

December 7, 2023

Lori A. Camaya
Planning/Zoning Administrator
Pequannock Township
530 Newark-Pompton Turnpike
Pompton Plains, NJ 07444

Re: Variance Application for Addition to Greenhouse Facility – Review #1

230 Farm Road
Block 2402, Lot 13
Pequannock, Morris County, NJ
Colliers Engineering & Design Project No. PQP0044

Dear Ms. Camaya,

Our office is in receipt of copies of documents related to the above-referenced application and summarized by the following:

1. Site plans consisting of one (1) sheet, prepared and signed by William J. Darmstatter, P.E., L.S. of Darmstatter Inc., dated July 17, 2023.
2. Variance Application for the subject property, prepared and signed by John Van Vugt, dated August 25, 2023 and related attachments.

Based on our review of the above documents, we offer the following engineering related comments:

I. Project Description & Location

The Applicant proposes to construct a new 40'x70' non-habitable frame building and other related improvements. The proposed building is described to be used for "Agricultural purposes".

The site area is located at 230 Farm Road, on Block 2402, Lot 13, and is contained within the AG-1 Zoning District. The subject property is bound by residential uses to the west, agricultural uses to the north and south, and Chilton Medical Center to the east. The property has frontage along Farm Road. East Ditch and East Ditch Tributary run along the east and south of the property.

The property is a mostly rectangular shaped parcel consisting of approximately 348,052 SF (8 Acres). The property is currently improved with an existing greenhouse, one story metal building, tray rollout area, and a residential dwelling in the southwest corner of the property.

II. Current Plan of Survey

- A. The site plans reference a boundary and topographic survey prepared by WM. F. Zimmerly & Associates, dated March 20, 2023. The Board shall note that this survey has not been provided for review.

III. Zoning Requirements & List of Variances / Waivers Requested

We defer to the Board Planner for in-depth commentary on variances and waivers required for this application.

IV. Zoning Requirements & List of Variances / Waivers Requested

- A. Bulk Zoning Requirements:

Zone: AG-1 Agricultural

Description	Required	Existing	Proposed	Complies
Lot area	87,120 sf.	348,052 sf.	348,052 sf.	☒ Yes ☐ No
Lot Frontage (Lot width)	200 ft.	353.7 ft.	353.7 ft.	☒ Yes ☐ No
Lot depth	435 ft.	900 ft.	900 ft.	☒ Yes ☐ No
**Front yard setback	75 ft.	63.5 ft.	63.5 ft.	☐ Yes ☒ No
**Side yard setback (Single)	25 ft.	17.5 ft.	17.5 ft.	☐ Yes ☒ No
*Side yard setback (Both)	70 ft.	90.9 ft.	50.8 ft.	☐ Yes ☒ No
Rear yard setback	75 ft.	190.5 ft.	190.5 ft.	☒ Yes ☐ No
*Max Building Coverage	30 %	33.45 %	33.91 %	☐ Yes ☒ No
*Max. Impervious Coverage	35 %	64.26 %	64.28 %	☐ Yes ☒ No

N/A = not applicable

* = variance required

** = pre-existing non-conformance

- B. Variances Requested:

The We defer to the Board Planner for in-depth commentary on variances and waivers required for this application.

V. Site Layout

- A. The Applicant is proposing to demolish an existing frame building in order to construct a new 40'x70' addition to the existing one-story corrugated metal building. The purpose of the new structure is to form an enclosure to the existing 30,000-gallon water tank supported by a 30'x30' concrete slab. The Applicant has indicated that the water tank is used for watering the plants in the adjacent greenhouse.
- B. There appears to be some vacant space in the proposed addition that is not occupied by the water tank. The Applicant shall provide testimony as to the proposed use of this space.

VI. Stormwater

- A. The Applicant is proposing minimal increase in impervious coverage (a net increase of 83 SF). As such, stormwater improvements to mitigate for the proposed increase are not needed.

VII. Flood Hazard Area

- A. The notes on the site plans indicate that the 100-Year flood elevation is 185.26 based on FIRM map No. 3453110001C.
 - 1. It is unclear how the Applicant established the flood elevation of 185.26. The Applicant shall provide testimony and/or supporting documentation as to the methods used and if a verification from NJDEP has been obtained to date.
 - 2. Based on the 100-Year flood elevation noted above, and the topography provided on the plans, it appears the entire site is within the flood hazard area. The Applicant shall provide testimony as to whether some of all of the site is within the regulatory floodway.
 - 3. A delineation of the floodway should be indicated on the plans (if applicable).
- B. The Applicant has indicated that Permit by Rule 7:13 – 7.57 construction of a non-habitable building for agricultural purposes was used to achieve compliance with NJDEP regulations. The following conditions apply to the applicability of this permit:
 - 1. The footprint of the building is no more than 2,000 SF; **The Applicant does not appear to be compliant with this requirement. The proposed building is 2,800 SF although a portion of that area was occupied by an existing building which is to be demolished.**
 - 2. The building is located outside any floodway; **It is unclear if the Applicant is compliant with this requirement.**

3. No disturbance is located within 25 feet of any top of bank, unless the project lies adjacent to a lawfully existing bulkhead, retaining wall, or revetment along a tidal water or impounded fluvial water; **The Applicant appears to be compliant with this requirement.**
4. Any clearing, cutting, and/or removal of riparian zone vegetation is limited to actively disturbed areas. **The Applicant appears to be compliant with this requirement.**
- C. The Board shall be made aware that new regulations related to construction inside a regulatory floodway have gone into effect as of July 17, 2023. However, NJAC 7:13-2.1(c) indicates that if the permit was obtained prior to adoption of these rules, the Applicant is "grandfathered" into the old FHA regulations. The Applicant shall provide testimony and/or documentation to show when any permit was obtained.
- D. The Applicant shall provide testimony regarding any additional outside agency approvals required and the current status of any such approvals.

VIII. Grading Review

- A. The Applicant has not depicted any regrading of the property.

Recommendation:

We recommend that the Applicant provide testimony regarding the concerns raised in this report; we reserve the right to additional technical comments during the course of Board review.

If the Applicant should have any questions or comments, please do not hesitate to contact our office.

Sincerely,

Colliers Engineering & Design, Inc.



Nick Chelius, PE
Assistant Project Manager