



July 15, 2020

Ms. Linda Marmora  
Borough of Upper Saddle River  
376 West Saddle River Road  
Upper Saddle River, New Jersey 07458

Re: Soil Moving Permit – Broderick  
25 Sunflower Drive  
Block 1112, Lot 17  
Borough of Upper Saddle River  
Our File No. USRES-541

Dear Ms. Marmora:

We are in receipt of the following documents for the above referenced application:

- A plan entitled, “Site Plan & Grading Plan for the Broderick Residence, 25 Sunflower Drive, Lot 17, Block 1112, Borough of Upper Saddle River, Bergen County, NJ”, dated through July 2, 2020, prepared by DJ Egarian & Associates, Inc.

This revised plan was received via email July 15, 2020.

Based on our review of the above referenced documents and our prior reviews of April 3, 2020 and June 11, 2020, we offer the following:

**General**

1. The Applicant/Owner(s) in this matter are:

Ryan and Nathalia Broderick  
25 Sunflower Drive  
Upper Saddle River, NJ 07458

The Borough shall be notified of any change in the above referenced information.

2. The subject site is a developed lot located on the eastern side of Sunflower Drive approximately 310 feet west of Hillcrest Drive. The property is located within the R-1 Residential Zone District and contains 37,500 square feet (sf) which is in conformance

with the Borough standard of 37,500 square feet. The lot is conforming in configuration as well.

3. The applicant is proposing the removal of the existing tennis court, walls, walkway, patios and rear deck. The applicant is proposing a new retaining wall, patios, deck, pergola, outdoor kitchen, fireplace, spa, access walkway and drainage improvements.

**Existing Non Conformities/Variances**

4. The existing site improvements contain non conformities. These proposed improvements contain variances. These are summarized as follows:
  - a) The driveway is non conforming for both the northern and southern side yard No Disturbance Buffers with a minimum setback of approximately 3 feet versus the required 5 feet. This is proposed to remain and not exacerbated by the application.
  - b) A keystone wall exists within the southern side yard 10 foot No Disturbance Buffer. This is proposed to remain and is not exacerbated by the application.
  - c) Three (3) air conditioning units are non conforming within the southern 35 foot required side yard setback with an approximated setback of 28 feet. These are proposed to remain and are not exacerbated by the application.
  - d) The existing pool patio is non conforming with an approximated setback of 15 feet versus the 32 foot permitted setback. This is proposed to be removed and the new pool patio is proposed at an increased minimum setback of 30.8 feet.
  - e) The existing lot coverage is non conforming at 58.7%. This is proposed to be reduced to 35.4%.
  - f) The lot coverage is proposed to be reduced to 35.4%. This is not compliant to the maximum required 30.0%. This is 2,025 square feet over the maximum permitted. A variance is required.
  - g) The new retaining walls proposed exceed 3 foot in height, at 3.6 feet along the rear and also by the side walkway area. These require variance approval.
  - h) The existing home's height is non conforming. The roof ridge elevation is indicated at 142.13. The existing maximum allowable roof ridge calculates to elevation 135.11 based on the lowest elevation of 100.11 at the rear yard deck's corner.

- i) The new maximum allowable roof ridge calculates to elevation 134.8 based on a new lowest proposed elevation of 99.8 at the new deck corner. While the existing roof ridge elevation of the dwelling remains at 142.13, this application intensifies the existing non conformity, requiring a variance. This exceeds 10% overage, therefore this is a “D” variance.
- j) The new pool patio is proposed with a minimum side yard setback of 30.8 feet versus the permitted 32.0 feet. A variance is required.

This listing may not be complete. Additional variances may be realized throughout the review process.

### **Site Plan**

- 5. The proposed building coverage is indicated at 12.5% versus the 15.0% maximum allowable. We do not concur with this coverage. The pergola is part of building coverage. Therefore the building coverage calculates at 14.6%. This remains compliant.
- 6. The lot coverage while significantly reduced from 58.7% to 35.4% remains non conforming to the 30.0% maximum permitted. A lot coverage variance is required.
- 7. A breakdown of all coverage onsite will be required on a Final As-Built Survey, post construction, to verify conformance to the final approved plan.
- 8. The retaining wall proposed in the rear yard along the tennis court area, is indicated with a maximum height of 3.6 feet. This exceeds the maximum 3 foot height for walls. A variance is required. Additionally the retaining wall by the side yard walkway has a maximum height of 3.6 feet. A variance is required.
- 9. The pergola’s highest roof ridge elevation is indicated at a conforming elevation of 107.5. The maximum permissible roof ridge calculates at elevation 115.0, based on the existing lowest elevation of 95.0 along the pergola’s rearline.
- 10. The new fence will require approval and permit issuance from the Building Department for compliance to Borough Ordinance and pool safety regulations.

### **Stormwater Management**

- 11. Drainage calculations are provided in support of the drainage design. The calculations are acceptable as submitted.

12. The property owner is responsible for maintenance of the seepage pit or equal. The system should be inspected annually, as well as, after every rainfall event greater than 2 inches.
13. No runoff from this property shall affect any adjacent properties both during and subsequent to construction. In the event a drainage problem persists, the applicant shall remedy the matter at his/her own cost.
14. The proposed seepage pit has been verified as having a minimum separation distance of 50 foot from both onsite and offsite septic systems.

#### **Soil Movement**

15. The total estimated quantity of soil excavation and fill in cubic yards is provided at 26 cubic yards and 183 cubic yards respectively. A Minor Soil Moving Permit is required. Please note the fill must be clean, obtained from a reputable source.
16. Any soil tracked onto the street must be immediately removed. If tracked soil remains overnight, the DPW shall remove it and assess the applicant for those costs.

The Borough will not tolerate any offsite silt and soil tracking. Any breach of silt controls will result in an immediate Stop Work Order being issued until all soil erosion controls are repaired and replaced.

17. Any roadway, curbing, or storm inlets along the property frontage damaged due to construction activities shall be repaired by the applicant to the satisfaction of the Borough's Construction and Engineering Departments.

#### **Tree Removal/Preservation**

18. Two (2) trees are proposed for removal. A Tree Removal Permit is required.

#### **Other Permits Required**

19. Bergen County Soil Conservation Certification or waiver.
20. Board of Health.

#### **Summary of Inspections/Submissions Required During Construction**

21. An inspection of all soil erosion control measures inclusive of silt fencing, tree protection fencing, stabilized construction access, etc. prior to the start of construction.

Ms. Linda Marmora  
July 15, 2020  
Page 5

22. The drainage improvements must be inspected by the Engineering Department. Forty-eight (48) hour notice is requested. Final approval and/or a C.O. will not be recommended for properties with stormwater management facilities not inspected. If stormwater management facilities are proposed said facilities must be in place with all related piping before stone backfilling.
23. An As-Built Survey is required, post construction.

This application is deemed complete. Please coordinate with the Board Clerk for scheduling. If you should have any questions, please do not hesitate to contact Eileen Boland, P.E., or me.

Very truly yours,

BOSWELL ENGINEERING



Marisa A. Tiberi, P.E.  
Borough Engineer Representative

MAT/ajf

cc: Jim Dougherty, Construction Official  
Board of Health  
Shade Tree Commission  
Code Enforcement  
Scenic Landscaping  
Broderick Residence  
Sean R. McGowan, Esq.  
DJ Egarian & Associates, Inc.

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