October 28, 2026
September 17, 2026
TODOV26202

Kyrillos Girgis
Board Secretary
37 North Sussex Street
Dover, NJ 07801

RE: ENGINEERING REVIEW LETTER #2
Nicholas Estates, LLC
180 Ann Street
Block 407, Lots 1 & 20
App No: P26-02
App Type: Preliminary and Final Major Subdivision
Zone: R-1 (Single-Family-7,500 SF)

Dear Mr. Girgis,

As requested, Pennoni is pleased to have reviewed the above-mentioned application. The following is a summary of the documents that were reviewed as part of this effort:

1. Cover Letter prepared by Oller & Breslin, LLC, dated August 20, 2026
2. Land Use Application
3. Development Checklist – Administrative
4. Preliminary Major Subdivision Development Checklist
5. Deed of Property for Block 407, Lot 20
6. Deed of Property for Block 407, Lot 1
7. Schedule A Legal Description
8. Proof of Payment of Taxes prepared by the Town of Dover Office of the Tax Collector, dated August 6, 2026
9. Cover Letter for Morris County Land Development Review Application prepared by Oller & Breslin, LLC, dated August 11, 2026
10. Morris County Land Development Review Application submitted August 10, 2026
11. Receipt of Payment for Application Fee ($5,680.00)
12. Receipt of Payment for Escrow Fee ($6,711.25)
13. Plan entitled, "Preliminary & Final Major Subdivision Plan" prepared by Marc G. Walker, P.E., of Dykstra Walker Design Group, dated June 26, 2026, **last revised October 15, 2026, consisting of seventeen (17) sheets**
14. Report entitled, "Stormwater Management Calculations" prepared by Kevin J, Robine, P.E., of Dykstra Walker Design Group, dated July 9, 2026, consisting of three hundred fifty-one (351) sheets
15. Plan entitled, "Topographic Survey of Property" prepared by Jeffrey S. Grunn, P.L.S., of Lakeland Surveying, dated January 2, 2026
16. Document entitled, "Subdivision Report" prepared by Mike DiGiulio, PP and Joseph Barilla , PP, of the Morris County Planning Board, dated September 3, 2026
17. **Report entitled, "Environmental Impact Statement" prepared by Marc G. Walker, P.E., of Dykstra Walker Design Group, dated October 15, 2026, consisting of fifty-six (56) sheets**
18. **Response Letter prepared by Marc G. Walker, P.E., of Dykstra Walker Design Group, dated October 15, 2026, consisting of four (4) sheets**

SUMMARY OF APPLICATION
The subject property identified as Block 407, Lots 1 & 20 currently consists of one (1) single-family dwelling on Lot 1 and wooded area on both Lots 1 and 20. The Applicant proposes to subdivide both lots into **19** new lots. Within the **19** new lots, the Applicant proposes **six (6)** new dwellings, and the existing dwelling is to remain on its own lot. The remaining new lots are interpreted to be handled as separate developments at a later time. Site improvements include a new street across from Beaufort Avenue that ends in a cul-de-sac, sidewalks, grading, retaining walls, drainage, stormwater management features, and utilities.

A. SUMMARY OF VARIANCES & WAIVERS

1. The Applicant has requested a variance for the disturbance of 6,737 SF (0.15 acres) within critical slope areas. Critical slope areas are defined as previously undeveloped areas having a grade of 25% or greater. Per §236-21.2.B.(2)(a), there shall be no site disturbance, no structures, and no impervious coverage permitted within critical slope areas. Excluded from this limitation are utility improvements, both public and privately controlled, such as electric, telephone, cable lines, potable water, sanitary and storm sewer lines, driveways, utilities and roads, both public and private.
   The Applicant's Response Letter dated October 15, 2026, states that the project no longer requires a steep slope disturbance variance and no variances are proposed. The Subdivision plans have been revised to move the dwellings forward on proposed lots 1.14 and 1.15 so that they avoid steep slope disturbance. However, there appears to still be small portions of steep slope areas within the dwelling on proposed lot 1.16 and the southwestern corner of the aboveground basin. The Steep Slope Map, Sheet 8, shall be revised to show the square footage and acreage for these areas.

2. Per §236-21.2.B.(2)(a), driveways within critical slope areas must be designed and constructed with a maximum grade of 15% at any point and disturb no more than 25 feet of width parallel to the driveway. The Steep Slope Map, Sheet 8, shows that the driveways on proposed lots **1.11, and 1.12** contain critical slope areas and disturb more than 25 feet of width parallel to the driveway. This would require a variance for each of the proposed lots.
   The Applicant's Response Letter dated October 15, 2026, states that the project no longer requires a steep slope disturbance variance and no variances are proposed. There appears to still be disturbance beyond 25 feet of width parallel to the driveways on proposed lots 1.11 and 1.12.

3. The Applicant has requested a waiver for the following items and testimony shall be provided addressing each:
   i. Environmental Impact Statement in accordance with the requirements of §236-63. Given the scope of the application, we recommend that the Applicant provide.
   (Satisfied) An Environmental Impact Statement dated October 15, 2026, has been provided.

B. PRELIMINARY & FINAL MAJOR SUBDIVISION PLAN

1. The Major Subdivision Plat must be a stand-alone plan for filing in accordance with N.J.S.A. 46:26A-4.
   (Not Satisfied) To be filed as a condition of approval.

2. Per N.J.S.A. 46:26B, the outbound corners of the overall tract must be set with a concrete monument. The outbound corners cannot be bonded or set at a later date. They must be set prior to the map filing.
   (Not Satisfied) Outbound corners to be set prior to map filing.

3. Signature blocks must be provided in compliance with NJSA 46:26B-2.
   (Not Satisfied) Final signature block to comply.

4. A metes and bounds description for the vacated portion of Beaufort Avenue must be provided.
   (Not Satisfied) To be provided.

5. A metes and bounds description for the vacated conservation easement must be provided.
   (Not Satisfied) To be provided.

6. Monuments must be shown along the proposed Beaufort Avenue that comply with N.J.S.A.46:26B.
   (Satisfied) The Preliminary Subdivision Plan, Sheet 3, has been revised to add monumentation.

7. A utility easement must be provided on Lots 1.10, 1.14 & 1.15. The proposed Sanitary and Storm pipes shall be offset 10' to determine the extent of the necessary easements for future maintenance.
   (Not Satisfied)
   The Preliminary Subdivision Plan, Sheet 3, has been revised to show utility easements on proposed lots 1.04, 1.12, 1.13, 1.14, 1.15, 1.16, and 20.03. However, an easement needs to be shown on lot 1.10.

8. The Applicant shall provide Site Triangle easements for Lots 1.08 & 20.01.
   (Not Satisfied) It appears the site triangle easements provided are only about 4' per Sheet 3.

9. Lot closure reports must be provided for the overall property, right of way of Beaufort Avenue, and each individual lot.
(Not Satisfied) To be provided.

10. Bearings and distances must be provided for all easements showing how they affect each lot with areas.
(Not Satisfied) Metes and Bounds Descriptions to be provided.

11. The 20' drainage easement over Lot 1.13 must be tied to the boundary of Lot 1.13.
(Satisfied) The Preliminary Subdivision Plan, Sheet 3, has been revised to provide tie line.

12. All non-radial lines must be labeled.
(Satisfied) The Preliminary Subdivision Plan, Sheet 3, has been revised to label non-radial lines.

13. The north arrow should be moved out of Lot **1.17**.
(Satisfied) The Preliminary Subdivision Plan, Sheet 3, has been revised to relocate the north arrow.

14. The note for Lot 1.18 should be placed within the bounds of Lot **1.17**.
(Satisfied) The Preliminary Subdivision Plan, Sheet 3, has been revised to move the note within lot 1.17.

15. The Subdivision Plan shall be revised to show front, side, and rear yard setback dimensions on the plans for all proposed dwellings, and the setbacks shall match the Zoning Requirements table on the Cover Sheet, Sheet 1.
(Not Satisfied) To be provided to the town at the time of plot plan for each individual lot.

16. Per §236-13.F.(1), every new residential building in an R-1 District shall have a minimum gross first floor area of 1,000 square feet per dwelling unit. The floor area shall be shown in the Zoning Requirements table on the Cover Sheet, Sheet 1, for each proposed lot.
(Not Satisfied) To be provided to the town at the time of plot plan for each individual lot.

17. Per §236-13.E., no building or structure in the R-1 District shall have a height in excess of 30 feet. There shall be no more than 2 ½ stories above grade. The Zoning Requirements table on the Cover Sheet, Sheet 1, shall be revised to note that 30 feet is the maximum building height requirement, and the Applicant shall confirm that the proposed dwellings will not exceed a height of 30 feet.
(Not Satisfied) To be provided to the town at the time of plot plan for each individual lot.

18. The Applicant shall revise the calculations for the maximum permitted building coverage and impervious coverage table shown on the Steep Slopes Map, Sheet 8. Per §236-21.2.B.(1)(b), the permitted lot coverage and building coverage of any site shall be calculated by excluding all critical slopes and 50% of the moderate slopes from the lot area.

    a. Per §236-21.2.B.(2)(b), in zone district R-1, which permits a maximum lot coverage of 65% and building coverage of 25%, no more than 32.5% of that area classified as moderate slope may be improved with impervious coverage and no more than 12.5% of that area classified as moderate slope may be improved with building coverage.
        i. The calculation for Lot 1.02 appears correct, which shows that the maximum building coverage is (10,511 SF)*(0.25) – (1,120 SF)(0.125) = 2,488 SF and the maximum impervious coverage is (10,511 SF)*(0.65) – (1,120 SF)(0.325) = 6,468 SF.
        ii. The Lot 1.01 calculation within the table shows a maximum building coverage of 2,310 SF and a maximum impervious coverage of 6,007 SF. It appears that this should be recalculated to show a maximum building coverage of (10,310 SF)*(0.25) – [(1,638 SF)*(0.125)+(250 SF)] = 2,123 SF and a maximum impervious coverage of (10,310 SF)*(0.65) – [(1,638 SF)*(0.325)+(250 SF)] = 5,919 SF.
        (Not Satisfied)
        The Steep Slopes Map, Sheet 8, shall be revised to recalculate the maximum building coverages and impervious coverages per the above calculations for each proposed lot.

b. After these are recalculated, the Zoning Requirements Table on the Cover Sheet, Sheet 1, shall be revised to show that each of the proposed lots will comply with the maximum permitted building coverage and lot coverage requirement.
(Not Satisfied)
The Cover Sheet, Sheet 1, shall be revised to show the maximum permitted building coverage and lot coverage requirements for each lot, and shall match what is shown on the Steep Slope Map, Sheet 8.

19. The Applicant shall provide testimony detailing how the off-street parking requirements are met for the proposed dwellings per the Residential Site Improvement Standards (RSIS) § 5:21-4.14. The plan shall be revised to show a parking calculation and compliance with RSIS.
(Satisfied)
The Cover Sheet, Sheet 1, has been revised to add note #16 which includes the parking requirement per RSIS. Since the number of units is not specified for each proposed dwelling, three parking spaces are required for each lot. Two parking spaces are to be in each garage and one parking space in each driveway.

20. The Tree Removal Plan, Sheet 10, shows the limit of disturbance and all the trees to be removed as part of the project. The Applicant shall provide testimony regarding how compliance with the Tree Removal Ordinance is achieved:
    a. The Applicant shall revise the Subdivision Plan to show as many replacement trees as possible and a Landscape Plan shall be provided. There appears to be ample opportunity on each proposed lot to plant new trees.
    (Not Satisfied) A Landscape Plan shall be provided.

    b. Testimony shall be provided regarding any proposed payments into the tree preservation fund.
    (Not Satisfied) Testimony shall be provided.

    c. There appears to be a discrepancy on the Tree Removal Plan, Sheet 10. Per the tree replacement calculations table, 921 trees are to be removed. On the plan, it calls out a total of 950 trees to be removed. This plan shall be revised to address this discrepancy.
    (Satisfied) The Tree Removal Plan, Sheet 10, has been revised to address the discrepancy.

21. The Subdivision Plan shall be revised to show that a stop sign and stop bar are proposed at the intersection of Ann Street and Beaufort Avenue. Additionally, speed limit signage shall also be proposed on the plan for the new road.
(Satisfied)
The Conceptual Grading Plan, Sheet 4, has been revised to show a stop sign and bar at the intersection of Ann Street and Beaufort Avenue, and a speed limit sign on Beaufort Avenue.

22. The Subdivision Plan shall be revised to show details of all proposed signage and their compliance with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), 11th Edition, dated December 2023.
(Satisfied)
The Construction Notes & Details, Sheet 15, has been revised to include details for proposed signage.

23. The Conceptual Grading Plan, Sheet 4, shall be revised to confirm that all ramps, landings, and walkways are ADA compliant from the proposed right-of-way to the entrance of the proposed dwellings.
(Not Applicable)
ADA Standards do not apply to single family homes.

24. The Utility & Drainage Plan, Sheet 5, shall be revised to show the top and bottom of pipe for all sanitary/storm and sanitary/water utility crossings. The Applicant shall confirm that there is sufficient vertical separation between the crossing utilities. If vertical separation cannot be met, the pipe material needs to be adjusted or crossing measures per NJAC 7:14A-23.6(b)4 shall be provided.
(Not Satisfied)
The Applicant's Response Letter dated October 15, 2026, states that drainage comments are to be addressed at a future revision.

25. The Off-Site Drainage Plan, Sheet 6, shall be revised to shift pipe labels around so the plan is more legible.
(Not Satisfied)
The Applicant's Response Letter dated October 15, 2026, states that drainage comments are to be addressed at a future revision.

26. The Off-Site Drainage Plan, Sheet 6, shall be revised to show all drywells that are proposed on the new lots, which convey flow to the subsurface infiltration basin, and details for the drywells shall be provided with calculations.
(Not Satisfied)
The Applicant's Response Letter dated October 15, 2026, states that drainage comments are to be addressed at a future revision.

27. The Off-Site Drainage Plan, Sheet 6, shall be revised to show all pipes that convey flow to both the subsurface and surface infiltration basins, as well as all outflow pipes from the basins. All pipes shall show the direction of flow, and the four lots that will discharge via overland flow shall be identified on the plans.
(Not Satisfied)
The Applicant's Response Letter dated October 15, 2026, states that drainage comments are to be addressed at a future revision.

28. The Applicant shall provide testimony regarding how trash/recycling is proposed to be handled for each proposed lot/dwelling.
(Not Satisfied) Testimony shall be provided.

29. The Applicant shall provide testimony regarding the proposed lighting and indicate if it conforms with the Residential Site Improvement Standards (RSIS) and the Illuminating Engineering Society of North America (IES) Lighting Handbook.
(Not Satisfied) A lighting plan shall be provided.

30. Granite Curb and Depressed Curb Details have been provided on the Construction Notes & Details, Sheet 15. The Subdivision Plan shall be revised to clearly indicate the locations for both standard and depressed curbs.
(Satisfied)
The Conceptual Grading Plan, Sheet 4, has been revised to show depressed curb locations.

31. The Applicant shall provide testimony confirming all site improvements within the Ann Street right-of-way shall be in conformance with Town of Dover standards, and within the Prospect Ave right-of-way shall be in conformance with Morris County standards. Details for all site improvements shall be included in the Subdivision Plan set. It appears that a concrete sidewalk detail has not been included. Per §337-27, it is required as a condition for the issuance of a building permit for any new construction, whether residential, commercial or industrial, that sidewalks and curbs be installed along the frontage of any public street upon which the lot or parcel to be built upon has frontage, in accordance with the terms and specifications for sidewalks and curbs as established by this article. No certificate of occupancy shall be issued until the sidewalks and curbs have been properly installed. If the Applicant chooses not to provide sidewalks and curbs along the Ann Street frontage, a waiver is needed from the Mayor/Town Council.
    a. The Applicant shall provide testimony regarding the extent of this work.
    (Satisfied)
    The Conceptual Grading Plan, Sheet 4, has been revised to show a 4' wide concrete sidewalk along the Ann Street frontage with street trees. The Construction Notes & Details, Sheet 15, has been revised to include a concrete sidewalk detail.

32. A Vehicle Circulation Plan shall be provided in the Subdivision Plan set to show how emergency and refuse vehicles enter and exit the new street for the proposed development.
(Satisfied)
The Roadway Profile & Truck Maneuvering, Sheet 7, has been revised to include vehicle circulation for both a firetruck and garbage truck.

C. STORMWATER REPORT

1. The Stormwater Management Calculations (report) shall be revised to provide the limit of disturbance that is shown on the plans (6 acres), the increase in impervious coverage (existing and proposed), and the increase in motor vehicle surface (existing and proposed) for the proposed development in the Project Overview section of the report.

2. Under Chapter 236 Article VB of the ordinance, a Major Development is defined as an individual "development," as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004, the creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004, the creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021, or a combination of "regulated impervious surface" and "regulated motor vehicle surface" that totals an area of one-quarter acre or more. Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of the conditions of a major development.
    i. As per the Steep Slope Map, Sheet 8 of the Subdivision Plans, the project disturbs **6.00 acres.**
    ii. The project appears to propose a net increase in regulated impervious coverage. The report shall be revised to provide an increase in square feet and acres.
    iii. The project appears to propose a net increase in regulated motor vehicle surface. The report shall be revised to provide the increase in square feet and acres.
    iv. Based on the **limit of disturbance**, the project **is** classified as a Major Development.

3. Stormwater management measures must be provided assuming the maximum impervious lot coverage for all lots that are a part of the subdivision.

4. The report shall be revised to provide the hydrologic soil groups (HSG) obtained from the USDA WebSoil Survey for each soil group on the subject site.

5. Per the USDA NRCS Web Soil Survey, it appears that the USGKAC soil is identified as urban land and has no hydrologic soil group (HSG) classification. As per Chapter 12 of the NJBMP Manual, for soils with unclassified HSGs, HSG B must be assumed for the pre-construction condition and HSG D for the post-construction condition. The Applicant must revise their calculations in accordance with Chapter 12 of the BMP Manual. The Curve number calculations for EX-1 shall be revised to show all HSG B soils for the pre-construction condition or hydrologic soil group soil classification testing must be performed.

6. The report includes Infiltration Soil Testing that has been completed on April 22, 2026. The report shall be revised to show the soil test pit locations on the grading/drainage plan and drainage area maps. Per Chapter 12, Section 1d of the NJBMP Manual, for soil testing from January through April if the water table is **not** observed, the seasonal high water table shall be assumed to be at the lowest elevation of soil exploration.
    a. Both the stormwater report and the soil testing report shall be revised to demonstrate that it complies with Chapter 12, including the calculation for the minimum number of tests required.
    b. The report shall be revised to show supporting calculations for the minimum depth of soil exploration as required in Chapter 12 Section 2a of the NJ BMP Manual.
    c. The report shall be revised to show soil profile logs from the test pits and state if redoximorphic features were found.

7. The Existing Drainage Area Map shall be revised to show the soil type boundaries from the USDA NRCS Web Soil Survey. The Proposed Drainage Area Map shows the soil type boundaries. The area that is shown as D Soils on the Proposed Drainage Area Map shall be shown as B Soils on the Existing Drainage Area Map.

8. The Existing and Proposed Drainage Area Maps shall be revised to indicate the size of each cover area for all drainage areas. For example, PR-1A should show 2.17 Ac Pervious – Open Space Good Condition, 0.10 Ac Pervious – Woods, and 0.52 Ac Impervious – Buildings, Pavement. It is important to note that gravel is considered pervious for the pre-construction conditions and impervious for the post-construction condition.

9. The time of concentration calculations for EX-1 PER on sheet 24 of the report shall be revised to use a maximum of 100 feet for sheet flow. As per Chapter 5 of the NJ BMP Manual, only when there is something physically in

contact with the flow of stormwater runoff to prevent sheet flow from occurring, such as a swale, curb or inlet, shall the value used be less than 100 ft.

10. The Existing and Proposed Drainage Area Maps shall be revised to show the flow type, length, slope, and time that match the time of concentration calculations for each drainage area.

11. The post-construction time of concentration calculations shall be revised to show that the max flow length for sheet flow is either the McCuen Spiess Limitation value or 100-feet, whichever is less. Additionally, the n-value for woods and grass must be 0.40 and 0.15, respectively.

12. The curve number calculations for PR-1G show a total area of 6.64 acres pervious and 0.70 acres impervious which totals 7.34 acres. The Proposed Drainage area Map shows that PR-1G is 7.29 acres. The report and Proposed Drainage Area Map shall be revised to address this discrepancy. Additionally, the Proposed Drainage Area Map shall be revised to show a table with each drainage area and its area in acres, with a total area at the bottom of three table showing that it equals 14.3 acres (EX-1).

13. The Groundwater Mounding Calculations shall be revised to use the largest exfiltration volume, which is typically the 100-year future storm, for both infiltration basins.

14. The report shall be revised to provide a statement or table that the water quality drainage area requirements are met and a calculation that the proposed manufactured treatment device and surface infiltration basin (Basin 2) meet the required TSS removal of 80% as required per Chapter 5 of the NJBMP Manual.

15. The Proposed Subsurface Infiltration Basin #1 details on Construction Notes and details, Sheet 17 of the Subdivision Plan Set, shall be revised to show the following:
    a. Minimum separation from the seasonal high water table per the NJBMP Manual
    b. Peak water elevations from the WQ and all current and projected storm events
    c. Minimum and max cover depths and surface elevations
    d. A non-woven geotextile must be provided along the top and sides of the basin to prevent the infiltration of fines as per the NJBMP Manual
    e. Add a note indicating that Post-construction testing must be performed on the as-built infiltration basin in accordance with the Construction and Post-Construction Oversight and Soil Permeability Testing section in Chapter 12 of this manual.

16. The Surface Infiltration Basin Section detail on Construction Notes and details, Sheet 17 of the Subdivision Plan Set, shall be revised to show the following:
    a. Minimum separation from the seasonal high water table per the NJBMP Manual
    b. Peak water elevations from the WQ and all current and projected storm events. A minimum of 12-inches of freeboard from the 100-year projected storm shall be provided.
    c. Clarify the berm to match plan. There appears to be two walls associated with the berm condition. An additional detail of the berm section shall be provided and the report and plans shall provide seepage controls and calculations.
    d. Add a note indicating that Post-construction testing must be performed on the as-built infiltration basin in accordance with the Construction and Post-Construction Oversight and Soil Permeability Testing section in Chapter 12 of the BMP Manual

17. Proposed Basin #2 does not include an emergency spillway. An emergency spillway shall be provided that is designed to accept the entire 100-year projected flow and not damage downstream structures or conditions. The emergency spillway shall be designed to assume that OCS is not functioning and no infiltration is provided.

18. The Construction Notes and details, Sheet 17 of the Subdivision Plan Set, shall be revised to show the minimum separation from the seasonal high water table within the Subsurface Infiltration Basin detail. Elevations shall be provided within the detail similar to the Surface Infiltration Basin Section.

19. The Off-Site Drainage Plan, Sheet 6, shall be revised to show that the first orifice for the outlet structure is set at the water quality design storm (WQDS) elevation for the Subsurface Infiltration Basin (Basin 1).

20. The Off-Site Drainage Plan, Sheet 6, shall be revised to show the peak elevations for the 2-, 10-, and 100-year current and future storm event for both the subsurface infiltration basin (Basin 1) and the surface infiltration basin (Basin 2).

21. There appears to be a discrepancy between the plans and the stormwater report regarding the surface basin outlet control structure. The Utility and Drainage Plan, Sheet 5, and the Construction Notes and Details, Sheet 17, and show that the weir is 2.33 feet, where the report on pages 55, 189, and 320 show that the weir is 3.0 feet. This discrepancy shall be addressed, and the report and plans shall both be revised so they are consistent.

22. There appears to be a discrepancy between the plans and the stormwater report regarding the subsurface basin outlet control structure. The Construction Notes and Details, Sheet 17, show a 2.5" orifice at 712.72 and a 6" weir at 713.07 within the Proposed Subsurface Infiltration Basin #1 (Plan View) Detail. The report on pages 45, 179, and 313 shows that the outlet structure has a 12" orifice at 815.00 and a 3.5 ft weir at 816.25. This discrepancy shall be addressed, and the report and plans shall both be revised so they are consistent.

23. The Construction Notes and Details, Sheet 17, shall be revised to provide a detail for the proposed Filterra.

24. The Applicant shall provide an Operation and Maintenance Manual. The O&M Manual must be done in accordance with §236-63.22B and C and be provided as a separate signed and sealed document for review. The manual must include, at minimum:
    a. Include the contact information of the design Engineer and entity responsible for maintenance.
    b. An example maintenance task log and estimated cost for maintenance tasks must be included.
    c. Provide NJDEP Certification and manufacturer's operation and maintenance manual for any MTDs.
    d. Map with all stormwater structures and piping, as well as any details related to the proposed stormwater management system
    e. The maintenance plan shall be recorded upon the deed of record for each property on which maintenance is undertaken

25. As per §236-63.22.B.(4), responsibility for maintenance of the stormwater management system shall not be assigned or transferred to a homeowner or tenant of an individual property in a residential development unless such owner or tenant owns or leases the entire residential development. Maintenance of the stormwater management system shall be the responsibility of the developer or a homeowners' association.
    a. If the plan identifies or homeowners' association, the plan must include a copy of the other party's written agreement to assume this responsibility.

26. The report shall be revised to confirm that all proposed stormwater pipes have adequate capacity. The pipe conveyance calculations shall be revised to:
    a. Confirm that all off-site contributory flow is included in the calculations.
    b. Provide an inlet area map for all proposed inlets.
    c. Demonstrate that the proposed improvements will not negatively impact the existing drainage system within Prospect Ave.
    (Not Satisfied)
    The Applicant's Response Letter dated October 15, 2026, states that all stormwater report comments are to be addressed at a future revision.

D. <u>ENVIRONMENTAL</u>

1. We recommend that the Applicant provides an Environmental Impact Statement as well as testimony regarding the potential impacts associated with this project as it relates to the items outlined in §236-63.
   (Not Satisfied)
   An Environmental Impact Statement dated October 15, 2026, has been provided. However, a section regarding the health, safety, and welfare of the public is missing.

   The Environmental Impact Statement shall include the following:
   a. Describe all of the probable effects, both on-site and off-site, of the proposed development upon:
      i. Natural resources of all kinds, including plant and wild life.
      (Satisfied)

ii. Hydrologic conditions and existing surface and storm water drainage patterns.
(Satisfied)

iii. Soil erosion and sedimentation in accordance with standards for soil erosion and sediment control in New Jersey adopted June 14, 1972, by the New Jersey State Soil Conservation Committee.
(Satisfied)

iv. Water quality with reference to standards established by the New Jersey Department of Environmental Protection and Energy.
(Satisfied)

v. Air quality with reference to standards established by the New Jersey Department of Environmental Protection and Energy.
(Satisfied)

vi. Noise.
(Satisfied)

vii. Potable water supply.
(Satisfied)

viii. Traffic volume and flow.
(Satisfied)

ix. Health, safety and welfare of the public.
(Not Satisfied)
The report shall be revised to include a section on the health, safety, and welfare of the public.

b. Discuss alternative proposals for the proposed development which will reduce or eliminate any adverse on-site or off-site environmental effects.
(Satisfied)

c. Discuss the steps proposed to be taken before, during and after the development to minimize any adverse on-site or off-site environmental effects which cannot be avoided.
(Satisfied)

2. Per NJ-Geoweb, the subject site contains a habitat for the Indiana Myotis, which is listed as a federal endangered species. The removal of 900+ trees will affect the habitat of this species.
(Not Satisfied)
The Report shall be revised, and testimony shall be provided regarding the protection of the existing habitat for the federal endangered species.

E. <u>MISCELLANEOUS</u>

1. The Applicant shall obtain all other applicable approvals required by outside agencies, including but not limited to the Morris County Soil Conservation District, the Morris County Planning Board, the Town of Dover Building Department, the Department of Public Works, etc. Copies of said approvals shall be provided upon receipt.

2. Will Serve letters received from the various utility companies for water, sewer, gas, and electric shall be provided confirming services can be made available to the proposed dwellings for each lot.

3. An Architectural Plan has not been submitted for this application. The Applicant shall provide testimony regarding the proposed material selections and colors for all elevations of the proposed dwellings.

4. Our office is in receipt of the Morris County Planning Board Subdivision Report Letter dated September 3, 2026. The Applicant shall address all comments provided by the County as this application proposes drainage improvements within Prospect Street (CR 513). A copy of Morris County Planning Board Approval shall be provided upon receipt once the comments have been addressed.
(Not Satisfied)
The Applicant's Response Letter dated October 15, 2026, states that all miscellaneous comments are acknowledged. These comments shall be addressed by the Applicant.

We reserve the right to present additional comments, variances, and/or design waivers pending testimony of the Applicant before the Board. The Applicant shall submit a point-by-point response letter to accompany any revised submission detailing how each of the above is being addressed.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,
PENNONI ASSOCIATES INC.

Stephen Hoyt, PE
Board Engineer