



Township of Chatham
BOARD OF ADJUSTMENT MEMORANDUM

To **Kali Tsimboukis, Board of Adjustment Manager**

From John Ruschke, P.E., Township Engineer

Date January 23, 2024

Project # 507100727-101

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CC Chatham Township Board of Adjustment
Amanda C. Wolfe, Esq., Board of Adjustment Attorney
Frank Banisch, Board of Adjustment Planner

Subject **Block 62.02, Lot 1**
15 Rockledge Trail
Appl. No.: BOA-23-014
‘C’ Variance Application – Completeness/Technical Review

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

- 24” x 36” set of architectural drawings entitled “Proposed Addition and Alteration for: Mr. & Mrs. Ioffe, 15 Rockledge Trail, Chatham, New Jersey”, prepared by Miseo Assoc., P.A., Architects, last revised November 11, 2023, consisting of three sheets

A set of engineering plans submitted to the Township Board of Adjustment for a prior Variance application in 2021 entitled “Grading Plot Plan, #15 Rockledge Trail, Lot 1, Block 62.02, Township of Chatham, Morris County, New Jersey”, prepared by Mathew R Wilder, P.E., of Morgan Engineering & Surveying, dated June 17, 2021, revised June 30, 2021 is on file and was also utilized for review of this application.

SCOPE

The subject property is a 23,610-square foot corner lot with frontage on the northeast corner of Rockledge Trail and Van Houton Avenue in the R-3 Residential District. Topography on the lot is almost entirely comprised of steep slopes (greater than 15%) toward Rockledge Trail. The subject property contains a 2,888-square foot dwelling, associated walkways and driveways, and a rear deck/patio. The subject application has been submitted to request variance relief associated with proposed additions to the front of the existing dwelling (facing Rockledge Trail).

VARIANCES – R-3 Residence District

The Applicant has requested the following variances for the proposed improvements:

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1. Minimum Front Yard Setback to Principal Structure (facing Rockledge Trail); 50 feet required, 38.2 feet existing, 36.83 feet proposed - Section 30-75.2
2. Maximum Allowable Principal Structure Coverage; 2,816.6 square feet allowed, 2,888 square feet existing (taken from previously submitted Morgan Engineering plans, corrected from plan/application (covered porches are included, per Township Code)), 3,110 square feet proposed (corrected from plan/application) - Section 30-78.11.b

The subject property includes the following pre-existing, non-conforming variances:

3. Location of Landscape Retaining Wall: Retaining wall shall be located no closer to a property line than twice the height of the wall (stone wall, 40" high); 6.67 feet from property line required, 0 feet existing - Section 30-96.15.d.1(a)
4. Width of Dwelling in R-3 Zone Facing Public Right-of-Way (Rockledge Trail); 80 feet required, approximately 88.5 feet existing – Section 30-96.27
5. Existing stone wall located within Rockledge Trail Right-of-Way; Not permitted per Township Code Section 30-96.15.b

COMPLETENESS

Mott MacDonald has reviewed the application for completeness in accordance with Checklists 'A' and 'B' of the Revised General Ordinances. By our review, we have considered the following omitted items to be requested waivers for completeness:

1. Letter of exemption from NJDEP certifying that proposed activity is exempt from Freshwater Wetlands Protections Act and regulations promulgated thereunder
2. Topography of site and within 200 feet (partial waiver, topography of subject property provided)
3. Acreage of affected parcel to the nearest 100th of acre
4. Plans prepared by a land surveyor, where appropriate (survey information provided on submitted architectural plans is marked 'Draft')
5. Natural Resource Inventory

Given the scope and location of the proposed project and that a recent property survey was conducted by the Applicant's professionals associated with prior 2021 application to the Board, Mott MacDonald takes no exception to the grant of waivers for completeness purposes. Therefore, the application has been deemed **COMPLETE**.

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TECHNICAL REVIEW

Our review of the subject application has revealed the following technical review comments:

1. Due to the odd configuration of the subject property (formed by three boundary lines), it is unclear whether the yard between the onsite dwelling and the common lot line with neighboring Lot 2 is a rear or side yard; we defer this question to the Board. If determined to be a rear yard, the Applicant's professionals should verify that the proposed dormer addition conforms with the required 50-foot setback distance to rear lot line or request an additional Variance (dormer may represent increase in 2nd story floor area within required rear yard setback, not permitted per Township Code Section 30-96.7)
2. Given that the proposed improvements include disturbance of a critical area (steep slopes), Board approval (if granted) should be conditioned upon submittal of a lot grading plan. Steep slope disturbance should be minimized for compliance with Township Code Section 30-96.24 for various slope categories. A roof drain drywell or similar should be provided as required by Section 30-96.20.g.7.
3. Existing/proposed principal structure coverages outlined in this memorandum should be verified by the Applicant's professionals for verification of proposed variance.
4. The proposed landscape retaining wall associated with expansion of the driveway may not exceed the maximum height shown by Top Wall/Bottom Wall elevations provided (2.2 feet) for compliance to Section 30-96.15.d.1.

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