

May 20, 2022

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

**Re: Roosevelt Partners, LLC
110 Roosevelt Avenue
Block 12, Lots 4, 5 and 10
Borough of Deal
Our File DPB 22-08**

Dear Board Members:

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

- A plot plan consisting of six (6) sheets prepared by David H. Boesch, LLA and Matthew R. DuBois, P.E. of Nelson Engineering Associates, Inc., dated January 14, 2022, with the latest revisions dated April 14, 2022.
- An architectural plan consisting of fourteen (14) sheets prepared by Robert I. Glass, R.A. of Andrew Wilkinson Architects, LLC, dated January 28, 2022, with the latest revisions dated April 12, 2022.
- An average setback within 200 feet survey consisting of one (1) sheet prepared Robert H. Morris, P.L.S. of Nelson Engineering Associates, Inc., dated November 12, 2021, with the latest revisions dated November 17, 2021.
- A boundary and topographic survey consisting of one (1) sheet prepared by Robert H. Morris, P.L.S. of Nelson Engineering associates, Inc., dated November 12, 2021, with the latest revisions dated May 9, 2022.

The application is deemed complete, and we offer the following comments regarding compliance with provisions of the Borough Ordinance and General Engineering Standards.

1. Description of Property

- A. The property is located at house number 110 Roosevelt Avenue (Lots 4, 5 and 10, Block 12) with a total lot area of 89,625 square feet.

- B. The lot contains a three-story dwelling, with swimming pool, full basketball court, tennis court, and other amenities.
- C. The Applicant is removing the existing dwelling and all-site amenities and constructing a new two-story single-family dwelling with new site amenities. The amenities include detached gym structure, swimming pool, hot tub, patio, fire pit, greenhouse, two (2) driveways and a basketball court.

2. Zoning and Land Use

- A. The property is located in the R-1 Residential Zone District and single-family dwellings are a permitted principal use in this district.
- B. The proposed in ground swimming pool, hot tub, gym building, greenhouse, basketball court, and fire pit are permitted accessory uses in this district.
- C. The proposed improvements require Planning Board approval for variances on front yard setback to principal dwelling, accessory structure location, fence and wall heights, driveway width, mechanical equipment location, swimming pool exposed wall and 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 District for the Yard area is as follows:

Bulk Requirements	Permitted	Existing	Proposed
Minimum Lot Area	18,750 sf.	89,625 sf.	No Change
Minimum Lot Frontage	150 ft.	298.76 ft.	No Change
Minimum Lot Width	150 ft.	298.76 ft.	No Change
Minimum Lot Depth	125 ft.	300.45 ft.	No Change
Minimum Front Yard Setback to Dwelling (Roosevelt Avenue)	50 ft. or average within 200 ft.	51.5 ft.	51.0 ft.
Minimum Front Yard Setback to Dwelling (Pearl Court)	50 ft. or average within 200 ft.	135.2 ft.	40 ft. (V)
Minimum Side Yard Setback (20% Lot Width)	59.8 ft.	156 ft.	114 ft.
Minimum Rear Yard Setback (20% Lot Depth or 50 ft. whichever is less)	50 ft.	91.9 ft.	52 ft.
Maximum Building Height at 64' from ROW	42 ft.	-	38.5 ft.
Maximum Building Coverage	20 %	3.6 %	12.2%
Maximum Impervious Coverage	40 %	24.8%	34.2%

(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 front yard setback permitted per the R-1 Zoned District is 50 feet or the average alignment of existing buildings within 200 feet of the lot. The existing front yard setback is 51.5 feet along Roosevelt Avenue frontage and is 135.2 feet along Pearl Court frontage. Both of these existing setbacks conform.

The Applicant is proposing a front yard setback of 51.0 feet along Roosevelt Avenue frontage, which conforms. The proposed front yard setback along Pearl Court is 40 feet. **A variance is required.**

b) In the case of a corner lot, the rear lot line shall be the boundary line, which is most distant from the opposite street line. For this property the lot line opposite Pearl Court is the rear lot line. The lot line opposite Roosevelt Avenue is the side lot line.

c) The minimum side yard setback permitted per the R-1 Zoned District is 20% of the lot width (59.8 feet). The existing side yard setback (opposite Roosevelt Avenue) is 156 feet, which conforms. The Applicant is proposing a side yard setback of 114 feet, which conforms. The zoning information on the plot plan should be revised.

d) The minimum rear yard setback permitted per the R-1 Zoned District is 20% of the lot depth (60.1 feet) or 50 feet, whichever is less. The existing rear yard setback (opposite Pearl Court) is 91.9 feet, which conforms. The Applicant is proposing a rear yard setback of 52 feet, which conforms.

B. Swimming Pool and Hot Tub

1) The swimming pool and hot tub shall comply with the requirements of the Borough Swimming Pool Ordinance.

2) An analysis of the bulk requirements for the swimming pool and hot tub are as follows:

Swimming Pool and Hot Tub	Permitted	Proposed
Minimum Front Yard Setback	Not Permitted	No
Minimum Side Yard Setback	30 ft.	130 ft.
Minimum Rear Yard Setback	30 ft.	105 ft.

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

- 3) A swimming pool may have 30% of continuous linear feet of the pool to be exposed for 18 inches from the top of the ground, and the remaining portion of the pool shall not be erected or maintained above ground but shall be wholly at or below ground. The Applicant is proposing around 40% of continuous linear feet of the pool wall to be exposed. **A variance is required.**

The Applicant is proposing the swimming pool to have a wall exposure of approximately 54 inches. **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. The Applicant should show the location of all gates.
- 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.

C. **Gym Building**

- 1) Gym buildings are not listed as accessory structures but are noted in the swimming pool ordinance.
- 2) An analysis of the bulk requirements for the gym building is as follows:

Gym Building	Permitted	Proposed
Minimum Front Yard Setback	Not Permitted	38 ft. (V)
Minimum Side Yard Setback	17.67 ft.	65.0 ft.
Minimum Rear Yard Setback	17.67 ft.	118 ft.
Minimum Building Height	18 ft.	17.67 ft.

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

- 3) Gym building: Bulk variances are required, or existing non-conformities are indicated for the following items as noted:
- No portion of an accessory structure (gym building) shall occupy any portion of the front yard. The gym building is encroaching into the front yard area along Pearl Court. **A variance is required.**

D. **Greenhouse**

- 1) A greenhouse is a permitted accessory structure.
- 2) An analysis of the bulk requirements for the greenhouse is as follows:

Greenhouse	Permitted	Proposed
Minimum Front Yard Setback	Not Permitted	No
Minimum Side Yard Setback	10 ft.	93 ft.
Minimum Rear Yard Setback	10 ft.	10 ft.
Minimum Building Height	10 ft.	10 ft.

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

- 3) The greenhouse does not require any variances.

E. **Basketball Court**

- 1) An analysis of the bulk requirements for basketball courts are as follows:

Basketball Court	Permitted	Proposed
Minimum Front Yard Setback	Not Permitted	No
Minimum Side Yard Setback	10 ft.	10 ft.
Minimum Rear Yard Setback	10 ft.	10 ft.

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

- 2) The basketball court does not require any variances.

F. **Fencing and Walls**

- 1) The maximum permitted height of a fence or wall in the front yard is 3 feet. The Applicant is proposing a wall/fence height of 6 feet in the front yard area along the Roosevelt Avenue and Pearl Court. **A variance is required.**

The Applicant is also proposing a 7-foot height masonry wall around the driveway entrance onto Roosevelt Avenue. **A variance is required.**

- 2) The maximum permitted height of a fence or wall in the side and rear yard is 5 feet. The Applicant is proposing a maximum wall height up to 10.8 feet in the side and rear yard areas. **A variance is required.**

- G. All front yards must remain open and unoccupied except that a paved driveway not to exceed 20 feet in width. The Applicant is proposing a driveway width of 40 feet along Pearl Court. **A variance is required.**
- H. The Applicant is proposing the mechanical equipment in the front yard area along Pearl Court, which is not allowed. **A variance is required.**

4. Drainage

- A. The project incorporates the use of an underground infiltration system and a stormwater report should be provided.
- B. The grading is directing stormwater runoff onto Lot 8, which is not allowed. The grading should be revised.

5. General Comments

- A. 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.
- B. The Applicant should provide information that taxes are currently paid.
- C. Granting of any required construction permits.

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

Should you have any questions regarding 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/mcs

cc: Michael Egan, Board Secretary
Erik Anderson, Esq., Board Attorney
Stephen R. Carasia, Borough Administrator
Jennifer S. Krimko, Esq., Applicant's Attorney
David H. Boesch, LLA, Applicant's Engineer
Robert I. Glass, R.A., Applicant's Architect

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