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January 31, 2024

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
3 Samuel Farm Lane, Application 9-23
Block 131, Lot 1.05
Township of Mendham, Morris County
FPA No. 13311.156

Dear Ms. Parrinello:

As requested, our office has completed a review of the documents related to the above-listed application. This letter is an update to our 12/1/23 letter. The following documents were reviewed:

1. Form 1: Application for Development with a date filed of October 2, 2023,
2. Environmental & Zoning Applications – Denied May 22, 2023
3. Board Application Checklist
4. Form 2: Certification of Taxes Paid, dated September 19, 2023
5. Form 4: Affidavit of Applicant
6. Form 10: Floor Area Ratio (FAR) Calculation, dated August 1, 2023,
7. Certified List of Property Owners (200') prepared by Mendham Township, dated October 2, 2023.
8. Wnorowski Project Variance Plans, prepared by Ferriero, **transferred to Boswell Engineering**, consisting of 3 sheets, **revised dated January 25, 2024.**
9. **Aerial Exhibit, prepared by Boswell Engineering, consisting of 1 sheet, revised dated January 25, 2024.**

General Application Summary

The subject application is seeking approval for the construction of a proposed in-ground pool, fire pit, pool patio, gazebo, and deck improvements and the removal of an existing shed. The January 25th 2024 revision has indicated that the existing shed is to remain. The site currently consists of a single-family residential building, a deck, a shed, driveway, septic system, and other site related improvements on Block 1.05, Lot 131.01. The parcel consists of 5.15 Acres in the R-5 Zone.

Completeness review:

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 NJDEP GeoWeb mapping does not indicate any wetland areas on the subject property. We take no exception to waiving 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 not 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.

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**.

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. It is recommended that the plans show existing landscaping. There appears to be a row of evergreen trees that border the lot that may be located on Township property. The applicant is proposing to install a 4’ high fence around the pool. The applicant shall provide testimony if it is the intent of the owner to remove said trees in order to install the fencing.

Comment 3. 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. A steep slopes analysis will be required as part of the lot grading application.

Comment 4. In accordance with Section 21-6.4b, *Except as provided in subsection 21-6.5 no accessory structure shall exceed a height of 30 feet.* Additional setback requirements are required if structure is over 20-ft. Applicant shall provide height information of the proposed gazebo.

Comment 5. In accordance with Section 21-6.4d, *No accessory structure shall be located in a side yard shall not be closer to the side lot line than the minimum side yard required for the principal building.* The proposed pool patio is proposed to be 11 feet from the side yard lot line whereas 15 feet is required. A variance is required.

Comment 6. In accordance with Section 21-6.4d, *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 yard required for the principal building is 35 feet. The proposed pool and pool patio are located within 35 feet of the side yard. The proposed pool, patio, gazebo, fire pit and deck are proposed to be within 35 feet of the rear yard. A variance is required.



Comment 7. The January 25th 2024 revision indicates that the homeowner intends on keeping the existing shed which is located in the rear yard setback. The zoning department threshold for a shed to be considered an accessory structure is 200sqft. Because the shed is greater than 200sqft, it would be subject to the zoning setbacks. The shed would need to be moved, or a variance is required.

Comment 8. Any approval would be subject to all necessary permits required.

Comment 9. As part of the Lot Development (Ordinance 9-2013 : Chapter 20 Land Disturbance and Lot Grading Permit) permit additional plan information will be required. Additional information will include, but not be limited to the following:

1. 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.
 - a. The applicant shall revise the volume required by multiplying the new impervious area by 3-inches.
 - b. Applicant should include the existing shed to the new impervious area for stormwater calculations, as the shed was not included in the original lot grading application for the project.

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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