

Resolution of the Demarest Governing Body

Resolution No. 102 -24

May 13, 2024

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang		✓	✓			
Fox			✓			
Marks			✓			
Slowikowski	✓		✓			
Reiss			✓			
Collins			✓			

TITLE: RESOLUTION APPROVING SOIL MOVING PERMIT FOR 16 DONNYBROOK DR.



BE IT RESOLVED by the Borough Council of the Borough of Demarest that the Soil Moving Application and Soil Erosion Control Plan for 16 Donnybrook Dr. Block 87.01 Lot 3 prepared by Chirstopher Lantelme P.E., is hereby approved subject to the following conditions:

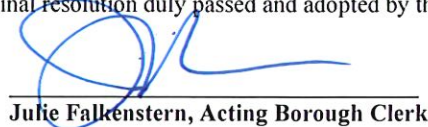
1. No topsoil shall be removed from the site.
2. The applicant shall indicate the location to which excess soil will be exported.
3. The applicant shall indicate the route of travel within the Borough.
4. The applicant shall provide for the cleaning of the streets used in the route of travel within the Borough.
5. The applicant shall provide the name of the person responsible for the soil movement.
6. The applicant shall be responsible for any damage done to Borough streets during the soil removal process.
7. The applicant shall deposit, with the Borough, escrow in the amount of \$ 1,353.96 for inspections services of the Borough Engineer.
8. The applicant shall provide a performance guarantee to the Borough in the amount of \$ 27,079.20

APPROVED:

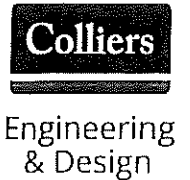

 Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on May 13, 2024


 Julie Falkenstern, Acting Borough Clerk

400 Valley Road Suite 304
Mt. Arlington, NJ 07856
Main: 877 627 3772



April 25, 2024

Dot Haight
Building Department
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

16 Donnybrook Drive
Block 87.01, Lot 3
Borough of Demarest, Bergen County, NJ
Soil Moving Application Review – Proposed Dwelling
Colliers Engineering & Design Project No. DEP0203

Dear Ms. Haight,

Pursuant to your request, our office has reviewed the following plans and other documents filed by the Applicant in support of a soil moving application in relation to the construction of a new dwelling, in-ground pool, drainage improvements and other related appurtenances at the subject property:

- a) Site plans consisting of one (1) sheet, prepared and signed by Christopher Lantelme, P.E. & P.L.S., of Lantelme, Kurens & Associates, P.C., dated March 5, 2024; **Revised April 19, 2024;**
- b) Architectural Plans consisting of ten (10) sheets, prepared and signed by Linda Del Nobile, AIA, of Del Nobile Designs, dated February 23, 2024;
- c) Soil Moving Application for the subject property;
- d) **Construction cost estimate prepared and signed by Christopher Lantelme, P.E. & P.L.S., of Lantelme, Kurens & Associates, P.C., dated April 19, 2024.**

After our review of these documents, we offer the following comments in this matter:

General

1. The Applicant/Owner in this matter is:

New Luxury Homes LLC
PO Box 182
Demarest, NJ 07627

The Applicant/Owner shall notify the Borough of Demarest Building Department of any changes to the above information.

2. The site is currently comprised of a single-family dwelling with deck, driveway, walkways and other related improvements which are to be demolished in their entirety. The Applicant is proposing to construct a new dwelling with associated porch, patio, in-ground pool, driveway, walkways, drainage improvements, and other related improvements.

3. The project site is located in the Residence B Zone according to the Borough of Demarest Zoning Map, where the construction of a single-family dwelling and the installation of an inground pool is permitted.
4. The project site is a rectangular shaped parcel consisting of 22,500 SF. The property has frontage along Donnybrook Drive to the south. The property is located in Demarest but abuts the Borough of Closter to the north.
5. According to the site plans, no variances are being requested for the proposed construction.
6. The existing improved coverage on the lot is 5,490 S.F. (24.4%). The proposed improved coverage is 6,660 S.F. (29.6%) where a maximum of 30% is allowed in this zone. The net increase in improved coverage is 1,170 S.F.

Site Plan

7. Based on the definitions provided in Section §175-27 of the Borough Ordinance, the proposed pool is considered an Accessory Use.
8. The Applicant is proposing four (4) 500-gallon precast concrete drywells to collect and storm stormwater runoff on the property from what appears to be the roof area of the proposed dwelling. We offer the following comments related to drainage design:
 - a. We have reviewed the design calculations for the drywells and take no exception. The Applicant is collecting approximately 3,370 SF of roof area and directing stormwater to the proposed drywells. The provided capacity is sufficient to handle this area.
 - b. The Applicant shall be made aware that soil testing is required at the location of the proposed drywells. Soil testing should include the elevation of the Seasonal High-Water Table (SHWT) and the percolation rate of the soil. It shall be confirmed that the bottom of the seepage pit is at least two (2) feet above the SHWT.
 - c. The Engineer shall be notified to inspect the seepage pit system prior to backfilling.
9. Per §175-24(N), all swimming pools shall be enclosed with a substantial fence no less than forty-eight (48) inches in height. We offer the following comments related to fencing:
 - a. The Applicant has not shown the required pool fencing on the plan. The plan shall be revised to include the required fencing enclosure. **Comment addressed.**
 - b. The Applicant should provide a detail of the proposed fence. The height of the fence should be clearly indicated. **The detail indicates the proposed fence is four feet high. Comment addressed.**
 - c. A pool compliant self-locking gate should be specified at the side yard entrance. **Comment addressed.**
10. The Applicant has provided building height calculations on the plan indicating an average grade elevation of 43.7 and a mid-roof elevation of 73.7. The total proposed building height is 30 feet

where a maximum of 30 feet is allowed in this zone. The Applicant shall be made aware that a foundation location survey will be required to confirm the dwelling layout and building height is consistent with the approved plans.

11. We offer the following comments related to the proposed grading:

- a. The existing site is relatively flat with grades ranging from approximately 43 at the property corners to around 45 at the center of the property where the dwelling is to be located.
- b. The Applicant is proposing minor regrading of the property. It appears natural drainage patterns will be maintained. We take no exception to the grading changes proposed.
- c. Grades should not be altered by more than one foot in areas within the drip line of any trees to remain.

12. The Applicant has designated approximately three (3) trees for removal. The Applicant should revise the plan to include a tree removal table and a table summarizing the replacement trees proposed. We defer to the Shade Tree Commission for final comment and approval of any removal and/or replacement trees. **Comment addressed.**

13. The site plan indicates a total impervious coverage of 29.6% is proposed where 30% is allowed in the zone. The Applicant shall be advised that any additional coverage beyond what is represented on the site plans would trigger the need for a variance. An as-built survey with a coverage breakdown will be required prior to the issuance of a C.O.

14. We have reviewed the placement of the proposed pool and patio, and it appears the Applicant is compliant with all accessory structure setback requirements. We take no exception.

Soil Moving Application

15. The Applicant has submitted a soil moving application and calculations, which indicates a total cut of 551 cubic yards and total fill of 164 cubic yards. The calculations indicate that 387 cubic yards of soil are to be exported from the site. If grading changes occur beyond what is presented on the plan, the Applicant shall revise the soil moving calculations to account for the proposed change in soil volume.

16. The Applicant will require a soil moving permit in accordance with Chapter 147 (§147-1) of the Borough Ordinance as the posted values of soil movement are greater than 250 cubic yards. As a result, the following provisions apply:

- a. As per Borough Ordinance Section 147-7, the Applicant shall move the soil, in accordance with the soil permit, under the supervision of the Building Inspector and Borough Engineer and shall pay a reasonable fee for such services in the amount determined by the Mayor and Council.
- b. As per Borough Ordinance Section 147-8, the owner of the premises or the person in charge of relocation of the soil, when permission has been duly granted, shall not take

away the top layer of soil for a depth of eight inches, but such top layer of soil to a depth of eight inches shall be set aside for retention on the premises and shall be respread over the premises when the rest of the soil has been moved pursuant to levels of contour lines approved by the Mayor and Council of the Borough of Demarest.

- c. As per Borough Ordinance Section 147-9, no permission or soil permit shall be issued unless and until the Applicant therefore shall have filed with the Borough of Demarest a performance bond, in form, amount and surety acceptable to the Borough of Demarest, conditioned upon full and faithful performance of the soil's being moved in accordance with the provisions of the Borough's Soil Moving Ordinance and permission of the Mayor and Council granted pursuant hereto.
- d. An engineer's cost estimate shall be submitted by the Applicant to determine the performance guaranty to be submitted to the Borough. The cost estimate for bonding should include all cost associated with soil erosion and sediment control measures, seepage pit installation, drainage structures / piping, and soil moving (on-site and export). **The Applicant has provided an estimate as requested.**

Miscellaneous

17. The Applicant is responsible for procuring all applicable federal, state, and county approvals necessary to complete the proposed improvements.
18. If drainage issues arise during or after construction, the Applicant will be responsible for remedying any drainage issues caused by the proposed demolition activities. In addition, water runoff directed to neighboring properties is prohibited. However, suppose runoff water does enter neighboring properties as a result of proposed land disturbance and construction. In that case, the Applicant will be responsible for remedying that situation at no additional cost to the Borough.
19. Sediment shall be removed from the upstream face of the silt fence when it has reached a depth of $\frac{1}{2}$ the silt fence height or when the silt fence is leaning or buckling from the collected sediment and debris. Silt fence shall be inspected daily for signs of deterioration and sediment removal. When damaged, the silt fence shall be repaired or replaced immediately. Soil erosion and sediment control measures, including silt fence, shall be installed prior to the start of construction.
20. The Applicant should place a silt fence downgrade on all areas where the existing ground disturbance will occur. In addition, the disturbed areas must be stabilized with seed and straw as soon as construction is completed. These recommendations/requirements are made to prevent sediment-laden water from entering municipal streets and neighboring properties.
21. The Applicant will inevitably mobilize construction equipment and/or will have deliveries of material from the Borough Right-of-Way, which could damage municipal infrastructure. Therefore, the Applicant will be responsible for any damages to the curb, sidewalk, drainage infrastructure, and/or pavement in the Borough's Right-of-Way.

22. A signed and sealed "As-Built" site plan should be submitted as a requirement for this office to "sign off" on the issuance of the Certificate of Occupancy (C.O.). The "As-Built" should accurately show site features, including grading, spot elevations, coverage quantities, etc.

Our office has reviewed the application, and based on the above, this office ***does recommend*** permits be issued after the applicant posts the required performance guarantee, engineering escrow, and obtains approval from Mayor & Council.

Engineers Cost Estimate:	\$22,566.00
Performance Guarantee (120%):	\$27,079.20
Engineering Escrow (5%):	\$ 1,353.96

Should you have any questions, you may contact me at (201) 775-1283.

Sincerely,

Colliers Engineering & Design



Nick Chelius, P.E.
Borough Engineer

cc: Kevin Burnette, Construction Code Official (via e-mail)
Christopher Lantelme, P.E., Applicant's Engineer (c111@verizon.net)
Luxury Homes LLC, Applicant (enkeleta.dekaj@gmail.com)

Lantelme, Kurens & Associates, P.C.

ENGINEERS & SURVEYORS 101 West Street, P.O. Box 486, Hillsdale, New Jersey 07642 (201) 666-2450
Christopher J. Lantelme, P.E. & L.S. Fax (201) 666-9745

April 19, 2024

COST ESTIMATE

TOWN: Demarest

PROJECT: 16 Donnybrook drive – New Dwelling

Costs for work performed per Building Department request

Item	Description	Quantity	Unit	Unit Price	Total
1	Soil Erosion & Control Measures	-	-	-	2,000
2	Seepage Pit installation	4	500 gal	2,500	10,000
3	Roof Leaders	1	-	1,000	1,000
4	Soil Moving from site	387	Yds	15	5,805
				Subtotal	18,805
				Contingency @ 20%	3,761
				Estimated Construction Cost	\$22,566

Prepared By:



Christopher J. Lantelme, PE & LS