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February 17, 2021

*Revised April 30, 2021*

Borough of Deal Planning Board  
190 Norwood Avenue  
Deal, NJ 07723

Re: **Tawil Residence  
Block 51, Lot 2  
102 Deal Esplanade  
Borough of Deal  
Our File DPB 18-12**

RECEIVED  
APR 30 2021  
BOROUGH OF DEAL

Dear Board Members:

Our office has received and reviewed an application submitted for Planning Board approval in connection with the above referenced project. Submitted with the application are the following:

- A grading/drainage plan consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated February 6, 2021, with *the latest revisions dated April 21, 2021*.
- An architectural plan consisting of two (2) sheets prepared by Donald J. Passman, AIA of Passman-Ercolino Architects, P.C., dated *April 21, 2021*, with no revisions.
- A survey of property consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated December 17, 2020, with no revisions.

The application is deemed complete, and we offer the following comments regarding compliance with provisions of the Borough Ordinance and general engineering standards. The Applicant has submitted the revised plans to remove some of the variance conditions. Additional comments with regard to the revised plans are noted in *bold and italic type*. Our original review comments remain as noted in the letter dated February 17, 2021.

1. **Project Description**

- A. The property is located at house number 102 Deal Esplanade (Lot 2, Block 51) with a total area of 27,505 square feet.
- B. The existing lot contains a 2 ½ story dwelling with covered front porch, tennis court and detached garage.

- C. In January 2019, the Applicant received approval for a second story addition at the rear of the dwelling.
- D. The Applicant is proposing a swimming pool *with* a pool house. *The existing detached garage will be removed.*

2. **Zoning and Land Use**

- A. The property is located in the R-1 Residential District and single-family dwellings are a permitted principal use in this district.
- B. The proposed improvements require Planning Board approval for variances on impervious coverage, side yard setback to the swimming pool, *percentage of pool exposure*, pool equipment location, and any others as described in this report.

3. **Variances and Waivers**

A. Bulk Requirements for Yard Area and Principal Dwelling

- 1) An analysis of the bulk requirements of the R-1 Residential District for the yard area is as follows:

<b>Bulk Requirements</b>	<b>Permitted</b>	<b>Existing</b>	<b>Proposed</b>
Minimum Lot Area	18,750 sf.	27,505 sf.	No Change
Minimum Lot Frontage	150 ft.	150.09 ft.	No Change
Minimum Lot Width	150 ft.	150.09 ft.	No Change
Minimum Lot Depth	125 ft.	183.81 ft.	No Change
Minimum Front Yard Setback to Dwelling	50 ft. or average within 200 ft.	48.7 ft. (NC)	No Change
Minimum Front Yard Setback to Porch	40 ft.	39.0 ft. (NC)	No Change
Minimum Side Yard Setback (20% Lot Width)	30 ft.	99 ft. (east)	No Change
		5.8 ft. (west) (NC)	16.08 ft. (VG)
Minimum Rear Yard Setback (20% Lot Depth)	36.16 ft.	63.8 ft.	No Change
Maximum Building Coverage	20 %	<i>See comment below</i>	No Change
Maximum Impervious Coverage	40 %	44.4 % (NC)	44.4 % (V)
Maximum Building Height	42 ft.	35 ft.	No Change

(V) indicates a variance is required

(NC) indicates an existing non-conformity

(VG) Variance granted

- 2) Bulk variances or existing non-conformities are indicated for the following items as noted.

- a) The minimum front yard setback permitted to the dwelling is 50 feet per the R-1 Zoned District. The existing front yard setback to the dwelling is 48.7 feet, **which represents an existing non-conformity.**
- b) The minimum front yard setback permitted to the covered front porch is 40 feet per the R-1 Zoned District. The existing front yard setback to the covered porch is 39.0 feet, **which represents an existing non-conformity.**
- c) The minimum side yard setback permitted to the dwelling is 20% of the lot width (30 feet) per the R-1 Zoned District. The existing east side yard setbacks conform. The existing west side yard setback is 5.8 feet, which represents an existing non-conformity. **A variance was granted for the side yard setback of 16.08 feet to the second story addition.**
- d) *The maximum building coverage permitted per the R-1 Zoned District is 20% of the lot area. The Applicant indicates a building coverage of 10.6% which includes the pool house. In the R-1 Zoned District building coverage applies to the principal dwelling only. Our office calculates a building coverage of 9.4%, which complies.*
- e) The maximum impervious coverage permitted per the R-1 Zoned District is 40% of the lot area. The existing impervious coverage is **44.4%**, which is an existing non-conformity. *The Applicant is relocating the impervious coverage but no increase to the coverage. The proposed impervious coverage is 44.4%. A variance is required.*

B. Swimming Pool

- 1) Swimming pool construction shall comply with requirements of the Borough Swimming Pool Ordinance.
- 2) An analysis of the bulk requirements for swimming pools are as follows:

Swimming Pool	Permitted	Proposed
Minimum Front Yard Setback	Not Permitted	No
Minimum Side Yard Setback	30 ft.	<b>20 ft. (V)</b>
Minimum Rear Yard Setback	30 ft.	<b>39.19 ft.</b>

(V) indicates a variance is required (NC) indicates an existing non-conformity

- 3) Swimming Pool: Bulk variance is required for the following items as noted.
  - The minimum side yard setback permitted for a swimming pool is 30 feet. *The Applicant is proposing a side yard setback of 20 feet, to the swimming pool. A variance is required.*
- 4) The fence gates shall be equipped with a self-locking device in compliance with the Swimming Pool Code of New Jersey.
- 5) Compliance with all other provisions shall be provided by the Applicant, inclusive of the following:
  - Pool discharge-filter backwash location. (Ord. Section 15-2.4)
  - No sound amplification system
  - Compliance with current Swimming Pool Code of New Jersey
  - Evergreen planting screening (Ord. Section 15-2.7(b))
- 6) The Applicant has not indicated if the pool area will be illuminated. If the Applicant is proposing some illumination, then the Applicant must follow Ordinance 892 Chapter XV Section 15-25.
- 7) The proposed pool equipment is located in the side yard which is not allowed. **A variance is required.**
- 8) *In Ordinance Chapter 15, Section 1.1, a swimming pool may have 30% of continuous linear feet of pool to be exposed for 18 inches from the top of ground and the remaining portion of the pool shall not be erected or maintained above ground. The Applicant is proposing a pool wall reveal of 6-inches, which complies. The proposed continuous linear feet of pool to be exposed is approximately 58%. A variance is required.*

C. Pool House

- 1) Pool houses are not listed as accessory structures but in the swimming pool ordinance, “The pool house shall comply with the requirements of the Borough’s Swimming Pool, Tennis Court, Recreation Area, and Facilities Ordinance”.

2) An analysis of the bulk requirement for a pool house is as follows:

Pool House	Permitted	Proposed Pool House
Minimum Front Yard Setback	Not Permitted	No
Minimum Side Yard Setback	12.0 ft.	<i>30.8 ft.</i>
Minimum Rear Yard Setback	12.0 ft.	<i>12.19 ft.</i>
<i>Maximum Building Height</i>	See Comment below	

(V) indicates a variance is required (NC) indicates an existing non-conformity

3) Pool House: Bulk variance is required for the following items as noted:

- a) *The minimum side yard setback permitted is 10 feet for an accessory structure and the building height may be 10 feet from grade to the highest point on the structure. For every one-foot increase in height of the structure will require a one-foot increase in setback. The proposed setback to the pool house is 12.19 feet, which allows the building height to be 12.19 feet. The Applicant is proposing a building height of 12 feet, which complies.*

C. Tennis Courts

1) An analysis of the bulk requirements for a tennis court is as follows:

Tennis Court	Permitted	Existing
Minimum Front Yard Setback	Not Permitted	No
Minimum Side Yard Setback	30 ft.	30.5 ft.
Minimum Rear Yard Setback	10 ft.	14 ft.

(V) indicates a variance is required (NC) indicates an existing non-conformity

2) The existing tennis court conforms to all setbacks.

4. Drainage

- A. *The Applicant has addressed the drainage from the pool and pool house by proposing a drywell. The drywell has been sized for the 1-year storm event. The plan should indicate the time it takes the recharge system to completely drain.*

5. General Comments

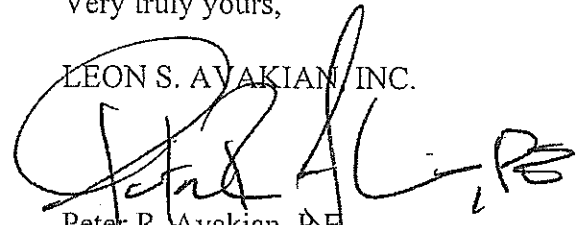
- A. A General Note is on the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- B. The Applicant should provide information that taxes are currently paid.
- C. The Applicant shall secure any outside agency permits and all construction permits needed for the project.

Our office reserves the right to provide additional comments upon receipt of revised development plans.

If you have any questions, or require additional information on this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Peter R. Avakian, P.E.  
Planning Board Engineer

DMH:mfl

cc: Michael Egan, Board Secretary  
Erik Anderson, Esq., Board Attorney  
Stephen Carasia, Borough Administrator  
Mr. and Mrs. Saul Tawil, Applicant

D/PB/18-12/18-12c