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Open Space & Stewardship
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MEMORANDUM

To: Zoning Board
From: Lauren A. Wasilauski, Open Space & Stewardship Director
Date: November 22, 2022
Re: BA-02-22 Golden Bison Investments, LLC
Block 11002 Lots 14 & 15 (52 Zion Wertsville Road)
Bulk Variances

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

- Variance Site Plan, prepared by Van Cleef Engineering Associates, LLC, last revised 9/15/2022 (1 sheet)
- Architectural plans, prepared by Lionel A. Scriven Architect LLC, last revised 2/21/2022 (5 sheets)

A. Application overview

1. The Applicant's property is located at 52 Zion Wertsville Road in the MR (Mountain Residential) zoning district, consisting of 0.467 acres, a single family dwelling, horseshoe-shaped driveway & walkway.
 - a. The application package lists the property as containing 0.5195 acres of land while the plans list 0.467 acres. The Applicant and the Applicant's professionals should provide testimony as to which acreage number is correct.
2. The existing dwelling on the property was constructed in a "U" shape and the Applicant proposes to "fill in" the open area to make the structure rectangular. A new septic system is also proposed at the rear of the house.
3. The Applicant is applying to the Board for variances for the following:
 - a. Maximum building coverage: proposed 7.7% where a maximum of 7% is permitted
 - b. Lot coverage: proposed 12.7% where 10% is permitted; existing conditions are nonconforming at 13.3%.

- c. Front yard setback: existing at 68.2' where 100' is required. The Applicant will dedicate 25' of right-of-way to the Township and make the existing condition less conforming by decreasing their setback to 59.7'.
- d. Lot area: 0.467 acres existing where 10 acres is required. After dedicating right-of-way to the Township, the resulting size of the lot will be 0.457 acres.
- e. Existing conditions including: lot frontage, lot width at setback, lot depth, side yard setback,

B. Sidewalks

- 1. Township Code Section 16-5.14C requires sidewalk on all public streets, except in the MR zone. No sidewalks are required because the property is located in the MR zone, and this office does not request sidewalks at this time.
 - a. The Applicant proposes to dedicate 25' of right of way to the Township. This offers defers to the Township Engineer to review the adequacy of the proposed dedication.

C. Tree Planting and Landscaping

- 1. Tree Removal: The Applicant should provide testimony whether any trees are proposed for removal.
 - a. A "large dead tree" is identified on the variance plan in the location of the proposed septic.
 - b. There are two large trees located close to the existing structure – will they be removed?
- 2. Street Trees: Street trees are required at fifty foot (50') intervals per Township Code Section 16-5.6.d.15.
 - a. The Applicant's property has 53.47' of frontage, and is proposing no street trees where one (1) tree would be required by the ordinance calculation.
 - b. The majority of the Applicant's frontage is consumed by the existing driveway. A utility pole is also located within the grassy area, and includes overhead wires.
 - c. If the Applicant were to further reduce the lot coverage by removing the U-shaped driveway, one tree could be accommodated.
 - i. The Applicant should consult PSE&G's recommended list of trees that will not interfere with overhead utility wires:

<https://nj.pseg.com/safetyandreliability/reliability/treetrimming/righttreerightplace>

3. Shade Trees: 14 trees per acre are required for residential and non-residential development per Township Code Section 16-5.6d.3.
 - a. Based on the ordinance requirement and an acreage (after ROW dedication) of 0.457 acres, a total of 6 trees are required.
 - b. The Applicant's plans indicate that seven (7) shade trees are proposed. However, the landscape schedule lists seven (7) Green Giant Arborvitae. The landscaping and buffering requirements of Code Section 16-5.6d.13 are separate than the shade tree requirement and do not count toward the shade tree calculation.
 - c. According to the June 29, 2022 NearMap aerial image (see below), there appear to be a number of dead trees at the rear of the property. This office would encourage the Applicant to plant the shade trees in this area (with appropriate deer protection) to replace those that have died.



Applicant's property outlined in red, with locations of presumed dead trees indicated with yellow arrows.

4. Native species are required per Township Code Section 16-5.6.d.5.
5. All plant materials must include a two (2) year guarantee as required by Township Code Section 16-5.6.d.10:

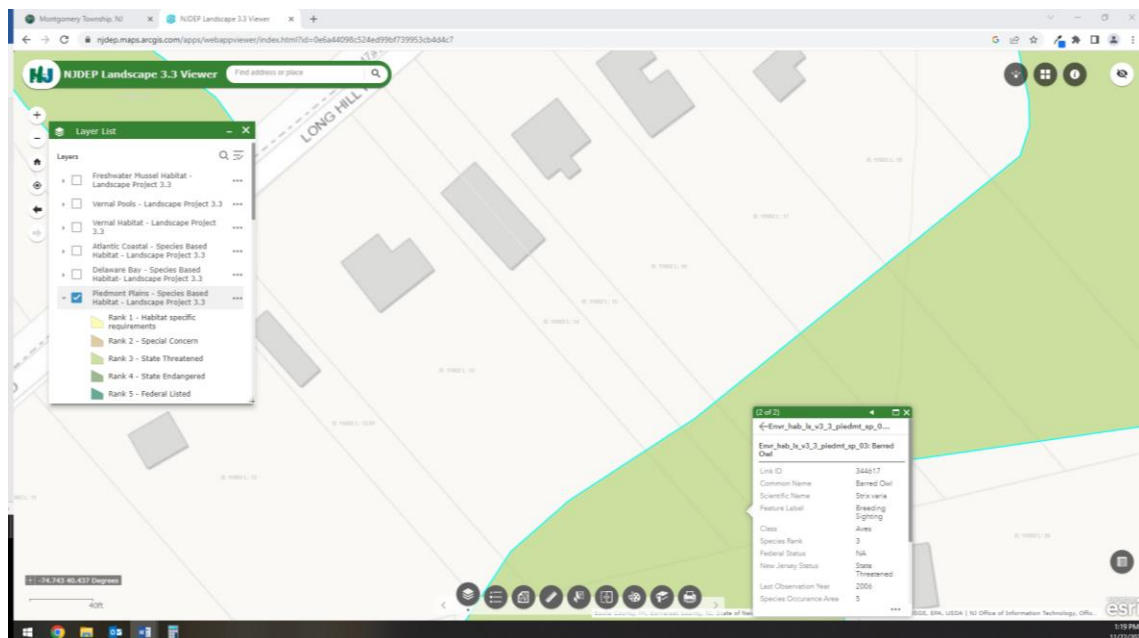
"All plant material shall be guaranteed for at least two (2) years from the date of landscape inspection for approval and any plant material that does not survive within that time period or is in poor condition based upon the opinion of the Township

Landscape Architect shall be replaced by plant material of the same size and species at the expense of the developer."

6. Landscape Buffers: Township Code Section 16-5.6d.13 requires landscape buffer plantings to shield or visually screen views between properties. The Applicant proposes seven (7) Green Giant Arborvitae along the northeast property boundary to shield the view of the AC unit, tank and stairs from the neighboring dwelling on Lot 16.
 - a. This office defers to the Board Landscape Architect to evaluate the adequacy of the proposed screening.

D. Conservation Deed Restriction

1. According to the NJDEP Landscape Project, version 3.3, the rear of the property is habitat for the State Threatened barred owl (*Strix varia*) – see map below. In accordance with Township Code Sections 16-5.2(e) & (g) and 16-6.4(e), a conservation deed restriction must be imposed to protect these areas.
 - a. This office recommends an easement that follows the existing woodline as shown on the Variance Plan. This provides for a 20' setback from the proposed septic bed to allow for ongoing maintenance.



- b. The limits of the conservation deed restricted area must be marked by concrete monuments per Code Section 16-5.6e.1.

E. Lot Coverage / Impervious Coverage

1. The Applicant's lot is currently over the permitted lot coverage at 13.3%.
2. The Applicant proposes to remove 145 SF of the existing driveway, and construct a 112 SF addition, which will result in lot coverage of 12.7%. This exceeds the maximum permitted coverage of 10%.
3. This office recommends that the Applicant remove the "horseshoe" aspect of the driveway and construct a driveway with a singular road opening, which would remove additional lot coverage.
4. Given the subject property's location in the sensitive Sourland Mountain region, all efforts should be made to remove lot coverage, in order to reduce stormwater runoff and increase groundwater recharge.
5. The Applicant should explore stormwater management strategies from the Rutgers Green Infrastructure Guidance Manual, such as rain barrels, swales, etc.

See:

<http://water.rutgers.edu/GreenInfrastructureGuidanceManual.html>

http://water.rutgers.edu/Green_Infrastructure_Guidance_Manual/GI-Brochure_PRINT-FRIENDLY.pdf

http://water.rutgers.edu/Green_Infrastructure_Guidance_Manual/2016-08-10_REV1_Manual.compressed.pdf