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## TOWNSHIP OF BERLIN

### ENGINEERING DEPARTMENT

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June 5, 2021

Berlin Township Planning Board  
Berlin Township Municipal Building  
135 Route 73 South  
West Berlin, New Jersey 08091

ATTN: Mr. Craig DeGeorge, Chairperson

RE: **PROPOSED SUBDIVISION, EVAN SCHAEFFER**  
367-377 Minck Avenue; Block 707, Lot 1  
Berlin Township, Camden County, New Jersey

Dear Planning Board Members,

I have visited the site and complete the review of the following:

- a. "Plan of Minor Subdivision", dated April 21, 2021, by Adam R. Grant, P.L.S.;
- b. "Plan of Survey and Topography", dated July 31, 2020, by Adam R. Grant, P.L.S.;
- c. Deed Book 3051, Pages 271 through 274

I offer the following comments and recommendations for consideration by the Board members:

- 1a. The lot is located along the north side of Minck Avenue, west of Grove Avenue. The lot is wooded.
- 1b. The following uses surround the site:
  - 1) East Side- single family dwelling within the R-2 zoning district;
  - 2) Across Minck Avenue- stormwater management pond and rear of Shoprite supermarket, within the Berlin Circle Plaza Shopping Center, which is within the C-1 zoning district;
  - 3) West Side- single family dwelling within the R-2 zoning district.
  - 4) North Side- unimproved Fiske Avenue and across Fiske Avenue there are unimproved lots and lots which serve as the rear yard to dwellings, which have frontage along Thurman Avenue.
- 1c. The applicant had presented the proposed subdivision plan to the Development Review Committee on April 21, 2021. The proposal was acceptable, conceptually, to the Committee.

- 2a. The lot is located within the Single Family Detached Residential Zone, R-2. The applicant is proposing to subdivide the existing 32,366 square feet lot into three lots. The following is a listing of the required, existing and proposed zoning conditions:

	<u>Required</u>	<u>Existing Lot 1</u>	<u>Proposed Lot 1.01</u>	<u>Proposed Lot 1.02</u>	<u>Proposed Lot 1.03</u>
Density	4 units/acre	-	4.04 units/acre (1)		
Lot Area	9,375 s.f. min.	32,366 s.f.	12,967 s.f.	9,690 s.f.	9,710 s.f.
Lot Frontage	75' min.	295.54'	110.20'	90.16'	95.17' (2)
Front Yard Setback	30' min- Along Minck and Fiske	-	30' min- Minck 25' min- Fiske (3)	30' min- Minck 25' min- Fiske (3)	30' min- Minck 25' min- Fiske (3)
Rear Yard Setback	25' min.	-	Not Applicable	Not Applicable	Not Applicable
Side Yard Setback	15' min.	-	15' min.	15' min	15' min
Lot Coverage	50% max	0%	Less than 50%	Less than 50%	Less than 50%
Building Height	35' max	-	Less than 35'	Less than 35'	Less than 35'
Lot Depth	100' min.	110+/- '	116 +/- '	107.67 (4)	102.21 (4)

- (1) Variance required to permit a density of 4.04 dwelling units per acre. Section 340-35 notes that an approximate density of 3 units/acre is permitted while Section 340-38. A. notes that a density of 4 units/ acre is permitted.
- (2) The summation of the lot frontages for the proposed lots must equal the overall lot frontage.
- (3) A variance is required to permit a building setback of 25' since the yard is considered to be a front yard along Fiske Avenue, where a 30' setback is required by the Township Code.
- (4) The lot depth is considered to be the "mean" lot depth. The plan must be revised to note the proposed mean lot depths.

**For all variances, the applicant must demonstrate, under the criteria established by the N.J. Municipal Land Use Law, why the Planning Board should consider the granting of the variance.**

- 2b. The plan notes that the proposed use is "residential". I recommend that the applicant inform the Planning Board of the proposed type of residential use as the Township Code only permits single-family, detached residential buildings. I, also, recommend that the applicant provide the Planning Board with details for the proposed buildings and, if possible, submit floor plans and architectural building elevations for said buildings.
- 3a. The N.J. Residential Site Improvements Standards (R.S.I.S.) and the Township Code require a right-of-way width of 50 feet for both streets. In 1994, the Township vacated a 6 feet wide strip of Fiske Avenue to create the current substandard condition. I would, also, note that the existing substandard width of the right-of-way of Minck Avenue is consistent for width along the majority of the street.
- Therefore, I recommend that the Planning Board consider granting a *de minimus* exception from the RSIS Standard [5:21-4.1(C)] and waiver from the requirement of Section 200-89. E. (1) of the Township Code.**
- I would note that if the applicant is required to dedicate land along both street frontages for the widening of the street right-of-way, it will be necessary for several variances to be granted to permit the resulting, substandard zoning conditions.



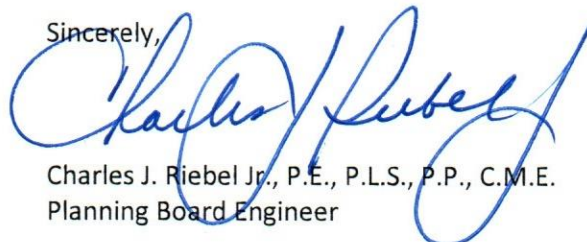
- 3b. Concrete curb exists along the frontage of Minck Avenue. The plan must be revised to depict concrete sidewalk along the entire frontage of Minck Avenue and concrete driveway aprons for each of the proposed lots. Since it will be necessary for the sidewalk to be constructed with the proposed lots, I recommend that a 5 feet wide public pedestrian walkway easement be depicted along the entire frontage of Minck Avenue.
- 3c. It is my understanding that the applicant is not proposing to improve Fiske Avenue along the entire frontage of the proposed lots. If this is the case, it will be necessary for the applicant to submit a request for a waiver from the required R.S.I.S. roadway improvements standards (curb, sidewalk, roadway pavement), to the N.J. Department of Community Affairs. I defer this matter to the Board Solicitor for his comments and direction, regarding this matter. I would note that the applicant had requested that the right-of-way of Fiske Avenue be vacated, from Grove Avenue to the end of the right-of-way at the former Potter Avenue. It is my understanding that, as a result of an objection of the right-of-way vacation by one adjoining property owner, the applicant withdrew his request for the street vacation. In my opinion, it is improbable and impractical that this portion of Fiske Avenue will be improved to the required street improvements standards.
- 3d. The plan must be revised to depict a 5 feet wide shade tree easement along the entire frontages of Minck Avenue and Fiske Avenue (Section 200-92. G). I recommend that, along Minck Avenue, this easement be located along and outside of the recommended, public pedestrian walkway easement.
4. Parking is prohibited along Minck Avenue. The applicant must provide the required number of on-site parking spaces on each of the proposed lots, as required by R.S.I.S.
- 5a. A storm drainage pipe exists along the west side of the proposed Lot 1.01, which is within the former right-of-way of Potter Avenue. I recommend, if one does not exist and as required by R.S.I.S., a 20 feet wide storm drainage easement, centered with the pipe, be depicted for this storm drainage pipe.
- 5b. I question if there are any other utilities which may exist within the area of the former right-of-way of Potter Avenue or elsewhere on the parcel and, if so, the respective easements be depicted on the plan.
- 5c. It appears that the existing wooden fence, which is along the line common with Lot 3, is owned by the owner of Lot 3 and is encroaching on proposed Lot 1.01. If this is the case, I question if the applicant will be granting an easement for said fence.
6. It appears that the applicant intends to record the proposed subdivision with the County Clerk's Office by filing the plan. If this is the case, the plan must be revised to indicate coordinate values on a minimum of three corners distributed around the tract, and the municipal engineer's certification must be revised to be consistent with the certification, which is required in the N.J. recordation act.
7. The applicant must identify and locate all trees with a diameter of 10 inches or more and submit an application for tree removal permits. There are many large trees on the site. I recommend that the applicant make every effort to save any, healthy large trees, wherever possible.  
It is probable that it will be necessary for the applicant to submit a tree mitigation plan.
- 8a. The existing topography of the site is depicted on the survey plan. The topography reveals that the lot is low-lying, resulting in impounded surface water. The applicant will be required to submit lot grading plans for each of the proposed lots, concurrent or prior to applying for a building construction permit. The applicant must demonstrate that the proposed development of each lot will not adversely impact the adjacent and nearby lands.



- 8b. The plan does not address any provisions for the management of stormwater. Therefore, I can only assume that the overall development will be restricted to a maximum impervious coverage of 0.25 acre (10,890 square feet, 3,630 square feet per proposed lot). If the applicant intends for the proposed development not to be considered a "major development" and will be exempt from the New Jersey Stormwater regulations, I recommend that a deed restriction be placed on each lot, limiting the maximum aggregate of the regulated impervious surfaces and the regulated motor vehicle surfaces to 3,630 square feet. Since the lot is low-lying and, currently infiltrating stormwater from this lot and surrounding lands, I recommend that the applicant consider provisions for the management of stormwater to ensure no impacts to surrounding properties and the receiving storm drainage and stormwater management facilities.
- 8c. The N.J.D.E.P preliminary mapping tool depicts possible wetlands within the site. The USDA Soils Survey reveals the soil type to be Fallsington Sandy Loams, 0 to 2% (FamA) with an approximate water table depth of 0" to 10". The applicant must demonstrate that wetlands and wetlands buffers do not exist on the site. If there are wetlands, the applicant must obtain the necessary General Permit(s) from the N.J.D.E.P.
9. The applicant will be required to obtain the necessary connection and street opening permits for all proposed utility services.
- 10a. The applicant must obtain subdivision approval or exemption from the Camden County Planning Board.
- 10b. The applicant must obtain development certification (approval) from the Camden County Soil Conservation District since the area of land disturbance exceeds 5, 000 square feet.
11. The applicant must obtain all necessary approvals and permits from all governing departments and agencies.
12. I recommend that the Police Department, Fire Marshal and Fire Department review the application and submit any comments and recommendations to the Planning Board prior to the hearing for the application.
13. At this time, it appears to be appropriate to deem the application as a "minor subdivision". I recommend that the Planning Board consider the denial or approval of the subdivision conditional upon:
- a. the comments of the Planning Board and Board Solicitor;
  - b. the comments of the Police Department, Fire Marshal, and Fire Department, if any;
  - c. obtaining all necessary exceptions, waivers and variances;
  - d. obtaining all necessary approvals and permits from all governing departments and agencies;
  - e. contents of this report;
  - f. compliance with all governing Federal, State, County and Township rules, regulations, laws and ordinances.

Please contact me with any questions or comments regarding the contents of this correspondence.

Sincerely,



Charles J. Riebel Jr., P.E., P.L.S., P.P., C.M.E.  
Planning Board Engineer

c.c.: Honorable Mayor Phyllis A. Magazzu (email)  
Council President Christopher T. Morris (email)  
Vice Chairperson Frank McHenry (email)  
Mr. John Holroyd, Township Construction Official (email)  
Mr. Dante Magazzu (email)  
Ms. Alvina Moore (email)  
Mr. Edward Potts (email)  
Ms. Betsy Simpson (email)  
Ms. Suzanne Cossaboon (email)  
Mr. David F. Carlamere, Esq., Planning Board Solicitor (email)  
Mr. David N. Rowan, Esq., Planning Board Solicitor (email)  
Police Chief Wayne Bonfiglio (email)  
Mr. Joseph Cornforth, Township Fire Marshal (email)  
Fire Chief Joseph Jackson (email)  
Mr. Joshua Shellenberger, Township Zoning Officer (email)  
Mr. Evan Schaeffer, Applicant (email)  
Mr. Richard J. Hoff, Esq. (email)  
Mr. Adam R. Grant, PLS (email)  
Mr. Tim Manna (email)  
Ms. Kelley Shendock, Planning Board Secretary (email)