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October 23, 2020

Ms. Karen Coffey, Board Secretary
Morris Plains Planning Board
Borough Annex
Morris Plains Borough Hall
531 Speedwell Avenue
Morris Plains, N.J. 07950-0305

*Re: Howard Kraus
Application for Minor Subdivision Approval with Variances and Waivers
Before the Borough of Morris Plains Planning Board
Block 37 Lots 7 (which includes Lot 8) Borough of Morris Plains
7 Carlyle Avenue, Morris Plains, New Jersey*

Dear Ms. Coffey:

Please be advised that this office represents Howard Kraus with regard to the above referenced Application for Minor Subdivision Approval with variances pursuant to N.J.S.A. 40:55D-70c(1) and (2) and waivers. The following is in response to the engineering letter report of Leon C. Hall, P.E., Borough Engineer, dated September 30, 2020, the planning memorandum report of Elizabeth C. Leheny, AICP, PP, municipal planner dated March 12, 2020, and the completeness hearing of October 19, 2020:

1. In response to Comment 2 of Mr. Hall's letter, regarding information required by item 23 on "Checklist A", attached are twenty (20) revised signed and sealed copies of drawings entitled "Minor Subdivision - 7 Carlyle Avenue - Block 37 Lots 7 & 8 Borough of Morris Plains, Morris County, New Jersey", prepared by John J. Hanlon, Professional Land Surveyor, New Jersey License Number GS37589, VS Land Data, P.O. Box 186 Phillipsburg, NJ 08865, dated August 3, 2018 revised to October 20, 2020, consisting of One (1) sheet and designated S-1. The plan has been revised to include an updated zoning table which now shows maximum building coverage and maximum lot coverage as required by item 23 of "Schedule A". **PLEASE NOTE: The map entitled "500" Radius Map" prepared by John J. Hanlon, Professional Land Surveyor, New Jersey License Number GS37589, VS Land Data, P.O. Box 186 Phillipsburg, NJ 08865, dated October 15, 2019, revised to August 11, 2020 consisting of One (1) sheet and designated S-2, (providing the information as required by Schedule F, Item 24g(1), (2), (3) and (4) within 500 feet of the subject property) was folded in together with (but not attached to) the original submission of the subdivision map designated S-1, and is a separate checklist item. This sheet (S-2) has not been revised and is not included in this submission. PLEASE DO NOT DISCARD THIS SHEET (S-2) FROM ORIGINAL SUBMISSION;**

2. In response to Comment 5 of Mr. Hall's letter regarding Mr. Anderson's issued statement regarding the absence of wetlands submitted in satisfaction of item 37 of "Checklist A" as well as the fourth item in the section entitled: "Checklist A" of Ms. Leheny's memorandum report, the Applicant requests that the Board accept Mr. Anderson's statement in satisfaction of this requirement or grant a waiver of this item;

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3. In response to Comment 6, 7 and 8 of Mr. Hall's letter, as well as the fifth item in the section entitled: "Checklist A" of Ms. Lenehy's memorandum report regarding the requirement to submit a Soil Disturbance Permit Application, a Soil Erosion and Sediment Control Plan and a Tree Removal Permit as required by items 38a, 38b, 38c of "Checklist A", as there is no development, construction or land/soil disturbance proposed on the subject property (neither lot 7 or lot 8) in this Application, nor is the removal of any trees proposed, Applicant requests a waiver of the requirements of these checklist items permitting same to be submitted prior to, and in conjunction with, any future application for a building permit for improvements to the property;

4. In response to Comment 9 of Mr. Hall's letter as well as the fifth item in the section entitled: "Checklist F" of Ms. Lenehy's memorandum report regarding providing the stormwater control plan required by item 41 of "Checklist A", as no development, construction or other improvements are proposed or contemplated in this Application, the Applicant requests that this item be waived permitting same to be submitted prior to, and in conjunction with, any future application for a building permit for improvements to the property;

5. In response to Comment 3 and 4 of "Schedule F", of Mr. Hall's letter regarding the requirement to submit a survey sketch showing a proposed building footprint, floor plans, building elevations and proposed elevations at corners of proposed buildings as required by items 24b through 24e of "Schedule F", as no structures or other improvements are contemplated in this Application, these items are not applicable and the applicant requests a waiver of the requirements of these checklist items permitting same to be submitted prior to, and in conjunction with, a future application for a building permit for improvements to the property;

6. In response to Comment 5 of Mr. Hall's letter regarding Mr. Anderson's issued statement regarding the absence of wetlands submitted in satisfaction of item 26 of "Checklist F" as well as the sixth item in the section entitled: "Checklist F" of Ms. Lenehy's memorandum report, the Applicant requests that the Board accept Mr. Anderson's statement in satisfaction of this requirement or grant a waiver of this item;

The Applicant respectfully requests that the Board deem this letter as an amendment to the Application for Development, Checklists and Checklist Rider to request the aforesaid checklist waivers.

In addition, attached hereto are the following:

(a) Twenty (20) copies of an updated proposed Notice to Property Owners and proposed Newspaper Notice. Note: It is contemplated that the Notices will be updated with the applicable meeting and Zoom information prior to mailing or publication respectively;

(b) Twenty (20) copies of a updated Certified List of Property Owners within 200 feet of the subject property.

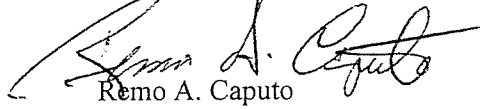
The Certification of Tax Collector indicating that all taxes and assessments on the subject property are current will be submitted under separate cover.

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It is my understanding that hearing to determine completeness of this application is scheduled for the November 16, 2020 meeting of the Borough of Morris Plains Planning Board and if deemed complete, a hearing in this matter will immediately follow.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Remo A. Caputo". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Remo A. Caputo

RAC/rc

Enclosures

cc: Howard Kraus

John J. Hanlon, P.L.S., VS Land Data

Paul W. Anderson, N.J. P.E., Anderson Consulting Services, LLC