



April 28, 2021

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

Re: Variance Application - Soil Moving Permit for a Pool  
Diehl & Fischer  
25 Jan River Drive  
Block 810, Lot 1  
Borough of Upper Saddle River  
Our File No. USRES-513

Dear Ms. Marmora:

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

- A plan set consisting of two (2) sheets entitled, "Pool Plan, Block 810, Lot 1, 25 Jan River Drive, Borough of Upper Saddle River, Bergen County, New Jersey", dated through April 21, 2021, prepared by Schwanewede/Hals Engineering.
- Soil Moving Permit Application dated April 21, 2021.
- Drainage Calculations dated through April 26, 2021.

These revised documents were received April 22, 2021 and April 26, 2021 via email.

Based on our review of the above referenced revised documents and our initial review of March 23, 2021, we offer the following:

**General**

1. The Applicant/Owner in this matter are:

Amy Diehl & Simon Fischer  
25 Jan River Drive  
Upper Saddle River, New Jersey 07458

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

2. The subject site is a recently redeveloped lot located on the northern side of the Jan River Drive culdesac terminus. The property is located within the R-1 Residential Zone district and contains 41,406 square feet which is in conformance with the Borough standard of 37,500 square feet. The lot is also fully conforming in configuration.
3. The applicant is now proposing the following:
  - An in-ground pool with walkway connection and patio.
  - Fencing.
  - Pool equipment.
  - Retaining walls.

#### **Ex Nonconformities/VariANCES**

4. The existing site development contained non conformities. The improvements now proposed contain variances. These are summarized as follows:
  - a) There is an existing stone row within the ten (10) foot western side yard No Disturbance Buffer. This is proposed to remain.
  - b) The pool is forward of the rear building line of the home, within the western side yard. This requires a variance.
  - c) The patio proposed has a rear setback of 30.0 foot versus the 35 foot minimum requirement. This requires a variance.
  - d) The walkway proposed has a rear setback of 25.1 foot versus the 35 foot minimum requirement. A variance is required.

#### **Soil Movement**

5. The total quantity of soil excavation is indicated at 186 cubic yards and 29 cubic yards of fill. Excess excavated soil shall be trucked off site. A Soil Moving Permit is required.
6. The silt fencing is satisfactorily shown on the plans. Due to the environmental constraints on this property, the silt fencing will be required to be surveyed and certified for accurate location onsite. The silt fencing must be embedded into the soil 6 inches and maintained throughout construction.

7. 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 construction access is proposed through the front and side yard. An effective wheel cleaning blanket must be maintained throughout the construction.

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.

8. 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**

9. No trees are indicated to be removed.

#### **Stormwater Management**

10. Stormwater management improvements and drainage calculations as provided are acceptable.
11. No runoff from this property shall affect any adjacent property both during and subsequent to construction. In the event a drainage problem persists, the applicant shall remedy the matter at his/her own cost.

#### **Site Plans**

12. The fencing, as proposed, ties into the front building line of the home. The fencing is clarified as 4 foot in height, 50% open. Therefore this is compliant to Borough Ordinance requirements. The fencing will require approval from the Building Department for compliance with pool safety regulations and requirements.
13. The proposed lot coverage is provided at 27.1%. We concur with this coverage. It is compliant with the maximum permissible lot coverage of 30.0%.
14. A breakdown of all lot coverage onsite will be required to be provided on an As-Built Survey, post construction, to verify conformance to the approved plans.

**Environmental**

15. The property maps with wetlands, 100 year and 500 year FEMA Flood, Flood Hazard and Riparian Buffer Zone restrictions. The applicant is required to obtain amended approval from the New Jersey Department of Environmental Protection (NJDEP) for this revised pool and patio design.

**Other Permits Required**

16. Bergen County Soil Conservation District.
17. New Jersey Department of Environmental Protection (NJDEP).

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

18. An inspection of all soil erosion control measures inclusive of silt fencing, tree protection fencing, stabilized construction access, etc., prior to the start of these modifications. For this application, the silt fencing remains required to be certified for location due to the environmental restrictions for this parcel.
19. An As-Built Survey is required, post construction.

As submitted with variances, Board presentation and approval is required. This application is deemed complete and can be scheduled for Planning Board presentation. If you have any questions please 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  
Amy Diehl & Simon Fischer  
Schwanewede/Hals Engineering

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