



January 25, 2024

Mendham Township Board of Adjustment  
Ms. Wendy Parrinello, Board Secretary  
2 West Main Street  
Brookside, New Jersey 07926  
By hand-delivery  
By email: wparrinello@mendhamtownship.org

Re: Response to **Completeness and Preliminary Technical Review**  
Wnorowski Project Variance Plans-Rev. 3  
3 Samuel Farm Lane, Block 131.01, Lot 1.05  
Township of Mendham, Morris County  
FPA No.:13311.156  
Our Project No. 231011/24-124

Dear Ms. Parrinello and Members of the Board:

Enclosed, please find thirteen (13) copies of the following for review and consideration:

1. Wnorowski Project Variance Plans (3 sheets), revised January 25, 2024.
2. Aerial Exhibit, 3 Samuel Farm Lane (1 sheet), revised January 25, 2024.
3. NJ-GeoWeb, 3 Samuel Farm Lane plotting with the Land Use Permitting Report.

These items have been revised per the Board Engineer's review memo, dated December 1, 2023, with additional notations per the Applicant to maintain the existing shed. Following please find our itemized responses to the review memo for your review and consideration:

**Completeness review:**

*Checklist Item 9 – North arrow and graphic scale appearing on all plats sheets as applicable. It appears that the scale on the plans do not match the tie distances. Revise as necessary.*

The site plans have been revised so that the north arrow and bar scale correlate with the plan scales.

*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 are any existing structures within 200 feet of the proposed features. In particular the plan should reflect the relationship between the proposed structures, park features and the adjacent houses. This could be provided through an aerial exhibit which shows the park pathways and features.*

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An aerial image has been included with this submittal and is labeled as 'Aerial Exhibit' sheet 1 of 1. This Exhibit is at a 40 scale and includes the 200 ft. offset surrounding the parcel. This aerial plan presents the proposed project, as well as the structures and features on adjacent lots.

***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.***

*The applicant shall provide the location and size of the exiting drywells on site.*

The number and locations of the existing drywells on the lot has been added to the site plans, see Sheets 2 and 3 to address this checklist item. This drywell information was taken from the approved plot plan prepared by Kastrud Engineering, LLC, for this site.

***Checklist Item 28 – Wetland and wetland transition areas delineated by a 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 this item for completeness.*

The Freshwater Wetlands LOI (Absence Determination) for the subdivision that created this lot was granted on July 11, 2019, by NJDEP. General Note #28 on Sheet 1 presents this reference. Additionally, enclosed please find the current NJDEP GeoWeb mapping and Land Use Permitting report for this site to address this checklist item. As presented, there are no freshwater wetlands mapped within 150' of the proposed disturbance.

***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.*

Enclosed please find the revised plans that include storm drainage piping and other structures within 200 ft. of the site for your review. Additionally, enclosed please find the current NJDEP GeoWeb mapping and Land Use Permitting report which present that are no freshwater wetlands or regulated waters within 200 ft. of the site.

***Checklist Item 55 – Architectural drawings, including dimensioned building floor plans, showing layout of interior uses and functions and calculation of floor areas and elevations***

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*showing building heights, finishes, materials and colors drawn to a scale of not less than 1/8" = 1'.*

*It is recommended that the applicant provide drawings of the proposed gazebo in order to determine if it is in compliance with the township's ordinance. Height of structure should be provided.*

The typical gazebo plans and details have been added to sheet 2 of the Variance plans to address this checklist item. Also, the building height dimensions for the proposed gazebo have been presented on this plan sheet for your review and consideration.

**Preliminary Technical Comments**

1. *The applicant should provide testimony as to the location and configuration of the property.*

Comment noted. Testimony shall be provided at the hearing.

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. Applicant is proposing to install a 4' high fence around the pool. Applicant shall provide testimony if it is the intent of the owner to remove said trees in order to install the fencing.*

The existing landscaping has been added to plan sheets 2 and 3 to address this comment. As shown, the existing row of evergreen trees are located on the Applicant's property and shall remain with the proposed construction.

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.*

The steep slope analysis has been added to the Sheet 3 of the revised plan set to address this comment. No disturbance is proposed within slope areas greater than 10% for this project.

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.*

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The gazebo plans, details and height dimensions have been added to sheet 2 of the variance plans for your review and consideration.

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.*

The Applicant respectfully requests a side setback variance for the proposed pool patio with this application.

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.*

The Applicant respectfully requests setback variances for the proposed features with this application.

7. *Any approval would be subject to all necessary permits required.*

The Applicant shall address any necessary permits as a condition of a favorable decision by the Board.

8. *A volume of earthwork should be included on the plans indicating the quantity of soils which will be imported or exported from the project.*

Earthwork calculations have been added to sheet 3 of the site plans for your review and consideration. All excavated soils shall be trucked outside of Mendham Township according to all State and Federal requirements as required.

9. *A note should be added to the plans that indicated that the proposed fencing installation shall be based upon a property line stakeout prepared by a licensed surveyor.*

A note has been added to sheet 2 of the site plans stating that the common property line with the Township Park shall be staked by a licensed Land Surveyor prior to the start of construction.

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*10. 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. 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.*

A graphic representation of the on-site steep slopes has been added to the plans along with the areas of each slope. The steep slope analysis, including shaded areas, have been added to the Sheet 3 of the revised plan set to address this comment. No disturbance is proposed within slope areas greater than 10% for this project.

- 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.*

The proposed change in impervious area is listed on sheet 2 of the site plans. This project proposes to increase the sites impervious cover. As a result, the proposed drywell has been designed to capture the increased runoff generated by this project and address this comment.

- 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.*

This note has been added to sheet 2 of the site plans under additional notes.

*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.*



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Excavated soils being exported shall be deposited in a location outside of Mendham Township. 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. See note b on sheet 2.

- 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.*

Comment noted. No stumps or construction debris will be buried onsite. All waste material will be disposed of per Federal, State, and local regulations. See note c on sheet 2 of the plans.

- 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*

Comments noted. The Township Engineer shall be notified 72 hours in advance of any installation of the above listed items to schedule the required inspections. See note d on sheet 2.

If you have any questions or require additional information for this application, please feel free to contact me at 908-879-6209 ext. 301 or by email: [cdavis@boswellengineering.com](mailto:cdavis@boswellengineering.com). Thank you for your attention.

Sincerely,

*Candice J. Davis, PE*

For the Firm

Boswell Engineering Inc.

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