlands Preservation Area and thereby go against the intent of the Highlands Act." Additionally, limitation 3 on page 3 states "This determination shall be considered null and void if changes are made to the project that would increase the scope or area disturbed by the project." Ms. Thornton recommended a pre-application meeting with NJDEP be arranged so the matter could be discussed to determine whether an application to NJDEP would be necessary. It is unclear if this pre-application meeting was held or if the Applicant has received any commentary from NJDEP regarding the impervious coverage on Lot 28. Testimony shall be provided.

Site Plan

8. Sheet C-1 of the Site Plans references a survey prepared by Patrick H. Fatton Land Surveying, LLC, dated March 28, 2022. However, this office has not received this document. The Applicant shall submit a copy of this survey.

9. Sheet C-1 includes a table of the areas, yard, and bulk requirements for the R-5 District. However, the table does not include the existing conditions on the property. This information should be added to the table to document any pre-existing non-conforming conditions.
10. The Minor Site Plan labels Goff Road. However, as discussed in Comment #2, this private road is known as Goff Lane. This discrepancy shall be eliminated.
11. Sheet C-2 labels the proposed driveway as "hard surface". There is a Gravel Driveway/ Parking detail on Sheet C-3. It is unclear if the proposed driveway will be gravel or paved. Testimony shall be provided to clarify.
12. The proposed driveway profile on Sheet C-2 illustrates a grade change of 19.75+/- feet from 775.25 near the house to 795+/- feet at Goff Lane. However, the slope of the driveway was not provided. This information shall be submitted.
13. It is unclear if the existing asphalt and stone area, currently used to access the property, will be removed. Testimony shall be provided to clarify.
14. According to the Survey, last revised on April 21, 2006, there is an existing wooded area east of the 150-foot-wide JCP&L easement that the proposed driveway would traverse. However, no information regarding tree removal was provided. The Applicant shall submit a list of all trees to be removed as a result of the proposed driveway.
15. Aerial imagery from March 18, 2022ⁱⁱ illustrates two structures southeast of the house along and/or on the property line that are not illustrated on the 2006 Survey. It is unclear what these structures are and how they were erected due to the lack of street frontage which requires relief from NJSA 40:55D-35. Testimony shall be provided.



Should you have any questions concerning the above comments, please do not hesitate to contact my office. We reserve the right to make additional comments based upon further review or submission of revised plans or new information.

Sincerely,

Colliers Engineering & Design

Darlene A. Green, PP, AICP
Board Planner

- cc: Maria Elena Kozak, Board Secretary (via email planningboard@hollandtownship.org)
Paul Sterbenz, Board Engineer (via email paul.sterbenz@collierseng.com)
John Gallina, Board Attorney (via email jpgesq@embarqmail.com)
Frank Kaszas, Applicant (via email robin.kaszas@delonghigroup.com)
James Hill, Applicant's Engineer (via email jhill@freyengineering.com)

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Exhibit B2 Engineer Letter of August 7, 2022

As a reminder, a professional review is an advisory review and submitted for the board to accept some. none or all the recommendations in the report. Land Use Administrator Kozak has modified the submitted reviews for the minutes. Hard Copies of all report(s) can be viewed in their entirety in the application file

August 7, 2022

Land Use Board

Township of Holland

61 Church Road

Milford, NJ 08848

Technical Report #1

Minor Site Plan Application

Frank and Robin Kaszas

Lot 66, Block 3 – 195 Myler Road

Colliers Engineering & Design Project No. HLP-0034

Dear Board Members:

Pursuant to your request, we have reviewed from a technical standpoint plans, applications and other documents filed by the Applicants Frank and Robin Kaszas in support of a Minor Site Plan Application for Lot 66 in Block 3 situated at 195 Myler Road including:

Original Submission

1. Completed Planning Board & Board of Adjustment Application Form, dated May 18, 2022.
2. Owner's Certification dated May 18, 2022.
3. Completed Checklist for Determining Completeness of Application for Minor Site Plan, undated.
4. Completed Request for 200-foot property listing, undated.
5. Site Walk Authorization for the subject parcel, dated May 18, 2022.
6. Completed Replenishment of Escrow Accounts Agreement, dated May 18, 2022.
7. Completed W-9 Form Dated May 18, 2022.
8. April 6, 2022 Submission to the Hunterdon County Soil Conservation District for the subject property.
9. Certified list of property owners prepared by the Holland Township Office of the Assessor, dated May 24, 2022.
10. Application to the Hunterdon County Health Department to Construct/ Alter an Individual Subsurface Sewage Disposal System for the subject property, dated May 18, 2022.
11. Plan entitled "Septic Design for Paul & Frank Kaszas – Block 3, Lot 66 – Holland Township, Hunterdon County, NJ", consisting of four (4) sheets, as prepared by Jess H. Symonds, PE, dated April 20, 2022, unrevised.
12. Completed Township of Holland Planning Board & Board of Adjustment Highlands Land Use Application and Checklist, including various Highlands Council Maps of the subject property, undated.
13. Deed for the subject property, (Lot 66, Block 3), dated September 20, 1993.
14. Plan entitled "Driveway/ Minor Site Plan – Frank & Robin Kaszas – 195 Myler Road prepared for: Sheet 4 – Block 3 – Lot 66 – Holland Township, Hunterdon County, NJ" consisting of four (4) sheets, as prepared by James A. Hill, PE of Frey Engineering, LLC, dated May 2022, unrevised.
15. Report entitled "Project Site Design and Drainage Report for Block 3, Lot 66 – Holland Township – Hunterdon County, New Jersey – May 23, 2022 – Prepared for Frank and Robin Kaszas for 195 Myler Road, Bloomsbury, NJ 08804" as prepared by James A. Hill, PE of Frey Engineering, LLC, dated May 23, 2022, unrevised.

Current Submission

16. Survey and Legal Description of the subject property – 195 Myler Road (Lot 66, Block 3) prepared by Ronald L. Haffling, PLS, dated February 14, 2006.
17. Deed of Agreement dated 2/11/98 regarding Goff Road, indicating the parties with the right of access and shared maintenance responsibilities over "Goff Lane".
18. Email correspondence from Judy Thornton of the NJ Highlands Council, dated June 13, 2022, indicating that the application is exempt from the Highlands Act under Exemption #5 – Improvement to a Single-Family Dwelling, which includes driveways.
19. A Highlands Council Exemption Determination for the neighboring property (Lot 28, Block 3 - 21 Goff Lane), dated January 10, 2006.
20. Transmittal to the Hunterdon County Soil Conservation District for the proposed Driveway Construction on the subject property, dated May 23, 2022.

21. Transmittal to the Hunterdon County Planning Board for the proposed Driveway Minor Site Plan on the subject property, dated June 13, 2022.
22. Copy of the Development Review Application submitted to the Hunterdon County Planning Board for the subject property, undated and unsigned.
23. June 28, 2022 letter from the Hunterdon County Planning Board indicating that approval from the Planning Board is not needed for the construction of the proposed driveway on the subject property.
24. Application Transmittal package to JCP&L for the proposed driveway construction across the powerline right-of-way on the subject property, as prepared by James A. Hill, PE, PP, CME of Frey Engineering, LLC, dated June 30, 2022.
25. July 26, 2022 approval issued by JCP&L for the proposed Driveway Construction on the Subject Parcel.

Application Summary

The property in question is a land locked parcel situated on the south side of Myler Road and to the east of Goff Road (a private road). Lot 66 contains 12.476-Acres, and the parcel is situated in the Township's R-5 (Residential 5-Acre) District where detached single-family residential homes and agricultural uses are permitted with minimum lot areas of 5-Acres or greater.

Lot 66 is currently developed with one (1) two-story single family residential dwelling. The residence currently takes access to Myler Road by way of a private gravel driveway through Lot 43 to the east (171 Myler Road). According to the Applicant, this arrangement of access to Lot 66 has been in operation for over 50-years, however the access easement, or agreement was never recorded with the deed for Lot 43 or Lot 66. The Applicant currently intends to sell the subject property (Lot 66), however the lack of a formal driveway and access easement over Lot 43 has presented an issue as the owner of Lot 43 does not wish for this arrangement to continue in the future.

In order to remedy this lack of access to Lot 66, the Applicant is now seeking Minor Site Plan approval to permit the construction of a new driveway to Goff Road to the west, a private roadway, identified on the Township Tax Maps as a 40-foot-wide access easement. Additionally, the Applicants intend to reconstruct the existing septic system under a separate application to the Hunterdon County Health Department as part of the property sale.

Completeness Status

The Application was previously deemed to be complete at the Board's July 11, 2022 meeting, conditioned on the Applicant obtaining outside agency approvals, including the Hunterdon County Soil Conservation District and JCP&L for authorization to construct the proposed driveway through the JCP&L right-of-way on the property.

We have the following comments on technical issues:

A. Technical Comments

1.0 Planning and Zoning

- 1.01 We defer to Board Attorney John Gallina, Esq. and Board Planner Darlene Green, PP, AICP, as to planning and zoning issues, any specific relief that is required from the Township's Zoning Ordinance, and the proofs that must be put forth to justify the relief that is requested.

2.0 Minor Site Plan Comments

- 2.01 The Applicant proposes to construct a 10-foot-wide driveway, across the subject parcel, beginning at the edge of Goff Road. The new driveway will extend for approximately 500-LF to the existing single-family home where a new three car parking area will be constructed. The driveway construction will include multiple drainage improvements, including a 1.5-foot-wide by 1.5-foot-deep infiltration trench within a 1-foot-deep drainage swale. This swale will parallel the driveway for its full length. Additionally, a number of cross drains and scour holes will be constructed to discharge runoff from the swale under the new driveway and downslope, maintaining the existing drainage pattern on the site.

The design of the driveway is generally in conformance with Township Ordinance Chapter 72 – Driveways. However, the following items must be addressed either in testimony, or through plan and detail revisions.

- a. The Applicant must confirm that the Township Fire Official has reviewed and approved the configuration of the proposed driveway. In prior driveway applications a pull-off area has been required by the Fire Official about the midpoint of the driveway to permit vehicular passing.
- b. The Proposed CL Driveway profile must be revised to depict the proposed surface and grades of the proposed driveway, including the slopes along the driveway centerline.
- c. The plan must be revised to provide spot grades and slopes at the driveway entrance from Goff Road demonstrating compliance with ordinance requirements.

2.02 The plans and details must be revised as follows:

- a. To update the Zoning Table to include the Existing and Proposed conditions on the subject property, and not be limited to the bulk requirements for the zone.
- b. To provide a summary table calculating the reductions and increases to impervious surface on the lot.
- c. To depict the proposed disturbance of any trees on-site as a result of the construction of the proposed driveway.
- d. To clarify the disposition of the existing driveway and parking area which is currently being utilized for ingress and egress to the home.
- e. To clarify the surface treatment for the driveway on the site plan. Will the driveway consist of all gravel, or will it be paved within the proposed parking area adjacent to the home. If paving is proposed the plans and details will have to be revised.
- f. To provide an additional driveway cross section at Station 4+95 depicting the storm drain and scour hole at this location.
- g. To update the cross sections to label the spot elevations along the driveway, and to label the various items being constructed which appear in the cross sections (i.e. inlet numbers, inverts, pipe sizes and slopes, scour holes).
- h. To update the "Pipe Bedding Detail" to clarify what pipe that is intending to address (i.e. cross drains, infiltration bed underdrain), the bedding detail should be specific to the application.
- i. To include the locations of utilities serving the home, including septic lines, well service lines, electrical and telecommunications lines.
- j. To update the graphic scale on Sheet C-2 to indicate that the vertical scale is 1"=3' and not 1"=5' as currently shown.

2.03 Because the project involves an increase in impervious surface of greater than 2,000-SF, the project is considered a "Minor" Stormwater Development and is subject to the provisions in the Township Stormwater Management Ordinance Chapter 100-185.1.

The plans currently propose an infiltration trench along the proposed driveways with a number of cross drains and scour holes that pass upslope runoff under the proposed driveway.

We have the following comments which must be addressed before we can recommend to the Board that the design meets the Township Stormwater Management Ordinance.

- a. In accordance with the provisions of Ordinance Section 100-185.1, stormwater management measures for Minor Development must meet the runoff quantity and rate reduction standards contained in Section 100-185.R. (i.e., 50%, 75% and 80% reductions for the 2-, 10-, and 100-year storm events respectively) The current calculations and design do not confirm that the volume and rate of runoff will be sufficiently attenuated following development as outlined in the above ordinance section. It appears that the calculations may need to be revised to account for the storage volume in the infiltration trench and scour holes. The routing calculations indicate that the inflow rates and volumes are equal to the outflow rates and volumes and the input data does not reflect the storage available in the stone bed/ swale as intended (the input data for the three "Ponds" indicate 0.000-acre-feet of available storage).

Further the routing calculations indicate an available exfiltration rate of 0.5-inches per hour, as well as well as a 4-inch PVC outflow which does not appear on the plans.

Revised stormwater calculations will be required in order to demonstrate that the post-development runoff rates meet the ordinance standard referenced above.

- b. Soil testing data must be provided in support of the proposed stormwater management design. The proposed features are intended to be constructed to depths of 2 to 4-feet below grade. Based upon a review of available soils mapping it appears that restrictive (clay) soil layers on site may exist between 1 to 2.5-feet below grade. The plans may need to be revised if a hydraulically restrictive layer is encountered within the locations of the infiltration facilities.
- c. A detail must be provided for the infiltration trench, including non-woven geotextile enclosing the clean stone bed.
- d. The site plan must depict the limits of the clean stone bed proposed to be constructed at the invert of the swale.

2.04 As the applicant is proposing underground infiltration features to capture stormwater from the gravel driveway area, an inspection of the features shall be performed by this office when the swale and infiltration trench are rough graded and prior to the placement of the geotextile and stone material. Notes to this effect must be added to Sheet C-1.

2.05 An As-Built Grading, Drainage and Utility plan will be required prior to the issuance of a Certificate of Occupancy by the Township. The final As-Built plan shall be prepared by a licensed surveyor and identify the actual limits of disturbance, as well as the locations, and elevations of all stormwater management facilities (i.e. top of grate, inverts, pipe sizes and slopes) and the completed site improvements (grading limits, septic system and stormwater components locations, well, etc.). A note outlining the As-Built Plan requirements must be added to Sheet C-1.

2.06 The plans have been designed with 0.60-acres of disturbance and 0.15 acres of impervious coverage. Should the as-built conditions exceed 1-acre of disturbance and/or 0.25-acres of new impervious coverage, the plans will need to be re-designed to meet the Township's "Major Development" stormwater management regulations and a certificate of occupancy will not be issued.

3.0 Approvals/ Fees/ Guarantees

We recommend that the Board condition any approvals granted for this application on the following:

- a. The payment of real estate taxes.
- b. The payment of any outstanding fees and assessments, if any.
- c. The procurement of approvals or waivers thereof from outside review agencies with jurisdiction including from the Hunterdon County Health Department (Septic Construction), the Hunterdon County Soil Conservation District, NJDEP (Freshwater Wetlands) and the Holland Township Fire official.
- d. The applicant revising its plans to address comments by the Board and its professionals (Note: specific revisions to be listed in the resolution).
- e. The posting of Performance Guarantees and Fees in accordance with the Township Fee Schedule for the proposed Driveway Construction and a Minor Stormwater Development to facilitate the inspection of the improvements as they are constructed and completed and the review of the As-Built plan.
- f. No construction is permitted until taxes and fees are paid, all outside agency approvals or waivers thereof are obtained, the Lot Development and Variance Plan is revised in a manner satisfactory to the Board Engineer and Board Planner and performance guarantees and inspection fees are posted.
- g. Any other conditions through the legal review of Board Attorney John Gallina, Esq.

Conclusion

If any Board Members have questions or comments on this report, please do not hesitate to contact us.

Paul Sterbenz will be at the August 8, 2022 Board meeting to review this report with you.

Sincerely,
Colliers Engineering & Design, Inc.
(DBA Maser Consulting)



Paul M. Sterbenz, PE, PP
Planning Board Engineer



Adam T. Wisniewski, PE
Project Manager

Cc: Maria Elena Kozak, Board Secretary (via email planningboard@hollandtownship.org)
Darlene A. Green, PP, AICP, Board Planner (via email darlene.green@colliersengineering.com)
John Gallina, Esq. Board Attorney (via email jpgesq@embarqmail.com)

Frank and Robin Kaszas, Applicants (via email robin.kaszas@delonghigroup.com)

James A. Hill, PE, PP, CME, Applicant's Engineer (via email jhill@freyengineering.com)

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Chairman Miller stated that there has been a fair amount of dialog between professionals and the applicant. Everyone understands the expectations for the next meeting which will be the continued public hearing. Planner Green thanked Engineer Hill for doing all the research and a lot of her comments have been satisfied because of that research. Planner Green does not believe a variance is required for this application. There is no structure or lack of frontage. Attorney Gallina agrees with what has been said. Engineer Sterbenz state that his comment 2.01 needs to be addressed which is a letter from the Fire Company. Member Keady stated that while he does not have questions, he does hope that all this material will clean things up so that the future never has to address this again. Engineer Hill stated that the old deeds really did help. The public hearing was open to the public for comment just in regards to testimony given. No one in the public stepped up to question the application so the public portion of the Public Hearing was closed by Chairman Miller. The application is carried to the September 12, 2022 agenda as a continued Public Hearing. Engineer Hill stated that he would be here but that they do not plan to share additional testimony. Attorney Gallina stated that no further notice is needed. Carried to the September 12, 2022 meeting.

Block 24 Lot 5 – 225 Spiring Garden Road - Mark Tilley & Suzanne Lieb - Minor Site Plan – Received into the office on April 21, 2022 – The 45-day completeness deadline is June 5, 2022 – Deemed incomplete May 9 2022. Additional information received. Deemed complete August 8m 2022. This will be on the September 12, 2022 meeting agenda for a Public Hearing. Board Action needed.

Sub-Committee Status and Updates:

Highlands Subcommittee – Mike Keady – discussion are taking place. Colliers Engineering prepared a Scope of Work for the next project with the next part of the previously approved Task 8 – the Water Use and Conservation Management Plan. Land Use Administrator Kozak is working on the Township's Scope of Work for submittal to the Highlands Council. There is grant money remaining in this task and an item to be addressed is the subject of retention/detention basins. The Holland Township subcommittee (Jerry Bowers, Mike Keady, Mayor Bush, Planner Green, Engineer Sterbenz, Highlands Representatives – Maryjude Haddock-Weiler, and Allison Bittner, and Land Use Administrator Kozak) are working on a meeting. More information to follow.

Home Occupation subcommittee---Ken Grisewood, Jerry Bowers and Bill Martin – nothing new to report.

Public Comment

There were no public comments made during this portion of the meeting.

Executive Session

There was no executive session scheduled for this meeting.

Housekeeping:

Adjournment

Bill Martin made a motion to adjourn. Motion approved. The meeting ended at 7:45 p.m.

Respectfully submitted,

Maria Elena Jennette Kozak

Maria Elena Jennette Kozak
Land Use Administrator
