

July 28, 2026

Ms. Robin Schilling, Secretary
Township of Little Egg Harbor Planning Board
665 Radio Road
Little Egg Harbor, NJ 08087
Via Email: rschilling@leht.com

**Re: Application #2025-04A
Mathistown Commons
Final Major Site Plan Application - Review #2
Applicant: Dream Homes & Development Corp c/o Vincent Simonelli
Owner: Margaret Whelan
Block 325.20, Lot 11
Zone: AHZ – Affordable Housing Zone
Location: 167 Mathistown Road
Our File: 1517-P-097**

Dear Ms. Schilling:

Our office has received and reviewed the above referenced application and offers the following comments:

A. Background

The property in question (PIQ) is known as Block 325.20, Lot 11 and consists of 12.33 acres. The site is located at 167 Mathistown Road. The site is within the AHZ – Affordable Housing Zone.

The site is currently wooded with 10.76 acres forested and 1.57 acres non-forested. There appears to be an encroachment of a structure from adjacent lot 13.03.

On February 5, 2026, by memorialization of Planning Board Resolution No. 2025-18, the Applicant was granted Preliminary Major Site Plan approval to construct 15 townhouse buildings with a total of 96 residential dwelling units consisting of 80 market rate units and 16 affordable housing units.

The Applicant currently seeks Final Major Site Plan approval to construct 15 townhouse buildings with a total of 96 residential dwelling units consisting of 80 market rate units and 16 affordable housing units. The 15 townhouse buildings are broken down as follows: 1 – 4 unit building; 3 – 5 unit buildings; 2 – 6 unit buildings; 7 – 7 unit buildings; and 2 – 8 unit buildings. Each unit includes a driveway for a total of 96 driveway parking spaces. The parking requirements shown on the cover sheet indicate that garages are proposed for the 80 market rate units for an additional 80 parking spaces. (no architectural plans have been provided).

The site improvements include 3 new roads, 78 curbed and porous paved off-street parking spaces (including 4 accessible spaces and 6 EV parking spaces), a geogrid emergency access drive, 3 stormwater management basins, a recreation area, 6 mailbox units, landscaping, and lighting. The site is to be serviced by public water by way of a water main extension connecting to a water main in Mathistown Road and public sanitary sewer by way of a sewer main extension connecting to a sewer main in Buckhorn Lake Court.

Access to the site is by way of a full movement divided access roadway along Mathistown Road.

B. Items Submitted

1. Copy of a set of architectural floor plans and elevations for the Townhouse Buildings and the Affordable Housing Buildings, prepared by Daniel J. Governale, R.A., A.I.A. of Barlo Governale & Assoc., LLC consisting of 13 sheets dated June 22, 2026.

2. Copy of a Transmittal Letter dated June 22, 2026.
3. Copy of a Letter of Submission for Enforcement of Title 39 dated July 16, 2026.

C. The following is a list of items required to be submitted per the Planning Board Application Checklist, and the Site Plan Application Checklist which our office finds relevant for this application. The Board and our office reserve the right to request additional item(s) be submitted, should the testimony provided require such documentation.

I. Planning Board Application Checklist

1. Survey
2. Environmental Study

II. Site Plan Application Checklist

- Item #B14 Copy of any covenants or deed restrictions.
- Item #B25 Written description of proposed operations.

D. Zoning

1. The Applicant currently seeks Final Major Site Plan approval to construct 15 townhouse buildings with a total of 96 residential dwelling units consisting of 80 market rate units and 16 affordable housing units within the AHZ – Affordable Housing Zone.
2. Per §215-4.24.4B1 multi-family development is a permitted use.
3. Per §215-4.24.4O1) any residential development in the AHZ (Affordable Housing) Zone shall be an inclusionary development, and the developer shall provide a minimum of one affordable dwelling unit for every five market-rate housing units (i.e., 20%).
4. Per §215-21.1A(1) required affordable housing units shall be equal to 20% of the number of housing units proposed in the application for units offered for sale.
5. Bulk Requirements: The chart below summarizes the area and bulk requirements for the Affordable Housing Zone in accordance with §215-4.24.4F:

Tract Requirements	Required	Proposed	Status
Minimum Tract Area	11 AC	12.33 AC	Conforms
Maximum Units	125 Units	96 Units	Conforms
Minimum Lot Width	150 FT	>150 FT	Conforms
Minimum Lot Depth	250 FT	≥250 FT	Conforms
Minimum Building Setback from Tract Boundary	25 FT	33 FT	Conforms
Minimum Residential Building Setback from a State Highway	100 FT	N/A	N/A
Minimum Building Setback from a County Road or Municipal Street	30 FT	45.31 FT	Conforms
Minimum Building Setback from a Residential Zone	100 FT	100.66 FT	Conforms
Minimum Building Setback from Residential Access, Internal, Private Street	20 FT	20.39 FT	Conforms

Tract Requirements	Required	Proposed	Status
Minimum Building Setback from Common Parking Areas	10 FT	13.42 FT	Conforms
Minimum Distance Between Building Fronts	30 FT	>30 FT	Conforms
Minimum Distance Between Building Rears	25 FT	35 FT	Conforms
Minimum Distance Between Building Fronts and Sides	30 FT	N/A	N/A
Minimum Distance Between Building Rears and Sides	25 FT	N/A	N/A
Maximum Building Height (Townhouse Building)	3 STY / 50 FT	35.15 FT	Conforms
Maximum Building Height (Affordable Housing Building)	3 STY / 50 FT	30.58 FT	Conforms
Maximum Building Coverage of Lot	25%	10.95%	Conforms
Maximum Impervious Coverage of Lot	60%	29.44%	Conforms
Minimum Lot Frontage on Public Street	200 FT	750.52 FT	Conforms
Minimum Setback from Garage Units to Rear	25 FT	>25 FT	Conforms
Affordable Housing Requirement Per §215-4.24.4O1)	one affordable dwelling unit for every five market-rate housing units	80 Market Rate Units x .20 = 16 Affordable Housing Units	TBD ⁽¹⁾
Affordable Housing Requirement Per §215-21.1A(1)	20% of the number of housing units for sale proposed	96 Total Housing Units for sale x .20 = 19.2 Affordable Housing Units	TBD ⁽²⁾
Parking Requirements			
Townhouse (80 Market Rate Units) Maximum of 3 Bedrooms (2.4 spaces/unit)	80 units x 2.4 spaces/unit = 192 spaces	160 spaces (Driveway & Garage)	
Townhouse (8 Affordable Units) First Floor Maximum of 2 Bedrooms (2.3 spaces/unit)	8 units x 2.3 spaces/unit = 18 spaces	30 spaces + 6 EV Credited Spaces = 36 spaces	
Townhouse (8 Affordable Units) Second Floor Maximum of 3 Bedrooms (2.4 spaces/unit)	8 units x 2.4 spaces/unit = 19 spaces	30 spaces + 6 EV Credited Spaces = 36 spaces	

Tract Requirements	Required	Proposed	Status
Total Parking Spaces	229 spaces	244 spaces	Conforms
Accessible Parking Spaces (Based upon 78 Public Parking Spaces)	4 spaces	4 spaces	Conforms
Ground Sign (§215-4.24.4C13)	Required	Proposed	Status
Max Number of Signs	1	1	Conforms
Max Size of Sign	24 SF	24 SF	Conforms
Maximum Sign Height	6 FT	5 FT	Conforms

V – Variance TBD – To Be Determined N/A – Not Applicable

Notes:

- (1) Per §215-4.24.4O1) any residential development in the AHZ (Affordable Housing) Zone shall be an inclusionary development, and the developer shall provide a minimum of one affordable dwelling unit for every five market-rate housing units (i.e., 20%), whereas the Applicant is proposing 80 market rate unit which requires 16 affordable housing units. There is a discrepancy within the ordinances. Testimony shall be provided.
- (2) Per §215-21.1A(1) required affordable housing units shall be equal to 20% of the number of housing units proposed in the application for units offered for sale, whereas the Applicant is proposing a total of 96 units for sale which requires 19.2 affordable housing units. There is a discrepancy within the ordinances. Testimony shall be provided.
6. AHZ Zone building design standards:
 - a. Per §215-4.24.4F(1) each dwelling unit shall contain a minimum of 300 cubic feet of storage area, which may be included within the confines of the garage, basement, or cellar. Where provided within a garage, the storage space shall be in addition to the space required for a vehicle. **The architectural plans indicate a 300 cf storage area for each unit.**
 - b. Per §215-4.24.4F(2) the homeowners' association documents shall prohibit the conversion of garages to any other use. **Per testimony at the November 6, 2025 Planning Board meeting, the Applicant will comply. The homeowners' association documents shall be provided to our office and the Board Attorney's office for review and approval.**
 - c. Per §215-4.24.4F(3) each multifamily residential unit shall be constructed with, and shall maintain, a private outdoor space that may be designed as a deck, balcony, terrace, or patio. **Per testimony at the November 6, 2025, Planning Board meeting, all units will have a patio. The architectural plans for the market rate townhouses indicate an optional 2nd floor deck only. The architectural plans for the affordable housing units indicate an optional 6 ft x 6 ft patio and optional 6 ft x 6 ft second floor deck.**
 - d. Per §215-4.24.4F(4) roads, common driveways, and parking areas within a multifamily/affordable housing development shall be private and maintained by a private association to be established by the developer. The Township shall have no responsibility to maintain, or contribute to the maintenance of, roads, common driveways, and parking areas. **Per testimony at the November 6, 2025, Planning Board meeting, the development will be privately owned and maintained.**

- e. Per §215-4.24.4F(5) prior to final approval of a multifamily/affordable housing dwelling project, the developer shall provide a municipal services agreement with the Township for the contribution by the Township for trash collection, snow plowing, and lighting. **Per testimony at the November 6, 2025, Planning Board meeting, the Applicant will comply. The Applicant shall provide testimony to indicate the status of the municipal services agreement.**

E. Final Site Plan Review Comments

1. There are a number of items from our review letter dated September 29, 2025, that need to be addressed. Refer to Section I below.
2. A tree removal and replacement plan shall be provided for review.
3. The Applicant should provide testimony regarding the CAFRA permit for the project.
4. The Applicant shall provide testimony to discuss the updated traffic impact report, the deceleration lane warrant analysis, the process to implement the proposed signal timing adjustments and the status of the Ocean County Engineering Department review of the updated traffic design.
5. The applicant should provide storm drainage pipe capacity calculations for the storm pipes connecting the outlet structures of the subsurface infiltration basins to the rest of the stormwater management system.
6. Per §215-4.24.4O1) any residential development in the AHZ (Affordable Housing) Zone shall be an inclusionary development, and the developer shall provide a minimum of one affordable dwelling unit for every five market-rate housing units (i.e., 20%), whereas the Applicant is proposing 80 market rate unit which requires 16 affordable housing units. There is a discrepancy within the ordinances. Testimony shall be provided.
7. Per §215-21.1A(1) required affordable housing units shall be equal to 20% of the number of housing units proposed in the application for units offered for sale, whereas the Applicant is proposing a total of 96 units for sale which requires 19.2 affordable housing units. There is a discrepancy within the ordinances. Testimony shall be provided.

F. Resolution Compliance

Our office has further reviewed the submission for resolution compliance in accordance with Resolution No. 2025-18 for Preliminary Major Site Plan Approval memorialized February 5, 2026, and offers the following comments:

NOW, THEREFORE, BE IT RESOLVED by the Little Egg Harbor Township Planning Board that the application is hereby approved subject to the following conditions:

Condition 2 The Applicant shall comply with all conditions as contained in the aforementioned report of the Board Engineer.

All outstanding items in the engineer's review letter dated September 29, 2025 shall be addressed. See comment section below for said items. This item remains a continuing condition.

Condition 4 The condominium formation and operating documents will be submitted to the Board Attorney for review and approval. The condominium documents shall

provide that the garages may not be converted to a bedroom or other livable space but must remain open for vehicle parking.

The condominium formation and operating documents shall be provided to our office and the Board Attorney's office for review and approval. This item remains a continuing condition.

Condition 6 The Applicant shall comply with all Affordable Housing regulations regarding the number of bedrooms per unit.

The Applicant shall provide the deed restrictions to our office and the Board Attorney's office for review and approval. This item remains a continuing condition.

Condition 8 The Applicant shall meet with the Police Department to come to agreement on the matter of speed limits and speed bumps.

The Applicant shall provide a letter of approval from the Police Department. This item remains a continuing condition.

Condition 9 The Applicant shall request that Title 39 motor vehicle regulations be applied to the interior roads.

The Applicant shall indicate the status of the request. This item remains a continuing condition.

Condition 10 The porous pavement parking spaces must be maintained and repaired or replaced when their efficiency is impaired (less than 50% efficiency).

The Applicant shall provide an Operations and Maintenance Manual with this requirement included. This item remains a continuing condition.

Condition 11 A fence shall be installed along the southern border of the project, and also along the property line of any neighboring property owner requesting the same (Block 325.20, Lots 13.04 thru 13.09, and Block 325.70, Lot 24).

The Applicant shall provide copies of letters to the homeowner's indicating such. This item remains a continuing condition.

Condition 12 The Applicant will comply with the Township's tree ordinance.

The Final Plans shall be revised to comply with the Township's tree ordinance.

Condition 15 No flood lights are allowed on the units on the southerly boundary of the project.

The Applicant shall provide the deed restriction to our office and the Board Attorney's office for review and approval. This item remains a continuing condition.

In addition, the following general conditions shall apply:

Condition 1 The Applicant must submit proof of payment of all currently due taxes to the Little Egg Harbor Township Planning Board.

Proof of Taxes Paid to date shall be provided. This item remains a continuing condition.

Condition 2 The Applicant must post all bonds and guarantees as required and recommended by this Board and said Planning Board Engineer. Moreover, the Applicant must post all required engineering inspection fees.

The Applicant shall provide a quantity estimate and a request for our office to prepare the performance guarantee and inspection estimates. This item remains a continuing condition.

Condition 5 The Applicant must comply with all conditions as contained in the aforementioned reports of the Board professionals.

All outstanding items in the engineer's review letter dated September 29, 2025 shall be addressed. See comment section below for said items. This item remains a continuing condition.

Condition 9 The Applicant shall comply with all regulations and obtain all necessary permits required by outside agencies, including local, state, and federal.

A copy of all outside agency approvals shall be provided to our office. This item remains a continuing condition.

Condition 10 The Applicant has agreed to participate in the State recycling program. The program provides credits to the Township of Little Egg Harbor where trees and tree parts are cleared from properties and processed into wood chips (at the site) and then recycled for use as product on-site or off-site. The Applicant agrees to file the appropriate forms with Little Egg Harbor Township so that the township will receive recycling credits pursuant to N.J.A.C. 7:26A-1.4.

A copy of the signed documents shall be provided to our office. This item remains a continuing condition.

BE IT FURTHER RESOLVED that a notification of this favorable resolution shall be published in an official newspaper of the Little Egg Harbor Township within ten (10) days of the adoption of this resolution.

Proof of Publication shall be provided to our office. This item remains a continuing condition.

G. Preliminary Site Plan Review Comments

Compliance with Remington & Vernick Engineers review letter dated September 29, 2025 is required, see comments sections below:

D. Review Comments

1. Items to be Discussed with the Board

- b. Per §215-4.24.4K all proposed restrictive covenants, articles of incorporation or other documents concerning the creation of a homeowners' association for the ownership and maintenance of common land and/or facilities shall be submitted to the municipality and approved by the Township Attorney prior to preliminary approval or as determined by the Planning Board of any proposed subdivision or any proposed site plan. Testimony shall be provided to discuss the Applicant's intentions to have a Homeowner's Association. The Homeowner's Association shall be in accordance with §215-11.15. All Homeowner Association documents shall be provided to our office and the Board Attorney's office for review and approval.

All Homeowner Association documents shall be provided to our office and the Board Attorney's office for review and approval.

- c. The Applicant shall provide testimony to discuss the form of ownership. Will each townhouse unit be located within an individual lot?

3. Signs

- b. Per §215-12.9 within a sight triangle, no grading, planting, or structure shall be erected or maintained between thirty (30) inches and eighty-four (84) inches above the center

line grade of each street or driveway intersection, excluding utility poles, street name signs, and official traffic regulation signs. The proposed site identification sign is located within the sight triangle easement. The sign shall be moved outside of the sight triangle easement.

The sign shall be moved outside of the sight triangle easement.

4. Traffic, Circulation & Parking

- c. Our office has a concern regarding the long-term maintenance of the proposed porous pavement parking spaces. Testimony should be provided to address this concern.

The Operations & Maintenance Manual shall include this statement “The porous pavement parking spaces must be maintained and repaired or replaced when their efficiency is impaired (less than 50% efficiency).”

- f. Accessible ramps should be shown to provide access to all parking areas.

No accessible ramps are shown for the parking area with 11 spaces south of Buildings 5 & 6. Accessible ramps shall be added.

- l. Our office defers approval of all fire related issues to the Fire Marshall.

An approval from the Fire Marshall shall be provided.

5. Grading

- c. Spot elevations shall be provided for all accessible ramps to ensure compliance with the ADA requirements.

- f. There are steep slopes behind Townhouse Buildings #4 and #13. The Applicant shall provide testimony to discuss the proposed slopes and the need for safety measures such as fencing to be put in place.

- g. Earthwork cut and fill calculations shall be submitted for review and approval. A mining permit may be required if import or export exceeds 1,000 cubic yards, pursuant to §290.

6. Drainage

- h. The applicant proposes six pervious pavement systems. No water quantity or groundwater analysis has been provided for these systems. These should be added to the stormwater management report to verify that the systems adhere to the standards for pervious pavement systems described in Chapter 9.6 of the NJDEP BMP Manual. Please provide testimony.

7. Lighting

- a. Per §215-12.2B(2) streetlights shall be of a type approved by the Committee and by the electric utility company serving the proposed development. Testimony shall be provided to discuss the streetlights proposed.

Testimony was provided at the November 6, 2025 Planning Board meeting indicating that the Applicant wants to use Acorn Light Style Fixtures. The plans shall be revised accordingly.

8. Landscaping

- a. Per §215-12.7 Section III A1 any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5” or more or any non-street tree with DBH of 6” or more on their property shall submit a Tree Removal Application to the Department of Community Development and Planning. No tree shall be removed until municipal officials have reviewed and approved the removal.

- b. The permit application for tree removal must follow the requirements of §215-12.7 Section III A2.

- c. A tree removal plan shall be provided and shall include the information stated under §215-12.7 Section III A5.
- d. The standards for removal of trees must follow the requirements of §215-12.7 Section III A6.
- e. Per §215-12.7, Section III A5 the location, species, size of existing trees shall be established by onsite survey and may be accomplished by a representative 10,000 sf sample taken at one sample area per two acres of disturbance area or portion thereof. Provide quantity of representative sample areas as required indicating presence of trees, hollies and mountain laurels, or the Applicant shall request a waiver. The tree plot data provided under Appendix E in the Environmental Compliance Statement does not satisfy this requirement.
- f. The Applicant shall submit a plan showing the location of replacement trees and a replacement schedule indicating species, quantities, and size in accordance with §215-12.7 Section III B.
- g. The Applicant shall provide proposed preservation methods for existing-to-remain trees in accordance with §215-12.7 Section III A5.
- h. Per §215-11.8E(1) preservation open space is appropriate in areas adjacent to and inclusive of natural amenities to be preserved, such as wooded areas, water bodies, streams, wetlands, etc. This type of open space shall be either deed restricted from future development by conservation easements or dedicated to the Township or another public or quasi-public agency or organization. Open space shall be labeled on the plans. Testimony shall be provided to discuss the Applicant's intention to preserve the open space through deed restrictions.
- i. Per §215-11.8E(1)(c) the provision of improvements within the preservation open space, such as pedestrian paths, picnic areas and planting may be required by the Board of jurisdiction when appropriate to create a visually pleasing and beneficial environment. Testimony shall be provided to discuss the need for pedestrian paths, picnic areas, and plantings within the open space.
- l. Per §215-4.24.4H along property lines adjacent to existing nonresidential land uses, appropriate visual screening shall be provided, consisting of decorative fencing and vegetation. The Applicant shall provide testimony to discuss compliance with this requirement along the southerly property line adjacent to the GB Zone.
- n. The schematic foundation planting details on sheet 26 of 26 are confusing with regard to the labeling.
 - 2) What does the (x13), (x26), (x55) refer to?
 - 4) How will a landscaper be able to order plantings efficiently.
- s. A sight triangle easement shall be provided at all road intersections within the development.
- t. Per §215-12.9 within a sight triangle, no grading, planting, or structure shall be erected or maintained between thirty (30) inches and eighty-four (84) inches above the center line grade of each street or driveway intersection, excluding utility poles, street name signs, and official traffic regulation signs. The Applicant shall provide testimony to discuss the mature height of the shrubs planted at the entrance within the sight triangle to determine conformance.

The plantings proposed within the sight triangle at the site entrance have mature heights of greater than 30 inches. Revise the plant material accordingly.

10. Utilities

- c. The Applicant shall provide all required local, county, and state approvals.

11. Miscellaneous Comments

- g. The Applicant is required to provide all required approvals to our office upon receipt.
- h. Evidence of a Comprehensive General Liability Insurance Policy shall be provided.
- i. The Applicant is responsible to pay mandatory development fees as specified within §215-20.

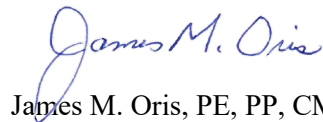
E. Outside Agency Approvals Required

- 1. Ocean County Planning Board
- 2. Ocean County Soil Conservation District
- 3. Ocean County Utilities Authority
- 4. Little Egg Harbor MUA – Water
- 5. Little Egg Harbor MUA – Sanitary Sewer
- 6. Township Police Chief
- 7. Township Fire Marshall
- 8. NJDEP Water Main Extension
- 9. NJDEP TWA
- 11. Any agency having jurisdiction over the project.

Should you have any questions, please do not hesitate to contact our office at 732-286-9220.

God Bless America,

REMINGTON & VERNICK ENGINEERS



James M. Oris, PE, PP, CME, CPWM

MMG/EJP/JMO:mr

cc: Mr. George Garbaravage, Chairman
Mr. Matt Benn, Vice-Chairman
Ms. Kelly Lettera, RMC, Interim Township Administrator
Mr. Terry Brady, Esq., Board Attorney
Mr. Jason Worth, P.E., Township Engineer
Mr. Ben Mabie, Esq., Applicant's Attorney (bmabie@gmail.com)
Mr. Stuart Challoner, P.E., Applicant's Engineer (schalloner@challonerassociates.net)
Dream Homes & Development Corp c/o Vincent Simonelli, Applicant (vince@dreamhomesltd.com)
Ms. Margaret Whelan, Owner (5 Carmine Street, Apt C, Little Egg Harbor, NJ 08087)