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April 15, 2021

VIA REGULAR MAIL & EMAIL

Ms. Alfia Schemm, Land Use Board Administrator

INDEPENDENCE TOWNSHIP

286B Route 46

PO Box 164

Great Meadows, New Jersey 07838

Re: Second Completeness & Initial Technical Review
Coladarci Preliminary/ Final Site Plan & Variance Application
Block 17, Lot 3
Independence Township, Warren County
FCE No. INWL076C2

Dear Ms. Schemm:

Our office originally received copies of the following documents in support of the above-referenced Preliminary and Final Site Plan and Use Variance application:

1. Transmittal letter from Erik Hassing, Esquire, dated February 1, 2021.
2. Township of Independence Application to The Land Use Board.
3. Township of Independence Variance Application Checklist (not completed).
4. Plans generally entitled "Preliminary & Final Site Plan for 206 NJ State Highway Route No. 46 Block 17 Tax Lot 3 Township of Independence Warren County, New Jersey", consisting of 7 sheets, prepared by Stewart Surveying & Engineering, LLC, dated February 12, 2021.
5. Architectural Plans entitled "Architectural Design Intent, 206 Rt. 46, Township of Independence, NJ. 07840, Proposed (3) Townhouse Units", consisting of 3 sheets, prepared by Wellington Architectural Design, with a latest revision date of XX-XX-21.
6. Applicant's indication of payment of Application Fees in the amount of \$2,100.
7. Applicant's indication of payment Escrow deposit in the amount of \$6,500.

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LAND SURVEYORS PLANNERS



The following additional information was received on March 25, 2021:

8. Transmittal letter from Stewart Surveying & Engineering, dated March 23, 2021.
9. Plans generally entitled “Preliminary & Final Site Plan for 206 NJ State Highway Route No. 46 Block 17 Tax Lot 3 Township of Independence Warren County, New Jersey”, consisting of 8 sheets, prepared by Stewart Surveying & Engineering, LLC, dated February 12, 2021 with revisions to March 23, 2021.

PROJECT SUMMARY

The subject property is a 14,667 square foot lot fronting on NJ Route 46 which currently contains a dilapidated existing single-family dwelling that appears to have been unoccupied for many years. The applicant, Joseph Coladarci, Jr., is seeking Preliminary & Final Site Plan approval and Use and Bulk Variances to demolish the existing dwelling and redevelop the site with a three (3) story - three (3) unit townhouse building. It is noted that in 2019 the applicant was granted site plan approval and variances to permit the construction of a two (2) story structure with medical offices on the first floor and apartments on the second floor. It is presumed that this former approval is being abandoned. The property is located within the Township’s Residential Village (R-1/2) zone district and within the Highlands Planning Area. The proposed townhouse use is neither a permitted nor a conditional use within the R-1/2 Zone. A Use Variance and Density Variance is being sought along with several Bulk Variances in addition to Preliminary and Final Site Plan approval.

The Variance and Preliminary and Final Site Plan applications were deemed incomplete by the Land Use Board at its March 15, 2021 meeting. Our office has reviewed the additionally provided information (ref. above) against Independence Township’s Land Development requirements for application completeness and offer the following comments. The majority of the previously outstanding items have been addressed by the Applicant.

INITIAL COMPLETENESS REVIEW - VARIANCE APPLICATION CHECKLIST

Item 6 – Proof that real estate property tax payments are current should be submitted.

Item 7 – The applicant indicates he has submitted total application fees (site plan & variances) in the amount of \$2,100 and a total review escrow deposit in the amount of \$6,500.00 (site plan & variances). The Board administrator should confirm receipt of the fees.

Item 8 – Proof of publication of the hearing notice in the newspaper should be provided to the Board Administrator at least seven (7) days prior to the public hearing.

Item 9 – Proof of written notice of the hearing to property owners within 200 feet should be provided to the Board Administrator at least seven (7) days prior to the public hearing.



INITIAL COMPLETENESS REVIEW – PRELIMINARY & FINAL SITE PLAN CHECKLIST

Item 2 – See Item 7 above.

Item 4 – See Item 6 above.

Item 8 – Copy of Warren County Planning Department application has not been submitted.

Item 12 – All title blocks should include “Preliminary & Final Site Plan”.

Item 58 – The location, mounting height and details of the building mounted lights should be shown on the plans.

Item 65 – An EIS is required. A waiver has been requested from providing an EIS based upon the site being previously developed. We have no objection.

Item 72 – The applicant should document that the plans have been sent to the Township Volunteer Fire Company for comment.

Item 73 – The applicant should submit an Engineer’s Estimate of site improvement construction quantities and costs. A waiver has been requested for completeness purposes. We have no objection subject to the information being required prior to the start of any construction.

Based upon the above, the Variance and Preliminary and Final Site Plan applications could be in a position to be deemed complete subject to confirmation on compliance of the outstanding items, most of which are administrative in nature.

TECHNICAL REVIEW

Since the outstanding completeness issues are mostly administrative in nature and do not materially affect our ability to review the plans, we have conducted a technical review of the application in order to expedite the matter.

ZONING

1. The application is in violation of Zoning Chapter 255-85F, which contains specific provisions to allow development on existing non-conforming lots in various zone districts. This section permits development of an existing non-conforming lot for any use permitted in a particular zone so long as the lot exceeds 15,000 square feet in area and meets all required setbacks in the zone. The subject lot is an existing non-conforming lot however the lot is less than 15,000 square feet and the proposed development does not comply with setback standards.
2. The application does not conform with the requirements in the Schedule of Limitations Table for the R-1/2 Zone as noted below. We defer to the Board Planner to provide the Board with explanations of the proofs required for the grant of each of the required variances.



- a. The application proposes a three (3) story, three (3) unit townhouse building. Townhouses are not a permitted or conditional use. A d(1) Use Variance is required.
- b. One (1) single family dwelling is permitted on a 20,000 square foot lot. The existing lot area is 14,667 square feet. The permitted density is 0.46 units per acre. The proposed density is 8.91 units per acre. A d(5) variance is required.
- c. The required rear yard setback is 30 feet. The proposed rear yard setback is 10 feet to the building wall and 5.2 feet to the deck. A (c) variance is required.
- d. The required side yard setback is 25 feet. The proposed side yard setback is 12 feet along adjoining Lot 2. A (c) variance is required.
- e. The permitted overall building height is 35 feet. The proposed building height is 37.5 feet. A (c) variance is required.
- f. The permitted building height at the eaves is 24 feet. The proposed building height at the eaves is 28.7 feet. A d(6) variance is required based upon a deviation of more than 10% over the standard.
- g. The permitted lot coverage is 15%. The proposed lot coverage is 36.4%. A (c) variance is required.

PRELIMINARY & FINAL SITE PLAN

1. Chapter 255-54D.(1)(a)[12] Storm drainage.
 - a. The location of roof drains should be shown.
 - b. The applicant's engineer should clarify the purpose of the retaining wall and berm which is to be constructed along the rear property line. It appears that it may concentrate runoff in areas where concentrations do not occur under existing conditions. Pre and post development drainage area maps should be provided with an analysis of the increase in peak runoff and the potential effects of concentrated flows onto adjoining properties.
2. Chapter 255-54D.(1)(a)[13] Proposed sidewalks should be labeled and dimensioned.
3. Chapter 255-54D.(1)(a)[15] The plans should clarify the purpose of the approximate 8 feet wide strip of land running along the frontage of adjoining Lot 2.
4. Chapter 255-54D.(1)(a)[17] The 10' setback from the edge of pavement to the driver's eye should be labeled on the sight distance plans.



5. Chapter 255-54D.(1)(a)[18] Well and septic.
 - a. Septic system components should be labeled on the plans. Documentation of septic system approval should be provided from the Warren County Health Department.
 - b. A Well Permit should be provided for the proposed well.
6. Chapter 255-54D.(1)(a)[20] We defer review of the adequacy of the proposed landscaping plan to the Board Planner.
7. Chapter 255-54D.(1)(a)[21] The location and mounting height of the building mounted lights should be shown on the plans along with fixture details and illumination information. The required parking area illumination for multi-family residential development is 0.5 to 1.0 footcandles.
8. Chapter 255-54D.(1)(a)[24] Driveways.
 - a. There appears to be existing vegetation along the frontage of Lot 4 to the west of the proposed driveway and along the frontage of Lot 2 to the east of the proposed driveway which may restrict sight distance. The plan should show the existing vegetation and include a note requiring that vegetation be removed to obtain a clear line of sight above 20’.
 - b. The width of the proposed driveway should be labeled on the plans.
 - c. The existing conditions plan should label the curbing to be removed within Route 46.
 - d. Proposed concrete curbing should be labeled on the layout plan and the “proposed block curb” label should be removed.
 - e. The offset distance from the edge of the proposed parking area to the Route 46 Right of Way line should be labeled.
 - f. An NJDOT Highway Access Permit should be provided for modification of the existing driveway.
9. Chapter 255-54D.(2)(f) The applicant should document that the plans have been sent to the Township Volunteer Fire Company for comment.
10. Chapter 255-54D.(2)(j) The applicant is required to submit an Engineer’s Estimate of site improvement construction quantities and costs along with required performance and maintenance guarantees and inspection fees. These can be submitted prior to the start of construction.



11. Chapter 255-86A. Natural features.

- a. The location of the drip line of the trees along the northerly property line should be shown. The proposed retaining wall should not encroach inside the dripline to avoid damage to the trees.
- b. The property contains an open water protection area as designated by the NJ Highlands Council. Since the property lies within the Planning Area the lot should not be subject to any restrictions as the Township is not participating within the Planning Area.

12. Chapter 255-88B. If the application is approved, some form of screen or fence should be considered along the sideline with Lot 2.

13. The applicant shall document approval by the Warren County Planning Department and the Upper Delaware Soil Conservation District.

I trust this report is satisfactory. Please do not hesitate to contact me if you have any questions.

Very truly yours,

FINELLI CONSULTING ENGINEERS, INC.

Michael S. Finelli, P.E., P.P., C.M.E.
Land Use Board Engineer

cc: All Land Use Board Members, via Board Administrator
Eric Bernstein, Esq., LUB Attorney, via email only
David Banisch, P.P., Twp. Planner, via email only
Joe Coladarci, via email only
Erik Hassing, Esq., via email only
Stewart Engineering & Surveying, via email only
Warren County Planning Department, via email only
Upper Delaware Conservation District, via email only