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March 14, 2025

Ms. Stephanie Pizzulo
Planning Board Secretary
NETCONG BOROUGH PLANNING BOARD
23 Maple Ave
Netcong, NJ 07857

RE: Completeness and Technical Review
83 Main Street
Block 19, Lot 30 & 34.02
Borough of Netcong, Morris County
FPA No. 22539.013

Dear Ms. Pizzulo:

As requested, our office has completed a review of the documents related to the above-listed application. The following documents were reviewed:

1. Borough Of Netcong: Land Use Application, dated February 3, 2025
2. Affidavit of Applicant dated November 25, 2024
3. Owners Authorization dated November 25, 2024
4. Corporation or Ownership Form
5. Land Use Application: Application Summary
6. Variance Application Summary
7. Consent of Owner, dated November 25, 2024
8. Survey Waiver Certification, dated November 25, 2024
9. Escrow Agreement, dated November 25, 2024
10. Owner Disclosure Statement, dated November 25, 2024
11. Certification of Taxes Paid, signed February 3, 2025
12. Request for Certified List of Property Owners, requester signed November 25, 2024
13. Technical Checklist – Preliminary Site Plan
14. Schedule “A” Checklist – “C” Variance
15. Architecture Plans for Main Street Townhouses, prepared by Vivid Arc, dated April 8, 2024,
16. Final Site Plan Submission for 83 Main Street prepared by Inglese Architecture & Engineering, consisting of 16 sheets, dated August 30, 2024.

General Application Summary

The site is located at 83 Main Street and 3 Bank Street, behind the businesses of Main Street, and across the parking lot of the train station. The sites currently consists of an existing 2-story warehouse and a single story masonry building. The site has access from the shared driveway for the train station for Lot 36. Additionally, there is access to both lots from Bank Street.



The subject application is seeking approval for the remodel of an existing warehouse space into nine (9) residential units. The building will consist of 1 three-bedroom unit, 7 two-bedroom units, and 1 one-bedroom unit. The site will continue to have a driveway entrance off of Bank Street and from Lot 36. Additionally, it is proposed the project will have 12 parking stalls, sidewalk on Bank Street, landscaping and other site amenities on Block 19, Lots 30 & 34.02. The parcel consists of 0.41 acres in the Borough Center Zone (BC).

The existing 1-story building closest to Bank Street, on Lot 30, is proposed to be removed.

The applicant is requesting the following variances:

Section 194-53.B – Area & Bulk Requirement for BC Zone – Existing Non-Conformance

Section 194-55.E.(7) - Parking requirements for residential land uses

Section 194-63.B.(8) – Use Variance: All apartment uses are permitted only on second floors above permitted commercial uses.

Additionally, this office has found the following additional variances:

Section 194-55.I.(1)(b) - No fence, wall or living fence which exceeds four feet in height shall be constructed.

Completeness review:

Technical Checklist: Preliminary Site Plan

Checklist Item 22. For properties involving corner lot or lots, the required sight triangle easements.

It is recommended that the applicant provide a sight triangle exhibit demonstrating that a sight triangle is not required for this application.

Checklist Item 23. Setback lines based on zone requirements

The applicant shall provide the setback lines on the Dimensional Site Plan. The front yard setback line shall start 16.5 feet off of the centerline of Bank Street.

Checklist Item 24. Location of existing utilities on site and within 50 feet of the site including: a. Utility lines and poles, gas, etc. b. Sanitary Sewer lines c. Storm Sewer d. Water Lines

Applicant shall locate the Sanitary Sewer line. We take no exception to a waiver for completeness only.

Checklist Item 28. Wetlands areas and proposed transition areas delineated by a qualified professional or a statement indicating that no wetlands exist of the property.

The plans shall provide a note on the plans indicating that no wetlands exist of the property. We take no exception to a waiver for completeness only.



Checklist Item 29. Public Improvements construction plans for improvements to existing streets including: a. Center Line, Geometry, b. Road profiles, c. Road cross sections 50' on center, d. Grading plan showing existing and proposed contours

The project includes only sidewalk improvements which may change the grading of the public right of way. We take no exception to a waiver for completeness only.

Checklist Item 36. Environmental impact assessment

Applicant shall provide an Environmental Impact Assessment for this office to review.

Checklist Item 37. A copy of all existing protective covenants or deed restrictions of every nature affecting the subject property including a statement as to whether such deeds or covenants are of record.

Applicant shall provide any information regarding allowable access from the NJ Transit Lot.

Checklist Item 38. Copy of the current deed of record and a copy of the title insurance policy for the property when purchased if available.

Applicant shall provide the required documentation.

Checklist Item 39. All public property and property proposed to be dedicated in the tract, accurately outlined and described with existing or proposed uses designated.

The plans appear to show that the lots require right of way dedication. The plans shall provide any necessary dedication as outlined from the Borough's Master Plan.

Schedule "A" Checklist: "C" Variance

Checklist Item 3. A description of alternatives which were considered.

The checklist states that this was not provided. The applicant shall provide this as testimony in the public hearing. We take no exception to a waiver for completeness only.

Completeness Summary and Conclusion

At this time, it is our recommendation that the application be deemed **INCOMPLETE**. The subject to the maybe deemed complete providing the following checklist items and information are received prior to the hearing:

- Applicant shall provide a copy of the survey from the reference on Sheet C1.00
- **Item 22.** Provide an exhibit depicting the need for a sight triangle.
- **Item 23.** Plans shall provide Setback lines based on zone requirements
- **Item 36.** Applicant shall provide an Environmental Impact Assessment to review the impact the change of use may have on the Borough.
- **Item 37.** Provide a copy of any and all agreements affecting the lots.
- **Item 38.** Provide a copy of the current deed or title insurance policy if available.
- **Item 39.** Provide any dedication required.



Technical review

1. The radius map shall include block information.
2. Applicant shall confirm if it is their intention to combine lots 30 & 34.02.
 - a. Subject to any approval, the applicant shall confirm the new Lot number with the Tax Assessor.
3. Checklist Item 23 – Plan shall show all setback lines for the zone.
4. Checklist Item 24 – Plans shall provide location of the Sanitary Sewer Connection. Any easements allowing said connection shall be shown in the plan set. Sheet C-1.40 implies a sanitary connection to Bank Street, however Sheet C-1.30 shows a maintained connection to the Transit property. It is recommended that the connection be made to Bank Street, unless it can be demonstrated that there are easement rights through the transit property for the private sewer lateral.
5. Checklist Item 28 – The application has stated that there is no wetlands on site. The plans shall provide a note indicating that no wetlands exist of the property.
6. Checklist Item 29 – Plans shall provide a separate plan showing limit of improvements and grading of the ADA curb ramps. A note shall be provided that the completed ADA curb ramps shall be certified by the design engineer. The design of the sidewalk within the public right of way shall comply with PROWAG Standards.
 - a. In accordance PROWAG – R302.3 Passing Spaces - *Where the clear width of pedestrian access routes is less than 5 feet (sic), passing spaces shall be provided at intervals of 200 feet maximum. Passing spaces shall be 5 feet (sic) minimum by 5 feet (sic) minimum.*
It is recommended that the applicant provides a passing space on the sidewalk parallel to Bank Street.
7. Checklist Item 3 – Applicant shall provide testimony of alternatives considered.

Variances

8. In accordance with Section 194-53.B –Area & Bulk Requirement for BC Zone, see below. It is assumed that the applicant intends to consolidate the existing lots into one. The following potential bulk variances are identified:



	Use: Senior & Executive housing units	Other Permitted Uses	Existing		Proposed
	Required		Lot 30	Lot 34.02	Combined New Lot
Minimum Lot Area	130680 SF (3 acres)	6,000 SF	1,949 SF	16,016 SF	17,965 SF
Minimum Lot Depth	200 FT	100 FT	79.45 FT	152.73 FT	152.73 FT ^a
Minimum Floor Area	N/A	1,000 SF	±868 SF ^b	±9,300 SF ^b	varies
Maximum Density	12 Unit/Acre	N/A	0 Units	0 Unit	21.84 Unit/ Acre
Minimum Open Space	30% of Lot Area	N/A	-- ^b	-- ^b	23%
Maximum Building Coverage	25% of Lot Area	N/A	40.05%	35.65%	31.2%
Minimum Front Yard	100	25	±2 FT ^b	±39.5FT ^b	±0 FT ^c
Side Yard One	25	5	-8.3 FT ^b	1.49 FT	1.49 FT
Side Yard Both (cumulative)	50	15	-5 FT ^b	27.55 FT	27.55 FT
Maximum Impervious Coverage	60%	60%	71% ^b	75% ^b	81.15% ^b

- a. Plans shall provide lot depth distance on the Dimensional Site Plan to confirm.
- b. Calculation based on this office’s observation. Applicant’s plans shall be revised to confirm
- c. Trash Enclosures are located in the front yard.
- d. Greyed out boxes indicate where a variance is required.

9. In accordance with Section 194-55.A.(3) - Unless otherwise regulated in this chapter, a principal building as permitted shall be at least 30 feet from another principal building.
The existing warehouse has a preexisting condition where the location of the principal build is located approximately 4.1 FT from the principal building to the east, on the neighboring lot. This represents an existing nonconforming condition.
10. In accordance with Section 194-55.D – Sight Triangles
Applicant shall provide a sight distance exhibited in order to demonstrate if a sight triangle is necessary.



11. In accordance with Section 194-55.E (7) & RSIS Section 5:41-4.14.(g)4. The parking requirements are as follows:

Garden Apartment	Proposed Units	Spaces
1.8 Spaces / 1 Bedroom Unit	1	1.8
2 Spaces / 2 Bedroom Unit	7	14
2.1 Spaces / 3 Bedroom Unit	1	2.1
Totals	9 Units	18 Spaces (17.9)

In accordance with the Statewide Municipal EV Ordinance, the applicant has a 2-for-1 credit for the proposed EV charging stations. Credit is limited to a maximum of 10% of the total parking spaces constructed. The applicant has provided credit for 13 parking spaces, whereas 18 spaces are required. A variance is required.

- a. The parking summary on the cover sheet of the site plan lists a different unit count than what is shown on the architectural plans. This should be addressed.

12. In accordance with Section 194-55.H – Signs

Applicant shall provide testimony if any Signs are proposed.

13. In accordance with Section 194-55.I(1)(b) – No fence, wall or living fence which exceeds four feet in height shall be constructed.

The applicant is proposing that the fence on the east be 5 feet. A variance is required.

14. In accordance with Section 194-55.I(1)(d) – No fence having one decorative exterior side and one nondecorative interior side shall be permitted in any residential zone unless the decorative exterior side shall face away from the applicant's property and towards the adjoining property or street.

The fence detail shall indicate if there is decorative side. If there is decorative side, plans shall be revised to include how the fence complies with the township ordinance.

15. In accordance Section 194-63.B.(8) – Use Variance: All apartment uses are permitted only on second floors above permitted commercial uses. The applicant is proposing to have residential use on all floors. A Use Variance is required.

Garbage, Rubbish and Refuse

16. In accordance Section 243-3.A. “...When said receptacles are stored outside, they shall be in the rear yard or side yard only and no less than five feet from any property line. Residents and/or businesses finding these requirements governing outside storage a hardship may appeal, in writing, to the Borough Administrator for relief.”

The applicant is proposing two garbage receptacles, both located in the front yard. The east most garbage receptacles fence line is located at the right of way line and 3 feet from the side yard lot line. The other garbage receptacles fence line is located approximately 2 feet from the right of way line. A waiver is required.



Tree Removal and Replacement

17. In accordance Section 246-17A(2) - For larger scale clearing projects over 5,000 square feet, the applicant shall submit a tree survey as part of the application to determine number, sizes, and exemptions of trees. Applicant shall revise plans to show the location, type and size of trees located on the property.
18. In accordance Section 246-17B(4) – Replacement tree(s)
Applicant shall provide a tree replacement calculation per the ordinance.

RSIS

19. In accordance with RSIS Section 5:21-4.2 Cartway Width, a residential access with 2-sided parking shall have a 24 foot drive aisle width, whereas the applicant is providing 22 feet. The applicant is requesting a waiver. The applicant should provide justification in support of this waiver. This office recommends 24-ft.

Misc

20. Wheel stops are shown where parking stalls abut curb. The wheel stops appear to unnecessarily shorten the stall. It is recommended that they are removed.
21. The proposed right of way shall be shown on all sheets. Applicant shall provide further information on how this Right of way line was obtained.
22. Applicant shall revise the Limit of Disturbance to be consistent between pages C-1.10 and C-1.40.
23. Applicant shall provide testimony on the chosen location of the ADA Stall as they should be in close proximity to ADA units. Applicant shall address which units are ADA accessible, or ADA adaptable.
24. Water and sewer design is subject to the review and approval of the Water and Sewer Department.
25. The proposed ADA parking stall is in an area of 10% slope, where a maximum of 2% is permitted. Any redesign of grading should be designed to 1.5% slope to allow for construction tolerances.
26. The proposed grading along the north lot line between the parking stall and adjoining property line exceeds 2:1 slope. Lawn area slopes should not exceed 3:1. It is recommended that the applicant consider:
27. It is noted that the applicant is proposing improvements along the east property line. It appears that the applicant is proposing to install a 3' wide sidewalk. It is recommended that a 4-ft minimum sidewalk be included. Applicant shall confirm.
28. Applicant shall show all existing utilities on site. There appears to be a large culvert running under the building to the Transit Site. Applicant shall confirm.



29. Applicant shall provide existing site information of the off-site lots on the proposed site plan. Applicant shall clarify what off-site improvements are being proposed.
30. The existing conditions plan identify State Open water to the southwest of the parcel in question. Applicant shall provide transition area information. It appears that activities may be located within a regulated area, as such an NJDEP verification or permit is likely required. Applicant to provide further information on NJDEP LOI status.
31. Applicant shall provide testimony how the trash will be picked up and what type of containers will be used.
32. Applicant shall provide testimony of the purpose of the two trash enclosures for the site. Are both for the residential units, or is the eastern enclosure for the commercial property. Garbage pick up should address both trash and recycling waste.
33. This office is concerned about how a garbage truck will services the refuge containers. The plans shall be revised to show the circulation plan for the containers when all parking locations are occupied. They should also address how residents will access the enclosures.
34. Plans shall include a detail of the EV charging stations. The charging stations shall be shown on the dimension plan.
35. The plans shall provide a location for the mailboxes, AC Units, pad mounted transformers. It is recommended that any AC Unit or pad mounted transformer be properly landscaped to provide visual buffering.
36. The applicant shall provide deed of easement language and any right of way dedication language to the satisfaction of the Borough's Engineer.
 - a. Applicant shall provide testimony on work required on the Transit Property. This office notes that there is an existing railroad tie retaining wall that may interfere with the proposed parking and grading. It is shown on the existing plan, but omitted from the proposed Grading, Drainage & Utility Site Plan. If grading is proposed on the transit property, verification of transits acceptance is required.
 - b. In accordance with the existing site plan. The east side property line has several decks and curbs from the neighboring property which trespass over the lot line. Applicant shall provide further information on the decks to determine if there may be any adverse possession or if any agreements have been made regarding these decks. Will any of these structures interfere with the proposed sidewalk.



- c. An existing set of sets is located at the southeast corner of the building. The steps are half on the subject property and half off. It is not clear how the existing grading on the adjoining lot will be accommodate in the proposed design.
 - d. Applicant shall provide testimony as to the easement plan proposed. Who are the easements granted to. For what purpose. Are they open to the public. Who is responsible or the amenities within the easement.
37. The area of disturbance is greater than 5,000 sq ft, therefore, the plan must be certified by the Morris County Soil Conservation District.
38. Applicant shall seek all other necessary governmental approvals, including, but not limited to Morris County Planning Board, if required.
39. Bonding
- a. Performance Guarantee – Should the board approve this project, the applicant shall submit an estimate of bondable work, which shall comprise of soil erosion and sediment control measures, earthwork and all public work. The applicant is required to post a Performance Guarantee of 120% of that amount.
 - b. Inspection Escrow – Should the board approve this project, the applicant shall submit an estimate of bondable work equivalent to 5% of bondable site improvement and 5% of non-bondable site improvements.
 - c. Safety & Stabilization Bond – It is recommended that as a condition of final site plan approval, the applicant provide a Safety and Stabilization. The amount of a "safety and stabilization guarantee" for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows:
 - i. \$5,000 for the first \$100,000 of bonded improvement costs, plus
 - ii. two and a half percent of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus
 - iii. one percent of bonded improvement costs in excess of \$1,000,000.
40. The following note should be added to the plan:
- a. Any deviations without prior approval will render the approval null and void.
 - b. Any damage to the public road shall be repaired by the contractor at the direction of the Borough Engineer.
 - c. Contractor shall coordinate demolition of any utility connection with the Superintendent of DPW
 - d. All soil shall be transported and disposed of in accordance with all state and federal requirements. Any soil to be imported shall be certified clean, and documentation shall be submitted to the Borough Engineer prior to import.
 - e. There will be no burying of stumps, construction debris, or garbage on site. All waste material shall be disposed of in accordance with all applicable laws.
 - f. Notify all municipal agencies a minimum of 72 hours prior to the start of construction.



- g. The contractor shall notify the Borough Engineer for the following inspections 72 hours in advance:
- Silt fence installation prior to soil disturbance,
 - Drywell excavation prior to installation of materials,
 - Drywell tank, stone, and leader drain piping prior to backfilling,
 - Prior to removal of soil erosion and sediment control measures,
 - Pipe connection into the inlet
 - Other inspections which may be specified at the time of construction.

We reserve the right to amend this report based upon the submission of further information, and/or the recognition of other considerations as to the project conditions. Should you have any questions, please do not hesitate to give me a call.

Respectfully Submitted,
FRENCH & PARRELLO ASSOCIATES, P.A.

A handwritten signature in blue ink, appearing to read 'Denis F. Keenan', is written over a light blue horizontal line.

Denis F. Keenan, PE CME CFM
Board Engineer
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