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January 19, 2022

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

**Re: Salame Residence  
Block 26, Lot 3  
111 Norwood Avenue  
Borough of Deal  
Our File DPB 22-02**

Dear Board Members:

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

- A plot plan consisting of two (2) sheets prepared Douglas D. Clelland, P.E. of InSite Engineering, LLC, dated October 28, 2021, with no revisions.
- An architectural plan consisting of one (1) sheet prepared by CDZ Architects, LLC, dated September 7, 2021, with no revisions.
- A topographic survey consisting of one (1) sheet prepared by James B. Goddard, P.L.S., of C.C. Widdis Surveying, LLC, dated July 26, 2021, 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 111 Norwood Avenue, (Lot 3, Block 26) with a total area of 10,250 square feet.
- B. The existing lot contains a single-family dwelling, with a detached garage.
- C. The Applicant is proposing an in-ground swimming pool with a cabana and rear covered patio. The Applicant is removing the detached garage and a portion of the driveway.

## 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 and cabana are permitted accessory structures, under the Swimming Pool, Tennis Court and Recreational Area Ordinance.
- C. The proposed improvements require variances for the side building setback, side and rear setbacks to the swimming pool, side and rear setbacks to the cabana, impervious coverage, building 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.	10,250 sf. (NC)	No Change
Minimum Lot Frontage	150 ft.	71.27 ft. (NC)	No Change
Minimum Lot Width	150 ft.	71.27 ft. (NC)	No Change
Minimum Lot Depth	125 ft.	146.44 ft.	No Change
Minimum Front Yard Setback	50 ft.	44.31 ft. (NC)	No Change
Minimum Front Yard Setback to Porch	40 ft.	34.6 ft. (NC)	No Change
Minimum Side Yard Setback (20% Lot Width)	14.25 ft.	7.58 ft. (north) (NC)	6.41 ft. (V)
		12.99 ft. (south) (NC)	No Change
Minimum Rear Yard Setback (20% Lot Depth or 50 ft., whichever is less)	29.3 ft.	57.3 ft.	50 ft.
Maximum Building Coverage	20%	19.8%	21.5% (V)
Maximum Impervious Coverage	40%	48.6% (NC)	48.6% (V)

(V) Indicates a variance is required

(NC) Indicates an existing non-conformity

- 2) Bulk variances or existing non-conformities are indicated for the following items as noted.
  - a) The minimum lot area permitted in the R-2 Zoned District is 18,750 square feet. The existing lot area is 10,250 square feet, **which represents an existing non-conformity.**

- b) The minimum lot width permitted per the R-2 Zoned District is 150 feet. The existing lot width is 71.27 feet, **which represents an existing non-conformity.**
- c) The minimum lot frontage permitted in the R-2 Zoned District is 125 feet. The existing lot frontage is 71.27 feet, **which represents an existing non-conformity.**
- d) The minimum front yard setback permitted per the R-2 Zoned District is 50 feet or the average alignment of the existing buildings within 200 feet of the lot. The existing front yard setbacks are 44.31, **which represents an existing non-conformity.**
- e) The minimum side yard setback permitted per the R-2 Zoned District is 20% of the lot width (14.25 feet). The existing north side yard setback is 7.58 feet, **which represents an existing non-conformity.** The existing south side yard setback is 12.99 feet, **which represents an existing non-conformity.** The Applicant is proposing no change to the south side yard setback. The Applicant is proposing a side (north) yard setback of 6.41 feet to the covered rear porch. **A variance is required.**
- f) 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 34.6 feet, **which represents an existing non-conformity.**
- g) The maximum building coverage permitted per the R-2 Zoned District is 20% of the lot area. Building coverage in the R-2 Zoned District applies to the principal dwelling only. The existing building coverage is 19.8%, which conforms. The Applicant is proposing a building coverage of 21.5%. **A variance is required.**
- h) The maximum impervious coverage permitted per the R-2 Zoned District is 40% of the lot area. The Applicant is proposing an impervious coverage of 48.6%. **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.	16.33 ft.(V) (north)
		16.48 ft. (V) (south)
Minimum Rear Yard Setback	30 ft.	22.08 ft. (V)

(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 (north) side yard setback of 16.33 feet, to the swimming pool. **A variance is required.**
- The Applicant is proposing a (south) side yard setback of 16.48 feet, to the swimming pool. **A variance is required.**
- b) The minimum rear yard setback permitted for a swimming pool is 30 feet. The Applicant is proposing 22.08 feet. **A variance is required.**
- 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. The detail for the fence indicates a height of 4 feet, which conforms.
- 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 rear yard and complies with the required side and rear yard setbacks.

C. Cabana

- 1) Cabanas are not listed as accessory structures but are noted in the swimming pool ordinance.
- 2) An analysis of the bulk requirements for cabanas are as follows:

<b>Cabanas</b>	<b>Permitted</b>	<b>Proposed</b>
Minimum Front Yard	Not Permitted	No
Minimum Side Yard Setback	18 ft.	31.45 ft. (south) 10.0 ft. (north) <b>(V)</b>
Minimum Rear Yard Setback	18 ft.	6.0 ft. <b>(V)</b>
Maximum Height (Accessory Use)	18 ft.	13.0 ft.

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

- 3) Bulk variance or existing non-conformities are indicated 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, the structure will require a one-foot increase in setback. The maximum building height allowed is 18 feet.

The proposed building height is 13 feet, which conforms. The permitted side and rear yard setback are 13.0 feet. The Applicant is proposing a side yard setback of 10.0 feet on the north side and 31.45 feet on the south side. **A variance is required for the proposed north side setback.**

The Applicant is proposing a rear yard setback of 6.0 feet. **A variance is required.**

D. Drainage

The Applicant is collecting the stormwater runoff from the pool patio and cabana 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 plot plan and architectural site plan have minor differences in setback dimensions. The Applicant shall confirm all setback dimensions.
- B. The Applicant should provide testimony that no improvements or access along the State Highway Route 71 (Norwood Avenue) are being proposed.
- C. 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.
- D. The Applicant should provide confirmation that taxes are currently paid.
- E. 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.

 PE  
Peter R. Avakian, P.E.

Planning Board Engineer

DMH:mfl

Michael W. Egan, Board Secretary  
Erik Anderson, Esq., Board Attorney  
Stephen R. Carasia, Borough Administrator  
Michael J. Wenning, Esq., Applicant's Attorney  
Douglas D. Clelland, P.E., Applicant's Engineer

D/PB/22/22-02