



**Berkeley Heights Environmental Commission**  
**29 Park Avenue**  
**Berkeley Heights, NJ 07922**  
**(908) 464-2700 ext. 2116**  
[www.BH-EC.org](http://www.BH-EC.org)

**MEMO**

**Date: November 30, 2020**

**TO: Zoning Board of Adjustment**

**Subject: 182 Briarwood Dr. E., Block 1401, Lot 20, R-15 zone**

**Findings of Fact:**

- Applicant proposes to install a backup generator 4.9 feet from property line.
- Groundwater recharge is between 6 and 12 inches a year.
- Slope is zero to 3%.
- Rear of the property is apparently a riparian zone.
- The property is apparently within a 150-foot buffer and 50-foot buffer to a wetlands.
- The rear of the property is apparently a wetlands.
- Total proposed building coverage remains at 14.61%, which is within the maximum of 15%.
- Coverage for proposed accessory items increase to 16.9%, which exceeds the maximum of 10%.
- Total proposed impervious coverage is 31.51%, which exceeds the maximum of 25%.
- General Construction and Design & Grounds and Landscaping Considerations are not included.
- It is unlawful for any person to make or continue, or cause to be made or continued, any excessive or unusually loud noise, or to create a noise disturbance within the limits of the township.
- DEP has adopted groundbreaking green-infrastructure rules to reduce pollution and flooding from stormwater runoff.
- Applications requesting variances are also requesting increases in impervious surface that exceed the maximum allowed. Unless efforts are made to retain stormwater runoff on properties, stormwater runoff can lead to increased flooding downhill.

**Recommendations:**

- In light of total proposed impervious coverage exceeding the maximum and the buffer zone to the wetlands, the Commission recommends that the application be denied.
- If the Zoning Board decides to approve the application, the Commission recommends the applicant obtain a Letter of Interpretation in compliance with N.J.A.C. 7:7A FRESHWATER WETLANDS PROTECTION ACT RULES.
- The applicant shall confirm that the generator complies with the Township ordinance Chapter 8.44 - NOISE CONTROL.
- The Commission recommends retaining stormwater runoff on the property with green infrastructure. Disconnect any downspouts or sump pumps from the street and connect them to rain gardens or vegetative swales. Information on rain gardens can be found at [http://water.rutgers.edu/Rain\\_Gardens/RGWebsite/rinfo.html](http://water.rutgers.edu/Rain_Gardens/RGWebsite/rinfo.html).
- If any trees greater than 8"DBH are to be removed, the applicant shall apply for a permit.