

Resolution of the Demarest Governing Body

Resolution No. 092-25

May 12, 2025

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

TITLE: RESOLUTION APPROVING SOIL MOVING PERMIT FOR 3 CENTRAL AVE.

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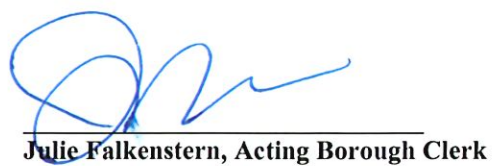
BE IT RESOLVED by the Borough Council of the Borough of Demarest that the Soil Moving Application and Soil Erosion Control Plan for 3 Central Ave. Block 65, Lot 140 prepared by Sean P. McCellan, P.E., is hereby approved subject to the following conditions:

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 ensure that the site is maintained in a safe and secure manner.
8. The applicant shall deposit, with the Borough, escrow in the amount of \$1,284.12 for inspection services of the Borough Engineer.
9. The applicant shall provide a performance guarantee to the Borough in the amount of \$25,682.40


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 12, 2025


Julie Falkenstern, Acting Borough Clerk

April 17, 2025; **Revised April 18, 2025**

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

3 Central Avenue
Block 65, Lot 140
Borough of Demarest, Bergen County, NJ
Soil Moving Application Review #2 – Proposed Dwelling
Colliers Engineering & Design Project No. DEP0225

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 a new two-story dwelling, pool, cabana, vinyl fence, walkway, a new macadam driveway, drainage improvements, and other related improvements on the property:

- a) Site plans consisting of one (1) sheet, prepared by Sean P. McClellan, PE, of McCellan Engineering, dated November 15, 2024, **last revised April 14, 2025.**
- b) Architectural Plans consisting of thirteen (13) sheets, prepared and signed by Raul G. Mederos, RA, of Imagen Architecture LLC, dated March 24, 2025.
- c) **Bonding estimate prepared by Sean P. McClellan, PE, of McCellan Engineering, dated April 14, 2025**
- d) Soil Moving Application for the subject property, signed and dated January 23, 2025

After our review of these documents, we offer the following comments in this matter, for ease of reference updated comments are in **bold**:

General

1. The Applicant/Owner in this matter is:
3 Central Ave LLC
64 N. Summit St
Tenafly, NJ 07670

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

2. The site is currently occupied by an existing one-story dwelling, enclosed porch, macadam driveway, rear slate patio and other related improvements which are to be demolished. The Applicant is proposing to construct a new two-story dwelling, pool, cabana, vinyl fence, walkway,

- a new macadam driveway, drainage improvements, and other related improvements on the property.
3. The project site is located in the Residence D Zone according to the Borough of Demarest Zoning Map, where the construction of a single-family dwelling is permitted, and the construction of an in-ground pool is permitted.
 4. The project site is a rectangular shaped corner lot consisting of 15,000 SF. The property has frontage along Central Avenue and Lincoln Street. Under existing conditions, driveway access was provided on Central Avenue. The Applicant proposes to relocate the driveway access to Lincoln Street with the front of the dwelling facing Central Avenue. The property is located in Zone X (Areas outside the 0.2% chance annual floodplain) according to the FIRM map.
 5. The existing improved lot coverage indicated on the plans is 3,730 SF (24.9%) The proposed improved coverage is calculated to be 4,498 SF (30.0%) where a maximum of 30% is permitted in this zone. The net increase in coverage is 768 SF.

Site Plan

6. The Applicant is proposing two (2) precast concrete drywells to collect and store stormwater runoff on the property. We offer the following comments related to drainage design:
 - a. The Applicant has provided design calculations which indicate approximately 2,990 SF of roof area collected and conveyed to the proposed drywell. The Applicant has provided adequate storage for this drainage area. We take no exception to the calculations provided.
 - b. The Applicant shall be made aware that soil testing is required at the location of the proposed seepage pits. 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. It is suggested that soil testing be performed before installation of the seepage pits.
 - c. The Applicant has provided an at-grade 6" PVC observation port cap for future maintenance in the seepage pit detail. We take no exception.
 - d. The Engineer shall be notified to inspect the seepage pit system prior to backfilling.
7. We offer the following comments related to the proposed grading:
 - a. Existing grades on site range from approximately 101 in the southern end of the property to approximately 97 in the northern end. Stormwater flows generally away from the dwelling in a perpendicular fashion.
 - b. The Applicant is depicting minor regarding to construct the proposed improvements. Grades are being raised a maximum of approximately three (3) feet at the northern end of the proposed dwelling.
 - c. Grades should not be altered by more than one foot in areas within the drip line of any trees to remain.

8. The Applicant is proposing new driveway access on Lincoln Street. The Applicant should provide a pavement restoration detail for work within the ROW. **A concrete sidewalk restoration detail has been added to the site plans. It appears the intent is to avoid impacting the roadway pavement on Central Ave and Lincoln Street.**
9. The plan should be revised to include more information related to the removal of the existing paver drive at the southeastern end of the property. The plans should also replacement of the concrete sidewalk in the location of the existing driveway to be removed. **The site plans have been revised to show a proposed concrete sidewalk at the location where the paver driveway is to be removed. Comment addressed.**
10. The Applicant has indicated a cabana is proposed adjacent to the pool area. A detail of the cabana including the height of the accessory structure should be provided to confirm compliance with ordinance requirements. **The Applicant has provided building height calculations demonstrating compliance with Borough Ordinance §175-19(B)1. Details of the cabana are provided on sheet 12 of the Architectural plans.**
11. The pool equipment is required to be setback at least 10 feet from the property boundary. A dimension should be provided on the plan indicating the same. **The Applicant has included setback distances on the site plan indicating the equipment is setback 10 feet from the property boundary. Comment addressed.**
12. A detail of the proposed fence should be provided. It shall be noted that there is a portion of the fence located in what could be considered a front yard area at the northwestern corner of the dwelling. Fences in a front yard area are required to be a maximum four feet in height and 50% open. We defer to the zoning officer for final determination on this matter.
13. The Applicant has indicated several trees to be removed to construct the proposed improvements. A tree removal and replacement schedule has been provided indicating 3 trees to be removed and 5 replacement trees as mitigation. We defer to the shade tree commission for final comment on tree removal and replacement.
14. The Applicant appears to be providing new utilities such as gas, sanitary sewer and water. The Applicant shall be responsible to restore any improvements within Borough ROW to their original condition if they are disrupted to place service lines.
15. An as-built survey with a coverage breakdown and final grades will be required prior to the issuance of a C.O.

Soil Moving Application

16. The soil moving application indicates approximately 631 CY of cut and 142 CY of fill and net export of 489 CY to move to construct the proposed improvements.

17. 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 has been 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 a cost estimate totaling \$21,402.00. We have reviewed the estimate and take no exception. Based on the estimate the following bond and engineering escrow amounts are required:
 - **Performance Guarantee: \$25,682.40**
 - **Engineering Escrow: \$1,284.12**

Miscellaneous

18. The Applicant is responsible for procuring all applicable federal, state, and county approvals necessary to complete the proposed improvements.
19. If drainage issues arise during or after construction, the Applicant will be responsible for remedying any drainage issues caused by the proposed construction and/or demolition activities. In addition, water runoff directed to neighboring properties is prohibited. If stormwater runoff does adversely impact neighboring properties, the Applicant will be responsible for remedying that situation at no additional cost to the Borough.
20. Sediment shall be removed from the upstream face of the silt fence when it has reached a depth of ½ 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.

21. 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.
22. 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.
23. 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 at this time.

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)
Michael Greco, Zoning Officer (via e-mail)
Sean McClellan, PE, Applicant's Engineer (r_ventura_23@yahoo.com)
3 Central Ave LLC, Applicant (tannetali@gmail.com)

McCLELLAN ENGINEERING

Sean P. McClellan P.E. | 84 Gettysburg Way Lincoln Park, New Jersey 07035 | Phone: 862-668-1160 |
McClellanEngineering@gmail.com

April 14, 2024

COST ESTIMATE

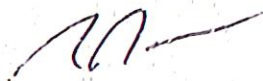
TOWN: Demarest

PROJECT: 3 Central Avenue – 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	2	1000 gal	3,500	7,500
3	Roof Leaders	1	-	1,000	1,000
4	Soil Moving from site	489	Yds	15	7,335
		Subtotal			17,835
		Contingency @ 20%			3,567
		Estimated Construction Cost			\$21,402

Prepared By:



Sean P. McClellan, PE

