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## MEMORANDUM

To: Zoning Board  
From: Lauren A. Wasilauski, Open Space & Stewardship Director  
Date: March 14, 2024  
Re: BA-07-23: Bedens Brook Club  
Block 31001 Lots 38 & 39 (240 Rolling Hill Road)  
Minor Site Plan and Use Variance

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

- Minor Site Plan and Use Variance Plan, prepared by Van Cleef Engineering Associates, LLC, last revised January 8, 2024 July 14, 2021 (4 sheets)
- Pump Station plans, prepared by Barone Engineering Associates LLC, dated June 10, 2022 (2 sheets)
- Environmental Impact Statement, prepared by Van Cleef Engineering Associates, dated November 8, 2023
- Application package, date stamped 2/26/2024

### A. Application overview

1. The Applicant proposes to replace the existing tennis hut and the existing pump station.
2. The property totals approximately 175.348 acres, located in the R-5 zoning district. The country club is an existing, non-conforming use.
3. The Applicant is requesting variances for:
  - a. Use variance: proposed change to an existing, non-conforming use
4. The Applicant is requesting design waivers for:
  - a. Section 16-5.6d: fourteen trees per acre / none proposed

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:

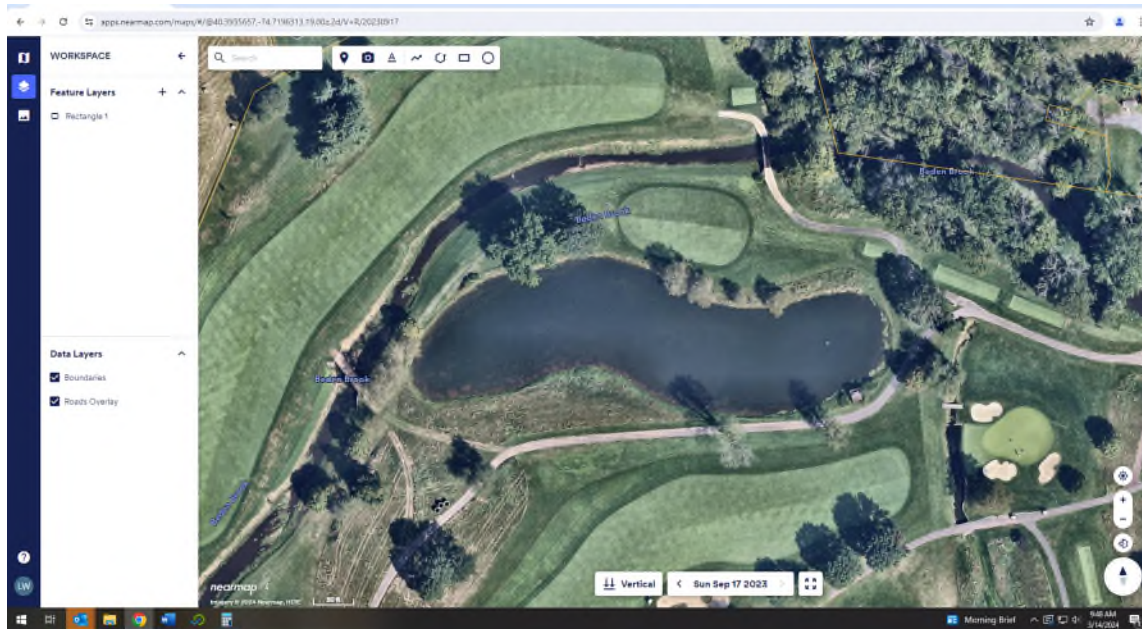
*“Except for all local, rural collector and scenic collector roads in the MR District, sidewalks shall be provided along all existing streets upon which all residential and nonresidential developments abut, unless specifically waived in certain locations by the reviewing municipal agency based upon good 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. There are no sidewalks in the vicinity and the Applicant does not propose to construct any sidewalks.

C. Tree Planting and Landscaping / Stream Corridor

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 175.348 acres, the Applicant is required to plant 2,455 trees.
  - b. According to the application package, the Applicant is seeking a waiver from the tree planting requirement.
  - c. This office recommends that the Applicant plant trees along the Bedens Brook stream corridor. It appears from aerial photography that much of the stream is mowed up to the edge of bank in the vicinity of the irrigation pond (NearMap image on following page from September 17, 2023).
    - i. Planting trees along the stream provides a number of ecological benefits including: improving the health of the stream by providing shade which regulates temperature for plant life and invertebrates living in the stream; reduces erosion; filters pollutants; slows runoff; provides valuable habitat along this wildlife corridor.
    - ii. Per Township Code Section 16-6.4.d.7.d, the Applicant is required to rehabilitate the area of stream corridor to be disturbed. This office could

not locate any proposed mitigation for the proposed disturbance in the stream corridor.



3. Street trees are required along all streets at 50' intervals (Township Code Section 16-5.6.d.15). This office defers to the Board Landscape Architect to determine if the existing landscaping meets this requirement.
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. Critical Areas

1. Township Code Section 16-5.6e requires conservation easement or conservation easement deed restrictions on all critical areas (e.g. steep slopes, stream corridor, wetlands).
  - a. Due to the current use of the property, it is impractical to require conservation easements or conservation deed restrictions at this time.
2. The proposal includes removal of a structure (existing pump house) from the floodway and 100-year flood zone.
3. The new proposed pump station will be out of the floodway and 100-year flood zone, which is appreciated. However, the proposed structure is still located within the flood hazard area and Township stream corridor.
4. As mentioned above in Section C, per Township Code Section 16-6.4d.7.d, the Applicant is required to rehabilitate the area of stream corridor to be disturbed. This office could not locate any proposed mitigation for the proposed disturbance in the stream corridor.
  - a. This office recommends plantings along Bedens Brook where maintenance appears to take place up to the stream edge. Plantings could be in the form of trees, understory plants or whips.
5. This office understands that the Applicant is pursuing "River Friendly Golf Course" certification in partnership with the Watershed Institute. This office greatly encourages finalizing that certification and implementing maintenance practices to protect Bedens Brook and the surrounding watershed.
6. Upon review of the Environmental Impact Statement, this office supports NJDEP's recommendations on disturbance/construction timing to minimize impacts to endangered and threatened species on the property.

E. Lighting

1. This office could not determine if any exterior lighting is proposed as part of this application. 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.