



TOWNSHIP OF WEST ORANGE DEPARTMENT OF ENGINEERING

25 LAKESIDE AVENUE, WEST ORANGE, N.J. 07052

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MEMORANDUM #2

TO: ZONING BOARD MEMBERS

FROM: ZAYIBETH CARBALLO, P.E., P.L.S., P.P, CME, CFM
DIRECTOR/MUNICIPAL ENGINEER

WALT KIPP NJ LICENSED TREE EXPERT #544
TOWNSHIP FORESTER

DATE: DECEMBER 12, 2024

SUBJECT: ZB-24-10/CELESTE R. JENKINS
"C VARIANCE FOR SIDE YARD REQUIREMENT"
15 EDGEWOOD AVENUE NORTH (R-4)
BLOCK 158, LOT 3

We are in receipt of the following information pertaining to the above-referenced application:

- A. Plans entitled, "Plot Plan for 15 Edgewood Ave North Survey, Plot Plan, Notes and Details, Tax Map Block 158, Lot 3, West Orange Township, Essex County, New Jersey". The plans prepared by Kiersten Osterkorn, N.J. Professional Engineer and Land Surveyor are dated July 29, 2024 with a revision date of December 3, 2024; and
- B. Correspondence dated December 3, 2024.

I. INTRODUCTION

The subject site is located along Edgewood Avenue North and within the Township's Residential (R-4) Zone District on a ± 0.344 Acres lot. The site is occupied with a 2-story single-family dwelling.

The Applicant is seeking relief for conflicts with section 25-8.2c of the Township's land use regulations for roof overhang and yard projection are 2.6 ft. and 2.5 ft. respectively when 2 feet is required for the proposed additions. The proposal includes a deck, patio with walls and walkway.

II. ZONING

This proposal does not meet the requirements noted above, the Applicant must seek relief from the Board pursuant to the Municipal Land Use Law under N.J.S.A. 40-55D-70c.

“C” or “Hardship” Variance

In judging an application by the C(1) criteria, the core question presented to the Board is whether there has been a showing of (1) peculiar and exceptional practical difficulties to, or (2) exceptional and undue hardship upon, the applicant arising out of (a) the exceptional narrowness, shallowness or shape of the subject property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting the subject property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting the subject property or the structures lawfully existing thereon. In all cases the alleged hardship must relate to a specific piece of property

III. PROPOSED IMPROVEMENTS

- 3.1 Provide steep slopes calculations confirming that disturbance is within the 0 to 10% slope range that allows 100% disturbance. Refer to section 25-28 of the Township’s ordinance;

➤ *Partially Addressed. Slope throughout the area of disturbance is provided but the calculations are not on shown on the plan as per ordinance.*

- 3.2 Provide soil movement calculations for the proposed improvements within the limit of disturbance;

➤ *Addressed by Applicant’s Professional. Soil movement calculations were provided on Sheet SP-1,3.*

- 3.3 A Soil erosion and sediment control plan with details needs to be provided. The limit of disturbance needs to be revised to include the two (2) proposed drywells shown in the front yard;

➤ *Partially Addressed. Soil Erosion and Sediment Control Plan with measures (stockpile, construction entrance, and details) were not provided. Limit of Disturbance has been revised to include the proposed drywells on the front lawn.*

- 3.4 Plan shows the top and bottom of wall elevations; however, it needs to show proposed contours including proposed patio elevation, and spot elevations for the patio and deck and around exiting dwelling;

➤ *Addressed. A few spot elevations were provided.*

- 3.5 The typical paver detail shown on page PD-1 shows two sections with the concrete block retaining wall at a height of 3 feet when the plot plan shows a wall height of 3.67 feet;

- *Not addressed. Architectural plans with details were not submitted. Plans show a wall height of 3.2 feet. Detail shown on architectural plan needs to match wall height shown on site plan.*
- 3.6 Prior to commencing construction activities, soil erosion and sediment control measures must be in place and maintain until the disturbed ground is permanently stabilized;
 - *Addressed by Applicant's Professional. Note #6 on Sheet SP-1 was provided showing soil erosion and sediment control measures will be in place prior to construction and maintained throughout construction.*
- 3.7 There is a guy wire from the pole closest to the drywell along the northwesterly property line that needs to be shown on the plans (Refer to picture). Applicant's professional to provide testimony as to the construction methods to protect the guy wire and pole.
 - *Addressed by Applicant's Professional.*



- 3.8 The project proposes to increase impervious coverage and a stormwater management system (in the form of one drywell with an open grate is illustrated on the Site Plan. Applicant's professional must provide calculations demonstrating that the drywell has been adequately sized to accommodate runoff from the tributary drainage area for 6 inches that is closed to the 25-year storm;
 - *Addressed by Applicant's Professional. Drywell calculations have been adjusted to accommodate for a 25-year storm. Proposed capacity can handle the volume required.*

- 3.9 In order to confirm that the drywell will drain within 72 hours, adequate soil permeability results documenting the depth to the seasonal high groundwater table (SHGW), certified soil log(s) or percolation test(s) at the location of the drywells need to be provided. Should test results be unfavorable, Applicant's Professional will need to provide an alternative means to address and manage stormwater;
- 3.10 The plan shows two (2) drywells with an open grate while the detail shows an inspection port. The drywell should have a solid cover to prevent pollutants in stormwater runoff seeping into the ground. Drywell is not to be connected to non-rooftop sources of runoff;
- 3.11 It is recommended that the drywells be provided with an overflow pipe and be connected to the existing roof leader pipe that daylight at the granite block curb;
- *Partially addressed. Roof leaders are tied into the drywells and an overflow pipe is shown to connect to the street. Details and plans need to show invert elevations and slopes for PVC pipes. Detail also needs to show 2' minimum separation from groundwater and include a note.*
- 3.12 The plan provides calculations for the drywells for 3 inches. It is recommended that 6 inches is used to approximate the 25-year storm;
- *Addressed by Applicant's Professional. Six inches were used to calculate drywell's capacity in the event of a 25-year storm.*
- 3.13 The Applicant's professional is responsible for ensuring the effectiveness of proposed drywell and provide sufficient regular oversight during its construction;
- 3.14 A Certification stating that the drywell was constructed according to the design is to be submitted by the Applicant's professional;
- 3.15 The Applicant/Owner will be responsible for ensuring that the drywell is regularly and effectively maintained without negative impacts to neighboring properties;
- *Addressed. Note #13 on SP-1 is provided addressing that the applicant will be responsible for regularly and effectively maintaining the drywell without negatively impacting adjacent properties.*
- 3.16 The following additional information should be provided in the stormwater maintenance manual:
- Name and phone number of the person(s) responsible for maintenance
 - Map to scale showing the location of the drywells
 - Maintenance for drywells structural components should include at least annual inspection for cracking, subsidence, and erosion
 - Maintenance for components that could clog the drywells should be included
 - Replacement of damaged components
 - Additional maintenance guidance is available at [NJDEP New Jersey Department of Environmental Protection: https://www.nj.gov/dep/stormwater/](https://www.nj.gov/dep/stormwater/)

- *Partially Addressed. A map to scale showing the location of the drywells in the manual is to be submitted with the manual once permeability test is performed and confirmed that the proposed design works. Also, revised the block number in the report to Block 158 instead of 45.06.*

IV. PERMITS

Should the Board approve this application:

- 4.1 Certification from the Hudson-Essex-Passaic Soil Conservation District will be required if more than 5,000 sf of disturbance will occur.
- 4.2 Soil removal permit will be required if more than 300 CY of soil will need to be moved.
- 4.3 A street opening permit is required for any work within the ROW.
- 4.4 A tree removal application and permit will be required from the Township Forester if any trees are to be removed.
- 4.5 We recommend an “As-Built Topographic Plan” be submitted prior to the issuance of a certificate of occupancy.

Please contact us should you have any questions.