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MEMORANDUM

To: *Chairman and Members of the
West Orange Planning Board*

From: *John J. Hess, PE, PP, CME
Planning Board Engineer*

Date: *July 7, 2022*

Re: *Application No. PB 22-06
732 Eagle Rock Avenue LLC
Minor Subdivision - Review #1
59-61 Edgewood Avenue
Block 159 Lot 20
Our File: VWRP0159.01*

CC: *Paul Grygiel, AICP, PP - Township Planning Director
Leonard Lepore, PE - Township Engineer
Diana P. McGovern, Esq. - Planning Board Attorney
Amoghene Francis Umude - Applicant
William S. Scott, PE - Applicant's Engineer
Nancy J. Scott, PLS - Applicant's Surveyor*

Our office has received for review the following documents which were submitted in support of the above referenced application for Minor Subdivision approval:

- A print of a Minor Subdivision Plan (1 sheet) prepared by William S. Scott, PE and Nancy J. Scott, PLS with Ensurplan Inc. of Warren, New Jersey and bearing an initial release date of June 21, 2022.
- A print of a Survey of Property (1 sheet) prepared by Andrew A. Schmidt, PLS with Schmidt Surveying of Dumont, New Jersey dated April 21, 2022.
- A completed Application Form dated June 22, 2022.
- A completed Site Plan / Subdivision Checklist.
- A completed Sustainability Checklist Form.
- A Verification of Taxes & Sewer Charges Paid from the Office of the Tax Collector dated June 23, 2022 which states that the taxes are paid until October 31, 2022 and the sewer charges are paid in full for 2022.
- A Buffer Report which lists the owners of properties within 200 feet of Block 159, Lot 20 from the Office of the West Orange Assessor dated June 13, 2022.



Chairman and Members of the West Orange Township Planning Board
Re: Amoghene Francis Umude (PB 22-06)
Block 159, Lot 20
59-61 Edgewood Avenue
Minor Subdivision - Review #1

July 7, 2022
Our File No. VWRP0159.01
Page 2

- A copy of an undated letter from Amoghene F. Umude to the West Orange Planning Board which includes a Project Narrative and Proposal describing the proposed development.
- A copy of an undated letter from Amoghene F. Umude to the West Orange Planning Board which states that no relief is sought as the minor sub-division is conforming and compliant to West Orange Township zoning and development rules and regulations.
- A copy of a deed dated June 2, 2002 from Wayne Seaton and Michelle Seaton to Amoghene F. Umude and Eyiunmi Umude which conveyed ownership of Block 159, Lot 20 in the Township of West Orange. This deed was recorded in the Office of the Essex County Register of Deeds & Mortgages on June 9, 2022 as Instrument Number 2022056335.

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

A. PROJECT DESCRIPTION

The property in question is a rectangular tract which fronts on the westerly side of Edgewood Avenue approximately 207 ft north of the intersection with Kingswood Road. It is located in the R-5 Zoning District and has an area of 25,381 sf (0.582 acres). The property is currently occupied by a 2½ story stucco dwelling and a detached 2 car garage. We note that the applicant proposes to remove the existing 2 car garage.

The Applicant is seeking Minor Subdivision approval to permit the property to be subdivided into two (2) new lots. New lot 20.05 will have an area of 12,609.5 sf (0.291 acres) and will be vacant while new lot 20.06 will have an area of 12,690.5 sf (0.291 acres) and will contain the existing dwelling and a proposed 1 car garage.

B. VARIANCES AND/OR WAIVERS FROM LOCAL ORDINANCES

1. The Applicant has not requested any variances as part of this Minor Subdivision application.
2. The Applicant has not requested any waivers as part of this Minor Subdivision application.

C. DESIGN COMMENTS AND PLAT DETAILS

1. Based on our review, we find that the following items from the Township's Site Plan/Subdivision Checklist must be addressed:
 - a) Item #14 – *Affidavit of ownership.*



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Re: Amoghene Francis Umude (PB 22-06)
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59-61 Edgewood Avenue
Minor Subdivision - Review #1

July 7, 2022
Our File No. VWRP0159.01
Page 3

- b) Item #20 – Copy and/or delineation of any existing or proposed deed restrictions or covenants.
 - c) Item #21 – *Any existing or proposed easement or land reserved for or dedicated to public use.*
 - d) Item #23 – *List of required regulatory approvals or permits.*
 - e) Item #35 – *Drainage calculations.*
 - f) Item #43 – *New block and lot numbers confirmed with local assessor or municipal designee.*
 - g) Item #52 – *Plans and legal documents for compliance with West Orange COAH Ordinances.*
2. The Applicant should address the Board to clarify whether the minor subdivision will be perfected by the filing of the minor subdivision plan or by deed. We have performed our review based on the assumption that the subdivision will be perfected by filing of the minor subdivision plan.
 3. As stipulated in the Municipal Land Use Law, the approval of this minor subdivision will expire 190 days after the date that the resolution of municipal approval is adopted unless within such period a minor subdivision plat or deed has been filed with the county recording officer, the municipal engineer and the municipal tax assessor.
 4. As stipulated in the Map Filing Law, a minimum of three (3) corners distributed around the tract shall indicate the coordinate values. In addition, the coordinate base, either assumed or based on the New Jersey Plane Coordinate System, shall be shown on the plan.
 5. Property Note #7 on the plan states that the boundary information is based upon a survey prepared by Schmidt Surveying dated 4/01/22. However, the Surveyor's Certification on the plan states that the map and survey upon which it is based was prepared under the immediate supervision of Nancy J. Scott, PLS. As required by §46:26B-2.b(13) of the Map Filing Law, the plan must include a certification from the Surveyor preparing the land survey and a separate certification from the Surveyor preparing the plan.
 6. The plan includes a certification from the Municipal Engineer that a bond has given to the municipality to guaranty the future setting of the monuments shown on the plan. As required by the Map Filing Law, this certification must be signed by the Municipal Clerk, not the Municipal Engineer. In addition, the certification on the plan is incomplete and must be revised to include the language stipulated in §46:26B-2.b(14) of the Map Filing Law.



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Re: Amoghene Francis Umude (PB 22-06)
Block 159, Lot 20
59-61 Edgewood Avenue
Minor Subdivision - Review #1

July 7, 2022
Our File No. VWRP0159.01
Page 4

7. The Municipal Engineer's certification on the plan is incomplete and must be revised to include the language stipulated in §46:26B-2.b(13)(c) of the Map Filing Law.
8. The Board Secretary's certification on the plan must be revised to state that the proper authority has approved the map and to set forth the date by which the map is required to be filed as stipulated in §46:26B-5 of the Map Filing Law.
9. The Planning Board approval block on the plan must be revised to include a line for the signature of the Municipal Engineer.
10. The Zoning Requirements table on the plan must be revised to address the following items:
 - a) Show that the required lot frontage is 56.25 ft which is 75% of the required lot width.
 - b) Show that the minimum principal building side yard setbacks are 10 ft on one side and 8 ft on the other side.
 - c) Delete the principal building combined side yard setback as no such requirement exists.
 - d) Include the maximum permitted building height of 2½ stories and not exceeding 35 ft.
11. The proposed street address for each new lot must be added to the plan.
12. The survey error of closing must be added to the plan.
13. It shows on the plan that the existing 2 car garage and a portion of the existing driveway and paver stones are to be removed. The Applicant should address the Board regarding his schedule for removing these items. If the work is not performed before the minor subdivision is perfected, then a bond must be posted with the Township to guarantee their removal.
14. A note should be added to the plans stating that runoff from the proposed dwelling on new lot 20.05 will not be directed onto any neighboring properties as stipulated in Section 25-8.16 of the Land Use Regulations.

The Applicant is hereby advised that any revised plans or other documents submitted to the Board should be accompanied by a cover letter which addresses each of the comments in this review letter and also details any other changes that have been made to the plans as these may not be readily apparent.