

# township of wayne

Department of Planning  
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November 8, 2017

Planning Board  
Township of Wayne  
Wayne, New Jersey 07470

**Re: 169 & 181 Parish Drive; Block 911, Lot 14; R-15 Zone  
Annemarie Appleton  
Minor Subdivision with Bulk Variance**

Dear Board Members:

The referenced Applicant has requested minor subdivision with ancillary bulk variance.

The subject property, 57,592 square feet, is located at the northwesterly corner of the bend of Parish Drive, a county road and is improved with two (2) single-family dwellings, a nonconforming situation. The subject property lies in the R-15 District.

The Applicant proposes put each dwelling on its own lot by subdividing such that two (2) lots are created: one is to be 38,617 square feet, the other is to be 18,976 square feet. No new building lots are proposed; no land development is proposed.

In support of the application, the Applicant has submitted:

- Application form, with rider
- Minor Subdivision Plan signed and sealed by William J. Darmstatter, Darmstatter, Inc., dated June 2, 2017, last revised September 18, 2017, consisting of two (2) sheets
- Impervious Lot Coverage Calculations (for proposed Lots 14.01 and 14.02)
- Environmental Protection Calculation – number of building lots

The application was deemed incomplete pending the Board's decision regarding checklist waivers as follows:

| Checklist Item # | Checklist Item Description                                |
|------------------|---|
| 5                | Letter of Interpretation (LOI) or Presence/Absence letter |
| 46               | Wetlands & transition areas in accordance with the LOI    |

GIS data indicate that there are no wetlands or transition areas present.

**REVIEW COMMENTS**

1. The Applicant must first present the checklist waivers and the Board must render its decision before the Applicant can proceed with the merits of the case.
2. The Applicant performed EP calculations that show compliance with respect to lot yield: 3.799 where the Applicant is proposing two (2) lots.
3. Bulk Variance: The subject property is in the R-15 District, wherein the single-family dwellings are permitted. Bulk variance relief is requested as follows:

| ZONING TABLE                          |                 |          |                                  |
|---------------------------------------|-----------------|----------|----------------------------------|
| Criteria                              | Ordinance §134- | Required | Requested                        |
| Front yard setback (169 Parish Drive) | 34.2.D.1        | 50 ft    | 33.5/42.5 (see comment 4, below) |
| Acc. Structure side yard setback      | 34.2.E.1        | 10 ft    | 8 ft (see comment 5, below)      |

4. This nonconforming setback is an existing situation; nevertheless, the Applicant requested the relief.
5. Applicant did not apply for this bulk variance relief, but Planning Department noted it as part of the review. Planning Department found no evidence of a zoning permit or variance relief having been previously granted. We do not know how old it is. We therefore made it part of the listed variances.
6. This application for development falls in the jurisdiction of N.J.A.C. 5:21-1 *et seq.*, Residential Site Improvement Standards (RSIS), a State code. Applicant's plan indicates it complies with the state administrative code.
7. Other Agencies' approvals: The Applicant has applied to the Passaic County Planning Board. That agency has not yet issued its unconditional approval.

8. The Applicant has requested a checklist waiver for presenting an LOI at this point in the hearing process. If the Board grants the checklist waiver, it should now be specified whether the Applicant must apply to the NJ DEP for an LOI / Presence-Absence Letter. No land development is proposed.
9. Any and all necessary subdivisions plan revisions ensuing from Township agency reviews, which the Board imposes as conditions of approval, shall be made by the Applicant and those revised plans are to be submitted for administrative 'conformance with resolution' review. Upon the determination that the Applicant has presented plans that are acceptable to every reviewing agency, the Township administrative staff, on behalf of the Board, issues stamped approved plans. These stamped approved plans are distributed to agencies and to the Applicant and indicate that the plans meet the Board's conditions of approval with respect to plan details.
10. Applicant must also adhere to the conditions of approval set forth in the Engineering Division's review letter, related to bonding and other fees, as applicable (as well as compliance with any outside agency reviews). **These steps occur prior to the signing of the deed signing of the final plan.**

Respectfully submitted,



Linda M. Lutz, P.P., AICP  
Planning Director

cc: Michael Sweeney, Esq.  
Fernando Zapata, P.E.