



Township of Chatham
BOARD OF ADJUSTMENT MEMORANDUM

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

From John Ruschke, P.E., Township Engineer

Date July 15, 2024

Project # 507100727-070

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CC Chatham Township Board of Adjustment
Amanda Wolfe, Esq., Board of Adjustment Attorney
Frank Banisch, Board of Adjustment Planner
David & Stephanie Kelly, Applicants/Owners
Andrew B. Clarke, P.L.S., P.E., ABC Surveys, LLC

Subject **Block 92, Lot 8**
37 Rose Terrace
Appl. No.: BOA-24-004
Variance Application – Completeness Review

On behalf of the Chatham Township Board of Adjustment (Board), Mott MacDonald has received and reviewed the following documents, provided in support of the above referenced variance application:

- 11” x 17” boundary survey entitled “Map of Property, 37 Rose Terrace, Tax Lot 8 in Block 92, Township of Chatham, Morris County, New Jersey”, prepared by Andrew B. Clarke, P.L.S., P.E., of ABC Surveys, LLC (unsigned), dated January 24, 2022
- Zoning Board Application Forms/Checklists
- 200-Foot Property Owner’s List
- Photographic Representation of Subject Property

SCOPE

The subject property is a 0.52-acre single family residential lot located on the southeast side of Rose Terrace in the R-3 Residential District. The site is bordered to the north by a former Township right-of-way that was vacated for street/roadway purposes in 2017, and by Township property containing the Township’s north side sewer pump station to the east. The subject property received lot grading approval on March 25, 2021, for site redevelopment associated with construction of the existing dwelling onsite. During construction, the developer mistakenly removed several trees on the Township property to the east, which were replaced prior to approval of the site development on January 5, 2022. The current property owner seeks Variance relief associated with a proposed “louvered pergola” (pergola with closeable roof) in the rear yard.

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VARIANCES – R-3 Residence District

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

1. Maximum Lot Coverage Area of Accessory Building (louvered pergola); 150 square feet allowed, 252 square feet proposed - Section 30-96.13.a.2

COMPLETENESS

Mott MacDonald has reviewed the application for completeness in accordance with Checklists ‘A’ and ‘B’ of the Revised General Ordinances. The applicant has requested the following waiver for completeness:

1. Letter of Interpretation from NJDEP indicating the absence of freshwater wetlands, or indicating presence and verifying delineation of boundaries of freshwater wetlands

The following additional completeness items were also not provided, and have been considered to be additional requested waivers for completeness:

2. Metes and Bounds description of parcel in question based upon current land survey
3. Natural Resource Inventory
4. Topography of site and within 200 feet thereof
5. Documentation verifying that there are no deed restrictions or protective covenants applying to the subject property

Given the location of the subject property and nature of the subject application, Mott MacDonald takes no exception to the above waiver requests. Therefore, the application has been deemed **COMPLETE**.

TECHNICAL REVIEW

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

1. A lot grading plan application should be submitted in accordance with Township Code Section 30-96.20. The proposed improvements will result in an increase in stormwater runoff due to the proposed increase in impervious coverage of 715 square feet. At a



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minimum for mitigation of runoff impacts, patio drains should be installed with connection to the existing front yard drywell system (which has been designed with adequate capacity to manage the maximum allowable impervious coverage onsite).

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