

**NICOLE M. MAGDZIAK**  
Attorney at Law

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Parsippany, NJ 07054-2891  
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April 17, 2025

**VIA UPS OVERNIGHT**

Lori Taglairino  
Planning Board Administrative Assistant  
Township of Harding  
21 Blue Mill Road  
New Vernon, NJ 07976

**Re: Environmental Approach, Inc. (“Applicant”)  
Amended Preliminary and Final Site Plan Application  
Block 33.03, Lot 1 – 1 Post House Rd., Harding Township (“Property”)**

Dear Ms. Taglairino:

This firm represents Applicant in connection with its application for Amended Preliminary and Final Site Plan related to the existing garden retail center at the above referenced Property. The Applicant appeared at the March 28, 2025 Planning Board meeting for a completeness determination. At that time, the Board Members requested information regarding the letters issued to the Applicant by the Zoning Officer. In response to that request, enclosed please find thirteen (13) copies of the following:

1. Letter from the Zoning Officer to the Applicant dated June 11, 2024;
2. Letter from the Applicant to the Zoning Officer dated July 12, 2024;
3. Letter from the Zoning Officer to the Applicant dated August 28, 2024; and
4. Letter from the Applicant’s attorney on behalf of the Applicant to the Zoning Officer dated October 24, 2024.

As was previously discussed with the Planning Board and as set forth in the application materials previously submitted, the Applicant is seeking approval to modify this condition to permit the outside storage of six (6) vehicles licensed for use on public roads (not including any tractor trailers) that also may be parked outside overnight on the property and for these vehicles to include up to four (4) attached licensed trailers. Additionally, the outdoor retail may include stone, pipe, landscape and garden materials and not just limited to plant material. Pursuant to the Board Planner’s review letter dated March 17, 2025, storage of these retail items are permitted under the Township Ordinance as agricultural/nursery items.

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The Applicant is further seeking to construct an approximately 100 square foot (10 feet by 10 feet) shed on the Property for the storage of equipment related to the maintenance of the Property.

We look forward to presenting the application at the site visit that is scheduled for April 23, 2025 and the public hearing that is scheduled for April 30, 2025.

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,



Nicole M. Magdziak



TOWNSHIP OF HARDING  
Morris County, New Jersey  
Blue Mill Road, Box 666  
New Vernon, New Jersey 07976  
973-267-8000

August 28, 2024

Willcoop LLC  
105 Sand Spring Rd  
Morristown, NJ 07960

**Re: The Environmental Approach  
Block 33.03, Lot 1 – Harding Township  
1 Post House Road**

Dear Willcoop LLC,

As per our meeting onsite today, the logs/wood that are currently in the R-1 section of the property need to be removed immediately. There should be no activity in this section of the property.

For the rest of the property, the large dumpster and two storage containers closer to Mt. Kemble Avenue are not permitted. Per approval condition 9, “there shall be no outside storage or display of any equipment other than a maximum of 4 vehicles licensed for use on public roads... except nursery and agricultural products” as per Harding Township Ordinance 225-147(C).

On the approved site plan, most of the area that was proposed as pervious pavers has been covered by gravel, instead of grass. Further, in the area past (southwest) the labeled “material bins” has had soil disturbance past the limit of disturbance.

Please contact me at (973)267-8000 x 715 if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink that reads "George Byrnes". The signature is written in a cursive style.

George Byrnes  
Zoning Officer  
Harding Township



TOWNSHIP OF HARDING  
Morris County, New Jersey  
Blue Mill Road, Box 666  
New Vernon, New Jersey 07976  
973-267-8000

June 11, 2024

Willcoop LLC  
105 Sand Spring Rd  
Morristown, NJ 07960

**Re: Warning – Flag Signs at The Environmental Approach  
Block 33.03, Lot 1 – Harding Township  
1 Post House Road**

Dear Willcoop LLC,

It was recently brought to our attention that multiple flag signs have been placed in front of your business along Mt. Kemble Avenue. There is no record of the Township issuing any permit for the installation of this sign. Rather, such signs are a violation of the Township Code Section 225-4A & 225-118E:

4A. Subject to the exemptions in Subsection B, no building or other structure shall be erected, constructed, remodeled, moved, enlarged or externally altered, no building or structure shall be used or occupied and no grading permit, building permit or certificate of occupancy shall be issued unless and until a zoning permit has been issued by the Zoning Officer. A zoning permit shall also be required for a change in use or occupancy of a nonresidential property and for development activity not requiring a grading permit or building permit, including but not limited to installation or enlargement of driveway paving, a patio, deck exterior stairs/steps, a sign, a fence, driveway entrance gates, driveway entrance pillars or posts (including light posts), recreation court, shed or other structure not requiring a building permit.

118E. Consist of banners, posters, flags (except United States flags), pennants, ribbons, streamers, strings of light bulbs (except seasonal decorations) and spinners.

In order to avoid the Township from pursuing all applicable remedies afforded under law, please remove the signs within ten (10) days. If the signs are not removed in that time frame, we will have no alternative but to issue you a complaint and summons.

Additionally, please also remember that, as per PB Resolution 05-21, there shall be no outside storage or display of items other than a maximum of 4 vehicles parked outside overnight or nursery/agricultural products. There are currently items that do not fall under this restriction currently being stored outside on this property (such as storage containers, piles of stones, and piles of piping).

Please contact me at (973)267-8000 x 715 if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink that reads "George Byrnes". The signature is written in a cursive style with a large, sweeping initial "G".

George Byrnes  
Zoning Officer  
Harding Township

NICOLE M. MAGDZIAK  
Attorney at Law

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Parsippany, NJ 07054-2891  
T: (973) 966-8027 F: (973) 461-4608  
nmagdziak@daypitney.com

October 24, 2024

**VIA E-MAIL & UPS**

Mr. George Byrnes  
Zoning Officer  
Township of Harding  
21 Blue Mill Road  
New Vernon, NJ 07976

Re: **Environmental Approach, Inc. (“Environmental Approach”)  
Block 33.03, Lot 1, 1 Post House Rd., Harding Township (“Property”)**

Dear Mr. Byrnes:

This firm represents Environmental Approach in connection with the garden retail center at the above referenced Property. Environmental Approach is in receipt of a letter from your office dated August 28, 2024 indicating that there are conditions on the Property that are not permitted. Environmental Approach was also advised at the meeting it attended with you and Mr. DeNave on August 28, 2024 that it had 60 days to remedy these conditions or apply to the Planning Board for an amended site plan (the “Cure Period”). I am writing on behalf of Environmental Approach to request an extension of the Cure Period until November 21, 2024. Environmental Approach is requesting an inspection of the Property on or after November 21, 2024. Please advise of dates and times that you are available to do so.

Below please find an itemized response to each comment in the August 28, 2024 letter.

- Comment: The logs/wood that are currently in the R-1 section of the property need to be removed immediately. There should be no activity in this section of the property.
  - **Response: the logs/wood are being moved out of the R-1 section of the Property and the area will be restored. At this time, approximately 75% of the logs/wood have been removed. All activity in the R-1 section of the Property will cease once this restoration occurs.**
- Comment: The large dumpster and two storage containers closer to Mt. Kemble Avenue are not permitted. Per approval condition 9, “there shall be no outside storage or display of

Township of Harding

October 24, 2024

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any equipment other than a maximum of 4 vehicles licensed for use on public roads... except nursery and agricultural products” as per Harding Township Ordinance 225-147(C).

- **Response: The large dumpster and storage container will be removed prior to November 21, 2024. Environmental Approach is proposing to install a 100 square foot (10 foot by 10 foot) garden shed on the Property to store maintenance equipment used for the Property. Enclosed please find an elevation and dimensions of the shed, which will be delivered on November 5, 2024, and then constructed on the Property. Also enclosed is a plan depicting the proposed location of the shed. The proposed location is on an area previously counted as impervious lot coverage and is located 15 feet from the retail building.**
- Comment: On the approved site plan, most of the area that was proposed as pervious pavers has been covered by gravel, instead of grass. Further, in the area past (southwest) the labeled “material bins” has had soil disturbance past the limit of disturbance.
  - **Response: The gravel area is currently located under the containers. Once the containers are removed, the gravel area will be restored to grass. The disturbed area behind the material binds has been restored.**

Thank you for your attention to this matter. If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,



Nicole M. Magdziak

Enclosures

cc: Vince DeNave, Assistant Administrator (via e-mail)



# The Environmental Approach, Inc

1 Post House Rd

New Vernon, NJ

Phone: (973) 635-9404; Email: [envapp@yahoo.com](mailto:envapp@yahoo.com)



New Jersey Division of Consumer Affairs Home Improvement

Contractor Registration #13VH01347200

Visit us online at [www.environmentalapproach.com](http://www.environmentalapproach.com)

The Environmental Approach, Inc. is a proud member of the New Jersey Better business bureau.

Mr. Byrnes

Received your note dated June 11 and we have made the necessary changes and removed the flags from along RT 202.

We will as of this this evening be compliant with the amount of overnight parking on the property.

In reference to the items being stored outside, the items; stone, pipe and containers are essential items for my business and are for sale. All of these items are commonly found at any garden center that sells nursery and agricultural products (including another on RT 202 in Harding). They are currently located in the display area/zones established on the approved site plan and do not encroach on parking. I consider them a necessity for business operations.

Thank you.

Sincerely,

Peter G. Finkle

President and Owner

The Environmental Approach, Inc

WillCoop LLC