



ENVIRONMENTAL
TECHNOLOGY
INC.

Environmental Consultants



January 4, 2024

Ms. Lori Taglairino, Board Secretary
Harding Township Board of Adjustment
P.O. Box 666
21 Blue Mill Road
New Vernon, NJ 07976

Re: 15 Village Road, LLC
15 Village Road
Block 18, Lot 5
Harding Township, Morris County, NJ

Dear Members of the Board:

The following is provided as a limited Environmental Impact Statement for a proposed site plan application at the referenced location. Article XII of the Harding Township Land Use Ordinance was consulted in the preparation of this document.

Project Site and Project Description

This 1.12 acre property is located northeast of Village Road and southwest of Millbrook Road in the New Vernon portion of Harding Township (Figure 1) and is designated as Lot 5 in Block 18 on the Township of Harding Tax Maps (Figure 3). The property is within two different zones. The existing office building and southwestern portion of the site is within the B-1 Zone (Historic Village Business Zone) and the northeastern portion is within the R-3 Residential Zone. The site is occupied by a two-story frame building in the southwest section, adjacent to Village Road, which is currently utilized as a Weichert Realty office. There is a paved parking lot to the northwest, north and northeast of the building and a small detached garage to the northeast of the building. The area to the northeast of the “developed” described above is a combination of mostly trees and shrubs with some “open” areas.

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There are no freshwater wetlands, wetland transition areas, watercourses, flood hazard areas and/or riparian zones on the site. The nearest watercourse is approximately 370 feet to the northeast of the site and to the northeast of Millbrook Road. The nearest wetlands are greater than 200 feet from the site also to the northeast, across Millbrook Road.

Surrounding land use is a mixture of various commercial uses and single family residential. All areas immediately surrounding the site are developed with either roadways, structures and/or yard areas.

The project site is within the New Vernon Historic District. In addition, the existing office building is identified as the D.L. Delavan House and is identified as an historic structure.

The proposed project is the construction of two single-family residential cottages and one residential townhouse on the site with the existing office building to remain. The three buildings will consist of one 2-bedroom cottage, one 3-bedroom cottage and one townhouse building containing one 2 bedroom unit and one 3 bedroom unit. The new buildings and the existing office building will be accessed by a private access drive to be constructed off of Village Road, which will be constructed over a large portion of the existing paved parking lot. A portion of the existing parking area for the office building will be removed for the access drive and spaces provided for the office building to the northwest of the access drive. The garage is also being removed.

The project will be serviced by a new private well and new septic system. The well is proposed in the western corner of the site, near Village Road, while the new septic system is proposed in the eastern section of the site near Millbrook Road. The project also proposes three (3) drywell systems which will capture all new impervious surfaces and provide groundwater recharge and reduce runoff rates and volumes.

The project requires a use variance for multiple residential units in the R-3 Zone.

In addition, variances are required for specific aspects of the project. These variances include the proposed septic system servicing the existing office building in a different zone (R-3); Unit #1, minimum rear yard for building and patio; Unit #2, minimum rear yard for building, patio, generator and A/C; Units 3 & 4, minimum rear yard for buildings, decks, generators and A/C.

The justification for the variances will be provided by professional planning testimony at the public hearing, in accordance with the statutory criteria for relief.

The project is not classified as a major development and is a minor development as it proposes to disturb 39,914 sq. ft. (0.92 acres) of land and will result in a total of 8,482 sq. ft. (0.19 acres) of new impervious surfaces. These are both below the 1.0 acre

and 0.25 acre thresholds, respectively to trigger a major development classification pursuant to the Stormwater Rules at N.J.A.C. 7:8.

Freshwater Wetlands/Riparian Zones

An investigation of the site was performed by the staff of Environmental Technology, Inc. on November 3, 2023. The investigation utilized the Federal Manual for Identifying and Delineating Jurisdictional Wetlands dated January 10, 1989 and supplements, which is the methodology accepted by the New Jersey Department of Environmental Protection (NJDEP).

The Freshwater Wetlands Protection Act regulates transition areas adjacent to wetlands. Such transition area classifications are divided into three categories; ordinary resource value (no transition area), intermediate resource value (50 foot transition area) and exceptional resource value (150 foot transition area).

Exceptional resource value wetlands are those that drain to trout production waters or provide documented habitat for threatened or endangered species. Ordinary resource value wetlands are ditches, swales and manmade detention basins that contain wetlands. Wetlands not meeting either of these criteria are classified as intermediate resource value.

The on-site vegetation was dominated by mostly non-wetland associated species such as Norway maple (*Acer platanoides*), black cherry (*Prunus serotina*), red maple (*Acer rubrum*), black locust (*Robinia pseudo-acacia*), multiflora rose (*Rosa multiflora*), bus honeysuckle (*Lonicera japonica*), American strawberry bush (*Euonymus americana*), garlic mustard (*Allaria officinalis*), white snakeroot (*Eupatorium rugosum*) and pokeweed (*Phytolacca americana*).

Soil samples revealed non-hydric soils with Munsell soil color chart readings of 7.5YR 4/3 and 7.5YR 4/4.

Additionally, no wetlands were identified within 150 feet of the property, which is the maximum wetlands transition area size as noted above. Further, no watercourses were identified within 300 feet which is the maximum riparian zone pursuant to the Flood Hazard Area Control Act Regulations (N.J.A.C. 7:13). Therefore, no portion of the site is within a riparian zone.

Threatened/Endangered Species

The NJDEP Landscape Project (Version 3.3) is a remote sensing project which identifies wildlife habitats throughout the State. It maps potential habitats for species

which are endangered, threatened or considered to be of special concern. This is the database utilized by the New Jersey Natural Heritage Program. ETI reviewed the above referenced Landscape Project on the New Jersey GeoWeb mapping. The current Landscape Project identifies the site as documented habitat for the State and Federally endangered Indiana Bat (*Myotis sodalis*). However, it should be noted that the Landscape mapping typically identifies any wooded areas within this general area as documented habitat for this species. Documented habitat does not equate to suitable habitat. In this case, the small size of the on-site wooded area, species of trees present, lack of wetlands or waterbodies and lack of contiguity to any suitable habitats for this species render this site as not suitable habitat for Indiana Bat.

Therefore, impacts to threatened/endangered species are not anticipated.

Vegetation and Wildlife

The vegetated portion of the site is occupied by mostly alien tree and shrub species with a few native trees. The multiflora rose and American strawberry bush are both alien and invasive. Most of the trees present are 4" to 12" DBH with a few larger diameter trees. The wooded area is relatively small, occupying about 0.6 acres. The area is not contiguous to any other wooded or undeveloped areas and is an isolated small wood lot. Accordingly, the site does not serve as a corridor and does not provide any important or critical habitat. These wooded areas of the site do provide habitat for common songbirds and mammals typical of suburban/residential areas.

The proposed project will remove 79 trees on the site with the planting of 18 trees and shrubs along the common lot lines.

While the removal of the wooded area will temporarily displace some species of birds and mammals, most will repopulate other areas and/or recolonize the site after construction.

Therefore, impacts to vegetation and wildlife are not significant and are acceptable for this type of development. It should be noted that any residential development within the R-3 portion of the property could result in a similar disturbance to trees.

Sewage/Groundwater

Soil testing has been performed in the area of the proposed new septic system to confirm that the soils can adequately handle the proposed sewage flows from the proposed residential units and the existing office use. The soil has acceptable permeability and no groundwater was encountered.

Based on the design of the system, soil results and small size of the project, no impacts to groundwater are anticipated.

Geology/Soils

The proposed buildings are not proposed with basements. The main excavations are for the proposed stormwater drywell systems and the proposed septic system. Based on soils testing, blasting or any other changes to geology are not anticipated. All proposed land disturbance will be accomplished utilizing an approved Soil Erosion and Sediment Control Plan.

No impacts to the site geology are expected and significant impacts to on-site soils are not anticipated.

Historical/Archaeological

As noted, the project site is within the New Vernon Historic District. In addition, the existing office building is identified as the D.L. Delavan House and is an historic structure. It should be noted that the renovation of the office building was approved by the Harding Township Historic Commission. Additionally, the site is not identified as containing any archeological features.

The existing office building is not being altered and will remain in place. Considering the minor nature of the project as a whole, it is not anticipated that any impacts will occur to the historic nature of the property. In addition, the project is not expected to result in any impacts to the New Vernon Historic District as it will be visually and aesthetically in keeping with the district.

Stormwater

As discussed, the project is not classified as a major development and is therefore not subject to the Stormwater Rules at N.J.A.C. 7:8. However, all new areas of pavement and building coverage are being routed to a series of three drywell systems to provide groundwater recharge and reduce runoff rates and volumes.

This will drastically reduce any potential for runoff on adjacent properties.

Unavoidable Adverse Environmental Impacts

- Loss of a certain percentage of vegetation;
- A slight increase in traffic around the site;
- Minor soil erosion due to grading activity;
- Minor changes in local topography;
- Temporary normal construction related noise; and
- Temporary and permanent disturbance of a certain amount of wildlife habitat.

Steps to Minimize Environmental Damage

- Implementation of a drywell system to provide recharge and reduce runoff rates and volumes;
- Implementation of an approved soil erosion and sediment control plan; and

Alternatives

As in any development proposal, alternatives to the proposed site layout have been studied. The construction of one single family dwelling in the R-3 zone was examined. However, the New Vernon Village Redevelopment Plan (Ordinance No. 13-11) encourages mixed uses on the same lot in the B-1 Historic Village Business Zone. This would include the construction of a duplex (two-family dwelling) as proposed. This results in a varied use on an individual lot in keeping with the use and nature of the district.

Another alternative other than that which has been proposed is the "no build" option of leaving the site in its existing condition. This would provide no new environmental impact as well as provide no new community benefits. The "no build" alternative would deny the owner the right to utilize the land as zoned. It would ignore the opportunity to provide a quality residential development consistent with the Township Zoning Ordinance which would enhance the neighborhood and expand the Township's tax base.

Other land use alternatives besides residential development/office (i.e. industrial use) have not been considered as they are precluded by the Zoning Ordinance and Master Plan for this site and are inconsistent with the existing neighborhood.

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Conclusion

Based on the project being a minor development; lack of regulated wetlands, transition areas and/or riparian zones; lack of any significant wildlife habitat; developed nature of all surrounding properties; and proposed methods to reduce/minimize potential impacts; it is our professional opinion that a complete Environmental Impact Statement should not be required.

Thank you for your consideration of this letter report and please do not hesitate to contact our office should anyone have any questions or require additional information.

Very truly,

ENVIRONMENTAL TECHNOLOGY INC.



David C. Krueger
President

Attachments: Site Figures
cc: 15 Village Road, LLC
Nicole M. Magdziak, Esq.

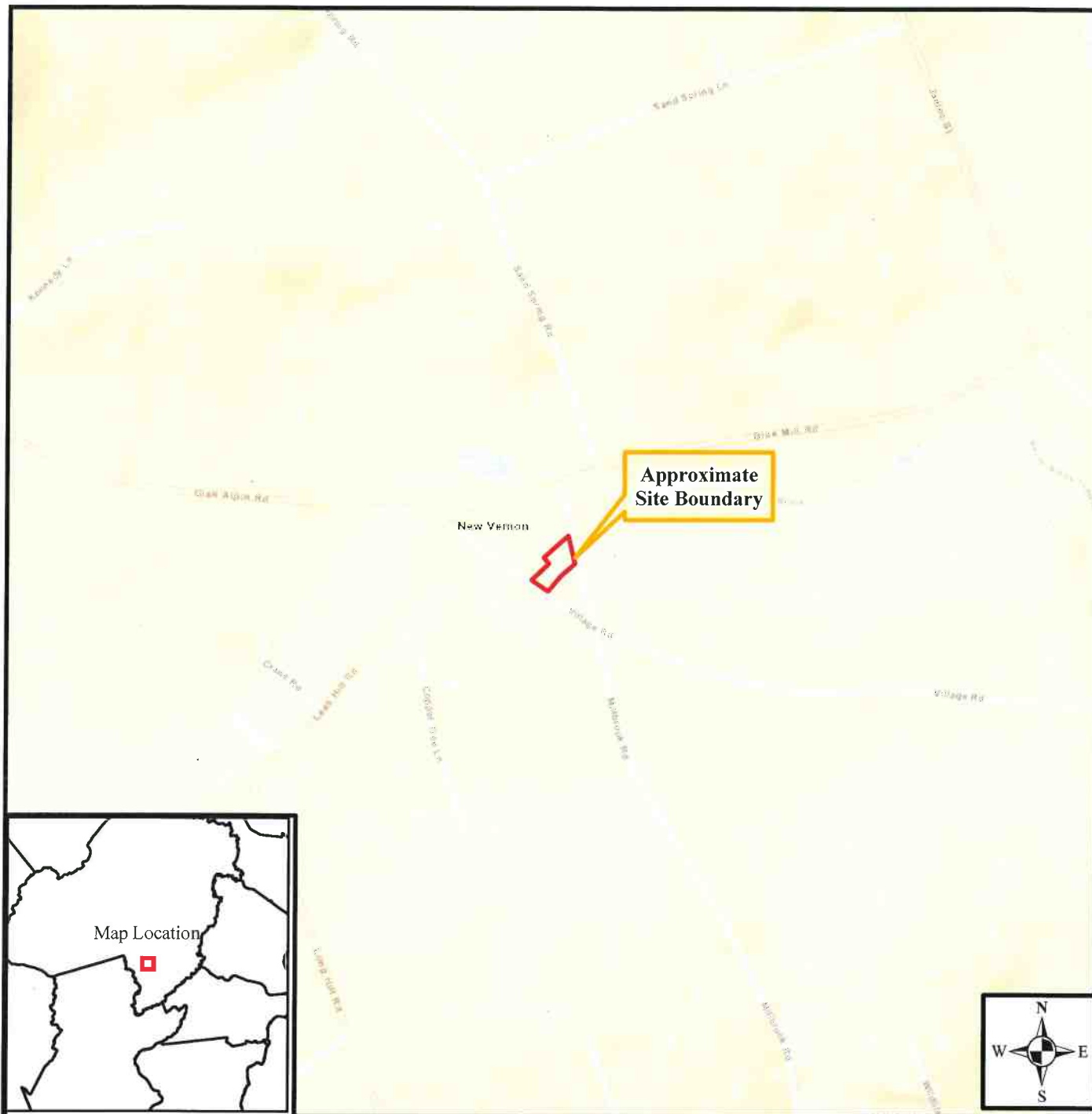


Figure 1 - Local Street Map
15 Village Road
Block 18, Lot 5
Township of Harding
Morris County, New Jersey

500 0 500 1,000
Feet
1" = 1,000'

Data Sources:
NJDEP OIRM BGIS- State, County, Municipal Boundaries
ESRI World Street Map

Legend

- Approximate Site Boundary
- County Boundaries

ENVIRONMENTAL TECHNOLOGY, INC.

460 Main Street, P.O. Box 50
Chester, New Jersey 07930
(908) 879-8509

Date:
11/28/2023

#23170
15 Village Rd, LLC
Fig 1 - LSM



This map was developed using State GIS digital data. This secondary product has not been verified by NJDEP and is not state-authorized. ETI makes no claim to the currency or accuracy of the data displayed.

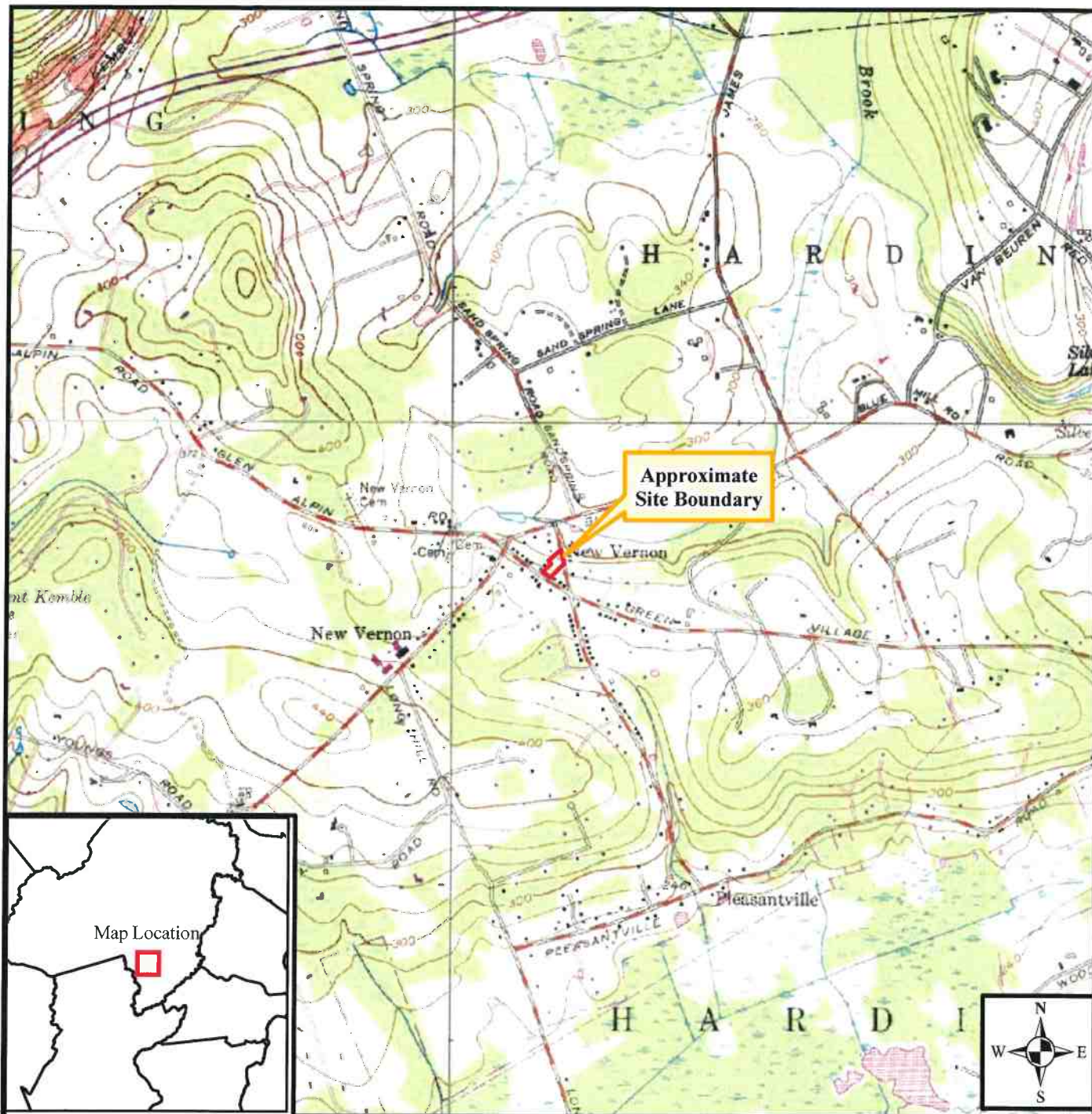


Figure 2 - USGS Quadrangle
15 Village Road
Block 18, Lot 5
Township of Harding
Morris County, New Jersey

1,000 0 1,000 2,000
Feet
1" = 2,000'

Data Sources:
NJDEP OIRM BGIS- State, County, Municipal Boundaries
U.S. Geological Survey 7.5' Quadrangle; Chatham, NJ

Legend

- Approximate Site Boundary
- County Boundaries

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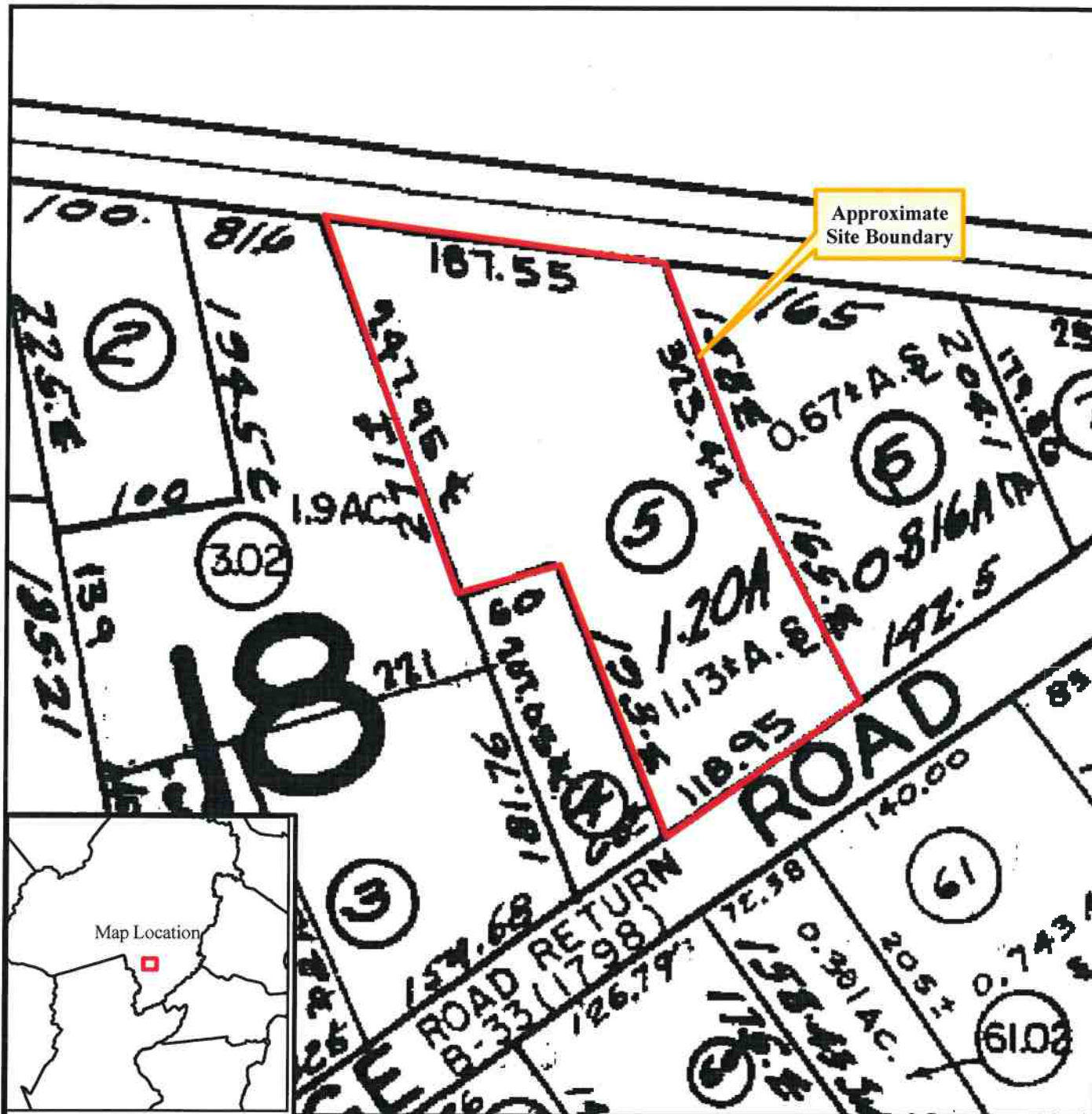
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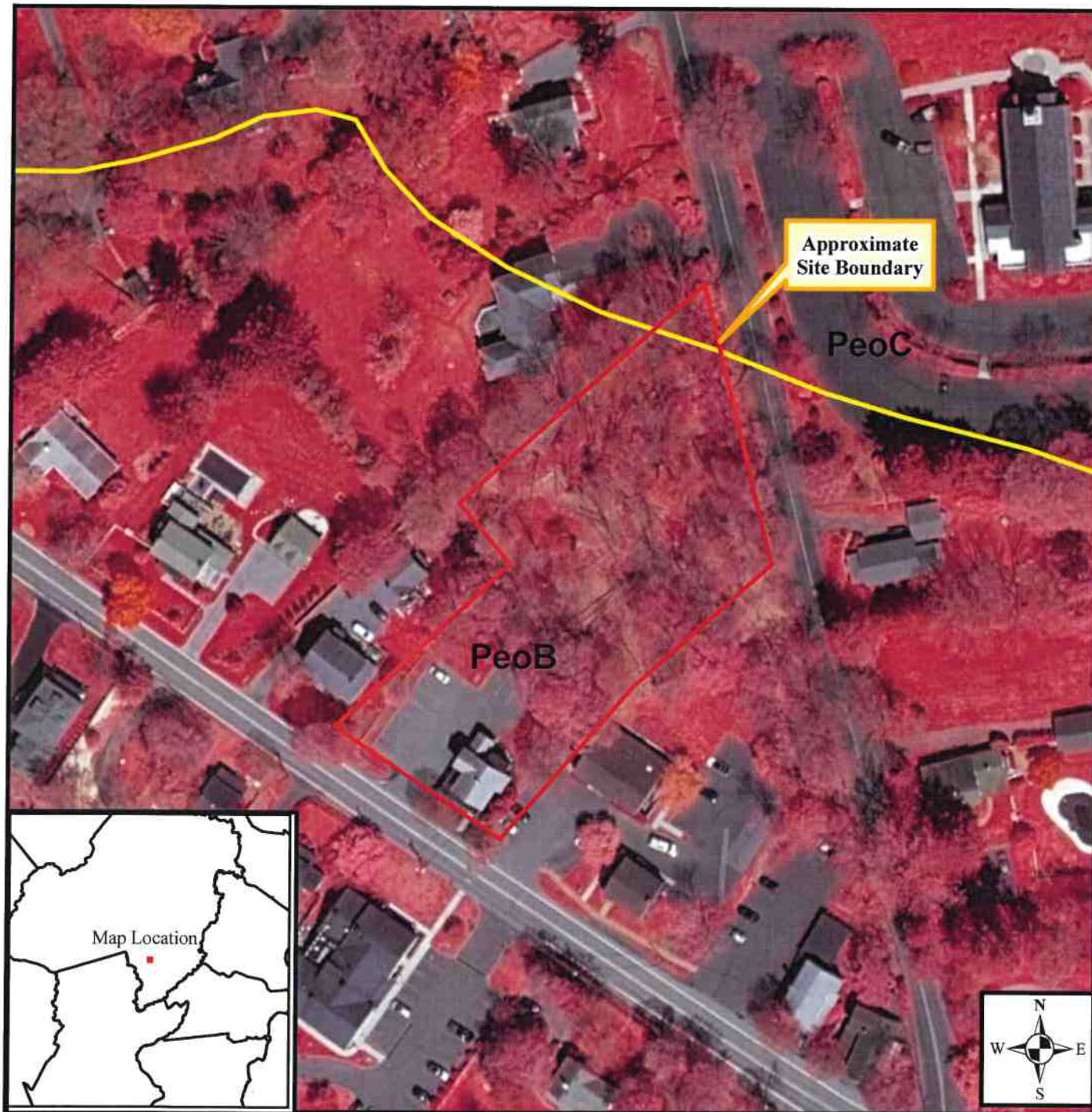
#23170
15 Village Rd, LLC
Fig 2 - USGS



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<p>Figure 3 - Tax Map 15 Village Road Block 18, Lot 5 Township of Harding Morris County, New Jersey</p>	<p>Legend</p> <p> Approximate Site Boundary</p> <p> County Boundaries</p>	<p>ENVIRONMENTAL TECHNOLOGY, INC. 460 Main Street, P.O. Box 50 Chester, New Jersey 07930 (908) 879-8509</p>
<p>N.T.S.</p>		<p>Date: 11/28/2023</p>
<p>Data Sources: NJDEP OIRM BGIS- State, County, Municipal Boundaries Harding Township Tax Maps- Sheet No. 10</p>		<p>#23170 15 Village Rd, LLC Fig 3 - Tax</p> <p>This map was developed using State GIS digital data. This secondary product has not been verified by NJDEP and is not state-authorized. ETI makes no claim to the currency or accuracy of the data displayed.</p>



<p>Figure 4 - Soils Map 15 Village Road Block 18, Lot 5 Township of Harding Morris County, New Jersey</p>	<p>Legend</p> <p> Approximate Site Boundary</p> <p> Soils Boundaries</p> <p> County Boundaries</p>	<p>ENVIRONMENTAL TECHNOLOGY, INC. 460 Main Street, P.O. Box 50 Chester, New Jersey 07930 (908) 879-8509</p>	
<p>50 0 50 100 Feet 1" = 100'</p>	<p>Soils Legend</p> <p>PeoB - Penn channery silt loam, 3 to 8 percent slopes PeoC - Penn channery silt loam, 8 to 15 percent slopes</p>		<p>Date: 11/28/2023</p> <p>#23170 15 Village Rd, LLC Fig 4 - Soils</p> <p>ETI</p> <p><small>This map was developed using State GIS digital data. This secondary product has not been verified by NJDEP and is not state-authorized. ETI makes no claim to the accuracy or source of the data displayed.</small></p>

Data Sources:
NJDEP OIRM BGIS- State, County, Municipal Boundaries
NRCS SSURGO Soils Map
NJDEP Orthophotography 2020 Infrared