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November 3, 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
17 Kennaday Road, Application 10-23
Block 127, Lot 119
Township of Mendham, Morris County
FPA No. 13311.155

Dear Ms. Parrinello:

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 October 2, 2023,
2. Environmental & Zoning Applications – Denied September 13, 2023
3. Building Coverage & Floor Calculation
4. Board Application Checklist
5. Form 2: Certification of Taxes Paid, dated September 29, 2023
6. Form 4: Affidavit of Applicant, notarized September 28, 2023,
7. Certified List of Property Owners (200') prepared by Mendham Township, dated September 14, 2023.
8. Form 10: Floor Area Ratio (FAR) Calculation, dated September 28, 2023,
9. Soil Erosion & Sediment Control Plan Certification
10. Site Grading Plan for Lot 13, Block 145, prepared by Careaga Engineering, consisting of 4 sheets, dated September 19, 2023.
11. Architectural Drawings, 18x26 Post & Beam Plymouth Carriage Barn, prepared by The Barn Yard
12. Architectural Drawings, 38'x38' Plymouth Carriage Barn, prepared by The Barn Yard

General Application Summary

The subject application is seeking approval for the construction of a proposed 2-story 26'x18' pool house, a 2-story 38'x38' barn (A total footprint of 1,912 square feet of accessory buildings), an in ground pool and spa, outdoor fireplace, pool patio, septic system improvements, and stormwater improvements. The site currently consists of a single-family residential building, a brick paver patio, a one-story frame barn, driveway, septic system, and other site related improvements on Block 13, Lot 145. The parcel consists of 5.15 Acres in the R-5 Zone.

The applicant was deferred to the board due to the proposed second story to the existing barn. The existing barn is an existing non-conforming building due to the accessory structure location in the front yard of a residential building. The addition of the second story is a proposed increase of nonconformance and requires a variance to increase the intensity of nonconformance.

Completeness review:

Checklist Item 22 - Required front, side and rear setback lines shown for each lot.

The applicant has provided the required setback information. It is recommended that the Zoning Table be revised for the proposed barn and pool house to provide information on setback adjustment requirements pursuant of subsection 21-4.9.

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 structures. 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 structures and the adjacent houses.

Checklist Item 25 – The footprint setbacks, dimensions and uses of all existing and proposed structures and facilities on the subject tract including access ways, parking and/or loading areas, walks, fences and walls, drawn to scale.

We would recommend revising the plans to provide use information labels of the proposed structures. The pool house should be labeled “Pool House” and the proposed “Barn” be labeled as such.

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 applicant indicates that this item is not applicable. The NJDEP GeoWeb mapping does not indicate any wetland areas on the subject property. We take no exception to this item for completeness.

Checklist Item 30 – Bodies of water, streams, wetlands, wetland transition areas, state open waters, water ways, swales, ditches, bridges, culverts, storm drainage piping and other structures on and within 200’ of the subject tract.

The plans do no indicate if there are any of the items in checklist item 30 within 200 feet of the subject property. Given the scope of the project, we take no exception to this item for completeness.

Checklist Item 55 – Architectural drawings, including dimensioned building floor plans, showing layout of interior uses and functions and calculation of floor areas and elevations showing building heights, finishes, materials and colors drawn to a scale of not less than 1/8”=1’

The provided architectural drawings do not include any interior uses or functions. Applicant shall provide information.

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 **INCOMPLETE**. We recommend applicant provide the following checklist items in order to be deemed complete:

Checklist Item 24 – Footprint of all existing structures within 200’

Checklist Item 55 – Architectural drawings showing layout of interior uses and functions.

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.

Comment 2. In accordance with the Land Development Ordinances, Floor area is defined as the calculation of permitted floor areas of the first and second floors of all buildings, including enclosed porches, and all accessory buildings over 200 sq. ft., and shall be computed by measuring the outside dimension of the outside walls. The calculations shown in the application do not appear to accurately reflect this ordinance's definition. The Applicant shall revise and confirm the existing and proposed floor area calculation.

Comment 3. It is recommended that a manhole access into the drywell be installed for the drywells which receive surface runoff for general maintenance and inspection.

Comment 4. Applicant shall provide testimony as to the use and functions of the proposed accessory structures. Testimony shall be given to address why a sanitary connection is proposed on the pool house and barn.

Comment 5. The applicant should provide testimony as to whether any steep slopes, per section 16-10.13 Steep Slope Disturbance, will be impacted by this project, and whether it will be compliant with the ordinance. If the application does not comply with the ordinance, relief from the Board would be required.

Comment 6. In accordance with Section 21-6.2e, *Enlargement of Nonconforming Structure, a nonconforming building shall not be enlarged, extended or increased, except that in residential zones, a nonconforming single-family dwelling or a single-family dwelling on a nonconforming lot may be enlarged, extended or increased*" The applicant is proposing to increase the floor area of the nonconforming structure. A variance is required.

Comment 7. In accordance with Section 21-6.4d, *no accessory structure shall be located closer to a street than the principal building.* A variance is required for the barn house.

Comment 8. The township is in receipt of a Lot Grading Application. Should the board approve the application, a letter regarding engineering aspects of the Lot Grading application will be finalized.

Comment 9. Applicant shall provide a letter of acceptance from the Health Department upon submission of a Lot Grading Permit.

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



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