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MEMORANDUM

To: Lori Taglairino, Planning Board Administrator

From: Paul D. Fox, P.E., CME
Engineering Consultant

Date: February 9, 2023

Subject: **Completeness Review**
Application for Minor Subdivision Approval
Block 41, Lots 1 & 2.01
Lakeshore Company – Applicant & Owner (Lot 1)
Timothy & Marta Lukacs – Applicant & Owner (Lot 2.01)
Application PB-01-24

This application was previously reviewed for completeness and the applicant (Lukacs) was provided with a notice indicating eleven deficiencies (copy attached). The current status of those eleven items is as follows:

Subdivision and Site Plan Checklist:

A. Document Submission

1. **Application Form.** The applicant has now submitted a second signed application form for the Lakeshore Company. Accordingly, this deficiency has been satisfied.
3. **Board of Health Approval.** The applicant has now submitted a memorandum from the Health Department. Accordingly, this deficiency has been satisfied.
4. **NJDEP Letter of Interpretation.** The applicant is required to submit a NJDEP Letter of Interpretation if wetlands are present. The applicant has submitted prior wetland mapping (completed for a septic system project 10 years ago) but has not obtained NJDEP approval for the wetland mapping. The applicant has now requested a waiver from this requirement. Given the nature of this application and the fact that no construction is being proposed, I have no objection to this waiver.

15. **Aerial Photographs.** The applicant is required to submit aerial photographs of the subject property. These have not been submitted and the applicant has requested a waiver from this requirement. The applicant should provide testimony as to why these materials should not be submitted.

B. Plan Submission

2. **Plat Showing the Entire Tract.** The applicant is required to submit a plat showing the entire tract. The submitted plat does not show the entire tract. Rather, most of Lot 1 is missing from the plat. The subdivision plat also fails to disclose the existing and proposed acreage of Lot 1. Additionally, NJAC13:40-5.1 requires that subdivision plats shall be based on a new or current survey of the property being subdivided. In this instance, the applicant does not have a survey of Lot 1. The applicant has now requested a waiver from this requirement. Insofar as the Planning Board cannot waive State requirements, I recommend against granting the requested waiver.
26. **Delineation of Flood Hazard Areas, Flood Elevations, Stream Encroachment Lines, Riparian Buffers, Wetlands, and Wetland Transition Areas.** The applicant's plan is required to show Flood Hazard Areas in accordance with NJDEP requirements. The applicant has now requested a waiver from providing this information. Given that the applicant is not proposing any construction or improvements, I have no objection to this waiver.
27. **Ten-Foot Topographic Contours.** The application is required to provide topographic data for the subject property on the submitted plans. The applicant has now requested a waiver from this requirement. Given the fact that no improvements are proposed as part of this application, I have no objection to this waiver.
34. **Tree Conservation Areas.** The applicant is required to depict tree conservation areas along the boundary of the property as provided in the Township Code. The applicant has now requested a waiver from this requirement. Insofar as no improvements are proposed as part of this application, I have no objection to a waiver of this requirement.
59. **Size, Shape, and location of required conservation easements.** The applicant is required to provide a conservation easement around the existing wetlands and wetland transition areas (Harding Township Code, Section 225-110D). The submitted subdivision plan does not depict any proposed conservation easement over the wetland transition area and a waiver from this requirement has not been requested.

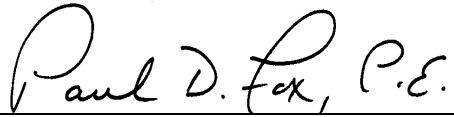
I recommend that this matter be placed on the next available Planning Board meeting agenda for consideration regarding the requested completeness waivers. The application should be considered incomplete until the Board acts upon the waiver requests and any deficiencies for which waivers were not approved (or requested) have been satisfied.

Lori Taglairino, Planning Board Administrator

February 9, 2024

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Please contact me at (908)234-0416 if you have any questions or concerns regarding these issues. I will be in attendance at the February 26th meeting and can also answer any questions at that time.

A handwritten signature in black ink that reads "Paul D. Fox, P.E." The signature is written in a cursive style with a horizontal line underneath it.

Paul D. Fox, P.E., CME

cc: Richard Clew, Board Chair
McKinley Mertz, PP.
Vincent K. Loughlin, Esq.