

# Petition to the Borough of Stanhope

## Block 10902 Lot 10 Enforcement of Land Development Code

### Petition:

That the Borough of Stanhope fully enforces the approved "Official Map" (Site Plan) for 2 Oak Drive, Stanhope, NJ Block 10902 Lot 10 and ensures construction and completion fully complies with all appropriate Land Development Codes.

We, the undersigned citizens of the Borough of Stanhope, hereby petition the Town Council to assure on-going construction and final construction completion complies fully with all aspects of the town's approval resolution including the Official Map. Our common focus encompasses all aspects regarding health, maintenance of safety, "wetland" topography contours and "characteristics", silt and erosion control, prevention and elimination of adverse off-site impacts of the construction efforts, control of drainage, retention of shade trees as specified in the "18 foot" buffer zone and shade trees specifically identified to be preserved in the open area on the site plan map dated 9/20/99 Block 10902 Lots 10,11,12, number ST99011-A as approved by the Borough of Stanhope's Board of Adjustment on 11/7/2001 ("the Official Map").

### Background:

The petitioners are residents and citizens of the town of Stanhope, New Jersey with their homes within 200 feet of Lot10; we are located directly opposite on Oak Drive, the adjacent East Dr or the rear of the Lot10 on Valley Road essentially surrounding the subject lot. Lot10 was reconfigured to include the prior Lot10 and part of Lot11.

Lot10 had a deep swale, a wetland area and a surface running stream. The stream at times ran continuously for over 7 months even in dry weather. A discharge could be heard in the storm drain on Valley Road. In the past, homes in the area had water issues in falling basements, flooded lawns, and cellars do to above and below ground water flows as this area always has had water issues.

The contractor has filled in the large swale on Lot10 above the final site topography plan; the water can no longer be heard in the Valley Road storm drain by Block 10902 Lot 9 and a sink hole appeared in the Mr. Thomas and Mrs. Kathryn Caggiano's front lawn on 10 East Drive, essentially opposite where the Lot10 wetland area was and Mr. Caggiano filled in the sink hole with gravel. The hole exceeded 6 ft in depth, and 8 inch at the surface and required several wheel barrels of gravel to fill. We cannot be assured of the linkage of the apparent stoppage or diversion of subsurface waters from the wetland by the contractor's on-going efforts but where is the stream's water going now that the prior wetland and swale area were filled in? The flow to Valley Road sewers was directly impacted and no prior subsurface lawn erosion had occurred in the Caggiano's front lawn property since it was built 30 years ago. One can only question the timing coincidence of filling in the wetland area, stopping the stream from flowing into Valley Road and unique sinkhole development?

During the many months of the Board of Adjustment meetings on Lot 10-11-12 the criticality of drainage issues, water flows, critical slopes, the wetland area, and desired retention of large shade trees on the property by the rear buffer zone and "open" areas was discussed.

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A final site plan included the many directions on plotting of retained trees, retaining a swale type contour and drainage of the wetland area were developed by the Owner and its designer and submitted for approval to the Board of Adjustment. The "Official Map" was available to the public for comment and approved on 11/7/2001.

**Discussion:**

We share common concerns and desire the Town Council with its Zoning Officer, Code Enforcement Officer and Borough Engineer to assure all on-going construction efforts are done in good workmanship, safely, in compliance with all codes and in a manner that does not adversely impact our neighborhood. Our primary concerns at this time are maintaining "wetland" and swale topography and characteristics, control of waters and silt during and after construction is completed, prevention and elimination of all off-site impacts, restoration of large shade trees in the open area which were to have preserved but have been destroyed and retention of shade trees in the buffer zone as specified on the site plan drawing meeting at least those specified on the site plan drawing.

**Petitioners:**

Date	Name	Address	STANHOPE, NJ
7/21/02	Thomas Caggiano	10 East Drive	
7/22/02	Kathleen Caggiano	10 East Drive	
7/25/02	Ernie Huma	12 East Drive	
7/25/02	May Pinner	12 East Drive	
7/25/02	Joseph Heimbarg	1 Valley	
7/25/02	John Fleming	5 Valley	
7-28-02	Elaine McCarthy	7 Valley Rd.	
	Elaine McCarthy		

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Petitioners Continued:

Date	Name	Address
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- July 25, 2002 Sharon Leister 1 Oak Drive  
Sharon Leister
- July 25, 2002 Valerie Michele 8 Oak Drive
- July 25, 2002 Peggy Fleming 5 Valley Road  
PEGGY FLEMING
- July 25 Everett Baker 10 Valley Road
- July 27 Charles Heinberg 1 Valley Road  
Charles Heinberg
- July 27 Amy M. Dambroski 3 Valley Rd  
Amy M. Dambroski
- July 27 Lois Derstler 3 Oak Drive  
Lois Derstler