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March 8, 2023

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

RE: Completeness Review
10 Queens Court
Block 127, Lot 105.04
Township of Mendham, Morris County
FPA No. 13311.136

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. Correspondence Letter from Calli Law, LLC dated January 31, 2023.
2. Certified List of Property Owners (200'), dated January 23, 2023.
3. Application for Development dated January 26, 2023.
4. Application Checklist for Bhatti Residence dated January 26, 2023
5. Plot Plans for Bhatti Residence Block 127, Lot 105.04

General Application Summary

The subject application is seeking to construct a single-family home, pool, 45x70' barn, septic system, stormwater systems, retaining walls and driveway improvements on Lot 105.04, Block 127. The lot has frontage on Loree Brook Lane (Private Street) and has an existing access easement through adjoining lot 105.03 on to Queens Court. The subject lot contains approximately 10.13 acres within the R-3 Single Family Home Zone District. The lot currently has an existing gravel driveway, patio and chain-link fence on the lot. Additionally a 20' wide water line easement granted to Randolph Township MUA encompasses the southern bulb of the lot.

The lot is deed restricted per the Iola Dudley subdivision application, formally filed to Morris County as the "Final Subdivision Plat Lands of Motto & Dudley", restricting vehicular access to Loree Brook Lane.

The applicant was deferred to the board as the proposed design exceeds the allowable maximum steep slopes per the Township ordinance.

Based upon review of the submitted documents, we offer the following comments for the Board's consideration regarding application completeness:



Completeness review:

Checklist Item 1 – Twenty (20) copies of completed application forms for PB Eitheen (18) copies for BOA.

The applicant has provided copies of the application. The application did not include a copy of the Affidavit of Applicant/Ownership (Form 4)

It is noted that the project involves improvements within an access easement on Block 127 Lot 105.03. Consent should be provided from the subject property owner in order to file the application. We defer to the Board attorney to confirm that signed owner consent is required.

Form 10 – Floor Area Ratio Calculations has not been included with the application.

Checklist Item 7 – Title block placed in the lower right corner of each sheet containing all information drawn in a format shown in Appendix 2. The applicant has indicated on the checklist that they are seeking a waiver. We take no exception to granting a waiver.

Checklist Item 8 – Name(s) and address(es) of the owner(s) and applicant(s) of the subject tract. The applicant has indicated on the checklist that they are seeking a waiver. We recommend that the plans be revised to include the name and address of the owners. We take no exception to granting a waiver for completeness only.

Checklist Item 10 – Key Map showing subject tract and its relation to the surrounding area at a scale not less than 1"=500'

The applicant has indicated on the checklist that they are seeking a waiver. We recommend that the plans be revised to include a key map. We take no exception to granting a waiver for completeness only.

Checklist Item 11 – Area map based on Tax Map information at a scale of 1"=200' with the following information: 1. Adjoining property owners Lot and Block number, 2. Block limits, Zoning Districts and municipal boundary lines. The applicant has indicated on the checklist that they are seeking a waiver. We recommend that the plans be revised to include an area map. We take no exception to granting a waiver for completeness only.

Checklist Item 12 – A list of the full names and addresses, with Block and Lot numbers, of owners of all land within 200' of the subject tract as furnished by the Mendham Township Tax Assessor and keyed to the Area Map.

The applicant has provided a list however the list has been omitted from the plans. It is also observed that the Randolph Township MUA is not on the notification list. Applicant should ensure that the Randolph Township MUA is notified prior to hearing.

Additionally, the applicant is seeking to provide improvements to the access roadway on Lot 105.03. We note that the 200-foot list only identifies those 200 feet from Lot 105.04. We believe that the 200-ft list should be expanded to include Lot 105.03. We defer to the Board's attorney to verify.

Checklist Item 20 – Protective covenants and/or deed restrictions

The applicant has indicated that this item has been complied with. The applicant should indicate whether they have provided all the covenants and/or deed restriction effecting the property.



Preliminary Identified Variance and Waivers

While a complete technical review of the application has not been performed, a preliminary review of any variances and waiver is provided below:

1. § 16-10.13(a) Steep Slope Disturbance Limits states “The overall extent of regrading and/or stripping of native or existing vegetation on steep slopes on any tract of land which is the subject of an application for subdivision or site plan approval shall be limited by the following standards:”

Slope	Maximum Portion of Tract	Proposed
<10%	Any area necessary	19.2%
10%-15%	25% of slope area	51.4% *
>15% - 25%	15% of slope area	36%*
>25%	5% of slope area	16.8%*

*Waiver is required

The applicant has identified that they are seeking a waiver for steep slopes.

2. § 21-6.4(d) Supplementary Regulations for All Districts: Encroachment in Required Yards states “No accessory structure shall be located closer to a street than the principal building. Access driveways in the R-3, R-5, & R-10 Zone Districts however, located in the front yard, shall be set back from any side line a minimum distance equal to ½ of the applicable side yard setback required for the principal structure in the respective zone.”
 - a. Per the land development ordinance, the front yard is on Loree Brook Lane. The proposed barn is located between the proposed single-family house and Loree Brook Lane. A variance is required.
 - b. The lot has an existing access easement and gravel driveway that has various distances from the side yards on Lots 105.03 and 105.04. The applicant should provide a distance at the closest point of the sideline to the driveway. This may be a pre-existing approved condition.

Completeness Summary and Conclusion

We have reviewed the submitted documents for compliance with the checklist requirements for a Variance Application. In is our recommendation that the application be considered **INCOMPLETE**, subject to the following checklist items:

- Item 1: Provide From 4 Affidavit of Applicant/Affidavit of Ownership. Include owner of Lot 105.03. Provide Form 10 – FAR calculation.
- Item 12: Update 200-ft property owners list to include Lot 105.03.



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

cc: Simone Calli, ESQ (simone@callilawllc.com)
Bhatti Residence (araufbhatti@gmail.com)
Anthony Spasaro