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**MEMORANDUM**

To: Lori Taglairino, Board of Adjustment Secretary

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

Date: April 16, 2024

Subject: **Completeness Review**  
**Application for Minor Subdivision Approval**  
**Block 4, Lots 35 – 613 Spring Valley Road**  
**Block 4, Lot 36 – 1 Hartley Farms Road**  
**Stark Kirby – Applicant & Owner (613 Spring Valley Road)**  
**Hartley Farms Partners LP – Owner (1 Hartley Farms Road)**  
**Application BOA-04-24**

We have reviewed the subject application for completeness with respect to the requirements set forth in Article IX, Application Checklists, of the Harding Township Code. The application includes the following documents:

1. Four drawings entitled “613 Spring Valley Rd. & 1 Hartley Farms Rd., Lots 35 & 36, Block 4, Harding Township, Morris County, NJ” dated February 16, 2024, last revised March 8, 2024, and prepared by Gladstone Design, Inc.
2. One drawing entitled “Tree Replacement Plan” dated February 15, 2024, and prepared by Bosenberg Landscape Architecture.
3. Ten drawings entitled “Kirby Residence, New Home Utilizing Salvaged Barn Components, 613 Spring Valley Road, Harding, New Jersey” dated March 15, 2024.
4. Land Use Application.
5. Technical Review Escrow Agreement dated March 19, 2024.
6. Subdivision Proposal.
7. Consent to Application by Owner of Block 4, Lot 36.
8. Application Fees of \$2,512 and Technical Review Escrow Deposit of \$12,500.
9. One copy of Subdivision and Site Plan Checklist.
10. One copy of Board of Adjustment Zoning Requirements Tables for Lots 35 and 36.

11. Zoning Application Denial dated February 28, 2024.
12. Correspondence from the Hartley Farms Architectural Review Committee dated February 5, 2024.
13. Deeds for Lot 35 and existing utility easements encumbering Lots 35 and 36.
14. Certification of Tax Status indicating taxes are paid through March 31, 2024.
15. 200-foot Property Owner's Lists dated February 6, 2024.
16. Preliminary Subdivision Resolution of Approval from 1989.
17. Application to Health Department for Variance Review dated March 19, 2024.
18. Application to the Morris County Planning Board dated April 16, 2024.

I find that the application is incomplete as noted below:

**Subdivision and Site Plan Checklist:**

A. Document Submission

3. **Board of Health Approval.** The applicant is required to obtain the written approval of the Board of Health. The applicant has requested a waiver from this requirement. The applicant will need to provide testimony in support of this request.
4. **NJDEP Letter of Interpretation.** The applicant is required to submit a NJDEP Letter of Interpretation if wetlands are present. The applicant has requested a waiver from this requirement. The applicant should submit the required information or provide testimony confirming that there are no wetlands on the property or within 150 feet of the property.
14. **Application for Soil Erosion and Sediment Control Plan Certification.** The applicant is required to submit for Board approval an application for Soil Erosion and Sediment Control Plan Certification. The applicant has requested a waiver from this requirement. Insofar as the applicant is only seeking subdivision and variance approvals at this time, I have no objection to waiving this requirement.

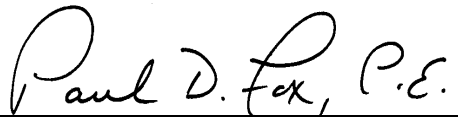
B. Plan Submission

18. **Setback Lines, Building Envelope, and Topographic Elevations.** The applicant is required to show all setback lines and a 100' x 100' square within the building envelope. Topographic elevations must be provided at the corners of these 100' x 100' squares. The applicant has not included this information on their plans and a waiver has not been requested.
26. **Delineation of Flood Hazard Areas, Flood Elevations, Stream Encroachment Lines, Riparian Buffers, Wetlands, and Wetland Transition Areas.** The applicant has requested a waiver from providing any information regarding NJDEP-regulated features on the project plans. The applicant should provide testimony with respect to this waiver request.

35. **Landscape Buffers.** The applicant has requested a waiver from the requirement to show any landscape areas or buffers on the plan. I have no objection to a waiver of this requirement provided that the applicant agrees to submit a landscape plan when a building permit application is submitted.
36. **Landscape Plan.** The applicant has requested a waiver from the requirement to submit a Landscape Plan. I have no objection to a waiver of this requirement provided that the applicant agrees to submit a landscape plan when a building permit application is submitted.
38. **Soil Erosion and Sediment Control Plan.** The applicant has requested a waiver from the requirement to submit a soil erosion and sediment control plan. Insofar as the applicant is only seeking subdivision and variance approvals at this time, I have no objection to waiving this requirement.

I recommend that this matter be placed on the next available Board of Adjustment 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.

Please contact me at (908)234-0416 if you have any questions or concerns regarding these issues. I will be in attendance at the April 18<sup>th</sup> meeting and can also answer any questions at that time.

  
Paul D. Fox, P.E., CME

cc: Richard Clew, Board Chair  
McKinley Mertz, PP.  
Gary T. Hall, Esq.  
Nicole M. Magdziak, Esq.