

April 20, 2022

Borough of Deal Planning Board
190 Norwood Avenue
Deal, NJ 07723-1234

**Re: Sasson Residence
78 Lehman Avenue
Block 32.02, Lot 16
Our File DPB 22-05**

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 one (1) sheet prepared by Douglas D. Clelland, P.E. of InSite Engineering, LLC, dated December 7, 2021, with the latest revisions dated April 13, 2022.
- A final as-built survey consisting of one (1) sheet prepared by James B. Goddard, P.L.S., of C.C. Widdis Surveying, LLC, dated June 25, 2018, with the latest revisions dated October 19, 2018.

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 78 Lehman Avenue (Lot 16, Block 32.02) with a total area of 13,062.5 square feet.
- B. The existing lot contains a single-family dwelling with a shed and driveway.
- C. The Applicant is proposing an in-ground pool and pool patio.

2. **Zoning and Land Use**

- A. The property is located in the R-3 Residential District and single-family dwellings are a permitted principle use in this district.
- B. The proposed inground swimming pool is a permitted accessory structure in this district.

- C. The Applicant is requesting approval from the Planning Board for variances on rear yard setbacks to the pool, rear yard setback to the patio, and others as described in this report. The existing lot has a non-conformity with lot width. The dwelling has a non-conformity with side yard setback.

3. **Variances and Waivers**

A. Bulk Requirements for Yard Area and Principal Dwelling

- 1) An analysis of the bulk requirements of the R-3 District for the yard area and principal dwelling are as follows:

Bulk Requirements	Permitted	Existing	Proposed
Minimum Lot Area	12,500 sf.	13,062.5 sf.	No Change
Minimum Lot Width	100 ft.	95.0 ft. (NC)	No Change
Minimum Lot Depth	125 ft.	137.5 ft.	No Change
Minimum Front Yard Setback	50 ft. or Average Alignment	53.1 ft.	No Change
Minimum Side Yard Setback (20% Lot Width)	19 ft.	15.1 ft. (East Side) (NC)	No Change
		17.5 ft. (West Side) (NC)	No Change
Minimum Rear Yard Setback (20% Lot Depth)	27.5 ft.	41.1 ft.	No Change
Maximum Building Coverage	20%	19.7%	No Change
Maximum Impervious Coverage	40%	28.9%	40%

(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) The minimum lot width permitted per the R-3 Zoning district is 100 feet. The existing lot width is 95.0 feet, which represents an existing non-conformity.
 - b) The minimum side yard setback permitted per the R-3 Zoned District is 20% of the lot width (19 feet). The existing west side yard setback is 17.5 feet, which represents an existing non-conformity. The existing east side yard setback is 15.1 feet, which represent an existing non-conformity.
 - c) The maximum building coverage permitted per the R-3 Zoned District is 20% of the lot area. The building coverage calculation shall include the principal and accessory buildings or structures in this zoned district. This existing building coverage is 19.7% which conforms.

- d) The maximum impervious coverage per the R-3 Zoned District is 40% of the lot area. The existing impervious coverage is 28.9%, which conforms. The Applicant is proposing an impervious coverage of 40%, which conforms.

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.	37 ft. (East)
		30 ft. (West)
Minimum Rear Yard Setback	30 ft.	20 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.
 - The minimum rear yard setback permitted for a swimming pool is 30 feet. The Applicant is proposing a rear 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 permitted side and rear yard setbacks for a patio is 10 feet. The Applicant is proposing a west side yard setback of 23 feet and the east side yard setback of 30 feet. Both side yard setbacks conform. The proposed rear yard setback is 6.16 feet. **A variance is required.**
- 8) The pool equipment is permitted in the rear yard only and shall have a minimum side and rear yard setback of 10 feet. The Applicant is proposing the pool equipment in the rear yard, which is allowed. The proposed east side yard setback is 10 feet, and the rear yard setback is 26.76 feet. Both of these setbacks to the pool equipment conform.

C. Fencing

The maximum permitted height of a fence in the side and rear yard is 5 feet measured from the ground level. The Applicant is proposing a fence height of 5 feet, which complies.

4. Site Grading and Drainage

The proposed grading of the site is directing stormwater into a channel drain, which will discharge into the front yard along Lehman Avenue.

5. General Comments

- 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 confirmation that taxes are currently paid.
- C. Granting of any required construction permits.

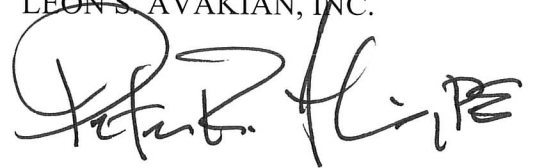
Our office reserves the right to provide additional comments upon receipt of revised development plans.

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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.

A handwritten signature in black ink, appearing to read "Peter R. Avakian, P.E.", written over the typed name below.

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

DMH:mfl

cc: Michael W. Egan, Board Secretary
Erik Anderson, Esq. Board Attorney
Stephen R. Carasia, Borough Administrator
Jennifer S. Krimko, Esq., Applicant's Attorney
Douglas D. Clelland, P.E., Applicant's Engineer

D/PB/22/22-05