

**BERNARDS TOWNSHIP ENVIRONMENTAL COMMISSION**

**Regular Meeting of [March 25, 2024](#) - 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 – [February 26, 2024](#)**
- 6. Reports and Miscellaneous Correspondence**
  - a. [ETI Letter](#)**

**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
- vi. Pumpkin Smash

**7. Old Business**

- a. Status on Current Projects:**

**8. New Business - Applications**

1. [Phil 120 LLC - ZB 24-002 – 437 King George Rd -](#) Variance relief to expand an existing building.
2. [Patel - ZB 24-005 – 3 Fenwick Pl -](#) Relief for location / height of fence & maximum lot coverage.
3. [Mejia - ZB 24-007 – 16 Autum Dr.](#) – Side yard setback relief to construct an addition to an existing dwelling.
4. [Donvee LLC - ZB 24-008 – 77 Stonehouse Rd.](#) – Rear yard setback relief to construct an addition to an existing dwelling. .
5. [Riverwalk Village LLC Add't Info - ZB 24-006 – 665 Martinsville Rd](#) – Variance for relief to allow an office tenant on the first floor.

**9. Comments by Public**

**10. Comments by Members**

**11. 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**  
**Regular Meeting of February 26, 2024**



**1. CALL TO ORDER**

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

**2. OPEN PUBLIC MEETING STATEMENT**

Chairperson Alice Smyk read the Open Meeting Statement 2024

**3. FLAG SALUTE**

**4. ROLL CALL**

**Present:** John Coelho, John Crane, Todd Edelstein, Ana McCarthy, Alice Smyk, John Valeri, Jr., Sarah Wolfson

**Absent:** Nancy Cook, Nicholas Cuzzo and Deb Graisser

**Also Present:** Kathleen Ferrante, Recording Secretary

**5. APPROVAL OF MEETING MINUTES**

Motion to approve the January 29, 2024, Re-org minutes, made by John Valeri, Jr., seconded by Sarah Wolfson. All in favor, motion carried.

Motion to approve the January 29, 2024, regular business meeting minutes as edited, *ANJEC vote to renew membership was five (5) opposed and to two (2) in favor*, made by John Crane, seconded by Todd Edelstein. All in favor, motion carried.

**6. REPORTS & MISCELLANEOUS CORRESPONDENCE**

- a. **Raritan Headwaters Email – 2.13.24** – Sarah Wolfson and Alice Smyk would be willing to join the committee.
- b. **Grant ANJEC Email** – Alice Smyk - We do qualify to apply for the grant. Sarah Wolfson will repurpose a previous grant application for submission.
- c. **NJ Native Plants Article** – Todd Edelstein forwarded the article for information. Alice Smyk would like to discuss an educational opportunity to raise awareness on the concerns of evasive species spreading beyond property owner boundaries. Particularly, bamboo spreading beyond property lines. Ana McCarthy - there is an ordinance under review on this topic. John Coelho and Nancy Cook will action a response to a resident inquiry on bamboo spread.
- d. **Advisory Committee Invite** – see Raritan Headwaters Email – 2.13.24





## ***Bernards Township Environmental Commission***



### **DISCUSSION**

#### **Subcommittee Reports**

- a. **Application Review** – see New Business
- b. **ANJEC email monitoring / important education webinars** – Todd Edelstein – still monitoring, cited a few events available that may be of interest to the committee.
- c. **Native Pollinator Group** – Sarah Wolfson – May 4<sup>th</sup> or 5<sup>th</sup> will be the date of the Great Swamp native plant sale pick-up, the week prior will be organization and she encouraged committee members to participate in the pickup event. Girl Scouts will be at the event to assist with pickup. Sara is confirming the location for pickup. Ross Farms on the 5<sup>th</sup> would be ideal.
  - a. **Small pollinator garden on township owned property** – Sarah Wolfson has a plant wishlist that she will be submitting and will inquire on partnering with the Library, on promoting the garden on Charter Day. Alice Smyk if not the Library perhaps we could partner with Shade Tree.
- d. **Community Outreach/Education** - no comments
- e. **Tree Protection** – John Valeri, Jr. – one application that was too broad and was sent back to submitter.
- f. **Events** -
  - 1. **Pumpkin Smash at Dogwood Farms – Alice Smyk** – has no updated information. Ana McCarthy advised that there is progress.
- g. **Spotted Lantern Fly Grant** - Ana McCarthy advised the Township do not have the staff with the proper qualifications and this may impact budget as it is a reimbursement grant.

### **7. NEW BUSINESS**

#### **Applications**

John Valeri, Jr., Sarah Wolfson and Todd Edelstein recused themselves.

- a. **Bank of America – PB 24-001 – 125 S. Finley Ave** - Prelim/Final site plan approval to install new lighting and to install new ATM in existing drive through.

Preliminary final site plan approval to install new lighting and to install a new ATM in existing drive-thru.

This is to bring the site to New Jersey standards for lighting for ATMs.

Lot coverage allowed 75%

Existing coverage 68.11%

Proposed light coverage 68.18%

Approximately 30 ft additional coverage

Allowable light foot candles 0.9 ft candle

Existing foot candle 15.8

Proposed foot candle 34.4

The applicant should investigate ways to minimize light glare on South Finley Avenue

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***



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 John Coelho, seconded by John Crane. All in favor, John Coelho, John Crane, and Alice Smyk. Motion carried.

- b. **Kececi – ZB 24-001 - 99 & 111 Mine Brook Road** – Construction of a new dwelling & in-ground pool. The pool is not located behind the rear building & line of adjacent property.

The applicant has a tree screening plan for the pool.

The plan calls for 47 trees to be removed.

The board and the applicant should determine if the Lots were merged after 1999 year the lot width went from 150 to 200 ft the applicant lot is 151.9 ft on lot 30 if it was a common ownership at that time, it may be a merged lot? This would affect the lot width variance it may not be needed it would also reduce the coverage so the only variance would be just for the pool.

Environmental comment number one less the surface water body part of the comment

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

With regard to the presence of and proposed development on the existing wetlands, the Environmental Commission defers to the NJDEP review of the Freshwater Wetland Individual Permit.

The Commission would like to note if any tree permits have been taken out and the replacement of same. Regarding 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.

The Environmental Commission asks that the applicant be required to contribute to the Township Tree fund for any trees they do not plant.

Regarding 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



## ***Bernards Township Environmental Commission***



best management practices available when discharging pool water.

The lot 29 93 mine Brook Road appears to have a stream on it based on the tax maps the stream may be less than 150 ft from lot 30 the stream buffer should be investigated.

Both Lots 30 and 31 have ranked five habitat patches with Federal threatened or endangered species present based on New Jersey landscape project version 3.3 critical habitat data.

The applicant should provide the square footage that is draining into the recharge area, both impervious and pervious surfaces to make sure the correct volume is going into the recharge the applicant should drain all roof surfaces into the infiltration area the applicant should investigate if the driveway draining toward mine Brook Road can take the additional drainage.

The applicant should show the calculations for the recharge volume going into the recharge area.

Motion made by John Valeri, Jr., seconded by Todd Edelstein. All in favor, John Coelho, John Crane, Todd Edelstein, Alice Smyk, John Valeri, Jr., and Sarah Wolfson. None opposed, motion carried.

- c. **Riverwalk Village LLC – ZB 24-006 – 665 Martinsville Rd – ”D“** (3) variance relief to allow an office tenant on the first floor.

No environmental concerns at this time.

Motion made by John Valerij, Jr., seconded by John Coelho. All in favor, none opposed, motion carried.

- d. **Signature Acquisitions – ZB 22-028** – Additional information received 2/5/24.

Alice Smyk recused herself.

No environmental comment at this time.

Motion made by Todd Edelstein, seconded by John Valeri. All in favor, none opposed, Alice Smyk recused, motion carried.

### **8. PUBLIC COMMENT**

No comments

### **9. MEMBER COMMENT**

Todd Edelstein obtaining a chart that may be useful when reviewing plans and he will share with the committee. John Crane inquired on update on deer concerns brought to the committee by a resident at the January meeting. Sarah Wolfson - received an email from resident containing research on deer concerns. Sarah is attempting to research with experts. John Crane clarified that our position was to provide information on damage to native plants to then send to the Township Committee. Ana McCarthy there is additional research being done with other committees on the extent of the damage caused by deer. John Crane – reported on positive impacts including native plants being planted, EV chargers being installed.



***Bernards Township Environmental Commission***



**10. ADJOURNMENT**

Meeting was adjourned at 8:17 pm. Motion by John Valeri seconded by Sarah Wolfson. All in favor, motion carried.

Respectfully submitted,  
Kathleen Ferrante, Meeting Secretary



## ***Bernards Township Environmental Commission***

**TO:** Planning Board Chairperson and Members

**FROM:** Alice Smyk, Chairperson

**DATE:** February 28, 2024

**SUBJECT:** Application Review

The Environmental Commission reviewed the following applications at their February 26, 2024, meeting and forwards the following comments:

**Bank of America – PB 24-001 – 125 S. Finley Ave.** – Prelim/Final site plan approval to install new lighting and to install new ATM in existing drive through.

**Highlights:**

- Lot coverage allowed 75%
- Existing coverage 68.11%
- Proposed coverage 68.18%
- Approximately 30 ft additional coverage
- Allowable light foot candles 0.9 ft candle
- Existing foot candle 15.8
- Proposed foot candle 34.4

**Comments:**

The application is to bring the site to New Jersey standards for lighting for ATMs, however, the applicant should investigate ways to minimize light glare on South Finley Avenue.

Due to the age of the existing building, 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.



## ***Bernards Township Environmental Commission***

**TO:** Zoning Board Chairperson and Members

**FROM:** Alice Smyk, Chairperson

**DATE:** February 28, 2024

**SUBJECT:** Application Review

The Environmental Commission reviewed the following applications at their February 26, 2024, meeting and forwards the following comments:

**Kececi - ZB 24-001 – 99 & 111 Mine Brook Rd** - Construction of a new dwelling & in-ground pool. The pool is not located behind the rear building & line of adjacent property.

**Highlights:**

- Block 7201, Lots 30 and 31
- Zone R-4. 1 acre.
- Lot 30 92,978 square feet 2.134 Acres and Lot 31 69,887 ft square feet 1.6 acres
- Lot 30 and 31 combined 162,865 square feet 3.73 Acres
- Lot 30 allowable coverage 15% 13,946 square footage, dwelling will be built on Lot 30
- Proposed Lot 30 coverage 10,857 square foot or 11.67% coverage
- Lots 30 and 31 combined coverage 6.66%
- The lots have four Wetlands letters.
  - LOI extension
  - Freshwater transition waiver
  - GP 10A very minor road crossing
  - Gp 2 underground utilities
- Disturbance of wetlands 6,367 square feet and Land disturbance 34,088 square feet
- The plan calls for 47 trees to be removed.

**Comments:**

Lot 29 (93 Mine Brook Road) appears to have a stream on it based on tax maps. The stream may be less than 150 feet from Lot 30 and as such, the stream buffer should be investigated.

Both Lots 30 and 31 have ranked five habitat patches with Federal threatened or endangered species present based on the New Jersey landscape project version 3.3 critical habitat data.

The applicant should provide the square footage that is draining into the recharge area from both impervious and pervious surfaces to make sure the correct volume is going into the recharge. The applicant should drain all roof surfaces into the infiltration area. The applicant



## *Bernards Township Environmental Commission*

should investigate if the driveway draining toward mine Brook Road can take the additional drainage.

The applicant should show the calculations for the recharge system volume.

The Environmental Commission notes the presence of freshwater wetlands on the subject property. Best management practices to protect these sensitive ecological areas should be implemented during the site work (sediment and erosion controls) and post-construction (organic lawn care, protect and preserve natural soil, vegetation, and grading in buffer zones and within the stream).

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

Regarding the presence of and proposed development on the existing wetlands, the Environmental Commission defers to the NJDEP review of the Freshwater Wetland Individual Permit.

The Commission would like to note if any tree permits have been taken out and the replacement of same. Regarding 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.

The Environmental Commission asks that the applicant be required to contribute to the Township Tree fund for any trees they do not plant.

Regarding 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



## ***Bernards Township Environmental Commission***

township residents to use the best management practices available when discharging pool water.

**Riverwalk Village LLC - ZB 24-006 – 665 Martinsville Rd - "d " (3) variance relief to allow an office tenant on the first floor.**

### **Highlights:**

- Block 11201, Lot 10
- Zone E-2
- D3 variance relief to allow an office tenant on the first floor.
- Lot coverage allowed 40%; existing coverage 26.6%; proposed 26.6%
- Minimum lot area 9 Acres existing 9.4 Acres.

### **Comments:**

No environmental concerns at this time.

**Signature Acquisitions – ZB 22-028 – Additional information received 2/5/24.**

### **Highlights:**

- Block 11201, Lot 3
- 150 Allen Road
- Updated traffic study dated 2 5 24 provided by Stonefield Engineering
- Review of the 2 5 24 traffic study 2 7 2 by Brightview engineering.

### **Comments:**

No environmental concerns at this time.





ENVIRONMENTAL  
TECHNOLOGY  
INC.

Environmental Consultants



March 5, 2024

SENT VIA CERTIFIED MAIL

To: Property Owner or Interested Party

Re: Application for Freshwater Wetlands  
Letter of Interpretation – Line Verification  
Applicant: Jon Rocker  
Subject Property: 99 Lord Stirling Road  
Block 3101, Lot 2  
Bernards Township, Somerset County

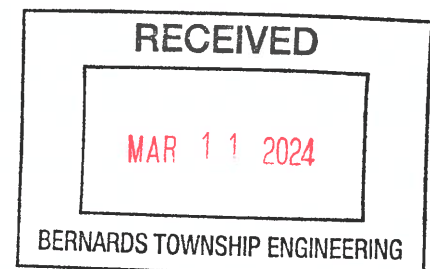
Dear Property Owner or Interested Party:

This letter is to provide you with legal notification that an application for a freshwater wetlands Letter of Interpretation – Line Verification will be submitted to the New Jersey Department of Environmental Protection, Division of Land Resource Protection, for the property shown on the enclosed plans. The Letter of Interpretation – Line Verification will verify the extent and location of freshwater wetlands, State open waters and/or transition areas on the referenced property.

The complete permit application package can be reviewed at either the municipal clerk's office in the municipality in which the site subject to the application is located, 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 written comments within 15 calendar days of receiving 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 Verification  
Applicant: Jon Rocker  
Subject Property: 99 Lord Stirling Road  
Block 3101, Lot 2  
Bernards Township, Somerset County

March 5, 2024

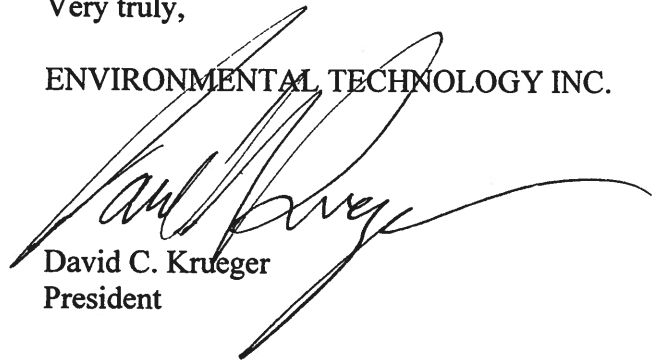
If By Hand Delivery, Courier Service or Overnight Delivery:

New Jersey Department of Environmental Protection  
Division of Land Resource Protection  
501 East State Street  
5 Station Plaza, 2<sup>nd</sup> 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

24011

Enclosures: 11" X 17" NJDEP L.O.I. PLAN

cc: w/encl: Jon Rocker

NJDEP

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

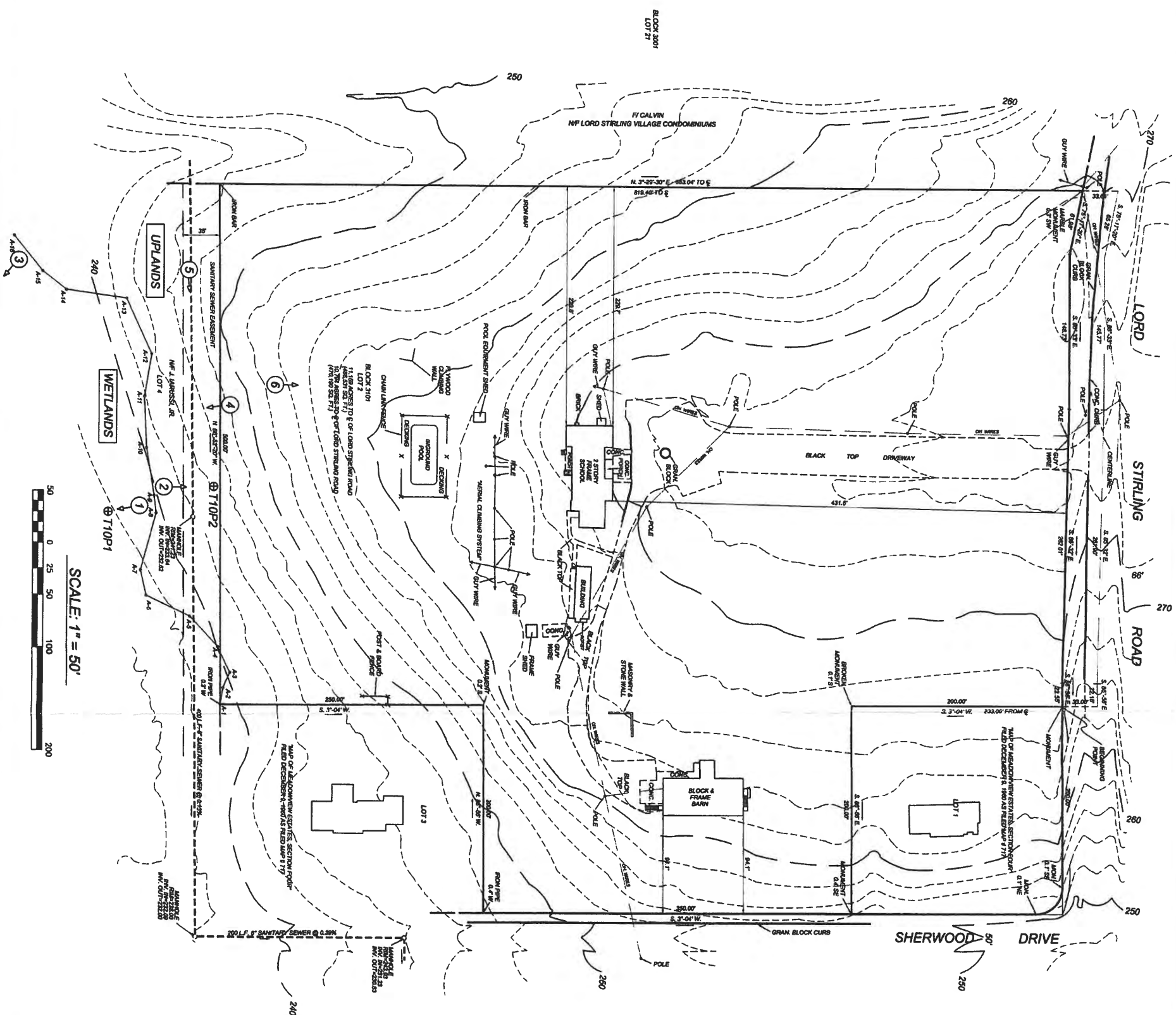
Property Owners within 200' and Easement Holders; Sent Via CM

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) BEING INDICATED AS LOT 3-1, BLOCK 98 ON A MAP ENTITLED, "MAP OF MEADOWVIEW ESTATES, SECTION FOUR," REVISED TO NOVEMBER 30, 1980 AND FILED IN THE OFFICE OF THE CLERK OF SOUTHERN COUNTY ON DECEMBER 28, 1980 AS MAP NO. 717.
- 2) PROPERTY IS LOCATED IN A ZONE "X" ON FLOOD INSURANCE RATE MAP 3403C00059E, EFFECTIVE DATE, SEPTEMBER 28, 2007. (PASSAD RIVER FLOOD ELEVATION IN VICINITY = 229 FEET 1989)
- 3) TOPOGRAPHICAL INFORMATION SHOWN HEREON BASED ON INFORMATION OBTAINED FROM BERNARDS TOWNSHIP AND FIELD SURVEYMENT BY THIS OFFICE.
- 4) WETLANDS SHOWN HEREON ARE AS FLAGGED BY DAVID C. KRUEGER, PWS, CND, ENVIRONMENTAL TECHNOLOGY, INC., 460 MAIN STREET, PO BOX 60, CHESTER, NJ 07930.

WETLANDS KEY

PHOTOGRAPH LOCATION AND DIRECTION

TRANSECT WITH OBSERVATION POINTS

WETLAND POINTS

①  
▲

⊕ T10P1

h4

**LORD STIRLING PROPERTY, LLC WETLANDS**

**LOT 2, BLOCK 3101**

**IN THE**

**TOWNSHIP OF BERNARDS**

**SOMERSET COUNTY, NEW JERSEY**

*Richard G. Titus*  
RICHARD G. TITUS  
N.J. PROFESSIONAL  
LAND SURVEYOR  
LIC NO. GS33181

**TITUS SURVEYING & ENGINEERING, P.C.**

**NORTH PLAINFIELD, NEW JERSEY 07060**  
**PHONE: (908) 756-9047**  
**FAX: (908) 756-9055**

DATE	JOB NO.	BOOK	PAGE	DR. BY	CHECKED	SHEET
OCTOBER 6, 2023	08-1089-23	371	13-15	RT/LM	WLT	1 OF 1

**W. LELAND TITUS**  
**N.J. PROFESSIONAL**  
**ENGINEER**  
**LIC NO. GE31635**

REVISÉD FEBRUARY 19, 2024

ADDITIONAL INFO —

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

Application No: ZB24-002 Block: 8501 Lot: 35 Zone: R-5

Applicant: PHIL 120 LLC

Address of Property: 437 KING GEORGE ROAD

Description: VARIANCE RELIEF TO EXPAND AN  
EXISTING 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 checked="" type="checkbox"/> Survey                     |
| <input checked="" 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 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**

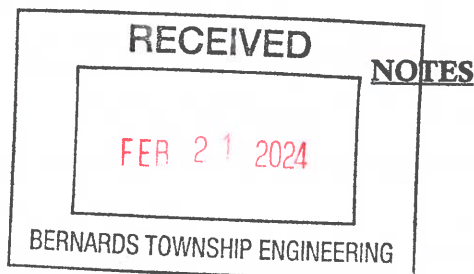
01.04.24 Original Submission Date  
02.18.24 Completeness Deadline (45 days)  
\_\_\_\_ Incomplete Date  
\_\_\_\_ Resubmission Date  
\_\_\_\_ Date Complete  
02.17.24 Time to Act (45/95/120 days)

**HEARING**

\_\_\_\_ Notice to Property Owners  
\_\_\_\_ Date of Publication  
\_\_\_\_ Completeness Hearing  
2.6.24 Public Hearing  
4.5.24 Carried to Date  
\_\_\_\_ Decision - Approved/Denied  
\_\_\_\_ Resolution Memorialized  
\_\_\_\_ Resolution Published

**DISTRIBUTION**

01.05.24 Environmental Comm  
\_\_\_\_ Fire Official  
\_\_\_\_ LCFAS  
\_\_\_\_ Police





ENVIRONMENTAL  
TECHNOLOGY  
INC.

Environmental Consultants



February 14, 2024

SENT VIA EMAIL: [cmueller@pagemuellereng.com](mailto:cmueller@pagemuellereng.com)

Ms. Cathy Mueller  
President, Page-Mueller Engineering Consultants, P.C.  
P.O. Box 4619  
Warren, New Jersey 07059

Re: Wetlands/Transition Area Investigation  
437 King George Road  
Block 8501, Lot 35  
Township of Bernards, Somerset County, N.J.

Dear Ms. Mueller,

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 within the 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 February 1, 2024.

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:

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

Cathy Mueller  
Re: Wetlands/Transition Area Investigation  
437 King George Road  
Block 8501, Lot 35  
Township of Bernards, Somerset County, N.J.

February 14, 2024

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.

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.

Cathy Mueller  
Re: Wetlands/Transition Area Investigation  
437 King George Road  
Block 8501, Lot 35  
Township of Bernards, Somerset County, N.J.

February 14, 2024

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 investigation found the property to consist of a single-family dwelling, macadam and gravel driveway, maintained lawn areas, multiple appurtenant structures, and other associated improvements.

The investigation performed by the staff of ETI found that there are no wetlands identified on or within 50 feet of the site, which is the wetlands transition area required on this site. A review of NJDEP GeoWeb does not identify any habitats for a threatened or endangered species on or adjacent to the site. In addition, the onsite waters drain to an unnamed tributary to the Dead River, which is classified as FW-2, Non-Trout pursuant to the New Jersey Surface Water Quality Standards (N.J.A.C. 7:9B, April, 2020). Therefore, any wetlands in the vicinity are classified as intermediate resource value and require a 50 foot transition area.

Soil samples confirmed the presence of non-hydric soils within and adjacent to the limit of disturbance (Munsell Soil Color Chart Readings of 7.5YR 4/4 from 0 to 8 inches and 7.5YR 3/3 from 8 inches to 18 inches).

Vegetation observed in and adjacent to the site consisted of red maple (*Acer rubrum*, FAC), Colorado blue spruce (*Picea pungens*, NL), eastern red cedar (*Juniperus virginiana*, FACU), autumn olive (*Elaeagnus umbellata*, NL), Japanese barberry (*Berberis thunbergii*, FACU), Japanese honeysuckle (*Lonicera japonica*, FAC), multiflora rose (*Rosa multiflora*, FACU), poison ivy (*Toxicodendron radicans*, FAC) and grasses (*Panicum spp.*, V).

## **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.

Cathy Mueller  
Re: Wetlands/Transition Area Investigation  
437 King George Road  
Block 8501, Lot 35  
Township of Bernards, Somerset County, N.J.

February 14, 2024

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.

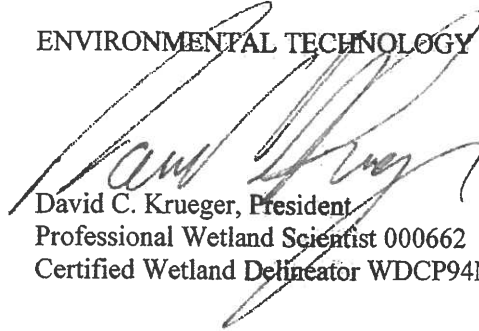
The information provided is based on the most current information available and our best professional judgment. This letter does not consider pending or future legislation or regulations that may change the opinions provided.

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

24016



EC

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

Application No: ZB24-002 Block: 8501 Lot: 35 Zone: R-5

Applicant: PHIL 120 LLC

Address of Property: 437 KING GEORGE ROAD

Description: VARIANCE RELIEF TO EXPAND AN  
EXISTING 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 checked="" type="checkbox"/> Survey                     |
| <input checked="" type="checkbox"/> Ownership Form (B)                  | <input checked="" type="checkbox"/> Photographs                |
| <input checked="" type="checkbox"/> 200' Property Search List (C)       | <input checked="" 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 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**

01.04.24 Original Submission Date  
02.18.24 Completeness Deadline (45 days)  
 \_\_\_\_\_ Incomplete Date  
 \_\_\_\_\_ Resubmission Date  
 \_\_\_\_\_ Date Complete  
06.17.24 Time to Act (45/95/120 days)

**HEARING**

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

**DISTRIBUTION**

01.05.24 Environmental Comm  
 \_\_\_\_\_ Fire Official  
 \_\_\_\_\_ LCFAS  
 \_\_\_\_\_ Police

**NOTES**



*Celebrating 50 Years of Service*

53 DIVISION AVENUE – FIRST FLOOR

POST OFFICE BOX 324

MILLINGTON, NEW JERSEY 07946

(908) 647-6001

FAX (908) 647-8939

www.postpolak.com

Frederick B. Zelley

Partner

fzelley@postpolak.com

January 4, 2024

**Via Hand Delivery**

Ms. Cynthia Kiefer, Administrator  
Bernards Township Board of Adjustment  
277 South Maple Avenue  
Basking Ridge, New Jersey 07920

Re: Application for Variance  
Applicant: Phili120 LLC  
Tax Block 8501, Lot 35 - 437 King George Road, Bernards Township

Dear Ms. Kiefer:

This office represents Phili120 LLC, the Applicant in the above referenced Application.

Enclosed herewith please find the following:

1. Bernards Township Zoning Board of Adjustment Application (O+16)
2. Addendum to Application (O+16)
3. C Variance Checklist (17)
4. Dimensional Statistics Sheet (17)
5. Site Inspection Consent Form (O+16)
6. Statement of Ownership (17)
7. Proposed Notice of Hearing (17)
8. 200' Property Owners List (17)

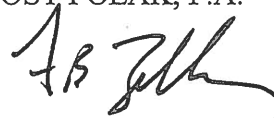
9. Property Tax Certification
10. Copy of Applicant's Deed (17)
11. Copy of 2008 Resolution (for Lots 31-34 and 38) (17)
12. Site Photographs (14 photos) (17 sets)
13. Engineering Plans by Page Mueller Engineering Consultants (2 Sheets) (17 Sets)
14. Survey by Leeper Land Group, LLC (O+16)
15. Architectural Plans by Zen Architecture & Engineering (5 Sheets) (17 Sets)
16. Our client's checks in the respective amounts of **\$100.00 for the application fees, \$1,500.00 for the escrows and \$25.00** for the document imaging fee.
17. Form W-9

If any additional documentation is needed in order to make this application complete, kindly advise our office accordingly. If not, kindly advise us when the application has been deemed to be complete and of the scheduled hearing date. Needless to say, our client would like to have the application heard as soon as possible.

Thank you for your attention and anticipated continued cooperation in this matter. Should you have any questions or concerns, or if we may otherwise be of any further assistance, please do not hesitate to contact me.

Very truly yours,

POST POLAK, P.A.



Frederick B. Zelley

FBZ/cap

Enclosures

cc: Ms. Catherine Mueller – Page-Mueller Engineering Consultants  
Mr. Nilton De Oliveira

**TOWNSHIP OF BERNARDS**  
**2019 ZONING BOARD OF ADJUSTMENT APPLICATION**

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

**1. APPLICANT:** Phili120 LLC

Address: 378 Bergen Blvd. Suite 206, Fairview, New Jersey 07022

Phone: (home) 201-874-7520 (work) \_\_\_\_\_ (mobile) \_\_\_\_\_

Email (will be used for official notifications): \_\_\_\_\_

**2. OWNER** (if different from applicant): (same as Applicant)

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email (will be used for official notifications): \_\_\_\_\_

**3. ATTORNEY:** Frederick B. Zelley / Post Polak, P.A.

Address: 53 Division Avenue, First Floor, P.O. Box 324, Millington, New Jersey 07946

Phone: (908) 647-6001 Email (will be used for official notifications): fzelley@postpolak.com

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

Name: Page-Mueller Engineering Consultants PC Profession: Engineer

Address: PO Box 4619

Phone: 732-805-3979 Email (will be used for official notifications): cmueller@pagemuellereng.com

**5. PROPERTY INFORMATION:** Block(s): 8501 Lot(s): 35 Zone: R-5

Street Address: 437 King George Road Total Area (square feet/acres): 20,400

**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) \_\_\_\_\_

Please see addendum

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

[ ☒ ] No [ ☐ ] Yes (if yes, explain and attach copy) \_\_\_\_\_

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

\_\_\_\_\_  
Please see Addendum

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

\_\_\_\_\_  
Ordinance Section 21-15.1(d)(1) and Table 501

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

\_\_\_\_\_  
Please see Addendum

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

**APPLICANT(S) SIGN HERE:**

I/we, Nilton De Oliveira for Philli120 LLC 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 22<sup>nd</sup> day of December, 2023.

\_\_\_\_\_  
Frederick B. Zelle, Attorney at Law of the State of New Jersey

**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

**ADDENDUM TO BOARD OF ADJUSTMENT APPLICATION**  
**PHILI120 LLC**  
**437 KING GEORGE ROAD, BERNARDS TOWNSHIP, BLOCK 8501, LOT 35**

The following are responses to the respective Application Items noted "Please see Addendum":

4. [Additional Professionals]

Christopher James Zehnder, Reg. Architect  
Zen Architecture & Engineering  
215 Jefferson Avenue  
Elizabeth, New Jersey 07201  
Telephone: (908) 965-1900  
Facsimile: (908) 965-1977  
chris@zen-architecture.com

7. (a) Minimum Lot Area of 0.47 acres where 1 acre is required (existing condition);
- (b) Minimum Improvable Lot Area 2,600 sf where 10,000 sf is required (existing condition);
- (c) Minimum Lot Width of 102' where 200' is required (existing condition);
- (d) Minimum Side Yard of 16.1' where 20' is required (existing condition);
- (e) Maximum Lot Coverage of 23.50% where 15% is permitted (existing condition is 15.68%);
- (f) Minimum Front Yard of 58.7' where 75' is required (existing condition is 54.8'); and

9. [Description of the Existing Property and the Proposal/Request]

The subject property is a lawfully existing but severely undersized lot (0.47 acres in a one acre zone), which presently hosts an aged and deteriorated "Cape Cod" style home and two sheds. The existing home contains a kitchen, dining room, living room, two bedrooms and one bathroom, all on the first floor and all very small by modern standards. There is a third bedroom at the attic level. There is no garage. Simply stated, the existing home does not meet the needs of a modern family and is no longer in keeping with the character of the neighborhood as a whole. The Applicant proposes to expand the existing home, both laterally and vertically, in order for it to better meet the needs and desires of a present day family.

The proposed expanded home would feature an open floorplan on the first floor, consisting of living room, dining room, kitchen and family room areas, along with a pantry, mud room and half bath. There would be an open deck off of the rear of the home, on the first floor level. The second floor would have four (4) bedrooms and two full baths. The home would also feature an attached two car garage. The Applicant also proposes to remove the existing two sheds and to install a modest size inground swimming pool in the backyard.

10. [Description of Requested Variances or Exceptions]

This is an application for impervious coverage and front yard setback variances. The proposed coverage is 23.5% where 15% is permitted. The proposed front yard setback is 58.7', which represents an improvement upon the existing condition (54.8'). 75' is required in the zone. Note that the front setback of the front façade of the home (i.e. not including the front steps) is 60', which is the setback permitted by variance for the homes constructed on Lots 31-34 and 38. The lot is also non-conforming as to lot area (as noted above), improvable lot area, lot width and single side yard setback, all of which are pre-existing, non-conforming conditions.

With the exception of the aforementioned variances, the Applicant believes that no other variance, waiver or exception is required in order to grant the approval requested. However, if the Board directs that additional variance(s), waiver(s) or exception(s) is/are needed, the Applicant may seek the same in accordance with such direction.

11. [Arguments in Support of Application]

The variances requested are "C-1" variances, based upon the hardship created by the undersized lot and the location of the lawfully existing home. If the lot were conforming as to lot area, the lot coverage would only be 11%, well under the permitted 15%. The front yard setback is controlled by the location of the existing home, but is nonetheless proposed to be improved by having less intrusive (upon the setback) front stairs.

Both variances can also be justified under the "C-2" "flexible variance" criteria, in that the purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, as was found by this Board in 2008 for the similar development proposed for Lots 31-34 and 38. The property's dimensions are consistent with all of the lots in the immediate vicinity (i.e. Lots 27 through 38, which is a row of lots on the southbound (western) side of King George Road). In 2008, this Board approved construction of single family homes similar in size to the home proposed by the Applicant (2,546 sf compared to approximately 2,850 sf proposed by the Applicant herein) on Lots 31, 32, 33 and 34 (northerly adjacent to the Applicant's lot) and on Lot 38 (the third lot south of the Applicant's lot). The Board approved variances for the said lots for lot area (required due to the lots having legally merged), improvable lot area, lot width, front-yard setback and lot yield, all for dimensions similar to those proposed by the Applicant herein, finding, *inter alia*, as follows:

48. After reviewing the evidence submitted, the Board, by a vote of 5 to 0, concludes that the applicant has satisfied its burden of proving an entitlement to all of the requested variance relief. The applicant has met its burden of proving an entitlement to the lot area, improvable lot area, lot width, front-yard setback and lot yield variances for Lot 38 under N.J.S.A. 40:55D-70(c)(1) and (c)(2), and for Lots 31 through 34 under N.J.S.A. 40:55D-70(c)(2).

\*\*\*\*\*

50. Second, as to the front-yard setback variances requested for Lot 38 and Lots 31 through 34, as well as the lot area, improvable lot area, lot width, and lot yield variances requested for Lots 31 through 34, with respect to the "c(2)" or "flexible c" variance criteria, the Board finds that the applicant has satisfied its burden of demonstrating that the purposes of the Municipal Land Use Law ("MLUL") will be advanced by the requested deviations from the zoning requirements and that the benefits to be derived therefrom will substantially outweigh any detriments associated therewith. *The proposed development will provide a desirable visual environment, enhance the visual compatibility of the property with adjoining properties and otherwise promote the general welfare.* The Board approves of the requested front-yard setback variances as permitting a minimum 60 foot front-yard setback but also establishing a maximum 65 foot front-yard setback. *The Board accepts the unrefuted evidence submitted by the applicant that the proposed lots and the dwellings proposed thereon are commensurate with the size and character of other lots and the dwellings thereon in the immediate area.*

\*\*\*\*\*

52. Fourth, in light of the conditions hereafter set forth, the Board finds that the applicant has satisfied the negative criteria. *The applicant has demonstrated that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance. The Board accepts the unrefuted evidence and opinions of the applicant's planner that the proposed development of all of the lots is consistent with the character of the neighborhood and the goals and objectives of the Township's Master Plan.* Specifically, some of these goals include sufficient flexibility for a variety of housing, land use policies enhancing the community character of the neighborhood, advancing neighborhood conservation and protection and consistency of front-yard setbacks so as to avoid the appearance of "checkerboarding."

(emphasis added).

Additionally, in this case, the replacement of the existing deteriorated and outdated home with a modern home featuring an inground swimming pool would assist in conserving property

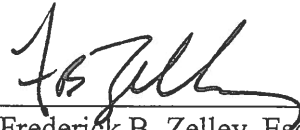


values in the neighborhood as whole, which remains a purpose of land use regulation even though that goal is not expressly stated in N.J.S.A. 40:55D-2. Home Builders League of S. Jersey, Inc. v. Township of Berlin, 81 N.J. 127, 144-45 (1979).

The Negative Criteria are also satisfied, as the variances can be granted without substantial detriment to the public good and without substantial impairment of the intent and the purpose of the zone plan and zoning ordinance, as was found by this Board in 2008 for the similar development proposed for Lots 31-34 and 38.

Respectfully Submitted,

POST POLAK, P.A.

A handwritten signature in black ink, appearing to read 'F B Zelley', is written over a horizontal line.

By: Frederick B. Zelley, Esq.  
Attorneys for the Applicant Phili120 LLC

Dated: January 4, 2024

**APPLICATION OF PHILI120 LLC**  
**437 KING GEORGE ROAD, BERNARDS TOWNSHIP, BLOCK 8501, LOT 35**

**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 (public sewer)	
12	Delineations of existing and proposed stream buffer conservation areas and stream buffer management plans, if required pursuant to Section 21-14.4.b.		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		

APPLICATION OF PHIL120 LLC

437 KING GEORGE ROAD, BERNARDS TOWNSHIP, BLOCK 8501, LOT 35

DIMENSIONAL STATISTICS

	REQUIRED	EXISTING	PROPOSED
LOT AREA	1 AC	.47 ac	.47 ac
LOT WIDTH	200'	102.00'	102.00'
FRONTAGE	100'	102.00'	102.00'
FRONT YARD SETBACK	75'	54.8'	58.7'
REAR YARD SETBACK	75'	115.3'	95.1'
COMBINED SIDE YARD	50'	59.9'	50.1'
SIDE YARD	20'	16.1'	16.1'
COVERAGE	15%	15.68%	23.50%
HEIGHT	35'	20.85'	28.5'
IF REQUIRED, GROSS FLOOR AREA	N/A		
IF REQUIRED, FLOOR AREA RATIO	N/A		
IF REQUIRED, IMPROVABLE LOT AREA	10,000 sf	2,600 sf	2,600 sf

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

**SITE INSPECTION CONSENT FORM**

Applicant: Phili120 LLC Application: Bulk Variances  
Block: 8501 Lot: 35 Street Address: 437 King George Road, Basking Ridge

I, Nilton Cesar De Oliveira, owner of the above property, hereby acknowledge that, upon determination of completeness of the application, a site inspection shall 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: \_\_\_\_\_

  
Nilton Cesar De Oliveira

Date: 12 22 2023

SUBMIT ORIGINAL + 2 COPIES

**STATEMENT OF OWNERSHIP**

Corporate or Partnership

Name of Applicant

Phili120 LLC

Address 378 Bergenline Boulevard, Suite 206Fairview, New Jersey 07022

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 Nilton Cesar De Oliveira (100%)

Name \_\_\_\_\_

Address: 378 Bergenline Boulevard, Suite 206Fairview, New Jersey 07022

Address: \_\_\_\_\_

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: \_\_\_\_\_

Nilton Cesar De Oliveira

Date: \_\_\_\_\_

12-22-2023

**NOTICE OF PUBLIC HEARING**  
**BERNARDS TOWNSHIP BOARD OF ADJUSTMENT**

**YOU ARE HEREBY NOTIFIED** that the undersigned Applicant has filed an application with the Bernards Township Board of Adjustment for variance relief relative to the Applicant's property known as Tax Block 8501, Lot 35 and located at 437 King George Road, Basking Ridge, New Jersey which is located in the R-5 Residential Zone.

The Applicant proposes to expand the existing single family home, which home and lot are in violation of the following requirements of the zoning ordinance: Lot Area, Improvable Lot Area, Lot Width, Front Yard, Single Side Yard and Lot Coverage. The proposed expanded home will require the following variance relief:

1. Minimum Lot Area of 0.47 acres where 1 acre is required (existing condition);
2. Minimum Improvable Lot Area 2,600 sf where 10,000 sf is required (existing condition);
3. Minimum Lot Width of 102' where 200' is required (existing condition);
4. Minimum Front Yard of 58.7' where 75' is required (54.8' existing);
5. Minimum Single Side Yard of 16.1' where 20' is required (no change from existing condition); and
6. Lot Coverage of 23.50% where maximum of 15% is permitted (15.68% existing).

With the exception of the aforementioned variances, the Applicant believes that no other variance, waiver or exception is required in order to grant the approvals requested. However, if the Board of Adjustment directs that additional variance(s), waiver(s) or exception(s) is/are needed, the Applicant may seek the same in accordance with such direction.

A copy of the proposed plans and application are on file with the Secretary to the Board of Adjustment and are open for inspection during regular business hours at the office of said Secretary, which is located at 277 South Maple Avenue, Basking Ridge, New Jersey.

The application will be considered by the Bernards Township Board of Adjustment on Wednesday, \_\_\_\_\_, 2024 at 7:30 p.m. at the Bernards Township Municipal Building, Courtroom, 1 Collyer Lane, Basking Ridge, New Jersey 07920. A hearing will be held by the Board at that time during which members of the public will be heard on the matter. The public will also be able to view the meeting live on Optimum/Cablevision TV - Channel 15 and Verizon FIOS TV - Channel 35. The meeting will also be streamed live for those interested in watching on their computers. The link will be available at 7:30 PM by clicking on the "Watch the Meeting Live" icon on the Bernards Township homepage. Any interested party may participate in said hearing in accordance with the rules of the Board of Adjustment.

Phili120 LLC /s/

Dated: January 4, 2024

Submitted by:

Frederick B. Zelley, Esq.  
Post Polak, P.A.  
53 Division Avenue - First Floor  
P.O. Box 324  
Millington, New Jersey 07946  
Telephone: (908) 647-6001  
Facsimile: (908) 647-8939  
Email: [fzelley@postpolak.com](mailto:fzelley@postpolak.com)



# 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: 11/10/2023

Block: 8501

Property Location: 437 King George Rd

Lot(s): 35

Applicant: Post Polak

Qual:

Phone :

Fax:

Email: fzelley@postpolak.com

#### PROPERTY OWNER INFORMATION

Owner Name:

Address: 437 King George Rd

City, State, Zip: Basking Ridge, NJ 07920

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

Liberty Corner Fire Company, P.O. Box 98, Liberty Corner, NJ 07938

Return By:

E-Mail



Mail



Fax



Pick-Up



Email Report To:

Post Polak

fzelley@postpolak.com

CERTIFIED BY:

David Centrelli, CTA  
Assessor, Township of Bernards

Amount Paid: \$10.00

Check No.: 1310

Date Paid: 11/10/2023



Property Owner  
429 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 8501-37: 429 KING GEORGE RD

Property Owner  
433 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 8501-36: 433 KING GEORGE RD

Property Owner  
441 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 8501-34: 441 KING GEORGE RD

Property Owner  
445 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 8501-33: 445 KING GEORGE RD

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 8501-18: 29 CROWN COURT DR

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 8501-17: 31 CROWN COURT DR

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 8501-16: 35 CROWN COURT DR

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 8501-15: 37 CROWN COURT DR

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 8501-14: 41 CROWN COURT DR

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 8501-13: 43 CROWN COURT DR

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 8501-12: 47 CROWN COURT DR

Property Owner  
820 MORRIS TPKE  
SHORT HILLS NJ 07070  
RE: 8501-11: 49 CROWN COURT DR

Property Owner  
7902 WESTPARK DR/TAX DEPT  
MCLEAN VA 22102  
RE: 8502-1: 404 KING GEORGE RD

Property Owner  
449 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 8501-32: 449 KING GEORGE RD

Property Owner  
ONE COLLYER LN  
BASKING RIDGE, NJ 07920  
RE: 8502-2: 440 KING GEORGE RD

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 8501-9: PRIVATE RD

Property Owner  
820 MORRIS TPKE  
SHORT HILLS NJ 07078  
RE: 8501-7: CROWN COURT DR



## Bernards Township

### Parcel Offset List

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**Target Parcel(s):** Block-Lot: 8501-35  
Property Owner  
437 KING GEORGE RD

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

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**Block-Lot: 8501-37**

Property Owner  
429 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 429 KING GEORGE RD

**Block-Lot: 8501-36**

Property Owner  
433 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 433 KING GEORGE RD

**Block-Lot: 8501-34**

Property Owner  
441 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 441 KING GEORGE RD

**Block-Lot: 8501-33**

Property Owner  
445 KING GEORGE RD  
BASKING RIDGE NJ 07920  
RE: 445 KING GEORGE RD

**Block-Lot: 8501-18**

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 29 CROWN COURT DR

**Block-Lot: 8501-17**

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 31 CROWN COURT DR

**Block-Lot: 8501-16**

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 35 CROWN COURT DR

**Block-Lot: 8501-15**

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 37 CROWN COURT DR

**Block-Lot: 8501-14**

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 41 CROWN COURT DR

**Block-Lot: 8501-13**

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 43 CROWN COURT DR

**Block-Lot: 8501-12**

Property Owner  
820 MORRIS TURNPIKE  
SHORT HILLS, NJ 07070  
RE: 47 CROWN COURT DR

**Block-Lot: 8501-11**

Property Owner  
820 MORRIS TPKE  
SHORT HILLS NJ 07070  
RE: 49 CROWN COURT DR

**Block-Lot: 8502-1**

Property Owner

7902 WESTPARK DR/TAX DEPT

MCLEAN VA 22102

RE: 404 KING GEORGE RD

**Block-Lot: 8501-32**

Property Owner

449 KING GEORGE RD

BASKING RIDGE NJ 07920

RE: 449 KING GEORGE RD

**Block-Lot: 8502-2**

Property Owner

ONE COLLYER LN

BASKING RIDGE, NJ 07920

RE: 440 KING GEORGE RD

**Block-Lot: 8501-9**

Property Owner

820 MORRIS TURNPIKE

SHORT HILLS, NJ 07070

RE: PRIVATE RD

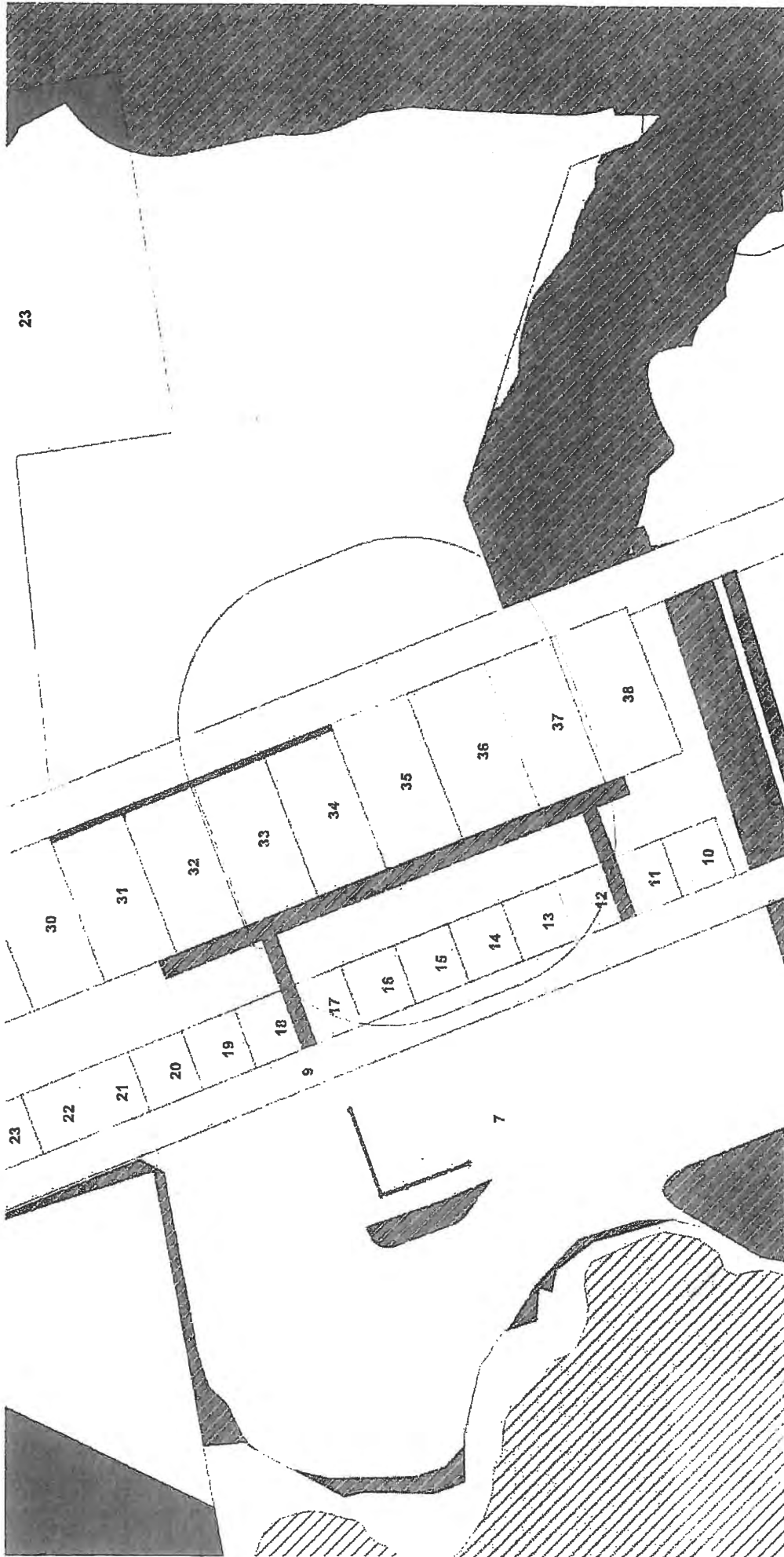
**Block-Lot: 8501-7**

Property Owner

820 MORRIS TPKE

SHORT HILLS NJ 07078

RE: CROWN COURT DR





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

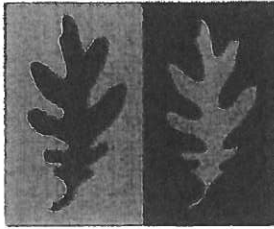
**PLEASE NOTE:**  
Numbers 1,2,3,4 and 6 are  
registered with the Township and  
REQUIRE NOTIFICATION

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



# Township of Bernards

Kevin Sant'Angelo, Tax Collector

1 Collyer Lane, Basking Ridge, NJ 07920

Phone: 908-204-3080; Fax: 908-766-1941; Website: [www.bernards.org](http://www.bernards.org)

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November 13, 2023

This is to certify that the property located at Block 8501 Lot 35, otherwise known as 437 King George Rd. Basking Ridge, NJ, is assessed to Phili120 LLC, property taxes are paid current through 4<sup>th</sup> Quarter 2023.

Very truly yours,

  
Kevin Sant'Angelo  
Tax Collector



**SOMERSET COUNTY  
DOCUMENT COVER SHEET**

HON. STEVE PETER  
SOMERSET COUNTY CLERK  
PO BOX 3000  
20 GROVE STREET  
SOMERVILLE, NJ 08876

WWW.CO.SOMERSET.NJ.US

Steve Peter, County Clerk  
Electronically Recorded Somerset County, NJ  
2022 Aug 16 11:12 AM  
BK: 7464 PGS: 633-637  
Instrument # 2022035455  
Doc Type: DEED Fee: \$83.00  
Consideration: \$335,000.00  
Exemption: No Exemption  
RTF: \$1988.00  
Total RTF: \$1,988.00

(Official Use Only)

DATE OF DOCUMENT: 2022-08-16	TYPE OF DOCUMENT: DEED
FIRST PARTY (Grantor, Mortgagor, Seller, or Assignor)	SECOND PARTY (Grantee, Mortgagee, Buyer, Assignee)
Arthur Brown	PHILI120 LLC
ADDITIONAL PARTIES:	

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY	
MUNICIPALITY: Bernards	MAILING ADDRESS OF GRANTEE: 437 King George Road Basking Ridge, NJ 07920
BLOCK: 8501	
LOT: 35	
CONSIDERATION: 335000.00	

THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY			
BOOK	PAGE	INSTRUMENT #	DOCUMENT TYPE
			DEED

**DO NOT REMOVE THIS PAGE**  
**THIS DOCUMENT COVER SHEET IS PART OF THE SOMERSET COUNTY FILING RECORD**  
**RETAIN THIS PAGE FOR FUTURE REFERENCE**

# Deed

This Deed is made on July 26th 2022 and Delivered on August 12th, 2022

**BETWEEN**

**ARTHUR BROWN**

**Married**

whose post office address is

**479 Meyersville Road**

**Gillette, NJ 07533**

referred to as the Grantor,

**AND**

**PHIL120 LLC**

whose post office address is

**437 King George Road**

**Basking Ridge, NJ 07920**

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys the entire ownership of his property called the "Property" described below to the Grantee. This transfer is made for the sum of **\$ 335,000.00, Three Hundred Thirty-Five Thousand Dollars and No Cents.**

The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** **CL LSA 4626A-2 Municipality of Bernards Block No. 8501, Lot No. 36.**

3. **Property.** The Property consists of the land and all the building and structures on the land in the **Township of Bernards, County of Somerset and State of New Jersey.**

The legal description is:

☒ Please see attached Legal Description annexed hereto and made part hereof.

**BEING** the same premises conveyed to the Grantor herein by Deed from Barry Hapka, an unmarried and Holly Walker, Executrix for the Estate of Thomas Hapka, deceased dated May 13, 2022, recorded June 27, 2022 in the Office of the Clerk of Somerset County in Deed Book 7453, page 2609.

Subject to the effects of municipal zoning ordinances, easements, restrictions, and covenants of record, if any, and such facts as an accurate survey of the premises might disclose.

Subject premises has never been occupied as the principal, marital, or second residence of the Grantor.

Prepared by:



**SAMUEL F. DE ANGELIS, ESQ.**

(For Registrar Use Only)



GIT/REP-3  
(2-21)State of New Jersey  
Seller's Residency Certification/Exemption

(Print or Type)

## Seller's Information

Name(s)

ARTHUR BROWN

Current Street Address

479 Meyersville Road

City, Town, Post Office

Gillette

State  
NJZIP Code  
07933

## Property Information

Block(s)

8501

Lots(s)

35

Qualifier

Street Address

437 King George Road

City, Town, Post Office

Basking Ridge, Bernards Township

State  
NJZIP Code  
07920

Seller's Percentage of Ownership

100 %

Total Consideration

\$335,000.00

Owner's Share of Consideration

\$335,000.00

Closing Date

8/12/2022

## Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

1. ☒ Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. ☐ Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. ☐ Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. ☐ Seller is not an individual, estate, or trust and is not required to make an estimated Gross Income Tax payment.
6. ☐ The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated Income Tax payment.
7. ☐ The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income Tax return for the year of the sale and report the recognized gain.  
☐ Seller did not receive non-like kind property.
8. ☐ The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
9. ☐ The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. ☐ The deed is dated prior to August 1, 2004, and was not previously recorded.
11. ☐ The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12. ☐ The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13. ☐ The property transferred is a cemetery plot.
14. ☐ The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
15. ☐ The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
16. ☐ The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

## Seller's Declaration

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box ☐ I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

7/26/2022

Date

ARTHUR BROWN

Signature (Seller)

Indicate if Power of Attorney or Attorney in Fact

Date

Signature (Seller)

Indicate if Power of Attorney or Attorney in Fact

The street address of the Property is:  
**437 King George Road**  
**Basking Ridge, NJ 07920**

4. **Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).
5. **Signatures.** The Grantor signs this Deed as of the date at the top of the first page. (Print name below each signature.)

Witnessed or Attested by:

  
**SAMUEL F. DE ANGELIS, ESQ.**

  
**ARTHUR BROWN**

(Seal)

STATE OF NEW JERSEY, COUNTY OF **MORRIS** SS:

I CERTIFY that on July 26, 2022

**ARTHUR BROWN**

personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of this Deed;
- (b) executed this Deed as his or her own act; and
- (c) made this Deed for **\$ 335,000.00** as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

RECORD AND RETURN TO

**Carolina T. Curbelo, Esq.**  
**C Curbelo, LLC**  
**45 N Broad Street, Suite 203**  
**Ridgewood, NJ 07450**

  
**SAMUEL F. DE ANGELIS,**  
**Attorney at Law, State of New Jersey**

**KENSINGTON VANGUARD**  
**NATIONAL LAND SERVICES, LLC**  
**PARSIPPANY ROAD, SUITE 202**  
**PARSIPPANY, NJ 07054**



## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### SCHEDULE C SCHEDULE C

The Land is described as follows:

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of Bernards, in the County of Somerset, State of New Jersey:

All that certain lot, parcel or tract of land situated and lying in the Township of Bernards, County of Somerset, and State of New Jersey and being more particularly bounded and described as follows:

Beginning at a point marked by a capped rebar found on the southwesterly R.O.W. line of King George Road (Width Varies), said point being a distance of 453.22 feet from the northerly line of lands known as Dewey Meadow's Farm (per Deed); and running; thence

- 1) S78°52'00"W, a distance of 200.00 feet to a point marked by a capped rebar found; thence
- 2) N11°08'00"W, a distance of 102.00 feet to a point; thence
- 3) N78°52'00"E, a distance of 200.00 feet to a point in said southwesterly R.O.W. line of king George Road; thence
- 4) Along same, S11°08'00"E, a distance of 102.00 feet to the Point and Place of Beginning.

Subject to Zoning Ordinances, Easements, Covenants and Restrictions of record and any other rights to the public in the roads herein mentioned.

Being in accordance with a survey of said premises prepared by Morgan Engineering, LLC, dated July 18, 2022, marked project #22-07787.

FOR INFORMATION PURPOSES ONLY: BEING known as 437 King George Road, Basking Ridge, NJ 07920, Tax Lot 35, Tax Block 8501 on the Official Tax Map of Bernards, NJ.

FOR INFORMATION PURPOSES ONLY: Property is assessed in the Township of Bernards, with a mailing address of Basking Ridge.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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ALTA Commitment for Title Insurance (08-01-16)  
Schedule C

3122490-F-NJ-RP-EA

AMERICAN  
LAND TITLE  
ASSOCIATION

CAL  
10/11/08

**ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF BERNARDS**

**CROWN COURT DEVELOPERS, LLC**

**Case Nos. ZB08-006 and ZB08-007**

**RESOLUTION**

WHEREAS, CROWN COURT DEVELOPERS, LLC has applied to the Zoning Board of Adjustment of the Township of Bernards (the "Board") in Case No. ZB08-007 for preliminary and final major subdivision approval and the following variances and exceptions in connection with the subdivision of the subject property into four (4) separate lots and the construction of four (4) new single-family dwellings on vacant lots to be identified as Block 8501, Lots 31, 32, 33 and 34 (formerly Block 182, Lot 10, 11, 12, and 13) on the Tax Map, more commonly known as 441, 445, 449 and 453 King George Road:

- (1) A variance for a proposed lot area of 0.459 acres as to proposed Lots 31, 32, and 33, and 0.496 acres as to proposed lot 34, whereas the minimum required lot area in an R-5 (1 acre) residential zone is 1 acre pursuant to Section 21-10.4(b) and Table 401 of the Land Development Ordinance;
- (2) A variance for a proposed improvable lot area of 3,250 square feet as to proposed Lots 31, 32 and 33, and 3,770 square feet as to proposed Lot 34, whereas the minimum required improvable lot area in an R-5 zone is 10,000 square feet pursuant to Section 21-10.4(b) and Table 401-A of the Land Development Ordinance;
- (3) A variance for a proposed lot width of 100 feet as to proposed Lots 31, 32, and 33 and 107.99 feet as to proposed Lot 34, whereas the minimum required lot width in an R-5 zone is 200 feet pursuant to Section 21-15.1(d)(1) and Table 501 of the Land Development Ordinance;
- (4) A variance for a proposed front-yard setback of 60 feet as to proposed Lots 31, 32, 33 and 34, whereas the minimum required front-yard setback in an R-5 zone is 75 feet pursuant to Section 21-15.1(d)(1) and Table 501 of the Land Development Ordinance;

- (5) A variance for a proposed lot yield of 4 lots, whereas the maximum permitted lot yield is 1 lot pursuant to Section 21-10.4(b) and Table 401-A of the Land Development Ordinance; and
- (6) A "d" variance for a proposed density of 2.14 dwellings per acre, whereas the maximum permitted density in an R-5 zone is 1.0 dwelling per acre pursuant to Section 21-10.4(b) and Table 401 of the Land Development Ordinance; and

WHEREAS, CROWN COURT DEVELOPERS, LLC has applied to the Board in Case No. ZB08-006, for the following variances in connection with the construction of a new single-family dwelling on a vacant lot identified as Block 8501, Lot 38 (formerly Block 182, Lot 6) on the Tax Map, more commonly known as 425 King George Road:

- (1) A variance for a pre-existing lot area of 0.428 acres, whereas the minimum required lot area in an R-5 (1 acre) residential zone is 1 acre pursuant to Section 21-10.4(b) and Table 401 of the Land Development Ordinance;
- (2) A variance for an improvable lot area of approximately 2,845 square feet, whereas the minimum required improvable lot area in an R-5 zone is 10,000 square feet pursuant to Section 21-10.4(b) and Table 401-A of the Land Development Ordinance;
- (3) A variance for a pre-existing lot width of 96.01 feet, whereas the minimum required lot width in an R-5 zone is 200 feet pursuant to Section 21-15.1(d)(1) and Table 501 of the Land Development Ordinance; and
- (4) A proposed front-yard setback of 60 feet, whereas the minimum required front-yard setback in an R-5 zone is 75 feet pursuant to Section 21-15.1(d)(1) and Table 501 of the Land Development Ordinance; and

WHEREAS, public hearings on notice were held on such applications on June 4, and September 3, 2008, at which time interested citizens were afforded an opportunity to be heard; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and the reports from consultants and reviewing agencies, has made the following factual findings and conclusions;

1. The Board has reviewed both of the applications and has deemed them both to be complete.

**Case No. ZB08-007 – Lots 31, 32, 33 and 34:**

2. The subject property is comprised of four contiguous vacant/wooded lots with a total frontage of 407.99 feet along King George Road. While the site exists as four tax lots, the lots are undersized and held in common ownership and are, thus, considered merged for zoning purposes. The four tax lots combined total 1.87 acres and presently yield only one conforming building lot.

3. The applicant proposes to subdivide the site along the existing lot lines. Four single family lots of 0.459, 0.459, 0.459 and 0.496 acres are proposed. The new dwellings are proposed to be 2,546 square feet each. Each new dwelling is to be served by the public water and sanitary sewer systems. Drywells are proposed to collect stormwater runoff from each roof surface.

4. This Board has ancillary jurisdiction over this subdivision application because it requires a "d" variance (pursuant to N.J.S.A. 40:55D-70d(5)), due to the proposed increase in the permitted density (permitted: 1.0 dwelling/acre; proposed: 2.14 dwellings/acre).

5. The applicant's proposal is depicted on a Preliminary Major Subdivision and Lot Development Plan prepared by Page Engineering & Consultants, P.C., dated January 31, 2008 and last revised August 6, 2008 (consisting of 4 sheets, specifically a cover page, a Subdivision Plan, a Grading, Utility, Tree Replacement and Soil Erosion & Sediment Plan and Cross-Sections). The applicant's proposal also is depicted on

architectural drawings prepared by Wellisch Architects, LLC, dated January 16, 2008, as to each of Lots 31, 32, 33 and 34 (each consisting of 2 sheets, specifically front elevations and first and second floor plans). The applicant also submitted a "Final Plat" (one sheet) dated August 7, 2008 and four (4) undated colorized architectural elevations ("Option I" through "Option IV").

6. The lots are located in an R-5 (one acre) residential zone. The minimum lot area, improvable lot area, lot width, front-yard setback and maximum yield variances all fall within the purview of N.J.S.A. 40:55D-70(c). The variance for exceeding the maximum density provided for in the Land Development Ordinance falls within the criteria of N.J.S.A. 40:55D-70(d).

7. The applicant has stipulated, as a condition of approval, that any future expansion of the proposed dwellings on the subject lots will require review by the Zoning Board of Adjustment to ensure that the proposed expansion is not in conflict with the size of the homes in the surrounding neighborhood.

8. The applicant proposes to have Lots 33 and 34 share a common driveway and Lots 31 and 32 share a driveway.

9. The applicant currently has a subdivision application pending before the Somerset County Planning Board and a wetlands letter of interpretation ("LOI") pending with the New Jersey Department of Environmental Protection ("N.J. DEP").

10. Peter A. Messina, P.E., P.P., as Administrator of the Township Sewerage Authority, by letter dated January 2, 2008, commented that:

- (1) After obtaining final subdivision approval from the appropriate Board, the applicant must apply to the Sewerage Authority for the necessary permits to tie into the sanitary sewer; and
- (2) Before any permits are issued, the developer must contact the Sewerage Authority as an Allocation Agreement, NJDEP Treatment Works Approval, appropriate escrows, connection fees and a contribution to inflow/infiltration resolution are required.

11. By letter dated August 27, 2008, the Township Fire Official noted that the revised plans of August 6, 2008 meet the requirements of the Residential Site Improvement Standards.

12. By letter dated September 5, 2006, Karin Tekel, Project Manager of EcolSciences, Inc., confirmed that a wetlands investigation was conducted on Lots 31 through 34 and concluded that the entire site consists of uplands and that no state open waters, wetlands or transitions areas are present within the site.

**Case No. ZB08-006 – Lot 38:**

13. The subject property is an approximately 18,633 square foot (0.428 acre) vacant lot located on King George Road, with lot frontage of approximately 100 feet, lot width of 96.01 feet and lot depth of approximately 200 feet.

14. The applicant proposes to construct a two-story, singly-family dwelling with an approximately 36 foot by 42.5 foot footprint and approximately 2,481 square feet of living area, plus an approximately 410 square foot attached two-car garage.

15. The applicant's proposal is depicted on the Preliminary Major Subdivision and Lot Development Plan prepared by Page Engineering & Consultants, P.C.. dated January 31, 2008 and last revised August 6, 2008 (consisting of 4 sheets, specifically a cover page, a Subdivision Plan, a Grading, Utility, Tree Replacement and Soil Erosion &



Sediment Plan and Cross-Sections). The applicant's proposal also is depicted on architectural drawings prepared by Wellisch Architects, LLC, dated January 16, 2008 (consisting of 2 sheets, specifically front elevations and first and second floor plans).

16. The lot is located in an R-5 (one acre) residential zone. The minimum lot area, improvable lot area, lot width and front-yard setback variances all fall within the purview of N.J.S.A. 40:55D-70(c).

17. The applicant has stipulated, as a condition of any approval, that any future expansion of the proposed dwelling on the subject lot will require review by the Board to ensure that the proposed expansion is not in conflict with the size of the homes in the surrounding neighborhood.

18. By letter dated September 11, 2007, David P. Moskowitz, Senior Vice President of EcolSciences, Inc., determined that a small portion of the lot was wetlands, that this area was limited to the extreme southern corner of the property and that the wetland occurs in a linear swale that receives runoff from the adjacent developed parcels and, as a result, is expected to be of ordinary resource value with no associated buffers.

19. The Township Environmental Commission, by memo dated March 19, 2008, requested that the swale on the subject lot be examined to determine if it contains wetlands and wetlands buffers, and further the Commission recommended that a stormwater management plan be submitted to ensure that no stormwater runs off from the subject site.

20. Kevin G. Page, P.E., P.P. President of Page Engineering Consultants, P.C., by letter dated April 4, 2008, rendered an opinion that a riparian zone associated with the

swale on the subject property was not necessary. Mr. Page reasoned that riparian zones are required only along regulated water, water that has no discernable channel is not regulated water, the current adopted regulations define channel as having a defined bed and banks and the subject swale does not meet this standard.

21. The applicant has submitted correspondence dated February 6 and February 7, 2008, sent by certified mail return receipt requested, containing offers to buy or sell adjoining property at fair market value and addressed to the owners of the properties adjacent to the subject vacant lot.

**Both Cases – All Lots:**

22. The applicant submitted copies of “will serve” letters received from Jersey Central Power & Light, dated December 17, 2007, and PSE&G, dated December 18, 2007, confirming that electric and gas service, respectively, will be made available for the proposed development.

23. The applicant submitted an application for a Tree Removal Permit with the Township, dated March 5, 2008.

24. The applicant submitted a Stormwater Management Report prepared by Page Engineering Consultants, PC, dated March, 2008, and last revised August, 2008, concluding that the proposed use of drywells for the collection of 3 inches of rainfall off of the roof will satisfy the requirement of Section 21-23.1(b) of the Land Development Ordinance requiring that “no development application shall be approved which causes an increase in the rate of discharge from the property as determined for a one-hundred-year storm with a twenty-four-hour duration...”

25. By Memorandum dated August 14, 2008, Jack Donohue, Chairperson of the Environmental Commission, commented as follows: The Environmental Commission would like to see the tree removal plan by species and not by deciduous versus non-deciduous. The limit of disturbance line is also not clearly marked, making it difficult to determine if the total disturbance is less than one acre. There appears to be steep slopes on the property which would necessitate a conservation easement for proposed Lot 34. Proposed Lot 38 appears to have traversing wetlands that need to be buffered and monumented. The conservation easement also needs to be monumented. The Commission, therein, reiterated its prior comments in its March 19, 2008 memo that it believes the swale on Block 8501, Lot 38 needs to be examined to determine if it contains wetlands and wetland buffers and that it would like to see a stormwater management plan submitted to ensure that no stormwater runs off from the site.

**Testimony and Exhibits:**

26. The applicants' counsel explained that the applicant acquired the subject lots together with other property and, in 1987, the subject lots were excluded from a Final Site Plan and Subdivision approval application which resulted in the creation of a Planned Residential Development whereby the development property was subdivided into 19 Lots and on which was constructed 96 units consisting of duplex and apartment units.

27. Kevin Page, P.E., P.P., of Page Engineering and Consulting, Warren, New Jersey, was duly sworn in, provided his credentials and was accepted by the Board as an expert in the field of engineering. Mr. Page testified generally regarding the engineering

aspects of the proposed development application. He described the location of the subject lots and explained that, while they still are identified as separate tax lots, they have merged by operation of law and are considered one zoning lot. Mr. Page testified that while it was possible to locate the proposed dwellings 75 feet from the front property line, he believed a 60 foot front-yard setback was preferable as it was more in line with the existing front- yard setbacks of the neighboring properties. He explained why the applicant proposes common or shared driveways for the subject lots, and that sufficient space was made available so that no vehicles would have to back into King George Road.

28. Mr. Page also referenced the April 11, 2008 report from the Somerset County Planning Board. The April 11, 2008 report provides, among other things, that “a right-of-way dedication of 33 feet from the physical center line of King George Road is to be shown along the entire frontage of the subject parcels,” “it is commendable that the applicant has proposed two shared driveway access points,” and “it is requested that the Township handle the review of the stormwater management plans and the bonding and inspection of the stormwater management facility for this proposal.”

29. Mr. Page testified in detail regarding the Preliminary Major Subdivision and Lot Development plans that he prepared, last revised August 6, 2008. He testified regarding the grading of the property and the difference in elevation as between each of the four contiguous lots, as well as the difference in elevation between the outside lots (Lots 31 and 34), versus the neighboring lots adjacent to each (Lots 30 and 35).

30. Mr. Page testified regarding the stormwater management plans and opined that the stormwater management system proposed complied with the stormwater

management requirements of the N.J. DEP, as well as the Township's requirements as set forth in Section 21-23.1(b) of the Land Development Ordinance.

31. Peter A. Messina, P.E., P.P., the Township Engineer/Planner, was duly sworn and confirmed that the applicant's stormwater management plan, as designed, was feasible and should result in compliance with both the N.J. DEP and the Township's stormwater management requirements.

32. Mr. Page then addressed each of the comment items in Mr. Messina's Memoranda, both dated May 30, 2008. As to the Memorandum addressing Lots 31 through 34, the applicant agreed to revise the plans as reflected in comment items #1 through 5. As to the right-of-way dedication along King George Road referenced in item #6, the County ultimately advised that an eight (8) foot roadway easement was sufficient, by email from Eric A. Lips, Engineer of the Somerset County Engineering Division.

33. With respect to item #7, the applicant stipulated as a condition of approval to the front-yard setbacks being a minimum of 60 feet and a maximum of 65 feet. As to item #8, the applicant agreed to supplement the existing landscape buffering and to provide a landscape plan subject to the approval of the Township Engineer. The applicant complied with, or agreed to comply with, items 9 through 13.

34. As to item #14, the applicant reiterated its stipulation as a condition of approval to providing that any future expansion of any dwelling would require approval by the Board to ensure that the expansion is not in conflict with the size of the surrounding dwellings. Relatedly, the applicant stipulated as a condition of approval (as

reflected in item #18) to providing disclosures to initial purchasers of the lots/dwellings, including advising them of this restriction relating to future expansion of the dwellings.

35. Mr. Page recognized that item #15 was a planning issue. As to item #16, Mr. Messina indicated that he would investigate the feasibility/location of an off-road path along King George Road and a contribution to the Township for future construction of the path along the applicant's frontage. Mr. Page indicated that attempts to sell the property to adjoining property owners, as reflected in item #17, would be an issue for the planner and/or the applicants' attorney. As to item #18, as mentioned previously, the applicant stipulated as a condition of approval to providing the initial purchasers of the lots/dwellings with the disclosure set forth therein.

36. As to item #19, the applicant agreed to provide a water main extension with a new fire hydrant located in accordance with the Fire Official's memo of June 3, 2008. As to item #20, the applicant agreed to obtain a Letter of Interpretation from the N.J. DEP verifying the absence of wetlands on the site. Finally, as to item #s 21 through 23, the applicant agreed to attend a preconstruction meeting with the Township Engineering Department (#21), pay the requisite development fees (#22) and submit digital copies of all plans and documents (#23).

37. As to Mr. Messina's May 30, 2008 Memorandum regarding Lot 38, Mr. Page's responses were consistent with those provided as to the Memorandum addressing Lots 31 through 34.

38. The applicant introduced into evidence, as Exhibit A-1, the Affidavit of Michael Osterman, Esq., the applicant's attorney, evidencing efforts by the applicant to

offer to buy adjacent property at fair market value or sell the subject property (Lot 38) to adjacent property owners at fair market value in an effort to bring the isolated undersized Lot 38 into conformity, or closer to conformity, with the lot area and lot width requirements of the Land Development Ordinance.

39. At the second hearing date of September 3, 2008, Mr. Page testified regarding his revised plans, dated August 6, 2008. He testified regarding the applicant's agreement to locate a water main extension with a new fire hydrant pursuant to the Fire Official's memo of June 3, 2008. The Township Planner/Engineer, Mr. Messina, having been previously sworn, testified that, in his opinion, the proposed water main extension and fire hydrant facilities will result in better water service for the surrounding area.

40. Mr. Page further testified that the County Engineering Office accepted an 8 foot wide easement for King George Road. Finally, Mr. Page testified regarding his revised stormwater management plans, dated August, 2008, including his changing the configuration of certain drywells. The Township Planner/Engineer, Mr. Messina, testified that, in his opinion, the revised stormwater management plan was acceptable.

41. Richard Keller, P.P., was duly sworn, provided his credentials and was accepted by the Board as an expert in the field of planning. Mr. Keller introduced into evidence, as Exhibit A-2, colorized renderings of the previously submitted elevations of Lots 31 through 34, as Exhibit A-3 colorized renderings of the previously submitted elevations of Lot 38, and as Exhibit A-4 a photoboard of 8 photographs, all of which he testified that he took on May 29, 2008 at 2:30 pm. Mr. Keller went through each one of

the 8 photographs in Exhibit A-4 to provide the dimensions of the dwelling, inclusive of garage, of each adjacent property depicted in each photograph.

42. Mr. Keller introduced into evidence, as Exhibit A-5, photographs numbered 9 and 10, depicting two additional properties, 465 King George Road, (Lot 25) and 463 King George Road (Lot 27) and testified that he took both pictures on Tuesday, July 29, 2008 at 1:00 p.m. He also introduced into evidence, as Exhibit A-6, a "Neighborhood Analysis-Habitable Floor Area" chart and he testified that the proposed dwellings had a habitable floor area in the general range of the neighboring dwellings.

43. Joseph Korn, with a business address of c/o Crown Court Developers, LLC, 820 Morris Turnpike, Suite 301, Short Hills, New Jersey, was duly sworn and testified that he is the Project Manager for the applicant. Mr. Korn testified regarding the architectural and other differences between architectural rendering Options I through IV and, on behalf of the applicant, stipulated as a condition of approval to ensuring that the proposed dwellings will be distinctly different in color, façade and other architectural components. He also stipulated, on behalf of the applicant, as a condition of approval that the habitable floor area of the dwellings will not exceed 2,481 square feet in the case of Lot 38 and 2,546 square feet in the case of Lots 31 through 34.

44. Mr. Keller further testified that, in his opinion, the proposed development applications were consistent with the goals and objectives of the Township Master Plan. He further testified regarding the density variance for Lots 31 through 34, explaining that density controls, like F.A.R. requirements, control intensification of use for residential development, and the same legal standards are applicable for density variances as for



F.A.R. variances. Mr. Keller opined that special reasons exist for the density variance and specifically that multiple purposes of zoning are advanced by the proposed development. He opined that the property could accommodate the problems associated with a density greater than that permitted by the Land Development Ordinance. Also as to Lots 31 through 34, Mr. Keller testified that the lot area, lot yield, improvable lot area, lot width and front-yard setback variances are supported by the "c-2" or "flexible c" criteria, since the benefits of these deviations substantially outweigh any detriments associated therewith.

45. As to Lot 38, Mr. Keller opined that the lot area, improvable lot area, preexisting lot width and front-yard setback variances were warranted under the criteria for a "c-1" or "hardship" variance, since Lot 38 was an isolated, undersized lot and the evidence, in his opinion, revealed that there was no available adjacent property to bring the lot into conformity, or nearer to conformity, with the lot size requirements under the Land Development Ordinance. Mr. Keller contended that a denial of the variance relief requested by the applicant would result in zoning Lot 38 into inutility. He further opined that the minimum front-yard setback variance was warranted under the "c-2" or "flexible c" criteria previously addressed. Mr. Keller also opined that the proposed development application, as a whole, satisfied the "negative criteria" for variance relief.

46. The applicant stipulated as condition of approval to revising the plans to correct the specified quantity of proposed trees and to add four trees to comply with the tree replacement requirement (as reflected in item #2 of the Township Planner/Engineer's memo dated September 2, 2008 regarding Lots 31 through 34). The applicant also agreed to revise the final plat to be consistent with the preliminary subdivision plans, including

delineation of the proposed roadway and utility easements (as referenced in item #3 of the Township Planner/Engineer's memo dated September 2, 2008 regarding Lots 31 through 34).

47. The applicant further stipulated as a condition of approval to ensuring that none of the proposed dwellings exceeds 35 feet in height, consistent with the requirements set forth in the Land Development Ordinance.

**The Board's Decision:**

48. After reviewing the evidence submitted, the Board, by a vote of 5 to 0, concludes that the applicant has satisfied its burden of proving an entitlement to all of the requested variance relief. The applicant has met its burden of proving an entitlement to the lot area, improvable lot area, lot width, front-yard setback and lot yield variances for Lot 38 under N.J.S.A. 40:55D-70(c)(1) and (c)(2), and for Lots 31 through 34 under N.J.S.A. 40:55D- 70(c)(2).

40. First, as to the requested variances for lot area, improvable lot area, lot width and lot yield for Lot 38, under the "c(1)" or "hardship" criteria, the Board finds that the applicant has satisfied its burden of demonstrating that strict application of the zoning regulations will result in peculiar and exceptional difficulties to, or exceptional and undue hardship upon, the applicant as the owner of the subject property. The Board accepts the unrefuted evidence, submitted on behalf of the applicant, that Lot 38 is an isolated, undersized lot and that there exists no adjacent property available for purchase or sale so as to bring the lot into conformity, or closer to conformity, with the lot size requirements of the Land Development Ordinance. Consistent with the principles enunciated in Nash

v. Board of Adjustment of Morris Twp., 96 N.J. 97 (1984), the Board finds sufficient undue hardship as a result of the condition of the property and its location, and further that efforts to buy adjacent property, or sell the subject nonconforming property to adjacent property owners, for fair market value were sufficiently pursued, yet were unsuccessful and/or futile. A substantial good faith effort was made on the part of the applicant to pursue the purchase adjacent of property and the sale of the subject property to adjacent property owners in this regard. See Davis Enterprises v. Karpf, 105 N.J. 476 (1987) and Dallmeyer v. Lacey Township Board of Adjustment, 219 N.J. Super. 134 (Law Div. 1987).

50. Second, as to the front-yard setback variances requested for Lot 38 and Lots 31 through 34, as well as the lot area, improvable lot area, lot width, and lot yield variances requested for Lots 31 through 34, with respect to the "c(2)" or "flexible c" variance criteria, the Board finds that the applicant has satisfied its burden of demonstrating that the purposes of the Municipal Land Use Law ("MLUL") will be advanced by the requested deviations from the zoning requirements and that the benefits to be derived therefrom will substantially outweigh any detriments associated therewith. The proposed development will provide a desirable visual environment, enhance the visual compatibility of the property with adjoining properties and otherwise promote the general welfare. The Board approves of the requested front-yard setback variances as permitting a minimum 60 foot front-yard setback but also establishing a maximum 65 foot front-yard setback. The Board accepts the unrefuted evidence submitted by the applicant that the proposed lots and the dwellings proposed thereon are commensurate with the size and character of other lots and the dwellings thereon in the immediate area.

51. Third, as to Lots 31 through 34, the Board finds that the applicant has met its burden of establishing an entitlement to the requested maximum density variance pursuant to N.J.S.A. 40:55D-70(d)(5). The Board recognizes that the standard for granting variance relief from residential density restrictions is the same standard as is applied to a floor area ratio (F.A.R.) case. See Grubbs v. Slothower, 389 N.J. Super 377, 386-391 (App. Div. 2007). As such, an applicant must show that the site will accommodate the problems associated with a density greater than that permitted by the Zoning Ordinance. See Randolph Town Center v. Township of Randolph, 324 N.J. Super 412, 417 (App. Div. 1999). Here, the Board finds that the subject lots can accommodate the problems associated with the greater than permitted density proposed by the applicant. Specifically, the Board accepts the unrefuted evidence and expert opinions of the applicant's planner that the size and location of the lots would be sufficient to support the proposed dwellings thereon, that no F.A.R. or other dimensional variances are required, that the proposed dwellings are consistent with all of the other bulk zoning requirements set forth in the Land Development Ordinance, that the front-yard setback should be closer to 60 feet rather than 75 feet so as to be more consistent with the front-yards setbacks of neighboring properties, and the overall conclusion by the applicant's planner that the subject neighborhood is developed at, or about, the density proposed for subject Lots 31 through 34.

52. Fourth, in light of the conditions hereafter set forth, the Board finds that the applicant has satisfied the negative criteria. The applicant has demonstrated that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning

ordinance. The Board accepts the unrefuted evidence and opinions of the applicant's planner that the proposed development of all of the lots is consistent with the character of the neighborhood and the goals and objectives of the Township's Master Plan. Specifically, some of these goals include sufficient flexibility for a variety of housing, land use policies enhancing the community character of the neighborhood, advancing neighborhood conservation and protection and consistency of front-yard setbacks so as to avoid the appearance of "checkerboarding."

53. Fifth, the Board further finds that that applicant is entitled to an exception from the requirements of Section 21-38.1(b) of the Land Development Ordinance requiring that residential driveway grades shall not exceed 10% at any point along the entire length of the driveway, whereas the grade of the driveway proposed for proposed Lots 33 and 34 will be approximately 15%. Moreover, the Board finds that the applicant is entitled to an exception from Section 21-38.1(d) requiring a 5 foot setback from a side lot line for all residential driveways unless it is a common driveway for twin, duplex or multifamily dwelling units, or for single-family dwelling units within a Natural Resource Conservation Development Overlay Zone, whereas the applicant has proposed shared driveways for Lots 31 and 32 and for Lots 33 and 34. The Board finds that the applicant is entitled to the aforementioned residential driveway exceptions and that good cause exists for same pursuant to the standards for development regulation exceptions set forth in Section 21-34 of the Land Development Ordinance, since requiring compliance with these development regulations would be impracticable or result in undue hardship on the applicant. Specifically, the Board accepts the unrefuted evidence and opinions of the applicant's planner that the shared driveways and their location results in minimum curb

Cuts and increases stormwater runoff by the reduction of impervious coverage. The Board also accepts the opinions of the applicant's planner that it would be impracticable for the applicant to locate four separate driveways so as to comply with the 5 foot setback requirement from a side lot line for each residential driveway and to comply with the maximum permitted grade/slope for same.

54. Sixth, the Board hereby finds good cause exists and grants the application for preliminary and final subdivision approval, with the conditions set forth below. The Board finds that the proposal is consistent with the Township Master Plan, as aforesaid.

WHEREAS, the Board took action on this application at its meeting on September 3, 2008, and this Resolution constitutes a Resolution of Memorialization of the action taken in accordance with N.J.S.A. 40:55D-10(g);

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Bernards, on the 3<sup>rd</sup> day of September, 2008, that the applications of Crown Court Developers, LLC for preliminary and final major subdivision approval and variance and design exception relief, as to Lot 38 in Case No. ZB08-006 and Lots 31 through 34 in Case No. ZB08-007 as aforesaid, be and are hereby granted, subject to the following conditions:

- (1) The applicant shall post sufficient funds with the Township to satisfy any deficiency in the applicant's escrow account;
- (2) Within 95 days of the date of signing the final development plat, the applicant shall file a copy of the approved final development plat with the Somerset County Clerk in a form and content satisfactory to, and subject to the prior approval of, the Township Attorney;
- (3) The front-yard setbacks for each of the lots shall be a minimum of 60 feet and shall not exceed 65 feet for any of the subject lots;

- (4) The applicant shall submit a landscape plan, including, *inter alia*, the provision for additional/supplemental evergreen trees as a buffer between the proposed dwelling on Lot 34 and the existing dwelling on Lot 35 to the south, full compliance with the tree replacement requirements, and the trees existing on the plans shall be identified by species rather than just distinguished between deciduous and non deciduous, such landscaping plan to be subject to review and approval by the Township Engineer, based upon a post construction inspection, to ensure adequate buffering;
- (5) The Zoning Board of Adjustment shall retain jurisdiction over any future proposed expansion of any one or more of the dwellings on the subject lots and any such proposed future expansion shall require review by the Zoning Board of Adjustment to ensure, *inter alia*, that the expansion is not in conflict with the size of the dwellings in the surrounding neighborhood;
- (6) The final plat shall be revised consistent with all of the conditions of approval and any further technical comments from the Township's surveyor shall be addressed;
- (7) The applicant shall be required to pay all development fees or other charges payable in connection with, or resulting from, this application, the approval or the development undertaken, in accordance with Section 21-76.16 of the Land Development Ordinance and otherwise;
- (8) All utilities shall be placed underground;
- (9) The applicant shall submit digital copies of all plans and documents in formats acceptable to the Township Engineering Department;
- (10) The applicant shall disclose the following information to the initial purchaser of the subject lots/dwellings:
  - a. The information regarding lot coverage to be disclosed using the Township's standard form;
  - b. All applicable restrictions relating to the future expansion of the dwelling including, but not limited to, the requirement that any such proposed expansion be reviewed and approved by the Zoning Board of Adjustment as set forth above and subject to the jurisdiction of such Board;
  - c. The required use of shared driveways at the locations shown on the plans; and
  - d. The presence of, and restrictions applicable to, the wetlands swale located on Lot 38.

The above provisions shall be set forth in a declaration to be made by the applicant and to be recorded with the Somerset County Clerk, the form

and content to be subject to the review and approval of the Township Attorney;

- (11) The applicant shall obtain a Letter of Interpretation from the New Jersey Department of Environmental Protection verifying the absence of wetlands on Lots 31 through 34;
- (12) The applicant shall attend a pre-construction meeting with the Township Engineering Department prior to the start of any construction activity;
- (13) The applicant shall construct and locate a water main extension and new fire hydrant as set forth in the revised plans and in accordance with the Fire Official's Memorandum dated June 3, 2008, which construction and location shall be subject to review and approval by the Township Fire Official prior to the issuance of any building permit for Lots 31 through 34;
- (14) The applicant shall ensure that the architectural components of the dwellings constructed and located on the Lots 31 through 34 shall be "distinctly different" from each other, subject to review and approval by the Township Engineer prior to the issuance of any building permit;
- (15) The dwelling to be constructed on Lot 38 shall not exceed 2,481 square feet of habitable floor area and 410 square feet of floor area for the garage and the dwellings to be constructed and located on Lots 31 through 34 shall not exceed 2,546 square feet of habitable floor space and 410 square feet per each of the garages without obtaining further approval from the Zoning Board of Adjustment and the Board shall retain jurisdiction over any further construction or development on these lots for such purpose;
- (16) The aforementioned approval shall be subject to all requirements, conditions, restrictions and limitations set forth in all prior governmental approvals, to the extent same are not inconsistent with the terms and conditions set forth herein;
- (17) The applicant shall comply with all Federal, State, County and Township statutes, ordinances, rules, regulations and requirements affecting development in the Township, County and State; and
- (18) Pursuant to Section 21-5.10 of the Land Development Ordinance, the variances granted herein shall expire unless such construction or alteration permitted by the variances as to Lot 38 has actually commenced within one year of the date of this Resolution and as to Lots 31 through 34 has actually commenced within two years of the date of this Resolution.



**ROLL CALL VOTE:**

Those in Favor: Becker, Gilmore, Plaza, Ray, Miller

Those Opposed: none

The foregoing is a true copy of a Resolution adopted by the Zoning Board of Adjustment of the Township of Bernards at its meeting of October 8, 2008 as copied from the Minutes of said meeting.

*Frances Florio*

FRANCES FLORIO, Secretary  
ZONING BOARD OF ADJUSTMENT  
OF THE TOWNSHIP OF BERNARDS,  
COUNTY OF SOMERSET,  
STATE OF NEW JERSEY

Dated: Oct 8, 2008, 2008



# 437 King George Road

Write a description for your map.

## Legend

-  437 King George Rd
-  Crown Court

Google Earth

© 2024 Google

5.91 ft



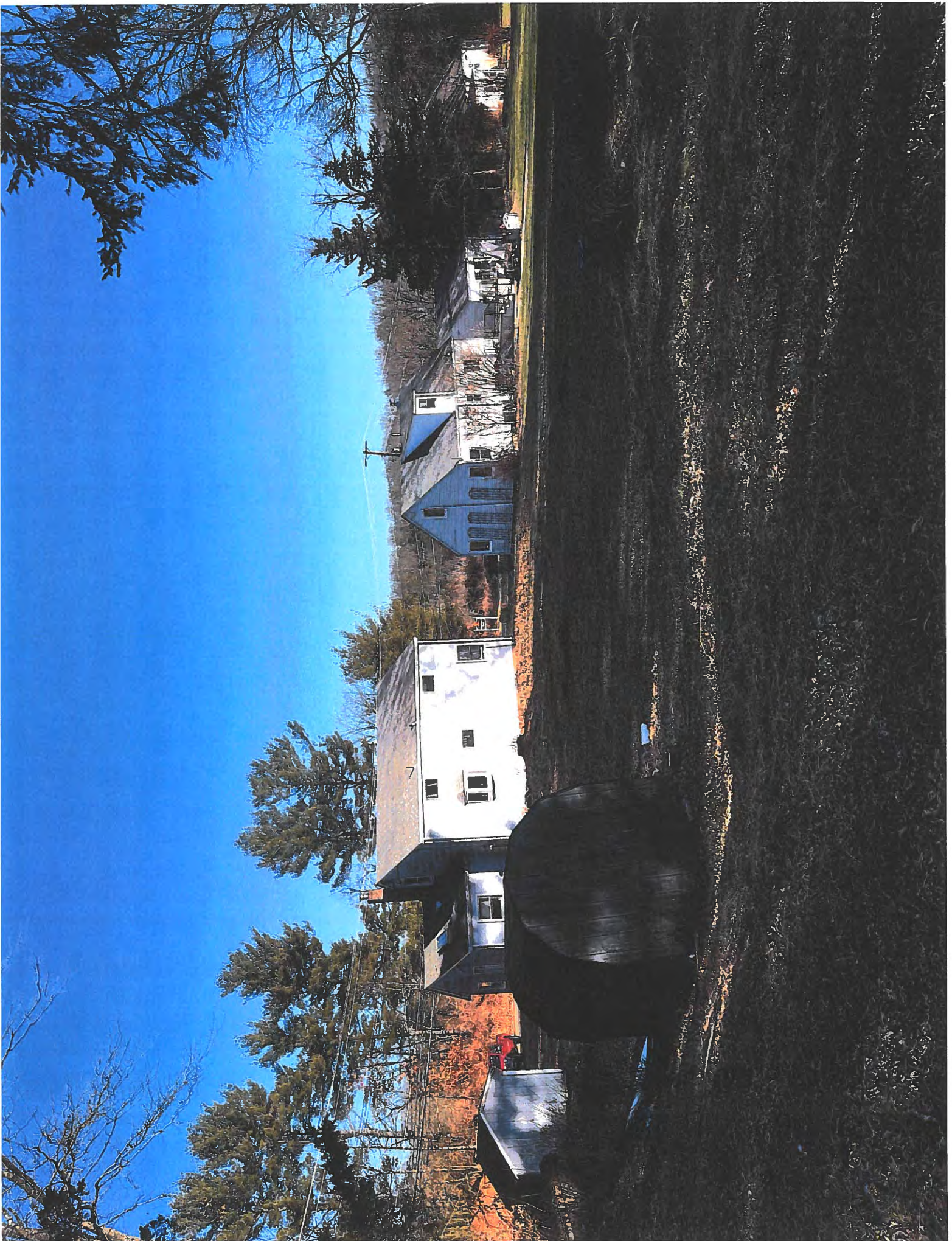








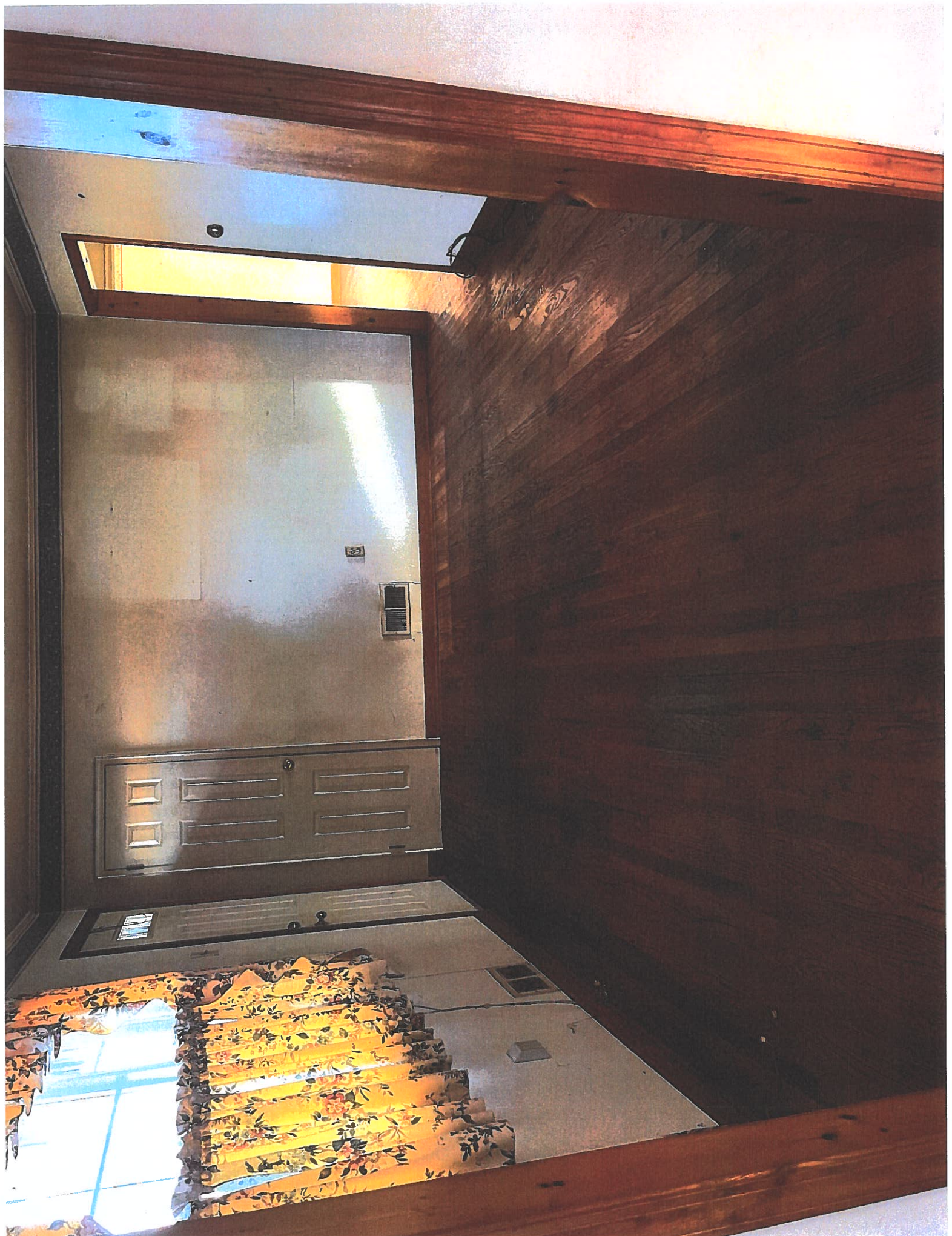
































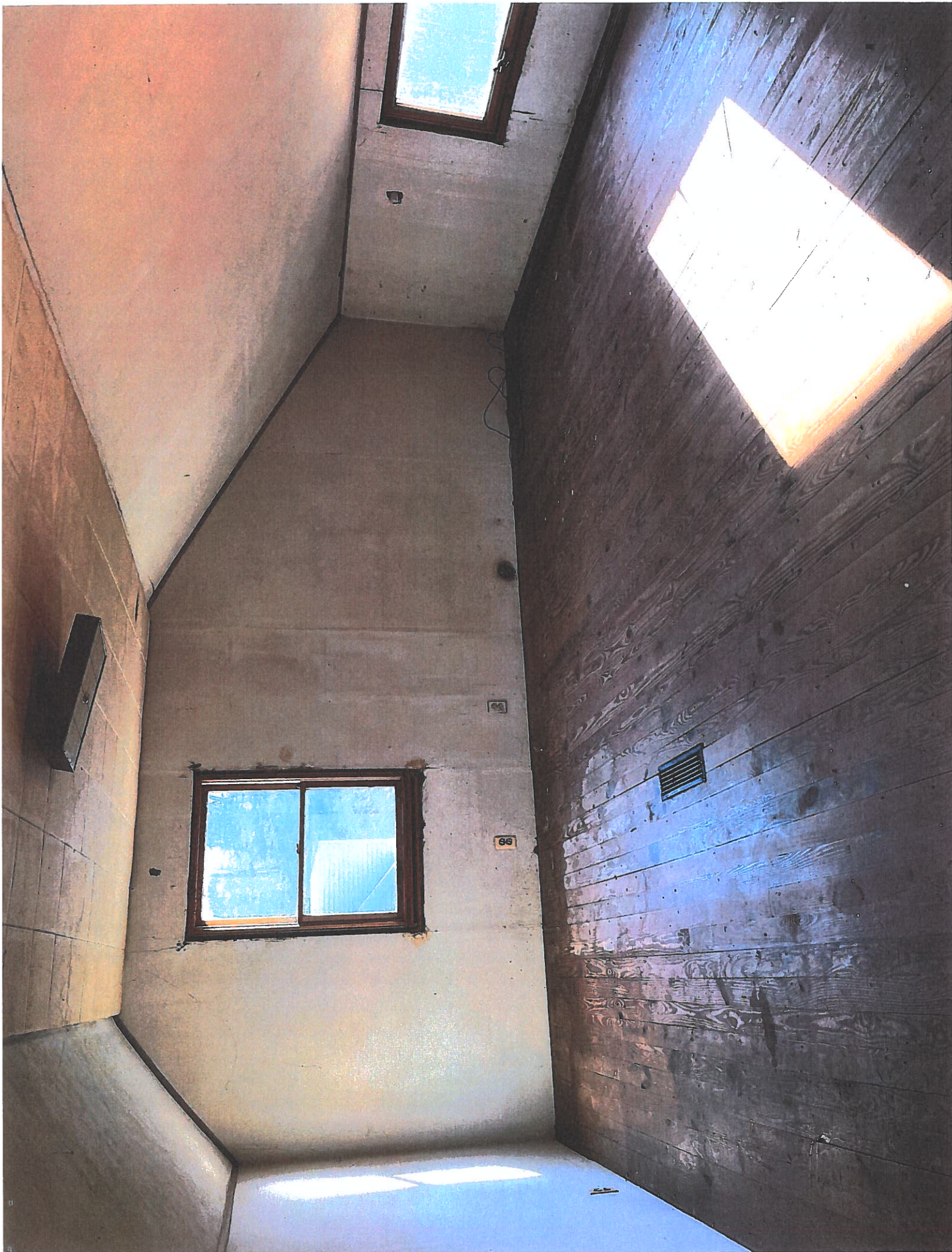
















FOUND  
CAPPED  
IRON TO BE  
MARKED

N11°08'00"W

102.00'

CAPPED  
IRON TO BE  
SET

WOOD  
FENCE IN  
DISREPAIR  
(TYP.)

LOT 35  
BLOCK 8501  
0.47 ACRES  
20,400.00 SQ. FT.

CINDER  
BLOCK  
WALL

FRAME  
SHED IN  
DISREPAIR

STONE  
STRUCTURE

**DEED REFERENCE:**  
BOOK 07169  
PAGE 01358

**CERTIFICATION:**  
NILTON DeOLIVEIRA

LOT 36  
BLOCK 8501

LOT 34  
BLOCK 8501

200.00'

200.00'

N78°52'00"E

S78°52'00"W

LANDS N./F. OF  
DEWEY MEADOW'S FARM

POINT OF  
BEGINNING  
FOUND CAPPED IRON  
TO BE MARKED

453.22'

S11°08'00"E

102.00'

KING GEORGE ROAD  
(50.00')

**NOTE:**  
1. IF THIS SURVEY DOES NOT REFERENCE A TITLE COMPANY WITH A TITLE NUMBER IN THE CERTIFICATION THAN THIS SURVEY IS SUBJECT TO THE FINDINGS OF A COMPLETE TITLE SEARCH NOT PROVIDED FOR THIS SURVEY  
2. THIS SURVEY MAKES NO CLAIMS OF RIPARIAN RIGHTS OR A TIDELAND CLAIM  
3. SURVEY MAY BE SUBJECT TO WETLANDS AND WETLAND BUFFERS  
4. ONLY VISIBLE UTILITIES WERE LOCATED ON THIS SURVEY, THE LOCATION OF UNDERGROUND UTILITIES AND SEWERS HAVE NOT BEEN LOCATED AND ARE NOT REPRESENTED ON THIS SURVEY  
5. CALL BEFORE YOU DIG 811 SHOULD BE CALLED BEFORE THE PLANNING OR COMMENCEMENT OF ANY CONSTRUCTION WORK  
6. SURVEY MAY BE SUBJECT TO POSSIBLE WRITTEN, NECESSITY AND PRESCRIPTION EASEMENTS  
7. THE USE OF THIS PLAN FOR A "SURVEY AFFIDAVIT" IS NOT PERMISSIBLE AND SAID USE WILL DEEM THIS PLAN INVALID  
8. THE USE OF THIS SURVEY FOR ANY INDIVIDUAL WHO IS NOT LISTED IN THE "CERTIFICATION" IS NOT PERMISSIBLE AND SAID USE WILL DEEM THIS PLAN INVALID

**NOTE:**  
CORNER MARKERS WILL NOT BE SET UNTIL FINAL PAYMENT IS RECEIVED. IN THE EVENT THAT A MARKER CAN NOT BE PLACED AT A CORNER DUE TO NO ACCESS OR OBSTRUCTION, A MARKER WILL BE PLACED ON LINE AND A NEW SURVEY WILL BE ISSUED WITH AN OFFSET TO THE INACCESSIBLE CORNER

**Leeper Land Group, LLC**

Professional Land Surveyors  
767 Brunswick Pike  
Lambertville N.J. 08530

**LLG**

p. 609 571 3955  
f. 609 571 9490  
www.leepergroup.com

CERTIFICATE OF AUTHORIZATION 24GA28232100

Revision

Date

By

Scale:

Date:

DRAWN BY:

Job Number:

1" = 20'

09-02-2022

G.S.

22-1358A

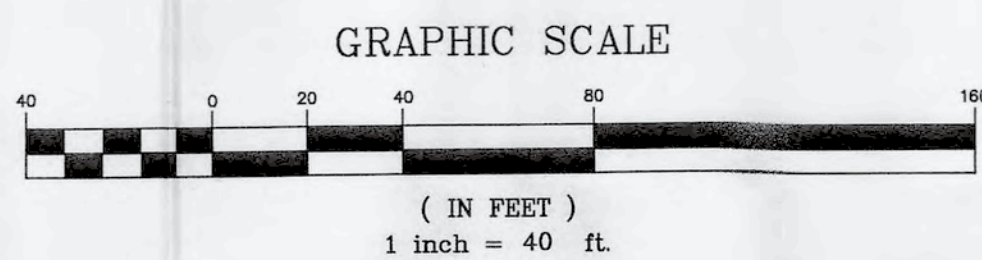
**PLAN OF SURVEY**  
TAX LOT 35 BLOCK 8501  
437 KING GEORGE ROAD  
TOWNSHIP OF BERNARDS  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY

**DAREN C. LEEPER**  
N.J. Professional Land Surveyor

09-02-2022

DATE  
GS 43340





#### PROPERTY OWNERS WITHIN 200 FEET

(AS CERTIFIED BY THE BERNARDS TOWNSHIP TAX ASSESSOR 7/7/23)

Block	Lot	Owner	Block	Lot	Owner
8501	7	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: CROWN COURT DRIVE	8501	18	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: 29 CROWN COURT DRIVE
8501	9	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: PRIVATE ROAD	8501	32	PROPERTY OWNER 449 KING GEORGE ROAD BASKING RIDGE, NJ 07920 RE: 449 KING GEORGE ROAD
8501	11	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: 49 CROWN COURT DRIVE	8501	33	PROPERTY OWNER 445 KING GEORGE ROAD BASKING RIDGE, NJ 07920 RE: 445 KING GEORGE ROAD
8501	12	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: 47 CROWN COURT DRIVE	8501	34	PROPERTY OWNER 441 KING GEORGE ROAD BASKING RIDGE, NJ 07920 RE: 441 KING GEORGE ROAD
8501	13	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: 43 CROWN COURT DRIVE	8501	36	PROPERTY OWNER 433 KING GEORGE ROAD BASKING RIDGE, NJ 07920 RE: 433 KING GEORGE ROAD
8501	14	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: 41 CROWN COURT DRIVE	8501	37	PROPERTY OWNER 429 KING GEORGE ROAD BASKING RIDGE, NJ 07920 RE: 429 KING GEORGE ROAD
8501	15	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: 37 CROWN COURT DRIVE	8502	1	PROPERTY OWNER 7902 WEST PARK DRIVE/TAX DEPT. MCLEAN, VA 22102 RE: 404 KING GEORGE ROAD
8501	16	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: 35 CROWN COURT DRIVE	8502	2	PROPERTY OWNER ONE COLLYER LAKE BASKING RIDGE, NJ 07920 RE: 440 KING GEORGE ROAD
8501	17	PROPERTY OWNER 820 MORRIS TURNPIKE SHORT HILLS, NJ 07078 RE: 31 CROWN COURT DRIVE			

#### Utilities/Misc.

ALGONQUIN GAS TRANSMISSION CO.  
GILBERT TRINIDAD  
501 COOLIDGE STREET  
SOUTH PLAINFIELD, NJ 07080  
(732) 427-5217

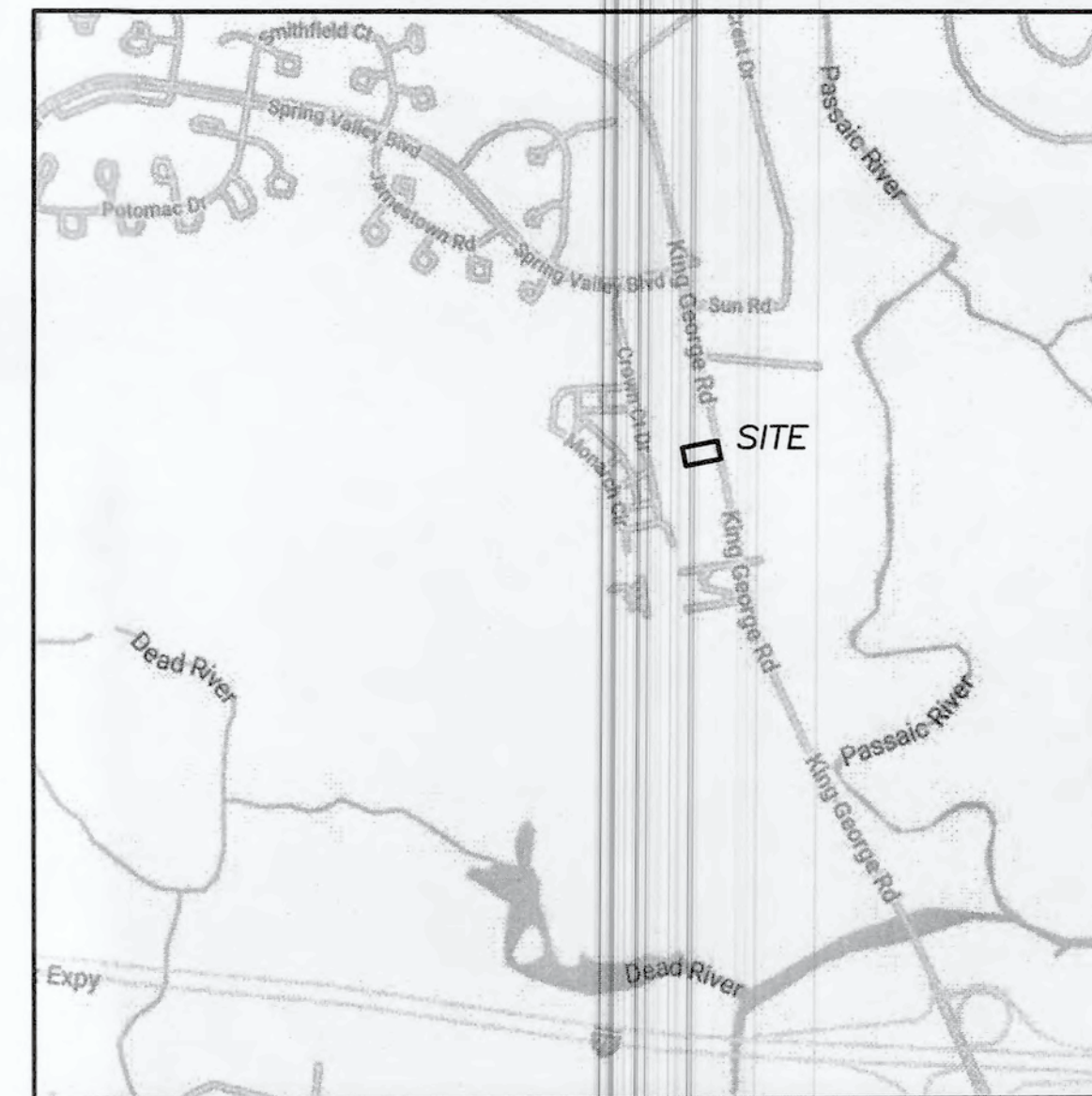
JCP&L/GPU  
SERVICE TAX DEPT.  
P.O. BOX 1911  
MORRISTOWN, NJ 07962-1911

PUBLIC SERVICE ELECTRIC & GAS  
MANAGER-CORPORATE PROPERTIES  
80 PARK PLAZA, 18B  
NEWARK, NJ 07102

VERIZON COMMUNICATIONS  
ENGINEERING  
6000 HADLEY ROAD  
SOUTH PLAINFIELD, NJ 07080

CABLEVISION OF RARITAN VALLEY  
275 CENTENNIAL AVE, CN8805  
PISCATAWAY, NJ 08855  
ATTN: MARQUETTE PRENDERVILLE  
CONSTRUCTION DEPT.

SOMERSET COUNTY PLANNING BOARD  
P.O. BOX 3000  
SOMERVILLE, NJ 08876



KEY MAP  
SCALE: 1"=1,000'

#### OWNER/APPLICANT

NILTON OLIVEIRA  
437 KING GEORGE ROAD  
BASKING RIDGE, NJ 07920  
PH: (201) 874-7520

#### ATTORNEY

FREDERICK B. ZELLEY, ESQ.  
53 DIVISION AVENUE - FIRST FLOOR  
P.O. BOX 324  
MILLINGTON, NJ 07946  
PH: (908) 647-6001

APPROVED BY THE BERNARDS TOWNSHIP BOARD OF ADJUSTMENT

CHAIRMAN	DATE
SECRETARY	DATE
ENGINEER	DATE

#### LIST OF DRAWINGS

- 1 EXISTING CONDITIONS PLAN
- 2 LOT IMPROVEMENT PLAN


#### GENERAL REFERENCES/NOTES:

1. EXISTING BOUNDARY AND IMPROVEMENTS (ON-SITE) ACQUIRED FROM A PLAN OF SURVEY PREPARED BY LEEPER LAND GROUP LLC, DATED 9/22/22.
2. EXISTING TOPOGRAPHY (THIS SHEET), IMPROVEMENTS (OFF-SITE), & PHYSICAL FEATURES (OFF-SITE) ACQUIRED FROM BERNARDS TOWNSHIP TOPOGRAPHIC MAPS AND 2020 AERIAL PHOTOGRAPHY.
3. EXISTING LOT LINES (OFF-SITE) ACQUIRED FROM G.I.S. INFORMATION.
4. NO FLOOD HAZARD AREAS OR RIPARIAN BUFFERS EXIST ON THE SUBJECT PROPERTY PER AVAILABLE FEMA & NJDEP MAPPING.
5. NO WETLANDS EXIST ON THE PROPERTY PER G.I.S. INFORMATION.
6. NO BERNARDS TOWNSHIP STREAM BUFFERS EXIST ON THE SUBJECT PROPERTY.
7. BASED ON TEN-FOOT CONTOUR INTERVALS ON-SITE, THERE ARE NO SLOPES >10% ON THE SUBJECT PROPERTY.

#### LIST OF REQUIRED GOVERNMENTAL APPROVALS

(BEFORE THE COMMENCEMENT OF ANY CONSTRUCTION)

- BERNARDS TOWNSHIP BOARD OF ADJUSTMENT
- SOMERSET-UNION SOIL CONSERVATION DISTRICT

		PAGE-MUELLER ENGINEERING CONSULTANTS, PC POST OFFICE BOX 4619 WARREN, NEW JERSEY 07059 (732) 805 - 3978 • FAX (732) 805 - 3978	
project name		VARIANCE PLAN FOR 437 KING GEORGE ROAD BLOCK 8501: LOT 35 (TAX MAP SHEET 85) BERNARDS TOWNSHIP, SOMERSET COUNTY, NEW JERSEY	
drawing name		drawing no.	
EXISTING CONDITIONS MAP		1 OF 2	
drawn by	checked by	date	scale
RW	CAM	12/21/23	1"=40'
		project no.	2364



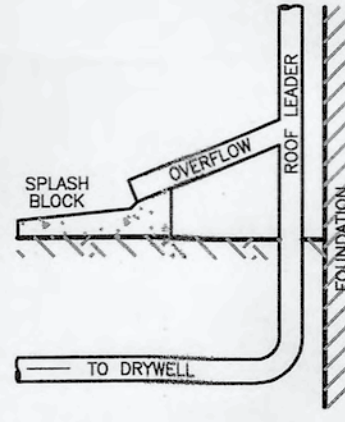
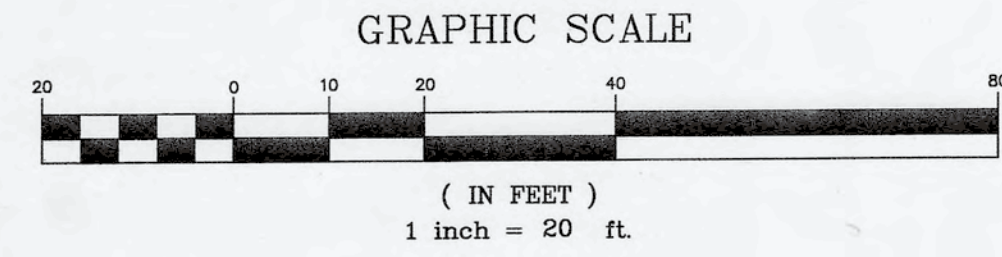


LOT 7  
(BLOCK 8501)

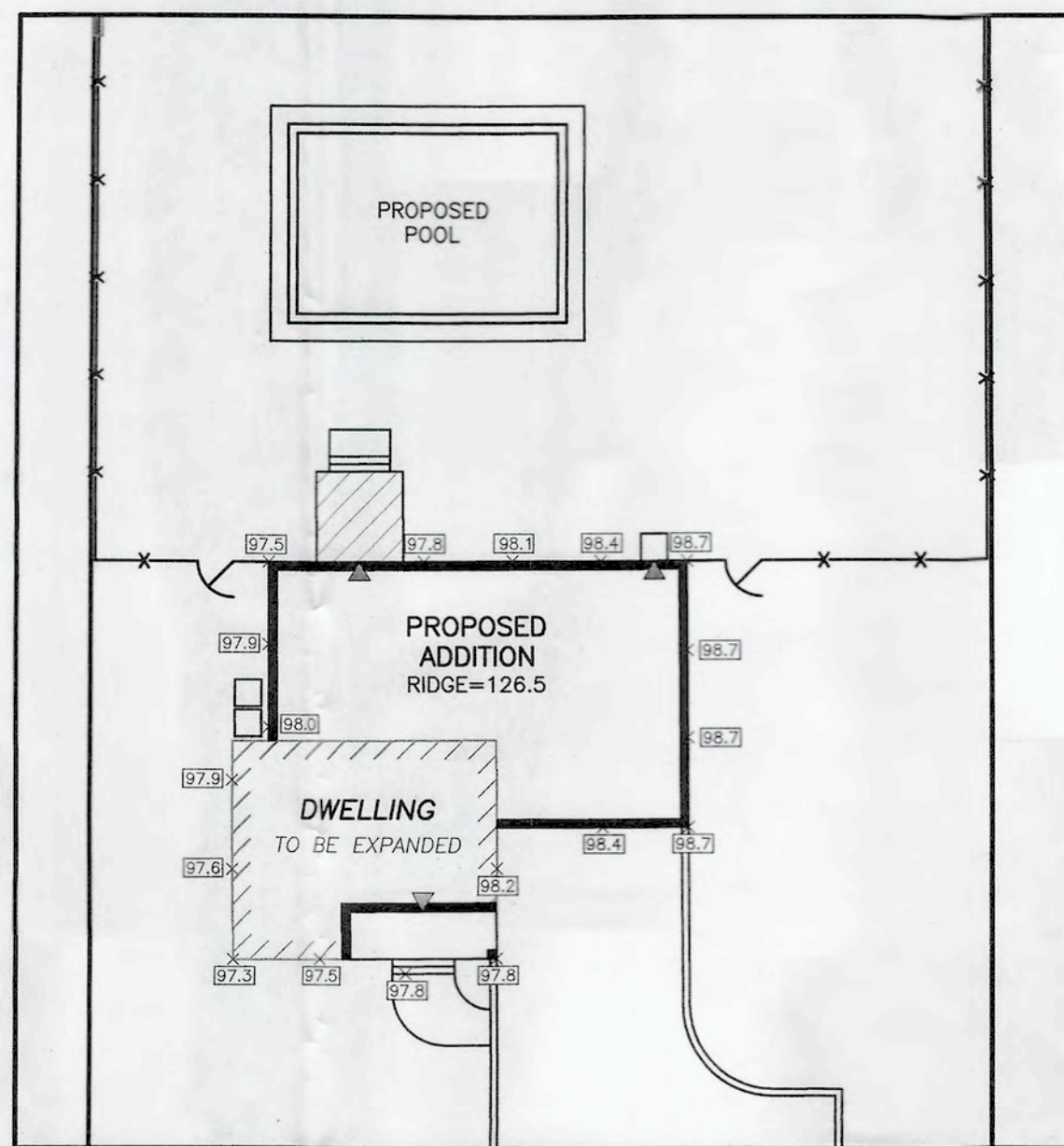
LOT 36  
(BLOCK 8501)

LOT 34  
(BLOCK 8501)

KING GEORGE ROAD  
(COUNTY ROUTE 651)  
50' R.O.W.



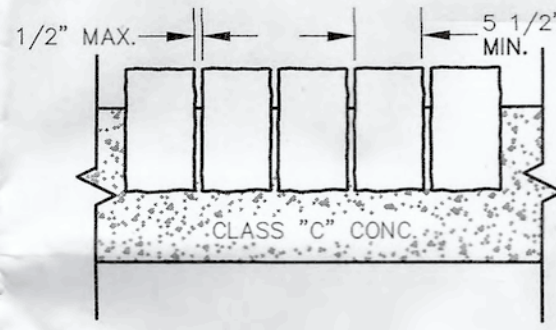
ROOF LEADER OVERFLOW DETAIL  
N.T.S.  
AT LEAST ONE (1) ROOF LEADER OVERFLOW TO BE PROVIDED



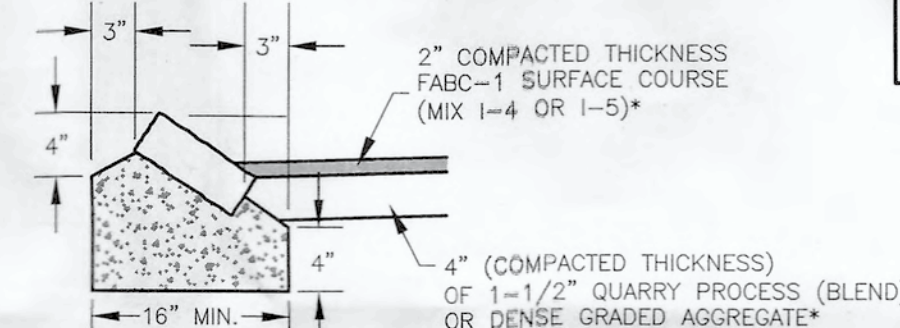
BUILDING HEIGHT DETAIL  
SCALE: 1"=20'

BUILDING HEIGHT CALCULATION  
TOTAL OF (19) SPOT ELEVATIONS = 1,862.7  
AVERAGE FINISHED GRADE OF BUILDING = 1,862.7 / 19 = 98.0  
PROPOSED BUILDING HEIGHT = 126.5 - 98.0 = 28.5'  
(RIDGE) (FINISHED GRADE)

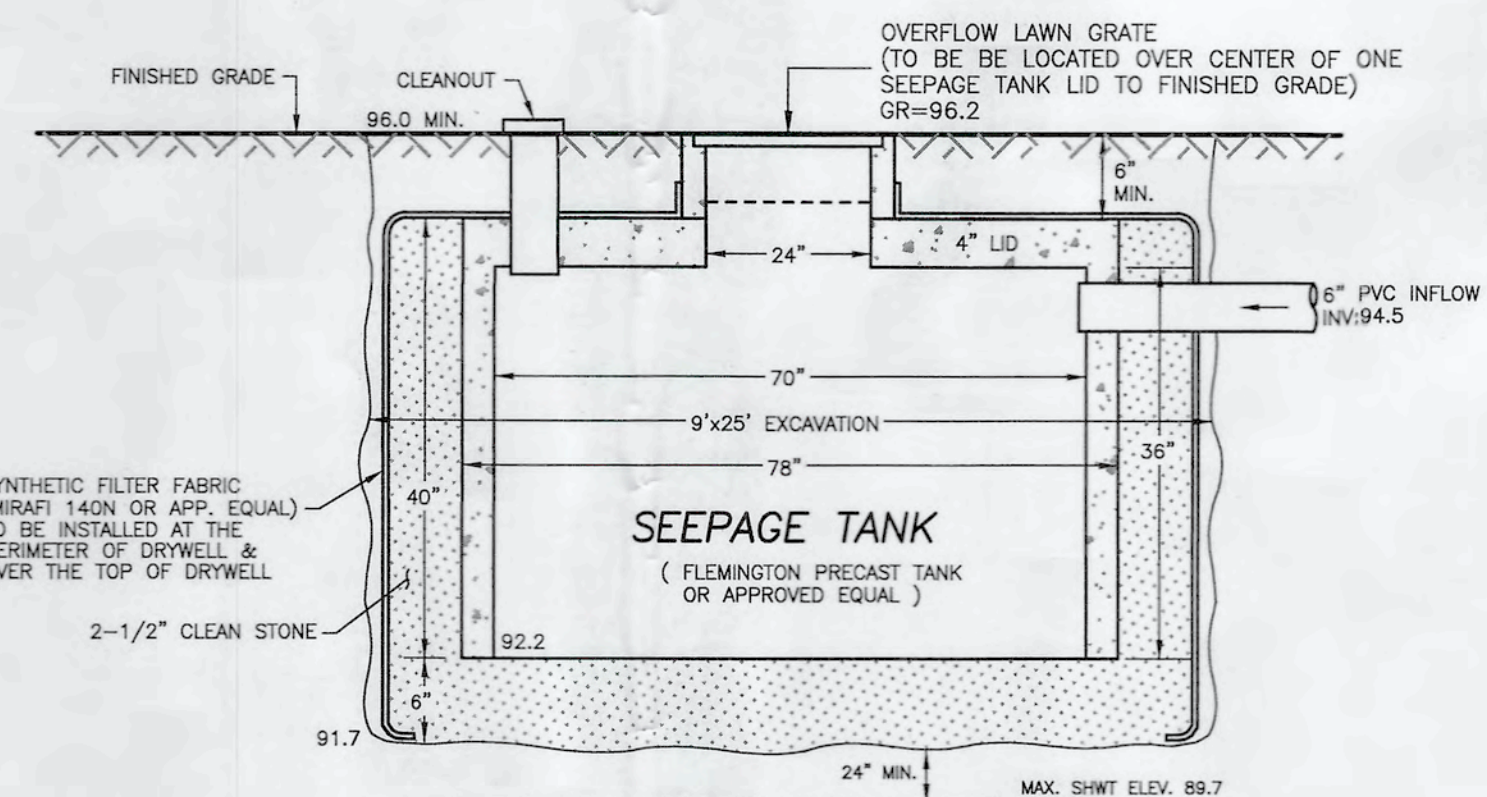
NOTE:  
PROVIDE EXPANSION JOINTS AT 40'  
INTERVALS. JOINTS TO BE 1/2" WIDE  
MAX., USING 1:2 MIX CEMENT MORTAR  
STRUCK WITH CONCAVE TOOL.



MOUNTABLE BLOCK CURB/DRIVEWAY  
N.T.S.



\* = OR APPROVED EQUAL



[1,595 SQ. FT.] x [0.25 FT.] = 399 CU. FT.  
(IMPERVIOUS INCREASE) (5' RAINFALL)  
TANK VOLUME PROPOSED: (3H x 26.73 SF) = 80 CF/TANK x 3 TANKS = 240 CF TANK VOL.  
STONE VOLUME PROPOSED: [225 SQ. FT.] - [99 SQ. FT.] = 126 SF x 3H = 378 CF  
(AROUND TANKS) (EXCAVATION) (TANK DISPLACEMENT)  
STONE VOLUME PROPOSED: [225 SQ. FT.] x 0.5H = 113 CF  
(BELOW TANKS) (EXCAVATION)  
STONE VOIDS PROPOSED: [378 CU. FT.] + [113 CU. FT.] = 491 CF x 0.33 = 162 CF VOIDS  
(STONE AROUND) (STONE BELOW)  
TOTAL VOLUME PROPOSED: [240 CU. FT.] + [162 CU. FT.] = [402 CU. FT.]  
(TANK VOLUME) (VOID VOLUME)  
EFFECTIVE DEPTH: [402 CU. FT.] / [225 SQ. FT.] x 12 IN./FT. = 21.44 IN.  
(TOTAL VOLUME) (EXCAVATION)  
REQUIRED TESTED PERMEABILITY (MINIMUM): 2 x [21.44 IN.] [72 HR.] = 0.80 IN./HR  
(EFFECTIVE DEPTH) (MAX. DRAIN TIME)

NOTE: SOIL TEST REQUIRED PRIOR TO INSTALLATION TO DETERMINE  
PERMEABILITY & DEPTH TO SEASONAL HIGH WATER TABLE. SYSTEM MUST  
DRAIN WITHIN 72 HOURS (MINIMUM TESTED PERMEABILITY RATE 0.60  
IN./HR) OR ELSE ENGINEER MUST BE CONTACTED TO PROVIDE ALTERNATE  
DESIGN.

DRYWELL DETAIL  
N.T.S.

ZONING INFORMATION

R-5 RESIDENTIAL	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	1 AC.	0.47 AC. (P) (20,400 SF)	0.47 AC. (P) (20,400 SF)
MIN. IMPROVABLE LOT AREA	10,000 SF	2,600 SF (P)	2,600 SF (P)
MIN. LOT WIDTH	200'	102.00' (P)	102.00' (P)
MIN. LOT FRONTAGE	100'	102.00'	102.00'
MIN. FRONT YARD	75'	54.8' (P)	58.7' (V)
MIN. REAR YARD	75'	115.3'	95.1'
MIN. SIDE YARD, PRINCIPAL (EACH)	20'	16.1' (P)	16.1' (P)
MIN. SIDE YARD, PRINCIPAL (BOTH)	50'	59.9'	50.1
MIN. SIDE/REAR YARD, POOL PATIO	20'	N/A	20.1'
MIN. SIDE/REAR YARD, POOL FILTER PAD	20'	N/A	>20'
MAX. BUILDING HEIGHT, PRINCIPAL	35'	20.85'	28.5'
MAX. COVERAGE	15% (3,060 SF)	15.68% (P) (3,199 SF)	23.50% (V) (4,794 SF)

(P) = PRE-EXISTING NON-CONFORMING CONDITION  
(V) = VARIANCE REQUIRED

EXISTING IMPERVIOUS COVERAGE

DWELLING	972 SF
SHEDS	319 SF
DRIVEWAY	1,732 SF
WALKS/STEPS/MISC.	176 SF
	3,199 SF

PROPOSED IMPERVIOUS COVERAGE

REMAINING DWELLING	645 SF
PROPOSED BUILDING ADDITION	1,165 SF
PROPOSED COVERED PORCH	88 SF
PROPOSED DRIVEWAY	1,773 SF
PROPOSED POOL	600 SF
PROPOSED POOL COPING	104 SF
PROPOSED WALKS/STEPS/MISC.	419 SF

(1,595 SF INCREASE) 4,794 SF

GENERAL REFERENCES/NOTES:

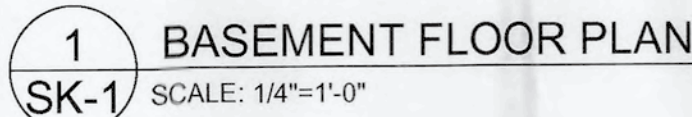
- EXISTING BOUNDARY AND IMPROVEMENTS (ON-SITE) ACQUIRED FROM A PLAN OF SURVEY PREPARED BY LEEPER LAND GROUP LLC, DATED 9/22/22.
- EXISTING TOPOGRAPHY (THIS SHEET) ACQUIRED FROM ABOVE REFERENCED PLAN OF SURVEY. VERTICAL DATUM IS ASSUMED.
- THERE ARE NO WETLANDS OR WETLAND BUFFERS WITHIN 200' OF THE SUBJECT PROPERTY PER G.I.S. INFORMATION.
- THE INFORMATION CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. ALL EXISTING UNDERGROUND UTILITIES ARE TO BE FIELD VERIFIED BEFORE THE COMMENCEMENT OF ANY CONSTRUCTION. THE CONTRACTOR SHALL COMPLY WITH THE NEW JERSEY ONE-CALL REGULATIONS BY CALLING 1-800-272-1000 AND PROVIDE THE MUNICIPALITY WITH THE CONFIRMATION NUMBER PROVIDED PRIOR TO COMMENCING EXCAVATION WORK.
- SOIL EROSION MEASURES TO BE PROVIDED AT TIME OF PLOT PLAN.




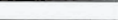

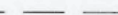

PAGE-MUELLER ENGINEERING CONSULTANTS, PC  
POST OFFICE BOX 4619  
WARREN, NEW JERSEY 07059  
(732) 805 - 3979 \* FAX (732) 805 - 3978

CATHERINE A. MUELLER, P.E.  
NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. GE44252

project name	VARIANCE PLAN FOR 437 KING GEORGE ROAD BLOCK 8501: LOT 35 (TAX MAP SHEET 85) BERNARDS TOWNSHIP, SOMERSET COUNTY, NEW JERSEY	drawing no.	2 OF 2
drawing name	LOT IMPROVEMENT PLAN	drawing no.	2 OF 2
drawn by	checked by	date	scale
RW/TBB	CAM	12/21/23	1"=20'
project no.	2364		





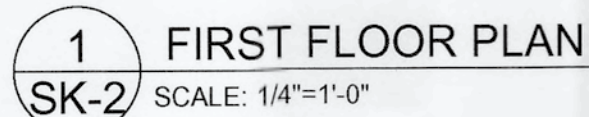
- | <b>WALL LEGEND</b>  |                                |
|---|--------------------------------|
|  | NEW 2 x 4 STUD WALL            |
|  | EXISTING 2 x 4 STUD WALL       |
|  | WALL TO BE REMOVED             |
|  | NEW 2 x 4 FIRE RATED STUD WALL |
|  | CONCRETE WALL                  |
|  | BATT INSULATION                |
|  | BRICK VENEER                   |

SK-1 Floor Plans  
SK-2 Floor Plans  
SK-3 Floor Plans  
SK-4 Elevations  
SK-5 Elevations

2 CODE DATA  
SK-1 SCALE: NTS

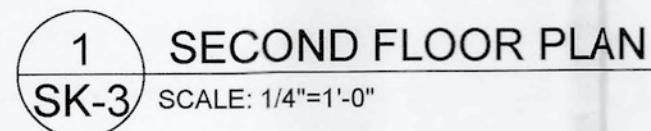
Plot Date: 11/2/2023 Dwg filename: \\zensusv01\zen data\Zen Architectural Files\008-Rear Addition\437 King George Rd\01-Board Set\PLANS 2023-11-02.dwg





PROJECT NO.	SCALE	PROJECT TITLE		NO.	DATE
	AS NOTED	Proposed Interior Renovation and Rear Two Story Addition 437 King George Road Bernards, NJ			
	DRAWN BY				
DRAWING NO.	M.F.A.	SHEET TITLE FLOOR PLANS		1	1/26/2023
	CHK.				
SK-2	C.Z.	DATE		2	5
SHEET NO.	2	OF	5		







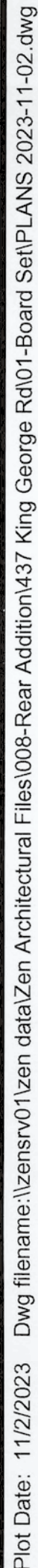


PROJECT NO.		SCALE		AS NOTED		PROJECT TITLE		PROPOSED INTERIOR RENOVATION AND REAR TWO STORY ADDITION 437 KING GEORGE ROAD BERNARDS, NJ	
DRAWING NO.		DRAWN BY		M.R.A.		DATE		06-31-2023	
SHEET NO.		C.K.		C.Z.		DATE		06-31-2023	
4		5		5		DATE		06-31-2023	
5		5		5		DATE		06-31-2023	

Plot Date: 11/2/2023 Dwg filename: \znsr\01\zen data\Zen Architectural Files\008-Rear Addition\437 King George Rd\01-Board Set\PLANS 2023-11-02.dwg

**Zen Architecture & Engineering**  
215 Jefferson Avenue  
Suite 100  
P.O. Box 8000, 1500  
07003-8000  
www.zen-architecture.com  
NJ 07003-8000  
NJ 07003-8000







ADD  
ATTACHED

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

Application No: ZB24-005 Block: 7702 Lot: 10.05 Zone: R-4

Applicant: PATEL, GUARAV & JOSHI, PAYAL

Address of Property: 3 FENWICK PLACE

Description: RELIEF FOR LOCATION/HEIGHT OF  
FENCE AND MAXIMUM LOT COVERAGE

**APPLICATION CHECKLIST**

<input checked="" type="checkbox"/>	Original + 16 copies of Application	<input 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**

1.31.24 Original Submission Date  
\_\_\_\_\_ Completeness Deadline (45 days)  
\_\_\_\_\_ Incomplete Date  
\_\_\_\_\_ Resubmission Date  
\_\_\_\_\_ Date Complete  
\_\_\_\_\_ Time to Act (45/95/120 days)

**HEARING**

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

**DISTRIBUTION**

1.31.24 Environmental Comm  
\_\_\_\_\_ Fire Official  
\_\_\_\_\_ LCFAS  
\_\_\_\_\_ Police

RECEIVED	NOTES
FEB 23 2024	
BERNARDS TOWNSHIP ENGINEERING	



Patel/Joshi  
3 Fenwick Place  
Basking Ridge NJ

The variance for the property 3 Fenwick Place has been amended to exclude the Lot Coverage (21-15.1(d)1) ordinance. Property owners do not need a variance for additional coverage area.

Property owners still seek a bulk variance (40:55D-70C) for Fence Height (21-16:2(a)) and fence distance from property line (21-16:2(e)) as stated in application.

**Description of existing property and proposal/request**

Single family residence seeking 6' fence for second front yard and a variance for distance of fence from the property line. Lot is a corner lot with 1 acre of conservation land. One small section of the fence is 5" from the property line.

**Following arguments are made in support of application**

Side yard of house cannot be seen due to conservation land. 4' vs 6' fence makes no difference. Fence was placed 6" from property line, new survey shows 5", however per silt fence placed by initial survey the fence is 6".



Gaurav Patel



Payal Joshi

EC

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

Application No: ZB24-005 Block: 7702 Lot: 10.05 Zone: R-4

Applicant: PATEL, GUARAV & JOSHI, PAYAL

Address of Property: 3 FENWICK PLACE

Description: RELIEF FOR LOCATION/HEIGHT OF FENCE AND MAXIMUM LOT COVERAGE

**APPLICATION CHECKLIST**

<input checked="" type="checkbox"/> Original + 16 copies of Application	<input 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**

1.31.24 Original Submission Date  
 \_\_\_\_\_ Completeness Deadline (45 days)  
 \_\_\_\_\_ Incomplete Date  
 \_\_\_\_\_ Resubmission Date  
 \_\_\_\_\_ Date Complete  
 \_\_\_\_\_ Time to Act (45/95/120 days)

**HEARING**

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

**DISTRIBUTION**

1.31.24 Environmental Comm  
 \_\_\_\_\_ Fire Official  
 \_\_\_\_\_ LCFAS  
 \_\_\_\_\_ Police

**NOTES**

**TOWNSHIP OF BERNARDS  
2024 ZONING BOARD OF ADJUSTMENT APPLICATION**

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

**1. APPLICANT:** GAURAV PATEL      PAYAL JOSHI

Address: 3 FENWICK PLACE BASKING RIDGE NJ 07920

Phone: (home) \_\_\_\_\_ (work) \_\_\_\_\_ (mobile) 908-672-8545

Email (will be used for official notifications): gpatel27@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: \_\_\_\_\_ Profession: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email (will be used for official notifications): \_\_\_\_\_

**5. PROPERTY INFORMATION:** Block(s): 7702 Lot(s): 10.05 Zone: R4

Street Address: 3 FENWICK PL BASKING RIDGE NJ 07920 Total Area (square feet/acres): 2.20 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) Currently have 6' fence on the side of the base for a corner lot. Should be 4' because it is considered a second front yard.

**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: Single family residence seeking 6' fence for side yard, and variance for fence from property line. Lot is a corner lot, with 1 acre of conservation land. Seeking additional 400 sq ft of impervious coverage for rear walkway due to steep slope of yard.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.):  
Bulk Variance (NJSA 40:55D-70C) FENCE HEIGHT (21-16:2(a))  
FENCE DISTANCE PROPERTY LINE (21-16:2(e)), LOT COVERAGE (21-15.1(d))

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: side yard of house cannot be seen due to 1 acre of conservation land next to it. 4' vs 6' fence makes no difference. Fence was placed 6' from property line per original survey by builder, new survey shows 5'. Due to inaccurate grading by builder, a retaining wall had to be placed that used up coverage area. Need additional coverage for walkway. Technically I have 2 acres of land, but I can only use 1 acre.

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

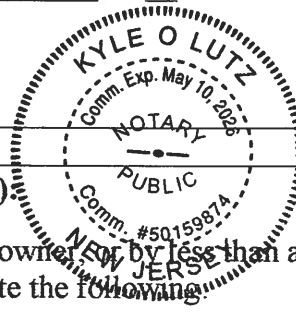
**APPLICANT(S) SIGN HERE:**

I/we, GARAY PATEL and PAYAL JOSHI 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 30<sup>th</sup> day of January, 2024.

[Signature]  
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, 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

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

**SITE INSPECTION CONSENT FORM**

Applicant: GAURAN PATEL  
Block: 7702 Lot: 10.05  
Street Address: 3 FENWICK PLACE BASKING RIDGE NJ, 07920

I, GAURAN PATEL, 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: 12/17/2023

**DIMENSIONAL STATISTICS**

	REQUIRED	EXISTING	PROPOSED
LOT AREA	1.00 ACRE	2.206 ACRE	2.206 ACRE
LOT WIDTH	250 ft	655.75 ft	655.75 ft
FRONTAGE	100 ft	735.4 ft	735.4 ft
FRONT YARD SETBACK	75 ft	36.8 ft	36.8 ft
REAR YARD SETBACK	75 ft	75.5 ft	75.5 ft
COMBINED SIDE YARD	50 ft	N/A	N/A
SIDE YARD	20 ft	87.1 ft	87.1 ft
COVERAGE	15% 6534 sqft	15% 6550 sqft	15.9% 6934 sqft
HEIGHT			
IF REQUIRED, GROSS FLOOR AREA			
IF REQUIRED, FLOOR AREA RATIO			
IF REQUIRED, IMPROVABLE LOT AREA	10,000 sqft	10,034 sqft	10,034 sqft





Walkway



Fence Street View



Fence Street View

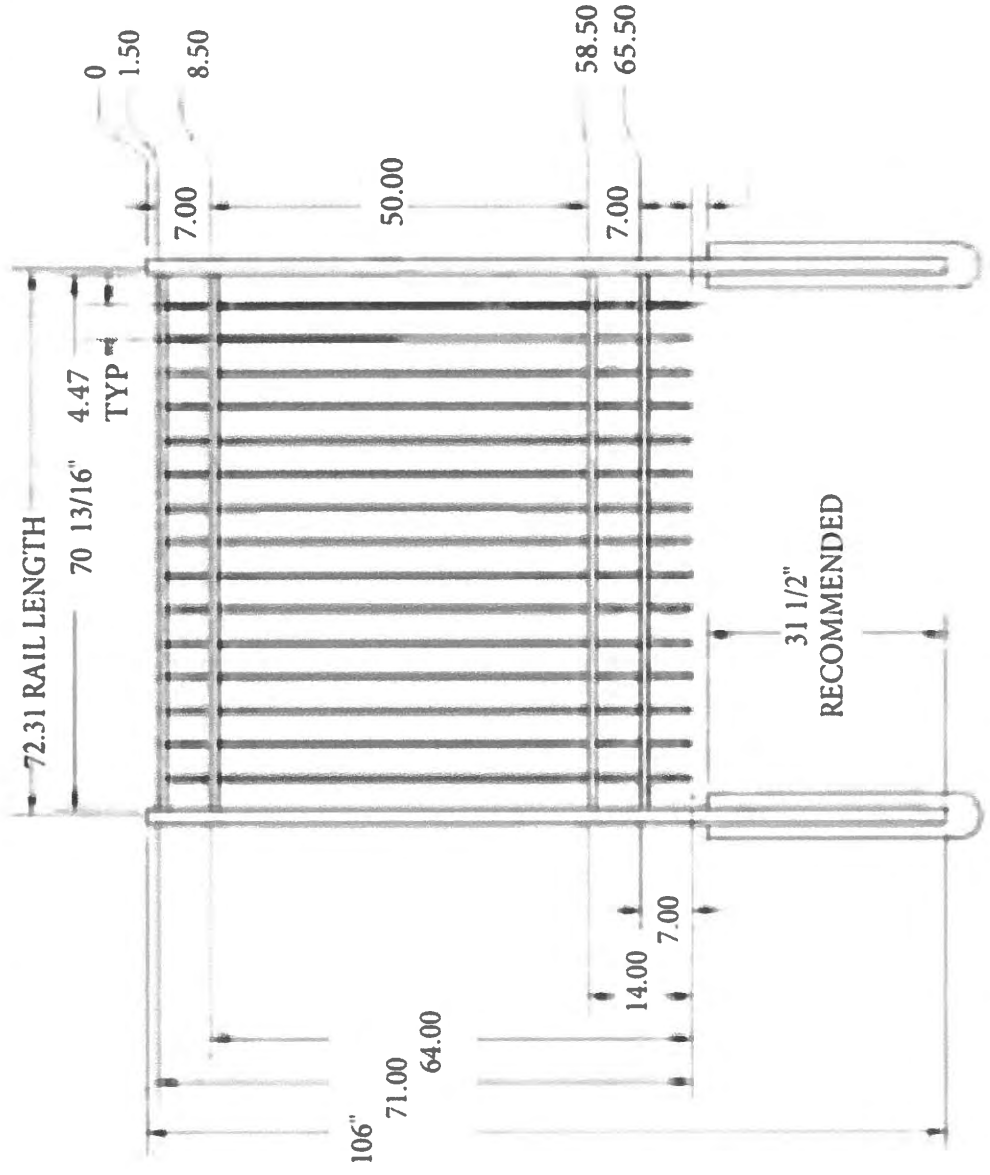


Fence View Intersection Street Valley Road



Fence Property Line

# PANELS





**APPENDIX E. ARTICLE III**

**Checklist**

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

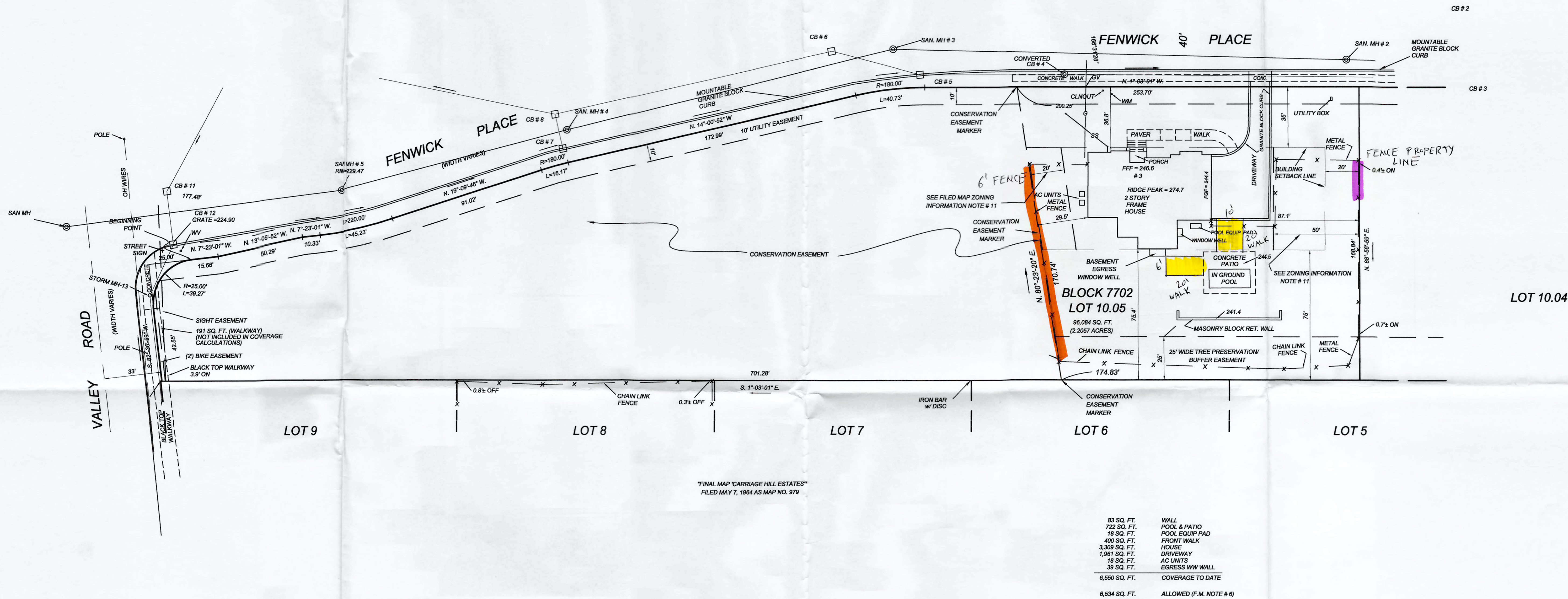
**Where Site Plan Approval is Not Required**

\*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	Additional information on the plot plan or survey relating to parking, landscaping or buffering, if required.		✓	
8	Calculations of existing & proposed lot coverage percentages.	✓		
9	Architectural sketches (floor plan and elevations) of the proposed improvements.		✓	
10	Photographs of the property in the location of the proposed improvements.	✓		
11	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.		✓	
12	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.		✓	
13	Delineation of riparian zones in accordance with Subsection 21-14.4.		✓	
14	Contribution Disclosure Statement, pursuant to Section 21-7A.		✓	
15	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.		✓	



Being known as Lot 10.05, Block 7702 on a map entitled, "Final Plat, Major Subdivision, Block 7702 lots 10 & 11", revised to July 9, 2020 and filed in the Office of the Clerk of Somerset County on September 1, 2020 as Bk 7244, Pg.183.



"FINAL MAP 'CARRIAGE HILL ESTATES'"  
FILED MAY 7, 1964 AS MAP NO. 979

83 SQ. FT.	WALL
722 SQ. FT.	POOL & PATIO
18 SQ. FT.	POOL EQUIP PAD
400 SQ. FT.	FRONT WALK
3,308 SQ. FT.	HOUSE
1,961 SQ. FT.	DRIVEWAY
18 SQ. FT.	AC UNITS
39 SQ. FT.	EGRESS WW WALL
6,550 SQ. FT.	COVERAGE TO DATE
6,534 SQ. FT.	ALLOWED (F.M. NOTE # 6)

SCALE: 1" = 30'

This location survey is certified to:  
J. Rocker Development.

FINAL

LOT 10.05, BLOCK 7702  
IN THE  
TOWNSHIP OF BERNARDS  
SOMERSET COUNTY, NEW JERSEY

RICHARD G. TITUS  
N.J. PROFESSIONAL  
LAND SURVEYOR  
LIC NO. GS33181

TITUS SURVEYING & ENGINEERING, P.C.  
618 SOMERSET STREET  
NORTH PLAINFIELD, NEW JERSEY 07060  
PHONE: (908) 756-9047 FAX: (908) 756-9055

W. LELAND TITUS  
N.J. PROFESSIONAL  
ENGINEER  
LIC NO. GE31635

UPDATE	DECEMBER 5, 2023
FINAL	APRIL 6, 2023
FOUNDATION LOC.	OCTOBER 28, 2021

DATE	JOB NO.	BOOK	PAGE	DR. BY	CHECKED	SHEET
MARCH 15, 2021	2-1605-21	354	51, 62, 73, 74 37-38	RT	WLT	1 OF 1



EC

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

Application No: ZB24-007 Block: 3901 Lot: 66 Zone: R-4

Applicant: MEJIA, STEVEN L. & KENNEDY, SHARON

Address of Property: 16 AUTUMN DRIVE

Description: SIDE YARD SETBACK RELIEF TO CONSTRUCT  
AN ADDITION TO AN EXISTING 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 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**

2.27.24 Original Submission Date  
4.12.24 Completeness Deadline (45 days)  
\_\_\_\_ Incomplete Date  
\_\_\_\_ Resubmission Date  
\_\_\_\_ Date Complete  
8.10.24 Time to Act (45/95/120 days)

**HEARING**

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

**DISTRIBUTION**

2.27.24 Environmental Comm  
\_\_\_\_ Fire Official  
\_\_\_\_ LCFAS  
\_\_\_\_ Police

RECEIVED	NOTES
<div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 150px;">FEB 27 2024</div>	
BERNARDS TOWNSHIP ENGINEERING	

**TOWNSHIP OF BERNARDS  
2024 ZONING BOARD OF ADJUSTMENT APPLICATION**

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

**1. APPLICANT:** Steven Mejia & Sharona Kennedy

Address: 16 Autumn Drive

Phone: (home) (973)704-5392 (work) 732-522-1238 (mobile) (973)704-5392

Email (will be used for official notifications): steve.mejia@hotmail.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: Rui Amaral Profession: architect

Address: 27-B Nobhill Drive Roseland NJ

Phone: (973)482-8795 Email (will be used for official notifications): ramaralra@aol.com

**5. PROPERTY INFORMATION:** Block(s): 3901 Lot(s): 66 Zone: R-4

Street Address: 16 Autumn Drive Total Area (square feet/acres): 41,414 sf / 0.951 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:** \_\_\_\_\_

Existing single-family dwelling with a shallow and irregular shaped property. The proposed is a single-story "great room" rear addition.

Room to be used as family room and study area for (3) children.

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

Per table 501, setback required is 75ft. Proposed setback for addition is 54'10"

SECTION 21.15.1 (d) 1

+ TABLE 501

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

Request for variance to build addition attributed to shallow back yard and irregular lot shape. Granting of variance will not have detrimental effects on the public or neighborhood. Proposed addition is similar/consistent with other home layouts in the neighborhood. Additionally, granting of variance will not impair the intent or purposes of the municipal zoning plan & ordinances.

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

**APPLICANT(S) SIGN HERE:**

I/we, Steven Mejia and Sharona Kennedy 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 20th day of February, 2024.

Notary

LISA A. PINTER  
NOTARY PUBLIC OF NEW JERSEY  
Commission # 50106950  
Commission Expires 6/13/2024

**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: STEVEN MEJIA  
Block: 3901 Lot: 66  
Street Address: 16 AUTUMN DRIVE

I, STEVEN MEJIA, 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: 2/27/2024

SUBMIT 17 COPIES TOTAL

FORM F

**DIMENSIONAL STATISTICS**

	REQUIRED	EXISTING	PROPOSED
LOT AREA	43,560 SF	41,414 SF	41,414 SF
LOT WIDTH	200 FT	210 FT	210 FT
FRONTAGE	100 FT	210 FT	210 FT
FRONT YARD SETBACK	75 FT	75.9 FT	75.9 FT
REAR YARD SETBACK	75 FT	74.83 FT	54.83 FT
COMBINED SIDE YARD	50 FT	125.33 FT	125.33 FT
SIDE YARD	20 FT	38 FT / 87.33 FT	38 FT / 87.33 FT
COVERAGE	15%	13%	14.1%
HEIGHT	35 FT	22.1 FT	22.1 FT
IF REQUIRED, GROSS FLOOR AREA			
IF REQUIRED, FLOOR AREA RATIO			
IF REQUIRED, IMPROVABLE LOT AREA			

**APPENDIX E, ARTICLE III**

**Checklist**

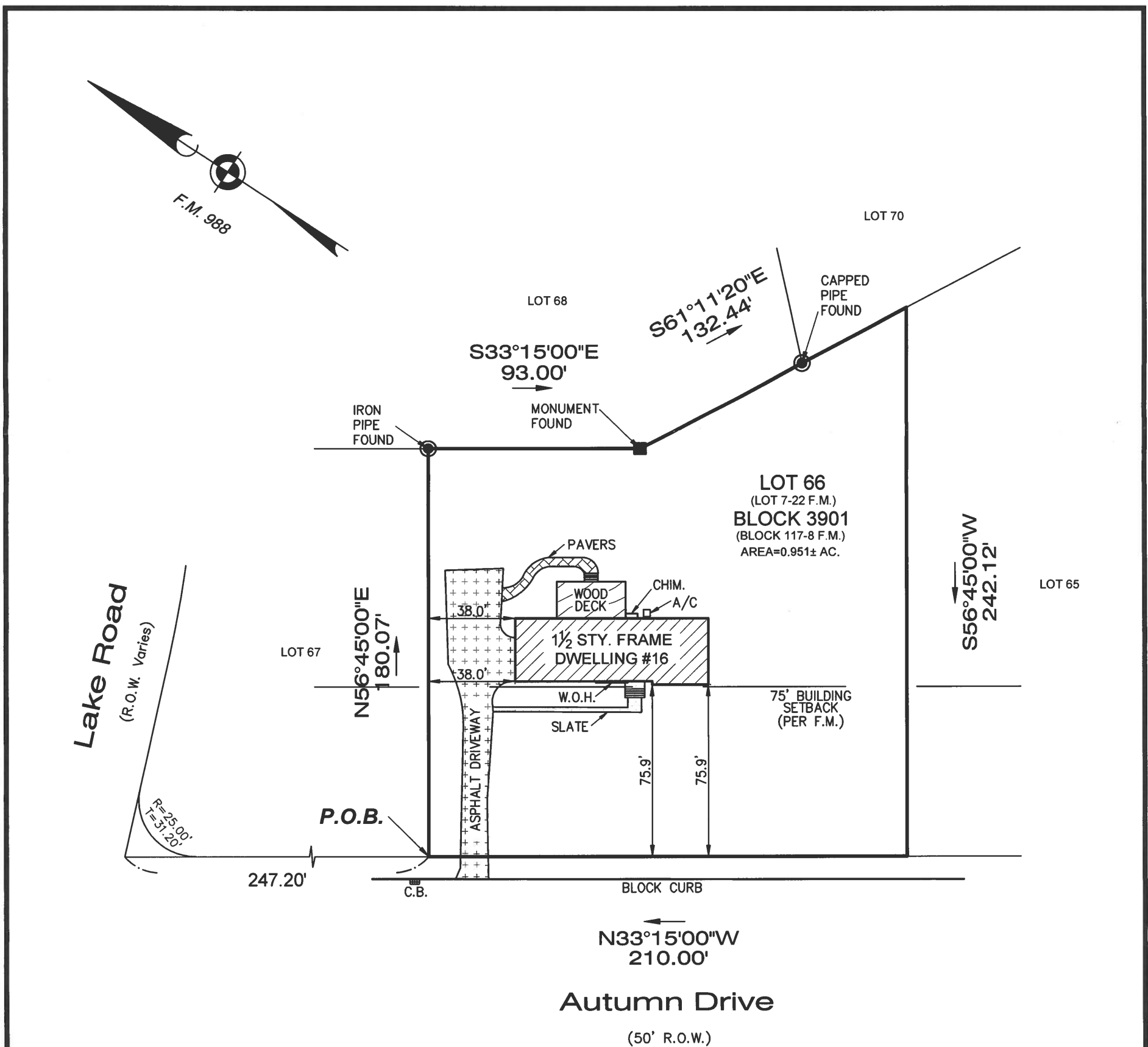
**Application for Approval of a Variance Pursuant to NJSA 40:55D-70(d)**

**Where Site Plan Approval is Not Required**

\*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	Additional information on the plot plan or survey relating to parking, landscaping or buffering, if required.		✓	
8	Calculations of existing & proposed lot coverage percentages.	✓		
9	Architectural sketches (floor plan and elevations) of the proposed improvements.	✓		
10	Photographs of the property in the location of the proposed improvements.	✓		
11	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.		✓	
12	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.		✓	
13	Delineation of riparian zones in accordance with Subsection 21-14.4.		✓	
14	Contribution Disclosure Statement, pursuant to Section 21-7A.		✓	
15	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.		✓	





PREPARED FOR: STEVEN MEJIA AND SHARONA KENNEDY, HUSBAND & WIFE  
TITLE INSURER: FOUNDATION TITLE, LLC - ROSELAND (721-193088)  
FIRST AMERICAN TITLE INSURANCE COMPANY  
MORTGAGE HOLDER: HOME POINT FINANCIAL CORPORATION,  
its successors and/or assigns, as their interest may appear.  
BUYER'S ATTORNEY: LINDA DEL TUFO, Esquire

Filed Map Reference:	Filed Map Block:	Filed Map Lot:	Filing Date:	Filed Map No.
FINAL MAP, DAWN RIDGE SECTION I, BERNARDS TOWNSHIP, SOMERSET COUNTY, NEW JERSEY	117-8	7-22	6/24/1964	988

IMPORTANT NOTES, PLEASE REVIEW:

- I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE ON 2/18/22 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY BELOW GROUND ENCROACHMENTS, UTILITIES, SERVICES LINES OR STRUCTURES, WETLANDS, OR RIPARIAN RIGHTS. NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS. ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM A TITLE REPORT PROVIDED BY THE TITLE INSURER REFERENCED HEREON.
- BUILDING SETBACK LINES SHOWN HEREON ARE FROM RECORDED DEEDS AND FILED MAPS AND MAY NOT REFLECT CURRENT ZONING REQUIREMENTS.
- PROPERTY CORNERS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT. (N.J.A.C. 13:40-5.1(D))

DB 6047 PG 2138

CERTIFICATE OF AUTHORIZATION: 24GA28229800



**MORGAN**  
engineering & surveying

P.O. BOX 5232  
TOMS RIVER, N.J. 08754  
TEL: 732-270-9690  
FAX: 732-270-9691

www.morganengineeringllc.com

**DAVID J. VON STEENBURG**

PROFESSIONAL LAND SURVEYOR  
N.J. LIC. No. 34500

## SURVEY OF PROPERTY

LOT 66

BLOCK 3901

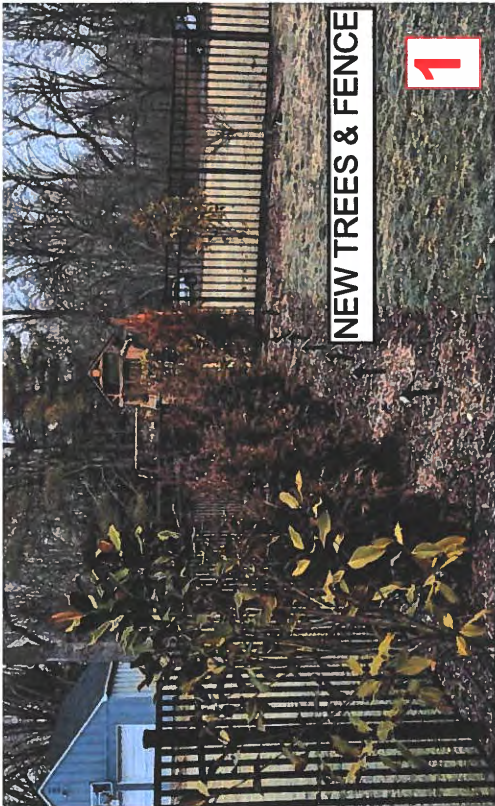
TOWNSHIP OF BERNARDS

COUNTY OF SOMERSET

NEW JERSEY

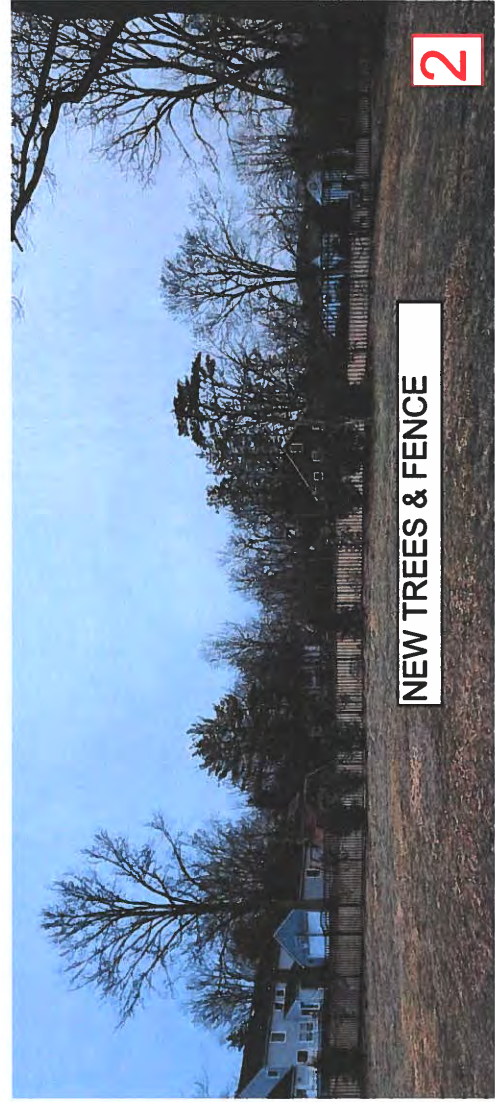
Scale:	Drawn By:	Date:	JOB #.	CAD File #	Sheet #
1"=50'	RICH	2/18/22	22-01409	22-01409	1 OF 1





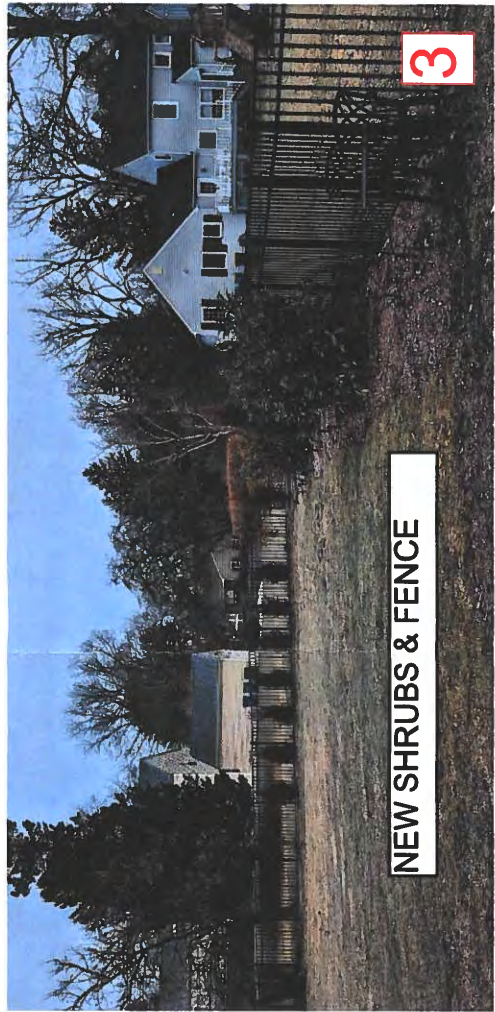
NEW TREES & FENCE

1



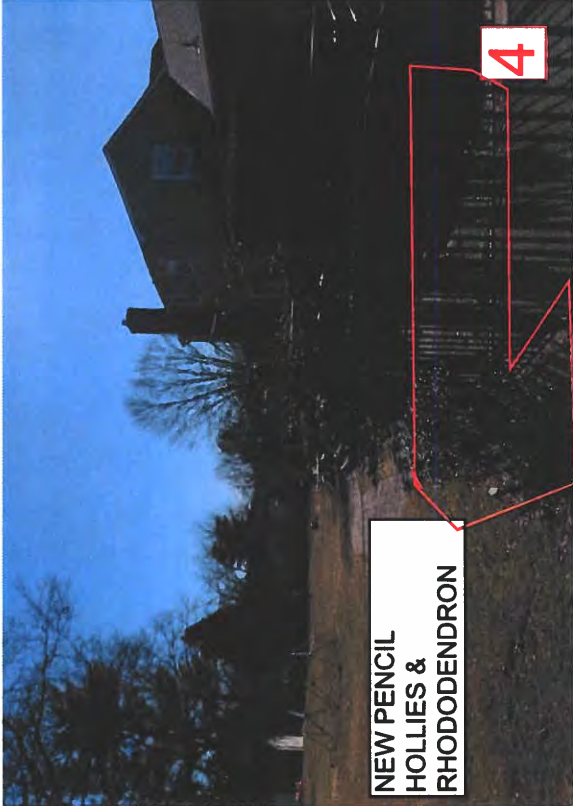
NEW TREES & FENCE

2



NEW SHRUBS & FENCE

3



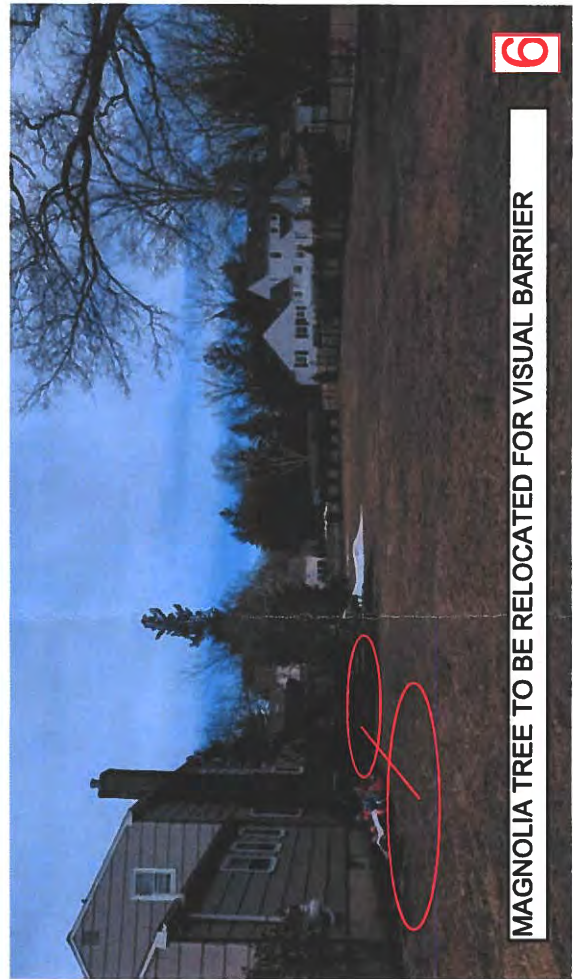
NEW PENCIL  
HOLLIES &  
RHODODENDRON

4



RHODODENDRON & YEWE REMAIN

5

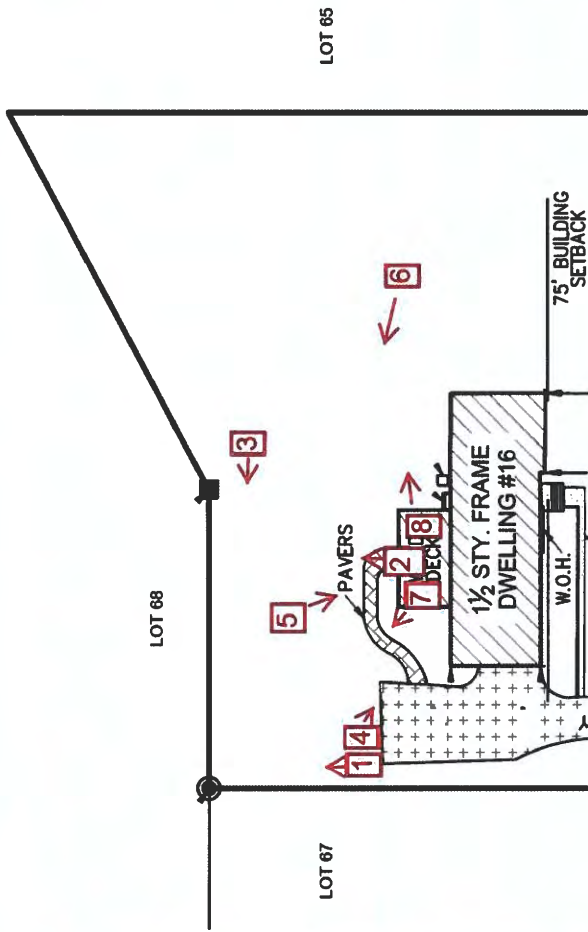


MAGNOLIA TREE TO BE RELOCATED FOR VISUAL BARRIER

6



7



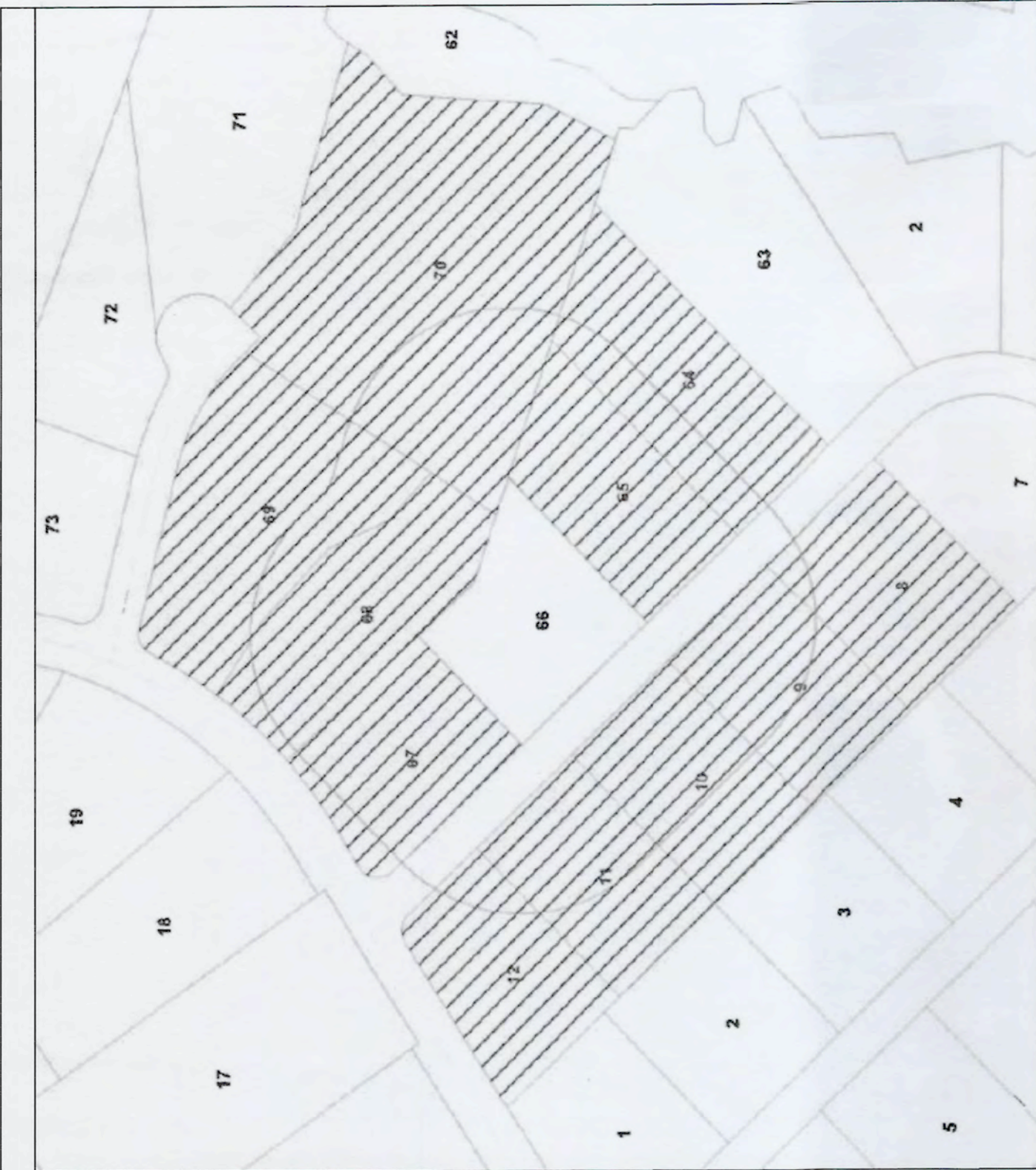
18H X 18W MAGNOLIA TREE

8

PHOTOS TAKEN BY: STEVEN MEJIA 2/27/2024

PROPERTY ADDRESS: 16 AUTUMN DRIVE





RADIUS MAP OF PROPERTIES WITHIN 200'  
N.T.S.



NEIGHBORHOOD MAP  
N.T.S.

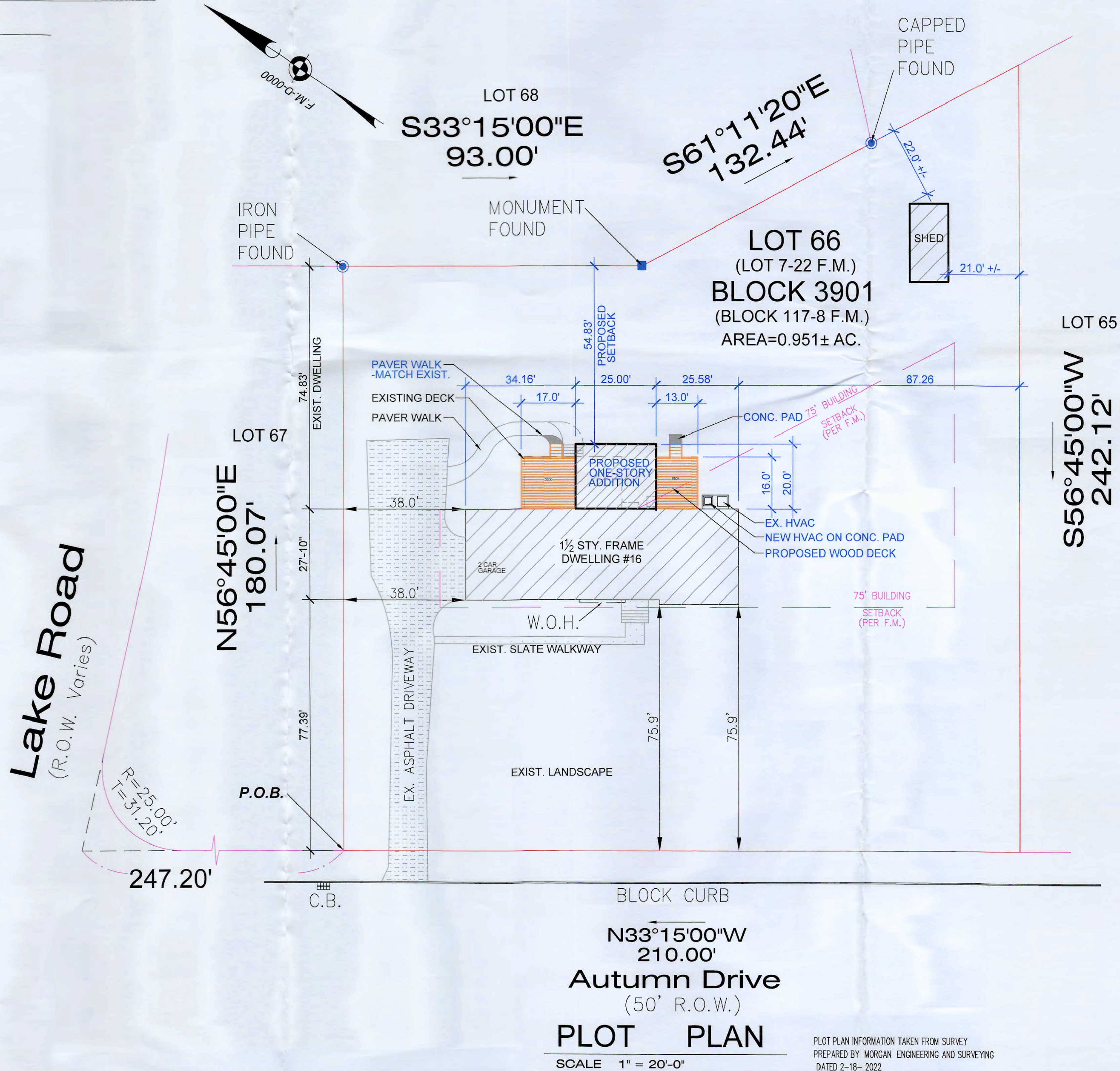
Target Parcel(s): Block-Lot: 3901-66  
Property Owner  
16 AUTUMN DR  
11 parcels fall within 200 feet of this parcel(s).

Block-Lot: 4003-9 Property Owner 23 AUTUMN DR BASKING RIDGE NJ 07920 RE: 23 AUTUMN DR	Block-Lot: 3901-69 Property Owner 246 LAKE RD BASKING RIDGE NJ 07920 RE: 246 LAKE RD	
Block-Lot: 4003-8 Property Owner 28 AUTUMN DR BASKING RIDGE NJ 07920 RE: 28 AUTUMN DR	Block-Lot: 3901-68 Property Owner 250 LAKE RD BASKING RIDGE NJ 07920 RE: 250 LAKE RD	
Block-Lot: 4003-12 Property Owner 5 AUTUMN DR BASKING RIDGE NJ 07920 RE: 5 AUTUMN DR	Block-Lot: 3901-67 Property Owner 266 LAKE RD BASKING RIDGE NJ 07920 RE: 266 LAKE RD	
Block-Lot: 4003-11 Property Owner 11 AUTUMN DR BASKING RIDGE NJ 07920 RE: 11 AUTUMN DR	Block-Lot: 3901-65 Property Owner 24 AUTUMN DR BASKING RIDGE NJ 07920 RE: 24 AUTUMN DR	
Block-Lot: 4003-10 Property Owner 17 AUTUMN DR BASKING RIDGE NJ 07920 RE: 17 AUTUMN DR	Block-Lot: 3901-64 Property Owner 30 AUTUMN DR BASKING RIDGE NJ 07920 RE: 30 AUTUMN DR	
Block-Lot: 3901-70 Property Owner 15 TAMARISK CT BASKING RIDGE NJ 07920 RE: 15 TAMARISK CT		
Property Owner 23 AUTUMN DR BASKING RIDGE NJ 07920 RE: 4003-9: 23 AUTUMN DR	Property Owner 29 AUTUMN DR BASKING RIDGE NJ 07920 RE: 4003-8: 29 AUTUMN DR	Property Owner 5 AUTUMN DR BASKING RIDGE NJ 07920 RE: 4003-12: 5 AUTUMN DR
Property Owner 11 AUTUMN DR BASKING RIDGE NJ 07920 RE: 4003-11: 11 AUTUMN DR	Property Owner 17 AUTUMN DR BASKING RIDGE NJ 07920 RE: 4003-10: 17 AUTUMN DR	Property Owner 15 TAMARISK CT BASKING RIDGE NJ 07920 RE: 3901-70: 15 TAMARISK CT
Property Owner 246 LAKE RD BASKING RIDGE NJ 07920 RE: 3901-69: 246 LAKE RD	Property Owner 250 LAKE RD BASKING RIDGE NJ 07920 RE: 3901-68: 250 LAKE RD	Property Owner 256 LAKE RD BASKING RIDGE NJ 07920 RE: 3901-67: 256 LAKE RD
Property Owner 24 AUTUMN DR BASKING RIDGE NJ 07920 RE: 3901-65: 24 AUTUMN DR	Property Owner 30 AUTUMN DR BASKING RIDGE NJ 07920 RE: 3901-64: 30 AUTUMN DR	
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 AUTHTY One Collyer Ln. Basking Ridge, NJ 07920 (908) 204-3902	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	

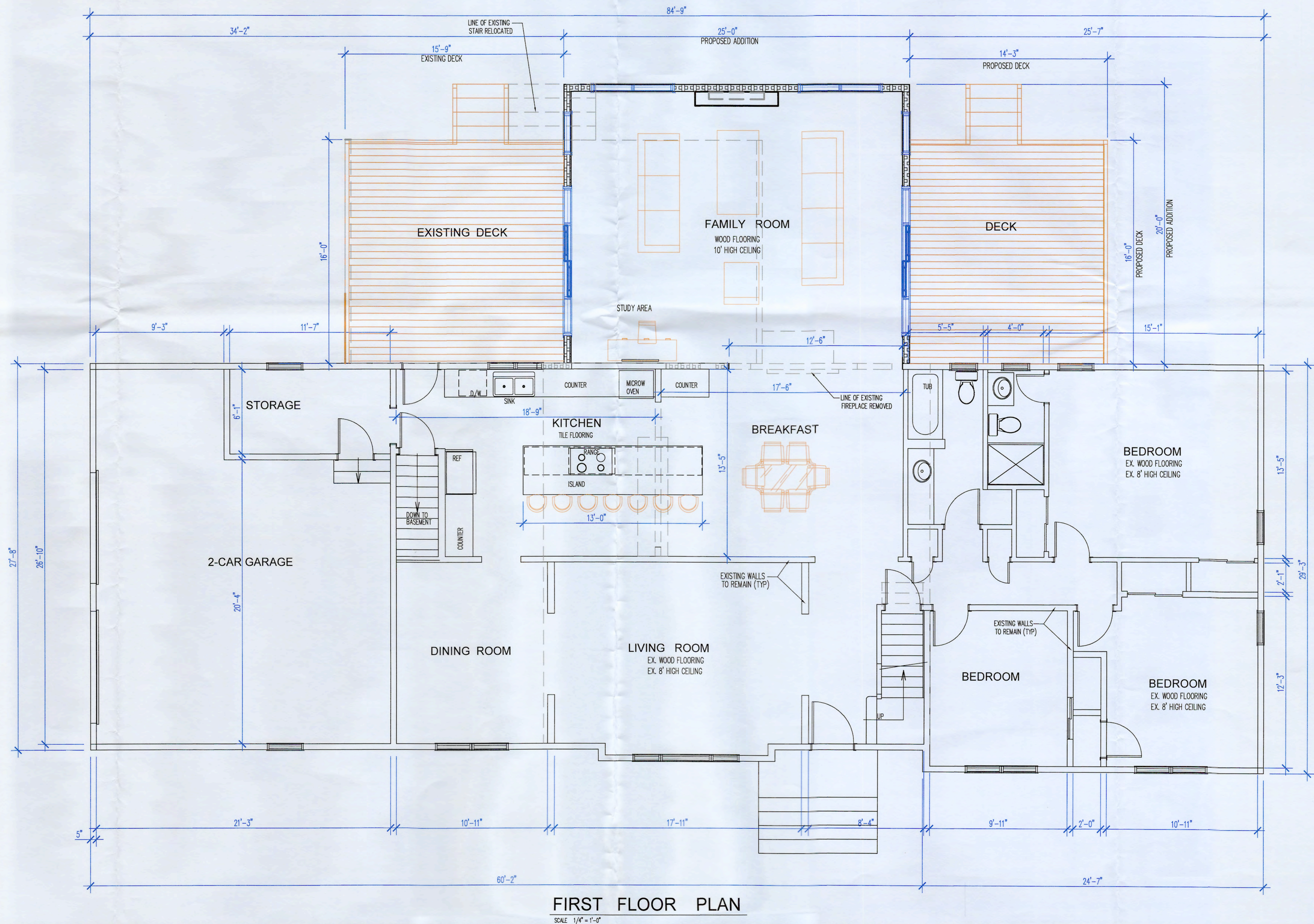
PLEASE NOTE:  
Numbers 1, 2, 3, 4 and 6 are  
registered with the Township and  
REQUIRE NOTIFICATION

SITE AREAS	EXISTING	PROPOSED
LOT AREA	41,425.6 sq. ft.	
BUILDING FOOTPRINT AREA	2,405 sq. ft.	2,905 sq. ft.
SHED	288 sq. ft.	288 sq. ft.
WALKWAYS	381 sq. ft.	320 sq. ft.
FRONT PORCH	61 sq. ft.	61 sq. ft.
DRIVEWAY	2,262 sq. ft.	2,262 sq. ft.
TOTAL AREA	5,397 sq. ft.	5,836 sq. ft.
DECK	482 sq. ft.	480 sq. ft.
LANDSCAPE	35,834 sq. ft.	35,397 sq. ft.

PROJECT DATA	ZONE	R-4	SINGLE FAMILY	DISTRICT
MIN. REQUIRED	EXISTING	PROPOSED	VARIANCE	
LOT AREA	1 Ac.-43,560 sq. ft.	.951 Ac.-41,425.6	existing	meets req.
LOT WIDTH	200'	210.00'	no change	meets req.
FRONTAGE WIDTH	100'	210.00'	no change	meets req.
SETBACKS: FRONT	75'	75.9'	no change	meets req.
SIDES	20'	38.0' / 87.33'	no change	meets req.
TOTAL BOTH SIDES	50'	125.33'	no change	meets req.
REAR	75'	74'-10"	54'-10"	YES
HEIGHT / STORIES	35' / 2.5	22'-1" ± / 2	no change	meets req.
MAX LOT COVERAGE	15 %	13.0% (5,397 sq. ft.)	14.1% (5,836 sq. ft.)	meets req.
Maximum Allowable Density Per Acre	1	existing	no change	meets req.
REAR DECK				
MAX. AREA	600 sq. ft.	482 sq. ft.	482 sq. ft.	NO
REAR	15'	58'-10"	58'-10"	NO
AREAS	EXISTING	ADDITION	TOTAL	
FIRST FLOOR LIVING AREA	1,888 sq. ft.	500 sq. ft.	2,388 sq. ft.	
EXISTING GARAGE	520 sq. ft.			







FIRST FLOOR PLAN

RUI AMARAL  
ARCHITECT

27 B NOB HILL DRIVE ROSELAND N.J. 07068  
TEL 973 482-8795 FAX 973 566-9278  
RAMARAL@AOL.COM

N.J. LIC. NO. 13926

PROPOSED ADDITION

Located at:

LOT 66 BLOCK 3901  
16 AUTUMN DRIVE  
TOWNSHIP OF BERNARDS, SOMERSET CO., N.J.

Owner: Mr Steven Meija and Mrs Sharona Kennedy

Revisions

No.	Date	Notes	By

Submittal

Drawing Title

FIRST FLOOR PLAN

Date FEB. 8, 2024 Sheets

Scale NOTED

Drawn by RA

Checked by

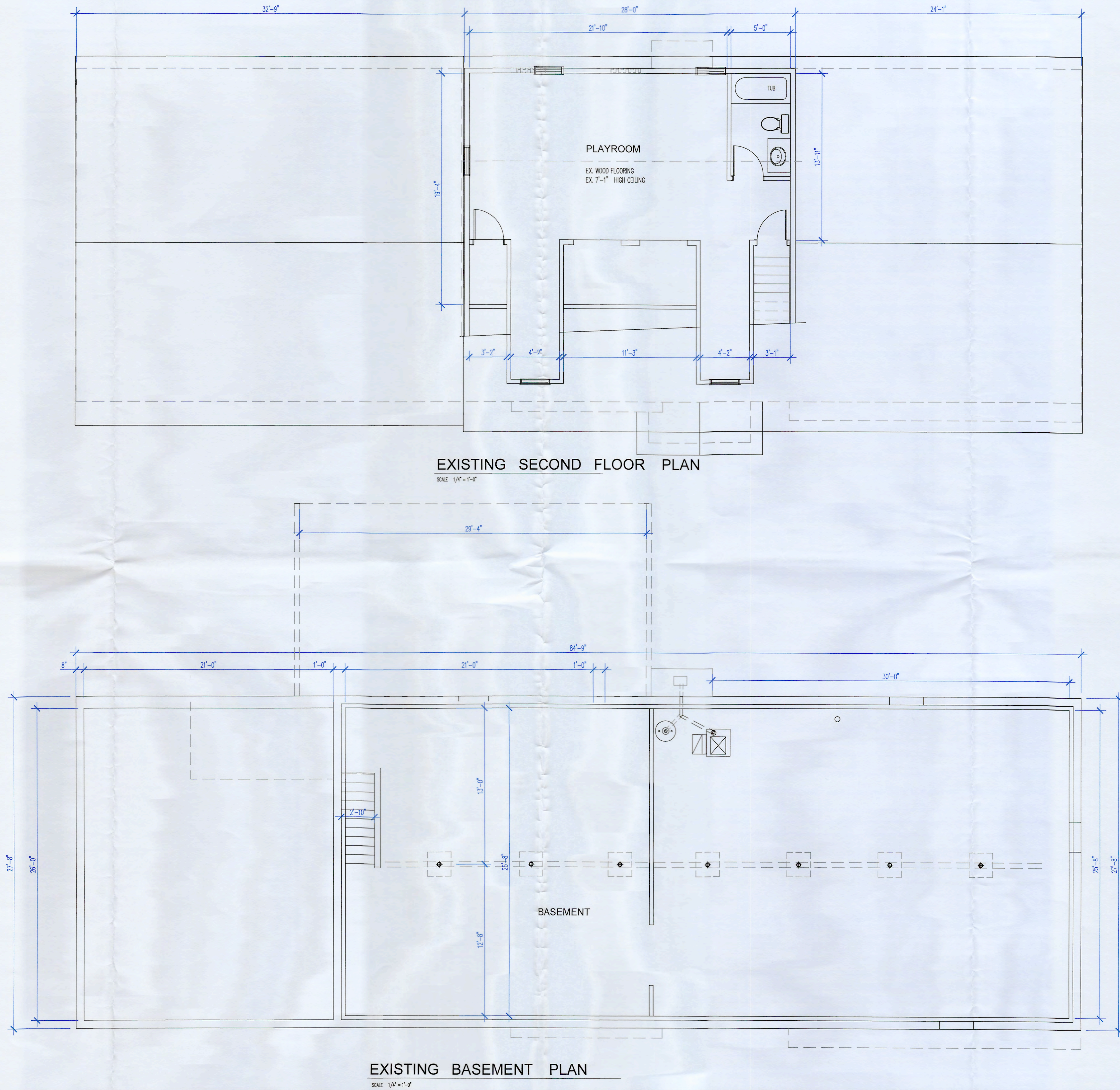
Job

Of 4

2

THESE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT. THE DESIGN IS SITE SPECIFIC AND NOT TO BE USED FOR CONSTRUCTION AT ANOTHER SITE. DRAWINGS NOT TO BE USED IF NOT SIGNED AND SEALED BY THE ARCHITECT.





EXISTING SECOND FLOOR PLAN

SCALE 1/4" = 1'-0"

EXISTING BASEMENT PLAN

SCALE 1/4" = 1'-0"

RUI AMARAL  
ARCHITECT

27 B NOBHILL DRIVE ROSELAND N.J. 07068  
TEL 973 482-8795 FAX 973 566-9278  
RAMARALRA@AOL.COM

N.J. LIC. NO. 13926

PROPOSED ADDITION RENOVATION

Located at:

LOT 66 BLOCK 3901  
16 AUTUMN DRIVE  
BERNARDS TOWNSHIP, SOMERSET CO., N.J.

Owner: Mr Steven Meija and Mrs Sharona Kennedy

Revisions

No.	Date	Notes	By

Submittal

Drawing Title

EXISTING BASEMENT PLAN, EXISTING SECOND FLOOR PLAN

Date FEB. 8, 2024 Sheets

Scale NOTED

Drawn by RA

Checked by

Job Of 4 Sheets

3







# REPLACEMENT

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

Application No: ZB24-008 Block: 6001 Lot: 4 Zone: R-4

Applicant: DONVEE LLC

Address of Property: 77 STONEHOUSE ROAD

Description: REAR YARD SETBACK RELIEF TO CONSTRUCT  
AN ADDITION TO AN EXISTING 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 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 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

3.4.24 Original Submission Date  
4.18.24 Completeness Deadline (45 days)  
\_\_\_\_ Incomplete Date  
\_\_\_\_ Resubmission Date  
\_\_\_\_ Date Complete  
8.16.24 Time to Act (45/95/120 days)

### HEARING

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

### DISTRIBUTION

3.4.24 Environmental Comm  
\_\_\_\_ Fire Official  
\_\_\_\_ LCFAS  
\_\_\_\_ Police

### NOTES



NEW

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

Application No: ZB24-008 Block: 6001 Lot: 4 Zone: R-4

Applicant: DONVEE LLC

Address of Property: 77 STONEHOUSE ROAD

Description: REAR YARD SETBACK RELIEF TO CONSTRUCT  
AN ADDITION TO AN EXISTING 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 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 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**

3.4.24 Original Submission Date  
4.18.24 Completeness Deadline (45 days)  
\_\_\_\_ Incomplete Date  
\_\_\_\_ Resubmission Date  
\_\_\_\_ Date Complete  
8.16.24 Time to Act (45/95/120 days)

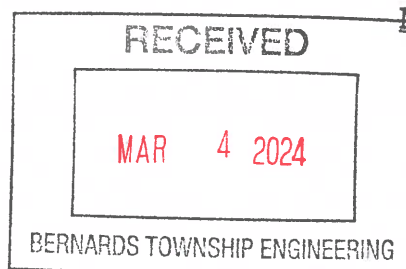
**HEARING**

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

**DISTRIBUTION**

3.4.24  
\_\_\_\_ Environmental Comm  
\_\_\_\_ Fire Official  
\_\_\_\_ LCFAS  
\_\_\_\_ Police

**NOTES**





**TOWNSHIP OF BERNARDS  
2024 ZONING BOARD OF ADJUSTMENT APPLICATION**

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

**1. APPLICANT:** Donvee LLC

Address: 180 Talmadge Road, #1218, Edison NJ 08817

Phone: (home) \_\_\_\_\_ (work) \_\_\_\_\_ (mobile) 551-580-4783

Email (*will be used for official notifications*): donvee012@gmail.com

**2. OWNER (if different from applicant):** Same as applicant

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email (*will be used for official notifications*): \_\_\_\_\_

**3. ATTORNEY:** John J. Sullivan, Jr., Esq. / Vastola & Sullivan

Address: 495 Union Avenue, Middlesex, NJ 08846

Phone: 732-560-0888 Email (*will be used for official notifications*): vmash@vsesqs.com/  
jsullivan@vsesqs.com

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

Name: Mark E. Reme, PE Profession: Engineer

Address: 20 Church Street, Allentown, NJ 08501

Phone: 609-439-4511 Email (*will be used for official notifications*): info@remeengineering.com

**5. PROPERTY INFORMATION:** Block(s): 6001 Lot(s): 4 Zone: R-4

Street Address: 77 Stonehouse Road Total Area (*square feet/acres*): .511 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:** \_\_\_\_\_

See annexed project description.

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

See annexed project description.

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

See annexed project description.

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

**APPLICANT(S) SIGN HERE:**

I/we, Vaibhav Shah, Managing Member of ~~xand~~ Donvee, LLC 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 22 day of February, 2024.

Notary

  
JOHN J. SULLIVAN, JR.

AN ATTORNEY

AT LAW OF THE STATE OF N.J.

**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, Vaibhav Shah, Managing Member of the owner(s) of the property described in this application, Donvee, LLC

hereby authorize John J. Sullivan, Jr., Esq. 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 22 day of February, 2024.

Notary

  
JOHN J. SULLIVAN, JR.

AN ATTORNEY

AT LAW OF THE STATE OF N.J.



## PROJECT DESCRIPTION

The property is located at 77 Stonehouse Road, designated at Lot 4, Block 6001 and is currently developed with a 2 story single family home. The property is located in the R-4 Zoning District.

The applicant is requesting approval to construct an addition to the rear of the dwelling in order to add a deck, mudroom and two car garage to the first floor and bathrooms, bedrooms and laundry room to the second floor with related site improvements.

The existing detached garage, shed and walkway are to be removed.

The R-4 Zoning District permits one (1) family dwellings. Therefore, the use is permitted.

All of the bulk standards are being met with the exception of the conditions as set forth below.

Item	Required	Existing	Proposed	Variance
Lot area	1 acre	.511 acres	.511 acres	Yes – existing*
Lot width	200'	131.51'	131.51'	Yes – existing*
Lot frontage	100'	131.51'	131.51'	No
Front yard setback	75'	65.4'	65.4'	Yes – existing*
1 side yard setback	20'	24.1'	24.1'	No
Combined side yard setback	50'	73.9'	73.9'	No
Rear yard setback	75'	61.65'	41.3'	Yes – existing but increased**
Accessory side yard setback	15'	Complies	N/A	No
Accessory rear yard setback	20'	shed 9.6'	N/A	No
Lot coverage	15%	9.65%	10.96%	No
Height	35'	16.73'	28'	No
Minimum improvable area	10,000 sf	22015.22 sf	22015.22 sf	No

\* Denotes existing non-conformity

\*\* Denotes proposed non-conformity

Each variance is a pre-existing condition. The variance for rear yard setback is being exacerbated.

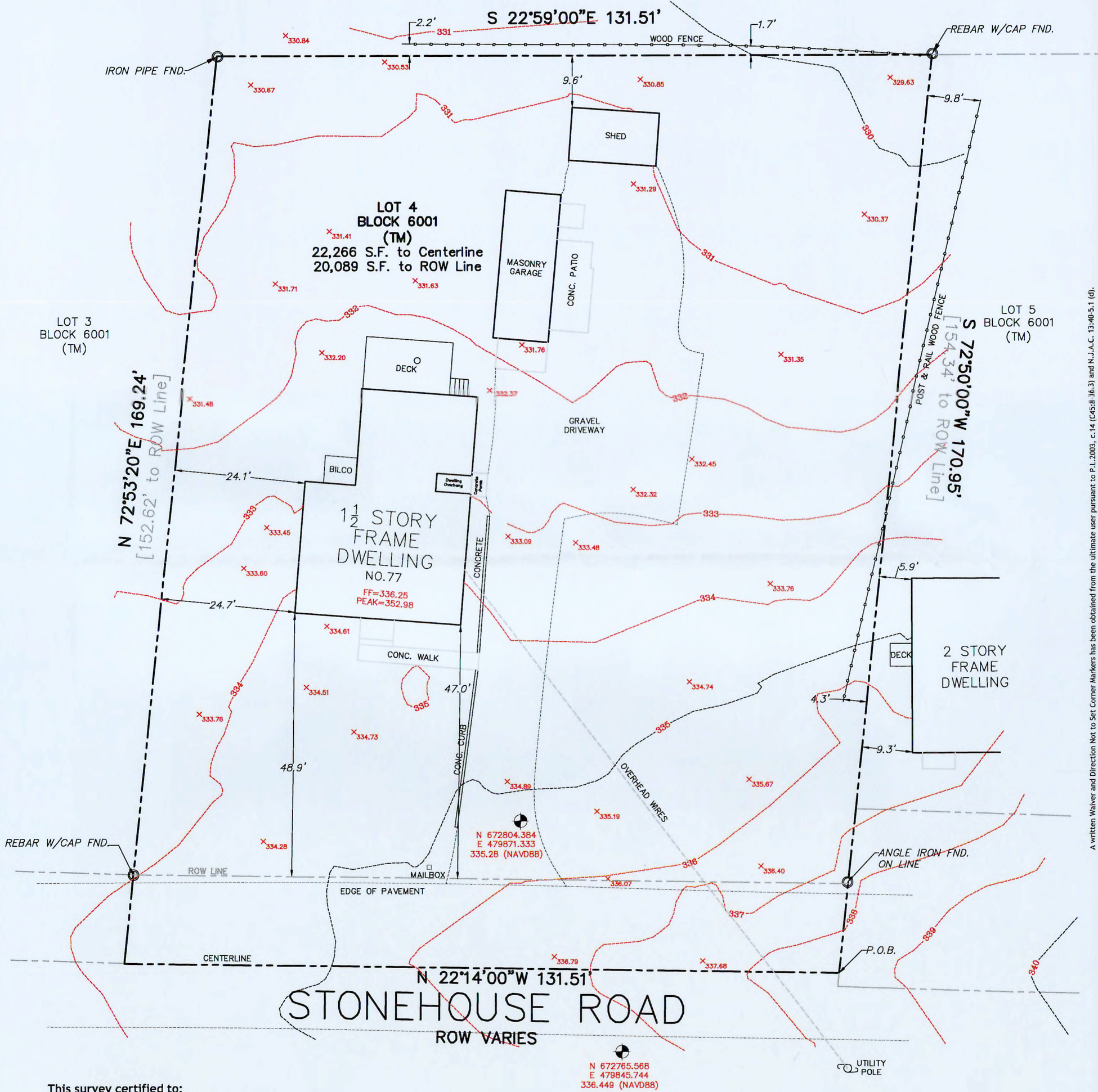
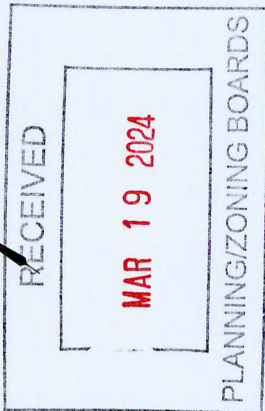


The Board may consider granting this application under both a C(1) hardship and a C(2) benefits outweigh detriments standard. Under the hardship, all variance conditions are pre-existing and/or are the result of the lot layout. Under the benefits outweigh the detriments standard, it is submitted that the benefit is to erect a modest addition to allow expansion of the home which includes eliminating the impact of the pre-existing shed variance condition. There are no substantial detriments to the public good nor substantial adverse impact upon the zoning ordinance and zone plan as the use is permitted, most of the variance conditions are pre-existing and one variance condition is being eliminated. The rear yard setback variance condition is minimal and will have no impact on neighboring properties.





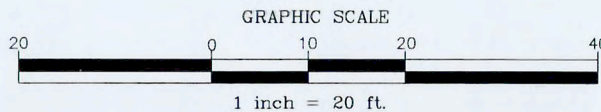
LOT 3  
BLOCK 6001  
(TM)



This survey certified to:  
Donvee LLC

- This survey references:
- 1) Deed Book 7445 Page 949 PQ
  - 2) Deed Book 6104 Page 2105 Lot 3
  - 3) Deed Book 6640 Page 810 Lot 2
  - 4) Somerset County Filed Map No. 5966-2162
  - 5) Somerset County Major Subdivision Map No. 5817-2170

- Notes:
- 1) Field Survey Performed on 06/07/2023
  - 2) Subject to documents of record
  - 3) Survey performed without the benefit of a complete title search and subject to municipal restrictions, easements of record and other facts that a title search may disclose.
  - 4) Vertical Datum = NAVD88



I declare that this plan is based on actual field survey performed by Lakeland Surveying, Inc., under my direct supervision, in accordance with N.J.A.C. 13:40-5.1 and to the best of my professional knowledge, information, and belief, correctly represents the conditions found on the date of the field survey, except such easements, if any, below the surface of the lands not visible. This declaration is given solely to the above named parties for this transaction only and is not transferable. Survey is valid only if print has original raised seal of the undersigned professional. This plan is made to provide information to the title insurer so that it may insure title to the lands shown hereon.

REVISED 06/27/23 DKH: TOPOGRAPHY (NAVD88)				
SURVEY OF PROPERTY			PROJECT NUMBER	
Tax Lot 4 - Block 6001			231627	
77 Stonehouse Road, Township of Bernards				
Somerset County, New Jersey				
FIELD:	DWN BY:	CHECKED:	DATE	SCALE
RC	NB	JSG	06/16/2023	1"=20'

Lakeland  
Surveying

Certificate of Authorization  
#24GA28090000

4 West Main Street | Rockaway | NJ | Ph: (973) 625-5670 | Fx: (973) 625-4121  
www.LakelandSurveying.com

Marc J. Cifone Jeffrey S. Grunn  
PROFESSIONAL LAND SURVEYOR PROFESSIONAL LAND SURVEYOR

Marc J. Cifone N.J. P.L.S. LIC. No. 24GS04132900  
Jeffrey S. Grunn N.J. P.L.S. LIC. No. 24GS04339900



**SUBMIT ORIGINAL AND 16 COPIES**

**FORM A**

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

**SITE INSPECTION CONSENT FORM**

Applicant: Donvee LLC

Block: 6001 Lot: 4

Street Address: 77 Stonehouse Road

I, Donvee, LLC, 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: 2/22/24



SUBMIT 17 COPIES TOTAL

FORM F

**DIMENSIONAL STATISTICS**

	REQUIRED	EXISTING	PROPOSED
LOT AREA	1 acre	.511 acres	.511 acres
LOT WIDTH	200'	131.51'	131.51'
FRONTAGE	100'	131.51'	131.51'
FRONT YARD SETBACK	75'	65.4'	65.4'
REAR YARD SETBACK	75'	61.65'	41.3'
COMBINED SIDE YARD	50'	73.9'	73.9'
SIDE YARD	20'	24.1'	24.1'
COVERAGE	15%	9.65%	10.96%
HEIGHT	35'	16.73'	28'
<i>IF REQUIRED,</i> GROSS FLOOR AREA			
<i>IF REQUIRED,</i> FLOOR AREA RATIO			
<i>IF REQUIRED,</i> IMPROVABLE LOT AREA	10,000 sf	22015.21 sf	22015.21 sf



**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		



## Lot Coverage Disclosure For Residences in Bernards Township

The purpose of this disclosure is to ensure that buyers of residences in Bernards Township are informed of Township regulations regarding lot coverage. The amount of lot coverage permitted on each lot is regulated by the Bernards Township Land Development Ordinance, and may also be regulated pursuant to an approval granted by the Bernards Township Planning Board or Zoning Board of Adjustment.

### Subject Property

Street Address: 77 Stonehouse Road Block: 6001 Lot: 4

Seller: Donvee LLC Buyer: \_\_\_\_\_

**"Lot Coverage"** is the portion of the lot, expressed as a percentage of the total lot area, covered by any of the following:

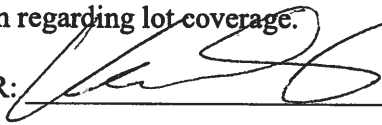
- A. Buildings or structures, including all areas under a roof, excluding open decks not enclosed by walls or a roof.
- B. Parking areas, loading areas, driveways, and other areas designed for vehicular use, regardless of the surface material.
- C. Patios and walkways, regardless of the surface material.
- D. The water surface of all swimming pools, fountains, and manmade ponds.
- E. Any impervious surface, whether or not listed above. An "impervious surface" is a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

The Bernards Township Zoning Officer may be reached at (908) 204-2507 to answer any questions regarding lot coverage.

### Lot Coverage Details for the Above Referenced Property

- Maximum lot coverage permitted by Ordinance or as otherwise permitted by the Planning Board or Zoning Board of Adjustment: 15 %; 3339.9 square feet
- Lot coverage resulting from the initial construction: 10.96 %; 2440.3 square feet
- Lot coverage available for future construction, such as patios, swimming pools, sheds, etc.: 4.04 %; 899.54 square feet

The seller and the buyer of the above referenced lot hereby acknowledge the full disclosure of the above information regarding lot coverage.

SELLER:  DATE: 2/22/24

BUYER: \_\_\_\_\_ DATE: \_\_\_\_\_

BUYER: \_\_\_\_\_ DATE: \_\_\_\_\_





**SOMERSET COUNTY  
DOCUMENT COVER SHEET**

HON. STEVE PETER  
SOMERSET COUNTY CLERK  
PO BOX 3000  
20 GROVE STREET  
SOMERVILLE, NJ 08876

WWW.CO.SOMERSET.NJ.US

Steve Peter, County Clerk  
Electronically Recorded Somerset County, NJ  
2023 Jul 18 09:05 AM  
BK: 7514 PGS: 3762-3766  
Instrument # 2023018127  
Doc Type: DEED Fee: \$85.00  
Consideration: \$460,000.00  
Exemption: No Exemption  
RTF: \$3791.00  
Total RTF: \$3,791.00

(Official Use Only)

DATE OF DOCUMENT: 2023-07-18	TYPE OF DOCUMENT: DEED
FIRST PARTY (Grantor, Mortgagor, Seller, or Assignor)	SECOND PARTY (Grantee, Mortgagee, Buyer, Assignee)
Omaha Property Manager LLC	DonVee LLC
ADDITIONAL PARTIES:	

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY	
MUNICIPALITY: Bernards	MAILING ADDRESS OF GRANTEE: 65 Roberts Piscataway, NJ 08854
BLOCK: 6001	
LOT: 4	
CONSIDERATION: 460000.00	

THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY			
BOOK	PAGE	INSTRUMENT #	DOCUMENT TYPE
7445	949		DEED

**DO NOT REMOVE THIS PAGE  
THIS DOCUMENT COVER SHEET IS PART OF THE SOMERSET COUNTY FILING RECORD  
RETAIN THIS PAGE FOR FUTURE REFERENCE**



Prepared By: Friedman Vartolo LLP  
Adam Friedman, Esq.  
Return To: Title Clearing & Escrow LLC  
6102 S. Memorial Dr., Tulsa, OK 74133

**DEED**

This Deed is made on June 20, 2023

**BETWEEN**

Omaha Property Manager, LLC  
Whose address is: c/o Planet Home Lending, LLC, 321 Research Parkway, Suite 303, Meriden, CT 06450  
Referred to as the Grantor.

**AND**

DonVee LLC  
Whose address is: 65 Roberts, Piscataway, NJ, 08854

Referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

**TRANSFER OF TITLE.** The grantor does hereby grant and convey the property described below to the Grantee.

**CONSIDERATION.** This transfer of ownership is made for the sum and consideration Four Hundred Sixty Thousand Dollars and no cents (\$460,000.00). The Grantor acknowledges receipt of this money.

**TAX MAP REFERENCE.** The property located in the Municipality of Bernards Township, Block No. 6001 (FKA 164), Lot No. 4 (FKA 8), commonly known as 77 Stonehouse Road, Basking Ridge, New Jersey 07920

**PROPERTY DESCRIPTION.** The property consists of all the land, buildings, structures and improvements contained on the property, and is located in the Township of Bernards, County of Somerset and State of New Jersey, and is described as follows:

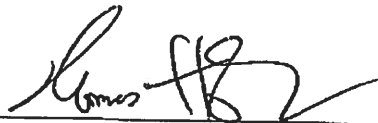
  X   See Schedule "A" attached and made a part thereof.

**BEING THE SAME LAND AND PREMISES** conveyed to the Grantor by deed from Darrin J. Russo, Sheriff of the County of Somerset, dated May 3, 2022 and recorded May 19, 2022 in the Somerset County Recording Office as Instrument #2022019898, Book 7445, Page 949-964.



**PROMISES BY GRANTOR.** Grantor covenants that it is seized and possessed of the said land and has a right to convey it, and warrants the title against the lawful claims for all persons claiming by through, and under it, but not further otherwise.

Omaha Property Manager, LLC, by Planet Home Lending, LLC, its attorney in fact

  
Name: Thomas Fisher  
Title: Portfolio Manager

By POA recorded herewith

STATE OF New York

COUNTY OF Monroe

I CERTIFY that on June 20, 2023 Thomas Fisher, Portfolio Manager (title), personally came before me and acknowledged under oath, to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached instrument;
- (b) was authorized to and did execute this instrument as Portfolio Manager, Officer or President of Planet Home Lending, LLC, the attorney in fact for Omaha Property Manager, LLC, the entity named in this instrument; and
- (c) made this Deed for \$460,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)



Notary Public

My term expires: \_\_\_\_\_

CARIE SCIABICA  
Notary Public, State of New York  
No. 01SC4970224  
Qualified in Monroe County  
Commission Expires 08/06/20 26



GIT/REP-3  
(2-21)  
(Print or Type)

## State of New Jersey Seller's Residency Certification/Exemption

### Seller's Information

Name(s)

Omaha Property Manager, LLC

Current Street Address

c/o Planet Home Lending, LLC, 321 Research Parkway, Suite 303

City, Town, Post Office

Meriden

State

CT

ZIP Code

06450

### Property Information

Block(s)

6001

Lot(s)

4

Qualifier

Street Address

77 Stonehouse Road

City, Town, Post Office

Basking Ridge

State

NJ

ZIP Code

07920

Seller's Percentage of Ownership

100

Total Consideration

\$460,000.00

Owner's Share of Consideration

\$460,000.00

Closing Date

6/20/23

### Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

1. ☐ Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. ☐ Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. ☐ Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. ☒ Seller is not an individual, estate, or trust and is not required to make an estimated Gross Income Tax payment.
6. ☐ The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated Income Tax payment.
7. ☐ The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income Tax return for the year of the sale and report the recognized gain.  
 Seller did not receive non-like kind property.
8. ☐ The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
9. ☐ The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. ☐ The deed is dated prior to August 1, 2004, and was not previously recorded.
11. ☐ The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12. ☐ The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13. ☐ The property transferred is a cemetery plot.
14. ☐ The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
15. ☐ The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
16. ☐ The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

### Seller's Declaration

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box ☒ I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

6/20/2023

Date

Signature (Seller)


Indicate if Power of Attorney or Attorney in Fact

Date

Signature (Seller)

Indicate if Power of Attorney or Attorney in Fact



	<b>First American Title™</b>	<b>ALTA Commitment for Title Insurance</b>
<b>Exhibit A</b>		ISSUED BY <b>First American Title Insurance Company</b>

Commitment No.: TCEL-228883-NJ

The Land referred to herein below is situated in the County of Somerset, State of New Jersey, and is described as follows:

All that certain Lot, parcel or tract of land, situate and lying in the Township of Bernards, County of Somerset and State of New Jersey being more particularly described as follows:

Beginning at a point near the center line of Stonehouse road, where the same is intersected by the common line dividing lots 8 & 10. Said point also being the northwesterly corner of lot 10 lands N/F Millington Quarry, Inc., (Deed Book 1563 Page 732) and thence,

1. North 72 degrees 50 minutes 00 seconds East 170.95 feet to a point thence,
2. North 22 degrees 59 minutes 00 seconds West 131.51 feet to an iron pipe and thence,
3. South 72 degrees 53 minutes 20 seconds West 169.24 feet to a point near the center line of Stonehouse Road and thence,
4. Along the same South 22 degrees 14 minutes 00 seconds East 131.51 to the point or place of beginning.

For Informational Purposes Only: Also known as Lot 4 in Block 6001 on the Township of Bernards Tax Map.





DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency

STANDARD FLOOD HAZARD DETERMINATION FORM (SFHDF)

OMB Control No. 1660-0040

SECTION I - LOAN INFORMATION

1. LENDER/SERVICER NAME AND ADDRESS		2. COLLATERAL DESCRIPTION (Building/Mobile Home/Property) 77 STONEHOUSE RD Basking Ridge, NJ 07920 Block: 6001 Lot: 4 Ref/File#(s): M-INV2526 +Census Tract Data: St 34 Co 035 MSA 35154 Tr 526.03+	
3. LENDER/SERVICER ID #	4. LOAN IDENTIFIER	5. AMOUNT OF FLOOD INSURANCE REQUIRED <a href="#">Click here to get a free insurance quote</a>	

SECTION II

A. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) COMMUNITY JURISDICTION

1. NFIP Community Name Bernards Township	2. County(ies) Somerset County	3. State NJ	4. NFIP Community Number 340428
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B. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) DATA AFFECTING BUILDING/MOBILE HOME

1. NFIP Map Number or Community-Panel Number (Community name, if not the same as "A") 34035C0066E	2. NFIP Map Panel Effective / Revised Date ‡ 2007-09-28	3. Is there a Letter of Map Change (LOMC)? <input checked="" type="radio"/> NO <input type="radio"/> YES (If yes, and LOMC date/no. is available, enter date and case no. below).
4. Flood Zone † X	5. No NFIP Map	Date Case No.

C. FEDERAL FLOOD INSURANCE AVAILABILITY (Check all that apply.)

1. ☒ Federal Flood Insurance is available (community participates in the NFIP). ☒ Regular Program ☐ Emergency Program of NFIP
2. ☐ Federal Flood Insurance is not available (community does not participate in the NFIP).
3. ☐ Building/Mobile Home is in a Coastal Barrier Resources Area (CBRA) or Otherwise Protected Area (OPA). Federal Flood Insurance may not be available.  
CBRA/OPA Designation Date: \_\_\_\_\_

D. DETERMINATION

IS BUILDING/MOBILE HOME IN SPECIAL FLOOD HAZARD AREA (ZONES CONTAINING THE LETTERS "A" OR "V")? ☐ YES ☒ NO

If yes, flood insurance is required by the Flood Disaster Protection Act of 1973.

If no, flood insurance is not required by the Flood Disaster Protection Act of 1973. Please note, the risk of flooding in this area is only reduced, not removed.

This determination is based on examining the NFIP map, any Federal Emergency Management Agency revisions to it, and any other information needed to locate the building /mobile home on the NFIP map.

E. COMMENTS (Optional)

THIS DETERMINATION COMPLIES WITH THE FLOOD DISASTER PROTECTION ACT OF 1973.

Ref/File#(s): M-INV2526

Cert #: 20433745-20518280-RI v 1

F. PREPARER'S INFORMATION

NAME, ADDRESS, TELEPHONE NUMBER (If other than Lender)

Western Technologies Group, LLC  
P.O. Box 636  
Somerville, NJ 08876  
908-725-1143

DATE OF DETERMINATION

01/23/2024



## NOTICE IS GIVEN TO:

Borrower:

Co-borrower:

Loan Number:

Order Number: 20433745

Determination Date: 01/23/2024

The Flood Disaster Protection Act of 1973, as amended, requires that federally regulated lending institutions shall not make, increase, extend, or renew any loan secured by improved real estate, or a mobile home located, or to be located, in an area that has been identified by the Director of the Federal Emergency Management Agency (FEMA) as an area having special flood hazards and in which flood insurance has been made available under the National Flood Insurance Act of 1968, through the National Flood Insurance Program (NFIP), unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance in an amount at least equal to the outstanding principal balance of the loan or the maximum limit of coverage made available under the Act with respect to the particular type of property, whichever is less.

## NOTICE TO BORROWER ABOUT SPECIAL FLOOD HAZARD AREA STATUS

### ☐ Notice of Property in Special Flood Hazard Area (SFHA)

The building or mobile home securing the loan for which you have applied is or will be located in an area with special flood hazards. The area has been identified by the Director of FEMA as a SFHA using FEMA's Flood Insurance Rate Map or the Flood Hazard Boundary Map for the following community: Bernards Township

The area has at least a one percent (1%) chance of a flood equal to or exceeding the base flood elevation (a 100-year flood) in any given year. During the life of a 30-year mortgage loan, the risk of a 100-year flood in a SFHA is 26 percent (26%). Federal law allows a lender and borrower jointly to request the Director of FEMA to review the determination of whether the property securing the loan is located in a SFHA. If you would like to make such a request, please contact us for further information.

### ☒ Notice of Property Not in Special Flood Hazard Area (SFHA)

The building or mobile home described in the attached instrument is not currently located in an area designated by the Director of FEMA as a SFHA. NFIP flood insurance is not required, but may be available. If, during the term of this loan, the subject property is identified as being in a SFHA, as designated by FEMA, you may be required to purchase and maintain flood insurance at your expense.

## NOTICE TO BORROWER ABOUT FEDERAL DISASTER ASSISTANCE

### ☒ Notice in Participating Communities

The community in which the property securing the loan is located participates in the NFIP. The Flood Disaster Protection Act of 1973, as amended, mandates federally insured or regulated lenders to require the purchase of flood insurance on all buildings being financed that are located in SFHAs of communities participating in the NFIP. The flood insurance must be maintained for the term of the loan. If you fail to purchase or renew flood insurance on the property, federal law authorizes and requires us to purchase the flood insurance at your expense.

- At a minimum, flood insurance purchased must cover the lesser of:
  - (1) the outstanding principal balance of the loan; or
  - (2) the maximum amount of coverage allowed for the type of property under the NFIP.
- Flood insurance coverage under the NFIP is limited to the building or mobile home and any personal property that secures your loan and not the land itself.
- Federal disaster relief assistance (usually in the form of a low-interest loan) may be available for damages incurred in excess of your flood insurance if your community's participation in the NFIP is in accordance with NFIP requirements.
- Although you may not be required to maintain flood insurance on all structures, you may still wish to do so, and your mortgage lender may still require you to do so to protect the collateral securing the mortgage. If you choose not to maintain flood insurance on a structure and it floods, you are responsible for all flood losses relating to that structure.

### ☐ Notice in Non-participating Communities

Flood insurance coverage under the NFIP is not available for the property securing the loan because the community in which the property is located does not participate in the NFIP. In addition, if the nonparticipating community has been identified for at least one year as containing a SFHA, properties located in the community will not be eligible for the federal disaster relief assistance in the event of a federally-declared flood disaster.



**NOTICE IS GIVEN TO:**

Borrower:  
  
Co-borrower:

Loan Number:  
  
Order Number: 20433745  
  
Determination Date: 01/23/2024

**NOTICE TO BORROWER ABOUT AVAILABILITY OF PRIVATE FLOOD INSURANCE COVERAGE**

Flood insurance coverage under the NFIP may be purchased through an insurance agent who will obtain the policy either directly through the NFIP or through an insurance company that participates in the NFIP. Flood insurance that provides the same level of coverage as a standard flood insurance policy under the NFIP may be available from private insurers that do not participate in the NFIP. You should compare the flood insurance coverage, deductibles, exclusions, conditions, and premiums associated with flood insurance policies issued on behalf of the NFIP and policies issued on behalf of private insurance companies and contact an insurance agent as to the availability, cost, and comparisons of flood insurance coverage.

**NOTICE TO BORROWER ABOUT ESCROW REQUIREMENT FOR RESIDENTIAL LOANS**

Federal law may require a lender or its servicer to escrow all premiums and fees for flood insurance that covers any residential building or mobile home securing a loan that is located in an area with special flood hazards. If your lender notifies you that an escrow account is required for your loan, then you must pay your flood insurance premiums and fees to the lender or its servicer with the same frequency as you make loan payments for the duration of your loan. These premiums and fees will be deposited in the escrow account, which will be used to pay the flood insurance provider.

_____	_____	_____	_____
Borrower's Signature	Date	Co-Borrower's Signature	Date

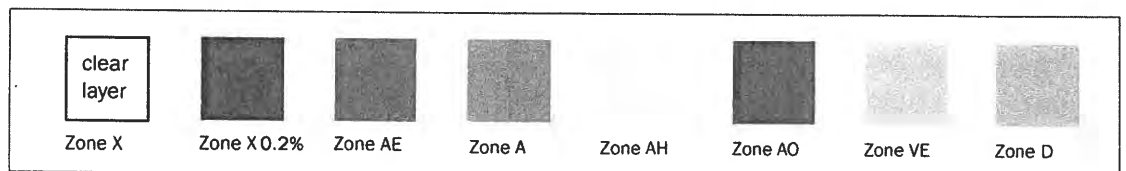
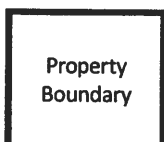


# Flood Determination

## DFIRM



77 STONEHOUSE RD , Bernards Township, NJ 07920-2628 Block 6001 Lot 4  
NFIP Map Panel/Effective Date: 34035C0066E (09/28/2007)

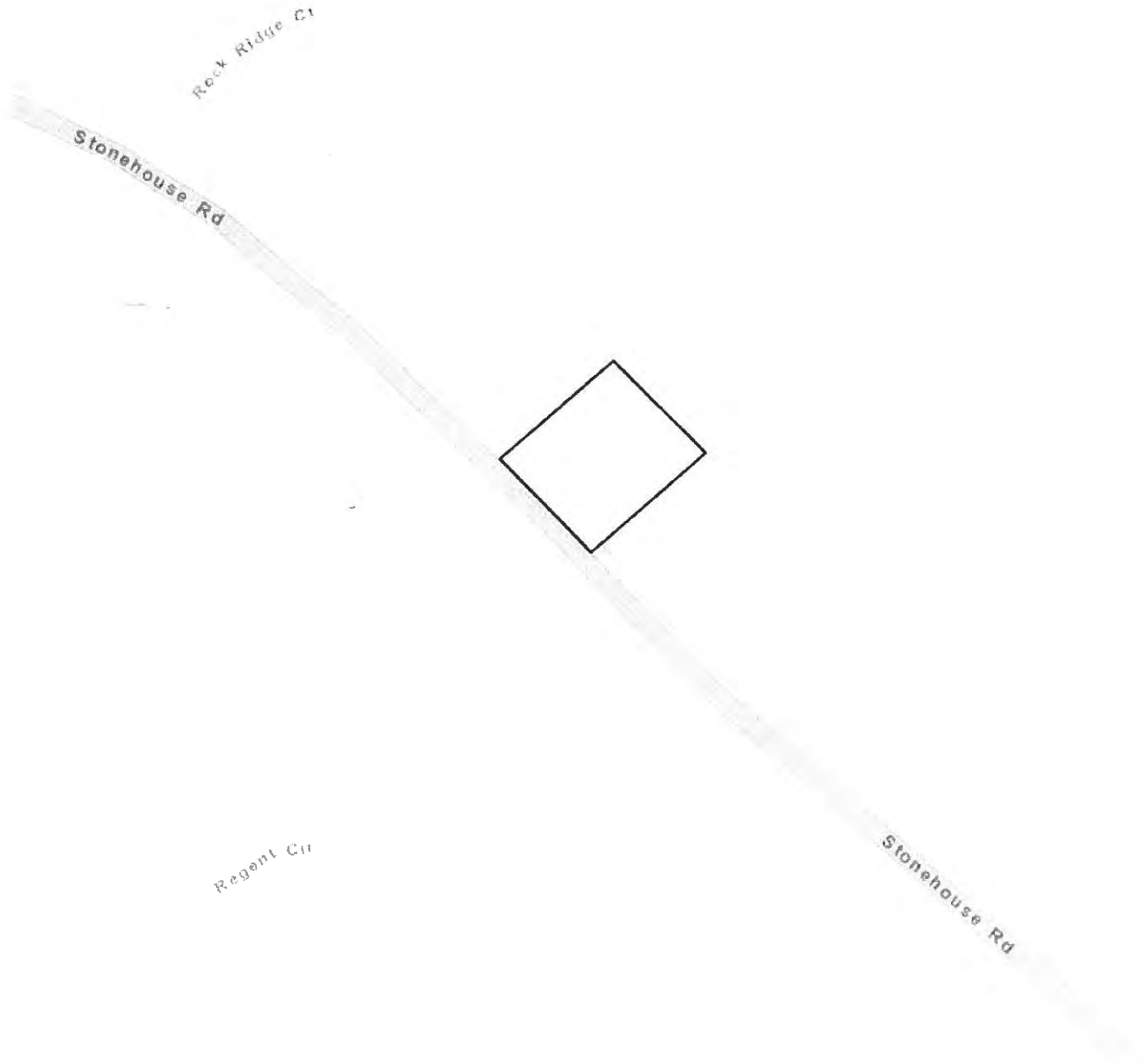




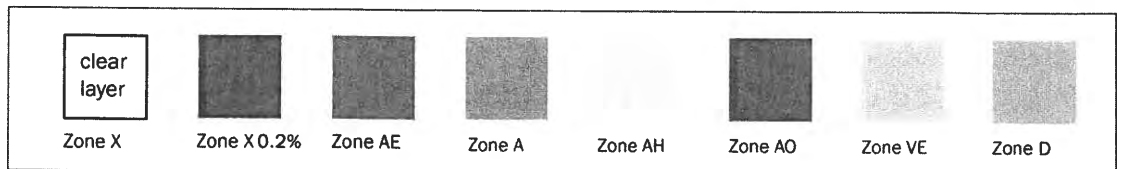
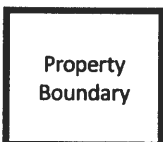


# Flood Determination

## DFIRM



77 STONEHOUSE RD , Bernards Township, NJ 07920-2628 Block 6001 Lot 4  
NFIP Map Panel/Effective Date: 34035C0066E (09/28/2007)





# Flood Determination DFIRM



## FEMA SFHAs (Special Flood Hazard Area designated zones)



**Zone A – No Base Flood Elevations determined.**



**Zone AE – Base Flood Elevations determined.**



**Zone AH – Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.**



**Zone AO – Flood Depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.**



**Zone VE – Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.**

## Other Zones not designated SFHA (Special Flood Hazard Area)



**D – Areas in which flood hazards are undetermined, but possible.**



**X – Areas determined to be outside the 0.2% annual chance floodplain.**



**X (0.2 percent annual chance) – Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.**



<b>Property Location</b>			
77 STONEHOUSE RD, Basking Ridge 07920-2628 1802 (Bernards Township), Block: 6001, Lot: 4 (Old Block: 164, Old Lot: 8)			
<b>Property Information</b>		<b>Assessment Data</b>	
Class: Class: 2 - Residential		Total Value: \$378,900.00	
Additional Lots:		Land Value: \$250,700.00	
Bld Description: 1S-F-F-1UG		Improvement Value: \$128,200.00	
Land Description: .54AC		% Improvement: 33.83	
Acreage: 0.54		Special Tax Codes:	
Square Footage: 1470		Deductions: Senior() Veteran() Widow() Surv. Spouse() Disabled()	
Zoning: R4, Usage:		Exemption: 0	
Year Constructed: 1905		Exemption statute:	
Use Code: 0		2021 Rate: 1.782; 2021 Ratio: 93.54%; 2021 Taxes: \$6,318.97	
# Dwellings: 1		2022 Rate: 2.011; 2022 Ratio: 92.46%; 2022 Taxes: \$7,812.73	
Census Tract: 526.03		2023 Rate: 1.886; 2023 Ratio: 93.16%; 2023 Taxes: \$7,146.05	
<b>Current Owner</b>		<b>Sale Data</b>	
OMAHA PROPERTY MANAGER, LLC		Date: 05/03/2022	
350 PARK AVE		Price: \$1,000.00	
New York, NY 10022-6022		Ratio: 378.9%	
Previous Owner:		Deed Book: 07445	
		Deed Page: 00949	
<b>Latest Sales Detail</b>			
Recorded: 05/19/2022	Sales Price: \$1,000.00	Recorded:	Sales Price:
Sales Date: 05/03/2022	Sales Ratio: 13780.0%	Sales Date:	Sales Ratio:
Deed Book: 07445	Use Code:	Deed Book:	Use Code:
Deed Page: 00949	Not Usable: 12	Deed Page:	Not Usable:
<b>Buyer</b>		<b>Buyer</b>	
OMAHA PROPERTY MANAGER, LLC			
350 PARK AVE			
New York, NY 10022-6022			
<b>Seller</b>		<b>Seller</b>	
DIETTMANN, DOUGLAS			
77 STONEHOUSE RD			
Basking Ridge, NJ 07920-2628			









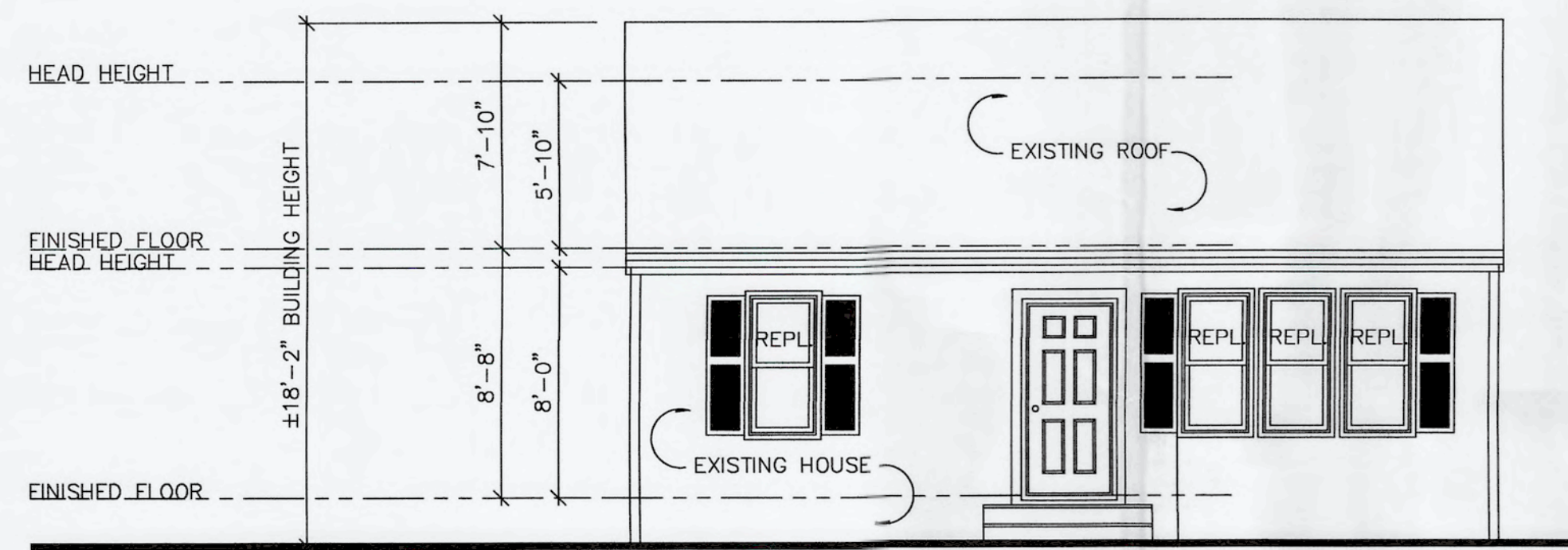




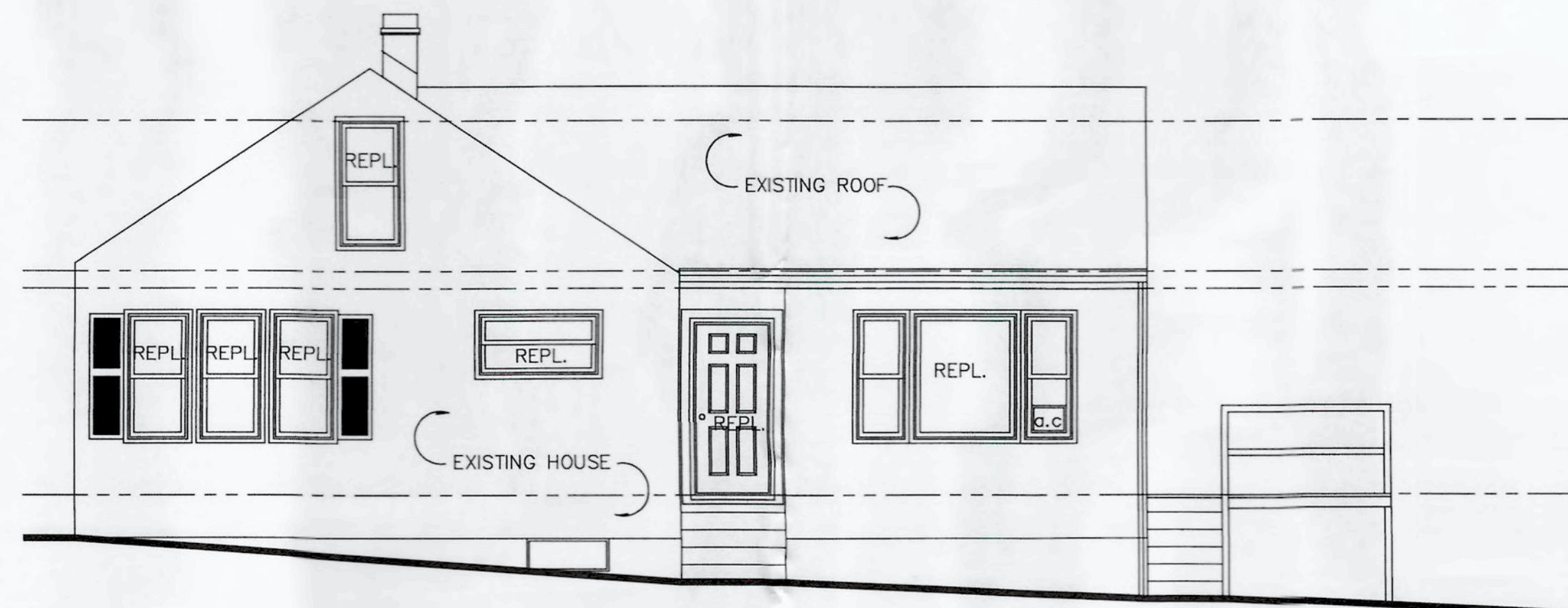


PROJECT NO <b>005.860</b>	DATE <b>10/28/2023</b>
DRAWN BY <b>AS SHOWN</b>	DESIGNED BY <b>MER</b>
SCALE	CHECKED BY <b>MER</b>
<b>PLOT PLAN</b>	
SHEET NO. <b>1</b> of <b>1</b>	

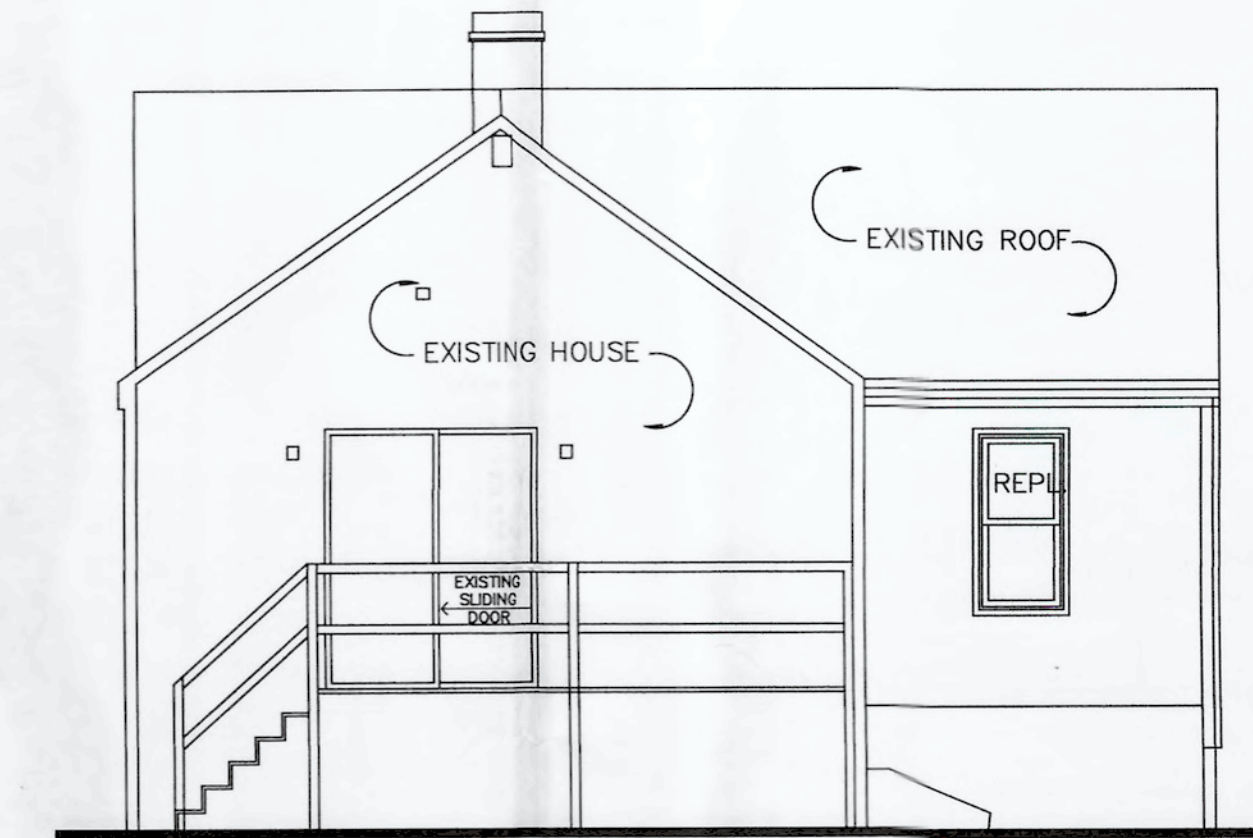




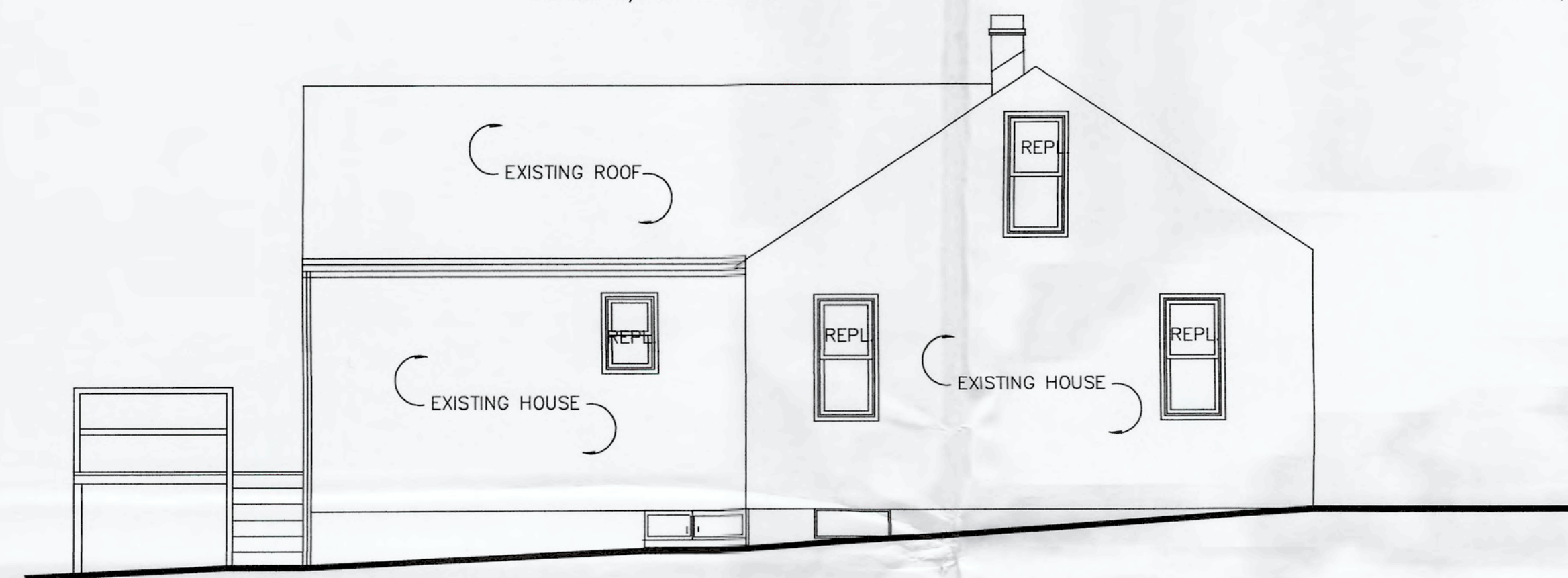
EXISTING FRONT ELEVATION  
SCALE: 3/16" = 1'-0"



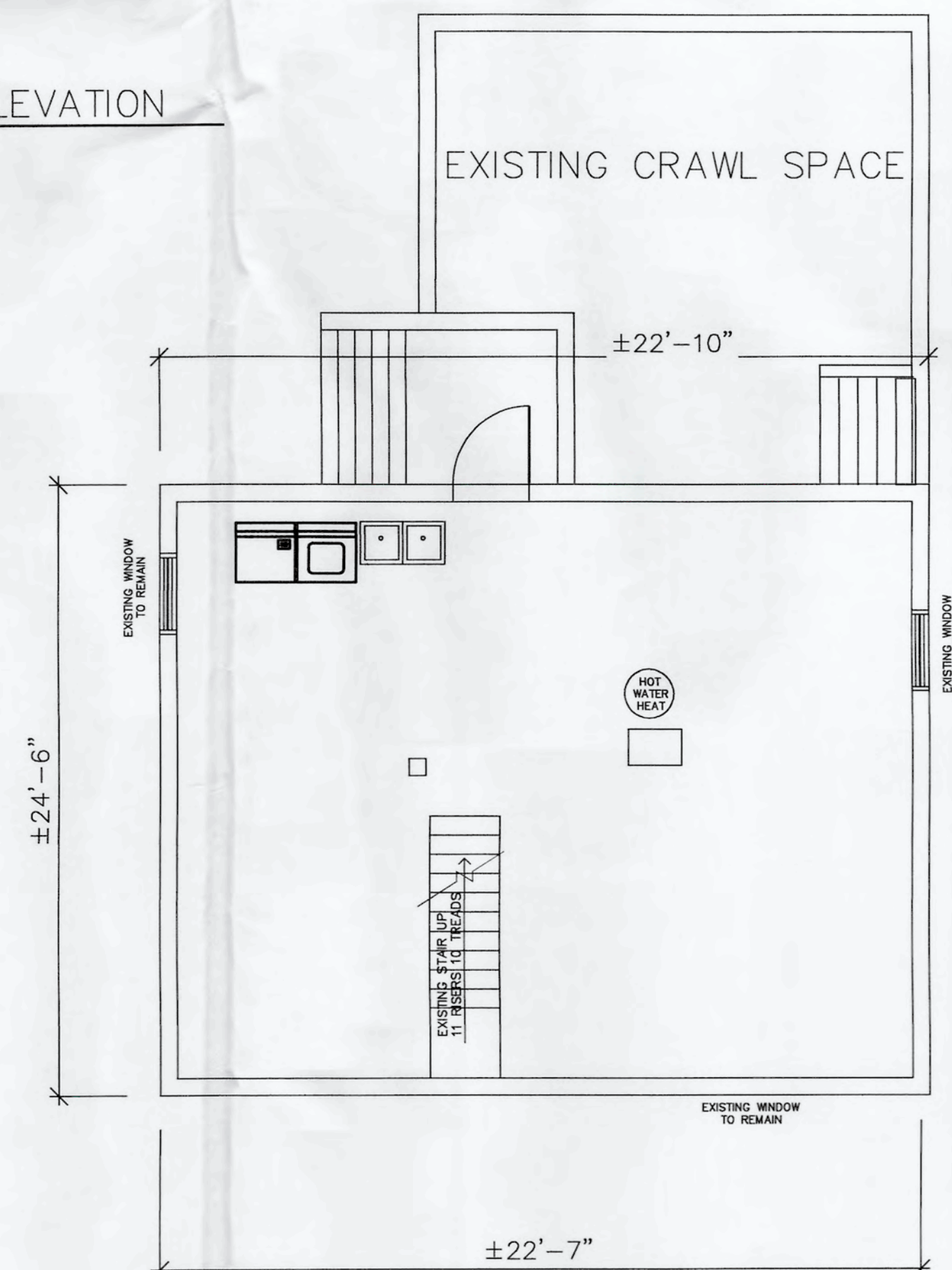
EXISTING RIGHT-SIDE ELEVATION  
SCALE: 3/16" = 1'-0"



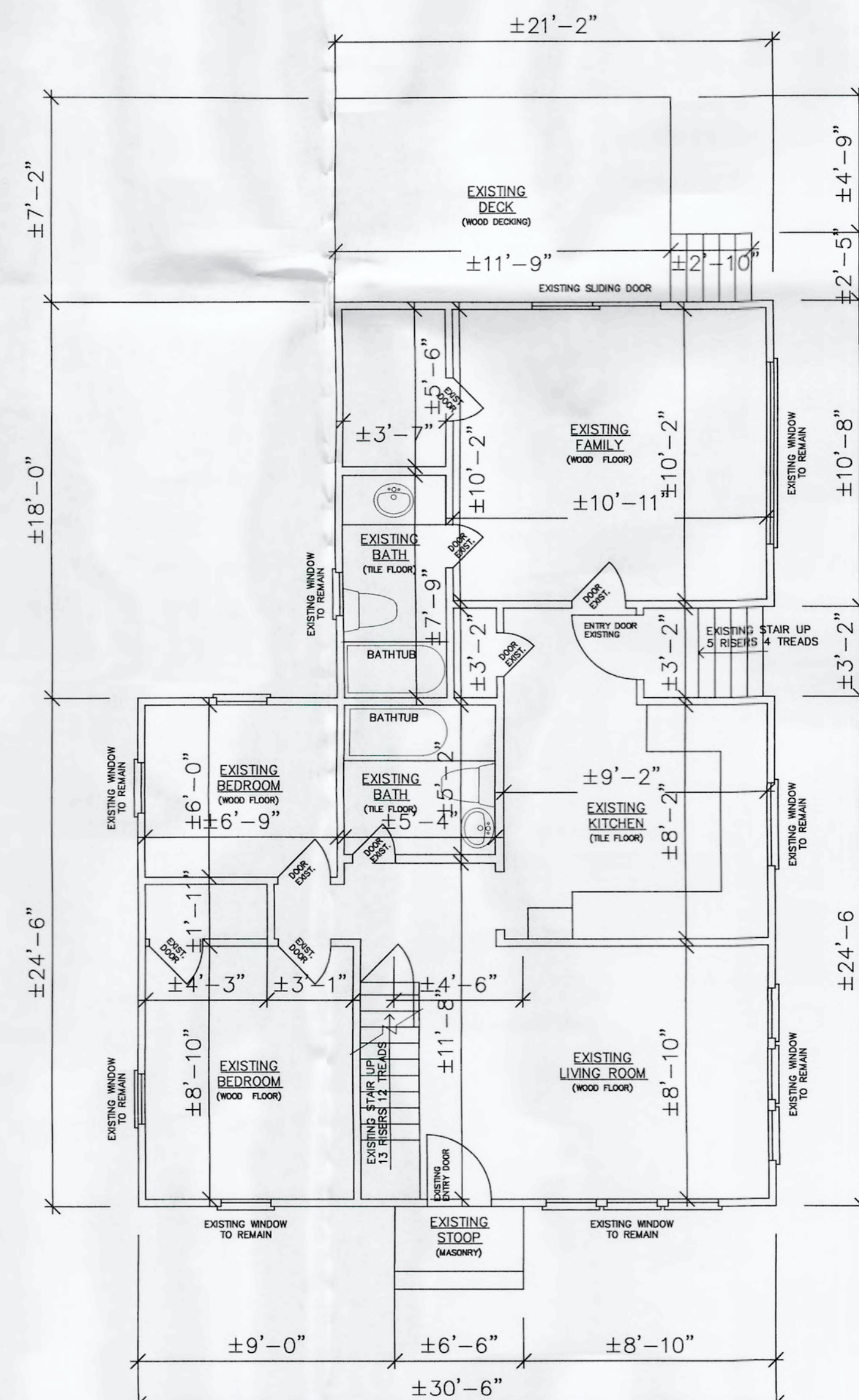
EXISTING REAR ELEVATION  
SCALE: 3/16" = 1'-0"



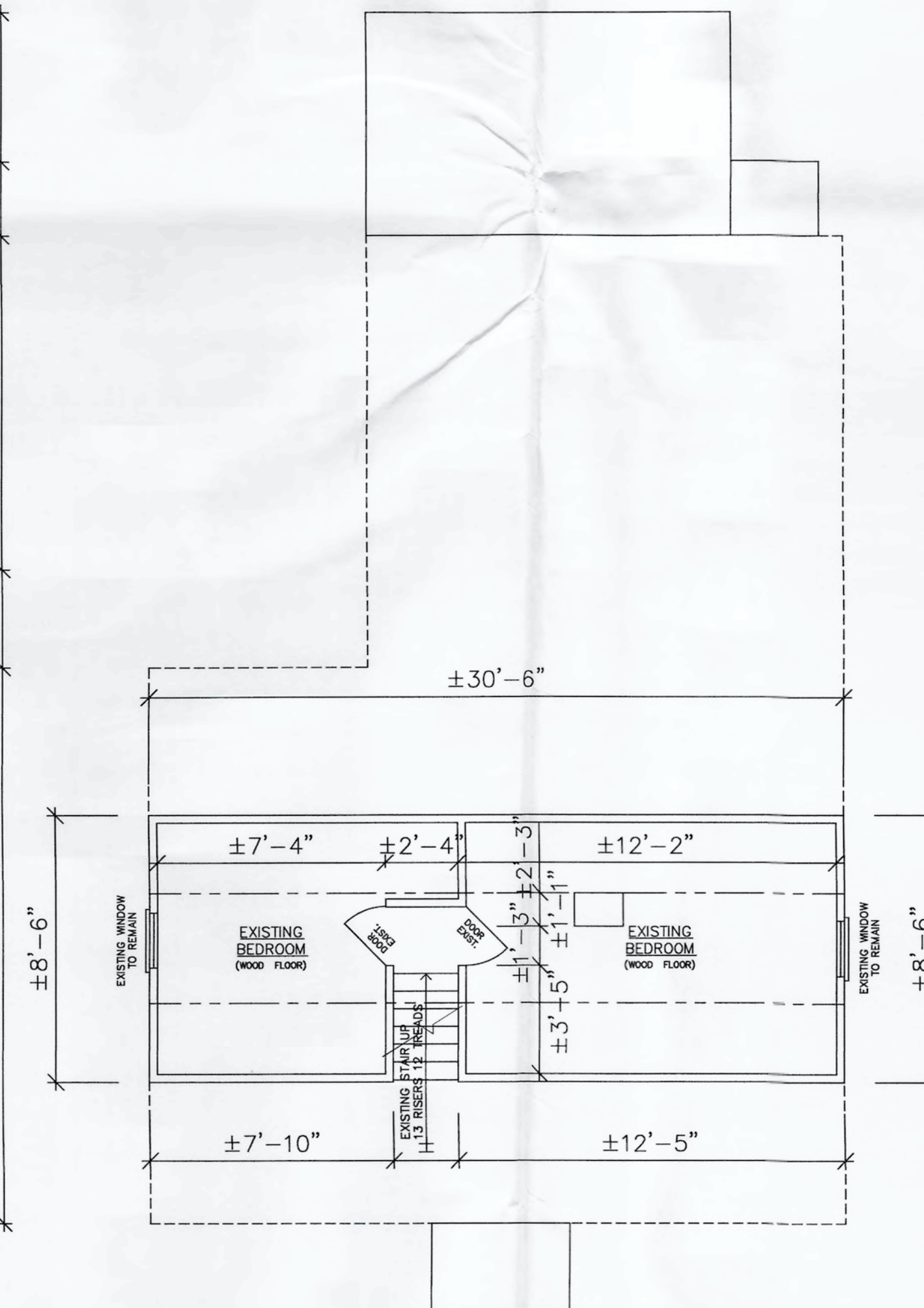
EXISTING LEFT-SIDE ELEVATION  
SCALE: 3/16" = 1'-0"



EXISTING BASEMENT FLOOR PLAN  
SCALE: 3/16" = 1'-0"



EXISTING FIRST FLOOR PLAN ±1,132 SQ.FT.  
SCALE: 3/16" = 1'-0"



EXISTING SECOND FLOOR PLAN 330 SQ.FT.  
SCALE: 3/16" = 1'-0"

## EXISTING CONDITIONS FLOOR PLAN AND ELEVATIONS

PROPOSED ADDITION/ALTERATION TO EXISTING:  
DONVEE, LLC  
77 STONEHOUSE ROAD  
BLOCK 6001, TAX LOT 4  
TOWNSHIP OF BERNARDS, NEW JERSEY

STEVE J. DRUGA, A.I.A.  
REGISTERED ARCHITECT  
100 STATION RD. SUITE # 6  
PISCATAWAY, N.J. 08854  
TEL: (732) 755-7041  
FAX: (732) 755-7041  
E-MAIL: steve@stevedrugarchitect.com

NEW JERSEY REG. # A06897 ARIZONA REG. # 12332	PROJECT	SHEET
DRAWN BY: ED	2K23-069	E-1
SCALE: NTS		
DATE: 08-20-23		
MODIFIED: 02-20-24		





COORDINATE WITH ENGINEERING  
PLANS FOR PROPOSED GRADES.

### PROPOSED FRONT ELEVATION

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



### PROPOSED RIGHT-SIDE ELEVATION

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

COORDINATE WITH ENGINEERING  
PLANS FOR PROPOSED GRADES.

### PROPOSED ELEVATIONS

PROPOSED ADDITION/ALTERATION TO EXISTING:

**DONVEE LLC**  
77 STONEHOUSE ROAD  
BERNARDS, NEW JERSEY

**STEVE J. DRUGA, A.I.A.**

REGISTERED ARCHITECT  
*Steve J. Druga*  
350 STELTON RD. SUITE # 6  
PISCATAWAY, N.J. 08854  
TEL: (732) 752-3205  
FAX: (732) 752-7041  
E-MAIL: [stevedrugarchitect.com](mailto:stevedrugarchitect.com)

NEW JERSEY REG. # A06897	PROJECT	SHEET
ARIZONA REG. # 12332		
DRAWN BY: ED		
SCALE: NTS	2K23-069	A-1
DATE: 11/29/2023		

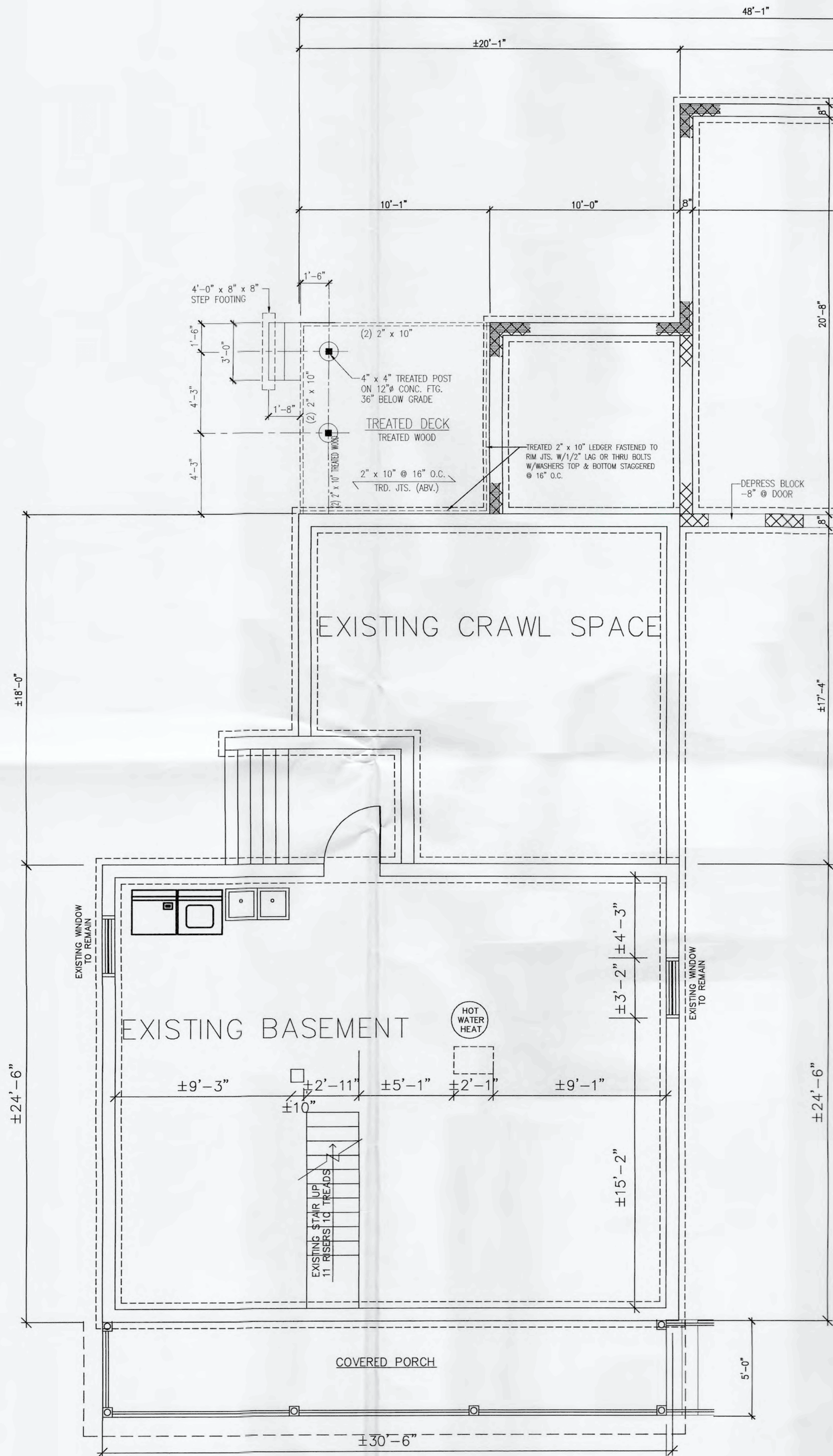
DO NOT SCALE PRINTS. WRITTEN DIMENSIONS SHALL GOVERN

MODIFIED: 02-20-24

NOTE: FOR BOARD OF ADJUSTMENT USE ONLY.

DO NOT SCALE PRINTS. WRITTEN DIMENSIONS SHALL GOVERN





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

## FOUNDATION NOTES:

- ALL FOOTINGS SHALL REST ON VIRGIN, UNDISTURBED SOIL.
- ASSUMED SOIL SHALL BE SAND OR GRAVEL, WITH MINIMUM TRACES OF DRY CLAY WITH A MINIMUM BEARING CAPACITY OF 2000 LBS/SQ. FT.
- UNLESS OTHERWISE NOTED, ALL SLABS ON GRADE SHALL BE 3000 P.S.I. (28 DAY COMPRESSIVE STRENGTH) CONCRETE ON 4" SAND OR GRAVEL FILL MINIMUM WITH 6 x 6 - W1.4 x W1.4MM REINFORCING. INTERIOR SLABS SHALL BE PLACED ON 6 MIL. STABILIZED POLYETHYLENE VAPOR BARRIER.
- PROVIDE 1/2" EXPANSION JOINT MATERIAL BETWEEN ALL CONCRETE SLABS ON ABUTTING CONCRETE OF MASONRY WALLS OCCURRING IN EXTERIOR OR UNHEATED INTERIOR AREAS.
- BOLTS AT EACH VERTICAL REBAR (WHERE OCCURRING) OR AT 4'-0" O.C. AND AT EACH CORNER AND BOTH SIDES OF OPENINGS.
- FOOTING SIZES SHOWN ARE ONLY TYPICAL FOR STATED SOIL PRESSURES AND CONTENT COMPACTNESS; WHICHEVER IS MORE RESTRICTIVE.
- CONTRACTOR TO VERIFY FOOTING DEPTHS WITH LOCAL FROST REQUIREMENTS OR EXISTING SOIL CONDITIONS; WHICHEVER IS MORE RESTRICTIVE.
- PROVIDE TERMITE PROTECTION AS REQUIRED BY LOCAL CODES.

**FASTENER NOTE FOR TREATED LUMBER:**  
MATERIAL FOR FASTENERS, FLASHING, JOIST HANGERS, BOLTS, SHALL BE HOT DIPPED GALVANIZED, OR STAINLESS STEEL, AND COMPLY WITH THE RECOMMENDATIONS OF THE TREATED WOOD MANUFACTURER.

## BUILDING SUBCODE INFORMATION

INTERNATIONAL RESIDENTIAL BUILDING CODE 2021 NEW JERSEY EDITION

1. USE GROUP-RESIDENTIAL ONE & TWO FAMILY.....R-5

2. CONSTRUCTION CLASSIFICATION.....TYPE V-B

3. PRINCIPAL BUILDING AREA CALCULATIONS:

	EXISTING	NEW ADDITION	TOTAL
FIRST FLOOR	1,132 SQ. FT.	100 SQ. FT.	1,232 SQ. FT.
SECOND FLOOR	330 SQ. FT.	974 SQ. FT.	1,304 SQ. FT.
TOTAL LIVING AREA	1,462 SQ. FT.	1,074 SQ. FT.	2,536 SQ. FT.
GARAGE	0 SQ. FT.	616 SQ. FT.	616 SQ. FT.
COVERED PORCH	0 SQ. FT.	152 SQ. FT.	152 SQ. FT.
TOTAL BUILDING AREA	1,462 SQ. FT.	1,842 SQ. FT.	3,304 SQ. FT.
VOLUME			±27,813 CU. FT.
BUILDING COVERAGE PROPOSED			±2,100 SQ. FT.

4. DESIGN LIVE LOADS.....LIVING AREA.....40 PSF  
SLEEPING AREA.....30 PSF  
ROOF AREA.....30 PSF  
WOOD DECKS.....60 PSF
5. ALL WORK WILL CONFORM TO "THE UNIFORM CONSTRUCTION CODE OF THE STATE OF NEW JERSEY", (I.R.C. 2021) AND THE FOLLOWING:  
2021 INTERNATIONAL BUILDING CODE  
2021 NATIONAL STANDARD PLUMBING CODE  
2020 NATIONAL ELECTRIC CODE  
2021 INTERNATIONAL ENERGY CONSERVATION CODE  
2021 INTERNATIONAL MECHANICAL CODE
6. FOOTINGS AND FOUNDATION ARE DESIGNED BASED ON A SOIL BEARING CAPACITY OF 2000 PSF.
- 6.1 ALL CONCRETE TO HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI. AND 3,500 PSI AS NOTED IN SPECIFIC AREAS.
7. ALL WINDOWS AND DOORS TO BE SUPPLIED WITH STOPS AND SEALS TO LIMIT AIR INFILTRATION LEVEL BELOW 0.5 CFM PER LIN. FT. OF SASH CRACK.
- 7.1 WINDOWS IN EXCESS 72" ABOVE GRADE MUST HAVE SASH OPENING NO LOWER THAN 24" ABOVE FINISHED FLOOR AS PER IRC
8. ALL EXTERIOR JOINTS AT SILL AROUND WINDOWS AND DOORS ARE TO BE CAULKED PACKED OR SEALED TO RETARD AIR INFILTRATION.
9. PLUMBING LAYOUT AND RISER DIAGRAM IS DIAGRAMATIC AND SHALL BE INSTALLED IN ACCORDANCE WITH THE "2018 NATIONAL STANDARD PLUMBING CODE".
10. ELECTRICAL LAYOUT IS DIAGRAMATIC AND SHALL BE INSTALLED IN ACCORDANCE WITH THE "2020 NATIONAL ELECTRICAL CODE".
11. ELECTRIC SERVICE TO BE A MINIMUM OF 200 AMP, 24 CIRC. PANEL WITH DISCONNECT.
12. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO STARTING WORK.
13. ALL FRAMING LUMBER (STUDS, JOISTS AND RAFTERS) SHALL BE HEM FIR SELECT #2 OR BETTER, WITH MIN. FIBER STRESS F<sub>b</sub> OF 1200 AND MODULUS OF ELASTICITY OF E=1,200,000.
14. LUMBER MUST BEAR THE GRADE AND TRADE MARK OF THE ASSOCIATION UNDER WHOSE RULE IT IS PRODUCED, AND A MARK OF MILL IDENTIFICATION.

15. LUMBER MUST BE SOUND AND THOROUGHLY SEASONED AND FREE FROM WARP, THAT CANNOT BE CORRECTED IN THE PROCESS OF BRIDGING OR NAILING. DOUBLE JOISTS UNDER ALL PARALLEL PARTITIONS.
16. FLOOR JOISTS CONSTRUCTION SOLID 2X'S JOISTS AS NOTED.
17. ENGINEERED WOOD I JOISTS TO BE INSTALLED FOLLOWING MANUFACTURERS INSTALLATION INSTRUCTION FOR BLOCKING, REINFORCING, HOLE LOCATION AND CANTILEVER CONSTRUCTION.

18. ENERGY CODE COMPLIANCE SUMMARY: SEE CERTIFIED RESCHECK COMPLIANCE

	REQUIRED	PROVIDED(ACTUAL)
EXTERIOR WALL	R-19 + R-5	R-19 + R-5
CEILING	R-49	R-49
FLOOR	R-30	R-30

19. FASTENING: ALL FASTENING (NAILING) INCLUDING BRACED WALLS, SHALL BE IN ACCORDANCE WITH IRC 2021, TABLE R602.3(1) GALVANIZED FASTENERS TO BE USED ON ALL PRESSURE TREATED LUMBER.
20. DUCTWORK:  
A. ALL BATHROOMS ARE VENTED TO THE OUTSIDE WITH NON-COMBUSTIBLE DUCT.  
B. ALL DUCTWORK IN UNCONDITIONED SPACES WILL BE INSULATED WITH RB.
21. WALL BRACING: STRUCTURE IS DESIGNED IN ACCORDANCE WITH SECTION 602.10.4.2, CONTINUOUS SHEATHING BRACED WALL PANELS. THE SHEATHING IS 1/2" OSB AS PER TABLE 602.10.4. METHOD CS-SFB. ALL BRACED WALL PANELS TO BE FASTENED IN ACCORDANCE WITH THE FOLLOWING NAILING SCHEDULE:  
1-1/2" GALVANIZED ROOFING NAILS OR 8D COMMON NAILS 2-1/2" LONG. NAILS SPACED AT 3" ALONG EDGES AND 6" AT INTERIOR. ALL HORIZONTAL JOINTS BETWEEN WALL BRACING PANELS TO BE BLOCKED USING 2X4 FRAMING LUMBER.
22. STAIRS:  
INTERIOR AND EXTERIOR STAIRS SHALL HAVE ALL RISERS SOLID AND UNIFORM IN HEIGHT. 3'-0" CLEAR WIDTH, 6'-8" MINIMUM HEADROOM CLEARANCE AND HANDRAILS WITH MINIMUM 34" HEIGHT TO MAXIMUM 38" HEIGHT. TREADS MUST HAVE 1" NOSING, PLATFORM MINIMUM 3'-0" x 3'-0". EXCEPTION: SOLID RISERS: WHEN THE OPENING BETWEEN TREADS DOES NOT PERMIT THE PASSAGE OF A SPHERE WITH A DIAMETER OF 4".
23. RAILINGS:  
HANDRAILS SHALL BE CONTINUOUS, WITHOUT INTERRUPTION, HAVE A CLEAR SPACE BETWEEN THE HANDRAIL AND THE ADJACENT WALL OF 1-1/2". BE 30" TO 38" IN HEIGHT FROM STAIR TREAD OR FLOOR, AND SHALL HAVE A CIRCULAR CROSS SECTION OF AT LEAST 1-1/4" BUT NO GREATER THAN 2". EXCEPTION: THE HEIGHT OF EXTERIOR HANDRAILS SHALL BE 34" TO 38".

## NOTES:

- PROVIDE WATER RESISTANT BACKER OF CEMENT, FIBER-CEMENT OR GLASS-MAT GYPSUM BACKERS FOR WALL TILE IN BATHTUB & SHOWER COMPARTMENTS.
- ALL EXHAUST FANS TO BE VENTED TO THE EXTERIOR, WITH INSULATED FLEX DUCT.

FRAMER TO COORDINATE LOCATION OF JOISTS TO CLEAR PLUMBING FIXTURES IN BATHROOMS ABOVE. SHIRT JOISTS OR CONSTRUCT PLUMBERS BOX AS REQ'D. -CUTTING OF JOISTS NOT ALLOWED.

## NOTE TO FRAMING CONTRACTOR:

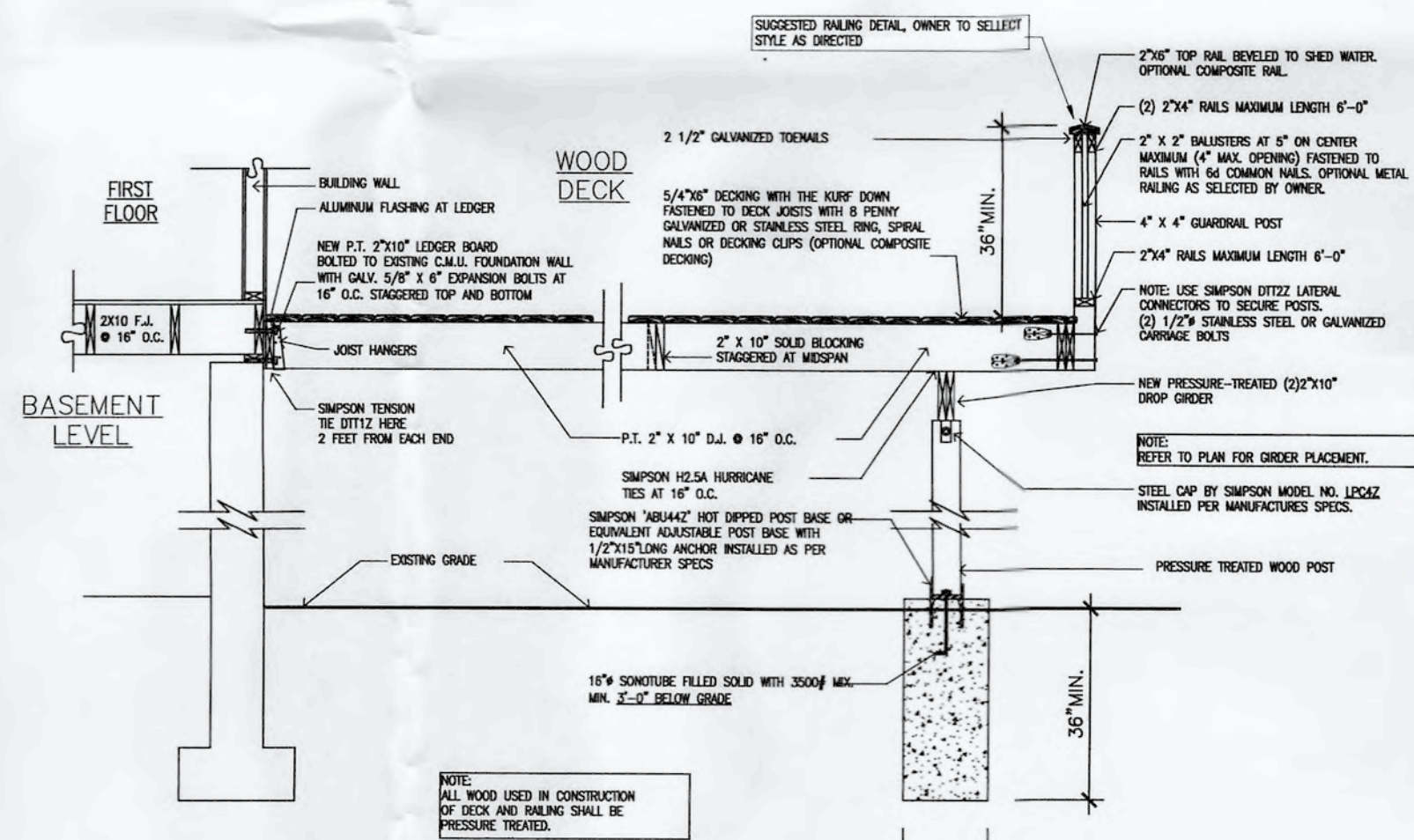
-VERIFY WITH OWNER/BUILDER THE LOCATION OF MARBLE, TILE OR GRANITE FLOOR FINISHES IF ANY, AND FOLLOW INSTRUCTIONS BELOW.

## NOTE TO FRAMING CONTRACTOR:

-DOUBLE JOISTS UNDER PARALLEL LOAD BEARING PARTITIONS ABOVE.  
-DOUBLE EVERY OTHER JOIST FOR "TILE/MARBLE FLOOR OPTION" FOR THINSET INSTALLATION ONLY.  
-PROVIDE SOLID BEARING FOR ALL POSTS FROM FLOOR TO FLOOR.  
-FRAMER TO COORDINATE LOCATION OF PLUMBING LINES & FIXTURES FOR CLEARANCES TO JOISTS.  
-CUTTING OF JOISTS NOT ALLOWED.

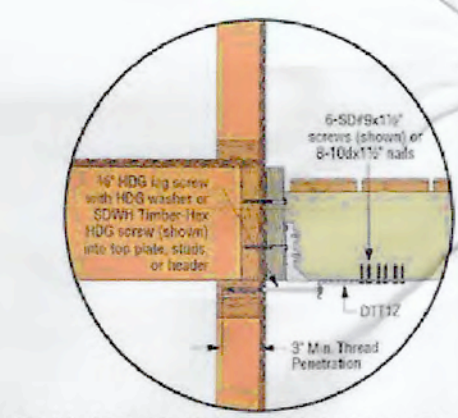
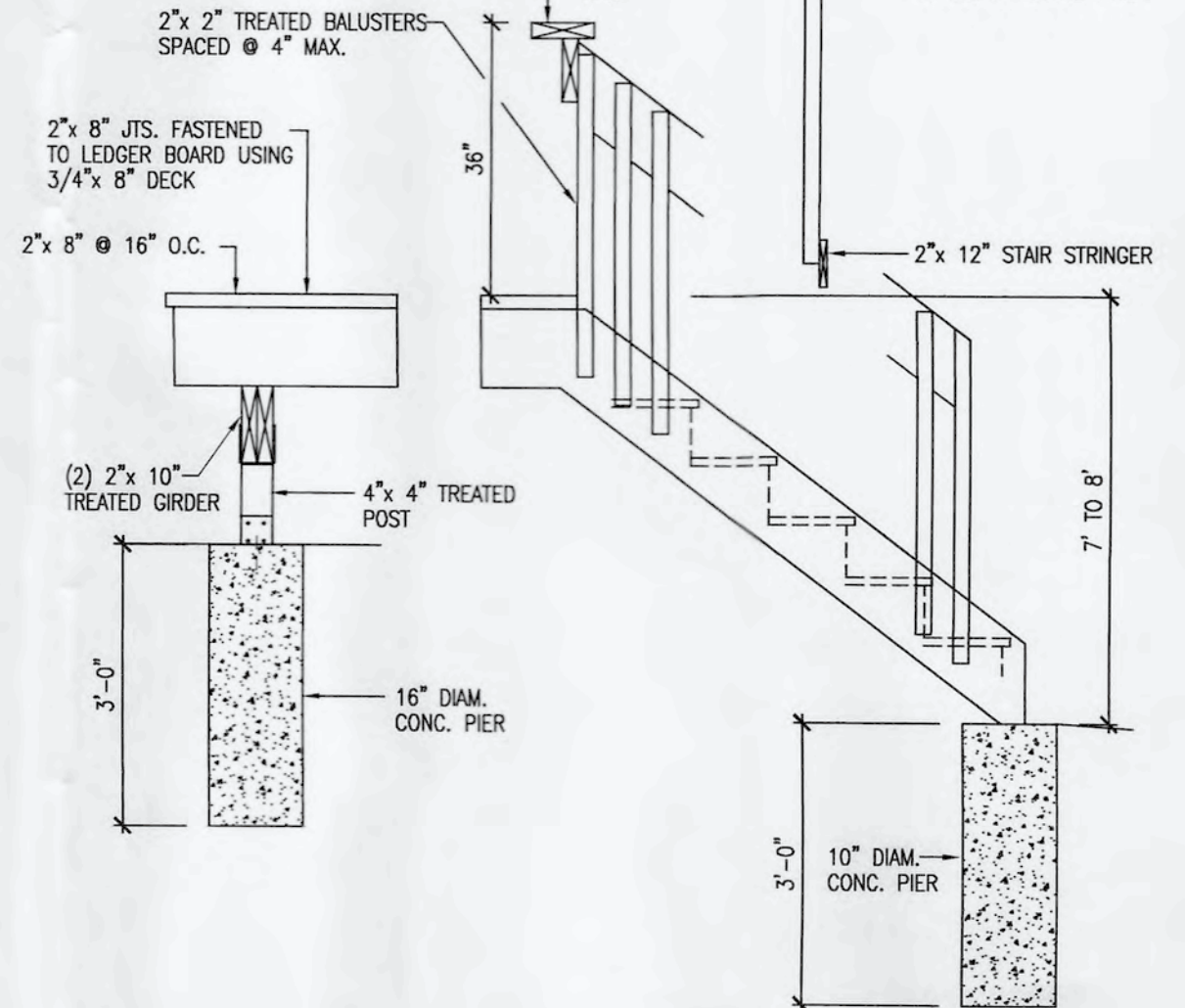
## NOTE:

WINDOW SIZES BASED ON ANDERSEN, U.N.O. OR AS DIRECTED BY OWNER



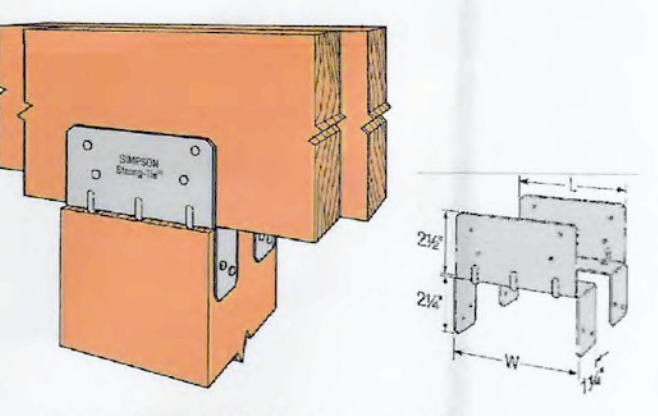
## DECK CROSS-SECTION

SCALE: 3/8" = 1'-0"



## SIMPSON DT12Z DETAIL

SCALE: N.T.S.



## POST CAP DETAIL

NTS (SIMPSON LPC42)

## TABLE OF GRAVITY DESIGN LOADS (psf)

DESIGN LOADS ARE IN ACCORDANCE WITH IRC 2021

	WIND	ROOFING	DEAD	LIVE	SNOW
WOOD FRAME	5	5	5	5	5
STUD WALLS W/OUT RD	5	5	5	5	5
ROOFING	5	5	5	5	5
TOTAL DEAD LOAD	10	10	10	10	10
LIVE LOAD OR SNOW LOAD	40	30	30	60	60
TOTAL LOAD	50	40	40	60	60

ADDITIONAL ROOF LOADS: -

TABLE NOTES:  
W<sub>ing</sub> = 35 PSF, C<sub>e</sub> = 1.0, I = 1.1, P<sub>f</sub> = 20 PSF

## TABLE OF LATERAL LOADS

DESIGN LOADS ARE IN ACCORDANCE WITH IRC 2021

	WIND	ROOFING	DEAD	LIVE	SNOW
WOOD FRAME	5	5	5	5	5
STUD WALLS W/OUT RD	5	5	5	5	5
ROOFING	5	5	5	5	5
TOTAL DEAD LOAD	10	10	10	10	10
LIVE LOAD OR SNOW LOAD	40	30	30	60	60
TOTAL LOAD	50	40	40	60	60

ADDITIONAL ROOF LOADS: -

## SPECIFICATION SHEET; CODE NOTES; FOUNDATION/BASEMENT PLAN

PROPOSED ADDITION/ALTERATION TO EXISTING:  
**DONVEE LLC**  
77 STONEHOUSE ROAD  
BERNARDS, NEW JERSEY

**STEVE J. DRUGA, A.I.A.**  
REGISTERED ARCHITECT

200 STELLER RD, SUITE # 6  
PISCATAWAY, N.J. 08854  
TEL: (732) 752-3205  
FAX: (732) 752-7041  
E-MAIL: steve@stevedrugadesign.com

NEW JERSEY REG. # A008897  
ARIZONA REG. # 12332

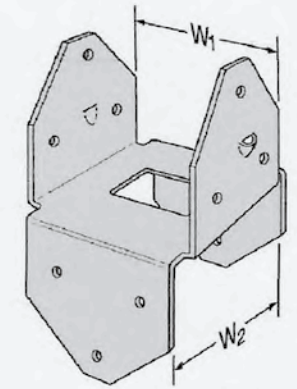
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DATE: 11/29/2023  
MODIFIED: 02-20-24

PROJECT: 2K23-069  
SHEET: A-2

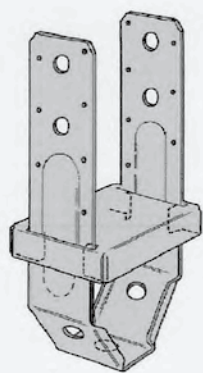
DO NOT SCALE PRINTS, WRITTEN DIMENSIONS SHALL GOVERN

NOTE: FOR BOARD OF ADJUSTMENT USE ONLY.

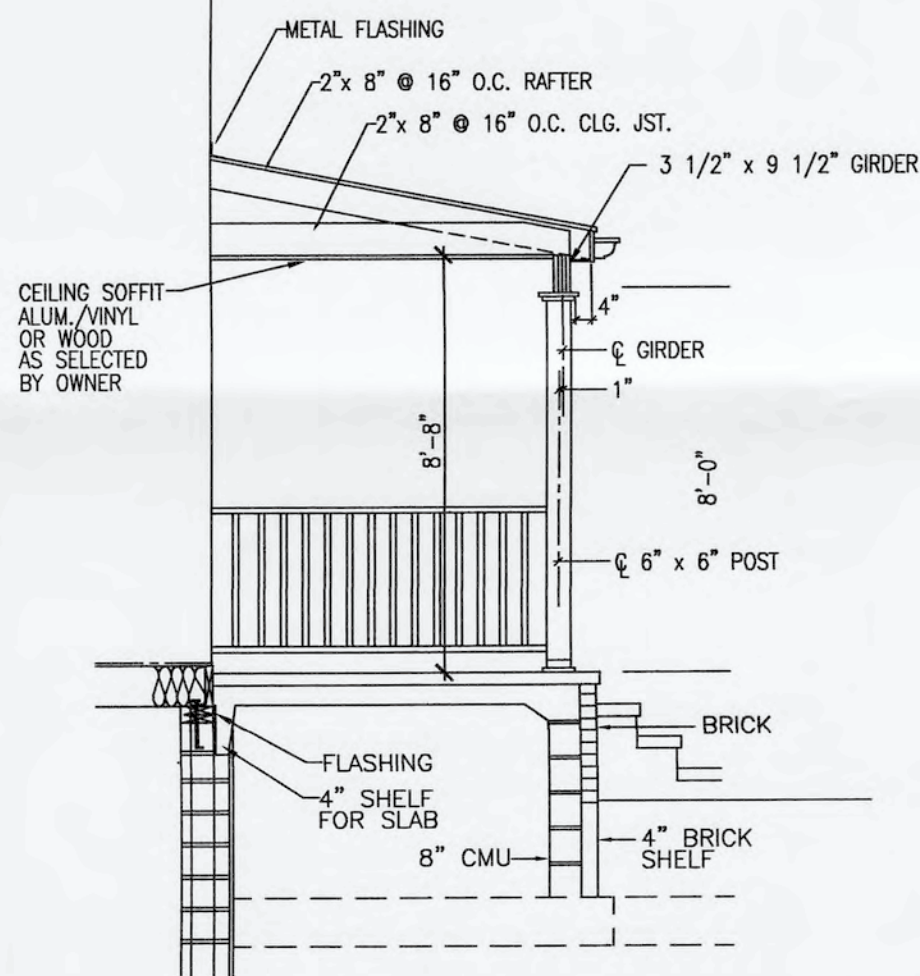




POST CAP BCS2-2/4

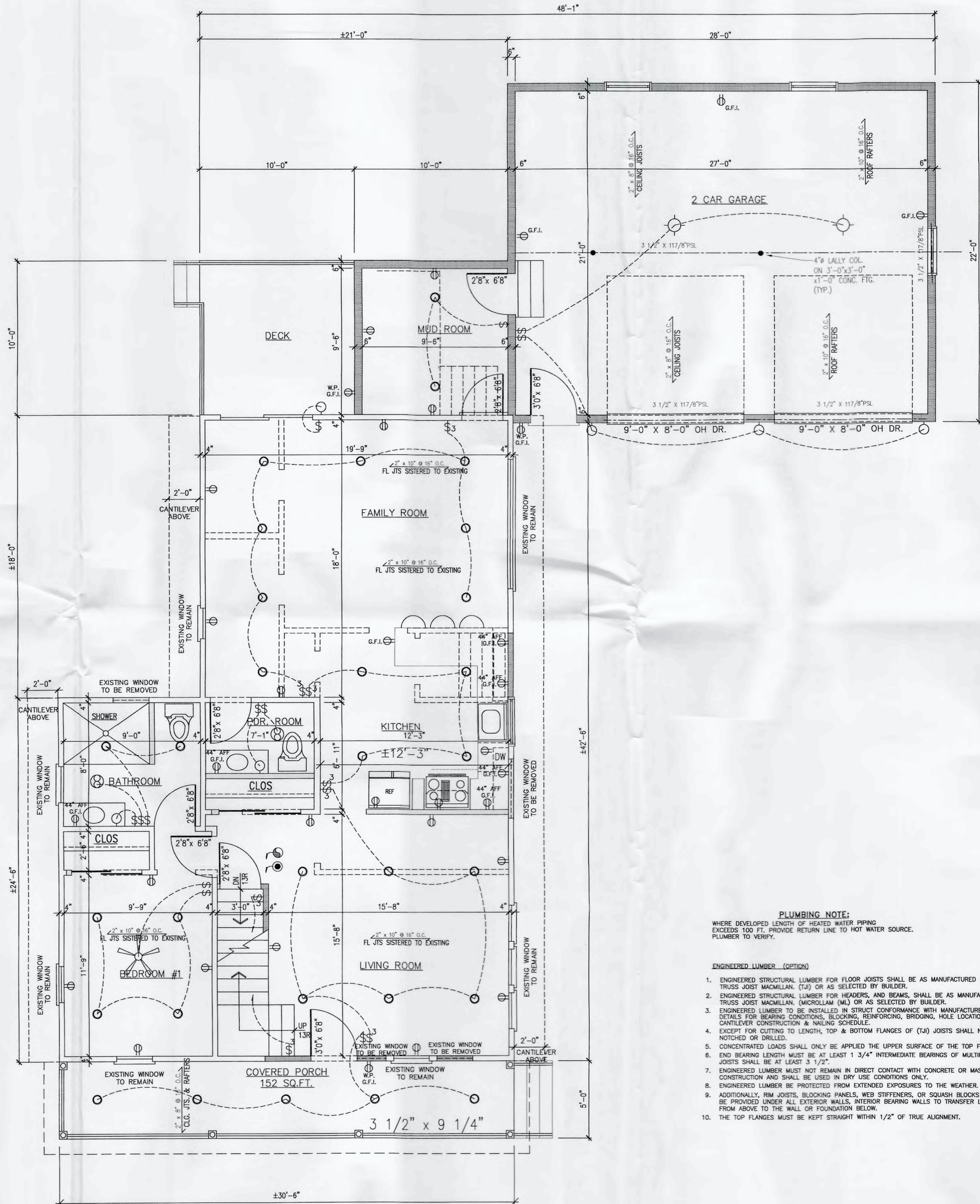


POST BASE PBS44A



PORCH DETAIL

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



PLUMBING NOTE:  
WHERE DEVELOPED LENGTH OF HEATED WATER PIPING EXCEEDS 100 FT. PROVIDE RETURN LINE TO HOT WATER SOURCE. PLUMBER TO VERIFY.

ENGINEERED LUMBER (OPTION)

- ENGINEERED STRUCTURAL LUMBER FOR FLOOR JOISTS SHALL BE AS MANUFACTURED BY: TRUSS JOIST MACMILLAN (TJ) OR AS SELECTED BY BUILDER.
- ENGINEERED STRUCTURAL LUMBER FOR HEADERS AND BEAMS SHALL BE AS MANUFACTURED BY: TRUSS JOIST MACMILLAN (TJ) OR AS SELECTED BY BUILDER.
- ENGINEERED LUMBER TO BE INSTALLED IN STRICT CONFORMANCE WITH MANUFACTURER'S INSTALLATION DETAILS FOR BEARING CONDITIONS, BLOCKING, REINFORCING, BRIDGING, HOLE LOCATION AND CANTILEVER CONSTRUCTION & NAILING SCHEDULE.
- EXCEPT FOR CUTTING TO LENGTH, TOP & BOTTOM FLANGES OF (TJ) JOISTS SHALL NOT BE CUT, NOTCHED OR DRILLED.
- CONCENTRATED LOADS SHALL ONLY BE APPLIED THE UPPER SURFACE OF THE TOP FLANGE.
- END BEARING LENGTH MUST BE AT LEAST 1 3/4" INTERMEDIATE BEARINGS OF MULTIPLE SPAN JOISTS SHALL BE AT LEAST 3 1/2".
- ENGINEERED LUMBER MUST NOT REMAIN IN DIRECT CONTACT WITH CONCRETE OR MASONRY CONSTRUCTION AND SHALL BE USED IN DRY USE CONDITIONS ONLY.
- ENGINEERED LUMBER BE PROTECTED FROM EXTENDED EXPOSURES TO THE WEATHER.
- ADDITIONALLY, RM JOISTS, BLOCKING PANELS, WEB STIFFENERS, OR SQUASH BLOCKS MUST BE PROVIDED UNDER ALL EXTERIOR WALLS, INTERIOR BEARING WALLS TO TRANSFER LOADS FROM ABOVE TO THE WALL OR FOUNDATION BELOW.
- THE TOP FLANGES MUST BE KEPT STRAIGHT WITHIN 1/2" OF TRUE ALIGNMENT.

ELECTRICAL LEGEND	
SYMBOL	DESCRIPTION
⌚	LIGHT SWITCH
⌚	THREE-WAY LIGHT SWITCH
⌚	OUTLET (GROUND FAULT INTERRUPTER)
⌚	OUTLET (WATER PROOF G.F.I.)
⌚	OUTLET
⌚	LIGHTING FIXTURE (INTERIOR)
⌚	INTERIOR LIGHTS INSTALLED IN INSULATED CEILINGS SHALL BE IN CONTACT WITH INSULATION
⌚	SMOKE DETECTOR/HEAT DETECTOR
⌚	CARBON MONOXIDE DETECTOR

WALL CONSTRUCTION LEGEND	
=====	EXISTING WALL TO REMAIN
-----	EXISTING WALL TO BE REMOVED/DEMOLISHED
=====	NEW INTERIOR WALL-FLOOR TO FIN. CEIL. 1/2" GYP.BD. EACH SIDE 2"x4" WOOD STUD @ 16" O.C.
=====	LOAD BEARING WALL-FLOOR TO FIN. CEIL. 1/2" GYP.BD. EACH SIDE 2"x4" WOOD STUD @ 16" O.C.
=====	NEW TYPICAL EXTERIOR WALL CONSTRUCTION: VINYL SIDING OVER R-5 RIGID FOAM BOARD INSULATION OVER TYVEK (PROVIDE MANUFACTURER'S RECOMMENDED TAPE ON ALL TYVEK SEAMS) OVER 1/2" CDX GRADE PLYWOOD SHEATHING OVER 2" X 6" WOOD STUDS AT 16" O.C. WITH R-19 INSULATION BETWEEN STUDS
-----	STRUCTURAL FRAMING MEMBER

PROPOSED FIRST FLOOR PLAN 1,232 SQ. FT.

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

SMOKE DETECTOR NOTES:

- ONE(1) SMOKE DETECTOR IN EACH BEDROOM, PLUS ONE(1) ON EACH LEVEL (SEE PLANS) AC POWERED INTERCONNECTED WITH BATTERY BACKUP.
- "BRK" MODEL #66 RAC 120 VOLT INTERCONNECTED, INCLUDES 9 VOLT BATTERY OR OTHER APPROVED MANUFACTURER.
- CARBON MONOXIDE DETECTOR, (1) ON EACH LEVEL
- AND ADJACENT TO BEDROOMS

NOTES:

- PROVIDE SPLASH BLOCKS AT ALL LEADER DOWN SPOUTS.
- SLOPE GRADE AWAY FROM BUILDING ON ALL SIDES WITH A MIN. SLOPE OF 1:12 FOR A DISTANCE OF A MIN. OF 8'-0".
- DAMP-PROOFING: ONE(1) COAT OF BITUMINOUS SEALER WITH 8 MIL POLYETHYLENE LAP JOINTS @ 6" & SEAL OVER 3/8" CEMENT PLASTER PARAGE COAT OVER BLOCK.
- ICE SHIELD: 2 LAYERS OF UNDER LAYMENT CEMENTED TOGETHER OR WATERPROOFING MEMBRANE, SHALL EXTEND FROM THE EYES EDGE TO A POINT AT LEAST 24" INSIDE THE WALL LINE OF THE BUILDING.

GARAGE FIRE SEPARATION REQUIREMENTS

BETWEEN DWELLING UNITS & ATTACHED PRIVATE GARAGES AS PER FTO 13 REV FEB. 2016. REFERENCES: N.J.A.C. 26:23.14 BUILDING SUBCODE SECTION 407.3.

A. INTERIOR WALLS BETWEEN HOUSE & GARAGE:  
THE WALL BETWEEN THE GARAGE AND THE HOUSE SHALL BE PROVIDED WITH ONE LAYER OF 5/8 INCH THICK TYPE X GYPSUM WALLBOARD ON THE GARAGE SIDE OF THE WALL. THE WALLBOARD SHALL BE APPLIED AT THE RIGHT ANGLES AT EACH SIDE OF THE STUD AND WITH 1 1/4 INCH DRYWALL SCREWS OR NAILS AT 12 INCHES ON CENTER. THE JOINTS OF THE GYPSUM WALLBOARD SHALL BE SEPARATED BY AT LEAST ONE STUD BAY ON OPPOSITE SIDES OF THE WALL. THE JOINTS OF THE WALLBOARD SHALL BE TAPED AND PROVIDED WITH ONE COAT OF SPACKLE. INSULATION MAY BE INSTALLED IN THE SPACE ABOVE THE CEILING MEMBRANE. THERE ARE NO RESTRICTIONS ON THE TYPE OF FLOORING TO BE USED AS THE TOP MEMBRANE AND IF UNUSABLE SPACE IS LOCATED ABOVE A PORTION OF THE ASSEMBLY, THEN NO TOP MEMBRANE IS REQUIRED. PROTECTION FOR ANY PENETRATIONS IN THE UPPER MEMBRANE OF THE ASSEMBLY (I.E. HEATING AND AIR CONDITIONING REGISTERS) IS NOT REQUIRED. MEMBRANE PENETRATED SHALL BE AS PERMITTED IN SECTION 714.2.2 OF THE BUILDING SUBCODE.

B. FLOOR/CEILING ASSEMBLY:  
GARAGE BENEATH LIVING SPACE: THE FLOOR/CEILING ASSEMBLY SHALL CONSIST OF TWO LAYERS OF 5/8 INCH THICK TYPE X GYPSUM WALLBOARD. THE BASE SHALL BE APPLIED AT RIGHT ANGLES TO THE JOISTS WITH 1 1/4 INCH MINIMUM DRYWALL SCREWS OR NAILS AT 24 INCHES ON CENTER. THE FACE LAYER SHALL BE APPLIED AT RIGHT ANGLES TO THE JOISTS WITH 1 7/8 INCH MINIMUM DRYWALL SCREWS OR NAILS AT 12 INCHES ON CENTER. THE JOINTS OF THE FACE LAYER SHALL BE OFFSET FROM BASE LAYER JOINTS BY A MINIMUM OF JOINT BAY. THE JOINT OF THE FACE LAYER SHALL BE TAPED AND PROVIDED WITH A MINIMUM OF ONE LAYER OF SPACKLE. INSULATION MAY BE INSTALLED IN THIS FLOOR/CEILING ASSEMBLY. THERE ARE NO RESTRICTIONS ON THE INSTALLATION OF THE UTILITIES ABOVE THE CEILING MEMBRANE. THERE ARE NO RESTRICTIONS ON THE TYPE OF FLOORING TO BE USED AS THE TOP MEMBRANE AND IF UNUSABLE SPACE IS LOCATED ABOVE A PORTION OF THE ASSEMBLY, THEN NO TOP MEMBRANE IS REQUIRED. PROTECTION FOR ANY PENETRATIONS IN THE UPPER MEMBRANE OF THE ASSEMBLY (I.E. HEATING AND AIR CONDITIONING REGISTERS) IS NOT REQUIRED. MEMBRANE PENETRATED SHALL BE AS PERMITTED IN SECTION 714.2.2 OF THE BUILDING SUBCODE.

C. EXTERIOR WALLS:  
THE EXTERIOR LOAD BEARING WALL IS REQUIRED TO BE PROVIDED WITH ONE LAYER OF 5/8 INCH THICK TYPE X GYPSUM WALLBOARD APPLIED AT RIGHT ANGLES TO THE STUDS AND SECURED WITH A MINIMUM OF 1 1/4 INCH DRYWALL SCREWS OR NAILS AT 12 INCHES ON CENTER. THE JOINTS OF THE WALLBOARD SHALL BE TAPED AND PROVIDED WITH A MINIMUM OF ONE COAT OF SPACKLE. INSULATION MAY BE INSTALLED IN THIS WALL. THIS WALL IS REQUIRED TO BE CONTINUOUS TO THE UNDERSIDE OF THE CEILING MEMBRANE ABOVE.

D. GARAGE GIRDER:  
IF THERE IS A GIRDER SUPPORTING THE FLOOR/CEILING ASSEMBLY AND THE GIRDER CONSISTS OF A MINIMUM OF THREE 2 INCH BY 10 INCH MEMBERS, THERE IS NO ADDITIONAL PROTECTION REQUIRED FOR THE GIRDER. IF THE GIRDER IS SMALLER THAN THREE 2 INCH BY 10 INCH MEMBERS OF ENGINEERED LUMBER OR STEEL CONSTRUCTION, IT MUST BE ENCASED IN A MINIMUM OF TWO LAYERS OF 1/2 INCH THICK TYPE X GYPSUM WALLBOARD. THE BASE LAYER IS REQUIRED TO BE SECURED WITH A MINIMUM OF A ONE INCH SCREW AT 12 INCHES ON CENTER AND THE FACE LAYER IS REQUIRED TO BE SECURED WITH A MINIMUM OF A 5/8 INCH SCREW AT 12 INCHES ON CENTER. THE FACE LAYER SHALL BE PROVIDED WITH TAPE AND ONE LAYER OF SPACKLE. NO ADDITIONAL PROTECTION IS REQUIRED FOR THE COLUMN OR WALL SUPPORTING THE GIRDER.

E. INTERIOR DOOR:  
LIVING SPACE TO GARAGE: THE DOOR BETWEEN THE GARAGE AND ADJACENT INTERIOR SPACE BE A MINIMUM OF 1 3/4 INCH SOLID CORE WOOD OR 1 3/4 INCH SOLID OR HONEYCOMB STEEL. THERE IS NO REQUIREMENT FOR THIS DOOR TO BE PROVIDED WITH A LABELED JAMB OR WITH A DOOR CLOSER.

GENERAL CONDITIONS

ALL CONTRACTORS SHALL PERFORM THEIR WORK IN COMPLIANCE WITH THE CURRENT EDITION OF THE UNIFORM CONSTRUCTION CODE OF THE STATE OF NEW JERSEY, REFERENCED AND RELATED STANDARDS, FEDERAL STATE, AND LOCAL LAWS AND THE REQUIREMENTS OF ALL AGENCIES HAVING JURISDICTION.

WORK TO BE INCLUDED IN THIS CONTRACT CONSISTS OF FURNISHING ALL LABOR, EQUIPMENT AND MATERIALS REQUIRED FOR THE ERECTION AND COMPLETION OF ALL WORK SHOWN ON THESE DRAWINGS AND AS MAY BE INFERRED, IMPLIED, OR OTHERWISE NECESSARY FOR THE PROPER EXECUTION OF THE WORK AND FINAL DESIGN AS INDICATED BY THESE DOCUMENTS OR AS INDICATED BY THE INTENT OF THESE DOCUMENTS. MATERIALS AND PRODUCTS NOT OTHERWISE SPECIFIED ON THESE DRAWINGS SHALL BE TO MATCH BUILDING STANDARDS, OR AS DIRECTED BY OWNER, AND/OR GENERAL CONTRACTOR.

THE WORK OF PLUMBING, ELECTRICAL, AND HVAC CONTRACTOR WHERE APPLICABLE, SHALL BE "DESIGN-BUILD" AND EACH OF THESE CONTRACTORS SHALL BE SOLELY RESPONSIBLE FOR ALL ENGINEERING, PLANS, DIAGRAMS AND THE LIKE RELATING TO THEIR WORK AS MAY BE REQUIRED BY THE AGENCIES HAVING JURISDICTION.

THE CONTRACTOR SHALL BECOME FAMILIAR WITH ALL CONTRACT DOCUMENTS AND CHECK ALL MEASUREMENTS ON THE JOB AND SHALL BE RESPONSIBLE FOR SAME. THE GENERAL CONTRACTOR AND HIS SUB-CONTRACTORS MUST VERIFY ALL DIMENSIONS.

DO NOT SCALE PRINTS. WRITTEN DIMENSIONS SHALL GOVERN. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES FOR CLARIFICATION. WORK SHALL NOT PROCEED UNTIL SUCH CLARIFICATION HAS BEEN RECEIVED. CLAIMS FOR EXTRA WORK RESULTING FROM DOING SO WILL NOT BE ALLOWED.

SHOULD ANY ERROR OR OMISSION EXIST ON DRAWINGS WHICH THE CONTRACTOR MIGHT REASONABLY BE EXPECTED TO DETECT, THE SAME SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IN WRITING FOR CORRECTION OR CLARIFICATION. DOCUMENTED IN WRITING PRIOR TO PROCEEDING WITH THE WORK IN QUESTION.

THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PROPERTY AND PERSONAL DAMAGE OR INJURY RESULTING FROM THE CONDUCT OF WORK AND SHALL INDEMNIFY AND SAVE THE OWNER, OWNERS EMPLOYEES AND ARCHITECT HARMLESS FROM ALL CLAIMS FOR LOSS OF OR DAMAGE TO PROPERTY OR PERSONAL INJURY OR DEATH OF ANY AND ALL PERSONS ARISING OUT OF THE WORK OF THIS CONTRACT.

THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, SEQUENCES, TECHNIQUES AND JOB-SITE SAFETY AND SHALL COORDINATE SAME WITH OWNER AND ALL ADJACENT TRACES. THE GENERAL CONTRACTORS SHALL SUPERVISE ALL WORK AND SHALL ASSURE THAT ALL DESIGN CONDITIONS ARE VERIFIED AND SATISFIED.

CHANGES TO THE PLANS AND/OR SPECIFICATIONS AND/OR THE USES THEREOF WHICH CAUSE ANY KIND OF DAMAGE TO PERSONS OR PROPERTY (DIRECTLY OR INDIRECTLY) SHALL BE THE RESPONSIBILITY OF THOSE PARTIES AUTHORIZING AND/OR UNDERTAKING SUCH CHANGES HAVE NOT BEEN AUTHORIZED BY THE ARCHITECT/MATTERS NOT ADDRESSED BY THE PLANS AND SPECIFICATIONS SHALL BE, WHEN ADDRESSED BY OTHERS, THE RESPONSIBILITY OF THOSE OTHERS.

PROPOSED FIRST FLOOR PLAN;

PROPOSED ADDITION/ALTERATION TO EXISTING:

DONVEE LLC  
77 STONEHOUSE ROAD  
BERNARDS, NEW JERSEY

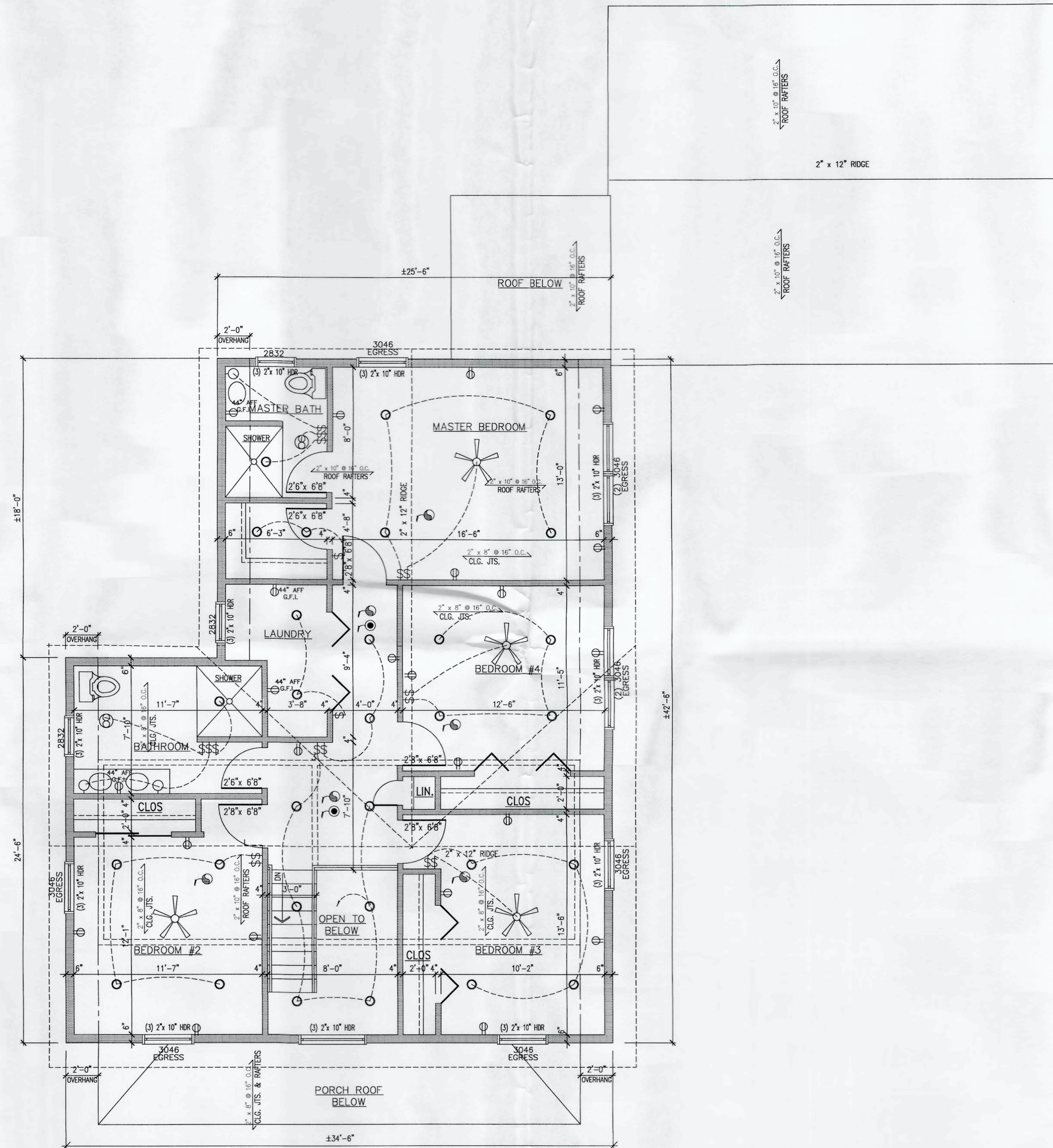
STEVE J. DRUGA, A.I.A.

REGISTERED ARCHITECT  
Steve J. Druga  
100 STELTON RD. SUITE # 6  
PISCATAWAY N.J. 08854  
TEL: (732) 752-3205  
FAX: (732) 752-7041  
E-MAIL: steve@stevedrugarchitect.com

NEW JERSEY REG. # A06897  
ARIZONA REG. # 12332  
PROJECT SHEET  
DRAWN BY: ED

SCALE: NTS  
DATE: 11/29/2023  
2K23-069  
A-3





SECOND FLOOR PLAN 1,304 sq.ft  
SCALE: 1/4" = 1'-0"

ELECTRICAL LEGEND	
SYMBOL	DESCRIPTION
\$	LIGHT SWITCH
\$	THREE-WAY LIGHT SWITCH
⓪	OUTLET (GROUND FAULT INTERRUPTER)
⓪	OUTLET (WATER PROOF G.F.I.)
⓪	OUTLET
⓪	LIGHTING FIXTURE (INTERIOR) INTERIOR LIGHTS INSTALLED IN INSULATED CEILINGS SHALL BE 'IC' RATED TO BE IN CONTACT WITH INSULATION
⓪	SMOKE DETECTOR/HEAT DETECTOR
⓪	CARBON MONOXIDE DETECTOR

WALL CONSTRUCTION LEGEND	
---	EXISTING WALL TO REMAIN
---	EXISTING WALL TO BE REMOVED/DEMOLISHED
---	NEW INTERIOR WALL--FLOOR TO FIN. CEIL. 1/2" GYP.BD. EACH SIDE 2"x4" WOOD STUD @ 16" O.C.
---	LOAD BEARING WALL--FLOOR TO FIN. CEIL. 1/2" GYP.BD. EACH SIDE 2"x4" WOOD STUD @ 16" O.C.
---	NEW TYPICAL EXTERIOR WALL CONSTRUCTION: VINYL SIDING OVER R-5 RIGID FOAM BOARD INSULATION OVER TYVEK (PROVIDE MANUFACTURER'S RECOMMENDED TAPE ON ALL TYVEK SEAMS) OVER 1/2"CDX GRADE PLYWOOD SHEATHING OVER 2" X 6" WOOD STUDS AT 16" O.C. WITH R-19 INSULATION BETWEEN STUDS
---	STRUCTURAL FRAMING MEMBER

## PROPOSED SECOND FLOOR PLAN;

PROPOSED ADDITION/ALTERATION TO EXISTING:

DONVEE LLC  
77 STONEHOUSE ROAD  
BERNARDS, NEW JERSEY

STEVE J. DRUGA, A.I.A.

REGISTERED ARCHITECT  
Steve J. Druga  
TEL: (202) 752-3205  
FAX: (732) 752-7041  
E-MAIL: [steve@stevedrugarichitect.com](mailto:steve@stevedrugarichitect.com)  
300 STELTON RD. SUITE # 6  
PISCATAWAY N.J. 08854

NEW JERSEY REG. # A106887 ARIZONA REG. # 12332	PROJECT	SHEET
DRAWN BY: ED		
SCALE: NTS	2K23-069	A-4
DATE: 11/29/2023		





PROPOSED REAR ELEVATION

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

COORDINATE WITH ENGINEERING  
PLANS FOR PROPOSED GRADES.



PROPOSED LEFT-SIDE ELEVATION

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

COORDINATE WITH ENGINEERING  
PLANS FOR PROPOSED GRADES.

NOTE: FOR BOARD OF ADJUSTMENT USE ONLY.

## PROPOSED ELEVATIONS

PROPOSED ADDITION/ALTERATION TO EXISTING:

DONVEE LLC  
77 STONEHOUSE ROAD  
BERNARDS, NEW JERSEY

STEVE J. DRUGA, A.I.A.

REGISTERED ARCHITECT  
*Steve J. Druga*  
TEL: (908) 752-3205  
FAX: (908) 752-7041  
E-MAIL: steve@stevedrugarchitect.com  
300 STELTON RD., SUITE # 6  
PISCATAWAY N.J. 08854

NEW JERSEY REG. # A08897	PROJECT	SHEET
ARIZONA REG. # 12332		
DRAWN BY: ED		
SCALE: NTS	2K28-069	A-5
DATE: 11/29/2023		
MODIFIED: 02-20-24	NOTE: FOR BOARD OF ADJUSTMENT USE ONLY.	



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

ADD  
TO FILE

Application No: ZB24-006 Block: 11201 Lot: 10 Zone: E-2

Applicant: RIVERWALK VILLAGE LLC

Address of Property: 665 MARTINSVILLE ROAD

Description: "d(3)" VARIANCE RELIEF TO ALLOW AN  
OFFICE TENANT ON THE FIRST FLOOR

**APPLICATION CHECKLIST**

<input checked="" type="checkbox"/> Original + 16 copies of Application	<input 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 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 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 checked="" type="checkbox"/> Contributions Disclosure Form (G)	<input type="checkbox"/> Tax Map Revision Fee
	<input checked="" type="checkbox"/> Checklist

**SCHEDULING**

2.5.24 Original Submission Date  
3.21.24 Completeness Deadline (45 days)  
\_\_\_\_ Incomplete Date  
\_\_\_\_ Resubmission Date  
\_\_\_\_ Date Complete  
7.19.24 Time to Act (45/95/120 days)

**HEARING**

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

**DISTRIBUTION**

2.5.24 Environmental Comm  
\_\_\_\_ Fire Official  
\_\_\_\_ LCFAS  
\_\_\_\_ Police

**NOTES**



RIVERWALK VILLAGE, LLC C/O SILBERT REALTY & MANAGEMENT CO. INC.  
VARIANCE APPLICATION #ZB24-006  
BLOCK 11201, LOT 10; 665 MARTNISVILLE ROAD

## PROPERTY PHOTO EXHIBIT



OUTSIDE #1



OUTSIDE #2



**RIVERWALK VILLAGE, LLC C/O SILBERT REALTY & MANAGEMENT CO. INC.  
VARIANCE APPLICATION #ZB24-006  
BLOCK 11201, LOT 10; 665 MARTNISVILLE ROAD**



**RECEPTION AREA**



**MAIN OFFICE AREA**



**RIVERWALK VILLAGE, LLC C/O SILBERT REALTY & MANAGEMENT CO. INC.**  
**VARIANCE APPLICATION #ZB24-006**  
**BLOCK 11201, LOT 10; 665 MARTNISVILLE ROAD**



**KITCHEN AREA**



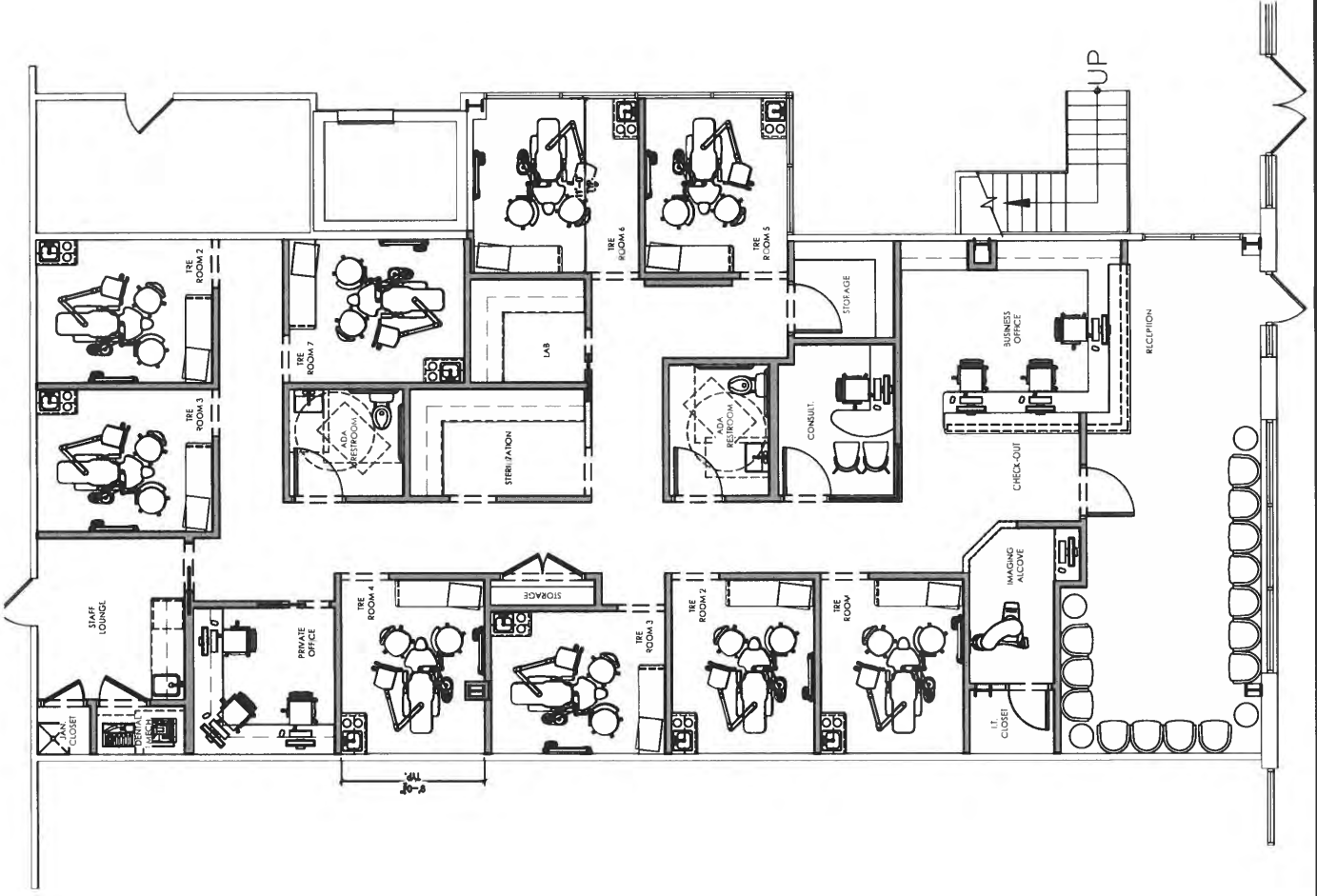
© 2024 HENRY SCHEIN, INC. THE INTEGRATED DESIGN STUDIO IS PROVIDING THIS PLAN AS A PROFESSIONAL SERVICE AND IT IS NOT INTENDED FOR CONSTRUCTION. PERMIT DRAWINGS ARE THE RESPONSIBILITY OF THE ARCHITECT. THIS PLAN MAY NOT BE USED OR REPRODUCED WITHOUT EXPRESSED WRITTEN CONSENT OF HENRY SCHEIN, INC. AND FULL PAYMENT OF ANY ASSOCIATED DESIGN FEES.

IT IS THE ARCHITECT AND/OR CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT ALL CODE RESTRICTIONS AND CLEARANCES ARE MET.

USABLE	SQFT: 2675
SCALE:	1/8" = 1'-0"
DATE:	03/04/24
DESIGNED	BY: TAS
PROJECT #:	24-0465

EXISTING WALLS

NEW WALLS



DENTAL 365 - BASKING RIDGE

HENRY SCHEIN EQUIPMENT REP: MARK BEARMON





PARKING CALCULATIONS

(BASED ON GROSS FLOOR AREAS)

MAIN BUILDING:  
1st FLOOR: 30,593 SF @ 5 SPACES/1,000 SF (TOTAL) = 153 SPACES REQUIRED  
2nd FLOOR: 9,572 SF @ 5 SPACES/1,000 SF (TOTAL) = 48 SPACES REQUIRED  
9,572 SF @ 4 SPACES/1,000 SF (OFFICE) = 39 SPACES REQUIRED

BANK/OFFICE BUILDING:  
1st FLOOR: 2,500 SF @ 4 SPACES/1,000 SF (BANK) = 10 SPACES REQUIRED  
2nd FLOOR: 1,500 SF @ 4 SPACES/1,000 SF (OFFICE) = 6 SPACES REQUIRED

TOTAL = 256 SPACES REQUIRED  
(250 SPACES PROVIDED @ 9'x18'  
(INCLUDES 66 UNDER BLDG.)

\*\* = WATER REQUESTED FROM BERNARDS TWP. FOR PARKING SPACE SIZE  
\*\* = PROPOSED OFFICE SPACE SHALL NOT BE SUBSTITUTED WITH AN ALTERNATE  
USE UNLESS IT CAN BE SHOWN THAT SUCH PARKING IS AVAILABLE

SIGN SCHEDULE

ALL SIGNS SHALL COMPLY WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES  
AND SHALL HAVE WOOD POSTS, ALUMINUM TRUSS SIGNS, AND 1/2" ALUMINUM LETTERS

QUANTITY	SIGN DESCRIPTION
R1-1	"STOP"
R3-2	"NO LEFT TURN"
R3-7L	"LEFT LANE MUST TURN LEFT"
R3-7R	"RIGHT LANE MUST TURN RIGHT"
R3-9	"ONE WAY"
R5-9	"WIDE WALK"
R6-2	"ONE WAY"
R7-8	"RESERVED PARKING" (H/C)

TRACT AREA SUMMARY

LOT 1 (BLOCK 1) = 1.86 AC.  
LOT 2 (BLOCK 1) = 0.27 AC.  
TRACT AREA IN WARREN TWP. = 2.13 AC.  
LOT 27 (BLOCK 177) = 3.72 AC.  
LOT 28.01 (BLOCK 177) = 3.63 AC.  
TRACT AREA IN BERNARDS TWP. = 7.35 AC.  
TOTAL TRACT AREA = 9.48 AC.

WARREN TOWNSHIP  
ZONING INFORMATION

LOT AREA	ZONE E-2 REQUIREMENTS	PROPOSED
LOT WIDTH	(1) 9 AC.	9.48 AC.
BUILDING SETBACK, FRONT	(1) 300 FT.	771 FT.
BUILDING SETBACK, SIDE	(1) 100 FT.	300 FT.
BUILDING SETBACK, REAR	(1) 30 FT.	34 FT.
PARKING SETBACK, FRONT	(1) 100 FT.	108.9 FT.
PARKING SETBACK, SIDE	(1) 30 FT.	42.8 FT.
PARKING SETBACK, REAR	(1) 10 FT.	11 FT.
MAX. LOT COVERAGE	(1) 40%	26.8%
FLOOR AREA RATIO	(1) 15%	13%
MAX. FLOOR AREA, TOTAL	(1) 32,000 SF	49,853 SF
MAX. FLOOR AREA, 1st FL.	(1) 32,000 SF	39,710 SF
MAX. FLOOR AREA, 2nd FL.	(1) 28,000 SF	19,143 SF

BERNARDS TOWNSHIP  
ZONING INFORMATION

1. OFFICE USES ARE NOT PERMITTED ON THE FIRST FLOOR.  
2. NO SINGLE-LEVEL FLOOR USES SHALL EXCEED 2,500 SF PER EXCEPT  
3. A MINIMUM OF SOME OF THE TOTAL FLOOR AREA SHALL BE OCCUPIED  
BY RETAIL USES.

GENERAL NOTES:

1. ALL BUILDINGS AND STRUCTURES SHALL BE CONFORMED WITH CONSERVATION  
DESIGN STANDARDS AND SHALL BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER  
AS SHOWN ON THE DRAWINGS PER SECTION 17.19.1(c).
2. FIRE LANE/FIRE PROTECTION STORAGE AND STAGING SHALL BE PROVIDED AS DIRECTED BY THE TOWNSHIP FIRE OFFICIAL.
3. SIGNAGE SHALL BE PROVIDED AS SHOWN AND AS DEEMED NECESSARY BY THE TOWNSHIP ENGINEER.
4. THERE SHALL BE NO STORAGE OF MATERIALS OR DEBRIS OUTSIDE THE BUILDING OR ON THE LOT. ANY MATERIALS OR DEBRIS SHALL BE REMOVED FROM THE SITE IMMEDIATELY UPON COMPLETION OF THE PROJECT.
5. ANY EXISTING SITE ADJACENT TO THE PROPOSED DEVELOPMENT SHALL BE MAINTAINED AND LOCATED IN ACCORDANCE WITH THE TOWNSHIP ENGINEER'S RECOMMENDATIONS. ANY EXISTING SITE ADJACENT TO THE PROPOSED DEVELOPMENT SHALL BE MAINTAINED AND LOCATED IN ACCORDANCE WITH THE TOWNSHIP ENGINEER'S RECOMMENDATIONS. ANY EXISTING SITE ADJACENT TO THE PROPOSED DEVELOPMENT SHALL BE MAINTAINED AND LOCATED IN ACCORDANCE WITH THE TOWNSHIP ENGINEER'S RECOMMENDATIONS.

SITE PLAN

BLOCK 177 LOTS 27 & 28.01, BERNARDS TOWNSHIP  
BLOCK 1 LOTS 1 & 2, WARREN TOWNSHIP  
STATE OF NEW JERSEY

PAGE: ENGINEERING CONSULTANTS, PC  
PROJECT: OFFICE BOY 4819  
WARREN, NEW JERSEY 07059  
(609) 604-4747 FAX (609) 604-0447