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February 23, 2022

Marlboro Township Environmental Commission  
1979 Township Drive  
Marlboro, NJ 07746

**Re: *Mary Ida Gueyikian (ZB21-6764)***  
***Bulk Variance Application – Engineering and Planning Review #2***  
***Block 357, Lot 1***  
***Location: 107 School Road East***  
***Zone: R-80 (Residential)***  
***Our File No.: HMRZ0357.01***

Dear Chairman Gupta and Commission Members:

Our office received the following information in support of the above-referenced application for Bulk Variance approval:

- Architectural Floor Plans and Elevations prepared by Harry L. Rothstein, dated January 27, 2020, unrevised;
- Boundary & Topographic Survey prepared by WJH Engineering, dated July 9, 2021, unrevised.

In accordance with your authorization, our office has reviewed the Bulk Variance application package for the above-referenced site and offer the following comments:

1. Project Description

The subject 0.68-acre corner property is located within an R-80 Zoning District, and contains 253 feet of frontage along Mohawk Drive and 153 feet of frontage along School Road East. Currently, the property is undeveloped and is covered by woods.

The Applicant is seeking Bulk Variance approval to construct a proposed two-story dwelling. The dwelling would be serviced by public water, a private septic system, and four (4) underground recharge systems to infiltrate stormwater runoff generated by the roofs.

2. Surrounding Uses

The subject property is surrounded by residential uses on all sides. Properties to the east are similarly zoned residential within the R-80 zone. Properties to the west are zoned C2 and properties to the north are zoned R20AH1.



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### 3. Zoning Compliance

The subject property is situated within an R-80 Zone District. The table below summarizes the bulk measures and zone requirements for the property:

<u>DESCRIPTION</u>	<u>REQUIRED (R-80)</u>	<u>REQUIRED (See Note 1)</u>	<u>PROPOSED</u>
Minimum Lot Area	80,000 sf	10,000 sf	29,707.55 sf (EC)
Minimum Lot Density	0.43 lots/ac.	-	1.47 lots/ac.
Minimum Lot Frontage	250 feet	-	152.98 feet (EC)
Minimum Lot Width	250 feet	70 feet	+/- 139 feet (EC)
Minimum Lot Depth	300 feet	-	238.50 feet (EC)
Minimum Front Yard Setback (Principal)	50 feet	-	56.0 feet
Minimum Side Yard Setback (Principal)	50 feet	10 feet	19.0 feet (V)
Minimum Rear Yard Setback (Principal)	50 feet	-	77.0 feet
Maximum Building Height (Principal)	35 feet	-	27 feet
Minimum Gross Floor Area	1,800 sf	-	> 1,800 sf
Minimum Ground Floor Area	1,200 sf	-	+/- 2,394 sf
Maximum Percentage of Building Coverage by Principal Building	5%	-	8.06% (V) 16.15% (See Note 2)
Maximum Percentage of Total Building Coverage	6%	-	8.06% (V) 17.50% (See Note 2)
Maximum Percentage of Lot Coverage by Buildings and Structures	15%	-	8.06% 17.5% (See Note 2) (V)
Maximum Total Lot Coverage	15%	-	15% 28% (See Note 2) (V)
Minimum Front Yard Setback (Accessory)	50 feet	-	N/A
Minimum Side Yard Setback (Accessory)	25 feet	-	N/A



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<u>DESCRIPTION</u>	<u>REQUIRED (R-80)</u>	<u>REQUIRED (See Note 1)</u>	<u>PROPOSED</u>
Minimum Rear Yard Setback (Accessory)	25 feet	-	N/A
Maximum Building Height (Accessory)	15 feet	-	N/A
Maximum Accessory Structure Coverage	1,000 sf	-	N/A

(EC) – Existing Condition, (V) – Variance Required

Note 1 – The Applicant has proposed to utilize the below zoning requirements; however, this section may not be utilized as all other zone regulations do not comply.

**Section 220-35C(2)** – Undersized lots of record. Any parcel of land with an area or width less than that prescribed for a lot in the zone in which such lot is located, which parcel was under one ownership at the date of the adoption of this chapter and the owner thereof owns no adjoining land, may be used as a lot for any purpose permitted in the zone, provided that the minimum area requirements for such lot shall be 10,000 square feet of lot size and 70 feet of lot width; further provided that the minimum side yard area for any building shall be no less than 10 feet, and further provided that all other regulations prescribed for the zone by this chapter are complied with.

Note 2 – The Applicant has requested additional lot and building coverages beyond what is identified on the plan for possible future development.

The following existing conditions would appear to remain pertinent to the property:

- a. **Section 220 – Attachment 9** – The required minimum lot area is 80,000 sf; whereas the existing lot area is 29,707.55 sf.
- b. **Section 220 – Attachment 9** – The required minimum lot frontage is 250 feet; whereas the existing lot frontage is 152.98 feet.
- c. **Section 220 - Attachment 9** – The required minimum lot width is 250 feet; whereas the existing lot width is approximately 139 feet.
- d. **Section 220 - Attachment 9** – The required minimum lot depth is 300 feet; whereas the existing lot depth is 238.50 feet.



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The following variances appear to be necessary with this application:

- a. **Section 220 – Attachment 9** – The required minimum side yard setback is 50 feet; whereas the proposed dwelling is set back 19.0 feet.
  - b. **Section 220 - Attachment 11** – The required maximum percentage of building coverage for principal buildings is 5%; whereas the proposed building coverage is 8.06%, and an additional variance for up to 16.15% has been requested.
  - c. **Section 220 - Attachment 11** – The required maximum percentage of total building coverage is 6%; whereas the proposed coverage is 8.06%, and an additional variance for up to 17.50% has been requested.
  - d. **Section 220 – Attachment 11** – The required maximum percentage of lot coverage by buildings and structures is 15%; whereas the proposed coverage is 8.06%; however, an additional variance for up to 17.50% has been requested.
  - e. **Section 220 - Attachment 11** – The required maximum percentage of total lot coverage is 15%. The proposed coverage is 15%; however, a variance for up to 28% has been requested.
  - f. **Section 220-35D(21)** – The minimum lot area for any single-family detached dwelling not served by public water and sanitary sewers shall be 60,000 square feet; whereas the proposed lot is less than 60,000 square feet and does not provide public sewer.
  - g. **Section 220-35D(22)** – No septic tank or cesspool or septic tank tile field or part thereof shall be constructed closer to any property line than 20 feet; whereas the proposed septic field is located 10 feet from the front property line and 11.2 feet from the side property line.
  - h. **Section 220-35D(24)(e)** - The maximum grade for lawns within five feet of a building shall be 10%, and for lawns more than five feet from a building, 25%; whereas the proposed grading within five (5) feet of the dwelling is 33%.
4. The Applicant has not requested any design waivers and none appear necessary.
  5. The Applicant has not requested any waivers from providing the required checklist submission items, however, the following Bulk Variance Checklist item should be provided or waivers requested:
    - a. Completed Bulk Variance Checklist



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6. This application is subject to the requirements of the Residential Site Improvement Standards (RSIS) adopted as NJAC 5:21-1 et. seq. The Applicant has not requested any waivers or de minimus exceptions from the RSIS requirements. An agreement to exceed said requirements should be filed with the DCA for any improvements which exceed the RSIS.
7. The Applicant should be prepared to discuss the following issues with the Board:
  - a. The subdivision history of the subject tract. The available tax maps indicate that the subject lot is larger than what is indicated on the survey and contains additional land in a triangular shape to the south of the southern property line. The block and lot number for the property to the south shall be indicated on the survey. The Applicant shall also verify that this property is included within the 200-foot property owners notice.
  - b. The anticipated tree removal that will be required as part of this application.
  - c. The proposed stormwater management for the property.
  - d. The need for any improvements (curb, sidewalk, widening, right-of-way dedication, etc.) along the roadway frontages, whereas no curb or sidewalk currently exists nor is it proposed.
  - e. Any permits/approvals required by any outside agencies. The Applicant shall address the Board regarding the status of all outside agency approvals. In addition, copies of all outside agency approvals shall be forwarded to this office.
8. Based upon our review, we offer the following comments:
  - a. The Architectural Plans include a "Site Plan" on sheet 1; however, this plan is not consistent with the Variance Plan, prepared by WJH. The Architectural Plans shall remove the Site Plan or revise it to be consistent with the Variance Plans.
  - b. The "Site Plan" on the Architectural Plan indicates stairs along the front and back side of the proposed dwelling. The Variance Plan shall be revised to include all exterior stairs and the proposed principal building setbacks shall be revised accordingly.
  - c. Identify the height, ground floor area and gross floor area of the proposed principal building on the Variance Plans.
  - d. Revise the sidewalk and driveway apron details to indicate a minimum strength of 4,500 psi.



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- e. Revise the zoning table to indicate all of the zoning requirements, existing non-conformities and variances that are required.
  - f. Indicate the location of the soil tests #70 and #71 on the Development Plan.
  - g. Revise or eliminate Note #7 of the recharge detail to indicate the correct municipality and eliminate the reference to an HOA if not applicable.
  - h. Revise the recharge detail to note that the filter fabric shall only be installed on the top and sides. Additionally, provide a note that the minimum separation between the bottom of the stone and the seasonal high-water table is two feet.
  - i. Indicate the location of the existing water main within Mohawk Drive where the water service connection will be made and indicate the location of the electric and gas services.
  - j. A tree removal permit has been recently secured due to the overgrown condition of this parcel as well as the majority of existing trees were undesirable invasive species. However, a large tulip tree has been saved near the southern end of the area to be cleared. This tree should be specifically noted on the plans to ensure grading will not conflict.
  - k. Provide street trees along the road frontages, in accordance with Section 220-177. A planting detail should be provided along with a landscaping schedule, for further review.
  - l. Specifically note and graphically depict tree protection fencing to be installed at the limit of clearing and maintained throughout the length of construction.
9. Environmental Considerations
- a. According to NJDEP GeoWeb mapping, it appears that there are freshwater wetlands on the opposite side of School Road East, to the north of the subject property. The Applicant shall verify if any freshwater wetlands or transition areas exist on the subject property.
  - b. A review of historic aerials shows the property may have been farmed in the past. The Applicant should indicate if the subject property was historically farmed, and if so address the past agricultural usage of the property, as is required under Section 220-159.1, by submitting the appropriate soil sampling and analysis.



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If you have any questions with regard to the above matter, please do not hesitate to contact the undersigned.

Very truly yours,

Allyson M. Rooke  
*Consultant to the Environmental Commission*

AMR

cc: Mary Ida Gueyikian – Applicant  
Salvatore Alfieri, Esq. – Applicant's Attorney