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September 7, 2023

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

RE: Minor Site Plan Application
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, dated 10/8/2021.

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 Lola Dudley subdivision application, formally filed to Morris County as the "Final Subdivision Plat Lands of Motto & Dudley", restricting vehicular access from using Loree Brook Lane.

The applicant was deferred to the board as the proposed design exceeds the allowable maximum steep slopes per the Township ordinance. Additionally, the applicant is proposing the installation of a 3,150 square foot, 2 story barn (accessory structure). Per the Township ordinance, § 21-4.6.g.3 is subject to a minor site plan approval.

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



Technical Review:

Comment 1. Applicant shall provide an 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.

Comment 2. Applicant shall provide a Key Map showing the subject tract and its relation to the surrounding area at a scale not less than 1"=500'.

Comment 3. Plan shall be revised to provide the name and address of the owners.

Comment 4. In accordance with section 21-4.6.g.3 of the ordinance, accessory structures that exceed 2,000 sqft shall only be considered if reviewed as a Minor Site Plan. Therefore the plans should be updated to indicate "MINOR SITE PLAN" in accordance with § 16-8.1.a.1(a) of the LDO.

Comment 5. In accordance with § 16-8.1.c. In addition to site plan details required by subsections 16-8.3, 16-8.4, 16-8.5 and by this subsection for the preparation of site plans, information and drawings in large scale as listed in subsection 16-8.6, Site Plans Details, Engineering and Architectural Drawings, shall be provided with the site plan. Applicant shall provide Architectural Drawings of the proposed residential and barn building.

Comment 6. The owner should provide testimony as to the proposed use of the barn. The barn is two stories and connected to a proposed septic system. The barn height should be identified.

Comment 7. In accordance with § 16-8.1.e of the LDO, an application for the approval of a minor site plan shall be accompanied by studies and plans according to the requirements of Chapter XVII, Environmental Impact Study. The Board may wish to consider whether an Environmental Impact Study is warranted for the project.

Comment 8. In accordance with § 16-10.6.f., A driveway with a long length shall be designed to permit the passage and turnaround of emergency vehicles. The proposed driveway from the right of way to the fork of the driveway is approximately 900 feet.

- A. It is recommended that the board require the applicant provide a turn-analysis for a firetruck to enter and exit the site from Queens Court, and passing areas should be provide for opposing vehicles

Comment 9. The plans should be updated to indicate the estimated cuyd volume of soil import or export. Any soil to be exported shall be deposited in a location outside of Mendham Township unless a grading permit is approved for the receiving site prior to movement. All soil shall be transported and disposed in accordance with all state and federal requirements.

Comment 10. The plans appear to indicate that the existing driveway is both gravel and paved. The plans should be updated to clarify the surface type.



Comment 11. In accordance with § 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.

Comment 12. § 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.”

1. 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.
2. 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 driveway appears to be located closer than 25 feet to Block 127, 78.08 a Variance is required.

Comment 13. In accordance with § 21-4.9 of the LDO, the minimum setbacks for an accessory building are set forth on the Schedule of Requirements. All minimum setbacks shall be increased based on the height and square footage of the building. The applicant shall provide the height of the proposed barn and footprint of the accessory building for the use of calculating the required setback.

Comment 14. The amount of disturbed area of the proposed project falls under the regulations of Major Development. Applicant shall provide a stormwater report and calculation under the NJAC 7:8 Stormwater Management, last amended July 17, 2023. Comments regarding stormwater shall be deferred until a report and plans has been provided until a report and a revised plan have been provided. The following preliminary comments are provided:

1. The stormwater management system appears to have no outfall. Clarification should be provided. Consideration should be given to ensuring scouring does not occur on the steep slopes.
2. At the rear of the barn, the line work appears to indicate that the inlet is connected to the septic tank. This should be clarified.
3. Additional detailing should be provided on the drywells to verify there is suitable capacity to arrange the structures.



4. The engineer should incorporate into the plans methods to reduce the runoff from the driveway. Calculations will be removed to verify the construction of the driveway meets stormwater reductions.
5. Drainage calculations should consider the existing driveway surface as dirt. The existing surface is gravel, however this was placed without permits. Therefore the surface should be considered as existing dirt.

Comment 15. Applicant shall provide verification form the Randolph Township MUA permitting construction over the existing waterline.

Comment 16. Sheet 9 indicates Green Ash are proposed adjacent to basin. Unless these trees are resistant to the Emerald Ash Borer, they should be removed from the plan.

Comment 17. Based upon the submitted plans, it appears that the proposed septic line will intersect over the existing waterline. The applicant shall provide information and details showing that they are compliant with separation requirements.

Comment 18. It is recommended that Prior to the issuance of a TCO or CO that the applicant provide an as-built in accordance with the standards of Section 16-7.4.f.

Comment 19. Applicant shall provide to this office a Stormwater O &M Manual and Stormwater Facility Map for review.

Comment 20. The following note should 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 damage to the public road shall be repaired by the contractor at the direction of the Township Engineer.
- c. 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.
- d. 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.
- e. The contractor shall notify the Township Engineer for the following inspections 72 hours in advance:
 - Silt fence installation prior to soil disturbance,
 - Drywell excavation prior to installation of materials,
 - Drywell tank, stone, and leader drain piping prior to backfilling,
 - Prior to removal of soil erosion and sediment control measures,
 - Pipe connection into the inlet
 - Other inspections which may be specified at the time of construction.



Comment 21. The applicant shall comply with the requirements of the State, Soil Conservation District, or any other agency having jurisdiction over this application. Including but not limited to:

1. Morris County Soil Conservation District.
2. Mendham Health Departments
3. Mendham Tree Preservation and Landscape Committee
4. Morris County Planning Board

Comment 28. Applicant shall transmit to this office written satisfaction from other applicable departments as a condition of approval.

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