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May 10, 2023

Ms. Wendy Parrinello
Board of Adjustment Secretary
MENDHAM TOWNSHIP BOARD OF ADJUSTMENT
2 West Main Street
Brookside, NJ 07926

RE: Completeness and Preliminary Technical Review
5 Woodlawn Road, Application 5-23
Block 127, Lot 26
Township of Mendham, Morris County
FPA No. 13311.141

Dear Ms. Foley:

As requested, our office has completed a review of the documents related to the above-listed application. The following documents were reviewed:

1. Form 1: Application for Development with a date filed of April 4, 2023,
2. Form 2: Certification of Taxes Paid, dated March 16, 2023.
3. Form 3A: List of Property Owners
4. Form 4: Affidavit of Applicant, notarized March 2, 2023.
5. Betzler Property Variance Application prepared by Yannaccone Villa & Aldrich, LLC dated January 6, 2023, consisting of 3 sheets.

General Application Summary

The subject application is seeking to install a pool and terracing of land through retaining walls in the rear yard of lot 26. The applicant seeking a variance of setback relief in the R-3 Zone. The applicant is proposing that pool be located 16.4 feet from the north side lot line whereas 50 feet is required.

A review of the application and attached checklist indicates the applicant is requesting a Bulk 'c' variance, 40:55D-70c. We have reviewed the submitted documents for compliance with the checklist requirements for a Bulk Variance under 40:55D-70c. Based upon review of the submitted documents, we offer the following comments for the Board's consideration regarding application completeness:

Completeness review:

Checklist Item 24 – Footprint and uses of all existing structures and facilities within 200'

We would recommend that the plans be revised to indicate if there any existing structures within 200 feet of the proposed disturbance area. This could be based off an aerial, or shown on a scaled aerial map or similar map. In particular the plan should reflect the relationship between the proposed improvements and the adjacent houses.



Checklist Item 28 – Wetland and wetland transition areas delineated by qualified professional on tract and within 150’ thereof and described by metes and bounds (unless absence of wetlands determination from NJDEP)

The applicants’ engineer should provide testimony during the Board Hearing as to the presence or absence of wetlands. We take no exception to granting a waiver for completeness only.

Completeness Summary and Conclusion

We have reviewed the submitted documents for compliance with the checklist requirements for a Variance Application. At this time, it is our recommendation that the application be deemed **COMPLETE**.

Preliminary Technical Comments

The following preliminary technical comments of the application are provided. We reserve the right to provide further technical review of the project based upon any discussion items that come up during the hearing.

Comment 1. The applicant should provide testimony as to the location and configuration of the property. The applicant should consider providing an aerial exhibit at the hearing, documenting the property and the surrounding area.

Comment 2. Additional testimony should be provided as to the rear yard setback relief requested. The applicant should provide testimony as to why the pool cannot comply with the setbacks.

Comment 3. In accordance with 21-6.4.f Encroachments in Required Yards: “An accessory structure located in a rear yard shall not be closer to the rear and side lot line than the minimum rear yard required for the principal building.” The minimum rear & side yard required in the R-3 Zone is 50 feet. The applicant is proposing that pool be located 16.4 feet from the North side lot line. A variance is required.

Comment 4. It is noted that the plan indicates a disturbance of 4,519sqft. Therefore the project is over the 3,500sqft threshold for a Land Disturbance Permit. A land disturbance permit will be required.

Comment 5. Any approval would be subject to all necessary permits required.

Comment 6. Applicant should consider installing an additional Catch Basin at the pipe turn of the northeast corner of the building.

Comment 7. As part of the Lot Development permit additional plan information will be required. Additional information will include, but not be limited to the following:

1. The plans shall include a graphic representation of all steep slopes regulated by the Township and a tabulation of the area of disturbance of each slope category.
2. Applicant shall provide the proposed additional impervious area to determine if a drywell is required. If the applicant creates 1,000 square feet or more proposed impervious area, the project must collect and store drywells or other infiltration systems.



3. The following notes shall be added to the plan:
 - a. Deviations from the plan must be approved by the Township Engineer in writing prior to the change. Any deviations without prior approval will render the permit null and void.
 - b. Any soil to be exported shall be deposited in a location outside of Mendham Township unless a grading permit is approved from the receiving site prior to movement. All soil shall be transported and disposed of in accordance with all state and federal requirements. Any soil to be imported shall be certified clean, and documentation shall be submitted to the Township Engineer prior to import.
 - c. There will be no burying of stumps, construction debris, or garbage on site. All waste material shall be disposed of in accordance with all applicable laws.
 - d. The contractor shall notify the Township Engineer for the following inspections 72 hours in advance:
 - i. Silt fence installation prior to soil disturbance,
 - ii. Drywell excavation prior to installation of materials, (if required)
 - iii. Drywell tank, stone, and drain piping prior to backfilling, (if required)
 - iv. Prior to removal of soil erosion and sediment control measures,
 - v. Other inspections which may be specified at the time of construction.

Respectfully Submitted,
FRENCH & PARRELLO ASSOCIATES, P.A.

A handwritten signature in blue ink, appearing to read 'Denis F. Keenan', is written over a light blue horizontal line.

Denis F. Keenan, PE CME CFM
Board Engineer
Denis.Keenan@fpaengineers.com