

**RESOLUTION OF FINDINGS AND CONCLUSION
BOARD OF ADJUSTMENT
BOROUGH OF RUMSON
BLOCK 18, LOT 34**

WHEREAS, Brendan Kennedy has applied to the Board of Adjustment of the Borough of Rumson for permission to raze the existing single family residence and construct a new single family residence and in-ground pool at the existing premises located at 16 Somerset Drive and known as Block 18, Lot 34 on the Tax Map of the Borough of Rumson, and which premises are in the R-1 Zone; and

WHEREAS, on February 15, 2022 and March 15, 2022, at a meeting of the Board, due notice having been given the adjoining property owners and published in accordance with N.J.S.A. 40:55D-12 as appears by affidavits filed with the Board, and a quorum being present, the aforementioned application was heard; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and the public, including an engineer's Site Plan by Cranmer Engineering P.A., 5 sheets dated 12/22/21, last revised 03/03/22, architectural plans by Architect R. Adler, 6 sheets dated 12/22/21 and Administrative Officer Data Sheet has made the following factual findings:

1. The property is an existing one story single family house, located on a 1.52 acre irregularly shaped lot having approximately 339 feet frontage on Somerset Drive and irregular depth. The applicant proposes to raze and remove the existing house and construct a new two-story approximately 7557 S.F. single family house and in-ground pool, all as shown on the Plan. Variance relief is required as the property is currently nonconforming in interior lot shape (115 feet required, 67.6 feet existing). The new construction will result in a nonconformity in front yard setback (100 feet required, 64.5 feet proposed); the presently existing house has a 54.2 foot front setback.
2. At 1.52 acres the lot conforms in size and can accommodate the house and accessory structures proposed. The applicant clarified that the access driveway will be the one existing and in use at the bulb on Somerset Drive and the second depressed curb and driveway further east on Somerset is being removed. The irregular shape of the existing lot results in a front setback and lot shape variance being required; it should be noted the front setback nonconformity is being reduced. The applicant's Architect further noted that the Plans as to the rear retaining wall will be revised to conform to the 15 foot setback requirement.
3. The only concern or issue arose as to the visibility of the new two story structure from houses on Oak Lane to the rear, as due to the slope of the ground those

houses are lower in elevation. In the public portion, one neighbor on Oak Lane spoke, requesting landscaping to mitigate the view of the new house. The applicant agreed to provide additional screen plantings on a small berm along the rear property line to provide screening. That additional screen plantings and the revised retaining wall to meet the 15 foot setback will be shown on revised Plan sheet, to be reviewed at the March 15 meeting prior to Resolution Approval.

4. With that proposed revision to address the visibility concern, the Board approved the proposal subject to acceptance of the Plan revision at the March meeting. As previously noted, the proposal complies as to floor area and coverage limitations. The irregular lot shape requires variance relief as requested. The Lot size can accommodate the size of the house and accessory structures.
5. At the March 15 meeting, the Board reviewed the revised Plan as to the revised retaining wall and landscape plantings along the rear property line and finds that the proposal is a reasonable appropriate plan to address and mitigate any impacts on the neighborhood from the increased (but conforming) height of the new house. On that basis, the Board adopted this Resolution.

WHEREAS, based upon the foregoing testimony and findings of fact, the Board finds that with respect to the specific premises the purposes of the Land Use Act would be advanced by a deviation from the Zoning Ordinance and the requirements and the benefits of this deviation would substantially outweigh any detriment; and that the relief requested by applicants can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Rumson and to deny the application would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the applicants.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the Borough of Rumson on this 15th day of March, 2022 that the application of Brendan Kennedy for a variance to raze the existing single family residence and construct a new single family residence and in-ground pool on the existing premises in accordance with the plans as agreed to and amended and the testimony and evidence presented at the hearing, be granted upon the following conditions:

1. All factual representations made on behalf of the applicants are incorporated herein as conditions of this variance.

2. The action of the Board of Adjustment in approving this application shall not relieve the applicants of responsibility for any damage caused by this project, nor does the Board of Adjustment or the Borough of Rumson accept or have any responsibility or liability for the structural design of the project or for any damage which may be caused by the project.
3. Prior to issuance of any Certificate of Occupancy the applicant must repair or replace any curb, sidewalk, or street pavement damaged, in the judgment of the Borough Administrative Officer, as part of or by reason of the construction of the project.
4. The following must be accomplished prior to the issuance of a development, zoning and/or building permit:
5. The following must be accomplished prior to the issuance of a development, zoning and/or building permit:
 - a. Evidence must be provided by the applicant that the permits and approvals listed in subsection 22-3.4a,4 of the Development Regulations have, where applicable, been obtained.
 - b. Taxes must be current.
 - c. If applicable, inspection fees as required by subsection 22-3.14m and n of the Development Regulations must be paid by the applicant.
 - d. Insurance certificates must be provided if construction of public improvements is involved.
 - e. Any outstanding review fees or escrow deficiency must be paid.
 - f. Notice must be published as required by subsection 22-3.3e,5 of the Development Regulations.

Above Resolution moved by
seconded by , and on roll call the
following vote was recorded:

In the Affirmative:

In the Negative:

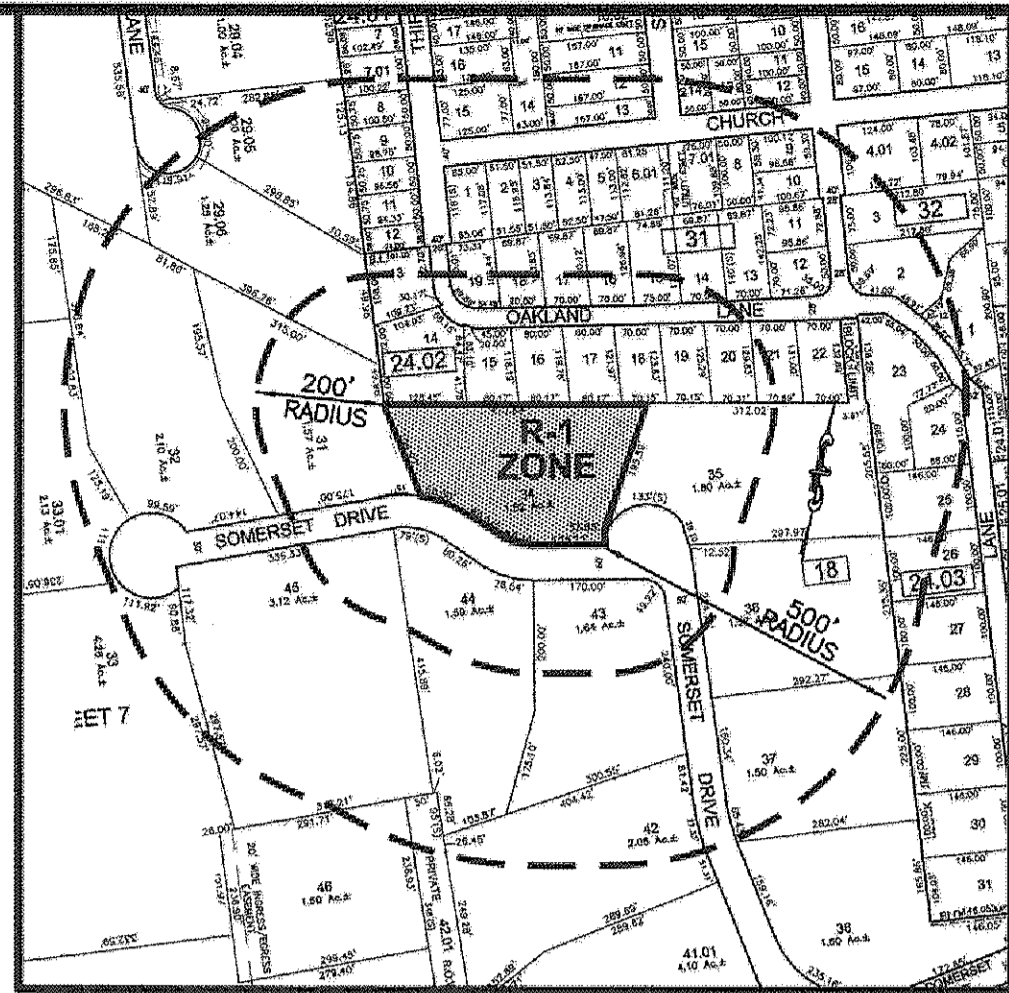
Abstain:

The foregoing is a true copy of a Resolution adopted by the Board of Adjustment of the Borough of Rumson at its meeting on

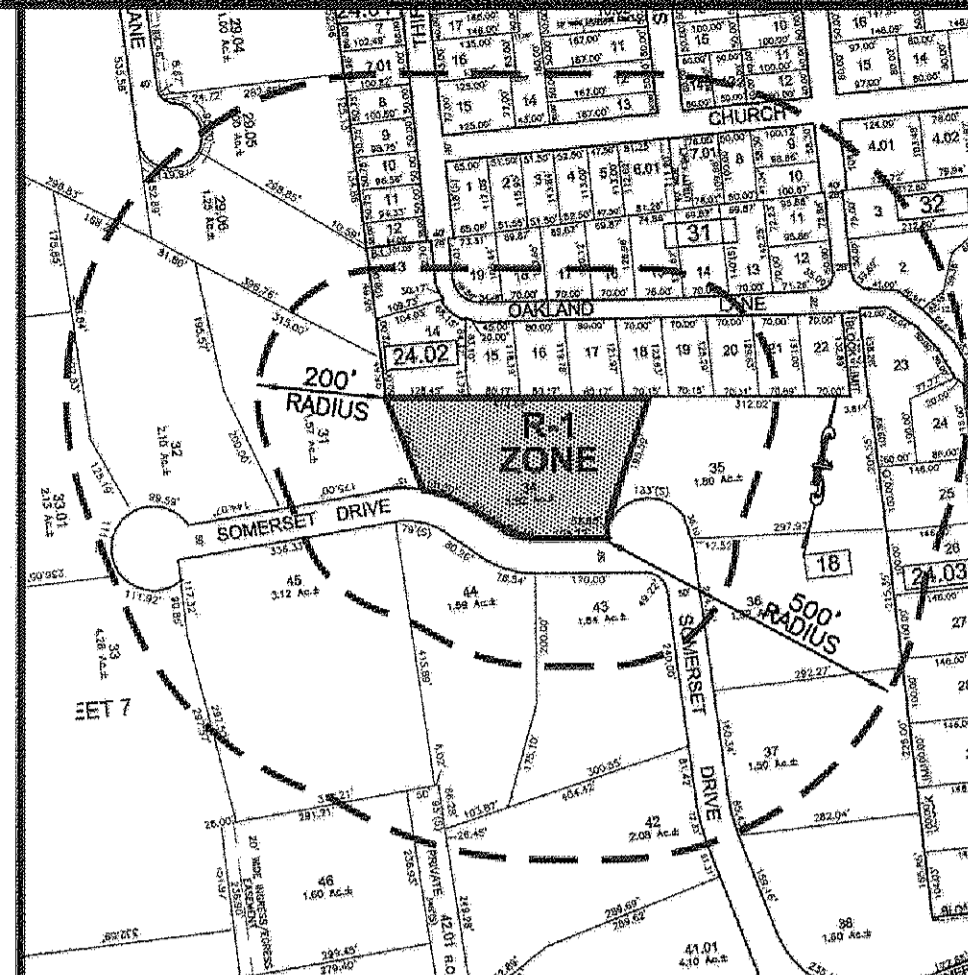
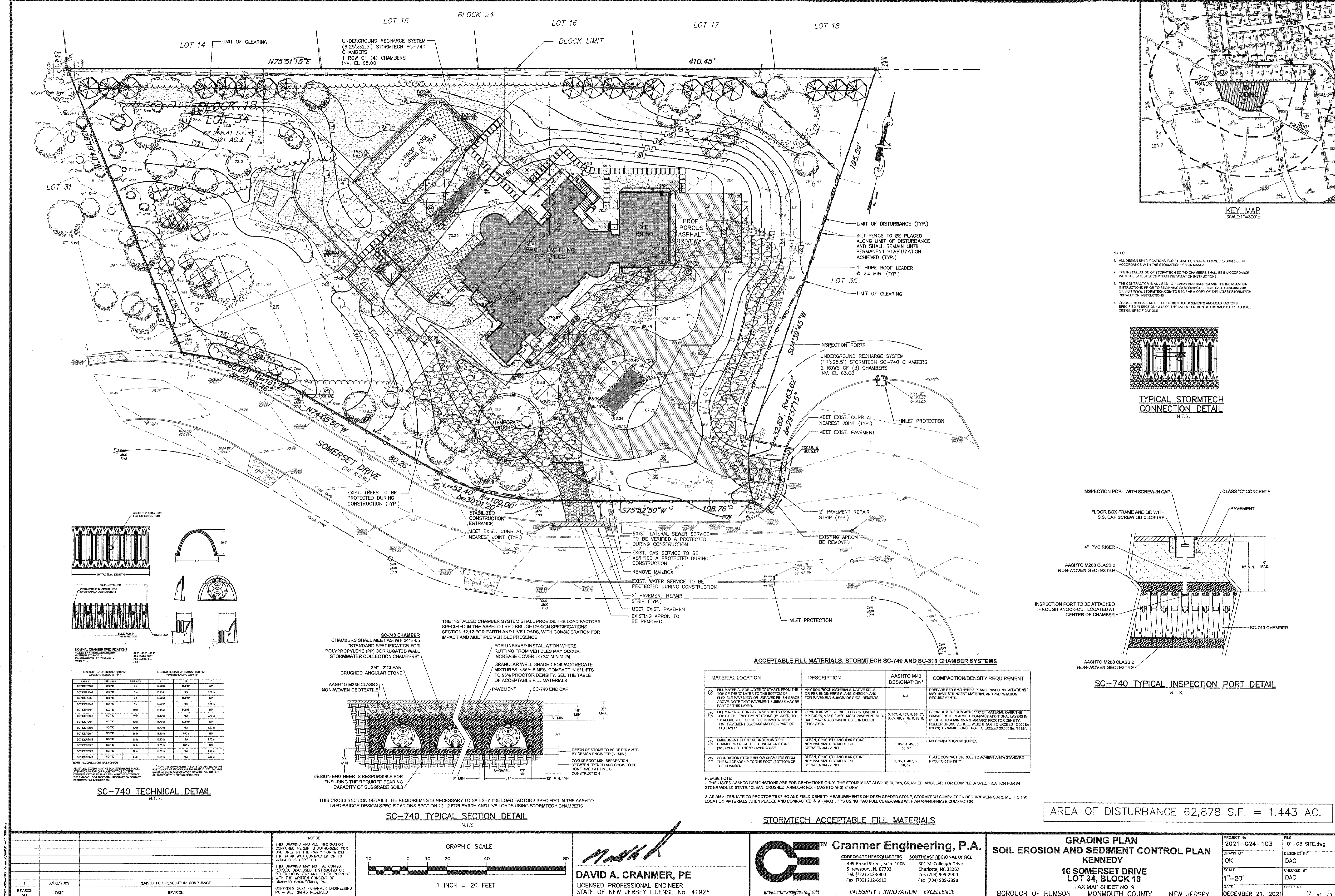
March 15, 2022, as copied from the Minutes of the said meeting.

DATE: March 15, 2022

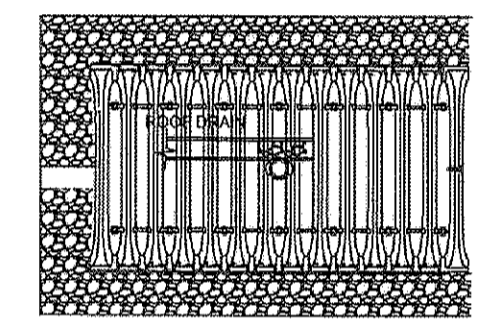
Secretary
Board of Adjustment



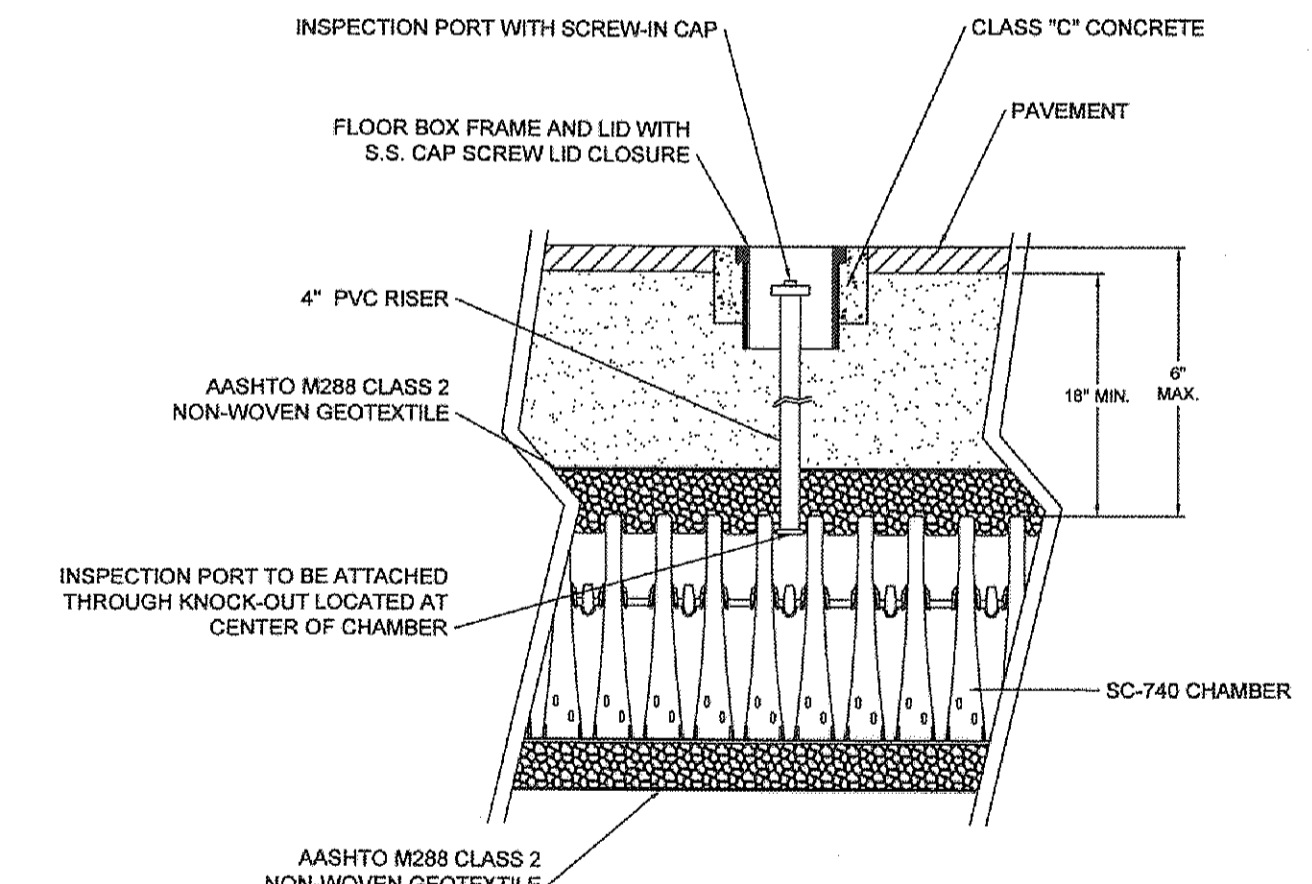
1	3/03/2022	REVISED FOR RESOLUTION COMPLIANCE
REVISION NO.	DATE	REVISION



- NOTES:
1. ALL DESIGN SPECIFICATIONS FOR STORMTECH SC-740 CHAMBERS SHALL BE IN ACCORDANCE WITH THE STORMTECH DESIGN MANUAL.
 2. THE INSTALLATION OF STORMTECH SC-740 CHAMBERS SHALL BE IN ACCORDANCE WITH THE LATEST STORMTECH INSTALLATION INSTRUCTIONS.
 3. THE CONTRACTOR IS ADVISED TO REVIEW AND UNDERSTAND THE INSTALLATION INSTRUCTIONS PRIOR TO BEGINNING SYSTEM INSTALLATION. CALL 1-888-892-2894 OR VISIT WWW.STORMTECH.COM TO RECEIVE A COPY OF THE LATEST STORMTECH INSTALLATION INSTRUCTIONS.
 4. CHAMBERS SHALL MEET THE DESIGN REQUIREMENTS AND LOAD FACTORS SPECIFIED IN SECTION 12.12 OF THE LATEST EDITION OF THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS.



TYPICAL STORMTECH CONNECTION DETAIL
N.T.S.



SC-740 TYPICAL INSPECTION PORT DETAIL
N.T.S.

ACCEPTABLE FILL MATERIALS: STORMTECH SC-740 AND SC-310 CHAMBER SYSTEMS

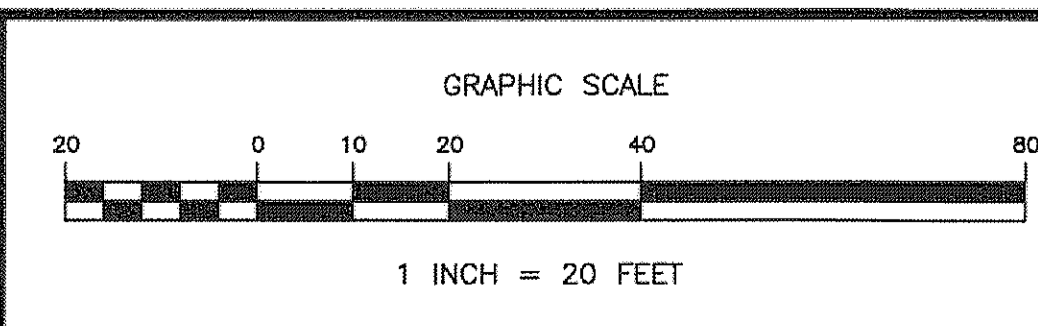
MATERIAL LOCATION	DESCRIPTION	AASHTO M43 DESIGNATION ¹	COMPACTION/DENSITY REQUIREMENT
① FILL MATERIAL FOR LAYER 12 STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF THE 'C' LAYER. FILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE 'C' LAYER.	ANY SOIL/ROCK MATERIALS, NATIVE SOILS, OR PER ENGINEER'S PLAN. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	N/A	PREPARE PER ENGINEER'S PLAN. PAVEMENT INSTALLATIONS MAY HAVE STRONG MATERIAL AND PREPARATION REQUIREMENTS.
② FILL MATERIAL FOR LAYER 12 STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF THE 'C' LAYER. FILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE 'C' LAYER.	GRANULAR WELL-GRADED SOIL/AGGREGATE MIXTURES, 3% FINE, MOST PAVEMENT SUBGRADE MATERIALS CAN BE USED IN LIEU OF THIS LAYER.	3, 367, 4, 467, 5, 56, 57, 6, 67, 68, 7, 76, 8, 89, 9, 10	BEGIN COMPACTION AFTER 12" OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 6" LIFTS TO A MIN. 96% STANDARD PROCTOR DENSITY. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 lbs (53 kN), DYNAMIC FORCE NOT TO EXCEED 20,000 lbs (89 kN).
③ EMBEDED STONE SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE (A LAYER) TO THE 'C' LAYER ABOVE.	CLEAN, CRUSHED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4" - 2" INCH.	3, 367, 4, 467, 5, 56, 57	NO COMPACTION REQUIRED.
④ FOUNDATION STONE BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	CLEAN, CRUSHED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4" - 2" INCH.	3, 35, 4, 467, 5, 56, 57	PLATE COMPACT OR ROLL TO ACHIEVE A 96% STANDARD PROCTOR DENSITY ¹ .

PLEASE NOTE:
1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE: "CLEAN, CRUSHED, ANGULAR, NO. 4 (AASHTO M43) STONE."
2. AS AN ALTERNATE TO PROCTOR TESTING AND FIELD DENSITY MEASUREMENTS ON OPEN GRADED STONE, STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 7' LOCATION MATERIALS WHEN PLACED AND COMPACTED IN 9" (MAX) LIFTS USING TWO FULL COVERAGES WITH AN APPROPRIATE COMPACTOR.

STORMTECH ACCEPTABLE FILL MATERIALS

AREA OF DISTURBANCE 62,878 S.F. = 1.443 AC.

REVISION	NO.	DATE	REVISION
1	3/03/2022		REVISED FOR RESOLUTION COMPLIANCE

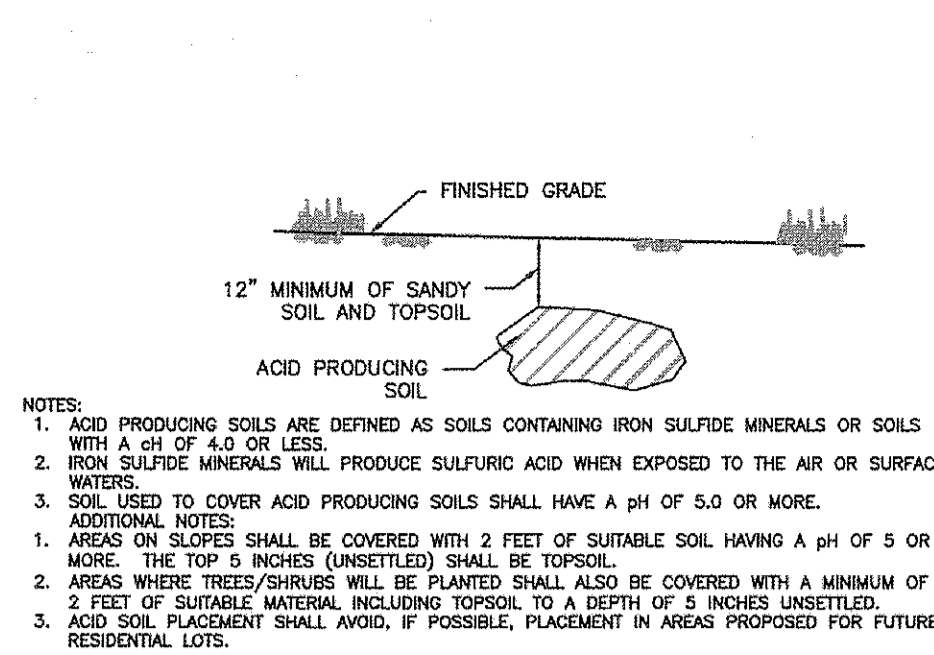


DAVID A. CRANMER, PE
LICENSED PROFESSIONAL ENGINEER
STATE OF NEW JERSEY LICENSE No. 41926

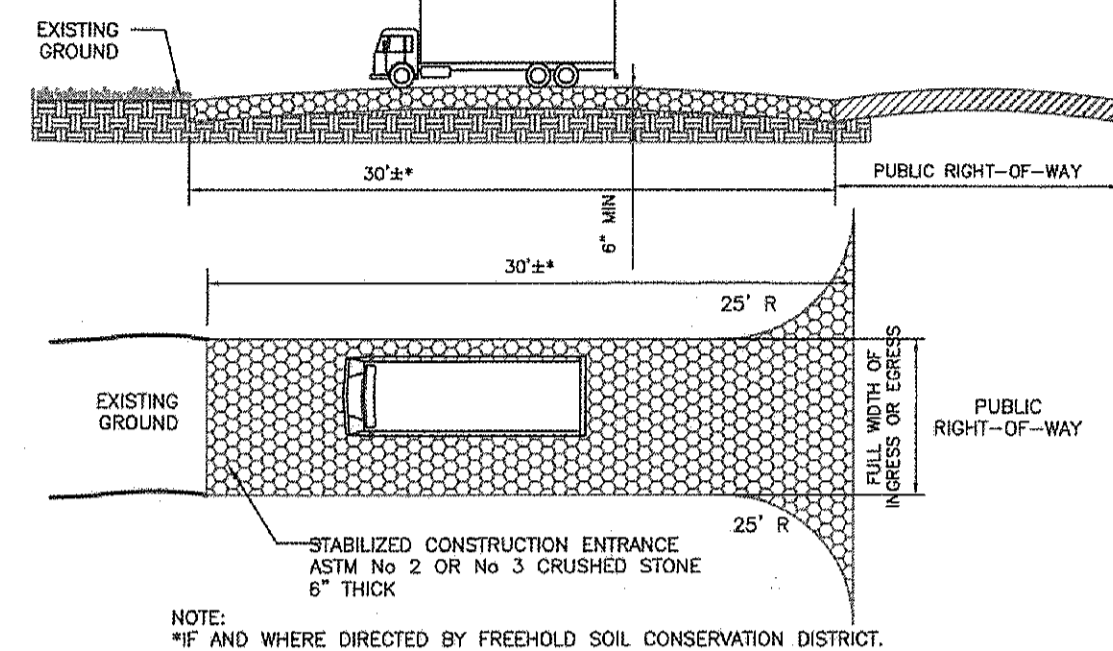
CE™ Cranmer Engineering, P.A.
CORPORATE HEADQUARTERS
499 Broad Street, Suite 100B
Shrewsbury, NJ 07702
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Fax (732) 212-8910
SOUTHEAST REGIONAL OFFICE
301 McCollough Drive
Charlotte, NC 28262
Tel. (704) 909-2900
Fax (704) 909-2898
INTEGRITY | INNOVATION | EXCELLENCE

GRADING PLAN
SOIL EROSION AND SEDIMENT CONTROL PLAN
KENNEDY
16 SOMERSET DRIVE
LOT 34, BLOCK 18
TAX MAP SHEET NO. 9
BOROUGH OF RUMSON
MONMOUTH COUNTY
NEW JERSEY

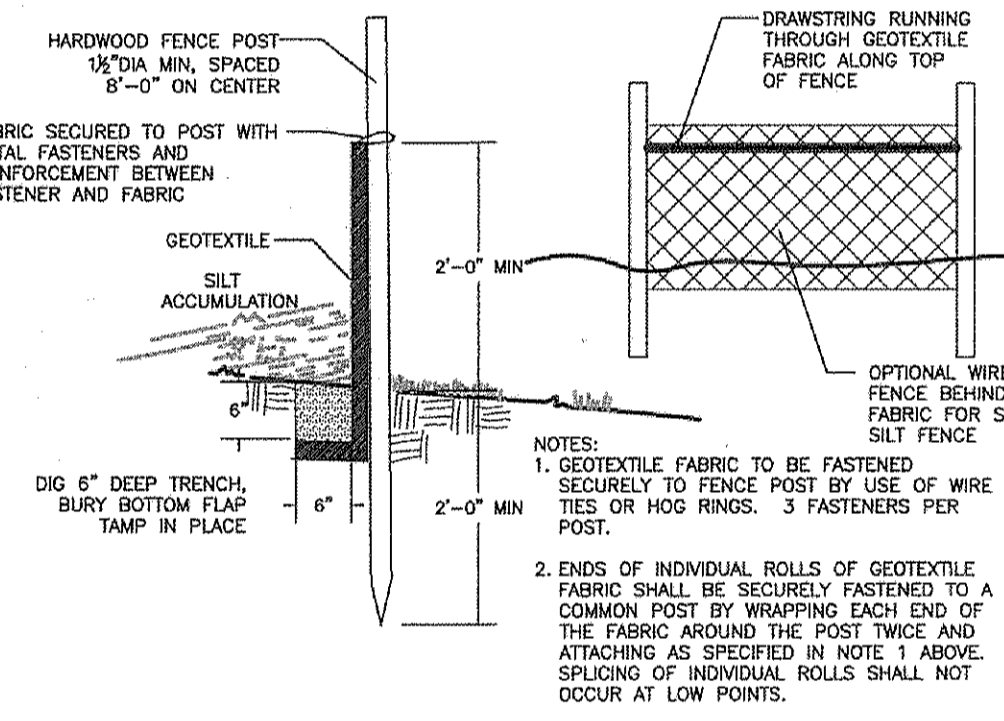
PROJECT No. 2021-024-103	FILE 01-03 SITE.dwg
DRAWN BY OK	DESIGNED BY DAC
SCALE 1"=20'	CHECKED BY DAC
DATE DECEMBER 21, 2021	SHEET NO. 2 of 5



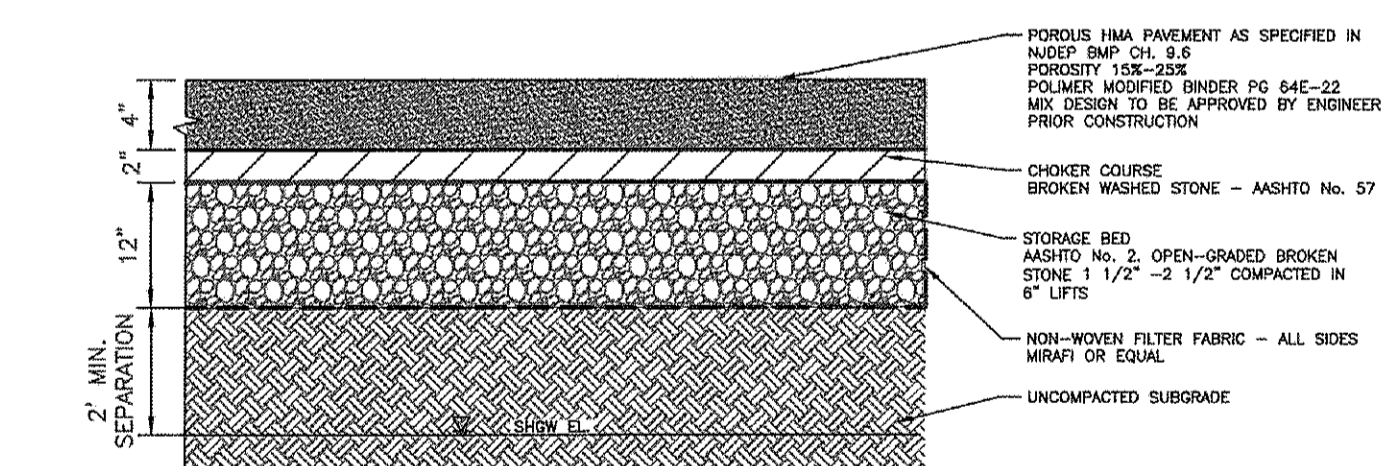
BURIAL OF ACID PRODUCING SOILS
N.T.S.



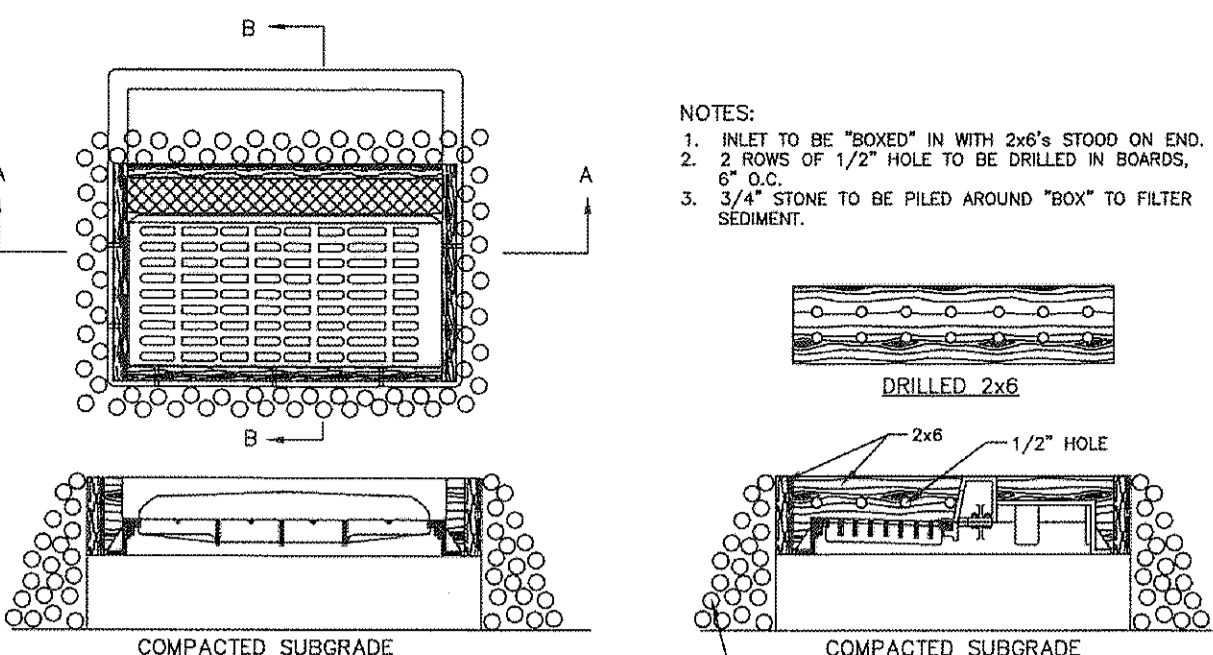
STABILIZED CONSTRUCTION ENTRANCE
N.T.S.



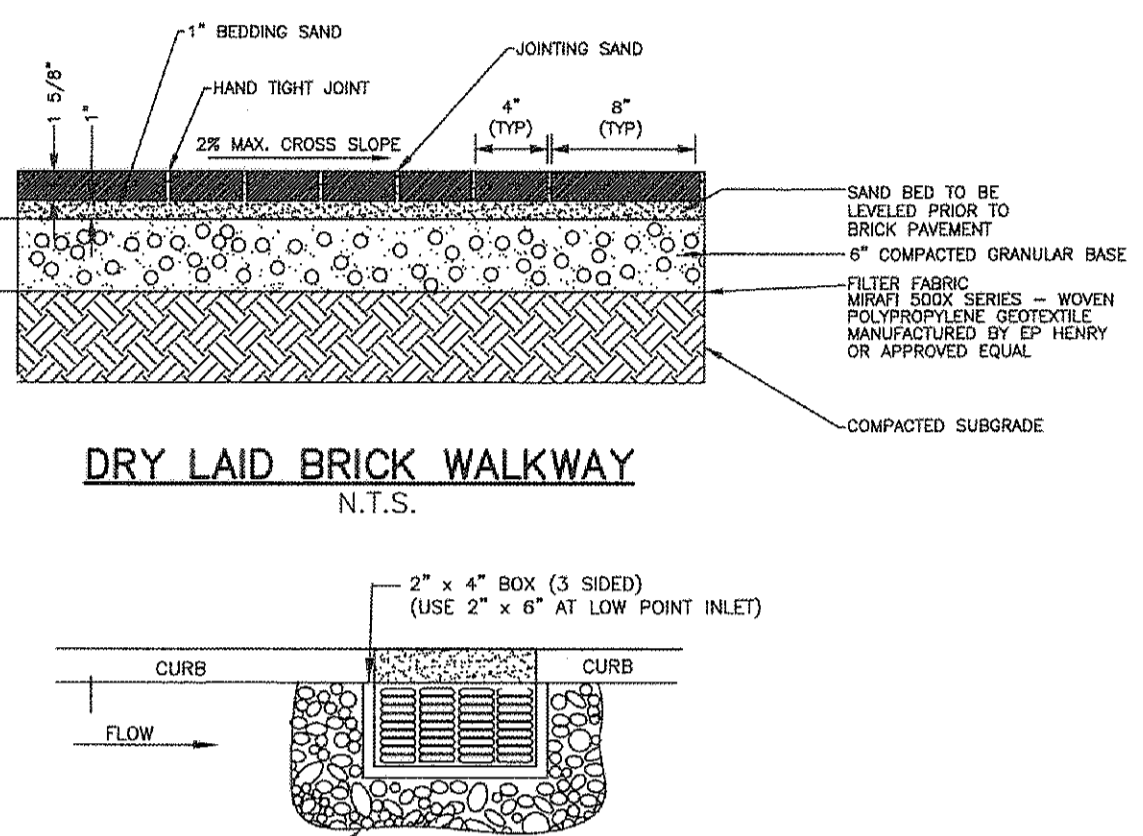
SILTY FENCE
N.T.S.



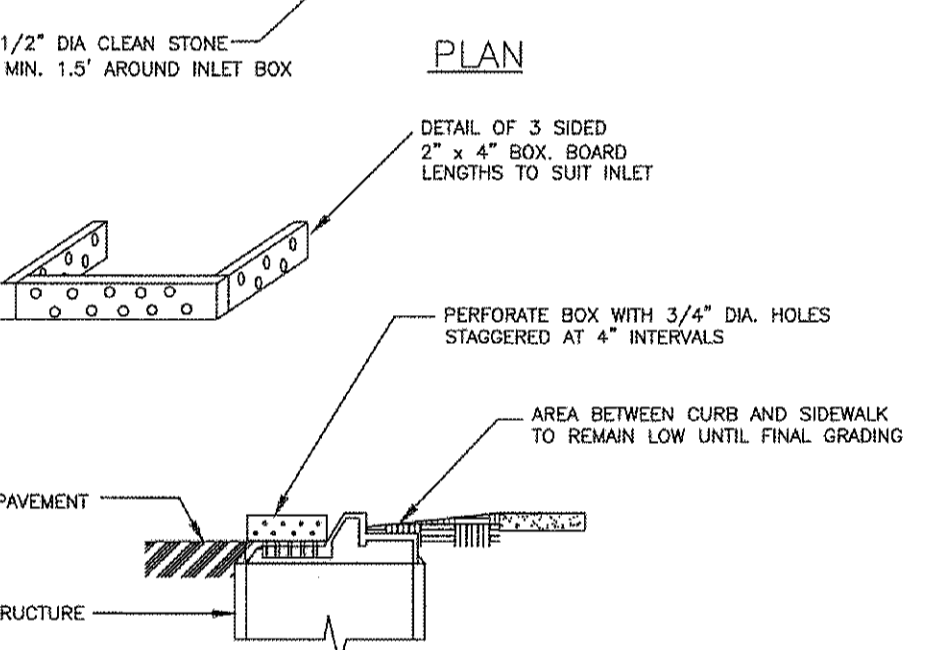
POROUS PAVEMENT AND STORAGE BED
N.T.S.



INLET PROTECTION
N.T.S.



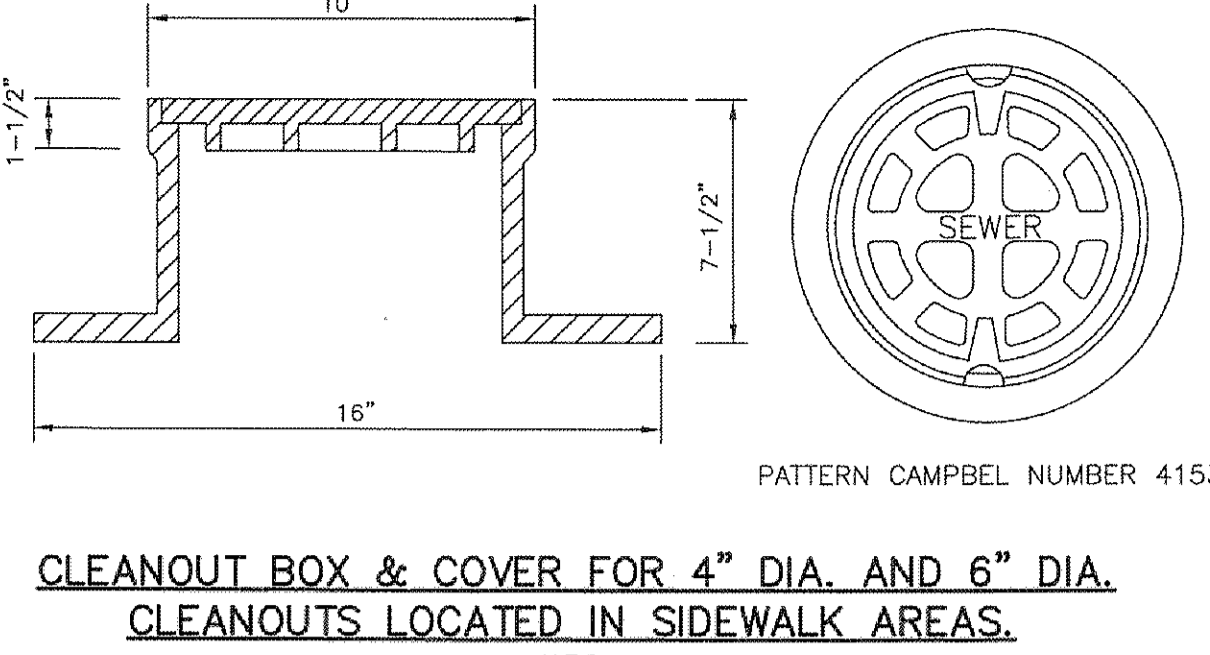
DRY LAID BRICK WALKWAY
N.T.S.



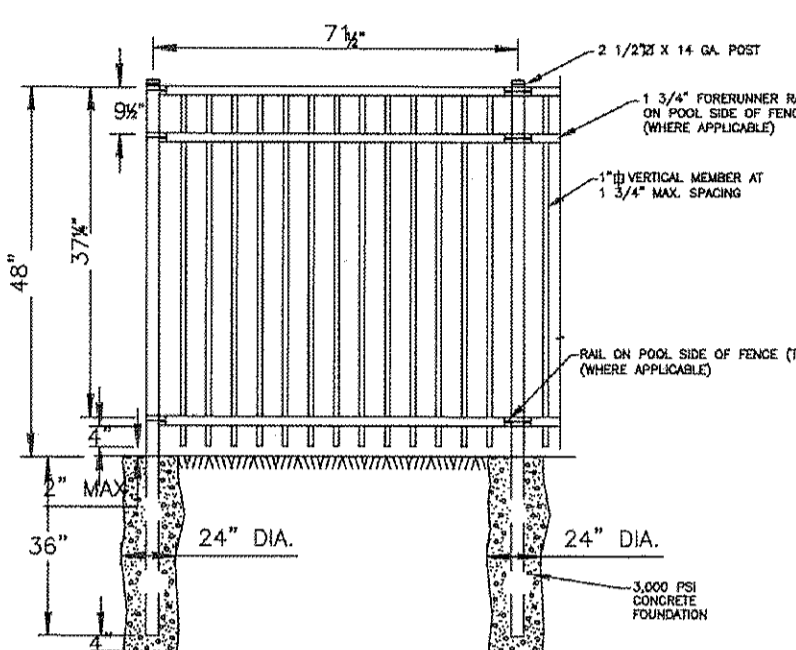
CURB TYPE INLET
N.T.S.

INLET PROTECTION
N.T.S.

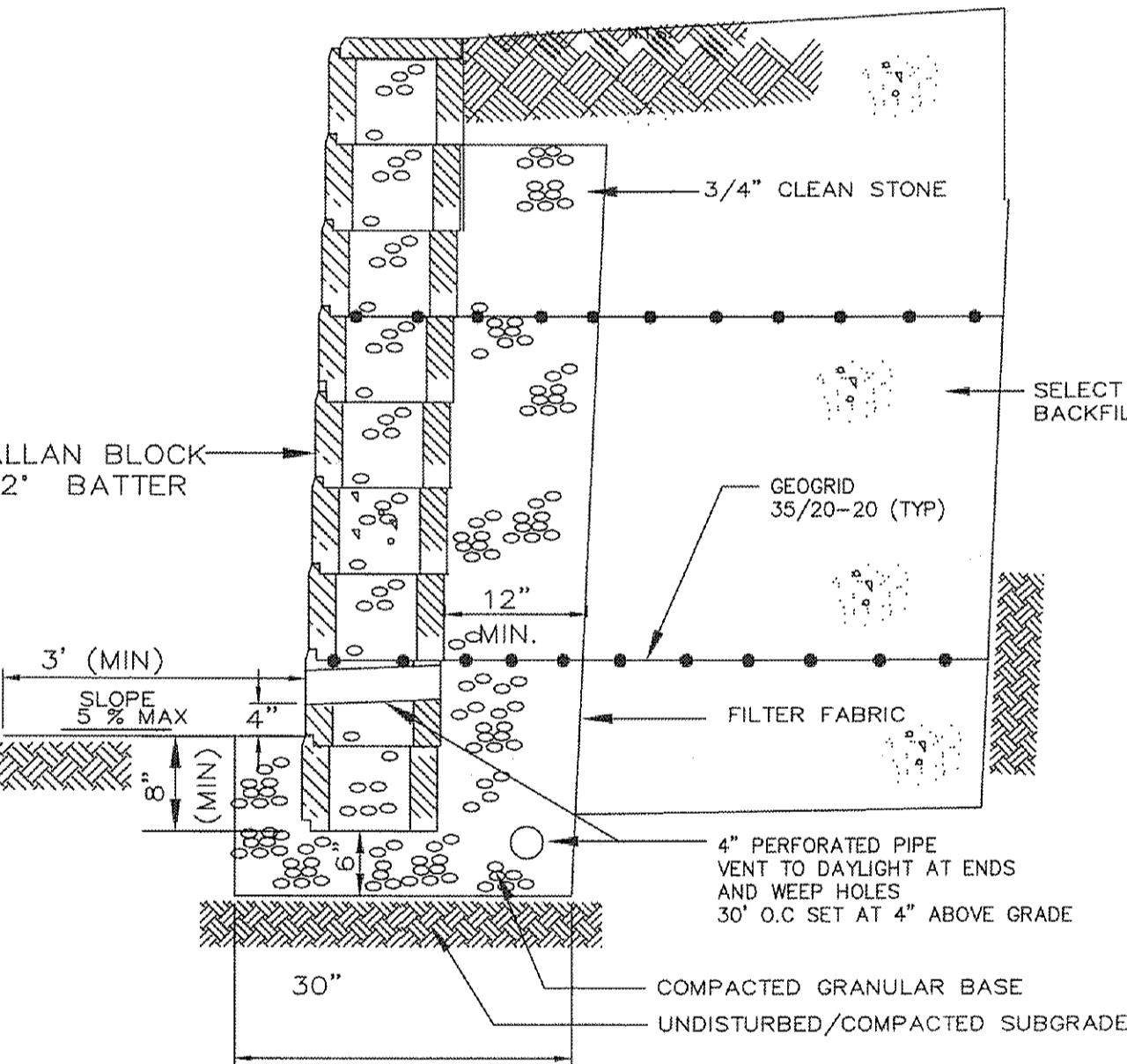
TEMPORARY SOIL STOCKPILE
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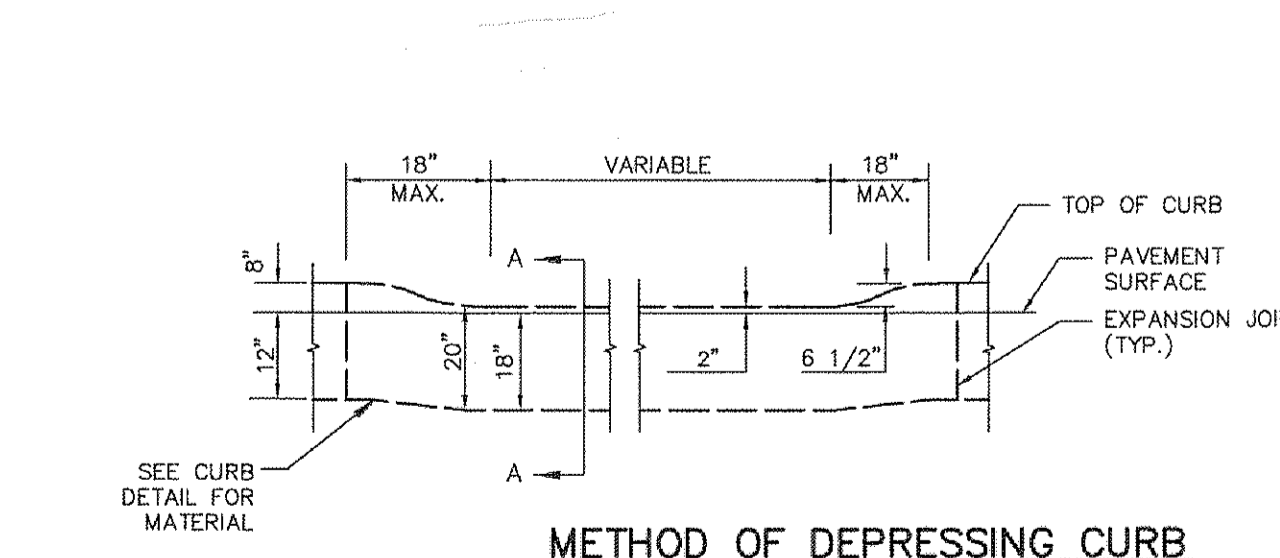
CLEANOUT BOX & COVER FOR 4" DIA. AND 6" DIA.
CLEANOUTS LOCATED IN SIDEWALK AREAS.



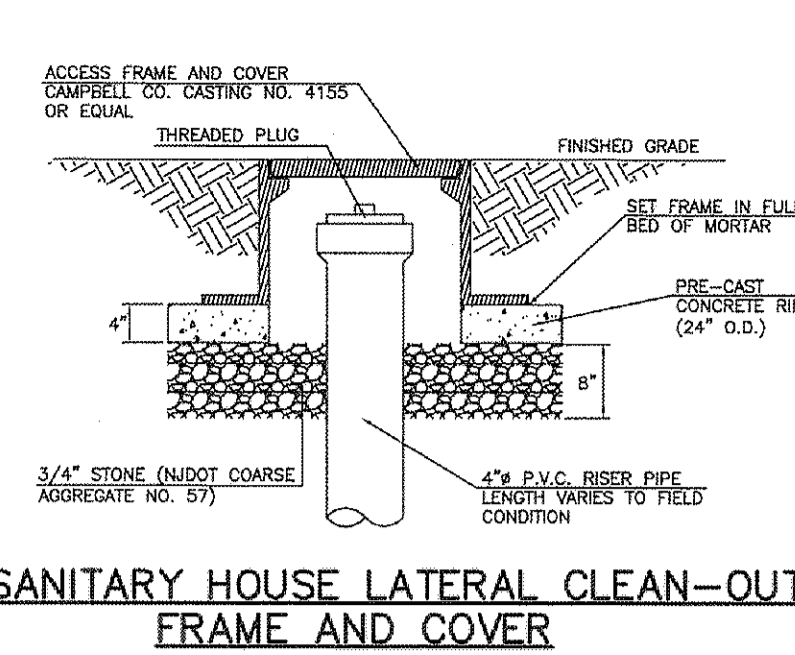
POOL FENCE
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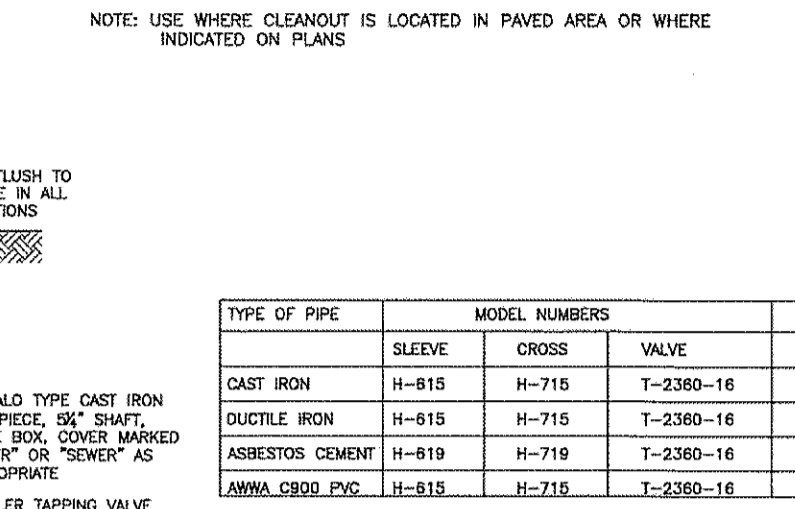
MASONRY BLOCK WALL DETAIL
N.T.S.



METHOD OF DEPRESSING CURB
N.T.S.

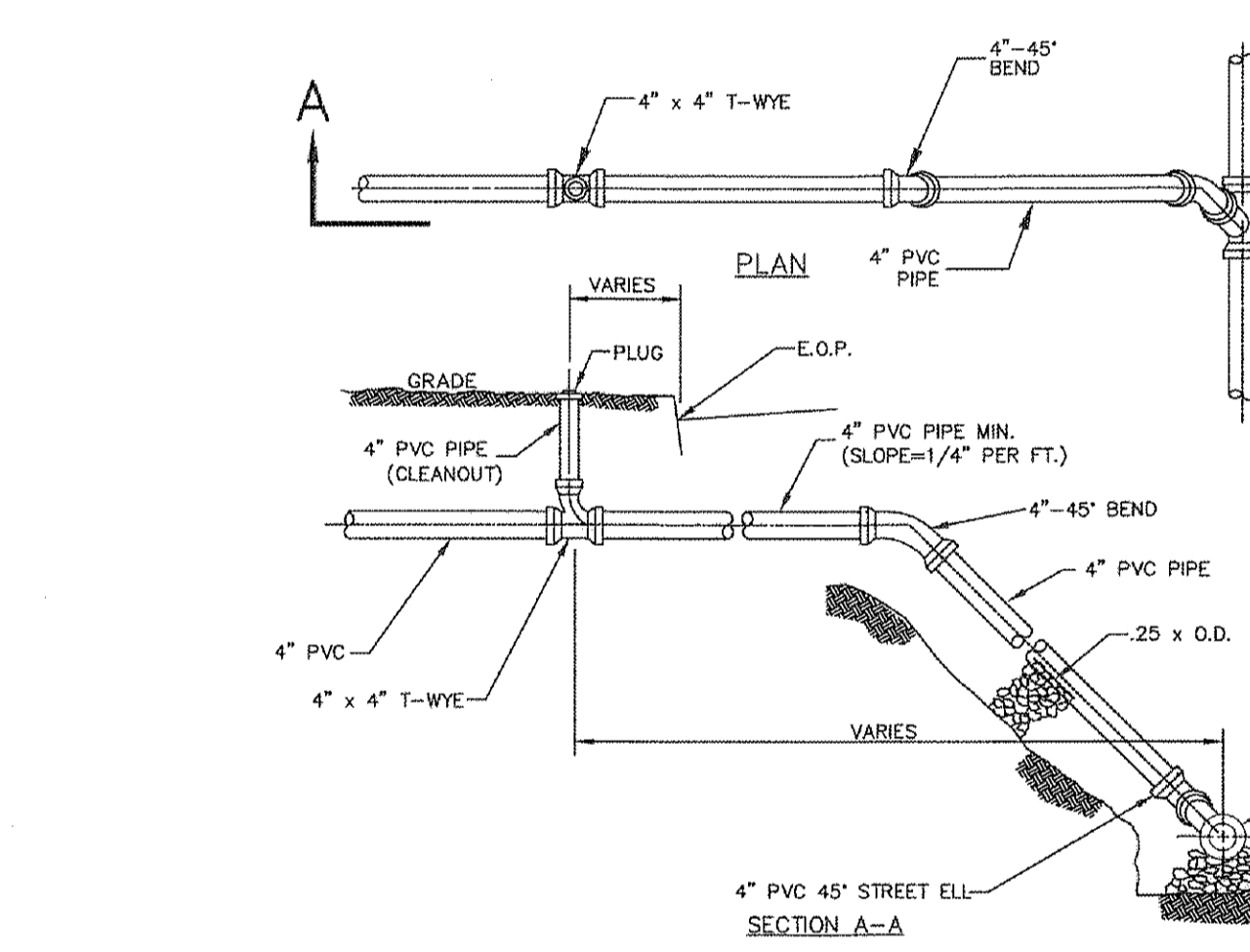


SANITARY HOUSE LATERAL CLEAN-OUT
FRAME AND COVER



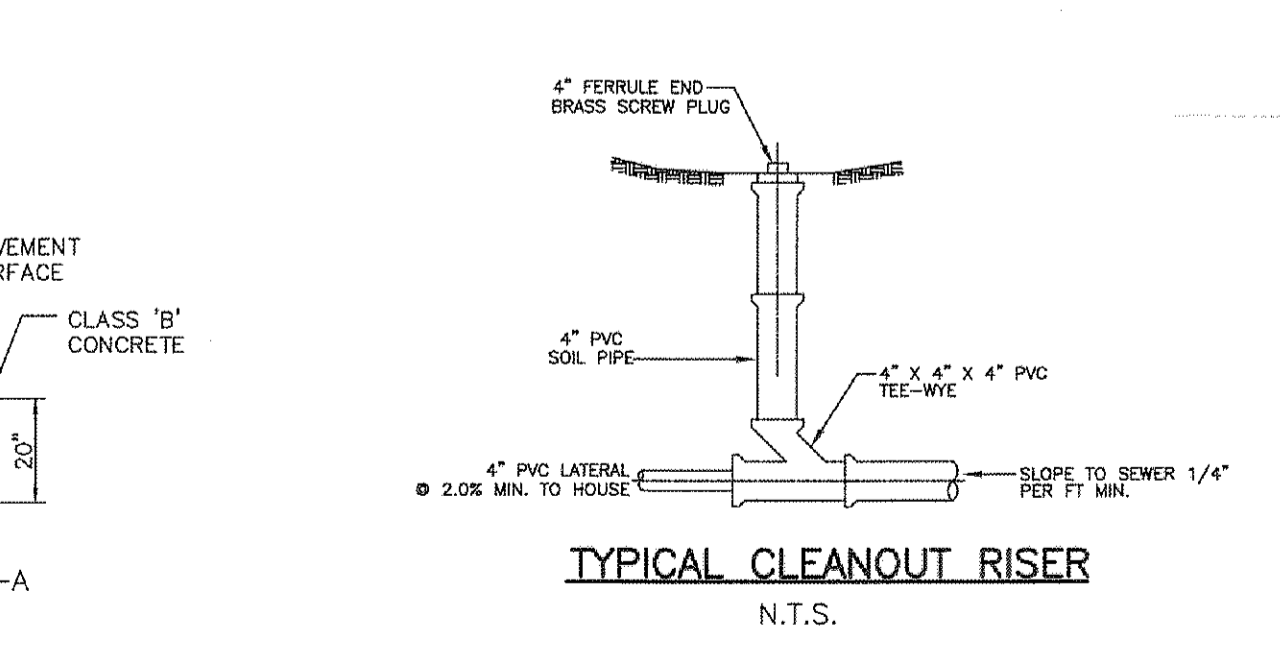
WET TAP CONNECTION WITH
TAPPING SLEEVES, CROSSES & VALVES

WET TAP CONNECTION WITH
TAPPING SLEEVES, CROSSES & VALVES



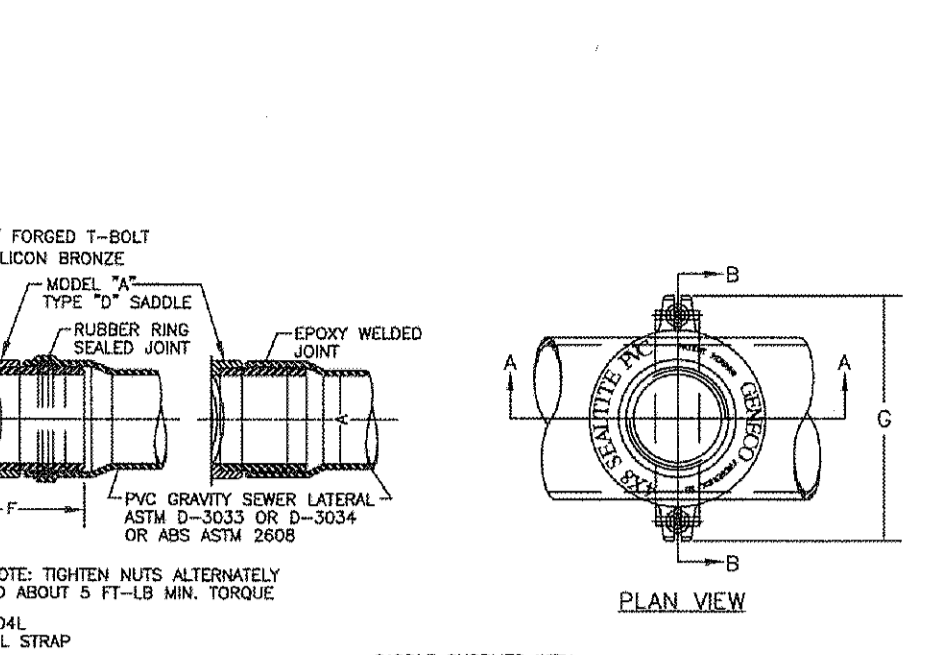
SANITARY SEWER CONNECTION DETAIL
N.T.S.

SANITARY SEWER CONNECTION DETAIL
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TYPICAL CLEANOUT RISER
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TYPICAL CLEANOUT RISER
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SANITARY SEWER CONNECTION DETAIL
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SANITARY SEWER CONNECTION DETAIL
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STANDARD FOR TEMPORARY VEGETATIVE COVER FOR SOIL STABILIZATION

DEFINITION:
ESTABLISHMENT OF TEMPORARY VEGETATIVE COVER ON SOILS EXPOSED FOR PERIODS OF TWO TO 6 MONTHS WHICH ARE NOT BEING GRADED, NOT UNDER ACTIVE CONSTRUCTION OR NOT SCHEDULED FOR PERMANENT SEEDING WITHIN 60 DAYS.

PURPOSE:
TO TEMPORARILY STABILIZE THE SOIL AND REDUCE DAMAGE FROM WIND AND WATER EROSION UNTIL PERMANENT STABILIZATION IS ACCOMPLISHED.

WATER QUALITY ENHANCEMENT:
PROVIDES TEMPORARY PROTECTION AGAINST THE IMPACTS OF WIND AND RAIN, SLOWS THE OVER LAND MOVEMENT OF STORMWATER RUNOFF, INCREASES INFILTRATION AND RETAINS SOIL AND NUTRIENTS ON SITE, PROTECTING STREAMS OR OTHER STORMWATER CONVEYANCES.

WHERE APPLICABLE:
ON EXPOSED SOILS THAT HAVE THE POTENTIAL FOR CAUSING OFF-SITE ENVIRONMENTAL DAMAGE.

METHODS AND MATERIALS

- SITE PREPARATION**
 - GRADE AS NEEDED AND FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION, AND MULCH ANCHORING. ALL GRADING SHOULD BE DONE IN ACCORDANCE WITH STANDARDS FOR LAND GRADING.
 - INSTALL NEEDED EROSION CONTROL, PRACTICES OR FACILITIES SUCH AS DIVERSIONS, GRADE STABILIZATION STRUCTURES, CHANNEL STABILIZATION MEASURES, SEDIMENT BASINS, AND WATERWAYS.
 - IMMEDIATELY PRIOR TO SEEDING, THE SURFACE SHOULD BE SCARIFIED 6" TO 12" WHERE THERE HAS BEEN SOIL COMPACTION. THIS PRACTICE IS PERMISSIBLE ONLY WHERE THERE IS NO DANGER TO UNDERGROUND UTILITIES OR CABLES, IRRIGATION SYSTEMS, ETC.).
- SEEDBED PREPARATION**
 - APPLY GROUND LIMESTONE AND FERTILIZER ACCORDING TO SOIL TEST RECOMMENDATIONS SUCH AS OFFERED BY RUTGERS CO-OPERATIVE EXTENSION. SOIL SAMPLE MAILERS ARE AVAILABLE FROM THE LOCAL RUTGERS COOPERATIVE EXTENSION OFFICES. FERTILIZER SHALL BE APPLIED AT THE RATE OF 500 POUNDS PER ACRE OR 11 POUNDS PER 1,000 SQUARE FEET OF 10-20-10 OR EQUIVALENT WITH 50K WATER INSOLUBLE NITROGEN UNLESS A SOIL TEST INDICATES OTHERWISE. APPLY LIMESTONE AT A RATE EQUIVALENT BY SOIL TESTING. CALCIUM CARBONATE IS THE EQUIVALENT AND STANDARD FOR MEASURING THE ABILITY OF LIMING MATERIALS TO NEUTRALIZE SOIL ACIDITY AND SUPPLY CALCIUM AND MAGNESIUM TO GRASSES AND LEGUMES.
 - WORK LINE AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH A DISC, SPRINGTOOTH HARROW, OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OR DISKING OPERATION SHOULD BE ON THE GENERAL CONTOUR. CONTINUE TILLAGE UNTIL A REASONABLE UNIFORM SEEDBED IS PREPARED.
 - INSPECT SEEDBED JUST BEFORE SEEDING. IF TRAFFIC HAS LEFT THE SOIL COMPACTED, THE AREA MUST BE RETILLED IN ACCORDANCE WITH THE ABOVE.
 - SOILS HIGH IN SULFIDE OR HAVING A PH OF 4 OR LESS REFER TO STANDARD FOR MANAGEMENT OF HIGH ACID PRODUCING SOILS.
- SEEDING**
 - SELECT SEED FROM RECOMMENDATIONS AS SPECIFIED IN STANDARDS FOR SOILS EROSION AND SEDIMENT CONTROL IN NEW JERSEY.
 - CONVENTIONAL SEEDING. APPLY SEED UNIFORMLY BY HAND, CYCLONE (CENTRIFUGAL) SEEDER, DROP SEEDER, DRILL OR CULTIPLACKER SEEDER. EXCEPT FOR DRILLED, HYDROSEEDED OR CULTIPLACKED SEEDING'S, SEED SHALL BE INCORPORATED INTO THE SOIL, TO A DEPTH OF ¼ TO ½ INCH, BY RAKING OR DRAGGING. DEPTH OF SEED PLACEMENT MAY BE ¼ INCH DEEPER ON COARSE TEXTURED SOIL.
 - HYDROSEEDING IS A BROADCAST SEEDING METHOD USUALLY INVOLVING A TRUCK OR TRAILER MOUNTED TANK, WITH AN AGITATION SYSTEM AND HYDRAULIC PUMP FOR MIXING SEED, WATER AND FERTILIZER AND SPRAYING THE MIX ONTO THE PREPARED SEEDBED. MULCH SHALL NOT BE INCLUDED IN THE TANK WITH SEED. SHORT FIBERED MULCH MAY BE APPLIED WITH HYDROSEEDER FOLLOWING SEEDING. HYDROSEEDING IS NOT A PREFERRED SEEDING METHOD BECAUSE SEED AND FERTILIZER ARE APPLIED TO THE SURFACE AND NOT INCORPORATED INTO THE SOIL. POOR SEED TO SOIL CONTACT OCCURS REDUCING SEED GERMINATION AND GROWTH. HYDROSEEDING MAY BE USED FOR AREAS TOO STEEP FOR CONVENTIONAL EQUIPMENT TO TRAVERSE OR TOO OBSTRUCTED WITH ROCKS, STUMPS, ETC.
 - AFTER SEEDING, FIRING THE SOIL WITH A CORRUGATED ROLLER WILL ASSURE GOOD SEED-TO-SOIL CONTACT, RESTORE CAPILLARITY, AND IMPROVE SEEDLING EMERGENCE. THIS IS THE PREFERRED METHOD, WHEN PERFORMED ON THE CONTOUR, SHEET EROSION WILL BE MINIMIZED AND WATER CONSERVATION ON SITE WILL BE MAXIMIZED.
- MULCHING**

MULCHING IS REQUIRED ON ALL SEEDING. MULCH WILL PROTECT AGAINST EROSION BEFORE GRASS IS ESTABLISHED AND WILL PROMOTE FASTER AND EARLIER ESTABLISHMENT. THE EXISTENCE OF VEGETATION SUFFICIENT TO CONTROL SOIL EROSION SHALL BE DEEMED COMPLIANCE WITH THIS MULCHING REQUIREMENT.

 - STRAW OR HAY. UNROTTED SMALL GRAIN STRAW, HAY FREE OF SEEDS, TO BE APPLIED AT THE RATE OF 1-1/2 TO 2 TONS PER ACRE (70 TO 90 POUNDS PER 1,000 SQUARE FEET), EXCEPT THAT WHERE A CRUMPER IS USED INSTEAD OF A LIQUID MULCH-BINDER (TACKIFYING OR ADHESIVE AGENT), THE RATE OF APPLICATION IS 3 TONS PER ACRE. MULCH CHOPPER-BLOWERS MUST NOT GRIND THE MULCH. HAY MULCH IS NOT RECOMMENDED FOR ESTABLISHING FINE TURF OR LAWNS DUE TO THE PRESENCE OF WEED SEED.

APPLICATION-- SPREAD MULCH UNIFORMLY BY HAND OR MECHANICALLY SO THAT AT LEAST 85% OF THE SOIL SURFACE IS COVERED. FOR UNIFORM DISTRIBUTION OF HAND-SPREAD MULCH, DIVIDE AREA INTO APPROXIMATELY 1,000 SQUARE FEET SECTIONS AND DISTRIBUTE 70 TO 90 POUNDS WITHIN EACH SECTION.

ANCHORING SHALL BE ACCOMPLISHED IMMEDIATELY AFTER PLACEMENT TO MINIMIZE LOSS BY WIND OR WATER. THIS MAY BE DONE BY ONE OF THE FOLLOWING METHODS, DEPENDING UPON THE SIZE OF THE AREA, STEEPNESS OF SLOPES, AND COSTS.

 - PEG AND TWINE. DRIVE 8 TO 10 INCH WOODEN PEGS TO WITHIN 2 TO 3 INCHES OF THE SOIL SURFACE EVERY 4 FEET IN ALL DIRECTIONS. STAKES MAY BE DRIVEN BEFORE OR AFTER APPLYING MULCH. SECURE MULCH TO SOIL SURFACE BY STRETCHING TWINE BETWEEN PEGS IN A CRISS-CROSS AND SQUARE PATTERN. SECURE TWINE AROUND EACH PEG WITH TWO OR MORE ROUND TURNS.
 - MULCH NETTINGS-- STAPLE PAPER, JUTE, COTTON, OR PLASTIC NETTINGS TO THE SOIL SURFACE. USE A DEGRADABLE NETTING IN AREAS TO BE MOWED.
 - CRUMPER (MULCH ANCHORING COULTER TOOL) -- A TRACTOR-DRAWN IMPLEMENT, SOMEWHAT LIKE A DISC HARROW, ESPECIALLY DESIGNED TO PUSH OR CUT SOME OF THE BROADCAST LONG FIBER MULCH 3 TO 4 INCHES INTO THE SOIL SO AS TO ANCHOR IT AND LEAVE PART STANDING UPRIGHT. THIS TECHNIQUE IS LIMITED TO AREAS TRAVERSABLE BY A TRACTOR, WHICH MUST OPERATE ON THE CONTOUR OF SLOPES. STRAW MULCH RATE MUST BE 3 TONS PER ACRE. NO TACKIFYING OR ADHESIVE AGENT IS REQUIRED.
 - LIQUID MULCH-BINDERS-- MAY BE USED TO ANCHOR SALT, HAY, OR STRAW MULCH.
 - APPLICATIONS SHOULD BE HEAVIER AT EDGES WHERE WIND MAY CATCH THE MULCH, IN VALLEYS, AND AT CRESTS OF BANKS. THE REMAINDER OF THE AREA SHOULD BE UNIFORM IN APPEARANCE.
 - USE ONE OF THE FOLLOWING:
 - ORGANIC AND VEGETABLE BASED BINDERS-- NATURALLY OCCURRING, POWDER-BASED, HYDROPHILIC MATERIALS WHEN MIXED WITH WATER FORMULATES A GEL AND WHEN APPLIED TO MULCH UNDER SATISFACTORY CURING CONDITIONS WILL FORM MEMBRANE NETWORKS OF INSOLUBLE POLYMERS. THE VEGETABLE GEL SHALL BE PHYSIOLOGICALLY HARMLESS AND NOT RESULT IN A PHYTO-TOXIC EFFECT OR IMPIDE GROWTH OF TURF GRASS. USE AT RATES AND WEATHER CONDITIONS AS RECOMMENDED BY THE MANUFACTURER TO ANCHOR MULCH MATERIALS. MANY NEW PRODUCTS ARE AVAILABLE. SOME OF WHICH MAY NEED FURTHER EVALUATION FOR USE IN THIS SITE.
 - SYNTHETIC BINDERS-- HIGH POLYMER SYNTHETIC EMULSION, MISCIBLE WITH WATER WHEN DILUTED AND, FOLLOWING APPLICATION OF MULCH, DRYING AND CURING, SHALL NO LONGER BE SOLUBLE OR DISPERSIBLE IN WATER. BINDER SHALL BE APPLIED AT RATES RECOMMENDED BY THE MANUFACTURER AND REMAIN TACKY UNTIL GERMINATION OF GRASS.

NOTE: ALL NAMES GIVEN ABOVE ARE REGISTERED TRADE NAMES. THIS DOES NOT CONSTITUTE A RECOMMENDATION OF THESE PRODUCTS TO THE EXCLUSION OF OTHER PRODUCTS.
- WOOD-FIBER OR PAPER-FIBER MULCH--** SHALL BE MADE FROM WOOD, PLANT FIBERS OR PAPER CONTAINING NO GROWTH OR GERMINATION INHIBITING MATERIALS, USED AT THE RATE OF 1,500 POUNDS PER ACRE (OR AS RECOMMENDED BY THE PRODUCT MANUFACTURER) AND MAY BE APPLIED BY A HYDROSEEDER. MULCH SHALL NOT BE MIXED IN THE TANK WITH SEED. USE IS LIMITED TO FLATTER SLOPES AND DURING OPTIMUM SEEDING PERIODS IN SPRING AND FALL.
- PELLETIZED MULCH--** COMPRESSED AND EXTRUDED PAPER AND/OR WOOD FIBER PRODUCT, WHICH MAY CONTAIN CO-POLYMERS, TACKIFIERS, FERTILIZERS, AND COLORING AGENTS. THE DRY PELLETS, WHEN APPLIED TO A SEEDED AREA AND WATERED, FORM A MULCH MAT. PELLETIZED MULCH SHALL BE APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. MULCH MAY BE APPLIED BY HAND OR MECHANICAL SPREADER AT THE RATE OF 60-75 LBS/1,000 SQUARE FEET AND ACTIVATED WITH 0.2 TO 0.4 INCHES OF WATER. THIS MATERIAL HAS BEEN FOUND TO BE BENEFICIAL FOR USE ON SMALL LAWNS OR RENOVATION AREAS. SEEDED AREAS WHERE WEED-SEED FREE MULCH IS DESIRED, OR ON SITES WHERE STRAW MULCH AND TACKIFIER AGENT ARE NOT PRACTICAL OR DESIRABLE.

- APPLYING THE FULL 0.2 TO 0.4 INCHES OF WATER AFTER SPREADING PELLETIZED MULCH ON THE SEED BED IS EXTREMELY IMPORTANT FOR SUFFICIENT ACTIVATION AND EXPANSION OF THE MULCH TO PROVIDE SOIL COVERAGE.
- SEEDING**
 - SELECT SEED FROM RECOMMENDATIONS IN TABLE (SEE THIS SHEET).

SEQUENCE OF CONSTRUCTION

ACTIVITY	DURATION
INSTALLATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES	3 DAYS
STRIPPING OF TOPSOIL, CLEARING, GRUBBING	5 DAYS
ROUGH GRADING AND TEMPORARY STABILIZATION	2 WEEKS
DWELLING CONSTRUCTION	ONGOING
SOIL GRADING AND PERMANENT STABILIZATION	2 WEEKS
FINAL DE-COMPACTION TESTING	1 DAY
FINAL CLEANUP AND REMOVAL OF SOIL EROSION MEASURES	2 WEEKS

STANDARD FOR STABILIZATION FOR MULCH ONLY

DEFINITION:
STABILIZING EXPOSED SOILS WITH NON-VEGETATIVE MATERIALS FOR PERIODS LONGER THAN 14 DAYS

PURPOSE:
TO PROTECT EXPOSED SOIL SURFACES FROM EROSION DAMAGE AND TO REDUCE OFFSITE ENVIRONMENTAL DAMAGE

WATER QUALITY ENHANCEMENT:
PROVIDES TEMPORARY MECHANICAL PROTECTION AGAINST WIND OR RAINFALL INDUCED SOIL EROSION UNTIL PERMANENT VEGETATIVE COVER MAY BE ESTABLISHED.

WHERE APPLICABLE:
THIS PRACTICE IS APPLICABLE TO AREAS SUBJECT TO EROSION, WHERE THE SEASON AND OTHER CONDITIONS MAY NOT BE SUITABLE FOR GROWING AN EROSION-RESISTANT COVER OR WHERE STABILIZATION IS NEEDED FOR A SHORT PERIOD UNTIL MORE SUITABLE PROTECTION CAN BE APPLIED.

METHODS AND MATERIALS

- SITE PREPARATION**
 - GRADE AS NEEDED AND FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION, AND MULCH ANCHORING. ALL GRADING SHOULD BE DONE IN ACCORDANCE WITH STANDARDS FOR LAND GRADING.
 - INSTALL NEEDED EROSION CONTROL, PRACTICES OR FACILITIES SUCH AS DIVERSIONS, GRADE STABILIZATION STRUCTURES, CHANNEL STABILIZATION MEASURES, SEDIMENT BASINS, AND WATERWAYS. SEE STANDARDS 11 THROUGH 42.
- PROTECTIVE MATERIALS**
 - UNROTTED SMALL-GRAIN STRAW, AT 2.0 TO 2.5 TONS PER ACRE, IS SPREAD UNIFORMLY AT 90 TO 115 POUNDS PER 1,000 SQUARE FEET AND ANCHORED WITH WIRE OR MULCH BINDERS. OR NETTING TO HOLD MULCH IN PLACE. MULCH MAY BE USED IF APPROVED BY THE SOIL CONSERVATION DISTRICT. THE APPROVED RATES ABOVE HAVE BEEN MET WHEN THE MULCH COVERS THE GROUND COMPLETELY UPON VISUAL INSPECTION, I.E. THE SOIL CANNOT BE SEEN BELOW THE MULCH.
 - SYNTHETIC OR ORGANIC SOIL STABILIZERS MAY BE USED UNDER SUITABLE CONDITIONS AND IN QUANTITIES AS RECOMMENDED BY THE MANUFACTURER.
 - WOOD-FIBER OR PAPER-FIBER MULCH AT THE RATE OF 1,500 POUNDS PER ACRE (OR ACCORDING TO THE STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL IN NEW JERSEY) MAY BE APPLIED BY A HYDRO SEEDER.
 - MULCH NETTING, SUCH AS PAPER JUTE, EXCelsior, COTTON, OR PLASTIC, MAY BE USED.
 - WOODCHIPS APPLIED UNIFORMLY TO A MINIMUM DEPTH OF 2 INCHES MAY BE USED. WOODCHIPS WILL NOT BE USED ON AREAS WHERE FLOWING WATER COULD WASH THEM INTO AN INLET AND PLUG IT.
 - GRAVEL, CRUSHED STONE, OR SLAG AT THE RATE OF 9 CUBIC YARDS PER 1,000 SQ. FT. APPLIED UNIFORMLY TO A MINIMUM DEPTH OF 3 INCHES MAY BE USED. SIZE 2 OR 3 (ASTM C-33) IS RECOMMENDED.
- MULCH ANCHORING--** SHOULD BE ACCOMPLISHED IMMEDIATELY AFTER PLACEMENT OF HAY OR STRAW MULCH TO MINIMIZE LOSS BY WIND OR WATER. THIS MAY BE DONE BY ONE OF THE FOLLOWING METHODS, DEPENDING UPON THE SIZE OF THE AREA AND STEEPNESS OF SLOPES.
 - PEG AND TWINE-- DRIVE 8 TO 10 INCH WOODEN PEGS TO WITHIN 2 TO 3 INCHES OF THE SOIL SURFACE EVERY 4 FEET IN ALL DIRECTIONS. STAKES MAY BE DRIVEN BEFORE OR AFTER APPLYING MULCH. SECURE MULCH TO SOIL SURFACE BY STRETCHING TWINE BETWEEN PEGS IN A CRISS-CROSS AND A SQUARE PATTERN. SECURE TWINE AROUND EACH PEG WITH TWO OR MORE ROUND TURNS.
 - MULCH NETTINGS-- STAPLE PAPER, COTTON, OR PLASTIC NETTINGS OVER MULCH. USE DEGRADABLE NETTING IN AREAS TO BE MOWED. NETTING IS USUALLY AVAILABLE IN ROLLS 4 FEET WIDE AND UP TO 300 FEET LONG.
 - CRUMPER (MULCH ANCHORING COULTER TOOL) -- A TRACTOR-DRAWN IMPLEMENT ESPECIALLY DESIGNED TO PUNCH AND ANCHOR MULCH INTO THE SOIL SURFACE. THIS PRACTICE AFFORDS MAXIMUM EROSION CONTROL, BUT ITS USE IS LIMITED TO THOSE SLOPES UPON WHICH THE TRACTOR CAN OPERATE SAFELY. SOIL PENETRATION SHOULD BE ABOUT 3 TO 4 INCHES. ON SLOPING LAND, THE OPERATION SHOULD BE ON THE CONTOUR.
 - LIQUID MULCH-- BINDERS
 - APPLICATIONS SHOULD BE HEAVIER AT EDGES WHERE WIND CATCHES THE MULCH, IN VALLEYS, AND AT CRESTS OF BANKS. REMAINDER OF AREA SHOULD BE UNIFORM IN APPEARANCE.
 - USE ONE OF THE FOLLOWING:
 - ORGANIC AND VEGETABLE BASED BINDERS-- NATURALLY OCCURRING, POWDER BASED, HYDROPHILIC MATERIALS THAT MIXED WITH WATER FORMULATES A GEL AND WHEN APPLIED TO MULCH UNDER SATISFACTORY CURING CONDITIONS WILL FORM MEMBRANE NETWORKS OF INSOLUBLE POLYMERS. THE VEGETABLE GEL SHALL BE PHYSIOLOGICALLY HARMLESS AND NOT RESULT IN A PHYTO-TOXIC EFFECT OR IMPIDE GROWTH OF TURF GRADE. VEGETABLE BASED GELS SHALL BE APPLIED AT RATES AND WEATHER CONDITIONS RECOMMENDED BY THE MANUFACTURER.
 - SYNTHETIC BINDERS-- HIGH POLYMER SYNTHETIC EMULSION, MISCIBLE WITH WATER WHEN DILUTED AND FOLLOWING APPLICATION TO MULCH, DRYING, AND CURING SHALL NO LONGER BE SOLUBLE OR DISPERSIBLE IN WATER. IT SHALL BE APPLIED AT RATES AND WEATHER CONDITIONS RECOMMENDED BY THE MANUFACTURER AND REMAIN TACKY UNTIL GERMINATION OF GRASS.

STANDARD FOR TOPSOILING

DEFINITION:
TOPSOILING ENTAILS THE DISTRIBUTION OF SUITABLE QUALITY SOIL ON AREAS TO BE REVEGETATED.

PURPOSE:
TO IMPROVE THE SOIL MEDIUM FOR PLANT ESTABLISHMENT AND MAINTENANCE.

WATER QUALITY ENHANCEMENT:
GROWTH AND ESTABLISHMENT OF A VIGOROUS VEGETATIVE COVER IS FACILITATED BY TOPSOIL, PREVENTING SOIL LOSS BY WIND AND RAIN OFFSITE AND INTO STREAMS AND OTHER STORMWATER CONVEYANCES.

WHERE APPLICABLE:
TOPSOIL SHALL BE USED WHERE SOILS ARE TO BE DISTURBED AND WILL BE REVEGETATED.

METHODS AND MATERIALS

- MATERIALS**
 - TOPSOIL SHOULD BE FRAMBLE, LOAMY, FREE OF DEBRIS, OBJECTIONABLE WEEDS AND STONES, AND CONTAIN NO TOXIC SUBSTANCE OR ADVERSE CHEMICAL, OR PHYSICAL CONDITION THAT MAY BE HARMFUL TO PLANT GROWTH. SOLUBLE SALTS SHOULD NOT BE EXCESSIVE (CONDUCTIVITY LESS THAN 0.5 MILLIMOHS PER CENTIMETER. MORE THAN 0.5 MILLIMOHS MAY DESICcate SEEDLINGS AND ADVERSELY IMPACT GROWTH). TOPSOIL HAULED IN FROM OFFSITE SHOULD HAVE A MINIMUM ORGANIC MATTER CONTENT OF 2.75 PERCENT. ORGANIC MATTER CONTENT MAY BE RAISED BY ADDITIVES.
 - TOPSOIL SUBSTITUTE IS A SOIL MATERIAL WHICH MAY HAVE BEEN AMENDED WITH SAND, SILT, CLAY, ORGANIC MATTER, FERTILIZER OR LIME AND HAS THE APPEARANCE OF TOPSOIL. TOPSOIL SUBSTITUTES MAY BE UTILIZED ON SITES WITH INSUFFICIENT TOPSOIL FOR ESTABLISHING PERMANENT VEGETATION. ALL TOPSOIL SUBSTITUTE MATERIALS SHALL MEET THE REQUIREMENTS OF TOPSOIL. NOTED ABOVE, SOIL TESTS SHALL BE PERFORMED TO DETERMINE THE COMPONENTS OF SAND, SILT, CLAY, ORGANIC MATTER, SOLUBLE SALTS, AND PH LEVEL.
- STRIPPING AND STOCKPILING**
 - FIELD EXPLORATION SHOULD BE MADE TO DETERMINE WHETHER QUANTITY AND OR QUALITY OF SURFACE SOIL JUSTIFIES STRIPPING.
 - STRIPPING SHOULD BE CONFINED TO THE IMMEDIATE CONSTRUCTION AREA.
 - WHERE FEASIBLE, LIME MAY BE APPLIED BEFORE STRIPPING AT A RATE DETERMINED BY SOIL TESTS TO BRING THE SOIL PH TO APPROXIMATELY 6.5. IN LIEU OF SOIL TESTS, SEE LIME RATE GUIDE IN SEEDBED PREPARATION FOR PERMANENT VEGETATIVE COVER FOR SOIL STABILIZATION.
 - A 4-6 INCH STRIPPING DEPTH IS COMMON, BUT MAY VARY DEPENDING ON THE PARTICULAR SOIL.
 - STOCKPILES OF TOPSOIL SHOULD BE SITUATED SO AS NOT TO OBSTRUCT NATURAL DRAINAGE OR CAUSE OFF-SITE ENVIRONMENTAL DAMAGE.
 - STOCKPILES SHOULD BE VEGETATED IN ACCORDANCE WITH STANDARDS PREVIOUSLY DESCRIBED HEREIN; SEE STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL PLAN IN NEW JERSEY. VEGETATIVE COVER FOR SOIL STABILIZATION. WEEDS SHOULD NOT BE ALLOWED TO GROW ON STOCKPILES.
- SITE PREPARATION**
 - GRADE AT THE ONSET OF THE OPTIMAL SEEDING PERIOD SO AS TO MINIMIZE THE DURATION AND AREA OF EXPOSURE OF DISTURBED SOIL TO EROSION. IMMEDIATELY PROCEED TO ESTABLISH VEGETATIVE COVER IN ACCORDANCE WITH THE SPECIFIED SEED MIXTURE. TIME IS OF THE ESSENCE.
 - GRADE AS NEEDED AND FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION AND ANCHORING. USE THE STANDARD FOR SOIL EROSION AND SEDIMENT CONTROL PLAN IN NEW JERSEY.
 - AS EVIDENCE FOR IDEAL CONDITIONS, SUBSOIL SHOULD BE TESTED FOR LIME REQUIREMENT. LIMESTONE, IF NEEDED, SHOULD BE APPLIED TO BRING SOIL PH OF APPROXIMATELY 6.5 AND INCORPORATED INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES.
 - IMMEDIATELY PRIOR TO TOPSOILING, THE SURFACE SHOULD BE SCARIFIED 6" TO 12" WHERE THERE HAS BEEN SOIL COMPACTION. THIS WILL HELP INSURE A GOOD BOND BETWEEN THE TOPSOIL AND SUBSOIL. THIS PRACTICE IS PERMISSIBLE ONLY WHERE THERE IS NO DANGER TO UNDERGROUND UTILITIES (CABLES, IRRIGATION SYSTEMS, ETC.).
 - EMPLOY NEEDED EROSION CONTROL PRACTICES SUCH AS DIVERSIONS, GRADE STABILIZATION STRUCTURES, CHANNEL STABILIZATION MEASURES, SEDIMENTATION BASINS, AND WATERWAYS. SEE STANDARDS FOR SOIL EROSION & SEDIMENT CONTROL PLAN IN NEW JERSEY.
- APPLYING TOPSOIL**
 - TOPSOIL SHOULD BE HANDLED ONLY WHEN IT IS DRY ENOUGH TO WORK WITHOUT DAMAGING THE SOIL STRUCTURE; I.E., LESS THAN FIELD CAPACITY. SEE STANDARDS FOR SOIL EROSION & SEDIMENT CONTROL IN NEW JERSEY.
 - A UNIFORM APPLICATION TO A DEPTH OF 5 INCHES (UNSETTLED) IS RECOMMENDED. SOILS WITH A PH OF 4.0 OR LESS OR CONTAIN IRON SULFIDE SHALL BE COVERED WITH A MINIMUM DEPTH OF 12 INCHES OF SOIL HAVING A PH OF 5.0 OR MORE, IN ACCORDANCE WITH THE STANDARD FOR MANAGEMENT OF HIGH ACID PRODUCING SOIL.

STANDARD FOR PERMANENT VEGETATIVE COVER FOR SOIL STABILIZATION

DEFINITION:
ESTABLISHMENT OF PERMANENT VEGETATIVE COVER ON EXPOSED SOILS WHERE PERENNIAL VEGETATION IS NEEDED FOR LONG-TERM PROTECTION.

PURPOSE:
TO PERMANENTLY STABILIZE THE SOIL, ENSURING CONSERVATION OF SOIL AND WATER, AND TO ENHANCE THE ENVIRONMENT

WATER QUALITY ENHANCEMENT:
SLOWS THE OVER-LAND MOVEMENT OF STORMWATER RUNOFF, INCREASES INFILTRATION AND RETAINS SOIL AND NUTRIENTS ON SITE. PROTECTING STREAMS OR OTHER STORMWATER CONVEYANCES.

WHERE APPLICABLE:
ON EXPOSED SOILS THAT HAVE A POTENTIAL FOR CAUSING OFF-SITE ENVIRONMENTAL DAMAGE.

METHODS AND MATERIALS

- SITE PREPARATION**
 - GRADE AS NEEDED AND FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION, AND MULCH ANCHORING. ALL GRADING SHOULD BE DONE IN ACCORDANCE WITH STANDARDS FOR LAND GRADING.
 - IMMEDIATELY PRIOR TO SEEDING AND TOPSOIL APPLICATION, THE SUBSOIL SHALL BE EVALUATED FOR COMPACTION IN ACCORDANCE WITH THE STANDARD FOR LAND GRADING.
 - TOPSOIL SHOULD BE HANDLED ONLY WHEN IT IS DRY ENOUGH TO WORK WITHOUT DAMAGING THE SOIL STRUCTURE. A UNIFORM APPLICATION TO A DEPTH OF 5 INCHES (UNSETTLED) IS REQUIRED ON ALL SITES. TOPSOIL SHALL BE AMENDED WITH ORGANIC MATTER, AS NEEDED, IN ACCORDANCE WITH THE STANDARD FOR TOPSOILING.
 - INSTALL NEEDED EROSION CONTROL PRACTICES OR FACILITIES SUCH AS DIVERSIONS, GRADE-STABILIZATION STRUCTURES, CHANNEL STABILIZATION MEASURES, SEDIMENT BASINS, AND WATERWAYS.
 - SEEDBED PREPARATION**
 - UNIFORMLY APPLY GROUND LIMESTONE AND FERTILIZER TO TOPSOIL WHICH HAS BEEN SPREAD AND FIRMED, ACCORDING TO SOIL TEST RECOMMENDATIONS SUCH AS OFFERED BY RUTGERS CO-OPERATIVE EXTENSION. SOIL SAMPLE MAILERS ARE AVAILABLE FROM THE LOCAL RUTGERS COOPERATIVE EXTENSION OFFICES (HTTP://NAES.RUTGERS.EDU/COUNTY/). FERTILIZER SHALL BE APPLIED AT THE RATE OF 500 POUNDS PER ACRE OR 11 POUNDS PER 1,000 SQUARE FEET OF 10-10-10 OR EQUIVALENT WITH 50K WATER INSOLUBLE NITROGEN UNLESS A SOIL TEST INDICATES OTHERWISE AND INCORPORATED INTO THE SURFACE 4 INCHES. IF FERTILIZER IS NOT INCORPORATED, APPLY OR FERTILIZER ABOVE DURING SEEDBED PREPARATION AND REPEAT ANOTHER ONE-HALF RATE APPLICATION OF THE SAME FERTILIZER WITHIN 3 TO 5 WEEKS AFTER SEEDING.
 - WORK LINE AND FERTILIZER INTO THE TOPSOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH A DISC, SPRING-TOOTH HARROW, OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OR DISKING OPERATION SHOULD BE ON THE GENERAL CONTOUR. CONTINUE TILLAGE UNTIL A REASONABLE UNIFORM SEEDBED IS PREPARED.
 - HIGH ACID PRODUCING SOILS HAVING A PH OF 4.0 OR LESS OR CONTAINING IRON SULFIDE SHALL BE COVERED WITH A MINIMUM OF 12 INCHES OF SOIL HAVING A PH OF 5 OR MORE BEFORE INITIATING SEEDBED REPARATION. SEE STANDARD FOR MANAGEMENT OF HIGH ACID-PRODUCING SOILS FOR SPECIFIC REQUIREMENTS.
 - SEEDING**
 - SELECT A MIXTURE FROM TABLE 4-3 OR USE A MIXTURE RECOMMENDED BY RUTGERS COOPERATIVE EXTENSION OR NATURAL RESOURCES CONSERVATION SERVICE WHICH IS APPROVED BY THE SOIL CONSERVATION DISTRICT. SEED GERMINATION SHALL HAVE BEEN TESTED WITHIN 12 MONTHS OF THE PLANTING DATE. NO SEED SHALL BE ACCEPTED WITH A GERMINATION TEST DATE MORE THAN 12 MONTHS OLD UNLESS RETESTED.
 - SEEDING RATES-- SEEDING RATES ARE REQUIRED WHEN A REPORT OF COMPLIANCE IS REQUESTED PRIOR TO ACTUAL ESTABLISHMENT OF PERMANENT VEGETATION. UP TO 50% REDUCTION IN RATES MAY BE USED WHEN PERMANENT VEGETATION IS ESTABLISHED PRIOR TO A REPORT OF COMPLIANCE INSPECTION. THESE RATES APPLY TO ALL METHODS OF SEEDING. ESTABLISHING PERMANENT VEGETATION MEANS 80% VEGETATIVE COVERAGE WITH THE SPECIFIED SEED MIXTURE FOR THE SEEDED AREA AND MOWED ONCE.
 - WARM-SEASON MIXTURES ARE GRASSES AND LEGUMES WHICH MAXIMIZE GROWTH AT HIGH TEMPERATURES, GENERALLY 85° F AND ABOVE. SEE TABLE 4-3, MIXTURES 1-7. PLANTING RATES FOR WARM-SEASON GRASSES SHALL BE THE AMOUNT OF PURE LIVE SEED (PLS) AS DETERMINED BY GERMINATION TESTING RESULTS.
 - COOL-SEASON MIXTURES ARE GRASSES AND LEGUMES WHICH MAXIMIZE GROWTH AT TEMPERATURES BELOW 85°F. MANY GRASSES BECOME ACTIVE AT 65°F. SEE TABLE 4-3, MIXTURES 8-20. ADJUSTMENT OF PLANTING RATES TO COMPENSATE FOR THE PROPORTION OF PURE LIVE SEED (PLS) REQUIRED FOR THE SEED MIXTURE IS REQUIRED.
 - CONVENTIONAL SEEDING IS PERFORMED BY APPLYING SEEDING UNIFORMLY BY HAND, CYCLONE (CENTRIFUGAL) SEEDER, DROP SEEDER, DRILL OR CULTIPLACKER SEEDER. EXCEPT FOR DRILLED, HYDROSEEDED OR CULTIPLACKED SEEDING'S, SEED SHALL BE INCORPORATED INTO THE SOIL WITHIN 24 HOURS OF SEEDBED PREPARATION TO A DEPTH OF ¼ TO ½ INCH, BY RAKING OR DRAGGING. DEPTH OF SEED PLACEMENT MAY BE ¼ INCH DEEPER ON COARSE-TEXTURED SOIL.
 - AFTER SEEDING, FIRING THE SOIL WITH A CORRUGATED ROLLER WILL ASSURE GOOD SEED-TO-SOIL CONTACT, RESTORE CAPILLARITY, AND IMPROVE SEEDLING EMERGENCE. THIS IS THE PREFERRED METHOD. WHEN PERFORMED ON THE CONTOUR, SHEET EROSION WILL BE MINIMIZED AND WATER CONSERVATION ON SITE WILL BE MAXIMIZED.
 - HYDROSEEDING IS A BROADCAST SEEDING METHOD USUALLY INVOLVING A TRUCK, OR TRAILER-MOUNTED TANK, WITH AN AGITATION SYSTEM AND HYDRAULIC PUMP FOR MIXING SEED, WATER AND FERTILIZER AND SPRAYING THE MIX ONTO THE PREPARED SEEDBED. MULCH SHALL NOT BE INCLUDED IN THE TANK WITH THE SEED. SHORT-FIBERED MULCH MAY BE APPLIED WITH A HYDROSEEDER FOLLOWING SEEDING. (SEE STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL IN NEW JERSEY). HYDROSEEDING IS NOT A PREFERRED SEEDING METHOD BECAUSE SEED AND FERTILIZER ARE APPLIED TO THE SURFACE AND NOT INCORPORATED INTO THE SOIL. WHEN POOR SEED TO SOIL TACT OCCURS, THERE IS A REDUCED SEED GERMINATION AND GROWTH.
 - MULCHING**

MULCHING IS REQUIRED ON ALL SEEDING. MULCH WILL PROTECT AGAINST EROSION BEFORE GRASS IS ESTABLISHED AND WILL PROMOTE FASTER AND EARLIER ESTABLISHMENT. THE EXISTENCE OF VEGETATION SUFFICIENT TO CONTROL SOIL EROSION SHALL BE DEEMED COMPLIANCE WITH THIS MULCHING REQUIREMENT.

 - STRAW OR HAY. UNROTTED SMALL GRAIN STRAW, HAY FREE OF SEEDS, TO BE APPLIED AT THE RATE OF 1-1/2 TO 2 TONS PER ACRE (70 TO 90 POUNDS PER 1,000 SQUARE FEET), EXCEPT THAT WHERE A CRUMPER IS USED INSTEAD OF A LIQUID MULCH-BINDER (TACKIFYING OR ADHESIVE AGENT), THE RATE OF APPLICATION IS 3 TONS PER ACRE. MULCH CHOPPER-BLOWERS MUST NOT GRIND THE MULCH. HAY MULCH IS NOT RECOMMENDED FOR ESTABLISHING FINE TURF OR LAWNS DUE TO THE PRESENCE OF WEED SEED.

APPLICATION-- SPREAD MULCH UNIFORMLY BY HAND OR MECHANICALLY SO THAT AT LEAST 85% OF THE SOIL SURFACE IS COVERED. FOR UNIFORM DISTRIBUTION OF HAND-SPREAD MULCH, DIVIDE AREA INTO APPROXIMATELY 1,000 SQUARE FEET SECTIONS AND DISTRIBUTE 70 TO 90 POUNDS WITHIN EACH SECTION.

ANCHORING SHALL BE ACCOMPLISHED IMMEDIATELY AFTER PLACEMENT TO MINIMIZE LOSS BY WIND OR WATER. THIS MAY BE DONE BY ONE OF THE FOLLOWING METHODS, DEPENDING UPON THE SIZE OF THE AREA, STEEPNESS OF SLOPES, AND COSTS.

 - PEG AND TWINE. DRIVE 8 TO 10 INCH WOODEN PEGS TO WITHIN 2 TO 3 INCHES OF THE SOIL SURFACE EVERY 4 FEET IN ALL DIRECTIONS. STAKES MAY BE DRIVEN BEFORE OR AFTER APPLYING MULCH. SECURE MULCH TO SOIL SURFACE BY STRETCHING TWINE BETWEEN PEGS IN A CRISS-CROSS AND SQUARE PATTERN. SECURE TWINE AROUND EACH PEG WITH TWO OR MORE ROUND TURNS.
 - MULCH NETTINGS-- STAPLE PAPER, JUTE, COTTON, OR PLASTIC NETTINGS TO THE SOIL SURFACE. USE A DEGRADABLE NETTING IN AREAS TO BE MOWED.
 - CRUMPER (MULCH ANCHORING COULTER TOOL) -- A TRACTOR-DRAWN IMPLEMENT, SOMEWHAT LIKE A DISC HARROW, ESPECIALLY DESIGNED TO PUSH OR CUT SOME OF THE BROADCAST LONG FIBER MULCH 3 TO 4 INCHES INTO THE SOIL SO AS TO ANCHOR IT AND LEAVE PART STANDING UPRIGHT. THIS TECHNIQUE IS LIMITED TO AREAS TRAVERSABLE BY A TRACTOR, WHICH MUST OPERATE ON THE CONTOUR OF SLOPES. STRAW MULCH RATE MUST BE 3 TONS PER ACRE. NO TACKIFYING OR ADHESIVE AGENT IS REQUIRED.
 - LIQUID MULCH-BINDERS-- MAY BE USED TO ANCHOR SALT, HAY, OR STRAW MULCH.
 - APPLICATIONS SHOULD BE HEAVIER AT EDGES WHERE WIND MAY CATCH THE MULCH, IN VALLEYS, AND AT CRESTS OF BANKS. THE REMAINDER OF THE AREA SHOULD BE UNIFORM IN APPEARANCE.
 - USE ONE OF THE FOLLOWING:
 - ORGANIC AND VEGETABLE BASED BINDERS-- NATURALLY OCCURRING, POWDER-BASED, HYDROPHILIC MATERIALS WHEN MIXED WITH WATER FORMULATES A GEL AND WHEN APPLIED TO MULCH UNDER SATISFACTORY CURING CONDITIONS WILL FORM MEMBRANE NETWORKS OF INSOLUBLE POLYMERS. THE VEGETABLE GEL SHALL BE PHYSIOLOGICALLY HARMLESS AND NOT RESULT IN A PHYTO-TOXIC EFFECT OR IMPIDE GROWTH OF TURF GRASS. USE AT RATES AND WEATHER CONDITIONS AS RECOMMENDED BY THE MANUFACTURER TO ANCHOR MULCH MATERIALS. MANY NEW PRODUCTS ARE AVAILABLE. SOME OF WHICH MAY NEED FURTHER EVALUATION FOR USE IN THIS SITE.
 - SYNTHETIC BINDERS-- HIGH POLYMER SYNTHETIC EMULSION, MISCIBLE WITH WATER WHEN DILUTED AND, FOLLOWING APPLICATION OF MULCH, DRYING AND CURING, SHALL NO LONGER BE SOLUBLE OR DISPERSIBLE IN WATER. BINDER SHALL BE APPLIED AT RATES RECOMMENDED BY THE MANUFACTURER AND REMAIN TACKY UNTIL GERMINATION OF GRASS.
- NOTE: ALL NAMES GIVEN ABOVE ARE REGISTERED TRADE NAMES. THIS DOES NOT CONSTITUTE A RECOMMENDATION OF THESE PRODUCTS TO THE EXCLUSION OF OTHER PRODUCTS.
- WOOD-FIBER OR PAPER-FIBER MULCH--** SHALL BE MADE FROM WOOD, PLANT FIBERS OR PAPER CONTAINING NO GROWTH OR GERMINATION INHIBITING MATERIALS, USED AT THE RATE OF 1,500 POUNDS PER ACRE (OR AS RECOMMENDED BY THE PRODUCT MANUFACTURER) AND MAY BE APPLIED BY A HYDROSEEDER. MULCH SHALL NOT BE MIXED IN THE TANK WITH SEED. USE IS LIMITED TO FLATTER SLOPES AND DURING OPTIMUM SEEDING PERIODS IN SPRING AND FALL.
- PELLETIZED MULCH--** COMPRESSED AND EXTRUDED PAPER AND/OR WOOD FIBER PRODUCT, WHICH MAY CONTAIN CO-POLYMERS, TACKIFIERS, FERTILIZERS, AND COLORING AGENTS. THE DRY PELLETS, WHEN APPLIED TO A SEEDED AREA AND WATERED, FORM A MULCH MAT. PELLETIZED MULCH SHALL BE APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. MULCH MAY BE APPLIED BY HAND OR MECHANICAL SPREADER AT THE RATE OF 60-75 LBS/1,000 SQUARE FEET AND ACTIVATED WITH 0.2 TO 0.4 INCHES OF WATER. THIS MATERIAL HAS BEEN FOUND TO BE BENEFICIAL FOR USE ON SMALL LAWNS OR RENOVATION AREAS. SEEDED AREAS WHERE WEED-SEED FREE MULCH IS DESIRED, OR ON SITES WHERE STRAW MULCH AND TACKIFIER AGENT ARE NOT PRACTICAL OR DESIRABLE. APPLYING THE FULL 0.2 TO 0.4 INCHES OF WATER AFTER SPREADING PELLETIZED MULCH ON THE SEED BED IS EXTREMELY IMPORTANT FOR SUFFICIENT ACTIVATION AND EXPANSION OF THE MULCH TO PROVIDE SOIL COVERAGE.

STANDARD FOR MANAGEMENT OF HIGH ACID-PRODUCING SOILS

DEFINITION:
HIGH ACID-PRODUCING SOILS ARE SOILS WITH A PH OF 4.0 OR LESS OR CONTAIN IRON SULFIDE.

PURPOSE:
TO PREVENT OR LIMIT EXPOSURE AREA, TIME, AND SPREADING BY EQUIPMENT OR RAINFALL ON- AND OFF-SITE AND TO MINIMIZE EROSION, SEDIMENTATION AND ACID LEACHATE-RELATED DAMAGES. HIGH ACID-PRODUCING SOIL MAY BE EXPOSED DURING EXCAVATION AND LAND GRADING ACTIVITIES, OR MAY BE INTRODUCED IN DREDGED SEDIMENT, SOILS AND SEDIMENT CONTAINING IRON SULFIDE. CHARACTERIZED BY PYRITE OR MARCASITE NUGGETS OR GREENSANDS, ARE CHEMICALLY OXIDIZED WHEN EXPOSED TO AIR, PRODUCING SULFURIC ACID AND RESULT IN SOIL PH LEVELS FALLING TO PH 4.0 OR LOWER. MOST VEGETATION IS INCAPABLE OF GROWTH AT THIS PH LEVEL. ADJACENT LAND AND RECEIVING WATERS WILL BE NEGATIVELY IMPACTED BY THE ACID LEACHATE. CALCIUM-CONTAINING MATERIALS SUCH AS LIME OR CEMENT, AND OTHER STRUCTURES AND SOME METALLIC MATERIALS ARE ALSO SUSCEPTIBLE TO DEGRADATION. AGRICULTURAL LIMESTONE MATERIALS APPLIED AT RATES OF 8 TONS PER ACRE HAVE RESULTED IN ONLY A TEMPORARY BUFFERING EFFECT, AND "LIMING-ONLY" IS THEREFORE NOT CONSIDERED AN ACCEPTABLE MITIGATION PRACTICE.

WATER QUALITY ENHANCEMENT:
PROTECTS ONSITE SOILS AND OFFSITE STREAMS AND LAKES FROM SULFURIC ACID LEACHATE THAT CREATES SOIL PH CONDITIONS UNSUITABLE FOR GROWTH OF VEGETATION.

WHERE APPLICABLE:
THIS PRACTICE IS APPLICABLE TO ANY HIGH ACID-PRODUCING SOIL MATERIALS, SUCH MATERIALS HAVE BEEN FOUND IN THE COASTAL PLAIN AREAS OF BURLINGTON, CAMDEN, CUMBERLAND, GLOUCESTER, MERCER, MIDDLESEX, MONMOUTH, OCEAN, SALEM AND SOMERSET COUNTIES.

PLANNING CRITERIA
EARLY RECOGNITION AND BURIAL, REMOVAL OR DISPOSAL OF HIGH ACID-PRODUCING SOILS IS ESSENTIAL FOR LIMITING THE AMOUNT OF ACIDIC MATERIAL PRODUCED.

CONTACT THE LOCAL SOIL CONSERVATION DISTRICT TO DETERMINE THE HISTORICAL PRESENCE OF HIGH ACID-PRODUCING SOILS IN THE AREA OF THE PROPOSED DEVELOPMENT SITE.

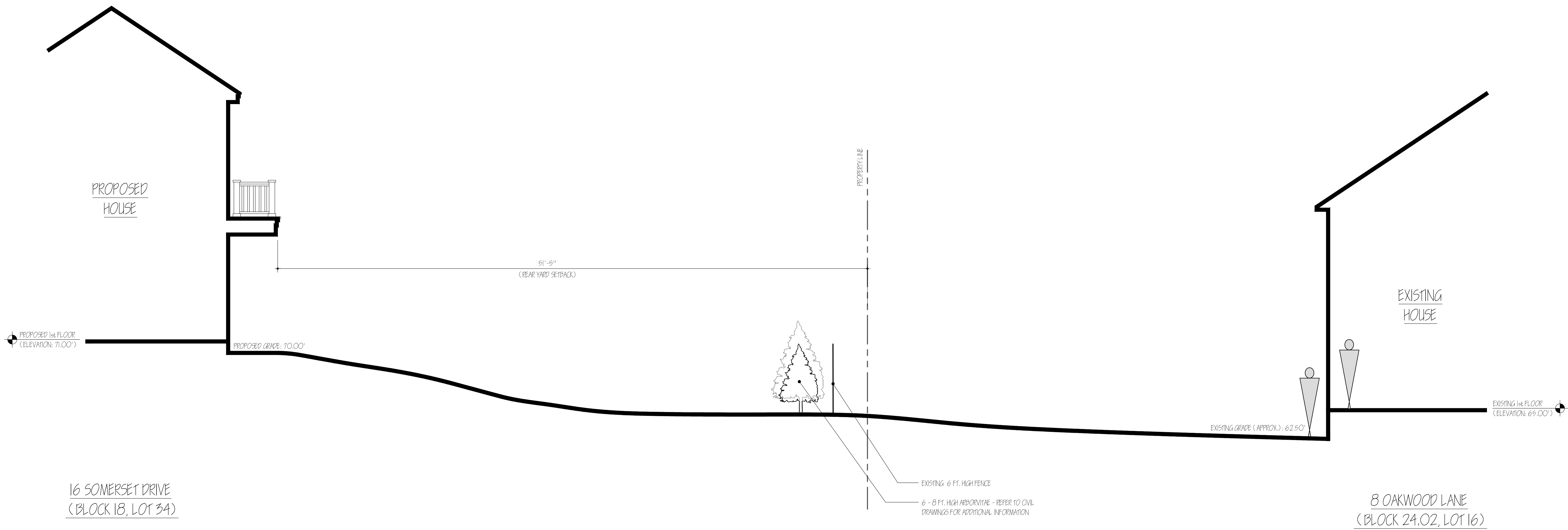
HIGH ACID-PRODUCING SOILS MAY BE PRESENT IN UNDISTURBED SOILS AT VARYING DEPTHS, INCLUDING NEAR THE SOIL SURFACE TO EXCAVATIONS OR DEEP DISTURBANCES. ITS PRESENCE ON A SITE MAY BE SIGNIFICANT OR LIMITED IN THE SOIL PROFILE. HIGH ACID-PRODUCING SOILS ARE COMMONLY BLACK, DARK BROWN, GRAY OR GREENISH WITH SILVERY PYRITE OR MARCASITE NUGGETS OR FLAKES. ALTERNATIVELY, SANDY SOILS OR REDDISH, YELLOWISH, OR LIGHT TO MEDIUM BROWN SOIL MATERIALS ARE USUALLY FREE OF HIGH ACID-PRODUCING DEPOSITS.

METHODS AND MATERIALS

- LIMIT THE EXCAVATION AREA AND EXPOSURE TIME WHEN HIGH ACID-PRODUCING SOILS ARE ENCOUNTERED.
- TOPSOIL STRIPPED FROM THE SITE SHALL BE STORED SEPARATELY FROM TEMPORARILY STOCKPILED HIGH ACID-PRODUCING SOILS.
- STOCKPILES OF HIGH ACID-PRODUCING SOIL SHOULD BE LOCATED ON LEVEL LAND TO MINIMIZE ITS MOVEMENT, ESPECIALLY WHEN THIS MATERIAL HAS A HIGH CLAY CONTENT.
- TEMPORARILY STOCKPILED HIGH ACID-PRODUCING SOIL MATERIAL TO BE STORED MORE THAN 48 HOURS SHOULD BE COVERED WITH PROPERLY ANCHORED, HEAVY GRADE SHEETS OR POLYETHYLENE WHERE POSSIBLE. IF NOT POSSIBLE, STOCKPILES SHALL BE COVERED WITH A MINIMUM OF 3 TO 6 INCHES OF WOOD CHIPS TO MINIMIZE EROSION OF THE STOCKPILE. SILT FENCE SHALL BE INSTALLED AT THE TOE OF THE SLOPE TO CONTAIN MOVEMENT OF THE STOCKPILED MATERIAL. TOPSOIL SHALL NOT BE APPLIED TO THE STOCKPILES TO PREVENT TOPSOIL CONTAMINATION WITH HIGH ACID-PRODUCING SOIL.
- HIGH ACID-PRODUCING SOILS WITH A PH OF 4.0 OR LESS OR CONTAINING IRON SULFIDE (INCLUDING BORROW FROM CUTS OR DREDGED SEDIMENT) SHALL BE ULTIMATELY PLACED OR BURIED WITH LIMESTONE APPLIED AT THE RATE OF 10 TONS PER ACRE (OR 450 POUNDS PER 1,000 SQUARE FEET OF SURFACE AREA) AND COVERED WITH A MINIMUM OF 12 INCHES OF SETTLED SOIL WITH A PH OF 5.0 OR MORE EXCEPT AS FOLLOWS:
 - AREAS WHERE TREES OR SHRUBS ARE TO BE PLANTED SHALL BE COVERED WITH A MINIMUM OF 24 INCHES OF SOIL WITH A PH OF 5 OR MORE.
 - DISPOSAL AREAS SHALL NOT BE LOCATED WITHIN 24 INCHES OF ANY SURFACE OF A SLOPE OR BANK, SUCH AS BERMS, STREAM BANKS, DITCHES, AND OTHERS, TO PREVENT POTENTIAL LATERAL LEACHING DAMAGES.
- EQUIPMENT USED FOR MOVEMENT OF HIGH ACID- PRODUCING SOILS SHOULD BE CLEANED AT THE END OF EACH DAY TO PREVENT SPREADS OF HIGH ACID-PRODUCING SOIL MATERIALS TO OTHER PARTS OF THE SITE, INTO STREAMS OR STORMWATER CONVEYANCES, AND TO PROTECT MACHINERY FROM ACCELERATED RUSTING.
- NON-VEGETATIVE EROSION CONTROL PRACTICES (STONE TRACKING PADS, STRATEGICALLY PLACED LIMESTONE CHECK DAM, SEDIMENT BARRIER, WOOD CHIPS) SHOULD BE INSTALLED TO LIMIT THE MOVEMENT OF HIGH ACID-PRODUCING SOILS FROM, AROUND, OR OFF THE SITE.
- FOLLOWING BURIAL OR REMOVAL OF HIGH ACID-PRODUCING SOIL, TOPSOILING AND SEEDING OF THE SITE (SEE TEMPORARY VEGETATIVE COVER FOR SOIL STABILIZATION, PERMANENT VEGETATIVE COVER FOR SOIL STABILIZATION, AND TOPSOILING). **MONITORING MUST CONTINUE FOR A MINIMUM OF 6 MONTHS** TO ENSURE THERE IS ADEQUATE STABILIZATION AND THAT NO HIGH ACID-PRODUCING SOIL PROBLEMS EMERGE. IF PROBLEMS STILL EXIST, THE AFFECTED AREA MUST BE TREATED AS INDICATED ABOVE TO CORRECT THE PROBLEM.

TEMPORARY VEGETATIVE STABILIZATION GRASSES. SEEDING RATES, DATES AND DEPTH

SEED SELECTION	SEEDING RATE 1 (pounds)		OPTIMUM SEEDING RATE 2 Based on Plant Hardiness Zone ³				OPTIMUM SEED DEPTH ⁴ (inches)
	Per Acre	Per 1000 Sq. Ft.	ZONE 5b, 6s	ZONE 6b	ZONE 7a, b		
COOL SEASON GRASSES							
1. Perennial ryegrass	100	1.0	3/15–6/1 8/1–9/15	3/15–5/15 8/15–10/1	2/15–5/1 8/15–10/15	0.5	
2. Spring Oats	86	2.0	3/15–6/1 8/1–9/15	3/15–5/15 8/15–10/1	2/15–5/1 8/15–10/15	1.0	
3. Winter Barley	96	2.2	8/1–9/15	8/15–10/1	8/15–10/15	1.0	
4. Annual ryegrass	100	1.0	3/15–6/1 8/1–9/15	3/15–6/1 8/1–9/15	2/15–5/1 8/15–10/15	0.5	
5. Winter Cereal Rye	112	2.8	8/1–11/1	8/1–11/15	8/1–12/15	1.0	
WARM SEASON GRASSES							
6. Pearl millet	20	0.5	6/1–8/1	5/15–8/15	5/1–9/1	1.0	
7. Millet (German or Hungarian)	30	0.7	6/1–8/1	5/15–8/15	5/1–9/1	1.0	
1 Seedling rate for warm season grass, selections 5 – 7 shall be adjusted to reflect the amount of Pure Line Seed (PLS) as determined by germination test result. No adjustment is required for cool season grasses.							
2 May be planted throughout summer if soil moisture is adequate or seeded area can be irrigated.							
3 Plant Hardiness Zone (see figure 7-1, pg. 7-4.)							



PROPOSED NEW
RESIDENCE
FOR
KENNEDY
16 SOMERSET DRIVE
BUMSON, NEW JERSEY

DRAWING:
SITE SECTION
DATE:
MARCH 5, 2022
REVISED:

ROBERT W. ADLER
— & ASSOCIATES, PA —
ARCHITECTS
WWW.RWAADLERASSOCIATES.COM
1548 BROADWAY, SUITE 1000, NEW YORK, NY 10014
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PA: 000265-B
FL: AR-000676

**RESOLUTION OF FINDINGS AND CONCLUSION
BOARD OF ADJUSTMENT
BOROUGH OF RUMSON
BLOCK 70, LOT 48**

WHEREAS, Todd and Lanae Herman have applied to the Board of Adjustment of the Borough of Rumson for permission to construct and add a covered rear patio, outside hot tub/spa, and spiral staircase to second floor at the existing premises located at 17 Holly Tree Lane and known as Block 70, Lot 48 on the Tax Map of the Borough of Rumson, and which premises are in the R-1 Zone; and

WHEREAS, on February 15 and March 15, 2022, at a meeting of the Board, due notice having been given the adjoining property owners and published in accordance with N.J.S.A. 40:55D-12 as appears by affidavits filed with the Board, and a quorum being present, the aforementioned application was heard; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and the public, including Architectural/Site Plan by M. Cronin A.I.A. 2 Sheets dated 11/1/21, last revised 03/07/22 and Administrative Officer Data Sheet, and Survey by C. Bell Associates dated 6/24/2015 has made the following factual findings:

1. The property is an existing two story single family house, located on an almost rectangular 1.0 acre lot having approximately 194 feet frontage on Holly Tree Lane and depth of approximately 224 - 232 feet. The existing two story house is approximately centered in the lot, with only an existing minor front setback nonconformity (75 feet required, 73.1 feet existing). The applicant/owner's proposal is to construct and add on the rear/west side of the house a covered/roofed open patio, an outside hot tub/spa, and an outside spiral staircase to the second floor, all as shown on initial plans (dated last revised 1/27/22). As noted, there is an existing minor front setback nonconformity that is not being affected by the proposal. The proposal would create a new nonconformity in maximum building coverage (4175 S.F. permitted, 3897 S.F. existing, 4491 S.F. initially proposed).
2. The applicant presented testimony that the existing outside open rear patio was small and uncovered, and due to its exposure became too sunny and hot to utilize effectively on many occasions. Due to family circumstances, the applicant indicated that adding the proposed roofed open patio, hot tub/spa, and outside spiral staircase would allow more

effective and comfortable use of the available outside area, without overcrowding or overburdening the property or impacting adversely the neighboring properties. The new roofed patio would not be enclosed. Have no walls (only a roof), would have no plumbing. No neighbors or objectors appeared.

3. After some review, the Board expressed some concern that given the lot being regularly shaped and at the approximate minimum lot size (1 acre) for the R-2 Zone, no basis sounding in proper planning reasons had been presented for such a substantial exceedance of the maximum permitted building coverage (4175 S.F.) under the Development Regulations. The applicant had not presented any planning testimony that met the Land Use Law requirements for reasons supporting approval of such a substantial deviation from the coverage limitations. After some discussion, the applicant indicated that the application should be continued to the March 15, 2022 hearing in order for the applicant to reduce the size of the proposed covered patio; the discussion centered around a reduction to about 4380 S.F. from the now proposed 4491 S.F. At that request, the application was continued.
4. At the continued hearing on March 15, 2022, the applicant presented a revised Plan for the improvements with a revised building overage of _____ S.F. While still over the coverage limitation, the patio area and improvements are screened from adjacent properties and will not result in adverse impact to those properties. The Board concluded the property is of sufficient size to accommodate the open patio and related improvements and, as revised, could be properly approved under the N.J.S.A. 4055D-70(C)(2) criteria as it presents an improvement that will enhance the use of the property without unduly exceeding the permitted coverage.

WHEREAS, based upon the foregoing testimony and findings of fact, the Board finds that with respect to the specific premises the purposes of the Land Use Act would be advanced by a deviation from the Zoning Ordinance and the requirements and the benefits of this deviation would substantially outweigh any detriment; and that the relief requested by applicants can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Rumson and to deny the application would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the

applicants.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the Borough of Rumson on this 15th day of March, 2022 that the application of Todd and Lanae Herman for a variance to construct and add a covered rear patio, outside hot tub/spa, and spiral staircase to second floor on the existing premises in accordance with the plans as agreed to and amended and the testimony and evidence presented at the hearing, be granted upon the following conditions:

1. That this variance will be deemed to be void by abandonment if a building permit is not issued within one year from the date hereof.
2. All factual representations made on behalf of the applicants are incorporated herein as conditions of this variance.
3. The action of the Board of Adjustment in approving this application shall not relieve the applicants of responsibility for any damage caused by this project, nor does the Board of Adjustment or the Borough of Rumson accept or have any responsibility or liability for the structural design of the project or for any damage which may be caused by the project.
4. Prior to issuance of any Certificate of Occupancy the applicant must repair or replace any curb, sidewalk, or street pavement damaged, in the judgment of the Borough Administrative Officer, as part of or by reason of the construction of the project.
5. The following must be accomplished prior to the issuance of a development, zoning and/or building permit:
 - a. Evidence must be provided by the applicant that the permits and approvals listed in subsection 22-3.4a,4 of the Development Regulations have, where applicable, been obtained.
 - b. Taxes must be current.
 - c. If applicable, inspection fees as required by subsection 22-3.14m and n of the Development Regulations must be paid by the applicant.
 - d. Any outstanding review fees or escrow deficiency must be paid.
 - e. Notice must be published as required by subsection

22-3.3e,5 of the Development Regulations.

Above Resolution moved by
seconded by , and on roll call the
following vote was recorded:

In the Affirmative:

In the Negative:

Abstain:

The foregoing is a true copy of a Resolution adopted by the
Board of Adjustment of the Borough of Rumson at its meeting on
March 15, 2022, as copied from the Minutes of the said meeting.

DATE: March 15, 2022

Secretary
Board of Adjustment

**RESOLUTION OF FINDINGS AND CONCLUSION
BOARD OF ADJUSTMENT
BOROUGH OF RUMSON
BLOCK 97, LOT 30**

WHEREAS, JOHN AND KRISTEN OSTROW have applied to the Board of Adjustment of the Borough of Rumson for permission to construct a first floor kitchen addition, second floor additions, and a two story rear addition at the existing premises located at 4 Clover Lane and known as Block 97, Lot 30 on the Tax Map of the Borough of Rumson, and which premises are in the R-4 Zone; and

WHEREAS, on February 15, 2022, at a meeting of the Board, due notice having been given the adjoining property owners and published in accordance with N.J.S.A. 40:55D-12 as appears by affidavits filed with the Board, and a quorum being present, the aforementioned application was heard; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and the public, including a Survey by C. Surmonte, L.S. dated 10/18/21; Site/Architectural Plans by A. Condouris, Sheets V1, V2, V3, V4, all dated 12/8/21, a prior Resolution dated 3/16/1999, and the Administrative Officer Data Sheet has made the following factual findings:

1. The property is a single family residence, located on an almost rectangular lot having about 159 feet frontage on Clover Lane and depth of about 164 feet. The lot is in the R-4 Zone, requiring a 10,000 S.F. minimum lot size; the lot at 26,146 S.F. is substantially larger than the R-4 minimum. The applicant's proposal is to construct and add to the existing house a first floor kitchen addition, second floor additions, and a two story rear addition, all as shown on the Plans. The proposal would expand the floor area from the existing 3739 S.F., (3500 S.F. cap in the R-4 Zone) to the proposed 4583 S.F., and a floor area cap variance is requested. The property also has an existing nonconformity for maximum lot coverage (7061 S.F. permitted, 9368 S.F. Existing), and the proposal will reduce lot coverage to 9002 S.F. which still is a variance required.
2. The applicant's presentation was by their testimony and Architect Condouris. The presentation was primarily that the lot is substantially large (at 26,146 S.F.) for the Zone and can accommodate the proposed house and its being over the 3500 S.F. cap. The house had been expanded to its present size by Resolution approved on March 16, 1999. On the other side of Clover Lane is the R-2 Zone, with larger houses on

larger lots that are compatible with the proposed house and its size.

3. As noted, the property is significantly oversized for the R-4 Zone. In such situations, the Board has usually granted limited variance relief to grant relief from the 3500 S.F. floor area cap as such oversized lots can usually accommodate some floor area increase; the issue here was the reasonable size of the proposed relief. There also arose the issue and potential impact of the expansion on a large specimen Red Oak tree that is in close proximity to the existing house. The property owner indicated that the tree appears to be in good condition and tree experts have opined that the tree would likely not be impacted by the work proposed if a proper Tree Protection plan and fencing are required during construction. As the tree is a specimen tree by the Borough Ordinance, any removal would require an application and approval by Permit. The Borough Arborist also testified, indicating that in his opinion any work/approval should include a condition requiring compliance with a Tree Protection plan/fencing to be approved by the Borough Arborist. No neighbors or objectors appeared.
4. The Board concluded that the application as proposed could be approved. Although the exceedance in floor area over the 3500 S.F. is substantial, the large size of the lot indicates the lot can accommodate the proposal. In addition, this property's proximity to larger houses on larger lots in the R-2 Zone on the opposite side of Clover Lane makes this into a transition property and supports the floor area requested in this particular situation. The Board concludes the lot size can reasonably accommodate the proposal, and it will not adversely impact the neighborhood and Zone Plan.

WHEREAS, based upon the foregoing testimony and findings of fact, the Board finds that with respect to the specific premises the purposes of the Land Use Act would be advanced by a deviation from the Zoning Ordinance and the requirements and the benefits of this deviation would substantially outweigh any detriment; and that the relief requested by applicants can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Rumson and to deny the application would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the applicants.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the Borough of Rumson on this 15th day of March, 2022 that the application of JOHN AND KRISTEN OSTROW for a variance to construct a first floor kitchen addition, second floor additions, and a two story rear addition at the existing premises in accordance with the plans as agreed to and amended and the testimony and evidence presented at the hearing, be granted upon the following conditions:

1. That this variance will be deemed to be void by abandonment if a building permit is not issued within one year from the date hereof.
2. All factual representations made on behalf of the applicants are incorporated herein as conditions of this variance.
3. The action of the Board of Adjustment in approving this application shall not relieve the applicants of responsibility for any damage caused by this project, nor does the Board of Adjustment or the Borough of Rumson accept or have any responsibility or liability for the structural design of the project or for any damage which may be caused by the project.
4. Prior to issuance of any Certificate of Occupancy the applicant must repair or replace any curb, sidewalk, or street pavement damaged, in the judgment of the Borough Administrative Officer, as part of or by reason of the construction of the project.
5. The following must be accomplished prior to the issuance of a development, zoning and/or building permit:
 - a. Evidence must be provided by the applicant that the permits and approvals listed in subsection 22-3.4a,4 of the Development Regulations have, where applicable, been obtained.
 - b. Taxes must be current.
 - c. If applicable, inspection fees as required by subsection 22-3.14m and n of the Development Regulations must be paid by the applicant.
 - d. Any outstanding review fees or escrow deficiency must be paid.
 - e. Notice must be published as required by subsection 22-3.3e,5 of the Development Regulations.

- f. Compliance with a Tree Protection Plan and fencing plan to be obtained from a licensed Arborist/tree expert and approved by the Borough Arborist, during any construction and/or foundation/excavation under this approval.

Above Resolution moved by
seconded by , and on roll call the
following vote was recorded:

In the Affirmative:

In the Negative:

Abstain:

The foregoing is a true copy of a Resolution adopted by the Board of Adjustment of the Borough of Rumson at its meeting on March 15, 2022, as copied from the Minutes of the said meeting.

DATE: March 15, 2022

Secretary
Board of Adjustment