

BERNARDS TOWNSHIP ENVIRONMENTAL COMMISSION

Regular Meeting of [October 23, 2023](#) - 7 pm

Municipal Building - Warren Craft Room

1 Collyer Lane, Basking Ridge, NJ

Meeting Agenda

- 1. Call to Order**
- 2. Open Public Meeting Statement**
- 3. Flag Salute**
- 4. Roll Call**
- 5. Approval of EC meeting minutes regular – [September 21, 2023](#)**
- 6.**
- 7. Reports and Miscellaneous Correspondence**
 - a. [ETI Letter](#)**
 - b. [ETI Letter #2](#)**

Discussion

Subcommittee Reports

- i. Applications Review: John Crane, John Valeri, Todd Edelstein
- ii. ANJEC email monitoring / important educational webinars: Todd Edelstein
- iii. Native Pollinator Group: Sarah Wolfson
 1. Small pollinator garden on township owned property.
- iv. Community Outreach / Education: Nancy Cook
- v. Tree Protection: John Valeri

8. Old Business

- a. Status on Current Projects:**

9. New Business

Applications

1. [Donchez – ZB 23-016 – 375 Grist Mill Drive](#) - Lot coverage relief to renovate an existing in-ground pool.
2. [Jain – ZB 23-017 – 29 Spruce St](#) – Installation of an in-ground pool, not located behind the rear building line of adjacent dwelling.
3. [Dyszler – ZB 23-019 – 50 Liberty Corner Rd.](#) – Pool not located behind rear building of adjacent dwelling.
4. [Far Hills Development LLC - ZB 23-0120 – 179 Culberson Rd](#)– Demolish existing house – build new single dwelling.
5. [Skrypnik - ZB 23-021 – 133 Riverside Dr](#) – Construction of porch requiring relief for front yard setback.

10. Comments by Public

11. Comments by Members

12. Adjournment

Ellen Houlihan, Secretary



Please call (908) 204 - 3000 seventy-two (72) hours in advance if accommodations are required, including Assistive listening devices (ALD).



Bernards Township Environmental Commission



BERNARDS TOWNSHIP ENVIRONMENTAL COMMISSION MINUTES – September 21, 2023

CALL TO ORDER

Acting Chairperson Elizabeth Cirri called the meeting to order at 7:01 pm in the Warren Craft Room, Bernards Township Municipal Building in accordance with the Open Public Meeting Act of 1975.

ROLL CALL

Present: Elizabeth Cirri, John Crane, Todd Edelstein, Sarah Wolfson

Absent: Gary Baumann, Nancy Cook, Alice Smyk, John Valeri, Jr.

Also Present: Kathleen Ferrante, Recording Secretary

APPROVAL OF MEETING MINUTES

Motion to approve the August 28, 2023, meeting minutes made by Todd Edelstein, seconded by John Crane. All in favor, motion carried.

REPORTS & MISCELLANEOUS CORRESPONDENCE

- a. **Pumpkin Smash Email** – John Crane thinks we should attend, Todd agrees the date is November 4th, Elizabeth Cirri will email Tyler with confirmation.
- b. **Dr. Maloney Email – Trees** – Committee will refer Dr. Maloney to David Schley with the zoning board or Shade Tree.

DISCUSSION

Subcommittee Reports

- a. **Applications Review:** see New Business
- b. **ANJEC email monitoring / important educational webinars:** Todd Edelstein – no report this month.
- c. **Native Pollinator Group:** Sarah Wolfson
 - i. **Small pollinator garden on township owned property.** The library project has begun, some of the existing shrubbery has been removed. We will soon be able to plant. DPW will be providing topsoil, mulch and gravel. Some plants have been obtained by Rutgers, the EC Committee does not have remaining budget for additional plants, the Library will



Bernards Township Environmental Commission



cover the remaining costs. John Crane suggested we reach out to local nurseries to see if they would donate.

- d. **Community Outreach / Education:** Nancy Cook and Elizabeth Cirri have made progress, there is one quick tip that has been posted to the website, they are working on additional tips to be submitted.
- e. **Tree Protection:** John Valeri – no report

OLD BUSINESS

a. Status on Current Projects

- a. **Township Master Plan** – Currently under review to be completed by the end of the year.
- b. **Townwide Garage Sale** – Considered a big success, with over 75 participants.

NEW BUSINESS

a. Applications

- i. **Signature Acquisitions Add't Info – ZB 22-028** – Traffic Engineers Info – no comments, no environmental concerns.
- ii. **Purdum– ZB 23-015 – 14 Columbia Rd** – Variance for lot coverage to construct an addition to an existing dwelling.

The Environmental Commission notes that due to the site and surrounding topography storm water best management practices should be given extra consideration during site work and as part of final site grading and restoration. In addition, implementation of best management practices to preserve and protect trees during the site work should be considered.

The Environmental Commission notes the existing lot coverage exceeds the maximum amount. Increased impervious coverage increases the volume (quantity) of stormwater runoff, which can contribute to local and potentially area wide flooding. Site drainage is a concern with this application, therefore site features to promote the recharge of stormwater from the roof leaders should be considered. The New Jersey Department of Environmental Protection Green Infrastructure website is a good reference for “green” stormwater management practices for homeowners (<http://www.nju.gov/dep/gi/>)

The Commission asks the Board to suggest that applicants increasing impervious coverage manage stormwater runoff by planting native trees or shrubs. The roots of these plants will take up water and promote conditions that allow soil to retain water. Adding plants can mitigate the decreased water infiltration imposed by the new impervious coverage. Please refer to the Recommended Tree and Shrub List for an introductory list of native plants available at local nurseries.
https://www.bernards.org/?option=com_fileman&view=file&routed=1&name=Tree%20and%20Shrub%20Replacement%20List.pdf&folder=Environmental&container=fileman-files



Bernards Township Environmental Commission



The Commission notes that a tree inventory is not depicted on the plan and asks that the applicant discuss whether any trees will be removed as part of the construction.

The Commission would like to note if any tree permits have been taken out and the replacement of same. In regards to this application, the Environmental Commission feels that long-term tree survivability should be the goal of any tree replacement plan and that native hardwood species should be selected whenever practicable.

In regards to this application, the Environmental Commission would like to see a tree removal and replacement plan. Long-term tree survivability should be the goal of any tree replacement plan and native hardwood species should be selected whenever practical.

Due to the age of the existing dwelling, the Environmental Commission would like the applicant to be aware of the potential for in-ground tanks, lead paint and asbestos. Proper precautions should be taken during demolition.

During demolition, the Environmental Commission asks the applicant to consider recycling, repurposing or gifting any demo'd material that is not being reused with this application.

Motion made by Todd Edelstein, seconded by John Crane. All in favor, motion carried.

- iii. **Flanigan – ZB 23-013 – 54 Dyckman Pl** – Maximum allowable impervious coverage relief for a single-story addition, pool, patio & deck.

The Environmental Commission notes that due to the site and surrounding topography storm water best management practices should be given extra consideration during site work and as part of final site grading and restoration. In addition, implementation of best management practices to preserve and protect trees during the site work should be considered.

The Environmental Commission notes the existing lot coverage exceeds the maximum amount. Increased impervious coverage increases the volume (quantity) of stormwater runoff, which can contribute to local and potentially area wide flooding. Site drainage is a concern with this application, therefore site features to promote the recharge of stormwater from the roof leaders should be considered. The New Jersey Department of Environmental Protection Green Infrastructure website is a good reference for “green” stormwater management practices for homeowners (<http://www.nju.gov/dep/gi/>)



Bernards Township Environmental Commission

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https://www.bernards.org/?option=com_fileman&view=file&routed=1&name=Tree%20and%20Shrub%20Replacement%20List.pdf&folder=Environmental&container=fileman-files

This property contains a wetlands conservation easement and as such, the Environmental Commission would like to see an LOI. In addition, the Commission would like the Board to examine the Riparian Buffer.

The Commission would like to note if any tree permits have been taken out and the replacement of same. In regards to this application, the Environmental Commission feels that long-term tree survivability should be the goal of any tree replacement plan and that native hardwood species should be selected whenever practicable.

In regard to this application, pool water discharge may result from backwashing of filters, or from the draining of swimming pools at the end of season, or during maintenance. This water often contains pool treatment chemicals that can cause damage to the receiving environment in the form of nonpoint source pollution. Therefore, the Environmental Commission wants township residents to use the best management practices available when discharging pool water.

Motion made by John Crane, seconded by Todd Edelstein. All in favor, motion carried.

- iv. **Rogers- ZB 23-014 – 204 Morristown Rd – Prelim / final site plan, conditional use to install modular building with 2 classrooms.**

The Environmental Commission notes that due to the site and surrounding topography storm water best management practices should be given extra consideration during site work and as part of final site grading and restoration. In addition, implementation of best management practices to preserve and protect trees during the site work should be considered.

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Bernards Township Environmental Commission



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Motion made by Sarah Wolfson, seconded by Todd Edelstein. All in favor, motion carried.

- v. **Brinkworth- ZB 23-018 – 12 Fairview Dr East** – Front yard, side yard, combined side yard variance relief to construct an addition to an existing dwelling.

The Environmental Commission notes that due to the site and surrounding topography storm water best management practices should be given extra consideration during site work and as part of final site grading and restoration. In addition, implementation of best management practices to preserve and protect trees during the site work should be considered.

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Due to the age of the existing dwelling, the Environmental Commission would like the applicant to be aware of the potential for in-ground tanks, lead paint and asbestos. Proper precautions should be taken during demolition.



Bernards Township Environmental Commission

Motion made by Sarah Wolfson, seconded by John Crane. All in favor, motion carried.

PUBLIC COMMENT

No public

MEMBER COMMENT

Congratulations Sarah on the commencement of the Library Project, the Commission would like to ensure there are pictures to document the project.

ADJOURNMENT

Meeting was adjourned at 7:58 pm. Motion by Todd seconded by Sarah All in favor, motion carried.

Respectfully submitted,
Kathleen Ferrante, Meeting Secretary



Bernards Township Environmental Commission

TO: Zoning Board Chairperson and Members

FROM: Alice Smyk, Chairperson
Bernards Township Environmental Commission

DATE: September 28, 2023

SUBJECT: Application Review

The Environmental Commission reviewed these applications at their September 21, 2023, meeting and forwards the following comments:

Signature Acquisitions Add't Info – ZB 22-028 – Traffic Engineers Info – no comments, no environmental concerns.

Purdum– ZB 23-015 – 14 Columbia Rd – Variance for lot coverage to construct an addition to an existing dwelling.

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277 South Maple Avenue, Basking Ridge, NJ 07920 (908) 204-3019



Bernards Township Environmental Commission

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Bernards Township Environmental Commission

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Bernards Township Environmental Commission

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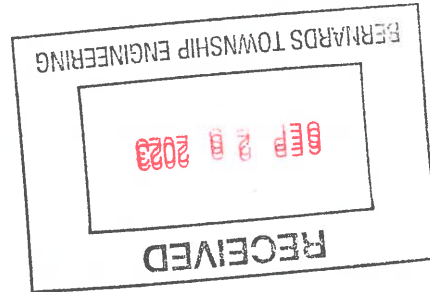
Due to the age of the existing dwelling, the Environmental Commission would like the applicant to be aware of the potential for in-ground tanks, lead paint and asbestos. Proper precautions should be taken during demolition.

Cc: David Schley, Township Planner
Cyndi Kiefer, Secretary; for distribution to BOA members



ENVIRONMENTAL
TECHNOLOGY
INC.

Environmental Consultants



September 25, 2023

SENT VIA CERTIFIED MAIL

To: Property Owner or Interested Party

Re: Applications for Freshwater Wetlands Letter of Interpretation-Line Verification,
Transition Area Waiver-Averaging Plan,
and General Permit 11- Outfalls/Intake Structures
Applicant: Bernards Township School Board
Subject Property: 285 South Maple Avenue
Block 2801, Lot 6
Bernards Township, Somerset County

Dear Property Owner or Interested Party:

This letter is to provide you with legal notification that applications for a Freshwater Wetlands Letter of Interpretation-Line Verification, Transition Area Waiver-Averaging Plan, and General Permit 11 – Outfalls/Intake Structures will be submitted to the New Jersey Department of Environmental Protection, Division of Land Resource Protection (DLRP) for the project shown on the enclosed plans. A brief description of the proposed project follows:

The proposed project is the conversion of an existing soccer field into a turf field in the southwestern portion of the site. In addition, drainage improvements consisting of perforated PVC drainage pipes are proposed within an existing softball field in the southeastern section of the site and an existing baseball field in the northwestern section of the site. A small portion of the disturbances associated with the turf field conversion and drainage improvements will occur with transition areas associated with onsite wetlands. The portions of the proposed project within transition areas require authorization of the noted Transition Area Waiver-Averaging Plan and General Permit 11 – Outfalls/Intake Structures from the DLRP. The Letter of Interpretation-Line Verification is to verify wetland, State open waters and/or transition area limits on the project site.

The complete permit application package can be reviewed at either the municipal clerk's office or by appointment at the Department's Trenton Office. The Department of Environmental Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your comments within 15 calendar days of the receipt of this letter to:

Property Owner or Interested Party

September 25, 2023

Re: Applications for Freshwater Wetlands Letter of Interpretation-Line Verification,
Transition Area Waiver-Averaging Plan,
and General Permit 11- Outfalls/Intake Structures
Applicant: Bernards Township School Board
Subject Property: 285 South Maple Avenue
Block 2801, Lot 6
Bernards Township, Somerset County

If By Regular Mail:

New Jersey Department of Environmental Protection
Division of Land Resource Protection
P.O. Box 420, Code 501-02A
Trenton, New Jersey 08625
Attn: Bernards Township Supervisor

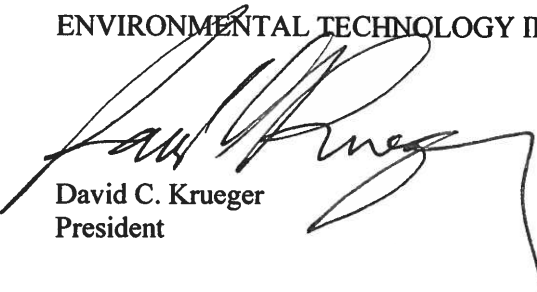
If by Hand Delivery, Courier Service or Overnight Delivery:

New Jersey Department of Environmental Protection
Division of Land Resource Protection
501 East State Street
5 Station Plaza, 2nd Floor
Trenton, New Jersey 08609
Attn: Bernards Township Supervisor

Please send the undersigned a copy of any comments you submit to the New Jersey Department of Environmental Protection. Please feel free to contact our office regarding this letter and its contents.

Very truly,

ENVIRONMENTAL TECHNOLOGY INC.



David C. Krueger
President

23085

Enclosures: 11" X 17" DEP Permitting Plan and LOI Plan (Double-Sided)

cc: w/encl: Bernards Township School Board

NJDEP

Bernards Twp Clerk, w/complete copy of application; Sent Via CMRRR

Property Owners Within 200' and Easement Holders; Sent Via CM

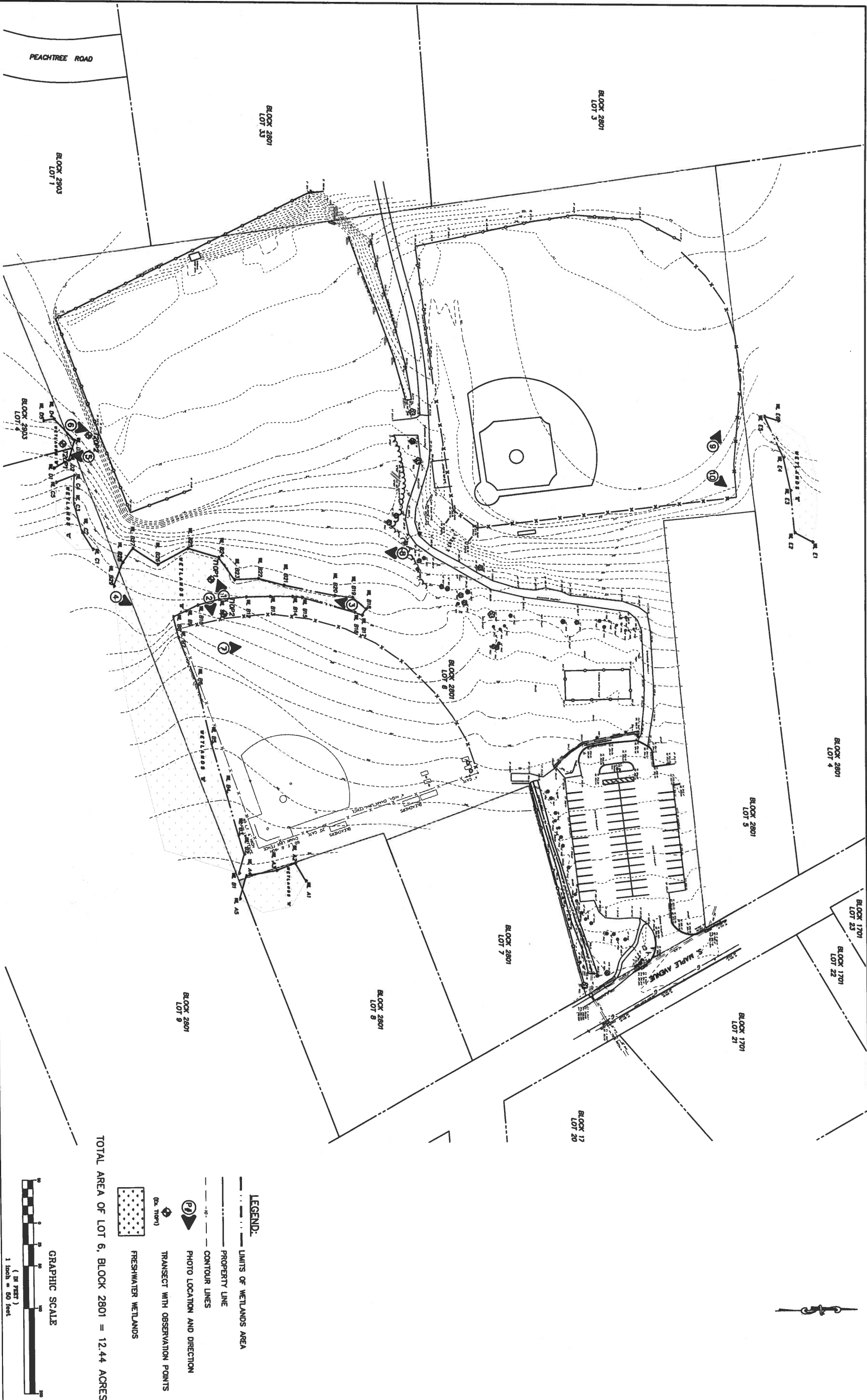
County Planning Board, Sent Via CM

Municipal Planning Board, Sent Via CM

Municipal Construction Official, Sent Via CM

Municipal Environmental Commission, Sent Via CM

Somerset-Union Soil Conservation District




TOTAL AREA OF LOT 6, BLOCK 2801 = 12.44 ACRES



LEGEND:


- LIMITS OF WETLANDS AREA
- PROPERTY LINE
- - - - - CONTOUR LINES
- ☉ PHOTO LOCATION AND DIRECTION
- ☒ TRANSECT WITH OBSERVATION POINTS (See Table)
- ☐ FRESHWATER WETLANDS

| NO. | DATE | DESCRIPTION | SURVEYED BY | BOUNDARY BY | DESIGNED BY |
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Boswell Engineering
ENGINEERS - PLANNERS - SURVEYORS - SCIENTISTS
330 PHILLIPS AVENUE, SOUTH HACKENSACK, NJ 07606
TEL: (201) 641-0770 • FAX: (201) 641-1831
N.J. CERTIFICATE OF AUTHORIZATION NO. 24GAC27958000

KEVIN J. BOSWELL



PROFESSIONAL ENGINEER N.J. LIC. 32843

JEFFREY L. MORRIS

PROFESSIONAL ENGINEER AND LAND SURVEYOR
N.J. LIC. 24G80397900
PROFESSIONAL PLANNER N.J. LIC. 33J00520600

RIDGE HIGH SCHOOL ATHLETIC FIELDS
LOT 6 BLOCK 2801
WETLAND L.O.I. PLAN
TOWNSHIP OF BERNARDS

SOMERSET COUNTY

| | | | |
|-------------|-------------|--------|----------|
| SURVEYED BY | DESIGNED BY | SCALE | DATE |
| BY E.L. | BY E.L. | 1"=40' | 12-18-03 |

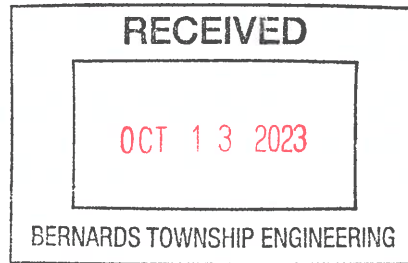
DRAWING NO. 23-126-WL-LOI

SHEET 1 of 1



ENVIRONMENTAL
TECHNOLOGY
INC.

Environmental Consultants



October 10, 2023

SENT VIA CERTIFIED MAIL

To: Property Owner or Interested Party

Re: Application for Freshwater Wetlands
Letter of Interpretation-Line Delineation Extension
DLRP File No.: 1802-18-0003.1
Applicant: David J. Tullo
Subject Property: 112 Conkling Avenue
Block 1406, Lot 32
Bernards Township, Somerset County

Dear Property Owner or Interested Party:

This letter is to provide you with legal notification that an application for a Letter of Interpretation-Line Delineation Extension will be submitted to the New Jersey Department of Environmental Protection, Division of Land Resource Protection for the property shown on the enclosed plan. A brief of the site follows:

The site consists of a 2-story frame dwelling with a deck, frame garage, and associated stone driveway in its central and northeast portions. Lawn occupies much of the remaining lot, but there are forested areas along the southern property boundary and in the site's southeast corner. The north branch of the Dead River flows along the site's eastern property boundary and a small wetlands is located approximately 50 feet to the south.

The complete permit application package can be reviewed at either the municipal clerk's office or by appointment at the Department's Trenton Office. The Department of Environmental Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your comments within 15 calendar days of receipt of this letter to:

If By Regular Mail:

New Jersey Department of Environmental Protection
Division of Land Resource Protection
P.O. Box 420, Code 501-02A
Trenton, New Jersey 08625
Attn: Bernards Township Supervisor

Property Owner or Interested Party
Re: Application for Freshwater Wetlands
Letter of Interpretation-Line Delineation Extension
DLRP File No.: 1802-18-0003.1
Applicant: David J. Tullo
Subject Property: 112 Conkling Avenue
Block 1406, Lot 32
Bernards Township, Somerset County

October 10, 2023

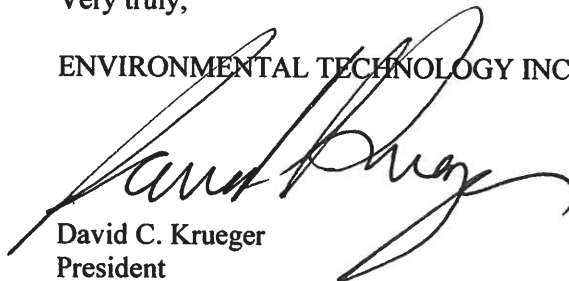
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Trenton, New Jersey 08609
Attn: Bernards Township Supervisor

Please send the undersigned a copy of any comments you submit to the New Jersey Department of Environmental Protection. Please feel free to contact our office regarding this letter and its contents.

Very truly,

ENVIRONMENTAL TECHNOLOGY INC.



David C. Krueger
President

17150

Enclosures: 11" X 17" Topographic Survey

cc: w/encl: David J. Tullo
NJDEP

Bernards Township Clerk, w/complete copy of application; Sent Via CMRRR
Property Owners within 200' and Easement Holders; Sent Via CM
County Planning Board, Sent Via CM
Municipal Planning Board, Sent Via CM
Municipal Construction Official, Sent Via CM
Municipal Environmental Commission, Sent Via CM

- NOTES:
1. THIS SURVEY IS PREPARED SPECIFICALLY FOR THE INDIVIDUAL(S) IN THE TITLE AND/OR CERTIFICATION.
 2. THE UNDERSIGNED WILL NOT BE RESPONSIBLE FOR ANY ASSIGNMENT OF THIS SURVEY TO ANY PERSON NOT SO NAMED.
 3. SUBJECT TO SUCH STATE OF FACT THAT AN ACCURATE TITLE SEARCH MAY DISCLOSE.
 4. UNDERGROUND UTILITIES ARE NOT DEPICTED, THE LACK OF UTILITY INFORMATION DOES NOT DENY THE EXISTENCE OF SAME.
 5. DEED REFERENCE: BOOK 6427 PAGE 3529, FILED IN THE SOMERSET COUNTY CLERK'S OFFICE.
 6. A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, C. 14 (N.J.A.C. 45:28-35.3) AND (N.J.A.C. 13:40-5.10(D)).
 7. VERTICAL DATUM ASSUMED AT 100.00'. BENCHMARK SHOWN ON PLAN.
 8. WETLAND FLAG FIELD LOCATED ON 01/20/18.

CERTIFIED TO:

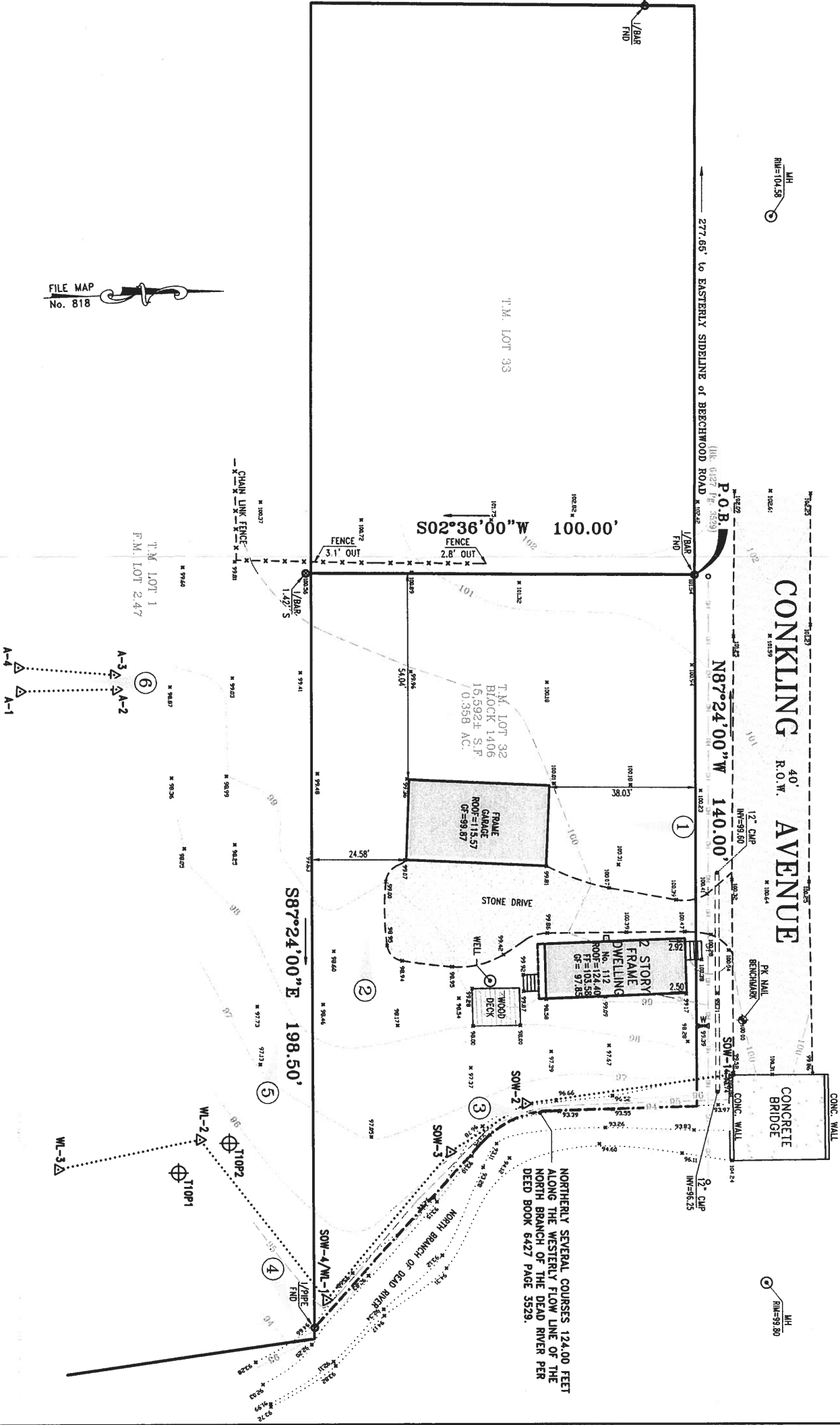
• DAVID TULLO

DESCRIPTION:

BEING KNOWN & DESIGNATED AS PART OF PROPERTY N/F A.J. HUMMER ON A MAP ENTITLED "MAP OF SECTION NO. 3, 'MORRINE CREST', TOWNSHIP OF BERNARDS, SOMERSET COUNTY, N.J. OWNED BY SLOPING HILLS ESTATES, INC." DATED 12-11, 1961 & FILED IN THE SOMERSET COUNTY CLERK'S OFFICE ON MAY 4, 1962 AS MAP No. 818.

- LEGEND:
- ② --- PHOTO LOCATION
- ⊕ --- DRILL LOCATION
- Δ --- WETLAND FLAGS

| | | | |
|--------------------------------------|---------|-----------------------------------------------|------|
| JAMES P. DEADY SURVEYOR, LLC | | TOPOGRAPHIC SURVEY | |
| PROFESSIONAL LAND SURVEYING SERVICES | | TAX LOT 32-BLOCK 1406 | |
| 295 ROUTE 22 EAST, ONE SALEM SQUARE | | LOCATED IN THE | |
| SUITE 202 WEST | | TOWNSHIP OF BERNARDS | |
| WHITEHOUSE STATION, NJ 08889 | | SOMERSET COUNTY, NEW JERSEY | |
| (908) 534-0145 | | Scale: 1"=20' | |
| REVISIONS | DATE | DATE | BY |
| UPDATE | 6-06-18 | 1-09-18 | J.A. |
| FILED 1802-1134-2 | | BY: <i>John C. Pitt</i> | |
| N.J. REG. NO. 1134-2 | | John C. Pitt N.J.P.L.S. LIC. NO. 24G504324100 | |
| N.J. REG. NO. 1134-2 | | Certificate No. 24GAE8199000 | |



FILE MAP
No. 818

REVISED
DOCS

**TOWNSHIP OF BERNARDS
ZONING BOARD OF ADJUSTMENT
APPLICATION STATUS FORM**

Application No: ZB23-016 Block: 5203 Lot: 13 Zone: R-4

Applicant: DONCHEZ, PETER J. & JULIE L.

Address of Property: 375 GRANT MILL DRIVE

Description: LOT COVERAGE RELIEF TO RENOVATE AN
EXISTING IN-GROUND POOL & PATIO

APPLICATION CHECKLIST

| | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|----------------------------|
| <input checked="" type="checkbox"/> | Original + 16 copies of Application | <input checked="" type="checkbox"/> | Engineering Plan/Plot Plan |
| <input checked="" type="checkbox"/> | W-9 | <input type="checkbox"/> | Architectural Plans |
| <input checked="" type="checkbox"/> | Site Visit Consent (A) | <input checked="" type="checkbox"/> | Survey |
| <input type="checkbox"/> | Ownership Form (B) | <input checked="" type="checkbox"/> | Photographs |
| <input checked="" type="checkbox"/> | 200' Property Search List (C) | <input type="checkbox"/> | Wetlands Report/LOI |
| <input checked="" type="checkbox"/> | Tax Certification (D) | <input checked="" type="checkbox"/> | Application Fee |
| <input checked="" type="checkbox"/> | Notice to be Served/Published (E) | <input checked="" type="checkbox"/> | Escrow Deposit |
| <input checked="" type="checkbox"/> | Dimensional Statistics Form (F) | <input checked="" type="checkbox"/> | Imaging Fee |
| <input type="checkbox"/> | Contributions Disclosure Form (G) | <input type="checkbox"/> | Tax Map Revision Fee |
| | | <input checked="" type="checkbox"/> | Checklist |

SCHEDULING

8.9.23 Original Submission Date
9.23.23 Completeness Deadline (45 days)
____ Incomplete Date
____ Resubmission Date
____ Date Complete
1.21.24 Time to Act (45/95/120 days)

HEARING

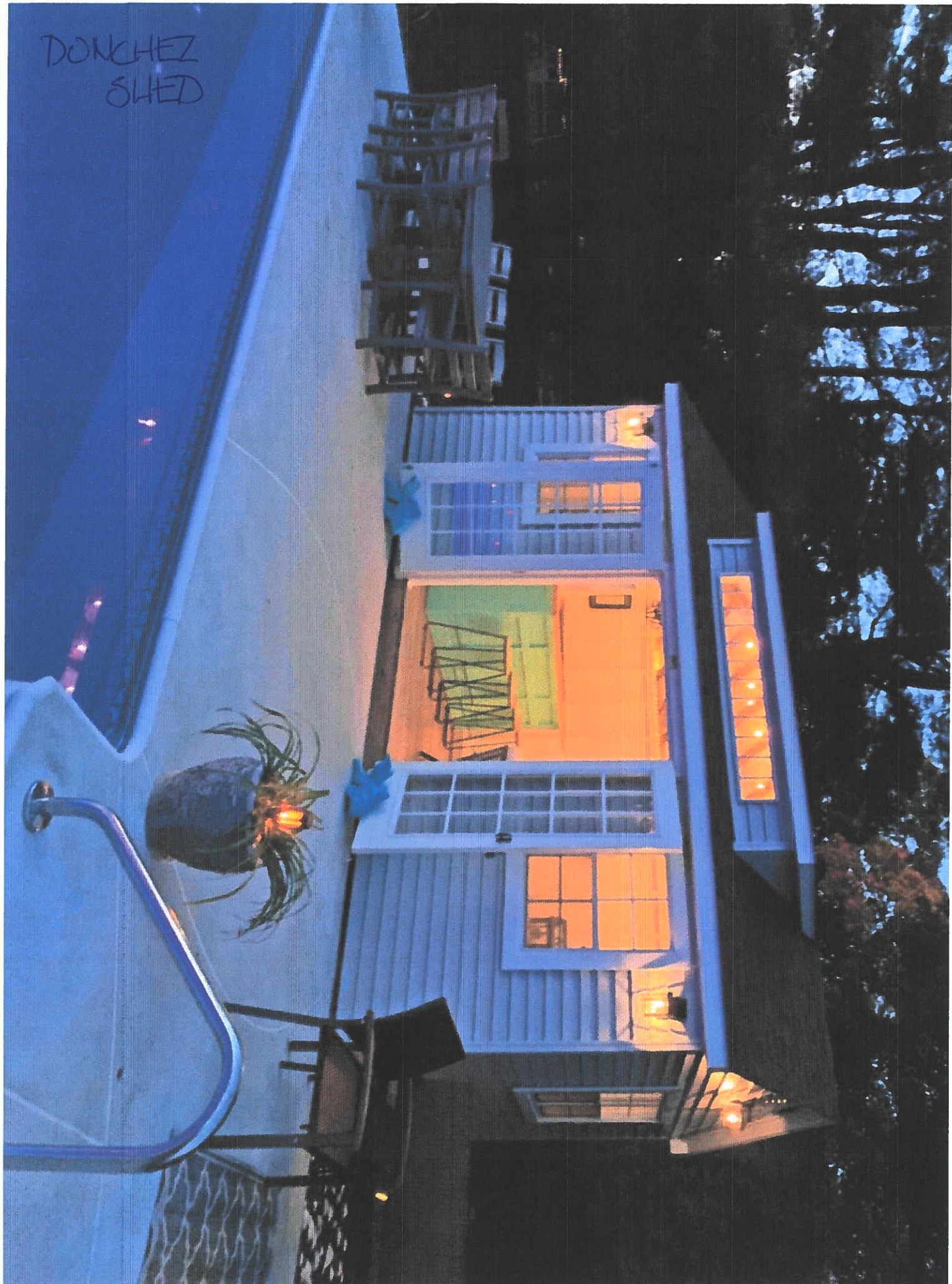
____ Notice to Property Owners
____ Date of Publication
____ Completeness Hearing
11.8.23 Public Hearing
____ Carried to Date
____ Decision - Approved/Denied
____ Resolution Memorialized
____ Resolution Published

DISTRIBUTION

8.9.23 Environmental Comm
____ Fire Official
____ LCFAS
____ Police

NOTES

DONCHEZ
SHED





DONCHEZ PERGOLA

TOWNSHIP OF BERNARDS
ZONING BOARD OF ADJUSTMENT
APPLICATION STATUS FORM

Application No: ZB23-016 Block: 5203 Lot: 13 Zone: R-4

Applicant: DONCHEZ, PETER J. & JULIE L.

Address of Property: 375 GRIST MILL DRIVE

Description: LOT COVERAGE RELIEF TO RENOVATE AN
EXISTING IN-GROUND POOL & PATIO

APPLICATION CHECKLIST

| | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|----------------------------|
| <input checked="" type="checkbox"/> | Original + 16 copies of Application | <input checked="" type="checkbox"/> | Engineering Plan/Plot Plan |
| <input checked="" type="checkbox"/> | W-9 | <input type="checkbox"/> | Architectural Plans |
| <input checked="" type="checkbox"/> | Site Visit Consent (A) | <input checked="" type="checkbox"/> | Survey |
| <input type="checkbox"/> | Ownership Form (B) | <input checked="" type="checkbox"/> | Photographs |
| <input checked="" type="checkbox"/> | 200' Property Search List (C) | <input type="checkbox"/> | Wetlands Report/LOI |
| <input checked="" type="checkbox"/> | Tax Certification (D) | <input checked="" type="checkbox"/> | Application Fee |
| <input checked="" type="checkbox"/> | Notice to be Served/Published (E) | <input checked="" type="checkbox"/> | Escrow Deposit |
| <input checked="" type="checkbox"/> | Dimensional Statistics Form (F) | <input checked="" type="checkbox"/> | Imaging Fee |
| <input type="checkbox"/> | Contributions Disclosure Form (G) | <input type="checkbox"/> | Tax Map Revision Fee |
| | | <input checked="" type="checkbox"/> | Checklist |

SCHEDULING

8.9.23 Original Submission Date
9.23.23 Completeness Deadline (45 days)
____ Incomplete Date
____ Resubmission Date
____ Date Complete
1.21.24 Time to Act (45/95/120 days)

HEARING

____ Notice to Property Owners
____ Date of Publication
____ Completeness Hearing
11.8.23 Public Hearing
____ Carried to Date
____ Decision - Approved/Denied
____ Resolution Memorialized
____ Resolution Published

DISTRIBUTION

8.9.23 Environmental Comm
____ Fire Official
____ LCFAS
____ Police

NOTES

**TOWNSHIP OF BERNARDS
2023 ZONING BOARD OF ADJUSTMENT APPLICATION**

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Bulk or Dimensional ("c") Variance <input type="checkbox"/> Use ("d") Variance <input type="checkbox"/> Conditional Use ("d") Variance <input type="checkbox"/> Floor Area Ratio, Density, or Height ("d") Variance <input type="checkbox"/> Site Plan - Preliminary / Final | <input type="checkbox"/> Appeal of Zoning Officer's Decision <input type="checkbox"/> Interpretation of Zoning Ordinance <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Major Subdivision - Preliminary / Final <input type="checkbox"/> Other (specify): _____ |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

1. APPLICANT: Peter J. & Julie L. Donchez
Address: 375 Grist Mill Dr. Basking Ridge, NJ 07920
Phone: (home) 610-248-5372 (work) _____ (mobile) 610-248-5372
Email (will be used for official notifications): pjdonchez@gmail.com / julie.jacobi@gmail.com

2. OWNER (if different from applicant): _____
Address: _____
Phone: _____ Email (will be used for official notifications): _____

3. ATTORNEY: _____
Address: _____
Phone: _____ Email (will be used for official notifications): _____

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):
Name: CLC Landscape Design Profession: _____
Address: 58 Ringwood Avenue, Ringwood, NJ 07456
Phone: 973-839-6026 Email (will be used for official notifications): office@CLCdesign.com

5. PROPERTY INFORMATION: Block(s): 5203 Lot(s): 13 Zone: R-4
Street Address: 375 Grist Mill Dr. Total Area (square feet/acres): 48,800 sq. ft. / 1.12 acre

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain or attach Board resolution) _____

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain) _____

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY? _____

[] No [X] Yes (if yes, explain) Utility easement - Algonquin Gas Transmission Co.
right of way

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST:

Single family home with pre-existing pool & patio. Proposal is
to renovate pool & patio.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.):

Impervious surface coverage was 20.45% when home was purchased
in 2020. Seeking exception to remodel existing pool & patio.
Re-model reduces coverage to 20.0%.

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION:

Pool & patio require updating in order to upgrade and add
additional safety measures for our 4 children. We are making
every effort to reduce land coverage where possible.

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):

APPLICANT(S) SIGN HERE:

I/we, Peter J. Sanchez and Julie L. Sanchez hereby depose and say that
all of the above statements and the statements contained in the materials submitted herewith are true and
correct.

Signature of Applicant(s): Peter J. Sanchez and Julie L. Sanchez

Sworn and subscribed before me, this 2ND day of AUGUST, 2023

[Signature]
Notary Public - New Jersey
Commission #2442187
Expires 01/10/24

Notary

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property
owners, then the property owner or the additional owners must complete the following:

I/we, _____ the owner(s) of the property described in this application,

hereby authorize _____ to act as my/our agent for purposes of making
and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all
conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

SUBMIT ORIGINAL AND 16 COPIES


FORM A

**TOWNSHIP OF BERNARDS
PLANNING BOARD / BOARD OF ADJUSTMENT**

SITE INSPECTION CONSENT FORM

Applicant: Peter J. & Julie L. Sanchez
Block: 5203 Lot: 13
Street Address: 375 Grist Mill Dr. Basking Ridge, NJ 07920

I, Peter J. & Julie L. Sanchez, owner of the above property, hereby acknowledge that, upon determination of completeness of the application, a site inspection may be scheduled with the Board for a mutually convenient date and time. I hereby authorize members of the Planning Board/Board of Adjustment and their representatives and consultants to enter onto the property at the time of the site inspection for the purpose of evaluating the application.

Signature:  Date: 08/01/2023

SUBMIT 17 COPIES TOTAL

FORM F

DIMENSIONAL STATISTICS

| | REQUIRED | EXISTING | PROPOSED |
|----------------------------------------|---------------------------|------------------------------------------------|----------------|
| LOT AREA | 43,560 sq. ft. | 48,800 sq. ft. | 48,800 sq. ft. |
| LOT WIDTH | 200' | 163' | 163' |
| FRONTAGE | 100' | 156' | 156' |
| FRONT YARD SETBACK | 75' | 116' | 116' |
| REAR YARD SETBACK | 75' | 157' | 157' |
| COMBINED SIDE YARD | 50' | Princ: 787' Access: 750' | No change |
| SIDE YARD | Princ: 20' Access: 15' | Princ: R 42'10" L 42'6" Access: R 30' L 20' | No change |
| COVERAGE | 15% | 20.45% | 20.0% |
| HEIGHT | 35' | < 35' | < 35' |
| IF REQUIRED, GROSS FLOOR AREA | N/A | | |
| IF REQUIRED, FLOOR AREA RATIO | N/A | | |
| IF REQUIRED, IMPROVABLE LOT AREA | N/A | | |

375 Grist Mill Drive, Basking Ridge, NJ 07920 – Photographs of existing pool & patio

East view



West view



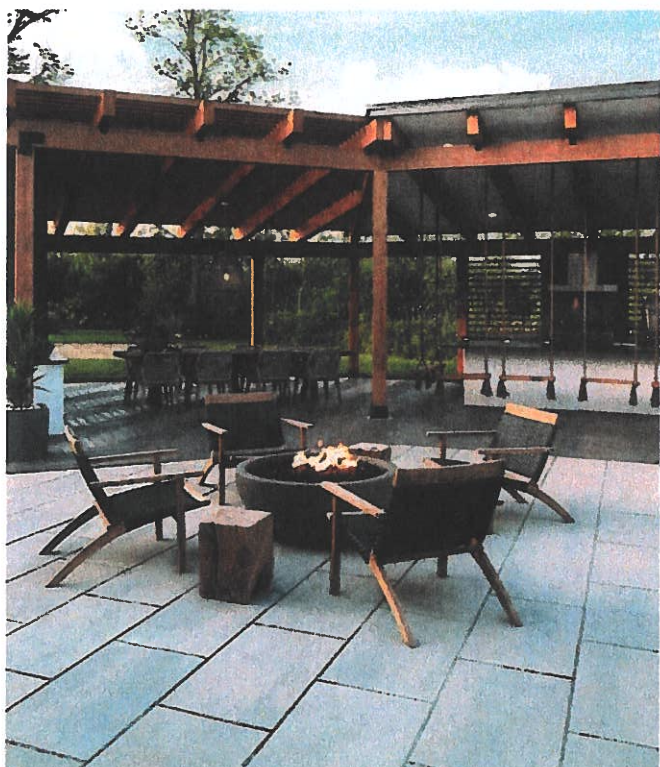
North view



South view (facing house – 375 Grist Mill)



Techo-Bloc Blu Grande Smooth slab in Greyed Nickel



Techo-Bloc Para Greyed Nickel



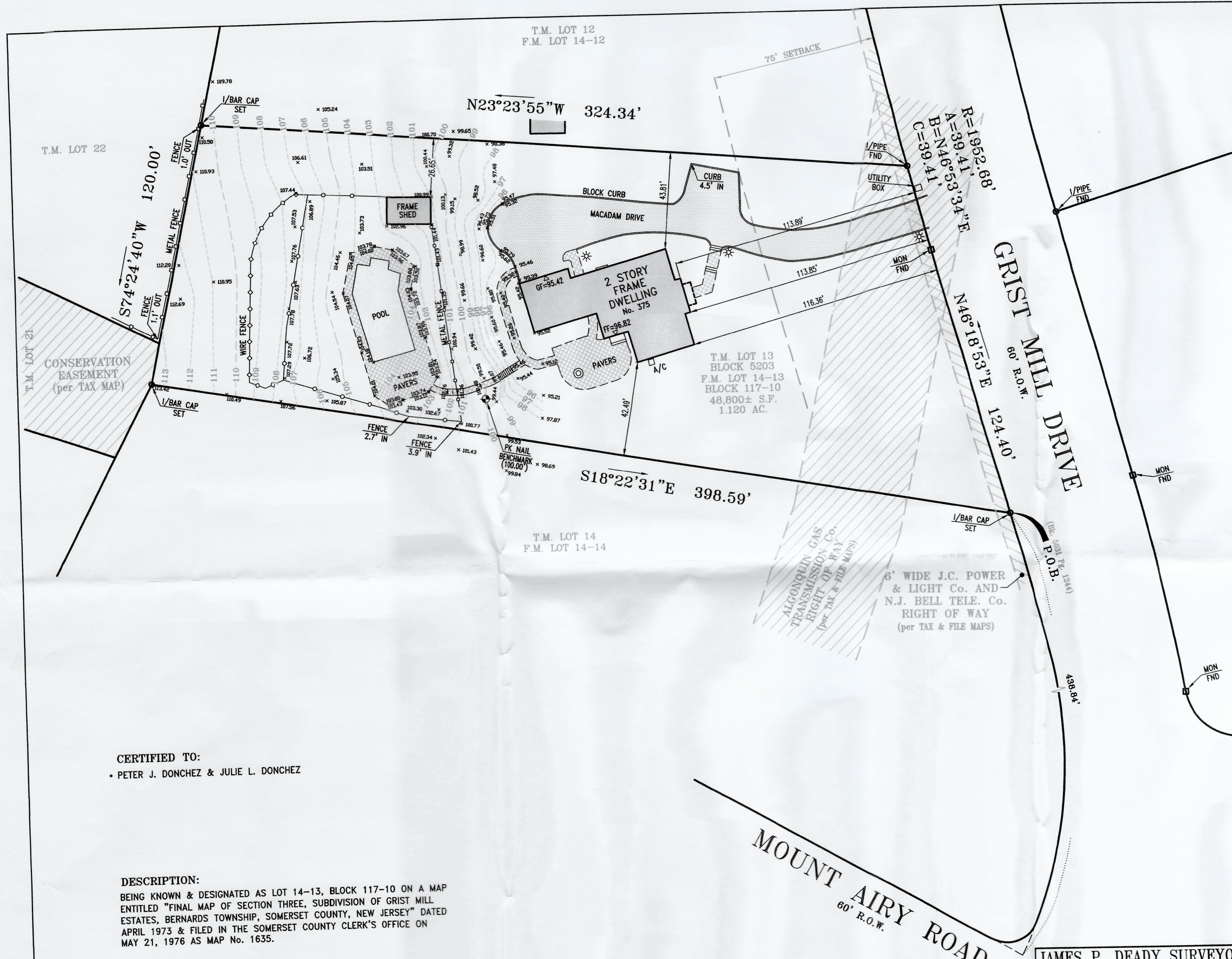
APPENDIX D, ARTICLE III

Checklist

Application for Approval of a Variance Pursuant to NJSA 40:55D-70(c)

Important: Each item must be marked Submitted, Not Applicable or Waiver Requested

| No. | Item | Submitted | Not Applicable | Waiver Requested |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------------|-------------------------|
| 1 | A completed application form and checklist. | X | | |
| 2 | A certificate from the tax collector indicating that taxes are paid. | X | | |
| 3 | All required application and escrow deposit fees. | X | | |
| 4 | Names and addresses of property owners within 200' of the subject property, as disclosed by current tax records and identified by block & lot numbers. | X | | |
| 5 | A plot plan or survey accurately depicting the entire subject property and all existing buildings, structures, driveways, patios, etc. | X | | |
| 6 | Sketch of all proposed improvements on the plot plan or survey, with dimensions of improvements and distances to property lines. | X | | |
| 7 | Calculations of existing & proposed lot coverage percentages. | X | | |
| 8 | Architectural sketches (floor plan and elevations) of the proposed improvements. | X | | |
| 9 | Photographs of the property in the location of the proposed improvements. | X | | |
| 10 | A wetlands delineation or wetlands absence determination prepared by a qualified consultant and verified by a letter of interpretation from the New Jersey Department of Environmental Protection, if required pursuant to Section 21-14.1.a. | | X | |
| 11 | The locations of percolation tests and a copy of the written approval of the tests and locations from the Bernards Township Health Department, if the application involves a new dwelling and sewage disposal is to be handled by an individual septic system. | | X | |
| 12 | Delineation of riparian zones in accordance with Subsection 21-14.4. | | X | |
| 13 | Existing topography, proposed grading, and proposed stormwater infiltration measures in accordance with §21-42.11.b.1, shown on the plot plan or survey, if 1,000sf or more of new impervious area is proposed. | | X | |



CERTIFIED TO:
• PETER J. DONCHEZ & JULIE L. DONCHEZ

DESCRIPTION:
BEING KNOWN & DESIGNATED AS LOT 14-13, BLOCK 117-10 ON A MAP ENTITLED "FINAL MAP OF SECTION THREE, SUBDIVISION OF GRIST MILL ESTATES, BERNARDS TOWNSHIP, SOMERSET COUNTY, NEW JERSEY" DATED APRIL 1973 & FILED IN THE SOMERSET COUNTY CLERK'S OFFICE ON MAY 21, 1976 AS MAP No. 1635.

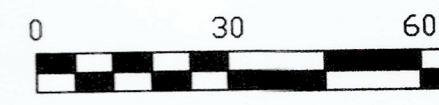
NOTES:
1. THIS SURVEY IS PREPARED SPECIFICALLY FOR THE INDIVIDUAL(S) IN THE TITLE AND/OR CERTIFICATION. THE UNDERSIGNED WILL NOT BE RESPONSIBLE FOR ANY ASSIGNMENT OF THIS SURVEY TO ANY PERSON NOT SO NAMED.
2. SUBJECT TO SUCH STATE OF FACT THAT AN ACCURATE TITLE SEARCH MAY DISCLOSE.
3. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
4. UNDERGROUND UTILITIES ARE NOT DEPICTED. THE LACK OF UTILITY INFORMATION DOES NOT DENY THE EXISTENCE OF SAME. REFERENCE TO THE APPROPRIATE UTILITY AUTHORITY SHOULD BE MADE TO VERIFY THE PRESENCE OR EXISTENCE OF SAME.
5. DEED REFERENCE: BOOK 5031 PAGE 1244, FILED IN THE SOMERSET COUNTY CLERK'S OFFICE.

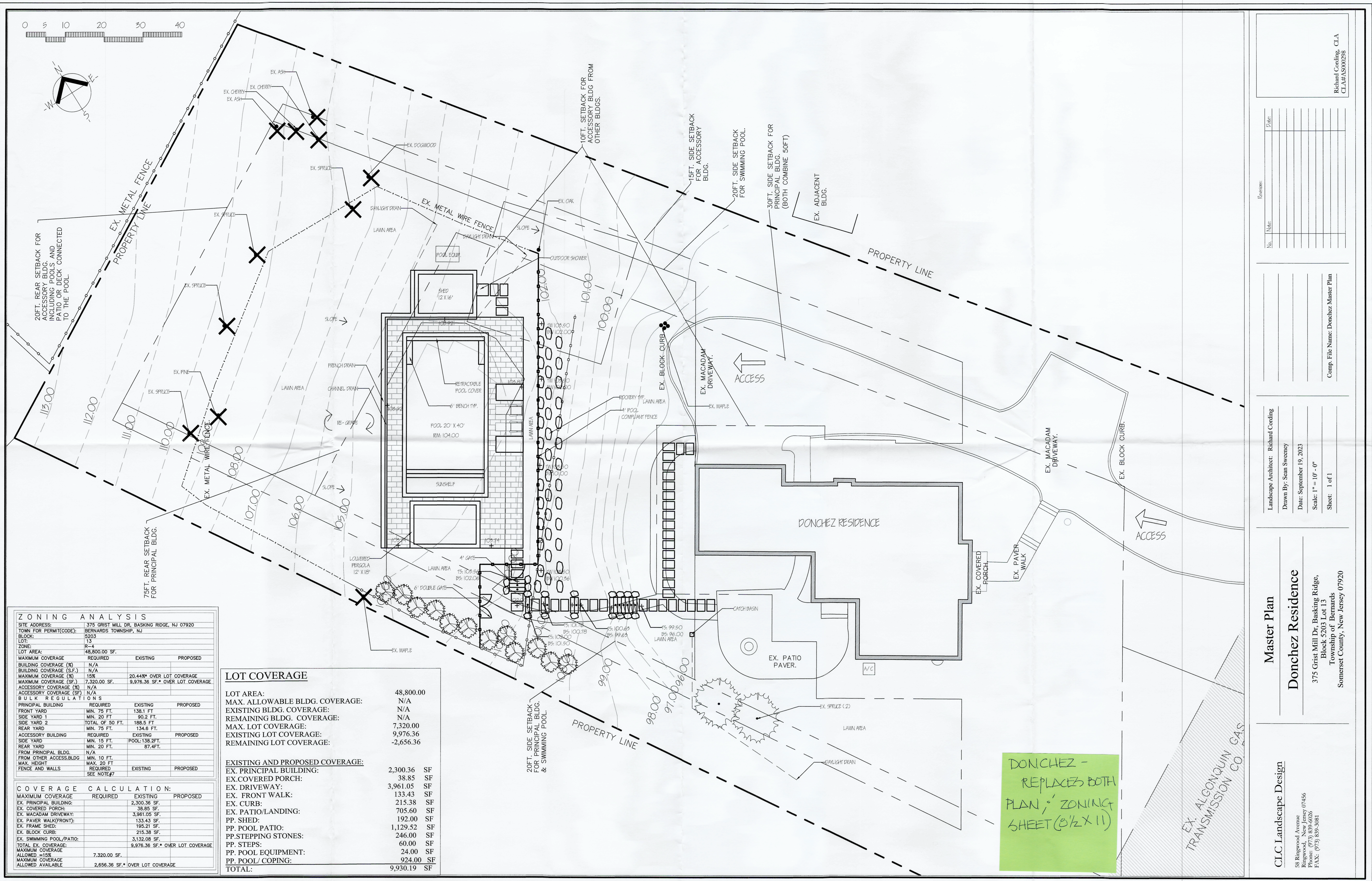
MOUNT AIRY ROAD
60' R.O.W.

JAMES P. DEADY SURVEYOR, LLC
PROFESSIONAL LAND SURVEYING SERVICES
295 ROUTE 22 EAST, ONE SALEM SQUARE
SUITE 202 WEST
WHITEHOUSE STATION, NJ 08889
(908) 534-0145 (908) 534-0147 FAX

| REVISIONS | DATE | Scale: 1"=30' |
|--------------------|---------|-------------------|
| TOPOGRAPHIC SURVEY | 4-24-23 | Date: 8-21-20 |
| | | Dwn. By: J.A. |
| | | Chk'd By: J.C.R. |
| | | FILE# 1802-1277-2 |
| | | BK 409 PG 62 |

PARTIAL TOPOGRAPHIC
of
TAX LOT 13-
LOCATED
TOWNSHIP OF
SOMERSET COUNTY
BY: *John C. Ritt*
John C. Ritt N.J.P.L.S.
Certified





| ZONING ANALYSIS | | | |
|----------------------------------------------------------|-----------------|---------------------------------|----------|
| SITE ADDRESS: 375 GRIST MILL DR, BASKING RIDGE, NJ 07920 | | | |
| TOWN FOR PERMIT(CODE): BERNARDS TOWNSHIP, NJ | | | |
| BLOCK: | 5203 | | |
| LOT: | 13 | | |
| ZONE: | R-4 | | |
| LOT AREA: | 48,800.00 SF. | | |
| MAXIMUM COVERAGE | REQUIRED | EXISTING | PROPOSED |
| BUILDING COVERAGE (%) | N/A | | |
| BUILDING COVERAGE (S.F.) | N/A | | |
| MAXIMUM COVERAGE (%) | 15% | 20.44%* OVER LOT COVERAGE | |
| MAXIMUM COVERAGE (S.F.) | 7,320.00 SF. | 9,976.36 SF.* OVER LOT COVERAGE | |
| ACCESSORY COVERAGE (%) | N/A | | |
| ACCESSORY COVERAGE (S.F.) | N/A | | |
| B U I L D I N G R E G U L A T I O N S | | | |
| PRINCIPAL BUILDING | REQUIRED | EXISTING | PROPOSED |
| FRONT YARD | MIN. 75 FT. | 138.1 FT. | |
| SIDE YARD 1 | MIN. 20 FT. | 90.2 FT. | |
| SIDE YARD 2 | TOTAL OF 50 FT. | 188.5 FT. | |
| REAR YARD | MIN. 75 FT. | 134.6 FT. | |
| ACCESSORY BUILDING | REQUIRED | EXISTING | PROPOSED |
| SIDE YARD | MIN. 15 FT. | POOL: 138.2 FT. | |
| REAR YARD | MIN. 20 FT. | 87.4 FT. | |
| FROM PRINCIPAL BLDG. | N/A | | |
| FROM OTHER ACCESS.BLDG. | MIN. 10 FT. | | |
| MAX. HEIGHT | MAX. 20 FT | | |
| FENCE AND WALLS | REQUIRED | EXISTING | PROPOSED |
| | SEE NOTE#7 | | |

| COVERAGE CALCULATION: | | | |
|------------------------------------|---------------------------------|---------------------------------|----------|
| MAXIMUM COVERAGE | REQUIRED | EXISTING | PROPOSED |
| EX. PRINCIPAL BUILDING: | | 2,300.36 SF. | |
| EX. COVERED PORCH: | | 38.85 SF. | |
| EX. MACADAM DRIVEWAY: | | 3,961.05 SF. | |
| EX. PAVEMENT WALK(FRONT): | | 133.43 SF. | |
| EX. FRAME SHED: | | 195.21 SF. | |
| EX. BLOCK CURB: | | 215.38 SF. | |
| EX. SWIMMING POOL/PATIO: | | 3,132.08 SF. | |
| TOTAL EX. COVERAGE: | | 9,976.36 SF.* OVER LOT COVERAGE | |
| MAXIMUM COVERAGE ALLOWED =15% | 7,320.00 SF. | | |
| MAXIMUM COVERAGE ALLOWED AVAILABLE | 2,656.36 SF.* OVER LOT COVERAGE | | |

| LOT COVERAGE | | |
|--------------------------------|--|-----------|
| LOT AREA: | | 48,800.00 |
| MAX. ALLOWABLE BLDG. COVERAGE: | | N/A |
| EXISTING BLDG. COVERAGE: | | N/A |
| REMAINING BLDG. COVERAGE: | | N/A |
| MAX. LOT COVERAGE: | | 7,320.00 |
| EXISTING LOT COVERAGE: | | 9,976.36 |
| REMAINING LOT COVERAGE: | | -2,656.36 |

| EXISTING AND PROPOSED COVERAGE: | | |
|---------------------------------|----------|----|
| EX. PRINCIPAL BUILDING: | 2,300.36 | SF |
| EX. COVERED PORCH: | 38.85 | SF |
| EX. DRIVEWAY: | 3,961.05 | SF |
| EX. FRONT WALK: | 133.43 | SF |
| EX. CURB: | 215.38 | SF |
| EX. PATIO/LANDING: | 705.60 | SF |
| PP. SHED: | 192.00 | SF |
| PP. POOL PATIO: | 1,129.52 | SF |
| PP. STEPPING STONES: | 246.00 | SF |
| PP. STEPS: | 60.00 | SF |
| PP. POOL EQUIPMENT: | 24.00 | SF |
| PP. POOL/COPING: | 924.00 | SF |
| TOTAL: | 9,930.19 | SF |

DONICHEZ - REPLACES BOTH PLAN, ZONING SHEET (8 1/2 X 11)

CLC Landscape Design

58 Ringwood Avenue
Ringwood, New Jersey 07456
Phone: (973) 839-6026
FAX: (973) 839-3081

Master Plan

Donchez Residence

375 Grist Mill Dr, Basking Ridge,
Block 5203 Lot 13
Township of Bernards
Somerset County, New Jersey 07920

Landscape Architect: Richard Cording

Drawn By: Sean Sweeney

Date: September 19, 2023

Scale: 1" = 10' - 0"

Sheet: 1 of 1

Comp. File Name: Donchez Master Plan

Richard Cording, CLA
CLA#AS000298

EC

TOWNSHIP OF BERNARDS
ZONING BOARD OF ADJUSTMENT
APPLICATION STATUS FORM

Application No: ZB23-017 Block: 2001 Lot: 4.02 Zone: R-2

Applicant: JAIN, ARPIT & SHIKHA

Address of Property: 29 SPRUCE STREET

Description: INSTALLATION OF AN IN-GROUND POOL
NOT LOCATED BEHIND THE REAR BUILDING
LINE OF AN ADJACENT DWELLING

APPLICATION CHECKLIST

| | |
|-------------------------------------------------------------------------|----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Original + 16 copies of Application | <input checked="" type="checkbox"/> Engineering Plan/Plot Plan |
| <input checked="" type="checkbox"/> W-9 | <input type="checkbox"/> Architectural Plans |
| <input checked="" type="checkbox"/> Site Visit Consent (A) | <input checked="" type="checkbox"/> Survey |
| <input type="checkbox"/> Ownership Form (B) | <input checked="" type="checkbox"/> Photographs |
| <input checked="" type="checkbox"/> 200' Property Search List (C) | <input type="checkbox"/> Wetlands Report/LOI |
| <input checked="" type="checkbox"/> Tax Certification (D) | <input checked="" type="checkbox"/> Application Fee |
| <input checked="" type="checkbox"/> Notice to be Served/Published (E) | <input checked="" type="checkbox"/> Escrow Deposit |
| <input checked="" type="checkbox"/> Dimensional Statistics Form (F) | <input checked="" type="checkbox"/> Imaging Fee |
| <input type="checkbox"/> Contributions Disclosure Form (G) | <input type="checkbox"/> Tax Map Revision Fee |
| | <input checked="" type="checkbox"/> Checklist |

SCHEDULING

8.23.23 Original Submission Date
10.7.23 Completeness Deadline (45 days)
____ Incomplete Date
____ Resubmission Date
____ Date Complete
2.4.24 Time to Act (45/95/120 days)

HEARING

____ Notice to Property Owners
____ Date of Publication
____ Completeness Hearing
11.8.23 Public Hearing
____ Carried to Date
____ Decision - Approved/Denied
____ Resolution Memorialized
____ Resolution Published

DISTRIBUTION

8.23.23 Environmental Comm
____ Fire Official
____ LCFAS
____ Police

NOTES

**TOWNSHIP OF BERNARDS
2023 ZONING BOARD OF ADJUSTMENT APPLICATION**

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><input type="checkbox"/> Bulk or Dimensional ("c") Variance <input type="checkbox"/> Use ("d") Variance <input type="checkbox"/> Conditional Use ("d") Variance <input type="checkbox"/> Floor Area Ratio, Density, or Height ("d") Variance <input type="checkbox"/> Site Plan - Preliminary / Final</p> | <p><input type="checkbox"/> Appeal of Zoning Officer's Decision <input type="checkbox"/> Interpretation of Zoning Ordinance <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Major Subdivision - Preliminary / Final <input type="checkbox"/> Other (specify): _____</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

1. APPLICANT: ARPIT JAIN, SHIKHA JAIN
Address: 29 SPRUCE ST, BASKING RIDGE, NJ 07920
Phone: (home) _____ (work) _____ (mobile) 612 770 0449
Email (will be used for official notifications): Jainarpit1030@gmail.com

2. OWNER (if different from applicant): _____
Address: _____
Phone: _____ **Email (will be used for official notifications):** _____

3. ATTORNEY: _____
Address: _____
Phone: _____ **Email (will be used for official notifications):** _____

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):
Name: Jeff Tierno **Profession:** Pool design & Construction
Address: 18 Acorn Street, Totowa NJ 07512
Phone: 973 942 1211 **Email (will be used for official notifications):** Jeff@poolsbydesignnj.com

5. PROPERTY INFORMATION: Block(s): 2001 Lot(s): 4.02 Zone: R2
Street Address: 29 SPRUCE ST **Total Area (square feet/acres):** 5000 / 3.5 Acres

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain or attach Board resolution) _____

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain) _____

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?
02/06/19 Bernards Township Zoning Board of Adjustment Page 1 of 2

☒ No [] Yes (if yes, explain) _____

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST: _____

Building a 800 Sq foot, 18x40 rectangle pool, and
covered patio in the backyard of the property.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.): _____

Relief for Section 21.18.1. Pool must be located behind
rear building lines of adjacent dwellings

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: _____

Because of orientation of lot 24 & lot 26, cannot conform to
being on the curve

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):

APPLICANT(S) SIGN HERE:

I/we, [Signature] and [Signature] hereby depose and say that
all of the above statements and the statements contained in the materials submitted herewith are true and
correct.

Signature of Applicant(s): _____ and _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property
owners, then the property owner or the additional owners must complete the following:

I/we, _____ the owner(s) of the property described in this application,

hereby authorize _____ to act as my/our agent for purposes of making
and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all
conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

SUBMIT 17 COPIES TOTAL

DIMENSIONAL STATISTICS

| | REQUIRED | EXISTING | PROPOSED |
|----------------------------------------|----------|-----------|-----------|
| LOT AREA | 2 Acres | 3.5 Acres | 3.5 Acres |
| LOT WIDTH | 250 | N/A | N/A |
| FRONTAGE | 125 | N/A | N/A |
| FRONT YARD SETBACK | 100 | 100.6 | 100.6 |
| REAR YARD SETBACK | 100 | 342.8 | 329.8 |
| COMBINED SIDE YARD | 100 | 145.4 | 140.8 |
| SIDE YARD | 50 | 72.5 | 67.9 |
| COVERAGE | 15.1% | 4.921% | 6.91% |
| HEIGHT | N/A | N/A | N/A |
| IF REQUIRED, GROSS FLOOR AREA | N/A | N/A | N/A |
| IF REQUIRED, FLOOR AREA RATIO | N/A | N/A | N/A |
| IF REQUIRED, IMPROVABLE LOT AREA | N/A | N/A | N/A |





29 Spruce St Backyard views from different angles

12

APPENDIX D, ARTICLE III

Checklist

Application for Approval of a Variance Pursuant to NJSA 40:55D-70(c)

Important: Each item must be marked Submitted, Not Applicable or Waiver Requested

| No. | Item | Submitted | Not Applicable | Waiver Requested |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------|------------------|
| 1 | A completed application form and checklist. | ✓ | | |
| 2 | A certificate from the tax collector indicating that taxes are paid. | ✓ | | |
| 3 | All required application and escrow deposit fees. | ✓ | | |
| 4 | Names and addresses of property owners within 200' of the subject property, as disclosed by current tax records and identified by block & lot numbers. | ✓ | | |
| 5 | A plot plan or survey accurately depicting the entire subject property and all existing buildings, structures, driveways, patios, etc. | ✓ | | |
| 6 | Sketch of all proposed improvements on the plot plan or survey, with dimensions of improvements and distances to property lines. | ✓ | | |
| 7 | Calculations of existing & proposed lot coverage percentages. | ✓ | | |
| 8 | Architectural sketches (floor plan and elevations) of the proposed improvements. | ✓ | | |
| 9 | Photographs of the property in the location of the proposed improvements. | ✓ | | |
| 10 | A wetlands delineation or wetlands absence determination prepared by a qualified consultant and verified by a letter of interpretation from the New Jersey Department of Environmental Protection, if required pursuant to Section 21-14.1.a. | | ✓ | |
| 11 | The locations of percolation tests and a copy of the written approval of the tests and locations from the Bernards Township Health Department, if the application involves a new dwelling and sewage disposal is to be handled by an individual septic system. | | ✓ | |
| 12 | Delineation of riparian zones in accordance with Subsection 21-14.4. | | ✓ | |
| 13 | Existing topography, proposed grading, and proposed stormwater infiltration measures in accordance with §21-42.11.b.1, shown on the plot plan or survey, if 1,000sf or more of new impervious area is proposed. | | ✓ | |

SUBMIT ORIGINAL AND 16 COPIES

FORM A

**TOWNSHIP OF BERNARDS
PLANNING BOARD / BOARD OF ADJUSTMENT**

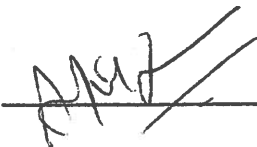
SITE INSPECTION CONSENT FORM

Applicant: ARPIT JAIN

Block: 2001 Lot: 4.02

Street Address: 29 SPRUCE ST, BASKING RIDGE, NJ 07920

I, Arpit Jain, owner of the above property, hereby acknowledge that, upon determination of completeness of the application, a site inspection may be scheduled with the Board for a mutually convenient date and time. I hereby authorize members of the Planning Board/Board of Adjustment and their representatives and consultants to enter onto the property at the time of the site inspection for the purpose of evaluating the application.

Signature:  Date: 8/13/23

BERNARDS TOWNSHIP PLANNING BOARD

**JAMES MARTIN AND LOIS BERMAN
BLOCK 2001, LOT 4
35 SPRUCE STREET**

APPLICATION NO. PB19-006

**RESOLUTION MEMORIALIZING GRANT OF "C(1)" AND "C(2)" VARIANCES, A
STATUTORY PLANNING VARIANCE, AND MINOR SUBDIVISION APPROVAL**

WHEREAS, James Martin and Lois Berman (the "**applicant**") are the owners of certain property located in the Township of Bernards (the "**Township**") having an address of 35 Spruce Street and being designated on the Township tax maps as Block 2001, Lot 4 ("**property**"), and the property is a 7.5-acre lot situated in the R-2 Residential zone district (the "**R-2 zone**") and is developed with a single family residential dwelling (the "**existing dwelling**") located in the front, southeasterly portion, of the property, a barn (the "**barn**") and a shed (the "**shed**") located in the rear, westerly portion, of the property;

WHEREAS, the applicant submitted an application dated November 27, 2019 (the "**application**") to the Bernards Township Planning Board (the "**Board**") seeking minor subdivision approval and "c(1)" and "c(2)" variance relief to allow the subdivision of the property to create a 4.044 acre southerly lot containing the existing dwelling and the barn ("**proposed lot 4.01**") and a 3.58 acre northerly lot containing a proposed new dwelling (the "**proposed dwelling**") and the shed ("**proposed lot 4.02**") (the "**proposed subdivision**");

WHEREAS, the Board has exclusive subject matter jurisdiction over the application pursuant to N.J.S.A. 40:55D-20 by virtue of N.J.S.A. 40:55D-47, 60 and 70;

WHEREAS, a number of documents were submitted with regard to the application by the applicant, Board and Township experts and officials, all of which documents are on file with the Board and are part of the record in this matter, and the following are the latest versions of the plans, drawings and documents for which Board approval is sought, which plans, drawings and documents have been on file and available for public inspection for at least 10 days prior to the hearing on the application in accordance with N.J.S.A. 40:55D-10b:

1. Minor Subdivision Plans (5 sheets) prepared by Yannaccone, Villa & Aldrich, LLC dated October 28, 2019, revised May 1, 2020 (the "**site plans**").

WHEREAS, the Board held a public hearing on the application commencing on August 18, 2020, continuing on September 8, 2020, and concluding December 8, 2020, with proofs of publication and services of notices of the hearing being submitted to and on file with the Board, thereby conferring procedural jurisdiction over the application with the Board, during which hearing the applicant was represented by Frederick B. Zelle, Esq. and the Board was represented by Jonathan E. Drill, Esq.;

WHEREAS, the following individuals testified during the hearing on the application, were subject to cross examination, and the testimony is part of the record in this matter:

1. James Martin (co-applicant),
2. Rudy Holzman, PE (applicants' engineering expert),
3. David Banisch, PP (Board's planning expert),
4. David Schley, PP (Township planner),
5. Peter McNally (interested property owner),
6. Catherine Kirkwood (interested property owner), and
7. Randy Santoro (interested property owner);

WHEREAS, the following exhibits were entered into evidence during the hearing and are part of the record:

- A-1 Aerial map of the subject area with a parcel overlay, and
- A-2 Blocks / lots shown in the 500-foot buffer area;

WHEREAS, AFTER CONSIDERING THE APPLICATION, DOCUMENTS ON FILE WITH THE BOARD, TESTIMONY AND EXHIBITS REFERENCED ABOVE, AND GIVING APPROPRIATE WEIGHT TO SAME, AND BASED ON ITS UNDERSTANDING OF THE APPLICABLE LAW, THE BOARD MAKES THE FOLLOWING FACTUAL FINDINGS AND LEGAL CONCLUSIONS FOR THE PURPOSE OF MEMORIALIZING IN A WRITTEN RESOLUTION IN ACCORDANCE WITH N.J.S.A. 40:55D-10g(2) ITS ACTION IN GRANTING THE APPLICATION SUBJECT TO CONDITIONS AS SET FORTH BELOW:

A. FACTUAL FINDINGS

1. **The Property, Zoning and Existing Development.** As set forth above, the property is 7.5 acres in size and is situated in the R-2 zone. The property is located between the westerly terminus of Spruce Street and the northbound lanes of Route 287. Single family residential dwellings are principal permitted uses in the R-2 zone and barns and shed are permitted accessory uses in the R-2 zone. As set forth above, the existing dwelling is located in the front, southeasterly portion, of the property, and the barn and shed are located in the rear, westerly portion, of the property. Spruce Street is a 600 +/- foot long paved public street contained within a 50-foot wide right of way which terminates at the property's easterly boundary. The westerly end of the Spruce Street right-of-way provides 25 feet of public street frontage to the property and 25 feet of public street frontage to an adjoining lot. At the end of the public right-of-way, the roadway continues for another 850 +/- feet as a private gravel driveway within a 50-foot-wide easement located partly on the property. This private common driveway provides access to the existing dwelling on the property and to three other dwellings located on adjoining lots 3, 3.01 and 25.

2. **The Application and Necessary Relief.** As set forth above, the application requests minor subdivision approval with "c" variances to divide the property to

create proposed lot 4.01, a southerly 4.044-acre lot containing the existing dwelling and the barn, and proposed lot 4.02, a northerly 3.458-acre lot, containing the proposed dwelling and the shed. Proposed lot 4.02 includes the existing 25 feet of public street frontage, while lot 4.01 maintains frontage on the private access easement. The application requests "c" variances to allow the following deviations from the following zoning ordinance regulations and the Board determined that the deviations should be considered under the following "c" variance rubrics. First, a "c(1)" or so-called "hardship" variance relief from ordinance section 21-15.1.d.1 / Table 501 as to minimum front yard for lot 4.01, where 100 feet is required, 40.5 feet currently exists to the south, and 76.3 feet currently exists to the east, measured from the access easement. Second, a "c(2)" or "benefits v. detriments" variance from ordinance section 21-21.2.a which requires all lots to have frontage on a public street unless development occurs under the PRD provisions of the ordinance or unless specifically provided for elsewhere in this chapter. Third, a so-called "statutory planning" variance pursuant to N.J.S.A. 40:55D-36 from N.J.S.A. 40:55D-35, which requires that all building lots abut a fully improved street, and proposed lot 4.01 does not front on a public street but will only have frontage on a private access easement. Fourth, a "c(2)" variance from ordinance section 21-15.1.d.1 / Table 501 as to minimum lot frontage for lot 4.01 where 125 feet is required, 25 feet exists for lot 4, and 0 feet is proposed for lot 4.01 along a public right of way and 775.8 feet is proposed for lot 4.01 along a private access easement. Fifth, a "c(2)" variance from ordinance section 21-15.1.d.1 / Table 501 as to minimum lot frontage for lot 4.02 where 125 feet is required and 25 feet is proposed along a public right of way and 125.2 feet is proposed along a private access easement.

3. **The "C(1)" Front Yard Setback Variance to Allow the Existing Dwelling to Remain After Subdivision.** The Board's findings are as follows as to the "c(1)" variance from ordinance section 21-15.1.d.1 / Table 501 as to minimum front yard for lot 4.01 where 100 feet is required, 40.5 feet exists to the south and 76.3 feet exists to the east, measured from the access easement, to allow the existing dwelling to remain after subdivision.

a. **Positive Criteria of the "C(1)" Variance.** As to the positive criteria of the "c(1)" variance as to the front yard setback of the existing dwelling, the Board finds that the location of the existing dwelling is an extraordinary and exceptional condition affecting the property in that its location is a lawfully created pre-existing condition. The Board specifically finds and notes that, at the time of the initial approval and construction of the existing dwelling, the front yard setback regulation was 75 feet. Thus, the existing 76.3 easterly front yard setback (which is the actual front of the existing dwelling) was in fact compliant with the ordinance regulation at that time. The Board finds that requiring the applicant to relocate the existing dwelling to comply with the front yard setback regulation would be unreasonable under the circumstances and would result in exceptional and undue hardship upon the applicant. As such, the Board finds that "c(1)" variance relief is warranted to allow the existing dwelling to remain in its existing location after subdivision, but subject to satisfaction of the negative criteria.

b. **Negative Criteria of the "C(1)" Variance.** As to the first prong of the negative criteria of the "c(1)" variance, the Board finds that the location of the existing dwelling after subdivision will not create any substantial negative impacts because the existing dwelling's location has resulted in no negative impacts to neighbors in the past so is not expected

to result in any negative impacts to neighboring property owners in the future. As to the second prong of the negative criteria, provided that the conditions set forth below are imposed and complied with, the Board finds that the “c(1)” variance can be granted without substantial impairment of the intent and purpose of the master plan and zoning ordinance because the deviation is an existing condition which will not be exacerbated and that the proposed subdivision overall results in a reasonable and functional division and use of the property.

4. **Findings as to the “C(2)” Variances from the Requirement as to Frontage on a Public Street and Lot Frontage Requirements of the R-2 Zone to Allow the Proposed Subdivision.** As set forth above, the applicant requested a “c(2)” variance from ordinance section 21-21.2.a, which requires that all lots shall have frontage on a public street unless development occurs under the PRD provisions of the ordinance or unless specifically provided for elsewhere in the ordinance. The applicant also requested a “c(2)” variance from ordinance section 21-15.1.d.1 / Table 501 as to minimum lot frontage for lot 4.01 where 125 is required and 0 feet is proposed along a public right of way and 775.8 feet is proposed along a private access easement and for lot 4.02 where 25 is proposed along a public right of way and 125.2 feet is proposed along a private access easement. The Board’s findings as to the positive and negative criteria of these “c(2)” variances to allow the proposed subdivision are as follows:

a. **Findings as to the Positive Criteria of the “C(2)” Variances as to Frontage on a Public Street and as to Minimum Lot Frontage.** Provided that the conditions set forth below are imposed and complied with, the Board finds for the following reasons that “c(2)” variances to allow the deviations from the frontage on a public street and minimum lot frontage requirements can and should be granted. First, the Board finds and notes that lot 4 is significantly larger than all the other lots in the R-2 Zone (which provides a minimum lot size of two acres) and that by subdividing the property into two (2) smaller properties, it would bring the subject lots closer in conformance to the other lots in that zone. Second, the Board finds that the applicant’s proposal results in a subdivision where the lots have frontage along a private access easement thus, along with the public street frontage for proposed lot 4.02, still maintain sufficient access to and from the lots. In addition, the Board finds that proposed lot 4.01, which would have no public street frontage, would still have significant frontage on the private driveway/access easement and that the driveway would be at maximum capacity, with the private driveway providing a more rural look, which is in character with the larger R-2 lots. As such, the Board finds that granting the “c(2)” variances to allow the proposed subdivision promotes the purposes of zoning set forth in the MLUL, specifically N.J.S.A. 40:55D-2a (promoting the public health, safety, and general welfare) since the proposed subdivision provides for appropriate lot sizes in the zone, N.J.S.A. 40:55D-2e (promoting the establishment of appropriate population densities) and N.J.S.A. 40:55D-2g (providing sufficient space for residential uses) since the proposed subdivision makes use of the property for appropriately sized residential development. The Board finds that the proposed subdivision provides for a more functional and aesthetically pleasing design overall, particularly since the applicant could have developed the property into three separate lots. In this regard, the Board notes that the applicant has agreed to the recording of a restrictive covenant / deed restriction prohibiting any further subdivision of either of the lots in the future. Finally, in light of the public welfare benefits resulting from the proposed subdivision, the Board finds that these zoning benefits are community wide benefits and not simply a private benefit to the applicant.

Therefore, provided that the conditions set forth below are imposed and complied with, the Board finds that the zoning benefits resulting from the grant of the "c(2)" variances will substantially outweigh any detriment.

b. **Findings as to the Negative Criteria of the "C(2)" Variances as to Frontage on a Public Street and as to Minimum Lot Frontage.** Provided that the conditions set forth below are imposed and complied with, the Board finds that the "c(2)" variances as to frontage on a public street and as to minimum lot frontage can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the master plan and zoning ordinance for the following reasons. First, the Board finds that there will be no negative impacts resulting from deviating from the required street frontage primarily due to the fact that existing conditions are such that lot 4 already deviates from such requirements and is presently developed with a residential dwelling and associated uses. The Board further recognizes and finds that the proposed subdivision will continue to maintain access to lot 4.01 through the easement, while lot 4.02 would have access from the end of Spruce Street, thus not creating any significant negative impacts in this regard. The Board also finds that the size of the property at 7.5 acres can accommodate the proposed subdivision without creating significant negative impacts to neighboring properties, and that the addition of the new, second lot will not result in any negative visual, operational, nuisance or other impacts, provided the conditions set forth herein below are imposed. Second, the Board finds that the grant of the variances will not impair the intent or purpose of the master plan and zoning ordinance, particularly in light of the fact that the application presents a more efficient design for the property overall. The Board finds and notes that the 2010 Master Plan specifically incorporates the purposes of the MLUL, and the Board finds that the proposed subdivision is consistent with Master Plan goals, including as to promoting appropriate population densities that will contribute to the well-being of the neighborhood, maintaining rural and agricultural environments and providing sufficient space in appropriate locations. As such, the Board finds that the variances can be granted to allow the deviations without substantially impairing the intent and purpose of the master plan and zoning ordinance.

5. **Findings as to Statutory Planning Variance from the Requirement in the MLUL that all Building Lots Abut a Fully Improved Street.** As set forth above, the applicant requested a so-called planning variance pursuant to N.J.S.A. 40:55D-36 from N.J.S.A. 40:55D-35, which requires that all building lots abut a fully improved street, and proposed lot 4.01 does not front on a public street but will only have frontage on a private access easement. The Board's findings as to the statutory planning variance are as follows. The Board finds that the circumstances of this case do not require the building or structure to be related to a street based on the fact that the existing private access drive currently serves four (4) dwellings without any problems and/or safety issues and the addition of the proposed dwelling is not expected to create any problems and/or safety issues in the future provided that the following condition is imposed and complied with. The Board does require as a condition of approval, however, that the access drive be widened to a minimum of 18-feet and a maximum of 20-feet with stone and/or pavement material to the satisfaction of the Township Engineer to ensure adequate and safe access for firefighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety.

6. **Findings as to Minor Subdivision Review.** The Board's findings as to minor subdivision review and approval are as follows. With the exception of the variances that have been requested, the Board finds that the documents referenced above will comply with all other applicable zoning ordinance regulations and all applicable subdivision ordinance requirements, provided that the conditions set forth below are imposed and complied with. For the foregoing reasons, the Board's ultimate finding is that minor subdivision approval is warranted provided that the conditions set forth below are imposed and complied with.

B. CONCLUSIONS OF LAW

1. **The "C(1)" Front Yard Setback Variance to Allow the Existing Dwelling to Remain After Subdivision.** As set forth above, there exists a lawfully created nonconforming front yard setback deviation relative to the existing dwelling, which condition will remain as part of the proposed subdivision. The Board's conclusions as to the "c(1)" front yard setback variance to allow the existing dwelling to remain where located after the proposed subdivision are as follows.

a. **Standards Applicable to Review of the "C(1)" Variance.** The Board has the power to grant "c(1)" or so-called "hardship" variances from zoning ordinance regulations pursuant to N.J.S.A. 40:55D-70c(1) where "(a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, (b) or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structure lawfully existing thereon, the strict application of any regulations...would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property." The "hardship" that the applicant must prove is not inutility, meaning that without the variance the property would be zoned into inutility. Inutility caused by a zoning regulation would require a variance to avoid an unconstitutional taking of the property. The Board may – but is not required to – grant a "c(1)" variance where the hardship at issue is not confiscatory but, rather, inhibits "the extent" to which the property can be used. Lang v. North Caldwell Board of Adjustment, 160 N.J. 41, 54-55 (1999). It must be noted that a hardship variance is not available for intentionally created situations as constituting "self-created" hardship. Commons v. Westwood Board of Adj., 81 N.J. 597, 606 (1980); Chirichello v. Monmouth Park Board of Adj., 78 N.J. 544, 553 (1979), and/or for mistakes. Deer-Glen Estates v. Borough of Fort Lee, 39 N.J. Super. 380, 386 (App. Div. 1956). Neither is a hardship variance available to relieve "personal hardship" of the owner, financial or otherwise. Jock v. Wall Township Zoning Board of Adj., 184 N.J. 562, 590 (2005). Finally, the Board may not exercise its power to grant a "c(1)" variance otherwise warranted, however, unless the so-called "negative criteria" has been satisfied. Pursuant to the last unlettered paragraph of N.J.S.A. 40:55D-70: "No variance or other relief may be granted ... without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance." The phrase "zone plan" as used in the N.J.S.A. 40:55D-70 means master plan. Medici v. BPR Co., 107 N.J. 1, 4, 21 (1987).

b. **Grant of the "C(1)" Front Yard Setback Variance.** As set forth in the factual findings above, the Board found that the lawfully created pre-existing nonconforming location of the existing dwelling vis-à-vis front yard setback is an extraordinary and exceptional condition affecting the property in that its location is a lawfully created pre-existing condition, and that requiring the applicant to relocate the existing dwelling to comply with the front yard setback regulation would be unreasonable under the circumstances and would result in exceptional and undue hardship upon the applicant.. The Board also found that, provided the conditions set forth below are imposed and complied with, the variance to relieve the hardship could be granted without substantial detriment to the public good and without substantial impairment of the master plan or zoning ordinance. As such, the Board concludes that it can and should grant the "c(1)" front yard setback variance at issue subject to the conditions set forth below.

2. **The "C(2)" Variances from the Frontage on a Public Street Requirements and Lot Frontage Regulations.** The Board's conclusions as to the "c(2)" variances from the frontage on a public street requirements and the lot frontage regulations of the R-2 zone are as follows.

a. **Standards for Considering the "C(2)" Variances.** The Board has the power to grant "c(2)" or so-called "benefits v. detriments" variances pursuant to N.J.S.A. 40:55D-70c(2) where, in an application or appeal relating to a specific piece of property, the purposes of [the MLUL] would be advanced by a deviation from the zoning ordinance requirements, and the benefits of the deviation from the zoning ordinance requirements would substantially outweigh any detriment. This is the so-called "positive" criteria of a "c(2)" variance. The zoning benefits resulting from permitting the deviation(s) must be public benefits ("improved zoning and planning that will benefit the community") and not merely benefits for the private purposes of the owner. Kaufmann v. Warren Township Planning Board, 110 N.J. 551, 563 (1988). The zoning benefits resulting from permitting the deviation(s) are not restricted to those directly obtained from permitting the deviation(s) at issue; the benefits of permitting the deviation can be considered in light of benefits resulting from the entire development proposed. Pullen v. South Plainfield Planning Board, 291 N.J. Super. 1, 9 (App. Div. 1996). Finally, while "c(1)" hardship variances are not available for self-created situations and/or for mistakes, an intentionally created situation or mistake does not serve to bar a "c(2)" variance because the focus of a "c(2)" variance is not on hardship but, rather, on advancing the purposes of zoning. Ketcherick v. Mountain Lakes Board of Adj., 256 N.J. Super. 647, 656-657 (App. Div. 1992); Green Meadows v. Montville Planning Board, 329 N.J. Super. 12, 22 (App. Div. 2000). Even if an applicant proves the "positive" criteria of a "c(2)" variance, the Board may not exercise its power to grant the variance unless the so-called "negative criteria" has been satisfied. Pursuant to the last unlettered paragraph of N.J.S.A. 40:55D-70, "no variance or other relief ... may be granted ... unless such variance or other relief ... can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance." The phrase "zone plan" as used in the N.J.S.A. 40:55D-70 means the Town "master plan." Medici v. BPR Co., 107 N.J. 1, 4, 21 (1987).

b. **Grant of the "C(2)" Variances.** As set forth in the factual findings above, the Board found that the grant of "c(2)" variances to allow for the deviations as to frontage

on a public street and as to the required frontage regulations would advance the purposes of the MLUL provided that the conditions set forth below are imposed and complied with. The Board further found that the benefits of the deviations would substantially outweigh any detriments provided, again, that the conditions set forth below are imposed and complied with. The Board also found that the deviations resulted in benefits to the community, and not solely for the benefit of the applicant. Finally, provided that the conditions set forth below are imposed and complied with, the Board found that the grant of the "c(2)" variances would not result in substantial detriment to the public good or substantial impairment of the intent or purpose of the master plan or zoning ordinance. As such, the Board concludes that it can and should grant the "c(2)" variances at issue subject to the conditions set forth below.

3. **The Planning Variance from N.J.S.A. 40:55D-35.** The Board's conclusions as to the so-called "planning" variance from N.J.S.A. 40:55D-35 are as follows:

a. **Standard for Considering a Planning Variance.** The Board may grant a planning variance pursuant to N.J.S.A. 40:55D-36 from the requirement in N.J.S.A. 40:55D-35 that no permit be issued for the construction of a building unless the lot on which the building will be constructed abuts an official and fully improved street, and for direction to issue a permit for a building not related to an official and fully improved street pursuant to N.J.S.A. 40:55D-36 where: (1) refusal to issue the permit "would entail practical difficulty or unnecessary hardship" or (2) "the circumstances of the case do not require the building or structure to be related to a street." N.J.S.A. 40:55D-36 provides further, however, that before the Board directs the issuance of such a permit, the Board must establish and impose "conditions that will: (1) provide adequate access for firefighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety, and (2) protect any future street layout shown on the official map or on a general circulation plan element of the municipal master plan...."

b. **Grant of Planning Variance.** As set forth in the factual findings above, the Board found that the circumstances of this case do not require the building or structure to be related to a street based on the fact that the non-improved access drive currently serves four (4) dwellings without any problems and/or safety issues and the addition of the proposed dwelling is not expected to create any problems and/or safety issues in the future provided that the following condition is imposed and complied with. The Board further found that the required condition is that the access easement must be widened with stone or pavement material to a minimum of 18-feet and a maximum of 20-feet to the satisfaction of the Township Engineer to ensure adequate and safe access for firefighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety. As such, the Board concludes that it can and should grant the statutory planning variance subject to the conditions set forth below.

4. **Minor Subdivision Review.** The Board's conclusions as to minor subdivision review are as follows:

a. **Standards Applicable to Minor Subdivision Review.** N.J.S.A. 40:55D-47 is the starting point for consideration of a minor subdivision application and provides that "minor subdivision approval shall be deemed to be final approval of the subdivision." N.J.S.A. 40:55D-50a is thus the focal point for consideration of the minor subdivision as it

provides that final subdivision approval “shall” be granted if the detailed drawings, specifications, and estimates of the application conform to the standards of all applicable ordinances and the conditions of preliminary approval. As such, if the application complies with all ordinance requirements, the Board must grant approval. Conversely, if the application does not comply with all ordinance requirements, the Board must deny approval. Cortesini v. Hamilton Planning Board, 417 N.J. Super. 201, 215 (App. Div. 2010). However, there are two exceptions: The first exception is where an application does not comply with all ordinance requirements but the Board grants relief in terms of variances or exceptions. In that case, the Board then must review the application against all remaining ordinance requirements and grant approval if the application complies with all such remaining requirements. The second exception is where the application does not comply with all ordinance requirements but a condition can be imposed requiring a change that will satisfy the ordinance requirement. In that case, the Board can either grant approval on the condition that the application or plan be revised prior to signing the plan to comply with the ordinance requirement or the Board can adjourn the hearing to permit the applicant the opportunity to revise the application or plan prior to the Board granting approval.

b. **Grant of Minor Subdivision Approval.** As set forth above in the factual findings, provided that the variances requested in the application are granted and that the conditions set forth below are imposed and complied with, the Board found that the documents referenced above will comply with all remaining applicable zoning ordinance regulations and all applicable subdivision ordinance requirements. As the Board has concluded that the variances sought in the application can and should be granted, the Board further concludes that minor subdivision approval can and should be granted, subject to the conditions set forth below being imposed and complied with.

5. **Imposition of Conditions.** Boards have inherent authority to impose conditions on any approval it grants. North Plainfield v. Perone, 54 N.J. Super. 1, 8-9 (App. Div. 1959), certif. denied, 29 N.J. 507 (1959). Further, conditions may be imposed where they are required in order for a board to find that the requirements necessary for approval of the application have been met. Alperin v. Mayor and Tp. Committee of Middletown Tp., 91 N.J. Super. 190 (Ch. Div. 1966) (holding that a board is required to impose conditions to ensure that the positive criteria is satisfied); Eagle Group v. Zoning Board, 274 N.J. Super. 551, 564-565 (App. Div. 1994) (holding that a board is required to impose conditions to ensure that the negative criteria is satisfied). Moreover, N.J.S.A. 40:55D-49a authorizes a board to impose conditions on a preliminary approval, even where the proposed development fully conforms to all ordinance requirements, and such conditions may include but are not limited to issues such as use, layout and design standards for streets, sidewalks and curbs, lot size, yard dimensions, off-trail improvements, and public health and safety. Pizzo Mantin Group v. Township of Randolph, 137 N.J. 216, 232-233 (1994). See, Urban v. Manasquan Planning Board, 124 N.J. 651, 661 (1991) (explaining that “aesthetics, access, landscaping or safety improvements might all be appropriate conditions for approval of a subdivision with variances” and citing with approval Orloski v. Ship Bottom Planning Board, 226 N.J. Super. 666 (Law Div. 1988), aff’d o.b., 234 N.J. Super. 1 (App. Div. 1989) as to the validity of such conditions.); Stop & Shop Supermarket Co. v. Springfield Board of Adj., 162 N.J. 418, 438-439 (2000) (explaining that site plan review “typically encompasses such issues as location of structures, vehicular and

pedestrian circulation, parking, loading and unloading, lighting, screening and landscaping” and that a board may impose appropriate conditions and restrictions based on those issues to minimize possible intrusions or inconvenience to the continued use and enjoyment of the neighboring residential properties). Further, municipal ordinances and Board rules also provide a source of authority for a board to impose conditions upon a developmental approval. See, Cox and Koenig, New Jersey Zoning and Land Use Administration (Gann 2020), sections 28-2.2 and 28-2.3 (discussing conditions limiting the life of a variance being imposed on the basis of the Board’s implicit authority versus by virtue of Board rule or municipal ordinance). Finally, boards have authority to condition approval on review and approval of changes to the plans by Board’s experts so long as the delegation of authority for review and approval is not a grant of unbridled power to the expert to approve or deny approval. Lionel Appliance Center, Inc. v. Citta, 156 N.J. Super. 257, 270 (Law Div. 1978). As held by the court in Shakoor Supermarkets, Inc. v. Old Bridge Tp. Planning Board, 420 N.J. Super. 193, 205-206 (App. Div. 2011): “The MLUL contemplates that a land use board will retain professional consultants to assist in reviewing and evaluating development applications” and using such professional consultants to review and evaluate revised plans “was well within the scope of service anticipated by the applicable statutes. It was the Board, and not any consultant, that exercised the authority to approve the application.” The Board concludes that the conditions set forth below are warranted and should be imposed on all of the above-mentioned bases.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD, BY MOTION DULY MADE AND SECONDED ON DECEMBER 8, 2020, THAT THE FOLLOWING RELIEF IS GRANTED SUBJECT TO THE CONDITIONS SET FORTH BELOW:

C. RELIEF GRANTED

1. **Grant of “C(1)” Front Yard Variance to Allow Existing Dwelling to Remain in its Existing Location after Subdivision.** Subject to the conditions set forth below being imposed and complied with, the Board hereby grants a “c(1)” variance from ordinance section 21-15.1.d.1. / Table 501 as to minimum front yard setback for lot 4.01 where 100 feet is required, to allow 40.5 feet which exists to the south and 76.3 feet which exists to the east measured from the access easement, which will allow the existing dwelling to remain in its existing location after subdivision.

2. **Grant of “C(2)” Variance as to Frontage on a Public Street.** Subject to the conditions set forth below being imposed and complied with, the Board hereby grants a “c(2)” variance from ordinance section 21-21.2.a to allow lot 4.01 not to have frontage on a public street where frontage is required.

3. **Grant of “C(2)” Variance from Lot Frontage Requirement.** Subject to the conditions set forth below being imposed and complied with, the Board hereby grants a “c(2)” variance from ordinance section 21-15.1.d.1. / Table 501 to allow a lot frontage for lot 4.02 of 25 feet along the public right of way where 125 feet is required.

4. **Grant of “C(2)” Variance from Lot Frontage Requirement.** Subject to

the conditions set forth below being imposed and complied with, the Board hereby grants a "c(2)" variance from ordinance section 21-15.1.d.1. / Table 501, where 125 feet of lot frontage along the public right of way is required, to allow zero (0) feet of lot frontage for lot 4.01 along a public right of way.

5. **Grant of Statutory Planning Variance.** Subject to the conditions set forth below, the Board hereby grants a planning variance pursuant to N.J.S.A. 40:55D-36 from the requirement in N.J.S.A. 40:55D-35 that no permit be issued for the construction of a building unless the lot on which the building will be constructed abuts an official and fully improved street, and for direction to issue a permit for a building not related to an official and fully improved street.

6. **Minor Subdivision Approval.** Subject to the conditions set forth below being imposed and complied with, the Board hereby grants minor subdivision approval of the proposed subdivision.

D. CONDITIONS

1. **Revisions to the Site Plans for Approval.** Revisions to the site plans referenced above shall be made by notes and/or drawings to the satisfaction of the Township Planner and Board engineering expert by September 16, 2021 (which is within six (6) months of the adoption of the within resolution on March 16, 2021) to incorporate the comments emanating in the following letters and/or memos prepared by the following Board and/or Township professionals and/or as discussed by the Board on the record during the hearing on the application provided below. In the event that the applicant fails to make the revisions as required and/or fails to obtain signatures on the site plans as required, all within said time period, or extension thereof as granted by the Board, the approval shall expire and become automatically null and void. (The Board notes that, in the absence of the within time limitation condition, it would decline to grant conditional approvals and, instead, would continue the hearing on an application for no more than a six month period to provide the applicant with the opportunity to revise the plat, plans and documents and, failure by the applicant to resubmit same to the Board within that period or submission within that period but failure of the applicant to make all the required revisions, would result in denial of the application.) Any dispute(s) concerning satisfaction of any conditions related to the revisions of the plans/plats may be brought to the Board for resolution by written letter application submitted by the applicant without the necessity for public notice but on written notice to the Township Engineer and Township Planner.

a. **Following comments emanating from the memo to the Board from David Schley, PP, AICP (Township planner) dated August 7, 2020:**

- (1) Intentionally omitted as no revisions are required.
- (2) Intentionally omitted as no revisions are required.
- (3) Intentionally omitted as no revisions are required.

- (4) Intentionally omitted as no revisions are required.
- (5) The zoning schedule must be clarified/corrected with regard to the 60.5' front yard specified for lots 4 and 4.01. The schedule appears inconsistent with the plan.
- (6) The steep slopes mapping and calculations must be revised to be based on 10' (not 2') contour intervals.
- (7) The Tree Replacement Plan table must be revised to be consistent with the Tree Schedule relative to the number of trees greater than or equal to 10" diameter that will be removed and, additionally, a tree replacement plan/schedule shall be provided for all trees that were previously removed without permits.
- (8) The proposed replacement trees shall be native species and must be specified at planting sizes of at least 2.5" – 3" caliper for shade trees, 8' – 10' high for ornamental trees and 6'-8' high for evergreen trees.
- (9) The spacing between the proposed maple trees shall be increased beyond the +/-10' spacing proposed.
- (10) The submitted application for tree removal permit indicates that the number of trees removed from the site within the past two years is unknown, though in July of 2019 the applicant obtained from the Township Engineering Department a permit for tree removal which had previously occurred in the area of the proposed dwelling. The plans shall be revised to include replacement trees for all previously removed living trees.
- (11) The dwelling cross section on sheet 4 must be amended to identify the proposed "finished grade" calculated in accordance with the definition of "height of structure" in ordinance section 21-3.1 of the Land Development Ordinance. As stated in the Definition, the calculation of height at the time a construction permit application is submitted will be based upon the finished grade identified on the approved subdivision plan.
- (12-18) Intentionally omitted as addressed in subsequent conditions.

b. Following comments emanating from the memo to the Board from David Banisch, PP, AICP (Board planning expert) dated August 14, 2020:

- 1 - 9. Intentionally omitted.
- 10. Sheet 3 of 5 identifies three (3) interconnected catch basins at the end of Spruce Street. One on Lot 25 within the access and drainage easement and two (2) on existing Lot 4. Sheet 2 of 5 does not identify one of the existing catch basins on Lot 4 that will be relocated onto proposed Lot 4.02 if the subdivision is approved. That is the catch basin located closest to the stub end of Spruce Street on the north side of the gravel driveway. It is located in overgrowth and it appears that soils are potentially eroding from around the catch basin into it.

- a. Plans shall be revised to address this condition with soils removed from proximity to the basin. This condition shall be corrected with grading and revegetation.
11. Proposed Lot 4.02 is infill development among existing residentially developed properties to the north, east and south.

- a. Revise the plans to add landscaping to buffer the common property line with Lot 24 to the east (23 Spruce Street).
- b. Lot 5 to the north (28 Ash Street) appears to include a row of evergreen shrubs on site to buffer the dwellings from proposed Lot 4.02; however, deciduous growth occupies the proposed Lot 4.02 and Lot 5 common property line and a leaves-off season inspection of the property line screening may indicate the need for buffer plantings along or in the vicinity of the common property line between proposed Lot 4.02 and Lot 5.
 - i. Revise the plans to install rows of evergreen tree plantings along or in close proximity to the common property lines between proposed Lot 4.02 and Lots 24 & 5. Add a note to the plans stating that the extent of plantings shall be determined by a field inspection by the Board's Landscaping Subcommittee (during "leaves off" conditions).

12. Overhead electric and telephone/cable utility lines extend from a utility pole on existing Lot 4 (proposed Lot 4.01) to the west exterior wall of the dwelling on Lot 24 to the east (23 Spruce Street). The utility lines cross proposed Lot 4.02 and are relatively low hanging. Plans indicate that all utilities are to be installed underground on Lot 4.02. It appears the overhead wires that extend from utility pole on Lot 4 to the dwelling on Lot 24 will require relocation by the development of proposed Lot 4.02. Plans do not indicate any proposed utility relocate to remedy this situation.

- a. Add a note to the plans stating that any utility relocation for Lot 24 that is made necessary by the development of proposed Lot 4.02 shall be the responsibility of the applicant and coordinated with the property owner of Lot 24 prior to the issuance of a building permit for construction on proposed Lot 4.02.

13. Intentionally omitted.

14. Intentionally omitted.

2. **Subdivision to be Perfected by Map or Deeds Subject to Review and Approval by Township Engineering Department and the Township Attorney.** The

subdivision shall be perfected by map or deeds which shall be subject to the review and approval of the Township Engineering Department and the Township Attorney prior to recording with the County Clerk. The map or deeds must specify the proposed lot numbers shown on the plans, i.e., lot 4.01 for the existing dwelling and lot 4.02 for the proposed dwelling, and that the street address for the proposed dwelling will be 29 Spruce Street. See condition #3 below as to the no further subdivision restriction which shall be included in the subdivision deeds if the subdivision is perfected by deeds or recorded by separate documents if the subdivision is perfected by map. If the subdivision is perfected by map, the map shall include a note stating that "Lot 4.01 and lot 4.02 shall not be further subdivided and a restrictive covenant / deed restriction shall be recorded which shall run with the land as to both lot 4.01 and lot 4.02 prohibiting further subdivision."

3. **Restriction Against Further Subdivision.** Lot 4.01 and lot 4.02 shall not be further subdivided and a restrictive covenant / deed restriction shall be recorded which shall run with the land as to both lot 4.01 and lot 4.02 prohibiting further subdivision. The restrictive covenant / deed restriction shall be subject to the review and approval of the Township Engineering Department and the Township Attorney prior to recording with the County Clerk. The restrictive covenant / deed restriction shall be included in the subdivision deeds if the subdivision is perfected by deeds. The restrictive covenant / deed restriction shall be recorded as separate documents if the subdivision is perfected by map.

4. **Pre-Construction Meeting.** The applicant shall attend a pre-construction meeting with the Township Engineering Department prior to the start of any construction activity.

5. **Engineering Permit Required for Work Within the Spruce Street Right-of-Way.** An engineering permit shall be obtained prior to any work within the Spruce Street right-of-way.

6. **Spruce Street to Remain Unobstructed During Construction.** All construction vehicle and equipment parking and storage as well as all other activities and storage related to construction taking place on lot 4.02 shall occur on lot 4.02, and at no time shall such activities and/or storage occur on Spruce Street or on any other properties.

7. **Duty to Repair Roads Damaged by Construction Activities.** The applicant shall have a duty to repair any and all roads that may be damaged by construction activities to the satisfaction of the Township Engineering Department. This shall include gravel roads as well as paved roads.

8. **Widening of Access Road Over Access Easement.** The applicant shall widen the access road over the access easement along Lot 4 to no less than 18-feet and no more than 20-feet by stone and/or paved material.

9. **Inspection of Installed Landscaping by the Planning Board's Landscaping Committee.** Prior to the issuance of a certificate of occupancy for lot 4.02, all installed landscaping planted to satisfy buffering or tree replacement requirements of the within approvals shall be subject to inspection by a Board-appointed landscaping committee during

“leaves off” conditions. The applicant shall notify the Township Engineer and Township Planner upon completion of the landscaping to initiate scheduling of the inspection. The owners of property within 200 feet of lot 4.02 shall be permitted to attend the field inspection and to comment on the landscaping, and it shall be the responsibility of the applicant to notify those property owners once the inspection is scheduled, and the applicant shall be required to provide at least 10-day written notice to those property owners of the date and time of the inspection. The applicant shall provide additional plantings and/or make other changes to the landscaping as deemed necessary and appropriate by the landscaping committee to better achieve the purposes of the landscaping. Any dispute(s) concerning the determinations of the landscaping committee may be brought to the Board for resolution by written letter application submitted by the applicant without the necessity for public notice but on written notice to the Township Engineer and Township Planner.

10. **Replacement of Trees Previously Removed from the Rear of the Property.** In accordance with the testimony and discussion during the December 8, 2020 hearing session, the applicant shall plant some of the required replacement trees in the rear, westerly portion of the property, in locations where trees were previously removed. The applicant may defer planting these trees until after the inspection by the Board’s landscaping committee, so that the applicant may seek guidance from the landscaping committee as to the locations of these replacement trees.
11. **Minimum Northerly Side Yard Setback on Lot 4.02.** The dwelling constructed on lot 4.02 shall be no closer than 60.3 feet to the northerly side property line.
12. **Development Fee.** A development fee shall be submitted for lot 4.02 in accordance with section 21-86 of the Land development Ordinance.
13. **Submission of Digital Plans.** The applicant shall submit digital copies of all plans and documents in formats acceptable to the Township Engineering Department.
14. **Easements, Dedications and Conveyances.** Any and all easements, dedications and/or conveyances running to and in favor of the Township which are proposed on the plan and/or subdivision plat and/or required as a condition of the approval resolution shall, in addition to being identified on the applicant’s plans, maps and/or plats, be contained in separate documents if required by the Township Attorney to be prepared at the direction of the Township Attorney after the metes and bounds descriptions and maps of the easement, dedication and/or conveyance areas have been reviewed and approved by the Township Engineer. Said documents shall specifically outline the grant of the easement, dedication and/or conveyance and its purpose and shall contain a metes and bounds description and maps of the easement, dedication and/or conveyance area. All such documents shall then be recorded and, upon completion of the recording process, be transmitted to the Township Clerk for maintenance with other title documents of the Township.
15. **Time to Perfect Subdivision.** In accordance with N.J.S.A. 40:55D-47d, the applicant shall perfect the subdivision by September 22, 2021 (which is within 190 days from March 16, 2021, the date the within resolution is adopted) unless otherwise extended pursuant to

N.J.S.A. 40:55D-47f or -47g, in which case the subdivision shall be perfected by the extended date. In the event that the subdivision is not perfected within the time limitations provided, the within approvals shall automatically expire and become null and void.

16. **Time to Obtain Construction Permits, Commence and Complete Construction, and Obtain Certificates of Occupancy.** In accordance with Board Rule 2:4-9.8, the applicant shall apply for and obtain a construction permit for the proposed dwelling on lot 4.02 by March 16, 2023 (which is within two years of the adoption of the Board's resolution on March 16, 2021). If during said two year period, or extension thereof as granted by the Board, the applicant fails to obtain a construction permit, the approval shall automatically expire and become null and void. The applicant shall also have one year from the date of issuance of the construction permit to commence construction and obtain a permanent certificate of occupancy. If during said one year period, or extension thereof as granted by the Board, work is not commenced and/or a permanent certificate of occupancy is not obtained, the within approvals shall automatically expire and become null and void.

17. **Escrow Fees.** In accordance with Board Rule 2:4-9.6, any and all outstanding escrow fees shall be paid in full and the escrow account replenished to the level required by ordinance within 10 days of the adoption of a resolution, within 10 days of written notice that a deficiency exists in the escrow account, prior to signing the subdivision plat or deed perfecting the subdivision, prior to the issuance of any permits, and prior to the issuance of a temporary and/or permanent certificate of occupancy, completion or compliance (whichever is applicable). Failure to abide by this condition after receiving written notice shall result in the relief granted terminating and becoming null and void. All written notices shall be sent to the applicant directly. The Township may elect to send a courtesy copy to the applicant's attorney but any such courtesy copy shall have no legal effect.

18. **Specific Approvals and Permits.** The within approval shall be conditioned upon the applicant obtaining permits and/or approvals from all applicable agencies and/or departments including (if applicable) but not necessarily limited to the following municipal, county and/or state agencies and/or departments:

- a. Township Board of Health;
- b. Somerset County Department of Health;
- c. Bernards Township Sewerage Authority;
- d. Somerset - Union Soil Conservation District certification / approval including of the soil erosion and sediment control plan;
- e. Somerset County Planning Board unconditional approval, and
- f. NJDEP approval of any aspect of the proposed development within its jurisdiction.

19. **Subject to Other Approvals and Laws.** The within approval and the use of the property remains subject to all conditions of prior Board approvals not eliminated or modified by the within approval. The within approval and the use of the property are also conditioned upon and made subject to any and all laws, ordinances, requirements and/or regulations of and/or by any and all municipal, county, State and/or Federal governments and their agencies and/or departments having jurisdiction over any aspect of the property and/or use of the property. The within approval and the use of the property are also conditioned upon and made subject to any and all approvals by and/or required by any and all municipal, county, State and/or Federal governments and their agencies and/or departments having jurisdiction over any aspect of the property and/or use of the property. In the event of any inconsistency(ies) between the terms and conditions of the within approval and any approval(s) required above, the terms and/or conditions of the within approval shall prevail unless and until changed by the Board upon proper application.

VOTE ON MOTION DULY MADE AND SECONDED ON DECEMBER 8, 2020:

THOSE IN FAVOR: ASAY, ESPOSITO, MCNALLY, HURLEY, MANDUKE, MASTRANGELO. DAMURJIAN & PIEDICI.

THOSE OPPOSED: NONE.

The above memorializing resolution was adopted on March 16, 2021 by the following vote of eligible Board members:

| <u>Members</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> | <u>Absent</u> |
|-----------------------|-------------------|------------------|-----------------------|----------------------|
| ASAY | X | | | |
| ESPOSITO | X | | | |
| MCNALLY | X | | | |
| HURLEY | | | | |
| MANDUKE | X | | | |
| MASTRANGELO | | | | X |
| DAMURJIAN | X | | | |
| PIEDICI | X | | | |

I, Cyndi Kiefer, Secretary to the Planning Board of the Township of Bernards in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of the memorializing resolution duly adopted by the said

2021-03-15-v4

Planning Board on March 16,
2021.



CYNDI KIEFER, Board Secretary

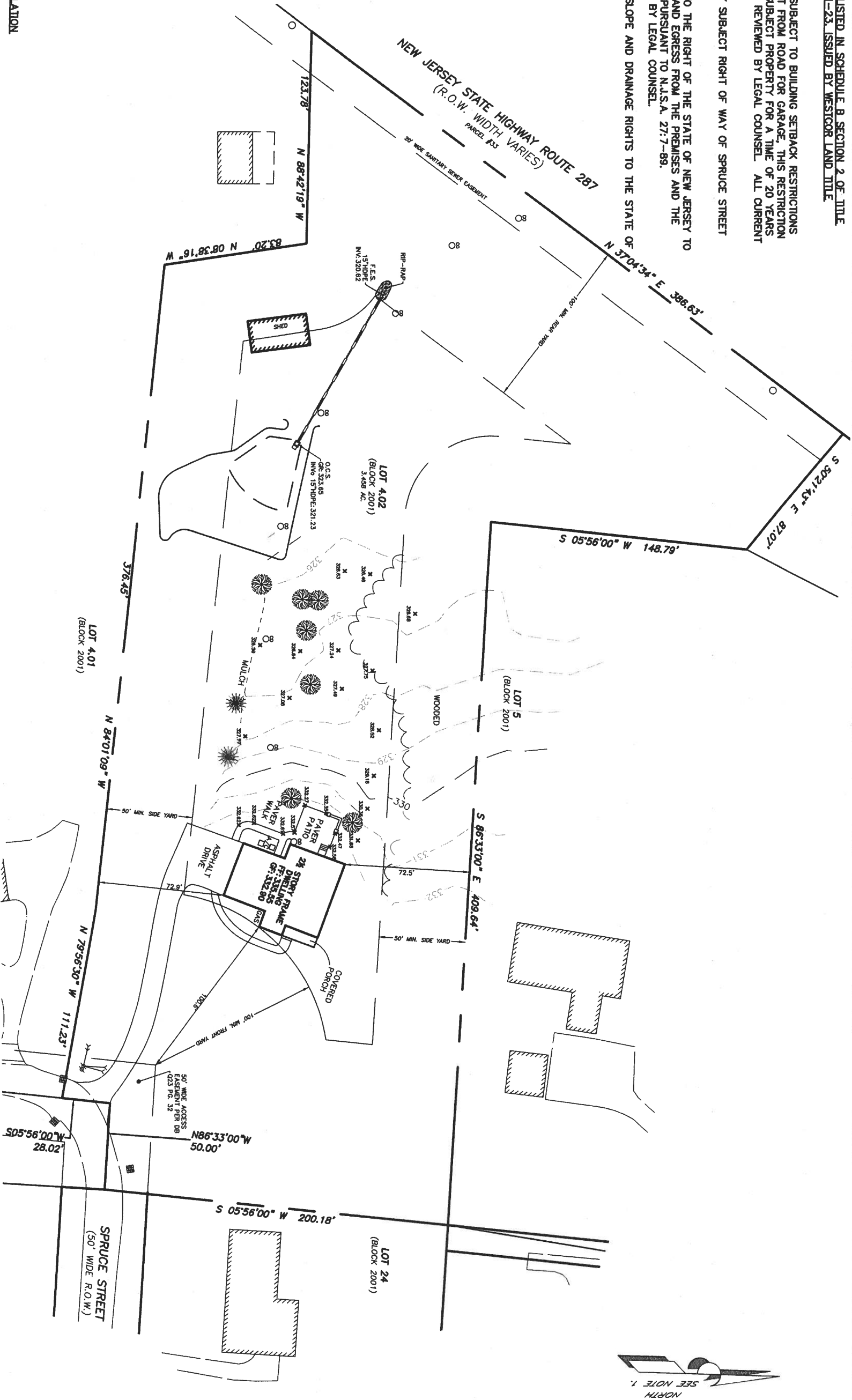
DISPOSITION OF ENCUMBRANCES LISTED IN SCHEDULE B, SECTION 2 OF TITLE NUMBER BA-90150, DATED 02-21-23, ISSUED BY WESTCOT LAND TITLE INSURANCE COMPANY.

ITEM 10 DB K23/83, PROPERTY SUBJECT TO BUILDING SETBACK RESTRICTIONS 50 FEET FROM ROAD AND 75 FEET FROM ROAD FOR GARAGE, THIS RESTRICTION WAS TO BE A BURDEN ON THE SUBJECT PROPERTY FOR A TIME OF 20 YEARS FROM APRIL 1, 1930, SHOULD BE REVIEWED BY LEGAL COUNSEL. ALL CURRENT SETBACKS ARE SHOWN HEREON.

ITEM 11 DB 1286/325, PROPERTY SUBJECT RIGHT OF WAY OF SPRUCE STREET WHICH IS SHOWN HEREON.

ITEM 12, PROPERTY IS SUBJECT TO THE RIGHT OF THE STATE OF NEW JERSEY TO LIMIT OR REGULATE INGRESS TO AND EGRESS FROM THE PREMISES AND THE STATE HIGHWAY ROUTE NO. 287 PURSUANT TO N.J.S.A. 27:7-89. DOCUMENT SHOULD BE REVIEWED BY LEGAL COUNSEL.

ITEM 13, PROPERTY SUBJECT TO SLOPE AND DRAINAGE RIGHTS TO THE STATE OF NEW JERSEY TO ROUTE 287. UNDEFINED & UNPLOTTABLE.



BUILDING HEIGHT CALCULATION

APPROVED FINISHED GRADE = 331.0'
MEASURED RIDGE ELEVATION = 364.3'
BUILDING HEIGHT = 364.3-331.0 = 33.3'

IMPERVIOUS COVERAGE

| | |
|------------------|------------------------------------------|
| DWELLING | 2,450 S.F. |
| COVERED PORCH | 120 S.F. |
| ASPHALT DRIVEWAY | 2,855 S.F. (368 S.F. IN ACCESS EASEMENT) |
| PATIO | 545 S.F. |
| WALKS | 468 S.F. |
| EX. ROADWAY | 356 S.F. (IN ACCESS EASEMENT) |
| SHED | 627 S.F. |
| TOTAL | 7,421 S.F. |
| LOT COVERAGE | 4.92% |

- NOTES:**
- BOUNDARY INFORMATION SHOWN HEREON FROM A SUBDIVISION PLAN, SHEET 2 OF 5 OF PLANS ENTITLED, "MINOR SUBDIVISION PLANS, MARTIN PROPERTY, LOT 4, BLOCK 2001, TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY" PREPARED BY YAMNACCONE, VILA & ALDRICH, LLC DATED 10/28/19, LAST REVISED 5/1/20.
 - INFORMATION SHOWN HEREON FROM FIELD MEASUREMENTS PERFORMED BY THIS FIRM THROUGH 07-11-23.
 - NO DELINEATION OR LOCATION OF STATE OPEN WATERS AND/OR WETLANDS WAS PERFORMED AS A PART OF THIS SURVEY.
 - NO CORNER MARKERS WERE SET PER CONTRACTUAL AGREEMENT.

SURVEY CERTIFICATION

THIS SURVEY CERTIFIED TO THE FOLLOWING PARTIES ONLY;
ARPT JAIN AND SHIKHA JAIN, HUSBAND AND WIFE,
US BANK, NA ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR
LOAN NO. 2201571143,
LAW OFFICE OF JILL L. GOPPER, LLC,
BOLD ABSTRACT, LLC / WESTCOT LAND TITLE INSURANCE COMPANY
TITLE NO. BA-90150

BOUNDARY & PARTIAL TOPOGRAPHIC SURVEY

BLOCK 2001 - LOT 4.02

BERNARDS TOWNSHIP

SOMERSET COUNTY, NEW JERSEY

KSS KENNON SURVEYING SERVICES INC.
5 POWDER HORN DRIVE, SUITE 4
P.O. BOX 4477
WARREN, NEW JERSEY 07059

KENNY D. KENNON, P.L.S.
NEW JERSEY PROFESSIONAL LAND SURVEYOR LICENSE NO. 07195
DATE: 7/13/23

PHONE 732-564-1818
FAX 07-13-23
SCALE 1" = 60'
PROJ. NO. 3253
SHEET 1 OF 1

201-529-5010

TOWNSHIP OF BERNARDS
ZONING BOARD OF ADJUSTMENT
APPLICATION STATUS FORM

Application No: ZB23-019 Block: 7301 Lot: 51 Zone: R-1

Applicant: DYBZLER, MICHAEL / ADAM, STEPHANIE

Address of Property: 50 LIBERTY CORNER RD, FAR HILLS

Description: POOL NOT LOCATED BEHIND REAR
BUILDING OF ADJACENT DWELLING

APPLICATION CHECKLIST

☒ Original + 16 copies of Application
☒ W-9
☒ Site Visit Consent (A)
☐ Ownership Form (B)
☒ 200' Property Search List (C)
☒ Tax Certification (D)
☒ Notice to be Served/Published (E)
☒ Dimensional Statistics Form (F)
☐ Contributions Disclosure Form (G)

☒ Engineering Plan/Plot Plan
☐ Architectural Plans
☐ Survey
☒ Photographs
☐ Wetlands Report/LOI
☒ Application Fee
☒ Escrow Deposit
☐ Imaging Fee
☐ Tax Map Revision Fee
☒ Checklist

SCHEDULING

9.8.23 Original Submission Date
10.23.23 Completeness Deadline (45 days)
____ Incomplete Date
____ Resubmission Date
____ Date Complete
2.20.24 Time to Act (45/95/120 days)

HEARING

____ Notice to Property Owners
____ Date of Publication
____ Completeness Hearing
12.6.23 Public Hearing
____ Carried to Date
____ Decision - Approved/Denied
____ Resolution Memorialized
____ Resolution Published

DISTRIBUTION

9.11.23 Environmental Comm
____ Fire Official
____ LCFAS
____ Police

NOTES

**TOWNSHIP OF BERNARDS
2022 ZONING BOARD OF ADJUSTMENT APPLICATION**

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><input checked="" type="checkbox"/> Bulk or Dimensional ("c") Variance <input type="checkbox"/> Use ("d") Variance <input type="checkbox"/> Conditional Use ("d") Variance <input type="checkbox"/> Floor Area Ratio, Density, or Height ("d") Variance <input type="checkbox"/> Site Plan - Preliminary / Final</p> | <p><input type="checkbox"/> Appeal of Zoning Officer's Decision <input type="checkbox"/> Interpretation of Zoning Ordinance <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Major Subdivision - Preliminary / Final <input type="checkbox"/> Other (specify): _____</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

1. APPLICANT: Michael Dyszle / Stephanie Adam
Address: 50 Liberty Corner Rd
Phone: (home) N/A (work) _____ (mobile) (312) 590-1833
Email (will be used for official notifications): mdyszle@gmail.com

2. OWNER (if different from applicant): _____
Address: _____
Phone: _____ **Email (will be used for official notifications):** _____

3. ATTORNEY: N/A
Address: _____
Phone: _____ **Email (will be used for official notifications):** _____

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):
Name: Gary Chiang **Profession:** Engineer
Address: 231-1 Burr Rd, Burlington, NJ 08016
Phone: 609-556-4915 **Email (will be used for official notifications):** MGCASSOCIATESLLC@gmail.com

5. PROPERTY INFORMATION: Block(s): 7301 Lot(s): 51 Zone: R-1
Street Address: 50 Liberty Corner Rd **Total Area (square feet/acres):** 173,324 sq ft / 3.98 ac.

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain or attach Board resolution) _____

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain) _____

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?
02/06/19 Bernards Township Zoning Board of Adjustment Page 1 of 2

[☒] No [] Yes (if yes, explain) _____

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST: _____

Existing single family dwelling proposing to construct an
in-ground swimming pool, pavilion and patio

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.): _____

Section 21-18.1 whereas the proposed pool is not behind the rear
building line of an adjacent existing residential structures on adjoining lot.

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: _____

unique location of neighboring dwellings.

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):

APPLICANT(S) SIGN HERE:

I/we, Michael Aggeler and Stephanie Adams hereby depose and say that
all of the above statements and the statements contained in the materials submitted herewith are true and
correct.

Signature of Applicant(s): [Signature] and [Signature]

Sworn and subscribed before me, this 16th day of August, 2023

Notary Lauren Manduke
Attorney at law

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property
owners, then the property owner or the additional owners must complete the following:

I/we, _____ the owner(s) of the property described in this application,

hereby authorize _____ to act as my/our agent for purposes of making
and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all
conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary _____

APPENDIX D, ARTICLE III

Checklist

Application for Approval of a Variance Pursuant to NJSA 40:55D-70(c)

Important: Each item must be marked Submitted, Not Applicable or Waiver Requested

| No. | Item | Submitted | Not Applicable | Waiver Requested |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------|------------------|
| 1 | A completed application form and checklist. | ✓ | | |
| 2 | A certificate from the tax collector indicating that taxes are paid. | ✓ | | |
| 3 | All required application and escrow deposit fees. | ✓ | | |
| 4 | Names and addresses of property owners within 200' of the subject property, as disclosed by current tax records and identified by block & lot numbers. | ✓ | | |
| 5 | A plot plan or survey accurately depicting the entire subject property and all existing buildings, structures, driveways, patios, etc. | ✓ | | |
| 6 | Sketch of all proposed improvements on the plot plan or survey, with dimensions of improvements and distances to property lines. | ✓ | | |
| 7 | Calculations of existing & proposed lot coverage percentages. | ✓ | | |
| 8 | Architectural sketches (floor plan and elevations) of the proposed improvements. | | ✓ | |
| 9 | Photographs of the property in the location of the proposed improvements. | ✓ | | |
| 10 | A wetlands delineation or wetlands absence determination prepared by a qualified consultant and verified by a letter of interpretation from the New Jersey Department of Environmental Protection, if required pursuant to Section 21-14.1.a. | | ✓ | |
| 11 | The locations of percolation tests and a copy of the written approval of the tests and locations from the Bernards Township Health Department, if the application involves a new dwelling and sewage disposal is to be handled by an individual septic system. | | ✓ | |
| 12 | Delineation of riparian zones in accordance with Subsection 21-14.4. | | ✓ | |
| 13 | Existing topography, proposed grading, and proposed stormwater infiltration measures in accordance with §21-42.11.b.1, shown on the plot plan or survey, if 1,000sf or more of new impervious area is proposed. | ✓ | | |

SUBMIT ORIGINAL AND 16 COPIES

FORM A

**TOWNSHIP OF BERNARDS
PLANNING BOARD / BOARD OF ADJUSTMENT**

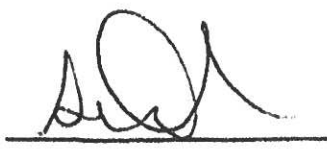
SITE INSPECTION CONSENT FORM

Applicant: Stephanie Adam

Block: 7301 Lot: 51

Street Address: 50 Liberty Corner Rd

I, Stephanie Adam, owner of the above property, hereby acknowledge that, upon determination of completeness of the application, a site inspection may be scheduled with the Board for a mutually convenient date and time. I hereby authorize members of the Planning Board/Board of Adjustment and their representatives and consultants to enter onto the property at the time of the site inspection for the purpose of evaluating the application.

Signature:  Date: 8/14/23

SUBMIT 17 COPIES TOTAL

FORM F

DIMENSIONAL STATISTICS

| | REQUIRED | EXISTING | PROPOSED |
|----------------------------------------|------------|--------------------------|----------------|
| LOT AREA | 3 Acres. | 3.98 Ac. | — |
| LOT WIDTH | 250' | > 250' | — |
| FRONTAGE | 125' | 364.60' | — |
| FRONT YARD SETBACK | 100' | 131.9' 131.9' | — |
| REAR YARD SETBACK | 100' | 7100' | 139.1' pool |
| COMBINED SIDE YARD | 100' | 324.6' | 353.55' |
| SIDE YARD | 50' | 101.6' | 87.7' Pavilion |
| COVERAGE | 15% | 3.8% | 5.4% |
| HEIGHT Accessory Bldg. | 35' 20' | < 35' N/A | — < 20' |
| IF REQUIRED, GROSS FLOOR AREA | N/A | — | — |
| IF REQUIRED, FLOOR AREA RATIO | N/A | — | — |
| IF REQUIRED, IMPROVABLE LOT AREA | N/A | — | — |



Aerial photograph of a property. A rectangular area is outlined in white, containing a swimming pool and a house. A label 'POOL IN-GROUND SWIMMING POOL' points to the pool. A label 'LOT 51' is to the right of the pool. A label '(50' WIDE ACCESS EASEMENT)' is at the bottom of the outlined area. A label 'LOT 50' is below the outlined area.

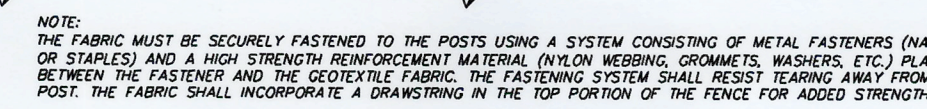
POOL
IN-GROUND
SWIMMING POOL

LOT 51

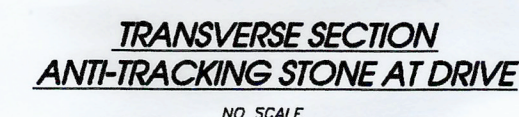
(50' WIDE ACCESS EASEMENT)

LOT 50





NO SCALE



- LEGEND**

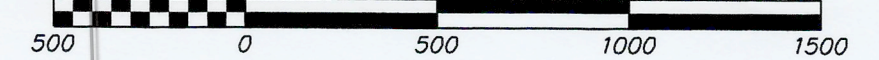
IMPERVIOUS COVERAGE

IN-GROUND SWIMMING POOL REQUIREMENTS (R-1)

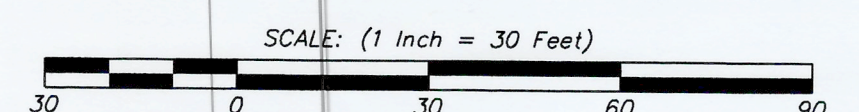
* REAR YARD = 83,480 S.F.
** SEE IMPERVIOUS COVERAGE CALCULATION



SCALE: (1 Inch = 500 Feet)



1. THE PROPERTY BEING KNOWN AS BLOCK 7301, TAX LOT 51 WITHIN THE TOWNSHIP OF BERNARDS, SOMERSET COUNTY. THE PROPERTY CONTAINS APPROXIMATELY 3.98 ACRES.
2. OUTBOUND, TOPOGRAPHY AND EXISTING SITE IMPROVEMENT INFORMATION IS BASED UPON A PLAN ENTITLED "SURVEY OF PROPERTY TAX LOT 51 BLOCK 7301, 50 LIBERTY CORNER ROAD, TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY," PREPARED BY LAKELAND SURVEYING, DATED 11/17/22.
3. THE PROPERTY LIES OUTSIDE OF THE 0.2% (500+-YEAR) FLOOD HAZARD AREA (LIES WITHIN FLOOD 1 UNSHADED) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 3403SC0061E, EFFECTIVE DATE SEPTEMBER 28, 2007.
4. THERE ARE NO VERIFIED FRESHWATER WETLANDS WITHIN THE AREA OF SITE DEVELOPMENT, AS PER THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION NJ-GEDWEE SERVICES.
5. THE SITE IS CURRENTLY DEVELOPED WITH A SINGLE FAMILY RESIDENTIAL DWELLING, DRIVEWAY, REAR PATIO AND OTHER ANCILLARY STRUCTURES & UTILITIES.
6. PROPOSED IMPROVEMENTS CONSIST OF INSTALLING AN IN-GROUND SWIMMING POOL, PATIO, FENCING AND ASSOCIATED FILTER/EQUIPMENT.
7. PROPOSED SWIMMING POOL SIZE, SHAPE AND LOCATION ARE BASED UPON INFORMATION PROVIDED BY THE CLIENT.
8. THE OUTSIDE EDGE OF THE WALKWAY AROUND THE IN-GROUND SWIMMING POOL SHALL BE INSTALLED A MINIMUM OF 20 FEET FROM ALL PROPERTY LINES.
9. THE CONTRACTOR SHALL FINISH GRADE THE AREA AROUND THE IN-GROUND SWIMMING POOL AND DWELLING/PATIO/WALKWAYS IN A MANNER WHICH PROVIDES POSITIVE OVERLAND STORMWATER RUNOFF/FLOW AWAY FROM THE POOL AND DWELLING.
10. THE PROPOSED IN-GROUND SWIMMING POOL AND ASSOCIATED UTILITIES/AMENITIES SHALL COMPLY WITH THE PROVISIONS OF SECTION 21-18 OF THE ZONING ORDINANCE OF THE TOWNSHIP OF BERNARDS AND THE INTERNATIONAL RESIDENTIAL CODE (IRC), NEW JERSEY EDITION, LATEST REVISION.
11. THE PROPOSED POOL SHALL BE ENCLOSED BY A NON-CUMBLABLE BARRIER AT LEAST 4 FEET IN HEIGHT WHICH IS EQUIPPED WITH A SELF LOCKING MECHANISM ON ALL GATES, IN ACCORDANCE WITH TOWNSHIP AND IRC REGULATIONS, LATEST REVISION.
12. THE CONTRACTOR SHALL REROUTE ANY UNDERGROUND DRAINAGE/ROOF LEADER WHICH IS DISTURBED DURING IN-GROUND SWIMMING POOL INSTALLATION AROUND POOL AREA AND PROVIDE POSITIVE DISCHARGE LOCATION.
13. ALL AREAS NOT DESIGNATED FOR WALKWAY AND/OR THE IN-GROUND SWIMMING POOL SHALL BE STABILIZED IN ACCORDANCE WITH THE LOCAL CURRENT REQUIREMENTS OF THE LOCAL SOIL CONSERVATION DISTRICT.
14. SILT FENCING SHALL BE PLACED AROUND THE AREA OF DISTURBANCE AND LEFT IN PLACE UNTIL THE PROPERTY IS PERMANENTLY STABILIZED.
15. ALL EXISTING ON-SITE STRUCTURES ARE TO REMAIN AS PART OF THIS APPLICATION, UNLESS NOTED OTHERWISE.
16. NO SOILS INVESTIGATION HAS BEEN PERFORMED TO CLASSIFY SOIL CHARACTERISTICS OR DETERMINE SEASONAL HIGH GROUNDWATER ELEVATION.
17. THE CONTRACTOR OR LAYOUT PARTY SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS ON THE JOB SITE AND SHALL VERIFY THAT THE PLANS BEING UTILIZED ARE FINAL AND APPROVED PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO NOTIFY THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO ELEVATIONS AND/OR DIMENSIONS SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN PROVIDED.
18. THE HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES SHOWN ARE APPROXIMATE ONLY. THE EXACT LOCATION SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO INSTALLATION OF PROPOSED IMPROVEMENTS. IN ADDITION, THE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY IF "OTHER" UTILITIES NOT SHOWN ON THE PLAN EXIST WITHIN THE AREAS OF PROPOSED IMPROVEMENTS. SHOULD THERE BE "OTHER" UTILITIES, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY TO ANALYZE ANY POTENTIAL UTILITY CONFLICTS.
19. THE CONTRACTOR SHOULD CALL 1-800-272-1000 SEVEN (7) DAYS PRIOR TO EXCAVATION FOR FIELD MARK OUT OF UNDERGROUND UTILITIES.
20. PRIOR TO STARTING SITE CLEARING/CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE ALL REQUIRED PERMITS/APPROVALS HAVE BEEN OBTAINED. ALL SITE WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THESE PLANS AND THE REQUIREMENTS AND STANDARDS OF THE PERMITTING AUTHORITY.
21. THE PROPOSED POOL FILTER UTILIZES A CARTRIDGE FILTRATION SYSTEM, WHICH DOES NOT REQUIRE THE FILTER TO BE BACK-WASHED.



MGC ASSOCIATES

Consulting Engineer

Office Location:
237-1 Burrs Road
Burlington, NJ 08016
609-556-4915

GARY CHIANG

No. 44469

7/5/23

| | | | | | |
|--------------|----|--------|--------|--------|------------|
| DRAWN BY: | GC | DATE | SCALE | SHEET | JOB NUMBER |
| DESIGNED BY: | GC | 7/5/23 | 1"=30' | 1 OF 1 | 230712 |
| CHECKED BY: | GC | | | | |

ADD TO EXISTING

EL

TOWNSHIP OF BERNARDS
ZONING BOARD OF ADJUSTMENT
APPLICATION STATUS FORM

Application No: ZB23-020 Block: 2601 Lot: 9 Zone: R-2

Applicant: FAR HILLS DEVELOPMENT LLC

Address of Property: 179 CULBERSON ROAD

Description: DEMOLISH EXISTING HOUSE - BUILD NEW
SINGLE FAMILY DWELLING

APPLICATION CHECKLIST

| | |
|-------------------------------------------------------------------------|----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Original + 16 copies of Application | <input checked="" type="checkbox"/> Engineering Plan/Plot Plan |
| <input checked="" type="checkbox"/> W-9 | <input checked="" type="checkbox"/> Architectural Plans |
| <input checked="" type="checkbox"/> Site Visit Consent (A) | <input type="checkbox"/> Survey |
| <input checked="" type="checkbox"/> Ownership Form (B) | <input type="checkbox"/> Photographs |
| <input checked="" type="checkbox"/> 200' Property Search List (C) | <input type="checkbox"/> Wetlands Report/LOI |
| <input checked="" type="checkbox"/> Tax Certification (D) | <input checked="" type="checkbox"/> Application Fee |
| <input type="checkbox"/> Notice to be Served/Published (E) | <input checked="" type="checkbox"/> Escrow Deposit |
| <input checked="" type="checkbox"/> Dimensional Statistics Form (F) | <input checked="" type="checkbox"/> Imaging Fee |
| <input type="checkbox"/> Contributions Disclosure Form (G) | <input type="checkbox"/> Tax Map Revision Fee |
| | <input checked="" type="checkbox"/> Checklist |

SCHEDULING

9.20.23 Original Submission Date
11.4.23 Completeness Deadline (45 days)
____ Incomplete Date
____ Resubmission Date
3.3.24 Date Complete
3.3.24 Time to Act (45/95/120 days)

HEARING

____ Notice to Property Owners
____ Date of Publication
____ Completeness Hearing
11.08.23 Public Hearing
11.08.23 Carried to Date
____ Decision - Approved/Denied
____ Resolution Memorialized
____ Resolution Published

DISTRIBUTION

9.20.23 Environmental Comm
____ Fire Official
____ LCFAS
____ Police

NOTES









ENVIRONMENTAL
TECHNOLOGY
INC.

Environmental Consultants



April 11, 2023

SENT VIA EMAIL: mike@rothengineers.com

Mr. Mike Roth, P.E., P.P.
Roth Engineering
10 Main Street
Chester, NJ 07930

Re: Wetlands/Transition Area Investigation
179 Culberson Road
Block 2601, Lot 9
Bernards Township, Somerset County, N.J.

Dear Mr. Roth,

Per your request, Environmental Technology Inc. has visited the above referenced property and conducted a wetlands investigation to determine the presence or absence of freshwater wetlands or associated transition areas on the above referenced site. Our methodology and findings are as follows:

STUDY METHODOLOGY

The investigation of the site was performed by the staff of Environmental Technology, Inc. on March 21, 2023.

In accordance with the New Jersey Freshwater Wetlands Protection Act, and outlined by the New Jersey Department of Environmental Protection (NJDEP), the extent of the wetlands were determined by implementing the methodology that is currently accepted by the United States Environmental Protection Agency (USEPA), namely Federal Manual for Identifying and Delineating Jurisdictional Wetlands dated January 10, 1989 and supplements. This methodology states that for an area to be considered wetland all three of the following parameters must be present:

Mike Roth
Re: Wetlands/Transition Area Investigation
179 Culberson Road
Block 2601, Lot 9
Bernards Township, Somerset County, N.J.

April 11, 2023

1. Hydric Soils
2. A Predominance of Hydrophytic Vegetation
3. Hydrology

The determination of hydric soils in the field is made by the use of a manually operated soil sampler. Then a determination of hydric soils is made by using Munsell Soil Color Charts. Transects are made from the wetlands to the uplands to determine the point at which soils no longer were determined to be hydric. Hydric soils are those soils that have a chroma of less than or equal to 1 (when no mottling is present) or a matrix chroma of less than or equal to 2 when mottling is present.

When soils classified as a sand soil are encountered Munsell Soil Color Charts are not used exclusively. In these instances hydric determinations are also made by the presence of one or more of the following conditions: high organic matter content in the surface horizon, the streaking of subsurface horizons by organic matter, or the presence of organic pans.

In situations in which soils exhibit significant coloration due to the nature of the parent material (e.g. red shales) the soils often do not exhibit the characteristic chromas associated with hydric soils. In the above situations the Munsell Soil Color Charts cannot always be used to evaluate the hydric nature of the soil. In these cases their hydric nature according to the Soil Conservation Service (SCS), and the other criteria carry more weight.

Vegetation is classified according to the Eastern Mountains and Piedmont 2014 Regional Wetland Plant List prepared by the USACOE. The classifications, according to this list are as follows:

Obligate (OBL) Always found in wetlands under natural (not planted) conditions (frequency greater than 99%), but may persist in nonwetlands if planted there by man or in wetlands that have been drained, filled, or otherwise transformed into nonwetlands.

Facultative Wetland (FACW) Usually found in wetlands (67%-99% frequency), but occasionally found in nonwetlands.

Facultative (FAC) Sometimes found in wetlands (34%-66% frequency), but also occurs in nonwetlands.

Facultative Upland (FACU) Seldom found in wetlands (1%-33% frequency) and usually occurs in nonwetlands.

Nonwetland (UPL) Occurs in wetlands in another region, but not found (<1% frequency) in wetlands in the region specified. If a species does not occur in wetlands in any region, it is not on the list.

Mike Roth
Re: Wetlands/Transition Area Investigation
179 Culberson Road
Block 2601, Lot 9
Bernards Township, Somerset County, N.J.

April 11, 2023

According to the Federal Manual for Identifying and Delineating Jurisdictional Wetlands dated January 10, 1989, an area has hydrophytic vegetation, when under normal circumstances more than 50 percent of the composition of the dominant species from all strata are obligate wetland (OBL), facultative wetland (FACW), and/or facultative (FAC) species.

In the non-growing season hydrophytic vegetation is assumed to be present, since during this time of the year many herbaceous species are either unidentifiable or non-existent.

Hydrology is determined by the evidence of water, either visible or indicators that water was present. This is noted by visible factors such as drift lines, high water marks on trees, sediment deposits including encrusted detritus, displacement of leaf litter as the result of water flowage, and drainage patterns. During the growing season, saturated soil samples and/or the water table is noted as evidence of hydrology when they are encountered within 12 inches of the soil surface.

Seasonal highwater table information is used, when available, from the Soil Conservation Service. Recent rainfall and/or other precipitation is also considered when evaluating hydrology.

In situations where the native conditions have been altered such as; cleared lands (e.g. agricultural lands), areas where the original soil has been altered (such as formerly plowed or filled lands), certain criteria are given more weight than others due to the lack of reliability of the affected parameter as an indicator.

FINDINGS

The southeastern portion of the site consists of a single-family dwelling, two gravel driveways, maintained lawn areas with scattered cultivars, and other associated improvements. The remains of a block foundation are located within the central portion of the site. The remainder of the site is occupied by forested uplands.

The investigation performed by the staff of ETI found that there are no wetlands identified on or within 150 feet of the site which is the maximum wetlands transition area pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A).

Soil samples confirmed the presence of non-hydric soils within and adjacent to the site (Munsell Soil Color Chart Readings of 7.5YR 4/4 from 0 to 6 inches and 7.5YR 5/4 from 6 to 18 inches).

Vegetation observed in and adjacent to the site consisted of red maple (*Acer rubrum*, FAC), Eastern red cedar (*Juniperus virginiana*, FACU), white ash (*Fraxinus americana*, FACU), sugar maple (*Acer saccharinum*, FACU), tulip-tree (*Liriodendron tulipifera*, FACU), Sassafras (*Sassafras albidum*, FACU), spice bush (*Lindera benzoin*, FACW), Japanese barberry (*Berberis thunbergii*, FACU), wine raspberry (*Rubus phoenicolasius*, NL), nodding wild onion (*Allium cernuum*, NL), and grasses (*Poa* & *Panicum* spp., V).

Mike Roth
Re: Wetlands/Transition Area Investigation
179 Culberson Road
Block 2601, Lot 9
Bernards Township, Somerset County, N.J.

April 11, 2023

CONCLUSIONS

Based on the methodology currently accepted by the NJDEP pursuant to N.J.A.C. 7:7A, there are no areas within the site that are classified as freshwater wetlands or transition area.

Since no portion of the site is within the jurisdiction of NJDEP's Freshwater Wetlands Protection Act Rules no contact with the NJDEP regarding freshwater wetlands or transition areas is required by NJDEP.

The information provided is based on the most current information available and our best professional judgment. This letter does not consider pending or future legislation or regulations that may change the opinions provided.

Please do not hesitate to contact our office if you should have any questions regarding our findings.



Very truly,

ENVIRONMENTAL TECHNOLOGY INC.

David C. Krueger, President
Professional Wetland Scientist 000662
Certified Wetland Delineator WDCP94MD03101146B

23045

EC

TOWNSHIP OF BERNARDS
ZONING BOARD OF ADJUSTMENT
APPLICATION STATUS FORM

Application No: ZB23-020 Block: 2601 Lot: 9 Zone: R-2

Applicant: FAR HILLS DEVELOPMENT LLC

Address of Property: 179 CULBERSON ROAD

Description: DEMOLISH EXISTING HOUSE - BUILD NEW
SINGLE-FAMILY DWELLING

APPLICATION CHECKLIST

| | |
|-------------------------------------------------------------------------|----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Original + 16 copies of Application | <input checked="" type="checkbox"/> Engineering Plan/Plot Plan |
| <input checked="" type="checkbox"/> W-9 | <input checked="" type="checkbox"/> Architectural Plans |
| <input checked="" type="checkbox"/> Site Visit Consent (A) | <input type="checkbox"/> Survey |
| <input checked="" type="checkbox"/> Ownership Form (B) | <input type="checkbox"/> Photographs |
| <input checked="" type="checkbox"/> 200' Property Search List (C) | <input type="checkbox"/> Wetlands Report/LOI |
| <input checked="" type="checkbox"/> Tax Certification (D) | <input checked="" type="checkbox"/> Application Fee |
| <input type="checkbox"/> Notice to be Served/Published (E) | <input checked="" type="checkbox"/> Escrow Deposit |
| <input checked="" type="checkbox"/> Dimensional Statistics Form (F) | <input checked="" type="checkbox"/> Imaging Fee |
| <input type="checkbox"/> Contributions Disclosure Form (G) | <input type="checkbox"/> Tax Map Revision Fee |
| | <input checked="" type="checkbox"/> Checklist |

SCHEDULING

9.20.23 Original Submission Date
11.4.23 Completeness Deadline (45 days)
 Incomplete Date
 Resubmission Date
 Date Complete
3.3.24 Time to Act (45/95/120 days)

HEARING

 Notice to Property Owners
 Date of Publication
 Completeness Hearing
1.3.24 Public Hearing
 Carried to Date
 Decision - Approved/Denied
 Resolution Memorialized
 Resolution Published

DISTRIBUTION

9.20.23 Environmental Comm
 Fire Official
 LCFAS
 Police

NOTES

**TOWNSHIP OF BERNARDS
2023 ZONING BOARD OF ADJUSTMENT APPLICATION**

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Bulk or Dimensional ("c") Variance <input type="checkbox"/> Use ("d") Variance <input type="checkbox"/> Conditional Use ("d") Variance <input type="checkbox"/> Floor Area Ratio, Density, or Height ("d") Variance <input type="checkbox"/> Site Plan - Preliminary / Final | <input type="checkbox"/> Appeal of Zoning Officer's Decision <input type="checkbox"/> Interpretation of Zoning Ordinance <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Major Subdivision - Preliminary / Final <input type="checkbox"/> Other (specify): _____ |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

1. APPLICANT: Far Hills Development LLC

Address: 10 Perrine Circle, Millstone, NJ 08535

Phone: (home) 201-697-4998 (work) _____ (mobile) _____

Email (will be used for official notifications): djohnson1960@gmail.com

2. OWNER (if different from applicant): Far Hills Development LCC

Address: 10 Perrine Circle, Millstone, NJ 08535

Phone: _____ Email (will be used for official notifications): _____

3. ATTORNEY: Michael S. Selvaggi, Esq., Lavery, Selvaggi, Abromitis & Cohen, P.C.

Address: 1001 Route 517, Hackettstown, NJ 07840

Phone: 908-852-2600 Email (will be used for official notifications): mselvaggi@lsaclaw.com

4. OTHER PROFESSIONALS (*Engineer, Architect, etc. Attach additional sheet if necessary*):

Name: Michael Roth, PE, Roth Engineering Profession: Engineer

Address: 52 Quail Run, Long Valley, NJ 07853

Phone: 973-715-7427 Email (will be used for official notifications): mike@rothengineers.com

5. PROPERTY INFORMATION: Block(s): 2601 Lot(s): 9 Zone: R-2

Street Address: 179 Culberson Road Total Area (*square feet/acres*): 2.01 acres

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? ☒ No ☐ Yes (*if yes, explain or attach Board resolution*) _____

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? ☒ No ☐ Yes (*if yes, explain*) _____

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?

[X] No [] Yes (if yes, explain) _____

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST: _____
Single family dwelling with site related improvements.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.):
Bulk variance relief is requested for minimum lot width and minimum improvable lot area
as per Ordinance Section 21-10 and Table 501. Please see plans.

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION:
The need for relief is founded primarily on the fact that the property is a corner lot with an
already existing residence. The Applicant is not exacerbating either pre-existing condition
with respect to the new proposed home.

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):

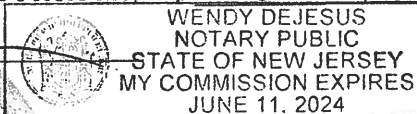
APPLICANT(S) SIGN HERE:

I/we, DANIEL JOHNSON and _____ hereby depose and say that
all of the above statements and the statements contained in the materials submitted herewith are true and
correct.

Signature of Applicant(s): _____ and _____

Sworn and subscribed before me, this 28 day of AUGUST, 2023

Notary



OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

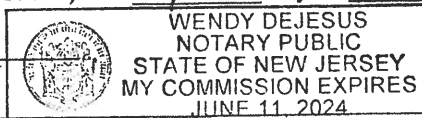
If the application is made by a person or entity other than the property owner, or by less than all of the property
owners, then the property owner or the additional owners must complete the following:

I/we, DANIEL JOHNSON the owner(s) of the property described in this application,
hereby authorize MICHAEL SELVAGGI to act as my/our agent for purposes of making
and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all
conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this 28 day of AUGUST, 2023

Notary



02/06/19

SUBMIT 17 COPIES TOTAL

FORM F

DIMENSIONAL STATISTICS

| | REQUIRED | EXISTING | PROPOSED |
|-----------------------------------------------|-----------|----------------------------------------------------|---------------------------------------------------|
| LOT AREA | 2 acres | 2.01 acres | no change |
| LOT WIDTH | 312 ft. | 280.3 ft./ Lake Rd. 310.7 ft./ Culberson Rd. | no change (V) |
| FRONTAGE | 125 ft. | 275.17 ft. / Lake Rd, 310.67 ft./ Culberson Rd. | no change |
| FRONT YARD SETBACK | 100 ft. | 63.3 ft. / Lake Rd. 84.9 ft. / Culberson Rd. | 101.0 ft. / Lake Rd. 132.8 ft. / Culberson Rd. |
| REAR YARD SETBACK | 100 ft. | 153.5 ft. | 101.0 ft. |
| COMBINED SIDE YARD | 100 ft. | N/A | N/A |
| SIDE YARD | 15 ft. | N/A | N/A |
| COVERAGE | 15% | 7.2% | 8.3% |
| HEIGHT | 35 ft. | <35 ft. | 29.8 ft. |
| <i>IF REQUIRED,</i> GROSS FLOOR AREA | | | |
| <i>IF REQUIRED,</i> FLOOR AREA RATIO | | | |
| <i>IF REQUIRED,</i> IMPROVABLE LOT AREA | 22,000 sf | 13,441 sf | no change (V) |

APPENDIX D, ARTICLE III

Checklist

Application for Approval of a Variance Pursuant to NJSA 40:55D-70(c)

Important: Each item must be marked Submitted, Not Applicable or Waiver Requested

| No. | Item | Submitted | Not Applicable | Waiver Requested |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------|------------------|
| 1 | A completed application form and checklist. | ✓ | | |
| 2 | A certificate from the tax collector indicating that taxes are paid. | ✓ | | |
| 3 | All required application and escrow deposit fees. | ✓ | | |
| 4 | Names and addresses of property owners within 200' of the subject property, as disclosed by current tax records and identified by block & lot numbers. | ✓ | | |
| 5 | A plot plan or survey accurately depicting the entire subject property and all existing buildings, structures, driveways, patios, etc. | ✓ | | |
| 6 | Sketch of all proposed improvements on the plot plan or survey, with dimensions of improvements and distances to property lines. | ✓ | | |
| 7 | Calculations of existing & proposed lot coverage percentages. | ✓ | | |
| 8 | Architectural sketches (floor plan and elevations) of the proposed improvements. | ✓ | | |
| 9 | Photographs of the property in the location of the proposed improvements. | | | ✓ |
| 10 | A wetlands delineation or wetlands absence determination prepared by a qualified consultant and verified by a letter of interpretation from the New Jersey Department of Environmental Protection, if required pursuant to Section 21-14.1.a. | | ✓ | |
| 11 | The locations of percolation tests and a copy of the written approval of the tests and locations from the Bernards Township Health Department, if the application involves a new dwelling and sewage disposal is to be handled by an individual septic system. | | | ✓ |
| 12 | Delineation of riparian zones in accordance with Subsection 21-14.4. | | ✓ | |
| 13 | Existing topography, proposed grading, and proposed stormwater infiltration measures in accordance with §21-42.11.b.1, shown on the plot plan or survey, if 1,000sf or more of new impervious area is proposed. | ✓ | | |

SUBMIT ORIGINAL AND 16 COPIES

FORM A

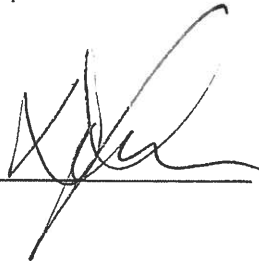
**TOWNSHIP OF BERNARDS
PLANNING BOARD / BOARD OF ADJUSTMENT**

SITE INSPECTION CONSENT FORM

Applicant: Far Hills Development LLC
Block: 2601 Lot: 9
Street Address: 179 Culberson Road

I, DANIEL JOHNSON, owner of the above property, hereby acknowledge that, upon determination of completeness of the application, a site inspection may be scheduled with the Board for a mutually convenient date and time. I hereby authorize members of the Planning Board/Board of Adjustment and their representatives and consultants to enter onto the property at the time of the site inspection for the purpose of evaluating the application.

Signature: _____



Date: _____

8/28/23

SUBMIT ORIGINAL + 2 COPIES
For Corporations, LLC, LLP ONLY

STATEMENT OF OWNERSHIP

Corporate or Partnership
 Name of Applicant:

Far Hills Development LLC

Address:

10 Perrine Circle, Millstone, NJ 08535

The following is a list of all shareholders and/or partners owning beneficially or having registered in their names not less than ten percent (10%) of the stock of the corporation or interest in a partnership involved in an application hereinabove referred to:

Name: DANIEL JOHNSON

Name: _____

Address: 10 PERRINE CIRCLE

Address: _____

MILLSTONE TWP, NJ 08535

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

I hereby certify under penalty of perjury that the foregoing is true.

Signature: 

Date: 8/28/23

SUBMIT ORIGINAL + 2 COPIES

FOR CERTIFICATION OF CURRENT PROPERTY TAX PAYMENTS:

SEND FORM TO TAX COLLECTOR
ONE COLLYER LANE, BASKING RIDGE, NJ, 07920 (908) 204-3078
CERTIFICATION WILL BE E-MAILED/MAILED WHEN IT IS COMPLETED.
DO NOT SUBMIT APPLICATION WITHOUT PROOF OF TAXES PAID.

CERTIFICATION OF CURRENT PROPERTY TAX PAYMENTS

BLOCK: 2601 LOT: 9
PROPERTY LOCATION: 179 Culberson Road
ASSESSED TO (name): Far Hills Development LCC
ADDRESS: 10 Perrine Circle, Millstone, NJ 08535
REQUESTED BY: Wendy DeJesus, Paralegal
PHONE NUMBER: 908-852-2600
E-MAIL TO: wdejesus@lsaclaw.com
or MAIL TO: Lavery, Selvaggi, Abromitis & Cohen, P.C.
1001 Route 517, Hackettstown, NJ 07840

I CERTIFY THAT THE PROPERTY TAXES ARE CURRENT, PAID THROUGH:3rd Quarter 2023

Kevin Sant'Angelo 8/22/23
KEVIN SANT'ANGELO,
TAX COLLECTOR



OFFICE OF THE ASSESSOR

TOWNSHIP OF BERNARDS

One Collyer Ln, Basking Ridge, NJ 07920

(908) 204-3082 Fax (908) 766-1643

assessor@bernards.org

200 Foot Property Search

** VALID FOR 90 DAYS **

Date: 08/25/2023

Block: 2601 Property Location: 179 Culberson Rd

Lot(s): 9 Applicant: Wendy DeJesus

Qual:

Phone : Fax: Email:

PROPERTY OWNER INFORMATION

Owner Name:

Address: 10 Perrine Cir

City, State, Zip: Millstone Twp NJ 08535

Due to the location of the referenced Block and Lot,
the following Fire Company Should be notified:

Basking Ridge Fire Company, P.O. Box 326, Basking Ridge, NJ 07920

Return By: E-Mail ☐ Mail ☐ Fax ☐ Pick-Up ☐

Wendy DeJesus

Lavery, Selvaggi, Abromitis & Cohen

1001 Rt 517

Hackettstown NJ 07840

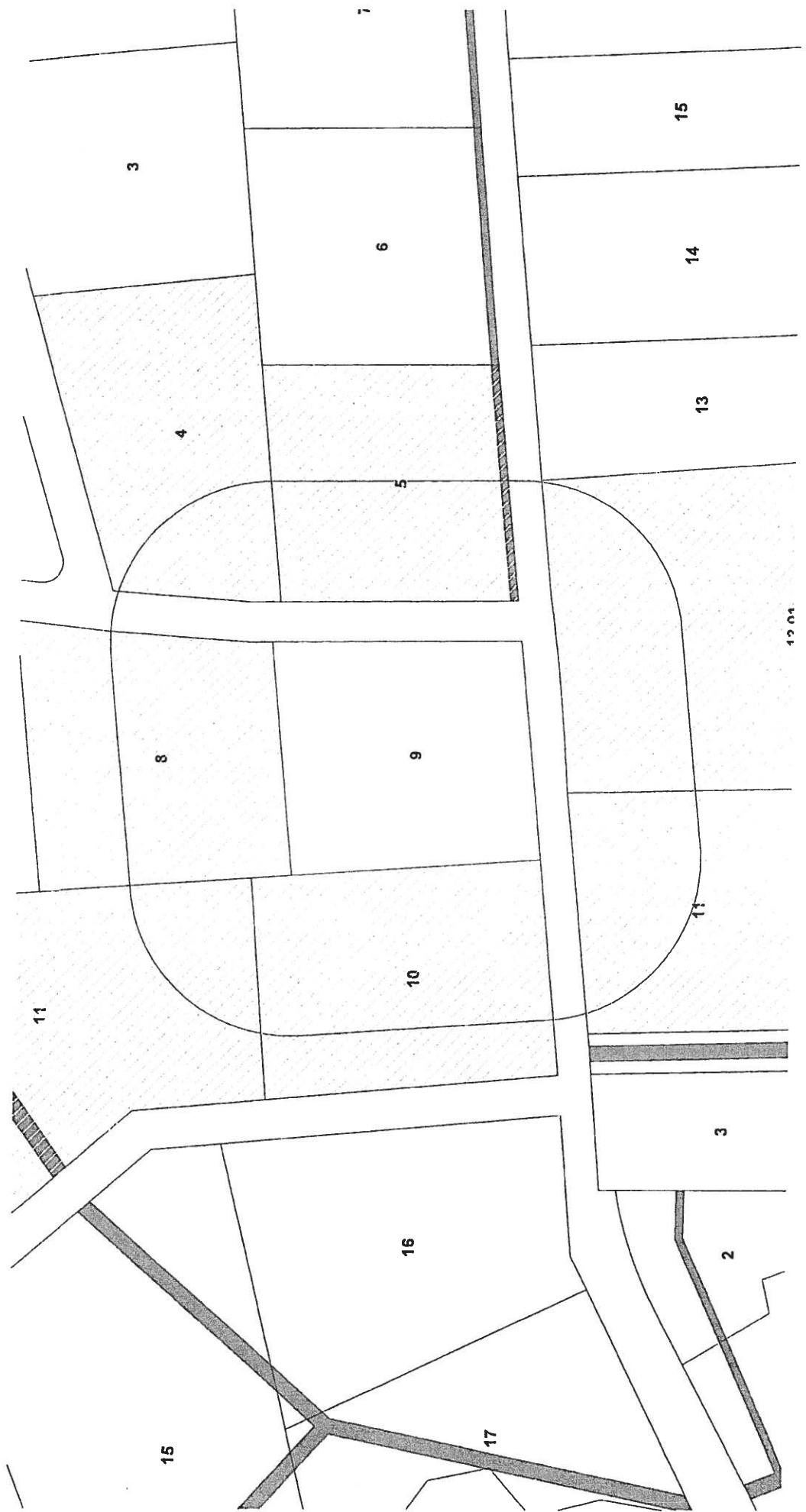
CERTIFIED BY:

David Centrelli, CTA
Assessor, Township of Bernards

Amount Paid: \$10.00

Check No.: 12457

Date Paid: 08/25/2023



Property Owner
144 LAKE RD
BASKING RIDGE NJ 07920
RE: 3901-12.01: 144 LAKE RD

Property Owner
166 LAKE RD
BASKING RIDGE NJ 07920
RE: 3901-11: 166 LAKE RD

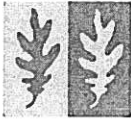
Property Owner
141 LAKE RD
BASKING RIDGE, NJ 07920
RE: 2603-5: 141 LAKE RD

Property Owner
44 DOGWOOD WAY
BASKING RIDGE NJ 07920
RE: 2603-4: 44 DOGWOOD WAY

Property Owner
BOX 56
BASKING RIDGE NJ 07920
RE: 2601-11: 24 HOLMESBROOK RD

Property Owner
161 LAKE RD
BASKING RIDGE NJ 07920
RE: 2601-10: 161 LAKE RD

Property Owner
161 CULBERSON RD
BASKING RIDGE NJ 07920
RE: 2601-8: 161 CULBERSON RD



Bernards Township

Parcel Offset List

Target Parcel(s): Block-Lot: 2601-9
Property Owner
179 CULBERSON RD

7 parcels fall within 200 feet of this parcel(s).

Block-Lot: 3901-12.01

Property Owner
144 LAKE RD
BASKING RIDGE NJ 07920
RE: 144 LAKE RD

Block-Lot: 3901-11

Property Owner
166 LAKE RD
BASKING RIDGE NJ 07920
RE: 166 LAKE RD

Block-Lot: 2603-5

Property Owner
141 LAKE RD
BASKING RIDGE, NJ 07920
RE: 141 LAKE RD

Block-Lot: 2603-4

Property Owner
44 DOGWOOD WAY
BASKING RIDGE NJ 07920
RE: 44 DOGWOOD WAY

Block-Lot: 2601-11

Property Owner
BOX 56
BASKING RIDGE NJ 07920
RE: 24 HOLMESBROOK RD

Block-Lot: 2601-10

Property Owner
161 LAKE RD
BASKING RIDGE NJ 07920
RE: 161 LAKE RD

Block-Lot: 2601-8

Property Owner
161 CULBERSON RD
BASKING RIDGE NJ 07920
RE: 161 CULBERSON RD



OFFICE OF THE ASSESSOR
TOWNSHIP OF BERNARDS
ONE COLLYER LANE
BASKING RIDGE, NJ 07920
(908)-204-3082 FAX (908)-766-1644

200 FOOT PROPERTY SEARCH

List of names and addresses of all owners of property as shown on the current tax duplicate located within 200 feet of any part of the property affected by this application. The Township of Bernards accepts no liability for errors hereon. *The attached list was compiled by the Engineering Department.*

If the property is within 200 feet of an adjoining municipality, the Township Clerk of that municipality should be notified. In addition, the applicant must also obtain the names and addresses of the owners of the land in such adjoining municipalities that are located within 200 feet of the subject premises.

The following is a list of utility companies located within Bernards Township. It is not to be construed as utilities being on or within 200 feet of the property being searched.

- | | | |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. ALGONQUIN GAS TRANSMISSION CO Gilbert Trinidad 501 Coolidge St South Plainfield, NJ 07080 (732) 427-5217 | 5. NEW JERSEY AMERICAN WATER CO Donna Short, GIS Supervisor NJ-American Water Company, Inc. 1025 Laurel Oak Rd Voorhees, NJ 08043 | 9. NEW JERSEY BELL TELEPHONE CO Edward D. Young III, Secretary Verizon Legal Dept. 540 Broad St – Room 2001 Newark, NJ 07101 (201) 649-2233 |
| 2. JCP & L/ GPU Service Tax Dept PO Box 1911 Morristown, NJ 07962-1911 | 6. CABLEVISION OF RARITAN VALLEY 275 Centennial Ave; CN6805 Piscataway, NJ 08855 Attn: Marguerite Prenderville Construction Dept | 10. TRANSCONTINENTAL GAS PIPELINE Division Office 3200 S Wood Ave Linden, NJ 07036 |
| 3. PUBLIC SERVICE ELECTRIC & GAS Manager – Corporate Properties 80 Park Plaza, T6B Newark, NJ 07102 | 7. BERNARDS TWP SEWERAGE AUTHORITY One Collyer Ln. Basking Ridge, NJ 07920 (908) 204-3002 | 11. VERIZON BUSINESS/MCI Right of Way Dept. 2400 N. Glenville Dr. Richardson, TX 75082 |
| 4. VERIZON COMMUNICATIONS Engineering 6000 Hadley Rd South Plainfield, NJ 07080 | 8. ENVIRONMENTAL DISPOSAL CORP William Halsey, President PO Box 709 Pluckemin, NJ 07978 (908) 234-0677 | |

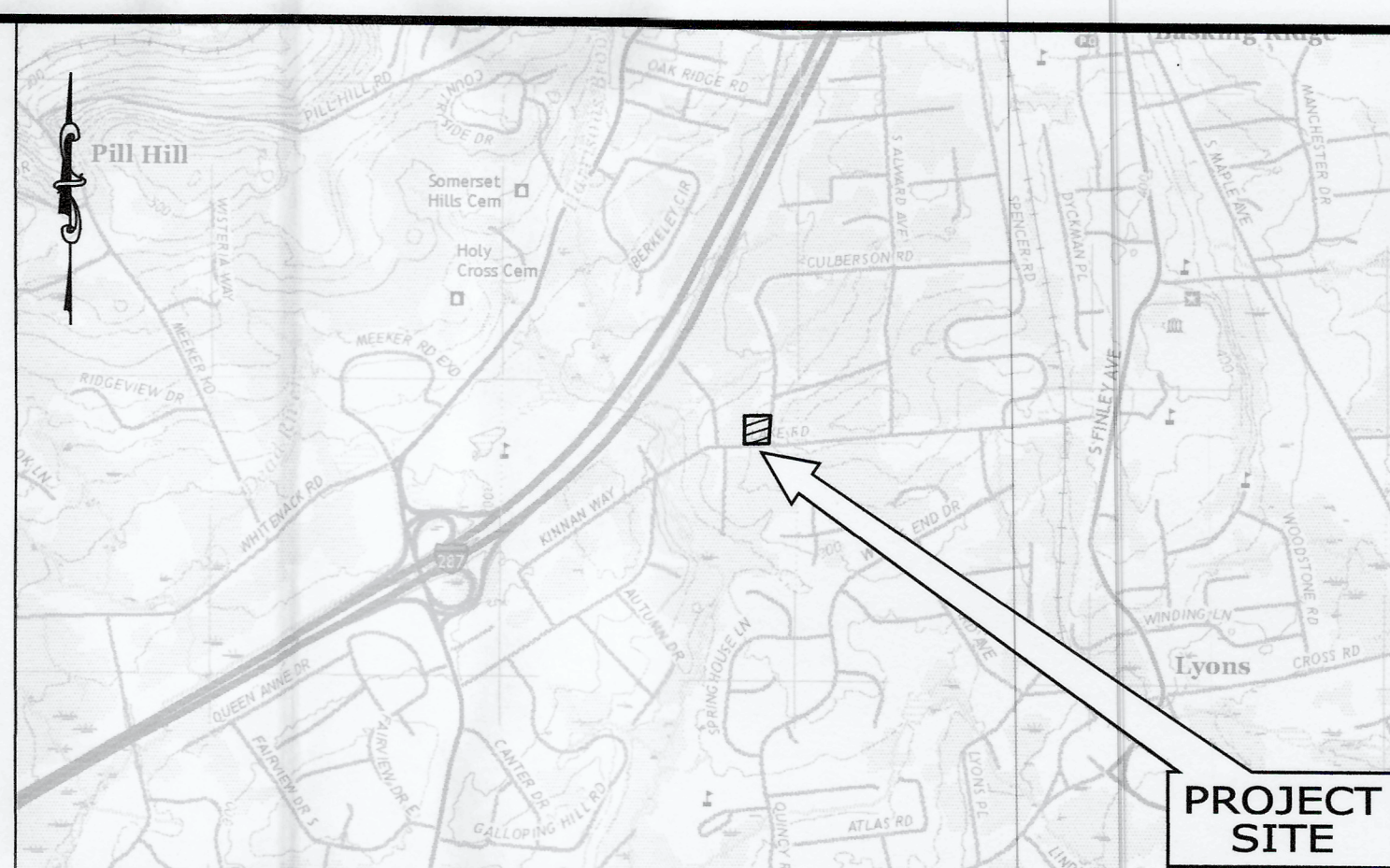
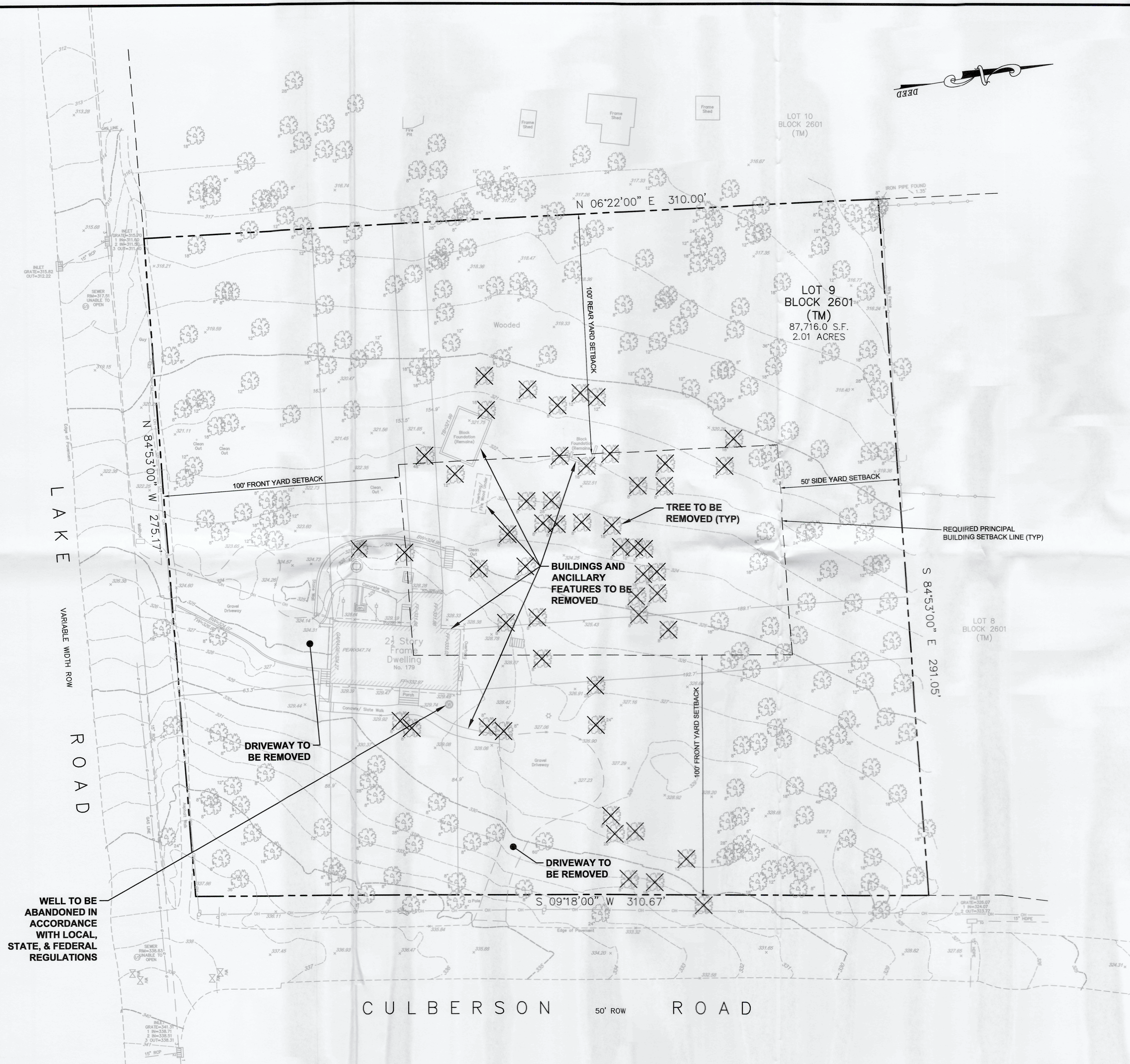
PLEASE NOTE:
Numbers 1,2,3,4 and 6 are
registered with the Township and
REQUIRE NOTIFICATION

If the property is adjacent to a State Highway, the
COMMISSIONER OF TRANSPORTATION
must be notified at

NEW JERSEY DEPT OF TRANSPORTATION
1035 Parkway Ave., CN600
Trenton, NJ 08625

If the property is adjacent to a County Road, the
SOMERSET COUNTY PLANNING BOARD
must be notified at

SOMERSET COUNTY PLANNING BOARD
PO Box 3000
Somerville, NJ 08876



KEY MAP

SCALE: 1"=2,000' (USGS BERNARDSVILLE QUADRANGLE MAP DATED 2019)

OWNER / APPLICANT:

FAR HILLS DEVELOPMENT LLC

10 PERRINE CIRCLE

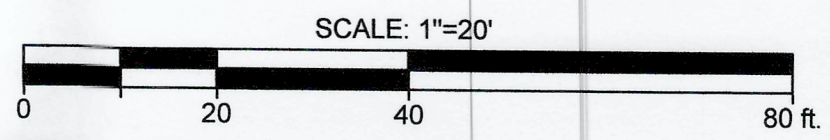
MILLSTONE TOWNSHIP, NJ 08535

(201) 697-4998

REFERENCES/NOTES

1. THE INTENTION OF THIS PLAN TO SHOW THE PROPOSED DWELLING AND OTHER SITE IMPROVEMENTS. REFER TO ARCHITECTURAL PLANS PREPARED BY OTHERS FOR INFORMATION RELATED TO PROPOSED DWELLING.
2. THIS PLAN IS BASED ON A SURVEY ENTITLED TOPOGRAPHIC SURVEY OF PROPERTY, TAX LOT 9 - BLOCK 2601, 179 CULBERSON ROAD, TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY PREPARED BY LAKELAND SURVEYING DATED MARCH 3, 2023 (ELEVATIONS SHOWN ARE BASED ON NAVD 83).
3. THE PROJECT IS LOCATED WITHIN A NON-CONFORMING PLANNING AREA THEREFORE THE PROJECT IS NOT SUBJECT TO ANY HIGHLANDS REGULATION.
4. BASED ON THE METHODOLOGY CURRENTLY ACCEPTED BY THE NJDEP PURSUANT TO N.J.A.C. 7.7A, THERE ARE NO AREAS CLASSIFIED AS FRESHWATER WETLANDS OR TRANSITION AREAS WITHIN THE SITE AS PER INVESTIGATION AND LETTER PREPARED BY ENVIRONMENTAL TECHNOLOGY INC.
5. THE SUBJECT PROPERTY IS IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) BASED ON THE FLOOD INSURANCE RATE NUMBER 3403500152E WITH EFFECTIVE DATE OF SEPTEMBER 28, 2007. THE 100-YEAR FLOOD LINE IS NOT ON THE PROJECT SITE.
7. THIS PROJECT IS NOT A MAJOR STORMWATER DEVELOPMENT SINCE THE PROPOSED DISTURBANCE OF LAND SINCE FEBRUARY 2004 IS LESS THAN ONE ACRE, THE PROPOSED REGULATED IMPERVIOUS SURFACE SINCE FEBRUARY 2, 2004 IS LESS THAN ONE-QUARTER ACRE, AND THE PROPOSED REGULATED MOTOR VEHICLE SURFACE SINCE FEBRUARY 2, 2021 IS LESS THAN ONE-QUARTER ACRE.
8. THE PROJECT PROPOSES LESS THAN 1,000 SF OF NEW IMPERVIOUS AREA THEREFORE STORMWATER MANAGEMENT MEASURES ARE NOT REQUIRED IN ACCORDANCE WITH THE TOWNSHIP'S STANDARDS.
9. THE SUBJECT PROPERTY IS IN THE NJ AMERICAN - SHORT HILLS WATER SURVEYOR AREA AND HARRISON BROOK SEWER TREATMENT PLANT SEWER SERVICE AREA. THE PROPOSED DWELLING IS TO BE SERVED BY PUBLIC WATER AND SEWER SERVICE. A REVIEW BY THE TOWNSHIP ENGINEER AND SEWER DEPARTMENT IS REQUIRED PRIOR TO ANY CONSTRUCTION.
10. UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND OBSERVATIONS ONLY IN ACCORDANCE WITH FIELD MARK-OUTS AND/OR PHYSICAL LOCATIONS OBSERVED DURING CONSTRUCTION. CONNECTIONS BETWEEN STRUCTURES, IF SHOWN, ARE BASED ON SAID MARK-OUTS AND OCCUPATIONS AND MAY NOT REPRESENT ACTUAL BELOW GROUND CONDITIONS.
11. THIS PLAN DOES NOT INCLUDE TAKEOUT OF PROPERTY AND PROPOSED STRUCTURES.
12. PRIOR TO ANY CONSTRUCTION OR SITE PREPARATION ACTIVITY, THE CONTRACTOR SHALL COMPLETE THE FOLLOWING:
 - * VERIFY THE PLANS CONTAIN THE RAISED SEAL OF THE ENGINEER AND DISPLAY THE LATEST REVISION AS "ISSUED FOR CONSTRUCTION". THE USE OF ANY OTHER PLANS IS AT THE CONTRACTOR'S RISK.
 - * VERIFY THE INFORMATION SHOWN ON THESE PLANS IS CONSISTENT WITH THE INFORMATION SHOWN ON ALL OTHER PLANS (ARCHITECTURAL, LANDSCAPING, ETC.) REQUIRED FOR CONSTRUCTION OF THE PROJECT. ALSO, VERIFY THE PLANS ARE CONSISTENT WITH ALL CONDITIONS AND REQUIREMENTS SET FORTH IN THE PERMITS. REPORT ANY DISCREPANCIES/INCONSISTENCIES TO THE OWNER AND THE DESIGN ENGINEER PRIOR TO ANY CONSTRUCTION.
 - * DETERMINE ALL APPLICABLE SPECIFICATIONS, AS WELL AS ALL REQUIREMENTS FOR SHOP DRAWINGS, INSPECTIONS AND TESTING APPLICABLE TO PROJECT BY CONTACTING THE LOCAL BUILDING OFFICIAL, MUNICIPAL ENGINEER AND EACH AFFECTED UTILITY COMPANY (OR AGENCY). IN THE EVENT OF A CONFLICT BETWEEN ANY SPECIFICATIONS AND THE INFORMATION SHOWN ON THESE PLANS, THE DESIGN ENGINEER AND THE OWNER SHALL BE NOTIFIED IN ORDER TO RESOLVE THE CONFLICT PRIOR TO ANY CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR THEIR OWN VERIFICATION OF EXISTING TOPOGRAPHIC INFORMATION, SHOULD THERE BE ANY SUSPECTED DISCREPANCIES WITH THE TOPOGRAPHY DEPICTED ON THE PLANS AND ACTUAL PHYSICAL CONDITIONS. ANY CONFIRMED DISCREPANCY IDENTIFIED BY THE CONTRACTOR'S VERIFICATION SHALL BE REPORTED TO THE ENGINEER. ANY RESOLUTION PRIOR TO ANY SITE DISTURBANCE. ONCE ANY SITE DISTURBANCE OCCURS, THE CONTRACTOR SHALL HAVE NO CLAIM FOR EXTRA WORK OR COSTS INCURRED OR EXPECTED OR CONFIRMED TOPOGRAPHIC DISCREPANCIES.
14. ALL AREAS BEING GRADED AND WHERE SOIL IS BEING SPREAD ACROSS THE YARD SHALL BE SOIL SOLED AND SEEDED IMMEDIATELY FOLLOWING GRADING OPERATIONS. EXISTING GRADES AT NEIGHBORING PROPERTY LINES TO BE MAINTAINED.
15. ALL ROOF LEADER DRAINS TO BE 6-INCH SCHEDULE 40 PVC, UNLESS OTHERWISE NOTED ON THE PLANS. ALL LEADER DRAINS TO BE INSTALLED WITH ONE FOOT MINIMUM COVER. ALL PIPE SHALL BE INSTALLED IN ACCORDANCE TO APPLICABLE MANUFACTURER'S SPECIFICATIONS.
16. CONTRACTOR TO NOTIFY THE APPLICABLE SOIL CONSERVATION DISTRICT IN WRITING AT LEAST 72 HOURS PRIOR TO ANY SITE PREPARATION OR CONSTRUCTION ACTIVITIES. SOIL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT CONSTRUCTION IN ACCORDANCE WITH THE LOCAL SOIL CONSERVATION DISTRICT'S REQUIREMENTS. AS NOTED ON THE PLAN, THE LIMIT OF DISTURBANCE IS OVER 5,000 SQUARE FEET THEREFORE SESC CERTIFICATION IS REQUIRED.
17. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR CONSTRUCTION SITE SAFETY AND FOR DETERMINING THE MEANS AND METHODS FOR ALL CONSTRUCTION ACTIVITIES. ALL SAFETY PRECAUTIONS MUST BE UNDERTAKEN AND MAINTAINED AS REQUIRED BY LOCAL, STATE AND FEDERAL REGULATIONS.
18. GRASSES SHALL BE CONSTRUCTED TO DIRECT STORMWATER RUNOFF AWAY FROM DWELLING AND IN A MANNER TO MAINTAIN EXISTING BARRIAGE PATTERNS. THERE SHALL BE NO ADVERSE IMPACT ON ADJACENT PROPERTY.
19. CONTRACTORS AND SUBCONTRACTORS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATIONS REGARDING SUBSURFACE CONDITIONS, INCLUDING BUT NOT LIMITED TO SOIL CHARACTERISTICS, AS WELL AS DEPTH TO ROCK AND GROUNDWATER. THE DESIGN ENGINEER WAS NOT CONTRACTED TO MAKE ANY SUCH DETERMINATIONS.
20. IF REQUIRED, A BUILDING PERMIT IS REQUIRED FOR ALL WALLS FOUR OR MORE FEET IN HEIGHT. CONTRACTOR (OR OWNER) IS RESPONSIBLE FOR SECURING THE NECESSARY PERMITS. WALLS OVER FOUR (4) FEET IN HEIGHT NEED TO BE DESIGNED BY A LICENSED ENGINEER AND ARE SUBJECT TO REVIEW AND APPROVAL BY THE TOWNSHIP ENGINEER FOR FLOODING DEPARTMENT.
21. BOTTOM OF WALL ELEVATIONS (BW) SHOWN ON THE PLANS INDICATE GROUND ELEVATION AT TOE OF WALL UPON COMPLETION OF CONSTRUCTION. FOOTING ELEVATIONS TO BE TAKEN FROM THE STRUCTURAL PLANS PROCURED BY THE CONTRACTOR (OR OWNER).
22. IT IS NOT THE INTENT OF THESE PLANS TO PROVIDE STRUCTURAL DESIGN FOR ANY PRE-CAST OR CAST IN PLACE CONCRETE STRUCTURE. ALL STRUCTURAL DESIGN OF PRE-CAST AND/OR CAST-IN-PLACE CONCRETE STRUCTURES SHALL BE PREPARED BY A PROFESSIONAL ENGINEER PRIOR TO ANY CONSTRUCTION.
23. IF REQUIRED, POST-CONSTRUCTION CERTIFICATION AS TO THE CONSTRUCTION OF A STAINING WALL OR OTHER STRUCTURAL COMPONENTS TO BE PROVIDED BY A PROFESSIONAL ENGINEER ENGAGED BY THE CONTRACTOR (OR OWNER).
24. PRIOR TO CONDUCTING ANY IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY, AN ENGINEERING PERMIT FROM THE BERNARDS TOWNSHIP ENGINEERING DEPARTMENT MUST FIRST BE OBTAINED.
25. NO TREES ARE TO BE REMOVED WITHOUT A PERMIT FROM BERNARDS TOWNSHIP.

| TREE REMOVAL CHART | |
|----------------------------------|----------------------|
| Tree size (inches) | Amount to be removed |
| 8 | 29 |
| 12 | 9 |
| 18 | 8 |
| 24 | 1 |
| 28 | 4 |
| 48 | 1 |
| Total Trees To Be Removed | 52 |



MICHAEL J. ROTH



ROTH
ENGINEERING

PLOT PLANS FOR 179 CULBERSON ROAD
COVER SHEET / SITE PREPARATION PLAN

DATE: 09/07/23
PROJECT NO.: 230

SHEET NO.:

1 OF 3

NEW JERSEY LICENSE NO. 24GE05262600

ROTH ENGINEERING, LLC
52 QUAIL RUN, LONG VALLEY, NJ 07853
PHONE: 973-715-7427
EMAIL: MIKE@ROTHENGINEERS.COM

BLOCK 2601, LOT 9
TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY

| REV # | DATE | REVISION |
|-------|------|----------|
|-------|------|----------|

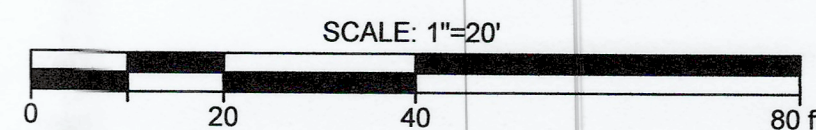


| ZONING TABLE | | | |
|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BLOCK 2601, LOT 9 (179 CULBERSON ROAD) | | | |
| TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY | | | |
| LOT AREA = 87,716.0 SF (2.01 ACRES) | | | |
| ZONE: R-2 (2 ACRE RESIDENTIAL ZONE DISTRICT) | | | |
| EXISTING / PROPOSED USE: SINGLE-FAMILY RESIDENTIAL | | | |
| REQUIREMENTS | PERMITTED | EXISTING | PROPOSED |
| Min. Lot Area | 2 Acres | 2.01 Acres | NO CHANGE |
| Min. Lot Width | 312.5 Ft. Note: On a corner lot, the minimum width shall be 125% of the minimum lot width set forth in Table 501. Only one lot width shall be required to meet the 125% standard. | 280.3 Ft. measured along Lake Road 310.7 Ft. measured along Culberson Road (Pre-existing nonconforming condition) | NO CHANGE (VARIANCE) |
| Min. Lot Frontage | 125 Ft. | 275.17 Ft. measured along Lake Road 310.67 Ft. measured along Culberson Road | NO CHANGE |
| Min. Principal Building Front Yard Setback | 100 Ft. | 63.3 Ft. to Lake Road (Pre-existing nonconforming condition) 84.9 Ft. to Culberson Road (Pre-existing nonconforming condition) | 101.0 Ft. to Lake Road 132.8 Ft. to Culberson Road |
| Min. Principal Building Side Yard Setback (Each) | 50 Ft. | 189.1 Ft. | 131.4 Ft. |
| Min. Principal Building Combined Side Yard Setback | 100 Ft. | N/A | N/A |
| Min. Principal Building Rear Yard Setback | 100 Ft. | 153.5 Ft. | 101.0 Ft. |
| Min. Accessory Building Side Yard Setback | 15 Ft. | N/A | N/A |
| Min. Accessory Building Rear Yard Setback | 20 Ft. | N/A | N/A |
| Min. Accessory Building Distance Between Two Buildings | 10 Ft. | N/A | N/A |
| Minimum Improvable Lot Area (See Table Below for Steep Slope Legend for Improvable Lot Area) | 22,000 SF | 13,441 SF (Pre-existing nonconforming condition) | NO CHANGE (VARIANCE) |
| Maximum Impervious Coverage | 15% | 7.2% | 7.4% |
| Maximum Allowable Density Per Acre | 0.5 | 0.498 | NO CHANGE |
| Maximum Principal Building Height (feet) | 35 Ft. | < 35 Feet | 29.8 Ft. Building Height Calculation Finished floor to highest gable is 25.9 feet (see architectural plans). The average ground level to the finished floor is 3.9 feet. Building height = 25.9' + 3.9' = 29.8' |
| Maximum Accessory Building Height (feet) | 20 Ft. | N/A | N/A |
| Residential Driveways: Driveway Width | All driveways shall be a minimum of 10 feet in width. Driveway grades shall not exceed 10% at any point along the entire length of the driveway. | Existing driveway is 9 feet wide (Pre-existing nonconforming condition) | Proposed driveway is 14 feet wide. |
| Residential Driveways: Driveway Grades | No driveway shall be located within five feet of a side lot line. | Existing driveway grade does not exceed 10%. | Proposed driveway grade does not exceed 10%. |
| Residential Driveways: Driveway Location | | Existing driveway is greater than 5 feet from lot line. | Proposed driveway is greater than 5 feet from lot line. |

| Coverage Table | | | | | |
|--------------------------------------------------|-----------|------------|------------------------------------------|-----------|------------|
| TOTAL LOT AREA (SF) = 87,716 | | | | | |
| Existing Coverage | | | Proposed Coverage | | |
| Description | Area (SF) | Percentage | Description | Area (SF) | Percentage |
| Dwelling including porches and overhangs | 1,830 | | Dwelling including porches and overhangs | 3,063 | |
| Total Building Coverage | 1,830 | 2.1% | Total Building Coverage | 3,063 | 3.5% |
| Driveways | 3,381 | | Driveway | 2,945 | |
| Landings, Stairs, Walkways, and Misc. Structures | 1,123 | | Landings, Patio, Stairs, and Walkways | 453 | |
| Total Impervious Coverage | 6,334 | 7.2% | Total Impervious Coverage | 6,461 | 7.4% |
| | | | Increase in Impervious Coverage | 127 | |

| STEEP SLOPE LEGEND FOR ENTIRE PROPERTY | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------|--------------------------------------------|---------------------------------------------|------------------------------|----------|
| NOTE: THE STEEP SLOPE ANALYSIS IS BASED ON TEN-FOOT CONTOUR INTERVALS PER § 21-14.2(b) WHICH RESULTS IN NO AREAS WITH SLOPES THAT ARE GREATER THAN 15 PERCENT. | | | | | | |
| SLOPE LEGEND | SLOPE CATEGORIES | AREA (S.F.) | MAXIMUM PERMITTED DISTURBANCE (%) | MAXIMUM PERMITTED DISTURBANCE (SF) | DISTURBANCE PROPOSED (SF) | COMMENTS |
| | 0 - 14.9% | 87,716 | 100.00% | 87,716 | 36,000 | COMPLIES |
| | 15 - 19.9% | 0 | 40.00% | 0 | 0 | COMPLIES |
| | 20 - 25% | 0 | 20.00% | 0 | 0 | COMPLIES |
| | > 25% | 0 | 0.00% | 0 | 0 | COMPLIES |
| | TOTAL | 87,716 | | 87,716 | 36,000 | |

| STEEP SLOPE LEGEND FOR IMPROVABLE LOT AREA | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------|-----------------------------------|------------------------------------|
| NOTE: THE STEEP SLOPE ANALYSIS IS BASED ON TEN-FOOT CONTOUR INTERVALS PER § 21-14.2(b) WHICH RESULTS IN NO AREAS WITH SLOPES THAT ARE GREATER THAN 15 PERCENT. | | | | |
| SLOPE LEGEND | SLOPE CATEGORIES | AREA (S.F.) | MAXIMUM PERMITTED DISTURBANCE (%) | MAXIMUM PERMITTED DISTURBANCE (SF) |
| | 0 - 14.9% | 13,441 | 100.00% | 13,441 |
| | 15 - 19.9% | 0 | 40.00% | 0 |
| | 20 - 25% | 0 | 20.00% | 0 |
| | > 25% | 0 | 0.00% | 0 |
| | TOTAL | 13,441 | | 13,441 |



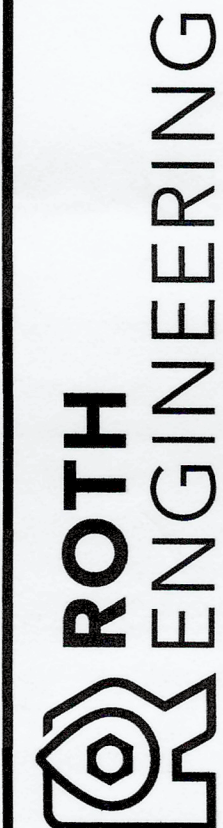
PLOT PLANS FOR 179 CULBERSON ROAD

LAYOUT & DIMENSIONING PLAN

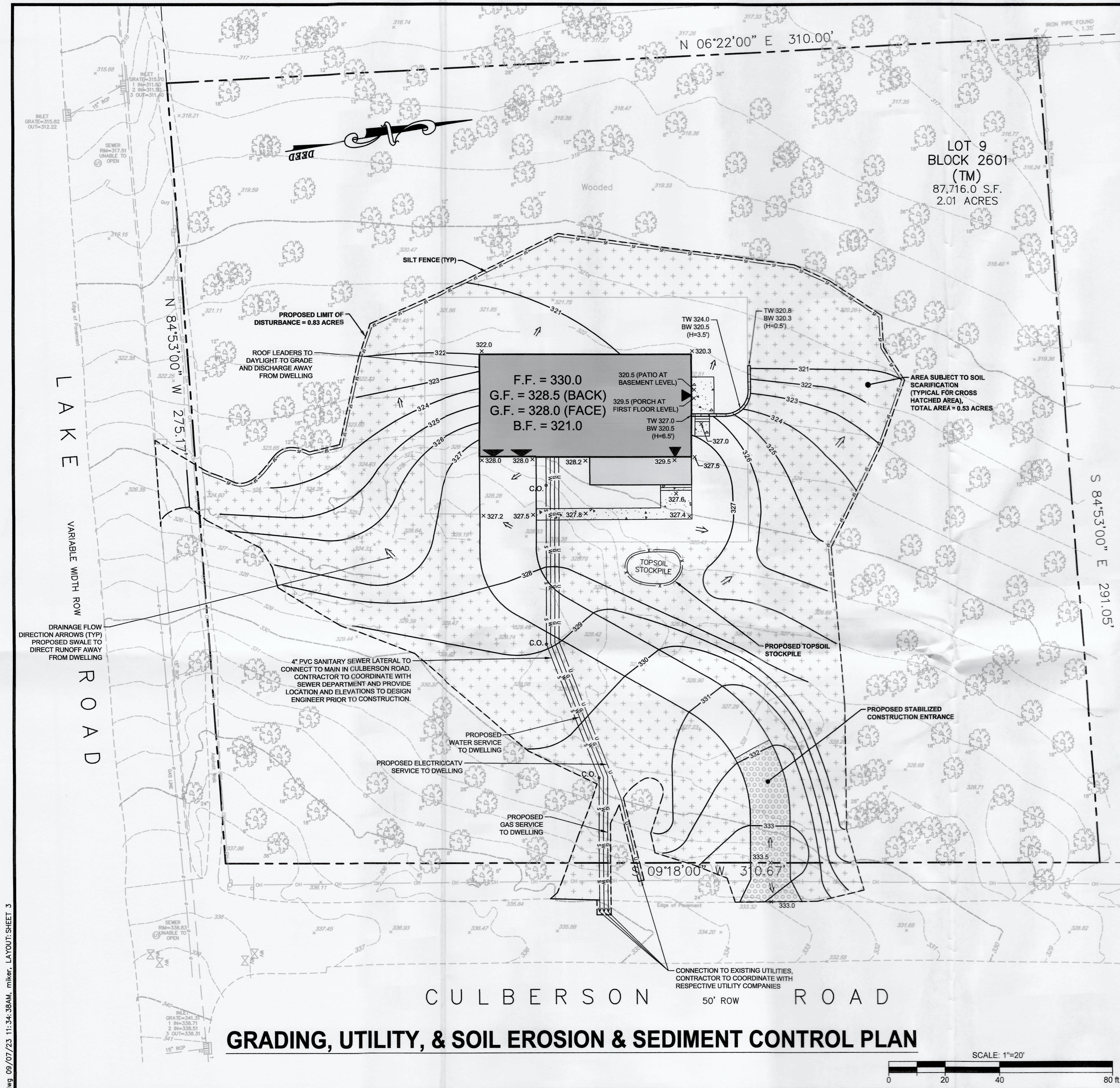
BLOCK 2601, LOT 9
TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY

MICHAEL J. ROTH

PROFESSIONAL ENGINEER
NEW JERSEY LICENSE NO. 24GE00262600
ALL RIGHTS RESERVED. NO REPRODUCTION OR DISTRIBUTION
OF THIS PLAN OR ANY PORTION IS PERMITTED WITHOUT
WRITTEN PERMISSION OF ROTH ENGINEERS, LLC



DATE: 09/07/23
PROJECT NO.: 230301
SHEET NO.: 2 OF 3



SOIL DE-COMPACTION NOTE:
IN ACCORDANCE TO THE STANDARDS OF SOIL EROSION AND SEDIMENT CONTROL IN NEW JERSEY (SECTION 19-2), SOIL COMPACTION TESTING IS NOT REQUIRED IF WHEN SUBSOIL COMPACTION REMEDIATION (SCARIFICATION/TILLAGE OF SUBSOIL (6" MINIMUM DEPTH) OR SIMILAR) IS PROPOSED OR PART OF THE SEQUENCE OF CONSTRUCTION. SEE ITEM #5 IN SEQUENCE OF CONSTRUCTION ON THIS PLAN FOR SCARIFICATION.

STANDARD FOR DUST CONTROL (Per Standards... Dust Control 16-1, May 2012)

DEFINITION: The control of dust on construction sites and roads.

PURPOSE: To prevent blowing and movement of dust from exposed soil surfaces, reduce on and off-site damage and health hazards, and improve traffic safety.

CONDITION WHERE PRACTICE APPLIES: This practice is applicable to areas subject to dust blowing and movement where on- and off-site damage is likely without treatment. Consult with local municipal ordinances on any restrictions.

WATER QUALITY ENHANCEMENT: Sediments deposited as "mud" are often fine colloidal material which is extremely difficult to remove from water once it becomes suspended. Use of this standard will help to control the generation of dust from construction sites and subsequent blowing and deposition into local surface water resources.

PLANNING CRITERIA: The following methods should be considered for controlling dust:

Mulches: See Standards for Stabilization with mulches Only (p. 5-1)

Vegetative Cover: See Standards for Temporary Vegetative Cover (p. 7-1), Permanent Vegetative Cover for Soil Stabilization (p. 4-1) and Permanent Stabilization with Sod (p. 6-1)

Spray-on Adhesives: On mineral soils (not effective on muck soils). Keep traffic off these areas.

Table 16-1: Dust Control Materials:

| Water Dilution | Type of Nozzle | Gal./Acre |
|--------------------------------|----------------------------------------------------------------------------------------------|-----------|
| Anionic asphalt emulsion | 7-1 Coarse Spray | 1,200 |
| Latex Emulsion | 12.5-1 Fine Spray | 235 |
| Resin in Water | 4-1 Fine Spray | 300 |
| Polycrylamide (PAM) - spray on | Apply according to manufacturer's instructions. May also use Polycrylamide (PAM) - dry spray | |
| Acidulated Soy Bean Soap Stick | None Coarse Spray | 1,200 |

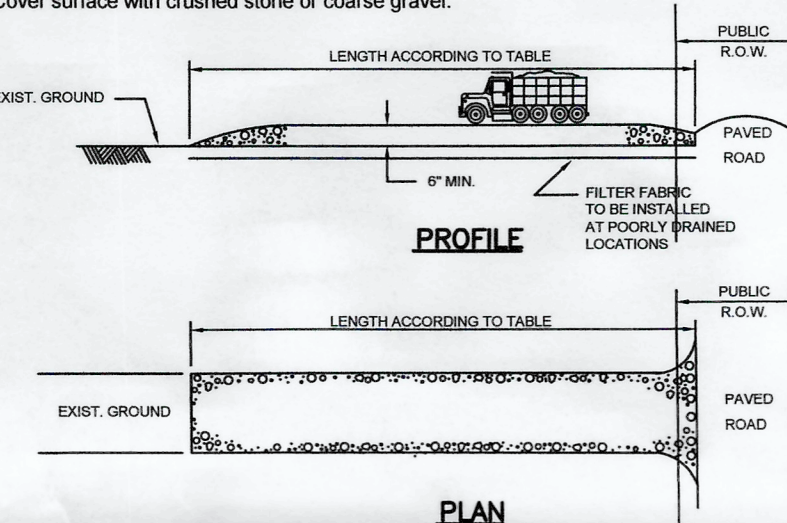
Tillage: To roughen surface and bring clods to the surface. This is a temporary emergency measure which should be used before soil blowing starts. Begin plowing on windward side of site. Chisel-type plows spaced about 12 inches apart, and spring-toothed harrows are examples of equipment which may produce the desired effect.

Sprinkling: Site is sprinkled until the surface is wet.

Barriers: Solid board fences, snow fences, burlap fences, crate walls, bales of hay, and similar material can be used to control air currents and soil blowing.

Calcium Chloride: Shall be in the form of loose, dry granules of flakes fine enough to feed through commonly used spreaders at a rate that will keep surface moist but not cause pollution or plant damage. If used on steeper slopes, then use other practices to prevent washing into streams or accumulation around plants.

Stones: Cover surface with crushed stone or coarse gravel.

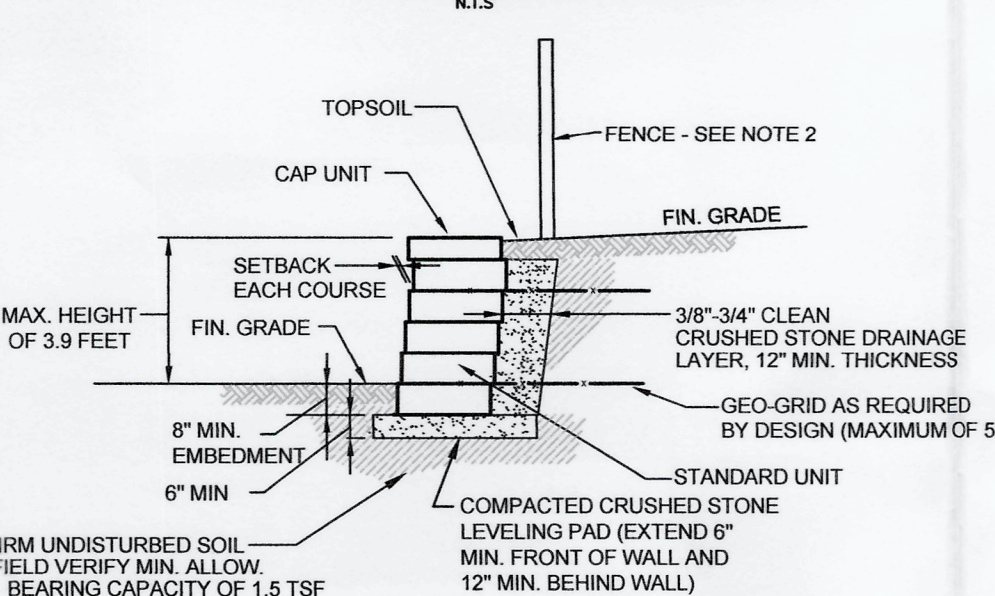


NOTES

| PERCENT SLOPE OF ROADWAY | LENGTH OF STONE REQUIRED |
|--------------------------|--------------------------|
| 0 TO 2% | 50 ft. |
| 2 TO 5% | 100 ft. |
| 5 TO 10% | 200 ft. |
| 10% AND GREATER | 400 ft. |

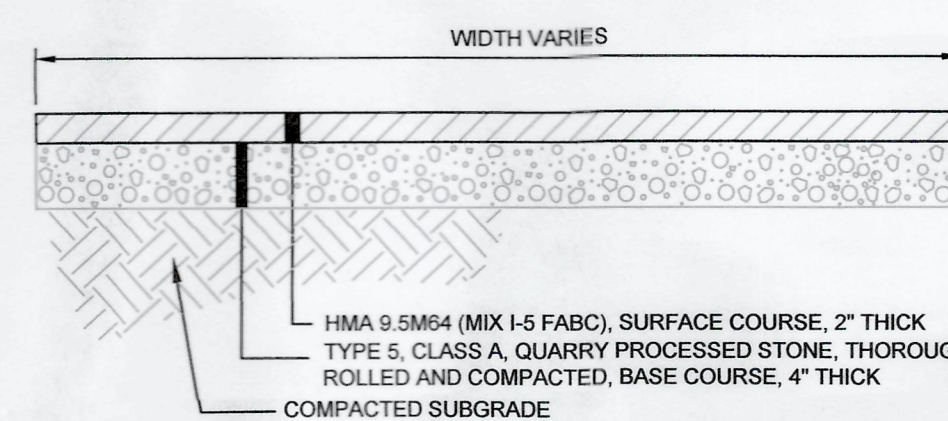
1. AS PRESCRIBED BY LOCAL ORDINANCE OR OTHER GOVERNING AUTHORITY.

STABILIZED CONSTRUCTION ENTRANCE



- NOTES:**
- THIS DETAIL IS FOR CONSTRUCTION OF WALLS LESS THAN 4 FEET HIGH. FOR WALLS 4 FEET OR HIGHER, SIGNED AND SEALED STABILITY CALCULATIONS PREPARED BY A P.E. ARE TO BE PROVIDED TO THE BUILDING DEPARTMENT FOR APPROVAL PRIOR TO CONSTRUCTION.
 - FOR WALLS 30' OR HIGHER PROVIDE GUARD PER IBC 1015.
 - CONTRACTOR SHALL VERIFY THAT SELECTED WALL MANUFACTURER'S BATTER WILL NOT IMPACT DESIGN OF IMPROVEMENTS AT TOP OF WALL.
 - STYLE AND COLOR OF FACE OF WALL TO BE COORDINATED WITH OWNER.

TYPICAL MODULAR RETAINING WALL DETAIL



TYPICAL SECTION DRIVEWAY PAVEMENT

SOIL EROSION AND SEDIMENT CONTROL NOTES

- All Soil Erosion and Sediment Control practices shall be installed prior to any major soil disturbances, or in their proper sequence and maintained until permanent protection is established.
- Any Disturbed areas that will be left exposed more than 30 Days and not subject to construction traffic, will immediately receive a temporary seeding. If the season prevents the establishment of a temporary cover, the disturbed areas will be mulched with straw, or equivalent material, at a rate of two (2) tons per acre, according to NJ State Standards.
- Permanent Vegetation shall be seeded or sodded on all exposed areas within ten (10) days after final grading. Mulch will be used for protection until seeding is established.
- All work shall be done in accordance with the NJ State Standards for Soil Erosion and Sediment Control in New Jersey, 7th Edition last revised January 2014.
- A sub-base course will be applied immediately following rough grading and installation of improvements in order to stabilize streets, roads, driveways and parking areas. In areas where no utilities are present, the sub-base shall be installed within 15 days or preliminary grading.
- Immediately following initial disturbance or rough grading all critical areas subject to erosion (i.e.: steep slopes, roadway embankments) will receive a temporary seeding in combination with straw mulch or a suitable equivalent, at a rate of two (2) tons per acre, according to the NJ State Standards.
- Any steep slopes receiving pipeline installation will be backfilled and stabilized daily, as the installation proceeds (i.e.: slopes greater than 3:1).
- Traffic control Standards require the installation of a 50'x30'x6" pad of 1 1/2" or 2" stone, at all construction driveways, immediately after initial site disturbance.
- The Somerset-Union Soil Conservation District shall be notified in writing 48 hours in advance of any land disturbing activity.
- At the time when the site preparation for permanent vegetative stabilization is going to be accomplished, any soil that will not provide a suitable environment to support adequate vegetative ground cover, shall be removed or treated in such a way that will permanently adjust the soil conditions and render it suitable for vegetative ground cover. If the removal or treatment of the soil will not provide suitable conditions, non-vegetative means of permanent ground stabilization will have to be employed. Topsoil should be handled only when it is dry enough to work without damaging the soil structure. A uniform application to a depth of 5 inches (unsettled) is required on all sites.
- In that NJSA 4:24-39 et seq., requires that no Certificate of Occupancy be issued before the provisions of the Certified Plan for Soil Erosion and Sediment Control for re-certification. The revised plans must meet all current NJ State Soil Erosion & Sediment Control Standards.
- Conduit Outlet Protection must be installed at all required outfalls prior to the drainage system becoming operational.
- Any changes to the Certified Soil Erosion and Sediment Control Plan will require the submission of revised Soil Erosion and Sediment Control Plans to the District for re-certification. The revised plans must meet all current NJ State Soil Erosion & Sediment Control Standards.
- The Somerset-Union Soil Conservation District shall be notified of any changes in ownership.
- Mulching to the NJ Standards is required for obtaining a Conditional Report of Compliance. Conditionals are only issued when the season prohibits seeding.
- Contractor is responsible for keeping all adjacent roads clean during life of construction project.
- The developer shall be responsible for remediating any erosion or sediment problems that arise as a result of ongoing construction at the request of the Somerset-Union Soil Conservation District.
- Hydro seeding is a two-step process. The first step includes seed, fertilizer, lime, etc., along with minimal amounts of mulch to promote consistency, good seed to soil contact, and give a visual indication of coverage. Upon completion of seeding operation, hydro-mulch should be applied at a rate of 1500 lbs. per acre in second step. The use of hydro-mulch, as opposed to straw, is limited to optimum seeding dates as listed in the NJ Standards.

REV 8/24/20

- 19. Topsoil Stockpile Protection**
- Apply Ground Limestone at a rate of 90 lbs per 1000 sq. ft.
 - Apply fertilizer (10-20-10) at a rate of 11 lbs. per 1000 sq. ft.
 - Apply Perennial Ryegrass seed at 1 lb. per 1000 sq. ft. and Annual Ryegrass at 1 lb. per 1000 sq. ft.
 - Mulch stockpile with straw or hay at a rate of 90 lbs. per 1000 sq. ft.
 - Apply a liquid mulch binder or tack to straw or hay mulch.
 - Property enclose a silt fence at the bottom of the stockpile.
- 20. Temporary Stabilization Specifications**
- Apply Ground Limestone at a rate of 90 lbs per 1000 sq. ft.
 - Apply fertilizer (10-20-10) at a rate of 11 lbs. per 1000 sq. ft.
 - Apply Perennial Ryegrass seed at 1 lb. per 1000 sq. ft. and Annual Ryegrass at 1 lb. per 1000 sq. ft.
 - Mulch stockpile with straw or hay at a rate of 90 lbs. per 1000 sq. ft.
 - Apply a liquid mulch binder or tack to straw or hay mulch.
- 21. Permanent Stabilization Specifications**
- Apply topsoil to a depth of 5 inches (unsettled).
 - Apply Ground Limestone at a rate of 90 lbs per 1000 sq. ft. and work four inches into soil.
 - Apply fertilizer (10-20-10) at a rate of 11 lbs. per 1000 sq. ft.
 - Apply Hard Fescue seed at 2.7 lbs. per 1000 sq. ft. and Creeping Red Fescue seed at 0.7 lbs per 1000 sq. ft. and Perennial Ryegrass seed at 0.25 lbs per 1000 sq. ft.
 - Mulch stockpile with straw or hay at a rate of 90 lbs. per 1000 sq. ft.
 - Apply a liquid mulch binder or tack to straw or hay mulch.

CONSTRUCTION SEQUENCE

| | |
|---------------------------------------------------------------------------------------------------------|-----------|
| 1. INSTALL SOIL EROSION AND SEDIMENT CONTROL DEVICES (STABILIZED CONSTRUCTION ACCESS, SILT FENCE, ETC.) | 1 DAY |
| 2. ROUGH GRADE SITE | 1 MONTH |
| 3. BEGIN DWELLING CONSTRUCTION | 8 MONTHS |
| 4. CONSTRUCT OTHER SITE FEATURES | 1 MONTH |
| 5. PERFORM SOIL SCARIFICATION OR TILLING OF SUBSOIL (6" MINIMUM DEPTH) PRIOR TO ADDING TOPSOIL | 1 DAY |
| 6. UNIFORMLY APPLY TOPSOIL AND FINE GRADE ALL AREAS TO SPECIFIED GRADES | 1 WEEK |
| 7. PERMANENT SEED AND STABILIZED ALL AREAS | 1 DAY |
| 8. REMOVE SOIL EROSION CONTROL DEVICES WHEN SITE IS STABILIZED | 1 DAY |
| APPROX. PROJECT DURATION | 12 MONTHS |



SOMERSET - UNION SOIL CONSERVATION DISTRICT
Somerset County 4H Center
308 Milltown Road - Bridgewater, NJ 08807
(908) 526-2701 Fax (908) 526-7017

MICHAEL J. ROTH

ROTH ENGINEERING
NJ CERTIFICATE OF AUTHORIZATION NO. 24G03839800
ROTH ENGINEERING, LLC
1000 W. VALLEY, NJ 07863
PHONE: 973-715-7427
EMAIL: MIKE@ROTHENGINEERS.COM

PLOT PLANS FOR 179 CULBERSON ROAD
GRADING, UTILITY, AND SOIL EROSION & SEDIMENT CONTROL PLAN

BLOCK 2601, LOT 9

TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY

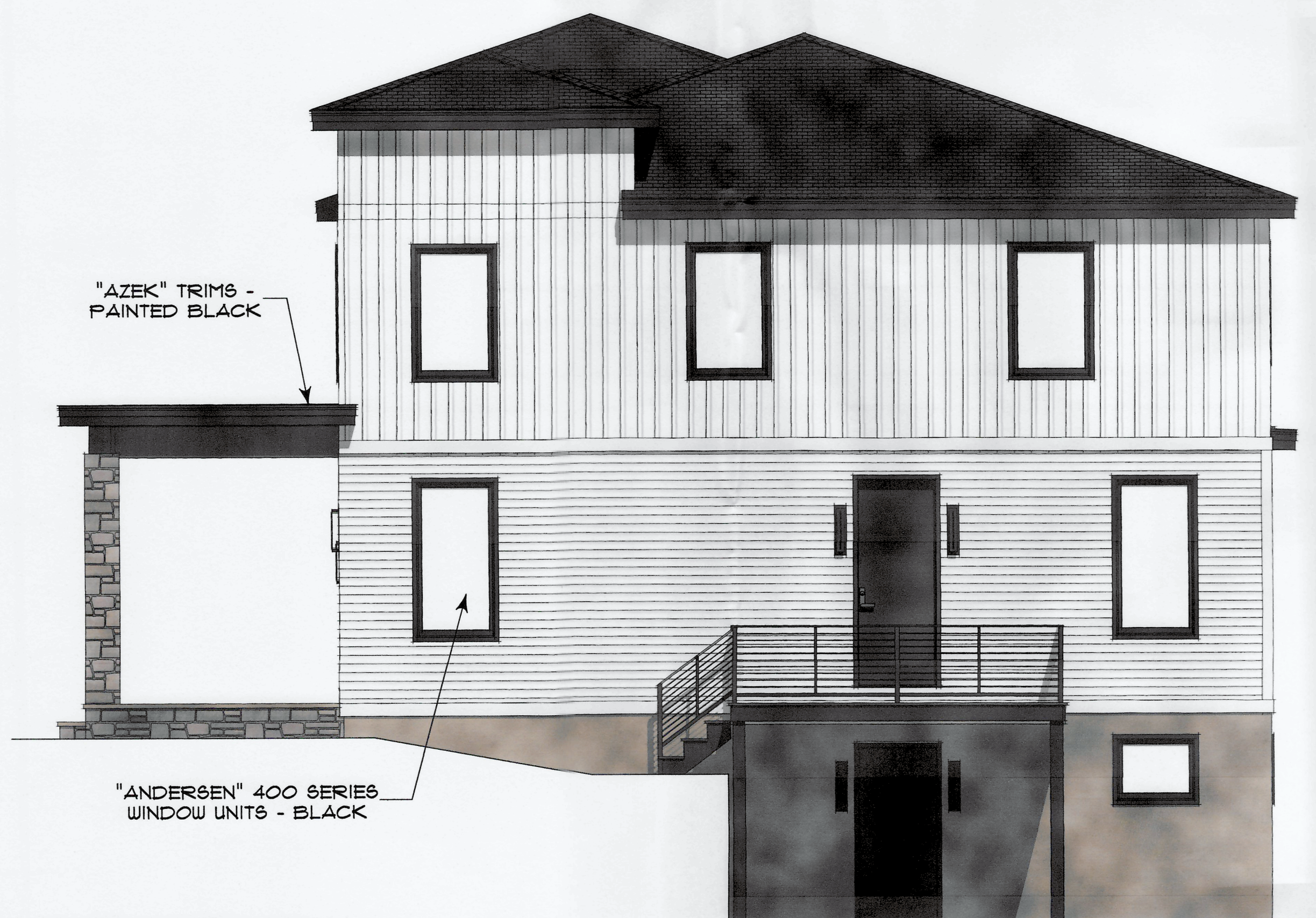
DATE: 09/07/23
PROJECT NO.: 230301

SHEET NO.:

3 OF 3



FRONT ELEVATION
SCALE: 1/4" = 1' - 0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1' - 0"

| APPROVALS | |
|-----------------|------|
| BOARD ENGINEER | DATE |
| BOARD CHAIRMAN | DATE |
| BOARD SECRETARY | DATE |

PROPOSED NEW CONSTRUCTION:

DAN JOHNSON
BASKING RIDGE, NJ

DATE: 9/13/23

JOB #

SCALE: NOTED

SHEET #

1

Byrne Design Associates LLC.

architecture / design / planning

10 MAIN STREET • CHESTER, NJ 07930

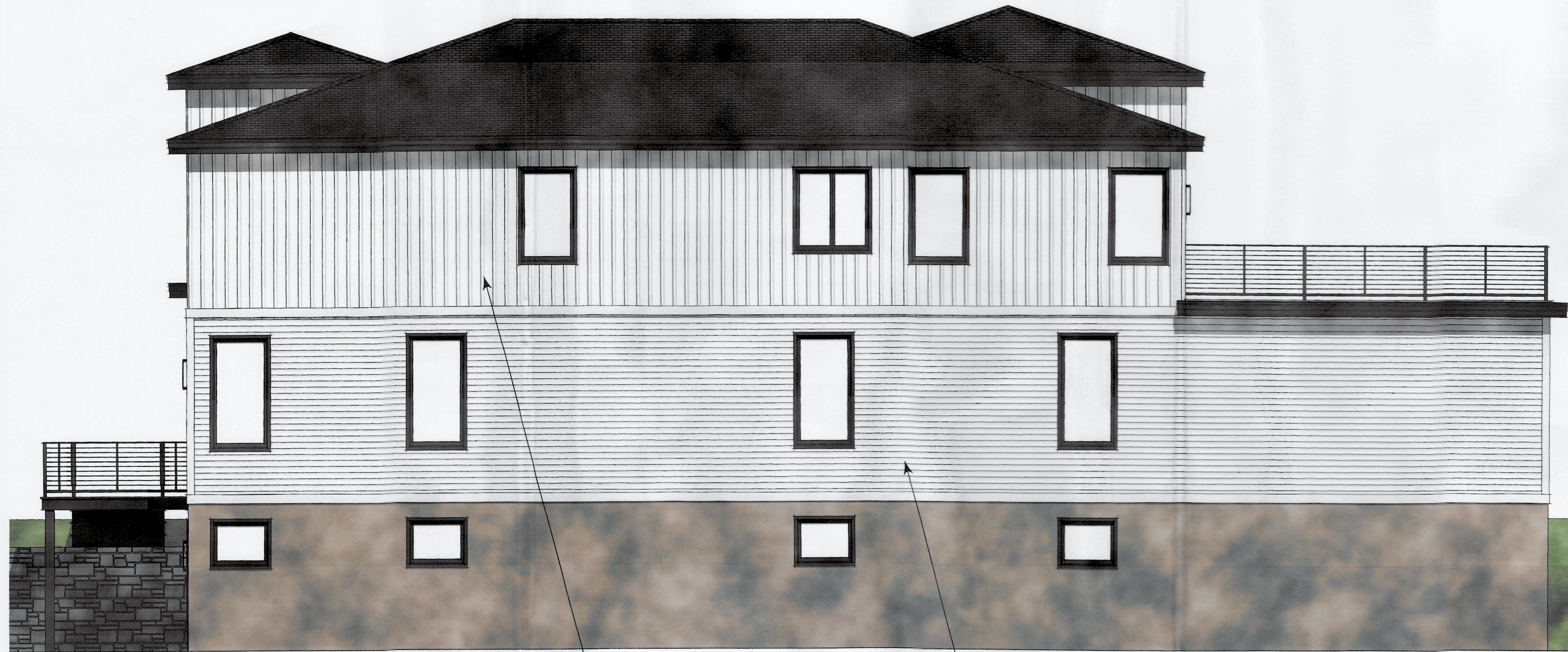
PHONE (908) 879-0996

WILLIAMBYRNEAIA@AOL.COM

1712 NOVUM CHURCH ROAD • MADISON, VA 22735

PHONE (540) 547-2140

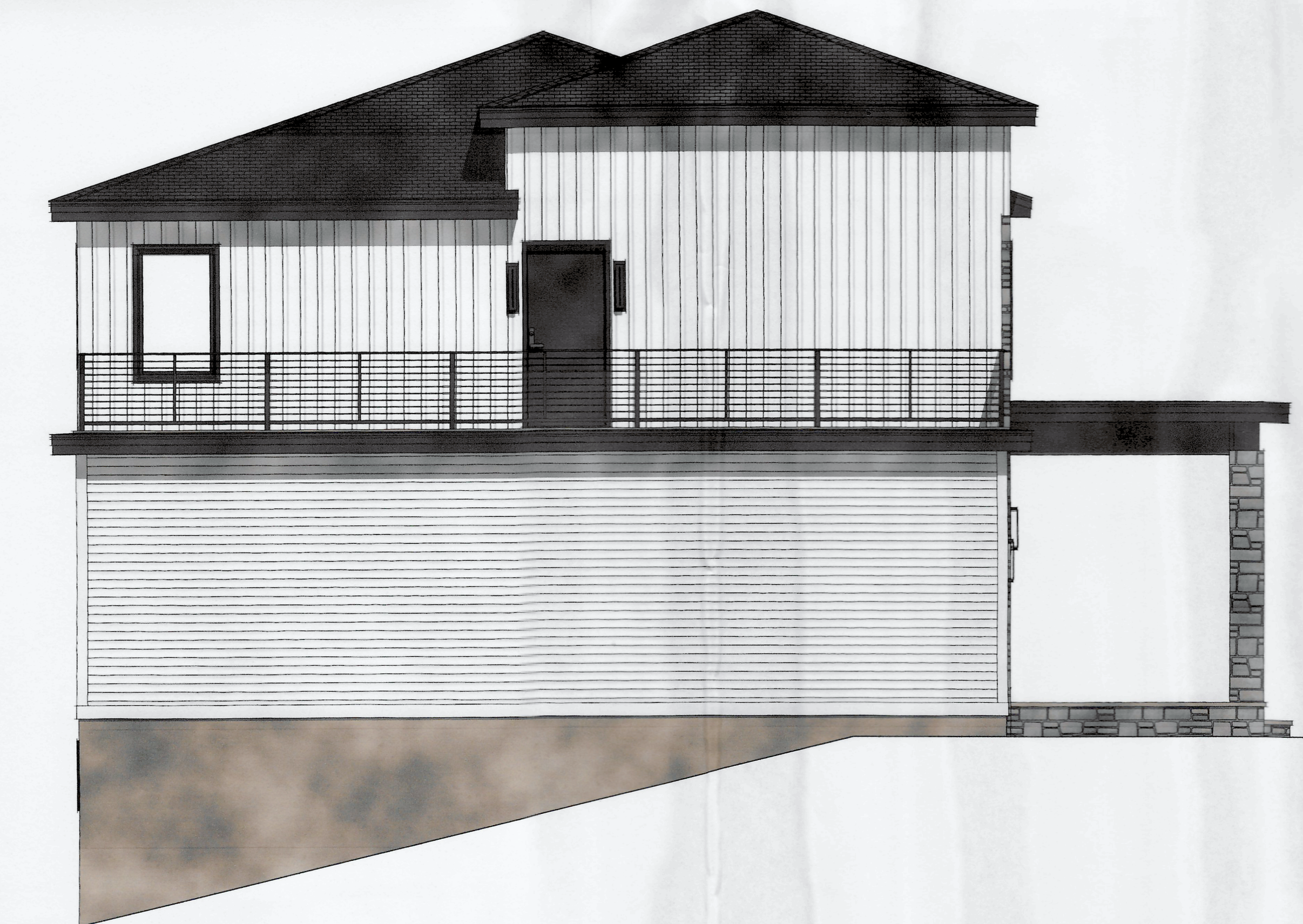
revision:



FIBER CEMENT BOARD
AND BATTEN SIDING AS
MANUF. BY "JAMES HARDIE, INC."
- ARCTIC WHITE

FIBER CEMENT CLAPBOARD
SIDING AS MANUF.
BY "JAMES HARDIE, INC."
- ARCTIC WHITE

REAR ELEVATION
SCALE: 1/4" = 1' - 0"



LEFT SIDE ELEVATION
SCALE: 1/4" = 1' - 0"

| AREA CALCULATIONS | |
|--------------------|---------------|
| FINISHED BASEMENT= | 1,061 SQ. FT. |
| FIRST FLOOR= | 1,985 SQ. FT. |
| SECOND FLOOR= | 1,985 SQ. FT. |
| TOTAL= | 5,031 SQ. FT. |

revision :

Byrne Design Associates LLC.
architecture / design / planning

10 MAIN STREET • CHESTER, NJ 07930
PHONE (908) 879-0936
WILLIAMBYRNEAIA@AOL.COM

1712 NOVUM CHURCH ROAD • MADISON, VA 22735
PHONE (840) 547-2140

PROPOSED NEW CONSTRUCTION:

DAN JOHNSON
BASKING RIDGE, NJ

DATE: 9/13/23

JOB :

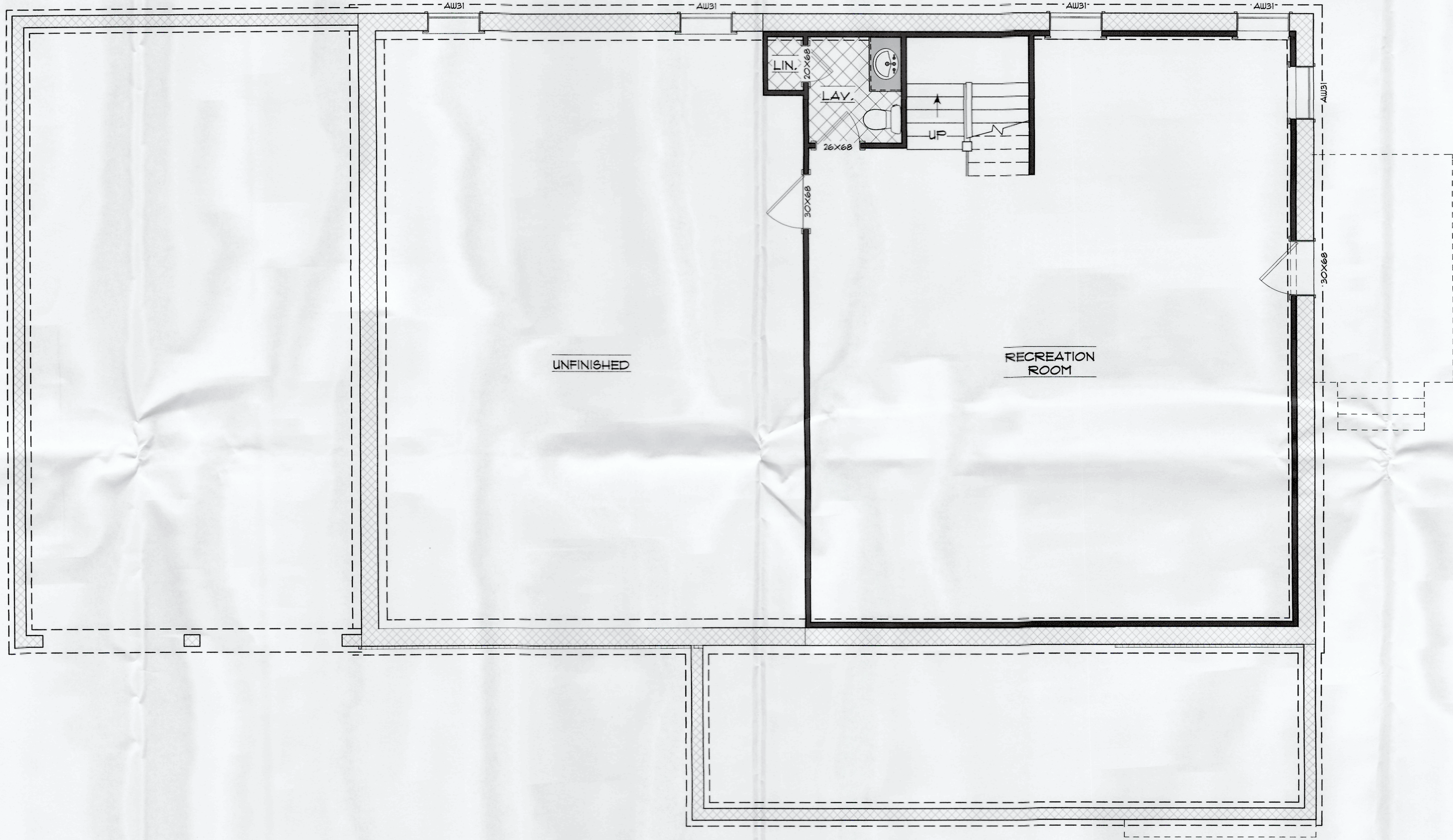
SCALE: NOTED

SHEET :

2

WILLIAM P. BYRNE | ARCHITECT
NEW JERSEY | A 14692
VIRGINIA | 009593

FOUNDATION PLAN
SCALE: 1/4" = 1' - 0"



PROPOSED NEW CONSTRUCTION:
DAN JOHNSON
BASKING RIDGE, NJ

Byrne Design Associates LLC.
architecture / design / planning

10 MAIN STREET • CHESTER, NJ 07930
PHONE (908) 879-0936
WILLIAMBYRNEAIA@AOL.COM

1712 NOVUM CHURCH ROAD • MADISON, VA 22715
PHONE (540) 541-2140

revision :

DATE: 9/13/23

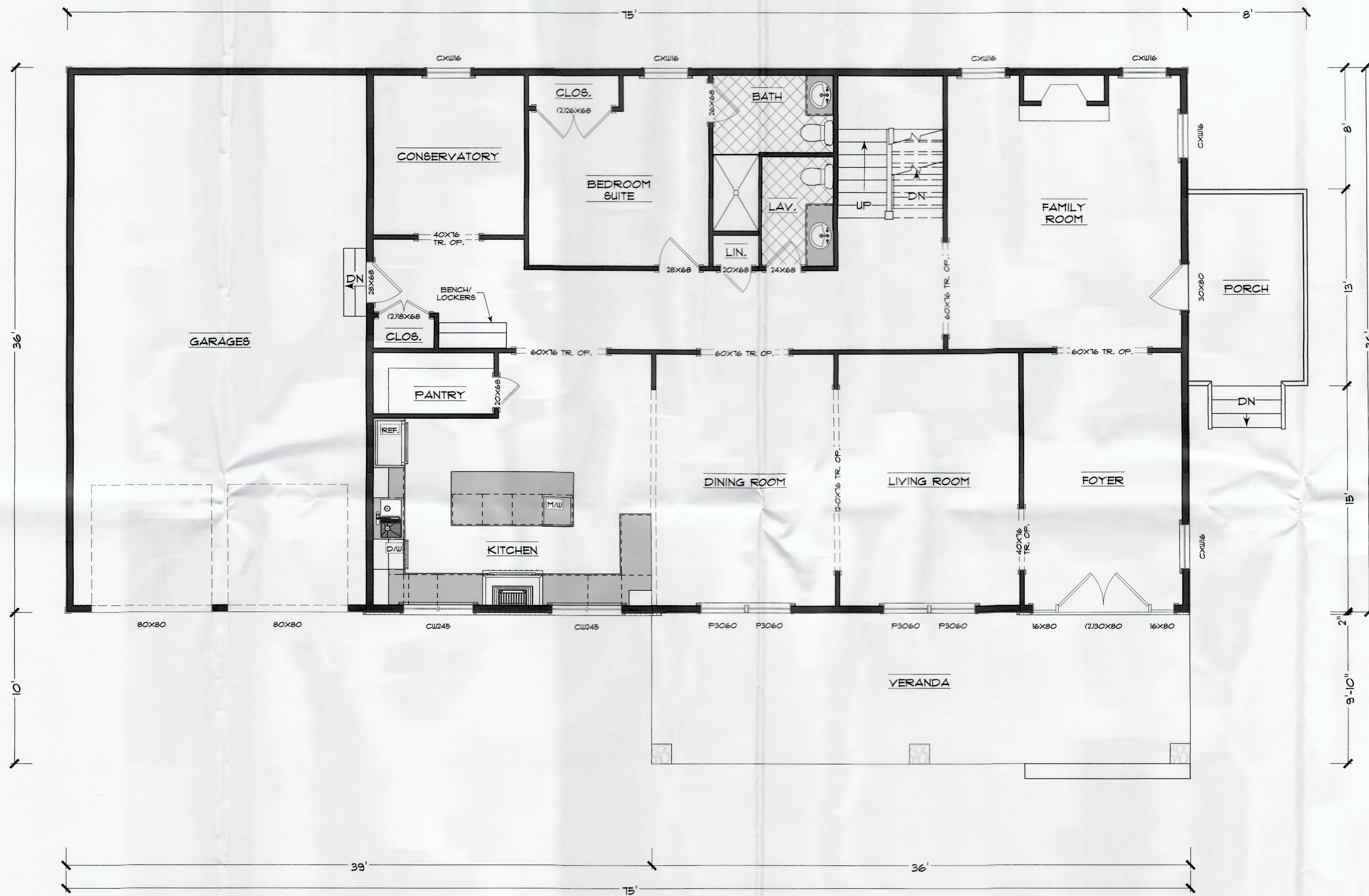
JOB :

SCALE: NOTED

SHEET :

3

WILLIAM BYRNE / ARCHITECT
NEW JERSEY | A 14851
VIRGINIA | C20893



FIRST FLOOR PLAN
SCALE: 1/4" = 1' - 0"

PROPOSED NEW CONSTRUCTION:

DAN JOHNSON
BASKING RIDGE, NJ

DATE: 9/13/23

JOB: BASKING RIDGE, NJ

SCALE: NOTED

SHEET: 4

Byrne Design Associates LLC.

architecture / design / planning

10 MAIN STREET • CHESTER, NJ 07830

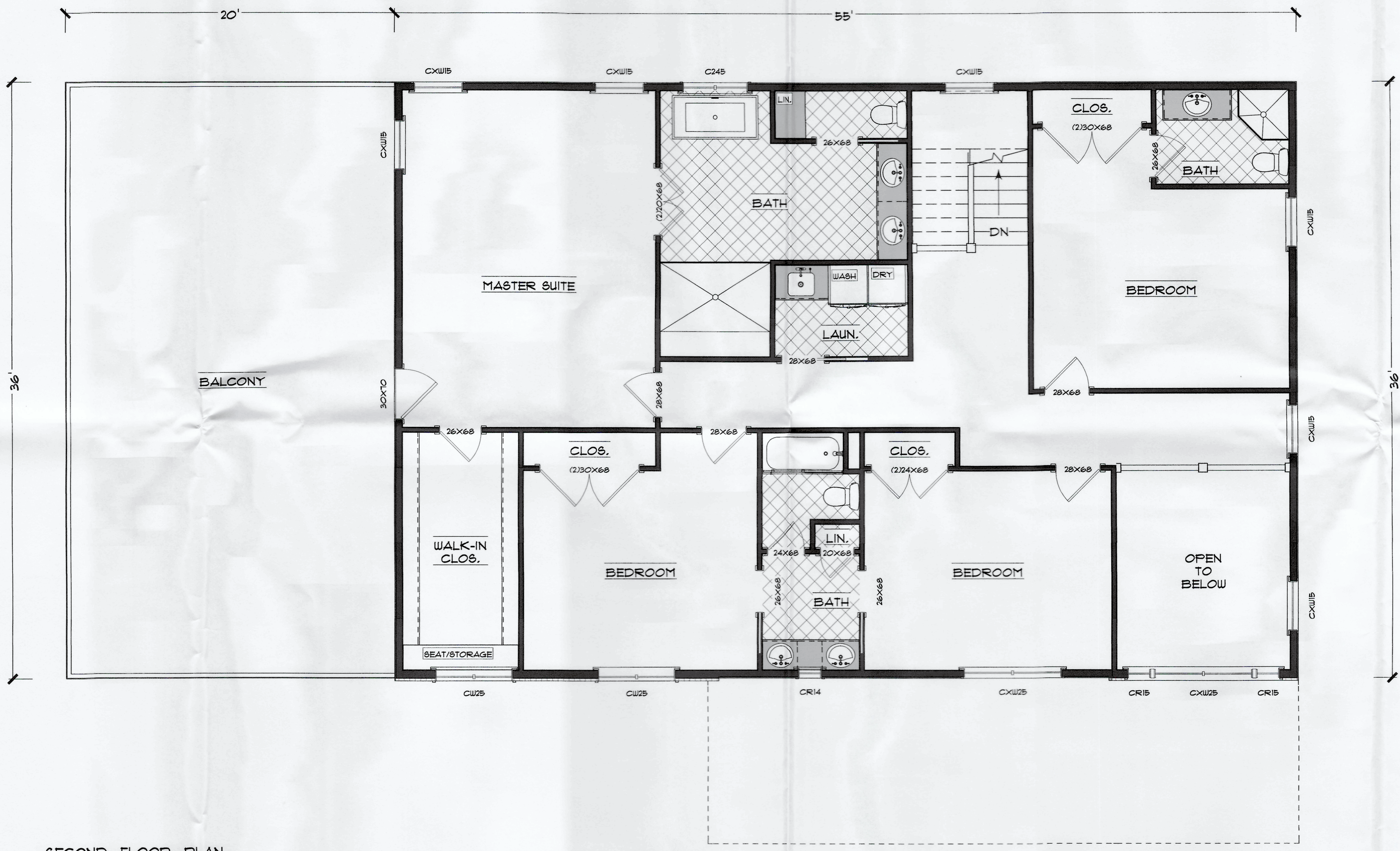
PHONE (908) 878-0996

WILLIAMBYRNEA@AOL.COM

1712 NOVUM CHURCH ROAD • MADISON, VA 22135

PHONE (540) 547-2140

revision:



SECOND FLOOR PLAN
SCALE: 1/4" = 1' - 0"

PROPOSED NEW CONSTRUCTION:

DAN JOHNSON
BASKING RIDGE, NJ

DATE: 9/13/23

JOB #

SCALE: NOTED

SHEET #

5

Byrne Design Associates LLC.

architecture / design / planning

10 MAIN STREET • CHESTER, NJ 07930

PHONE (908) 879-0996

WILLIAMBYRNEA@AOL.COM

1712 NOVUM CHURCH ROAD • MADISON, VA 22135

PHONE (540) 541-2140

revision:

EC

**TOWNSHIP OF BERNARDS
ZONING BOARD OF ADJUSTMENT
APPLICATION STATUS FORM**

Application No: ZB23-021 Block: 3201 Lot: 16 Zone: R-4

Applicant: SKRYPNIK, ALEX & JULIA

Address of Property: 133 RIVERSIDE DRIVE

Description: CONSTRUCTION OF PORCH REQUIRING
RELIEF FOR FRONT YARD SETBACK

APPLICATION CHECKLIST

☒ Original + 16 copies of Application
☒ W-9
☒ Site Visit Consent (A)
☐ Ownership Form (B)
☒ 200' Property Search List (C)
☒ Tax Certification (D)
☒ Notice to be Served/Published (E)
☒ Dimensional Statistics Form (F)
☐ Contributions Disclosure Form (G)

☒ Engineering Plan/Plot Plan
☒ Architectural Plans
☒ Survey
☒ Photographs
☐ Wetlands Report/LOI
☒ Application Fee
☒ Escrow Deposit
☒ Imaging Fee
☐ Tax Map Revision Fee
☒ Checklist

SCHEDULING

9.28.23 Original Submission Date
_____ Completeness Deadline (45 days)
_____ Incomplete Date
_____ Resubmission Date
_____ Date Complete
_____ Time to Act (45/95/120 days)

OR

HEARING

_____ Notice to Property Owners
_____ Date of Publication
_____ Completeness Hearing
11.8.23 Public Hearing
12.6.23 Carried to Date
_____ Decision - Approved/Denied
_____ Resolution Memorialized
_____ Resolution Published

DISTRIBUTION

9.28.23 Environmental Comm
_____ Fire Official
_____ LCFAS
_____ Police

NOTES

TOWNSHIP OF BERNARDS
2023 ZONING BOARD OF ADJUSTMENT APPLICATION

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Bulk or Dimensional ("c") Variance <input type="checkbox"/> Use ("d") Variance <input type="checkbox"/> Conditional Use ("d") Variance <input type="checkbox"/> Floor Area Ratio, Density, or Height ("d") Variance <input type="checkbox"/> Site Plan - Preliminary / Final | <input type="checkbox"/> Appeal of Zoning Officer's Decision <input type="checkbox"/> Interpretation of Zoning Ordinance <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Major Subdivision - Preliminary / Final <input type="checkbox"/> Other (specify): _____ |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

1. APPLICANT: Alex & Julia Skrypnik

Address: 133 Riverside Drive, Basking Ridge, NJ 07920

Phone: (home) _____ (work) _____ (mobile) 908.502.6354

Email (will be used for official notifications): alex@skrypnik.com

2. OWNER (if different from applicant): _____

Address: _____

Phone: _____ Email (will be used for official notifications): _____

3. ATTORNEY: _____

Address: _____

Phone: _____ Email (will be used for official notifications): _____

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):

Name: AVLV Development LLC. Jonathan C. Wallace Profession: Architect

Address: 1500 Chestnut St, Suite 2 #1833, Philadelphia, PA 19102

Phone: 267.469.0275 Email (will be used for official notifications): architecture@avlv.com

5. PROPERTY INFORMATION: Block(s): 3201 Lot(s): 16 Zone: R-4

Street Address: 133 Riverside Dr Total Area (square feet/acres): 45,231 Sq Ft

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain or attach Board resolution) _____

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain) _____

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?

☒ No ☐ Yes (if yes, explain) _____

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST: _____
A single family residential property occupied by the owner with family. Adding new front covered porch roof with 3 ceiling lights.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.):
Please see next page attached

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: _____
Please see next page attached

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):

APPLICANT(S) SIGN HERE:

I/we, Alex Skrypnik and Julia Skrypnik hereby depose and say that all of the above statements and the statements contained in the materials submitted herewith are true and correct.

Signature of Applicant(s): _____ and _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property owners, then the property owner or the additional owners must complete the following:

I/we, _____ the owner(s) of the property described in this application, hereby authorize _____ to act as my/our agent for purposes of making and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

Item 10:

The architectural plan proposes construction of a symmetrical with regard to the front entrance door, porch. The proposed design is extended for the full length of the second floor overhanging part of the property. The plan utilizes the unorthodox positioning of the second floor which overhangs the walkway and proposes a natural extension of the property which would boost the house's curb appeal. We are proposing a variance to allow a 67.5 ft setback where 75 ft is required.

Item 11:

The total width of the 2nd floor overhanging area is approx. 27ft

The depth of the main part of the porch is designed to be proportional to the walkway covered part, but at the same time to be functional space in front of the main entrance, and be square, or close to, in dimensions. the width of the main part of the porch is designed around the front door dimensions, which is 8 feet wide. Considering the 10 ft recommended width, having the porch at this width would diminish the side parts of the porch extended beyond the width of the entrance door, which would be obvious especially to the left of the main entrance, where there is a corner of the 2nd floor overhanging. So we would either need to terminate the porch earlier and create yet another corner, or shift the porch to the left and make it asymmetrical.

We would like to have the porch's roof to be a natural extension of the existing structure. Therefore we have made a decision to have the main part of the porch as 8ft wide, plus equal distances on each side from the edge of the front door frame to the corner of the 2nd floor overhanging area. Which is 2'7" on each side. Which makes it $2'7" + 8' + 2'7" = 13'3"$ wide in total.

The depth of the porch proposed is 8'6" on the main part of the porch, and 5'6" on the roof over walkway part of the porch. adding 1ft roof overhanging, its 9'6" on the main part, and 6'6" on the walkway part. these include 2ft of the second floor overhanging over the ground floor. The delta resulting is 3ft, which is proportional to the width of the roof depth over the walkway. Making the delta of the roof width between main part and the walkway part smaller, or reducing the depth of the main part of the porch, would make it disproportionately small and diminish the curb appeal. We are proposing a variance to allow a 27 ft wide porch where 10 ft is required.

SUBMIT ORIGINAL AND 16 COPIES

FORM A

**TOWNSHIP OF BERNARDS
PLANNING BOARD / BOARD OF ADJUSTMENT**

SITE INSPECTION CONSENT FORM

Applicant: Alex & Julia Skrypnik

Block: 3201 Lot: 16

Street Address: 133 Riverside Drive, Basking Ridge, NJ 07920

I, Alex & Julia Skrypnik, owner of the above property, hereby acknowledge that, upon determination of completeness of the application, a site inspection may be scheduled with the Board for a mutually convenient date and time. I hereby authorize members of the Planning Board/Board of Adjustment and their representatives and consultants to enter onto the property at the time of the site inspection for the purpose of evaluating the application.

Signature: _____



Date: _____

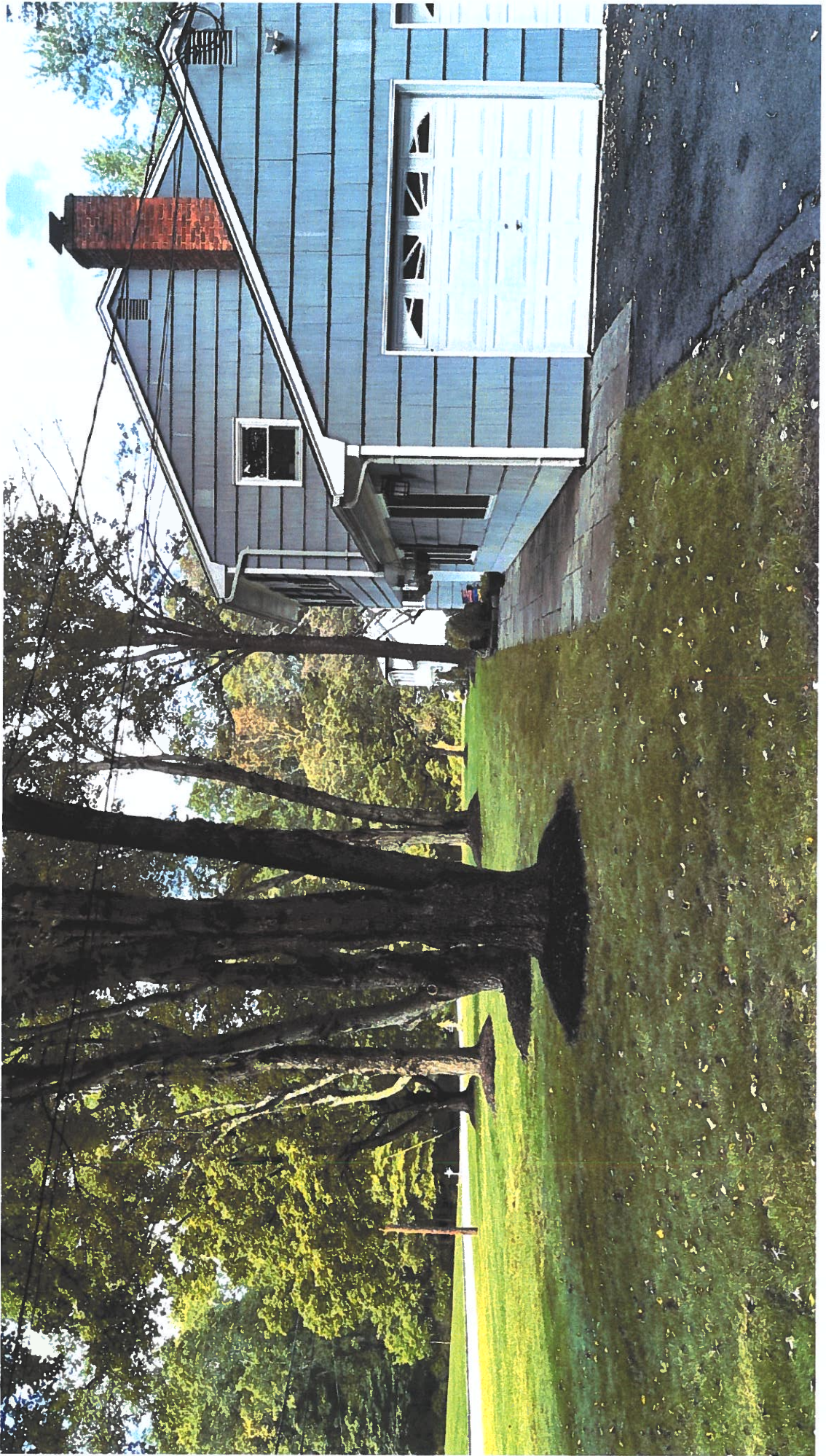
9/29/23

SUBMIT 17 COPIES TOTAL

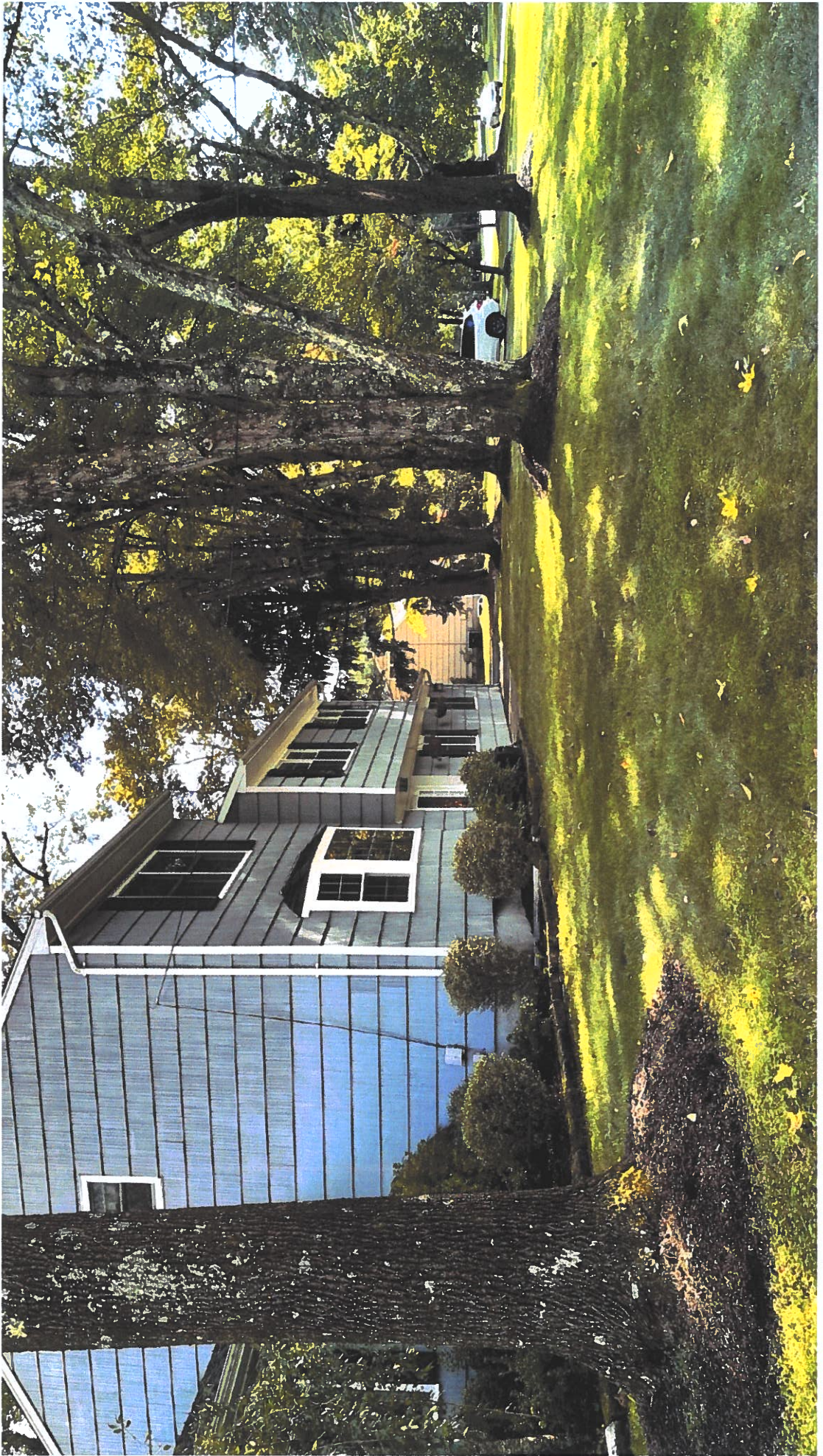
FORM F

DIMENSIONAL STATISTICS

| | REQUIRED | EXISTING | PROPOSED |
|-------------------------------------------------|----------------|--------------|--------------|
| LOT AREA | 45,231 sq ft | 45,231 sq ft | 45,231 sq ft |
| LOT WIDTH | 200 ft | 193.15 ft | 193.15 ft |
| FRONTAGE | 200 ft | 151.5 ft | 151.5 ft |
| FRONT YARD SETBACK | 75 ft | 75 ft | 67.5 ft |
| REAR YARD SETBACK | 75 ft | 75 ft | 75 ft |
| COMBINED SIDE YARD | 50 ft | 50 ft | 50 ft |
| SIDE YARD | 20 ft | 20 ft | 20 ft |
| COVERAGE | 6,784.65 sq ft | 5,798 sq ft | 5,960 sq ft |
| HEIGHT | N/A | N/A | N/A |
| <i>IF REQUIRED, GROSS FLOOR AREA</i> | | | |
| <i>IF REQUIRED, FLOOR AREA RATIO</i> | | | |
| <i>IF REQUIRED, IMPROVABLE LOT AREA</i> | | | |







APPENDIX D, ARTICLE III

Checklist

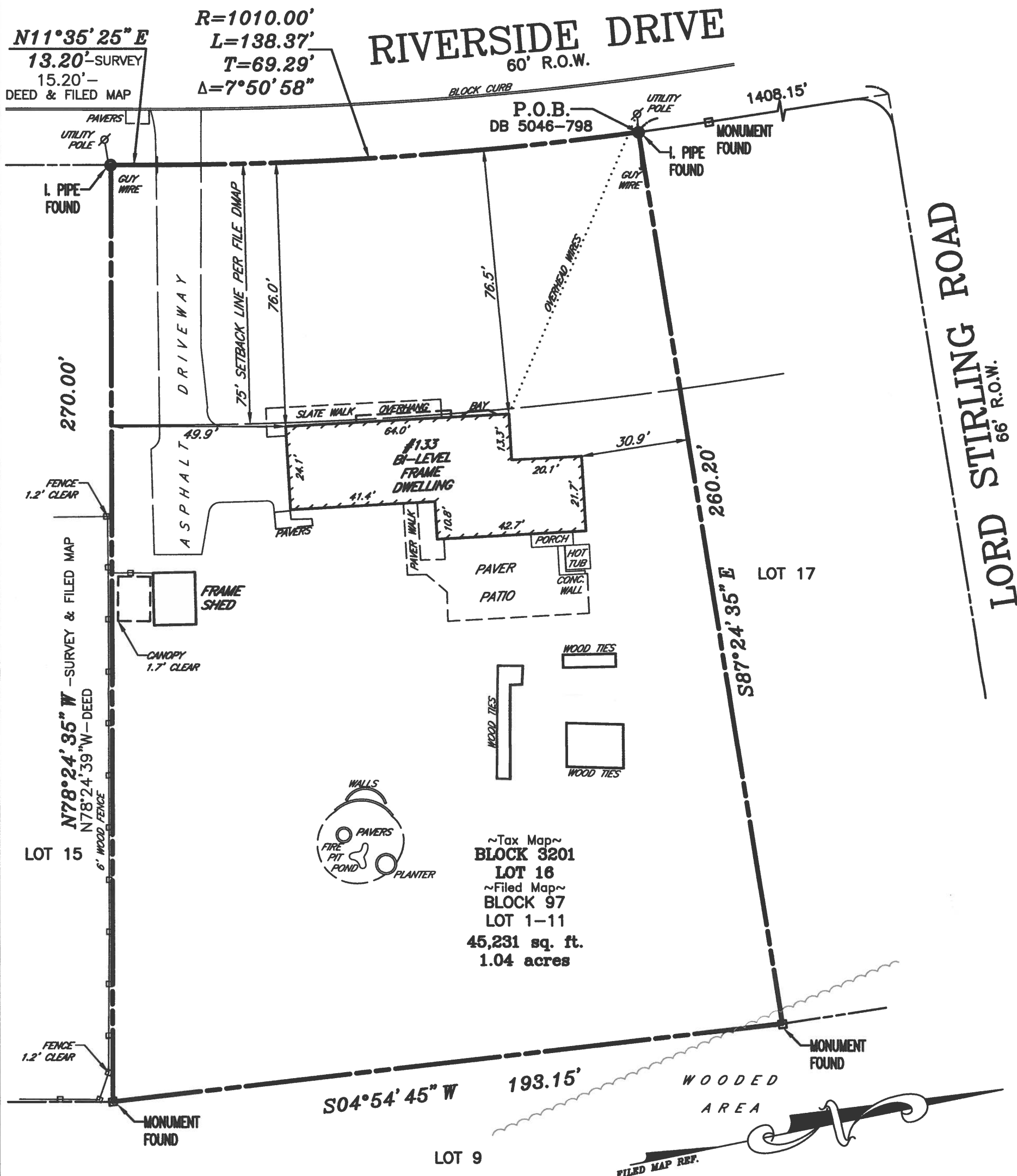
Application for Approval of a Variance Pursuant to NJSA 40:55D-70(c)

Important: Each item must be marked Submitted, Not Applicable or Waiver Requested

| No. | Item | Submitted | Not Applicable | Waiver Requested |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------|------------------|
| 1 | A completed application form and checklist. | ✓ | | |
| 2 | A certificate from the tax collector indicating that taxes are paid. | ✓ | | |
| 3 | All required application and escrow deposit fees. | ✓ | | |
| 4 | Names and addresses of property owners within 200' of the subject property, as disclosed by current tax records and identified by block & lot numbers. | ✓ | | |
| 5 | A plot plan or survey accurately depicting the entire subject property and all existing buildings, structures, driveways, patios, etc. | ✓ | | |
| 6 | Sketch of all proposed improvements on the plot plan or survey, with dimensions of improvements and distances to property lines. | ✓ | | |
| 7 | Calculations of existing & proposed lot coverage percentages. | ✓ | | |
| 8 | Architectural sketches (floor plan and elevations) of the proposed improvements. | ✓ | | |
| 9 | Photographs of the property in the location of the proposed improvements. | ✓ | | |
| 10 | A wetlands delineation or wetlands absence determination prepared by a qualified consultant and verified by a letter of interpretation from the New Jersey Department of Environmental Protection, if required pursuant to Section 21-14.1.a. | | ✓ | |
| 11 | The locations of percolation tests and a copy of the written approval of the tests and locations from the Bernards Township Health Department, if the application involves a new dwelling and sewage disposal is to be handled by an individual septic system. | | ✓ | |
| 12 | Delineation of riparian zones in accordance with Subsection 21-14.4. | | ✓ | |
| 13 | Existing topography, proposed grading, and proposed stormwater infiltration measures in accordance with §21-42.11.b.1, shown on the plot plan or survey, if 1,000sf or more of new impervious area is proposed. | | ✓ | |

PLAN OF SURVEY
ALEX SKRYPNIK and JULIA SKRYPNIK

SITUATED IN
TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY
BLOCK 3201 LOT 16



THIS CERTIFICATION IS MADE ONLY TO ABOVE NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY ABOVE NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY FOR SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.

I HEREBY CERTIFY THIS SURVEY TO:

ALEX SKRYPNIK and JULIA SKRYPNIK, married
HSBC BANK USA, its successors and/or assigns
ACRES LAND TITLE AGENCY, INC. (332586)
WESTCOR LAND TITLE INSURANCE COMPANY
A ABSOLUTE ESCROW SETTLEMENT CO., INC.
KW LAW GROUP, LLC
BENJAMIN WEISFELNER, ESQUIRE

REFERENCES:

DEED BOOK 5046 - PAGE 798

MAP ENTITLED "MAP OF MEADOWVIEW ESTATES,
SECTION FOUR" FILED 12/29/1960 AS MAP NO. 717

"A written Waiver and Direction to Set Corner Markers has been obtained from the ultimate user pursuant to P.L.2003, c.14(C45-8-38.3) and N.J.A.C. 13:40-5.2 (d)."

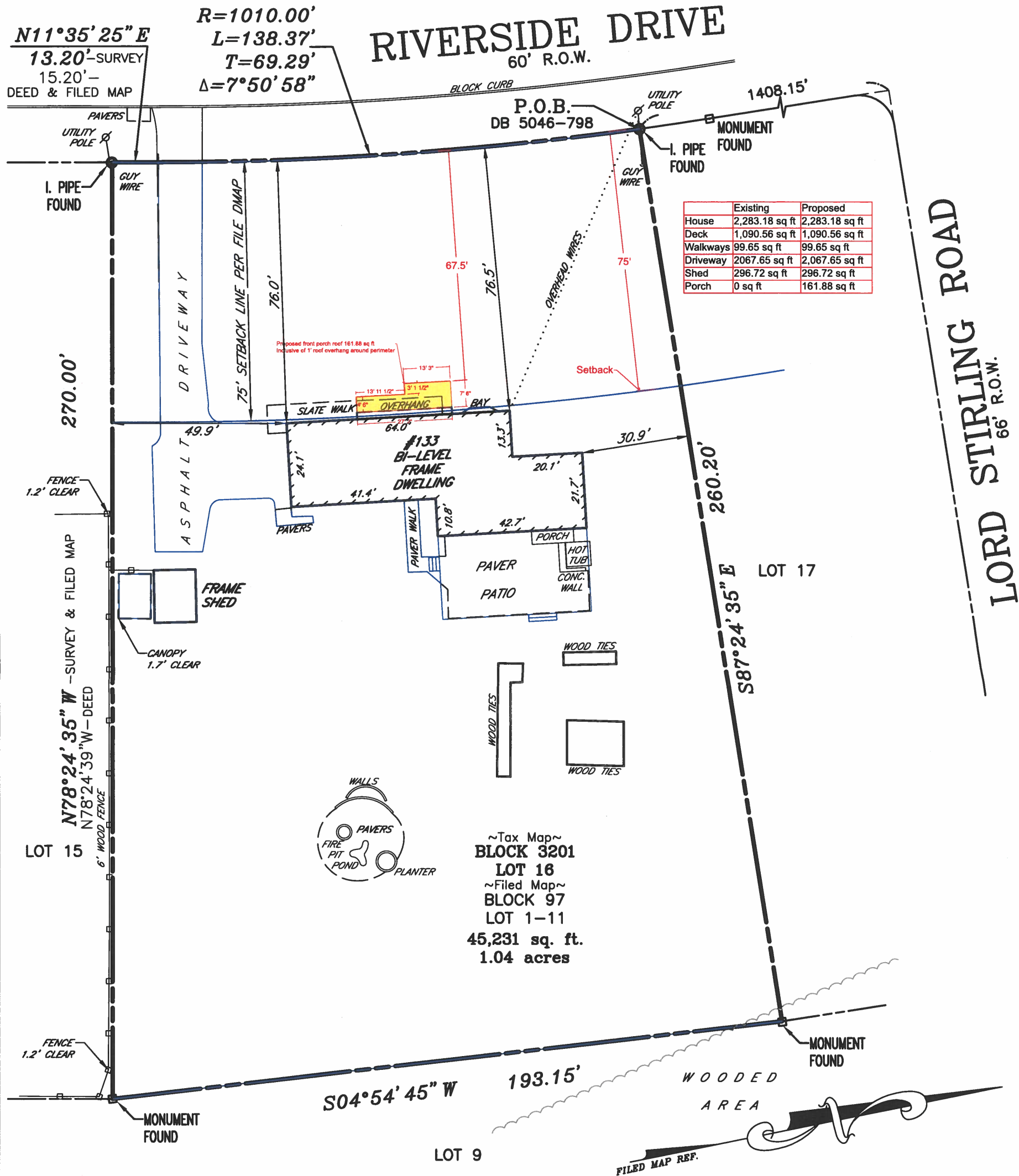
CONTROL LAYOUTS, INC.

LAND SURVEYORS
CERTIFICATE OF AUTHORIZATION #24GA28001900
271 CLEVELAND AVENUE HIGHLAND PARK, N.J. 08904
PHONE (732) 846-9100 FAX (732) 937-5793

DATE: 06/10/22

PLAN OF SURVEY ALEX SKRYPNIK and JULIA SKRYPNIK

SITUATED IN
TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY
BLOCK 3201 LOT 16



INSTRUCTION SPECIFICATIONS

ERAL: ALL MATERIALS SHALL BE INSTALLED IN A WORKMANLIKE MANNER AND METHODS BE WITHIN THE HIGHEST STANDARDS OF THE APPLICABLE CONSTRUCTION TRADE. ALL WORK SHALL MEET OR EXCEED PROVISIONS OF ALL ENGINEERING CODES AND ORDINANCES. THE DRAWINGS ARE GENERAL IN NATURE. IT IS INTENDED THAT THE CONTRACTOR ADJUST DIMENSIONS, MATERIALS AND METHODS OF CONSTRUCTION TO PROPERLY ADAPT THE WORK TO THE SITE CONDITIONS.

AVATOR: EXCAVATE FOR ALL FOUNDATION WORK TO DEPTH BELOW GRADE REQUIRED BY LOCAL CODE. FOOTINGS SHALL REST ON UNDISTURBED EARTH.

CRETE: SOLID CONCRETE MASONRY UNITS OR 2500# STRENGTH CONCRETE OF GRADE SUFFICIENT TO SPREAD THE IMPOSED FOUNDATION LOAD ON THE BEARING AREA IN ACCORDANCE WITH CODE REQUIREMENTS.

ENTRY: ALL WOOD SHALL BE #2 OR BETTER SOUTHERN YELLOW PINE. PRESERVE—TREATED WITH NON-ARSENIC BASED PRESERVATIVE. OF NOMINAL SIZES LISTED INDICATED ON THE DRAWINGS OR BY CODE.

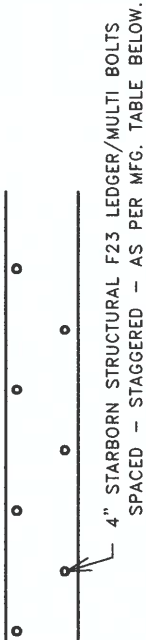
ALS: ALL HARDWARE SHALL BE HOT-DIPPED GALVANIZED OR OTHER NON-CORROSIVE FINISH AND SHALL BE OF A SIZE AND SPACING SUFFICIENT TO CARRY THE TRANSMITTED INTENDED STRUCTURAL LOAD IN ACCORDANCE WITH GOVERNING ENGINEERING AND APPLICABLE STRUCTURAL STANDARDS. FINISH HARDWARE SHALL BE NON-CORROSIVE AND SUITABLE FOR EXTERIOR APPLICATIONS.

UPLIFT AND UPLIFT RESISTANCE

FOR THESE CALCULATIONS THE "WORST CASE" COLUMN (LONGEST SPAN AND LARGEST CONTRIBUTING AREA) WAS USED. THE DECK WAS CONSIDERED A FLAT ROOF, TABLE 1609.4.3 OF THE IBC IS FOR A ROOF WITH MEAN HEIGHT OF 30 FEET LOCATED IN EXPOSURE B. TABLE R301.2(3) OF THE IRC LISTS THE LOWEST MEAN ROOF HEIGHT AT 15' WITH AN ADJUSTMENT COEFFICIENT OF 1.00. THIS DECK IS AVERAGE +/- 0'-0" ABOVE GRADE. DESIGN WIND SPEED - 115 MPH.

UPLIFT
DECK CONTRIBUTING AREA = 4'-0" x 12'-7" = 50 SF
UPLIFT WAS INTERPOLATED FROM TABLE 1609.6.2.1(1). VERTICAL LOAD, INTERIOR ZONE. WINDWARD ROOF. LOAD DIRECTION - LONGITUDINAL. 115MPH = -17.55
110MPH = -16.0 120MPH = -19.1
50 SF x 17.55psf = 877.5# UPLIFT
RESISTANCE TO UPLIFT
CONCRETE FOOTING HAS AN ALLOWABLE WORKING LOAD FOR UPLIFT RESISTANCE OF +/- 4800#.

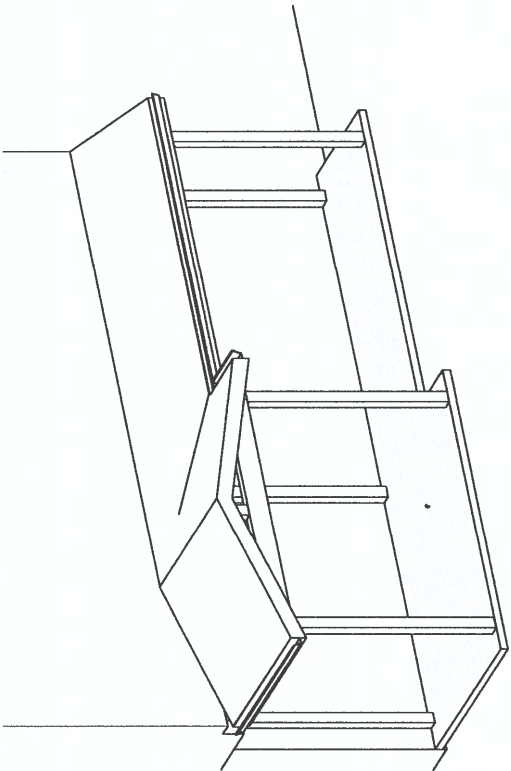
| | | |
|------------------|-----------------------|----------------|
| DEAD LOAD | 50 SF x 10#/SF = 500# | |
| CONCRETE FOOTING | 4800 | |
| HEADLOK | 640 | |
| DEAD LOAD | 500 | TOTAL 5,940 OK |



LEDGER BOLT PATTERN DETAIL NTS

BASED ON 60#LL, S. PINE LEDGER AND 2x LUMBER HOUSE RIM JOIST

| JOIST LENGTH (SPAN FROM LEDGER) | ON CENTER SPACING |
|---------------------------------|-------------------|
| 6'-0" OR LESS | 17" |
| +6'-0" TO 8'-0" | 13" |
| +8'-0" TO 10'-0" | 10" |
| +10'-0" TO 12'-0" | 8" |
| +12'-0" TO 14'-0" | 7" |
| +14'-0" TO 16'-0" | 6" |



GENERAL INFORMATION

USE GROUP R-5
CONSTRUCTION TYPE 5B

DESIGN LOADS

UNIFORM LOAD = 40#/sf

DESIGN WIND SPEED - 115 MPH.

AREA (FOOTPRINT)
EXISTING HOUSE = 2,800 SF
PROPOSED DECK = 190 SF
VOLUME = 2,356 CU FT

VOLUME OF NEW DECK AND CANOPY CALCULATED AS DECK SF AND VERTICAL DISTANCE FROM DECK LEVEL TO ROOF AND 1/5 THE DISTANCE FROM DECK LEVEL TO BOTTOM OF FOOTINGS.

BUILDING CODES
N.J.A.C. 5:23-6
2021 INTERNATIONAL RESIDENTIAL CODE NJ ED.

CONCRETE FOOTING SIZES

| LOAD IN LBS | DIAM |
|-------------|------|
| 0-2137# | 14" |
| 2138-2799# | 16" |
| 2800-3533# | 18" |
| 3534-4362# | 20" |
| 4363-4809# | 21" |
| 4810-5279# | 22" |
| 5280-5770# | 23" |
| 5771-6283# | 24" |
| 6284-6817# | 25" |
| 6818-7374# | 26" |

NOTE:
1. VARIOUS UNMOVABLE OBSTACLES SUCH AS SEPTIC LINES, LARGE ROCKS, ETC., MAY PRECLUDE A HELICAL PIER. A CONCRETE FOOTING MAY BE SUBSTITUTED FOLLOWING THE TABLE ABOVE.
2. FOOTINGS ARE 8" DEEP AT MIN. 3'-0" BELOW GRADE.
CONTRACTOR SHALL HAVE OPTION TO USE ALTERNATE CONCRETE FOOTINGS OVER HELICAL PILES



NJ LICENSE # 13VH11973200

JONATHAN C. WALLACE

AIA, M.Arch, LEED AP BD+C
NJ LICENSE # 21A102202500

AVLV DEVELOPMENT LLC
1500 CHESTNUT ST. SUITE 2 #1833
PHILADELPHIA PA 19102
267.469.0275 ARCHITECTURE@AVLV.COM

ARCHITECTURE DEVELOPMENT



Jonathan Wallace

SEAL

SHEET 1 - NOTES & SPECS

ALEX SKRYPNIK

133 RIVERSIDE DRIVE

BASKING RIDGE, NJ 07920

8/1/2023