

March 29, 2021

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

Re: **D.R.E.A.M. 531, LLC**
Block 61, Lot 1
18 Woodford Road
Borough of Deal
Our File DPB 21-

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 plot plan consisting of two (2) sheets prepared Patrick R. Ward, P.E., P.P., of InSite Engineering, LLC, dated January 28, 2021 with no revisions.
- A boundary topographic & utility survey consisting of one (1) sheet prepared by Justin J. Hedges, P.L.S., of InSite Surveying, LLC, dated September 8, 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.

1. **Project Description**

- A. The property is located at house number 18 Woodford Road, (Lot 1, Block 61) at the southwest corner of Norwood Avenue (State Highway Route 71) and Woodford Road with a total area of 33,153 square feet.
- B. The existing lot contains a single-family dwelling, with a tennis court.
- C. The Applicant is proposing an in-ground swimming pool with no patio. The Applicant is also removing a wall that encroaches on the adjacent property.

2. **Zoning and Land Use**

- A. The property is located in the R-2 Residential District and single-family dwellings are a permitted principal use in this district.
- B. The proposed inground swimming pool is a permitted accessory structure, under the Swimming Pool, Tennis Court and Recreational Area Ordinance.
- C. The proposed improvements require variances for the side yard setbacks to the swimming pool, impervious coverage, and other as noted in this letter.

3. **Variances and Waivers**

A. Bulk Requirements for Yard Area and Principal Dwelling

- 1) An analysis of the bulk requirements of the R-2 District for the yard area and principal dwelling are as follows:

Bulk Requirements	Permitted	Existing	Proposed
Minimum Lot Area	18,750 sf.	33,153 sf.	No Change
Minimum Lot Frontage	150 ft.	153.08 ft. along Norwood Avenue	No Change
		205.74 ft. along Woodford Road	
Minimum Lot Width	150 ft.	153.08 ft.	No Change
Minimum Lot Depth	125 ft.	220.67 ft.	No Change
Minimum Front Yard Setback	50 ft.	50.8 ft. along Norwood Avenue	No Change
		50.5 ft. along Woodford Road	
Minimum Front Yard Setback to Porch	40 ft.	39.1 ft. along Norwood Avenue (NC)	No Change
		41.0 ft. along Woodford Road	
Minimum Side Yard Setback (20% Lot Width)	30.6 ft.	34.0 ft.	No Change
Minimum Rear Yard Setback (20% Lot Depth or 50ft., whichever is less)	44.1 ft.	102.9 ft.	No Change
Maximum Building Coverage	20%	15.5%	No Change
Maximum Impervious Coverage	40%	42.5%	40.91% (V)

(V) Indicates a variance is required

(NC) Indicates an existing non-conformity

- 2) Principal Dwelling: Bulk variances are required, or existing non-conformities are indicated for the following items as noted.

- a) An open front porch may project a maximum of 10 feet into a required front yard. The permitted front yard setback to the porch is 40 feet. The existing front porch has a setback of 41.0 feet along Woodford Road and 39.1 feet along Norwood Avenue. The setback along Woodford Road complies and the setback along Norwood Avenue represents an existing non-conformity.
- b) The maximum impervious coverage permitted per the R-2 Zoned District is 40% of the lot area. The existing impervious is 42.5%, which is an existing non-conformity. The Applicant is reducing the impervious coverage to 40.9%. **A variance is required.**
- c) The air conditioning units and generator unit located in the side yard shall be within a minimum of one (1) foot of the dwelling and a maximum of six (6) feet. The Applicant is relocating the air conditioning units and generator unit in the side yard with a distance of greater than six (6) feet from the dwelling. **A variance is required.**

B. Swimming Pool

- 1) Swimming pool construction shall comply with requirements of the Borough Swimming Pool Ordinance.
- 2) A zoning analysis of the bulk requirements for a swimming pool is as follows:

Swimming Pool	Permitted	Proposed
Front Yard	Not Permitted	No
Minimum Side Yard Setback	30 ft.	15.71 ft.(V)
Minimum Rear Yard Setback	30 ft.	143.43 ft.

(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.
 - a) The minimum side yard setback permitted for a swimming pool is 30 feet. The Applicant is proposing a side yard setback of 15.71 feet, to the swimming pool. **A variance is required.**

- b) The permitted maximum coverage for the swimming pool and patio is 35% of the yard area. Our office calculates proposing coverage of 21.4%, which conforms. The Applicant should provide supporting coverage calculations.
- 4) The Applicant indicates 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:
 - No sound amplification system
 - Compliance with current Swimming Pool Code of New Jersey
 - Evergreen plant 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 any illumination, then the Applicant must follow Ordinance 892 Chapter XV Section 15-25.
- 7) The proposed pool equipment is in the side yard, which is not allowed. **A variance is required.**

C. Tennis Court

- 1) Tennis courts are a permitted accessory structure and shall comply with the requirements of the Borough's Swimming Pool, Tennis Court, Recreation Area and Facilities Ordinance.
- 2) An analysis of the bulk requirements for tennis courts are as follows:

Tennis Court	Permitted	Existing
Minimum Front Yard Setback	Not Permitted	26 ft. (NC) (Woodford Road)
Minimum Side Yard Setback	30 ft.	3.5 ft. (NC)
Minimum Rear Yard Setback	10 ft.	21 ft.

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

- 3) Tennis Court: Bulk variances are required, or existing non-conformities are indicated for the following items as noted:
 - a) No portion of a tennis court, tennis court area, its accessories or fence shall occupy any portion of a front yard. The existing

tennis court is in the front yard along Woodford Road. This represents an existing non-conformity.

- b) The minimum side yard setback for a tennis court is 30 feet. The existing tennis court has a side yard setback of 3.5 feet, which represents an existing non-conformity.

D. Drainage

The Applicant is collecting the stormwater runoff from the dwelling roof and directing it to a recharge system on-site. The Applicant should provide a soil boring indicating the estimated seasonal highwater table elevation and permeability of the soil. The recharge trench should be 2 feet above the estimated seasonal highwater table.

4. General Comments

- A. The Applicant should provide testimony that no improvements or access along the State Highway Route 71 (Norwood Avenue) are being proposed.
- B. A General Note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- C. The Applicant should provide confirmation that taxes are currently paid.
- D. Granting of any required construction permits.

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:mcs

Michael W. Egan, Board Secretary
Erik Anderson, Esq., Board Attorney
Stephen R. Carasia, Borough Administrator
Jennifer Krimko, Esq., Applicant's Attorney
Patrick R. Ward, P.E., P.P., Applicant's Engineer

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