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Open Space & Stewardship
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MEMORANDUM

To: Zoning Board
From: Lauren A. Wasilauski, Open Space & Stewardship Director
Date: March 13, 2024
Re: BA-08-23: Michael & Jeanine Reilly
Block 30002 Lot 73 (17 Augusta Court)
Bulk Variance (C) and Floor Area Ratio (D4)

This office has reviewed the following materials and offers the comments below:

- Variance Plan, prepared by Van Cleef Engineering Associates, LLC, dated July 14, 2021 (1 sheet)
- Application package, date stamped 2/26/2024

A. Application overview

1. The Applicant proposes to remove an existing brick patio and construct a 253SF deck at the rear of the existing single-family dwelling.
2. The property totals approximately 0.428 acres, located in the R-5 zoning district, and constructed under the Cluster I option.
3. The Applicant is requesting variances for:
 - a. Building coverage: 16.28% proposed where 15% is permitted
 - b. Floor area ratio: 0.227 proposed where a maximum of 0.20 is permitted

B. Sidewalks and Pedestrian Circulation

1. Sidewalks are required on all public streets per Code Section 16-5.14C, with the exception of properties located in the MR zoning district:

“Except for all local, rural collector and scenic collector roads in the MR District, sidewalks shall be provided along all existing streets upon which all residential and nonresidential developments abut, unless specifically waived in certain locations by the reviewing municipal agency based upon good cause shown by the applicant, such as, but not limited to, the existence or proposal of alternate linkages for pedestrian

movement and/or where other improvements are proposed to better facilitate the movement of people between the development and adjacent lands;”

2. The Applicant has sidewalks along their frontage and along the rear of their lot (along Shoal Creek Court. The Applicant should be advised that if the sidewalk is damaged during the course of construction, it should be repaired to the satisfaction of the Township Engineer or their designee, per Code Section 11-5.2.c.3.

C. Tree Planting and Landscaping

1. Tree Removal: The Applicant should provide testimony regarding whether any trees are proposed for removal.
2. Shade Trees: 14 trees per acre are required for residential and non-residential development per Township Code Section 16-5.6d.3. Any trees proposed to meet the buffering and street tree requirements (described below) do not count toward meeting the shade tree requirement.
 - a. Based on the total area of 0.428 acres, the Applicant is required to plant six (6) trees.
 - b. According to the application package, the Applicant is seeking a waiver from the tree planting requirement based on gross tract area.
 - c. The Applicant’s plans do not appear to include any proposed tree planting. The Applicant should provide testimony regarding proposed planting.
3. Street trees are required along all streets at 50’ intervals (Township Code Section 16-5.6.d.15). Based upon the lot frontage of 75.05, two (2) street trees are required. Based on aerial photography, the existing trees appear to meet this requirement, but this offers defers to the Board Landscape Architect on this determination.
4. Landscape buffer screening is required by Code Section 16-5.6d.13.
5. Native plant species are required by Township Code Section 16-5.6.d.5. This office defers species review to the Board Landscape Architect.
6. All plant materials must include a two (2) year guarantee as required by Township Code Section 16-5.6.d.10:

“All plant material shall be guaranteed for at least two (2) years from the date of landscape inspection for approval and any plant material that does not survive within that time period or is in poor condition based upon the opinion of the Township Landscape Architect shall be replaced by plant material of the same size and species at the expense of the developer.”

7. The Applicant should add deer protection to the tree and shrub protection for any new plantings. The Open Space Committee and Shade Tree Committee have the best outcomes when using 4' high weld wire fencing and wooden stakes around each plant.

D. Lot Coverage / Impervious Coverage

1. The Applicant proposes building coverage of 16.28% where a maximum of 15% is permitted.
2. Montgomery increasingly faces flooding during storm events, and the Applicant is proposing an exceedance of the allowable building coverage which will only exacerbate the problem.
3. The Applicant should consider additional tree planting to mitigate for the building coverage variance requested. Mature trees are estimated to store between 4,000 to 10,000 gallons of stormwater per year.

E. Lighting

1. Any exterior lighting should be minimized. If lighting is proposed, it should be directed downward and shielded to the greatest extent possible to minimize spillover into surrounding areas.



2. Any exterior lighting should use a color temperature no greater than 3000K, but preferably no greater than 2700K.
3. The impacts of too much light at night (particularly “blue” or short wavelength lighting) have been documented to negatively impact human health, as well as wildlife and insects.
 - i. Princeton University’s Office of Sustainability recently released a short documentary detailing these negative impacts:
<https://www.youtube.com/watch?v=FW0WZX75Nmo>
4. This office recommends that any exterior lighting should be put on a timer or motion sensor.