



TOWNSHIP OF CHATHAM

58 Meyersville Road
Chatham, New Jersey 07928
(973) 635-4600

Please reply to:
Zoning Board of Adjustment
Phone: 973-635-3204
Fax: 973-635-4002

MEMORANDUM

TO: Brandi Bartolomeo

FROM: Kathleen Nagy-DeRosa, Board Manager 

DATE: April 8, 2020

RE: BOA # ZBA-20-003
7 Meyersville Road

Due to the COVID-19 pandemic, the Township of Chatham Zoning Board of Adjustment has cancelled the scheduled April 16, 2020 meeting. Your revised date to appear before the Board is Thursday, May 21, 2020 at 7:30 p.m. Please notify adjoining property owners within 200' of the property including utilities and send notice to the Chatham Courier for publication.

Notice of publication has to be published ten (10) days prior the hearing, in order to meet the ten day requirement publication. Please also make sure that the 200 foot list used for notification has been obtained within the last 6 months.

Once published, please remit to our office, a copy of your 200 foot list, the stubs stamped from the post office with the addresses on them (blank receipts with no addresses are not acceptable forms of proof), and a certified copy of the ad that was placed in the paper and the date it was published.

Please call us with any questions Monday through Friday 8:30-4:30 at (973) 635-3202.

M E M O R A N D U M

TO: Brandi Bartolomeo
FROM: Kathleen Nagy-DeRosa, Board Manager
DATE: March 3, 2020
RE: BOA # ZBA-20-003
7 Meyersville Road

Enclosed please find a memorandum from Mr. Ruschke, Board Engineer dated February 27, 2020 regarding his completeness review for the above referenced application.

Based on the Board Engineer's review, there is sufficient information for the Board to schedule a hearing on April 16, 2020 at 7:30 p.m. Please notify adjoining property owners within 200' of the property including utilities and send notice to the Chatham Courier for publication.

Notice of publication has to be published ten (10) days prior the hearing, in order to meet the ten day requirement publication. Please also make sure that the 200 foot list used for notification has been obtained within the last 6 months.

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Township of Chatham
BOARD OF ADJUSTMENT MEMORANDUM

To Kathleen Nagy-DeRosa, Board of Adjustment Manager

From John Ruschke, P.E., Township Engineer JKR

Date February 27, 2020

Project # 507100727-036

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CC Chatham Township Board of Adjustment
Scott Carlson, Esq., Board of Adjustment Attorney
Frank Banisch, Board of Adjustment Planner
Joshua Fink, P.E., PSE&G Services Corporation
Michelle Kelly, PE, DW Smith Associates, LLC
PSE&G, Applicant
Virginia Ferber, Property Owner

Subject **Block 48.20, Lots 185 & 187**
Block 48.21, Lots 174, 174.01, 180 & 182
7 Meyersville Road ("Ferber Farm")
Application No.: ZBA 20-003
Use Variance Application – Completeness Review

Mott MacDonald has received the above referenced variance application. The application submittal includes the following documents:

- 24" x 36" Site Plan prepared by Joshua Fink, P.E. and Shehzad C. Khan, P.L.S., of PSE&G Services Corporation, dated January 2, 2020
- 24" x 36" soil erosion and sediment control plan/details prepared by Joshua Fink, P.E., of PSE&G Services Corporation, dated September 16, 2019, consisting of three sheets
- 24" x 36" Tree Replacement Plan, prepared by Michelle Kelly, P.E., of DW Smith Associates, LLC dated January 15, 2020
- Copy of cover letter for land use application to NJDEP, dated January 16, 2020
- Application packet, including Planning & Zoning Checklist, Check Lists 'A' & 'B' and copy of application to Morris County Planning Board, dated January 15, 2020
- Environmental Impact Statement for PSE&G's Roseland to Pleasant Valley (RPV) Transmission Project, prepared by Michelle Kelly, P.E., of DW Smith Associates, LLC dated January 2020
- Stormwater Management Report, Ferber Farm Laydown Area, prepared by Jake Oldenburger, P.E., of Tetra Tech, dated December 30, 2019

SCOPE

The subject site is an existing farm ("Ferber Farm") made up of several adjacent parcels located on the southern corner of the intersection of Green Village Road and Meyersville Road (including frontage on Memorial Way) within the R-1 Residential District Zone (with a small portion of

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Date February 27, 2020
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Block 48.21, Lot 174 in the R-3 Zone). The subject application has been submitted for use variances associated with the proposed temporary use of the subject property for outdoor storage of equipment related to the Applicant's construction of replacement power transmission towers in the area. If approved, the proposed temporary use of the subject property requires a use variance, as it would be used for Segment 1 of PSE&G's Roseland-Pleasant Valley (RPV) Transmission Project, which is approximately 30 miles long and located in PSE&G's right-of-way, and not directly related to the subject property. The Applicant also seeks a variance for approval of the proposed temporary use for a duration of approximately three years, where Township Code Section 30-100 permits such temporary uses for a period of one year, with the possibility of re-application and extension to a maximum total duration of three years. The proposed temporary use of onsite buildings as offices for personnel associated with the RPV project is also proposed. No permanent site improvements are proposed as part of this application.

The requested temporary outdoor storage is comprised of timber matting, replacement monopole segments (steel arms and poles), transmission line hardware, construction equipment/tools, reels, dumpsters and vehicle parking. The Applicant proposes the installation of a temporary security guard shack at the main driveway access to Ferber Farm from Meyersville Road, which would be used as one of two access points for trucks/vehicles/equipment. A second temporary access drive from Memorial Way is also proposed.

Given that the site contains freshwater wetlands, ponds and streams, the placement of timber matting for the preservation of existing vegetation in environmentally sensitive areas within the site is proposed. The removal of two onsite trees is proposed. The Applicant has applied to the New Jersey Department of Environmental Protection (NJDEP) for land use permits associated with the proposed temporary storage in freshwater wetlands/wetlands transition areas and stream riparian zones. Application has also been made by the Applicant to the Morris County Planning Board.

VARIANCES – R-1 and R-3 Residence Districts

The Applicant has requested the following use variances associated with the proposed improvements:

1. Proposed temporary outdoor storage associated with construction not directly related to the subject property - Section 30-100
2. Proposed temporary outdoor storage for a duration of three years; one year maximum permitted – Section 30-100

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In addition, our review of the subject application has revealed that the following additional use variances would be necessary for the proposed temporary use:

3. Proposed use of onsite house structures as construction offices; temporary trailers permitted only; construction offices not permitted in Residence Districts – Sections 30-78.1-78.3 and 30-100
4. Proposed off-street parking associated with proposed temporary use in Residence District not in accordance with subsection 30-64.2 – Section 30-78.2.d

The following pre-existing non-conforming variances are also associated with the subject site:

5. Minimum lot area (Block 48.21, Lot 174.01); 100,000 square feet required, 48,000 square feet existing – Section 30-75.2
6. Minimum front yard setback distance to principal structure (Block 48.21, Lot 174.01); 100 feet required, approximately 33 feet existing – Section 30-75.2
7. Minimum side yard setback distance to principal structure (Block 48.21, Lot 174.01); 35 feet required, 5.4 feet existing – Section 30-75.2
8. Minimum lot width at street (Block 48.21, Lot 174); 90 feet required, 50 feet existing – Section 30-75.2
9. Minimum lot width at setback (Block 48.21, Lot 174); 100 feet required, 50 feet existing (corrected from site plan) – Section 30-75.2
10. Two principal structures (houses) on one lot (Block 48.21, Lot 174.01); only one permitted – Section 30-96.12
11. Maximum number of accessory structures (Block 48.21, Lot 174); two permitted, three existing – Section 30-96.13.a.1
12. Minimum side yard setback distance to accessory structure (northern garage, Block 48.21, Lot 174); 35 feet required, 3.3 feet existing – Section 30-96.13.a.5
13. Minimum side yard setback distance to accessory structure (southern garage, Block 48.21, Lot 174); 35 feet required, 19.7 feet existing – Section 30-96.13.a.5

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COMPLETENESS

Mott MacDonald has reviewed the application for completeness in accordance with Checklists “A” and “B” of the Revised General Ordinances. The following completeness waivers have been requested by the Applicant:

1. Plans at maximum scale of one inch equals 100 feet
2. Aquifer recharge areas
3. Wooded areas indicating predominant species and size
4. Location of existing culverts, drainpipes, water and sewer mains (Partial waiver, culverts only not provided)
5. Location of existing wells and septic systems (Partial waiver, septic only not provided)

Given the scope of the proposed project and information provided with the application, Mott MacDonald takes no exception to the Board granting completeness waivers for the above items.

Therefore, the application has been deemed **COMPLETE**. The Board reserves the right to request any of the above items during the hearing process. We recommend that a rendering of the proposed guard shack be provided during the hearing process for review and approval by the Board.

TECHNICAL REVIEW

Our review of the subject application has revealed the following technical review items, which should be considered by the Board as conditions of variance approval (if granted):

Site Plan

1. Per Township Code Section 30-62.7, at a minimum, two (2) corners of the proposed site plan shall have horizontal coordinates and vertical values shown, based upon municipal monumentation. Municipal monumentation is based upon horizontal coordinates of the New Jersey System of Plane Coordinates (NJSPC NAD, 83) and vertical values of the North American Vertical Datum (NAVD, 88). If municipal monumentation is not available, other monumentation having values of these datums can be used. Monument identification and associated values must be noted on the plan. An electronically formatted version of the plan having horizontal and vertical values as outlined above suitable for import of the drawing files into the Township of Chatham GIS and the Morris County GIS systems should be provided.

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2. A Development Permit is required for site plan approval, per Township Code Section 30-124. A portion of the proposed matting is located directly above a tributary to Loantaka Brook. The Applicant shall provide a technical evaluation to demonstrate that this proposed installation will not result in any increase in flood levels during occurrence of the of the base flood discharge. The stream delineation should be included in the legend on the site plan.
3. It appears that there is an errant lot line shown on the site plan within the boundary of Block 48.21, Lot 182. This should be checked and corrected.
4. Memorial Way (located between Green Village Road and Meyersville Road) should be labelled on the site plan.
5. The location of the proposed construction access drive with access from Memorial Way appears to be in conflict with an existing drainage pipe outfall and large tree in the street right-of-way. The access should be relocated if necessary. Notes regarding removal/restoration of existing guide rail and post/rail fence should be provided on the plan. The tree in question should be shown and indicated as to be removed or to remain. If it is to be removed, a four-inch caliper replacement tree shall be provided in accordance with Township Code Section 22.
6. Given that Memorial Way is currently under a moratorium, the road shall be repaired in accordance with the Township Specifications Governing Road Openings following project completion, including the use of infrared technology on the finished road surface.
7. The site plan indicates that 13 employees will be using the onsite buildings for office space, where the Environmental Impact Statement notes 15-20 employees. The Applicant should provide testimony regarding the anticipated number of employees that will be working onsite. The Applicant should also clarify whether any site improvements will be installed for parking of vehicles of employees onsite. If so, construction details should be provided, and NJDEP approval should be required as necessary. If existing paved areas are to be used only, the conceptual parking space layout should be shown on the plan.
8. The approximate location of existing septic disposal fields should be shown on the plan. These areas should be noted on the plan to be protected from over-compaction or loss of vegetation for consistency with the goals of N.J.A.C. 7:9A-10.3(f)5.

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9. The Applicant should verify that sewer uses in the existing office buildings during the duration of the proposed temporary use will not increase to the level of adversely impacting onsite septic systems.
10. The approximate amount of solid waste to be generated onsite and approximate location(s) of dumpsters should be identified by the Applicant and shown on the site plan. Compliance to Township Code Section 18-1.7 should be demonstrated.
11. Following the issuance of permits by NJDEP (if approved), the plans should be revised as necessary to address any conditions of NJDEP approval.

Soil Erosion and Sediment Control (SESC) Plans

12. The proposed project includes greater than one acre of disturbance. As such, a 5G3 stormwater discharge permit from NJDEP will be required prior to any land disturbance. This should be noted on the SESC plan.
13. The location of proposed sediment barriers should be clarified on the SESC plan.
14. The approximate location and number of proposed de-compaction tests should be noted on the SESC plan.
15. The Typical Temporary Construction Mat Road & Construction Pad Detail should be revised to specify that proposed cross-hatched/waffle matting is to be installed with 1.5-inch minimum openings and approximately 153 openings per 8' x 14' mat for consistency with the calculations provided in the stormwater management report.
16. The type of filter fabric to be installed beneath proposed stabilized construction entrances should be specified on the details.

Tree Replacement Plan

17. The required 4-inch minimum caliper tree to be planted within 20 feet of the Memorial Way right-of-way line should be noted on the plan (if removal of the existing tree along Memorial Way is proposed, see comment No. 5, above).
18. Replacement trees should be specified on the plan as 2.5-inch caliper minimum.

Should you have any questions regarding this memo, please do not hesitate to contact us.