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December 18, 2019

Marlboro Township Zoning Board  
1979 Township Drive  
Marlboro, NJ 07746

**Re: *Avetisyan (ZB19-6696)***  
***Bulk Variance – Engineering and Planning Review #1***  
***Block 287 Lot 36***  
***Location: 430 Union Hill Road***  
***Zone: R-20 (Residential)***  
***Our File: H-MR-Z0287.01***

Dear Zoning Board Members:

Our office received the following information in support of the above-referenced application for Bulk Variance approval:

- In ground Swimming Pool and Pool Cabana Plan (1 sheet) prepared by Geller Sive and Company dated October 24, 2019, unrevised.
- Proposed Pool Cabana Building Plan (1 sheet) prepared by Cirangle Architects dated September 20, 2019, unrevised.
- A Development Application.

In accordance with your authorization, we have reviewed this application for Bulk Variance Approval and offer the following comments:

1. Project Description

The subject 22,716 s.f. property is a land-locked parcel within an R-20 Zone District and contains no frontage upon an approved public right-of-way. Currently, the property contains a 2-story dwelling with associated walk and rear wood deck. Access is provided by a paved driveway via an existing easement from Union Hill Road through adjoining properties.

The Applicant is seeking Bulk Variance approval to install an in-ground swimming pool with associated patio and fencing and to construct a 1-story pool cabana (936 s.f.; 24 feet by 39 feet) with an attached covered porch/patio area (432 s.f.; 18 feet by 24 feet) along the east side.

The Applicant was previously granted bulk variance approval per Resolution (ZB12-6439) dated June 5, 2012 to construct the existing dwelling and onsite improvements.



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2. Surrounding Uses

Properties north, south and east of the subject property are similarly zoned R-20 containing a mix of residential parcels. Properties south of the subject site are zoned C-3 and contain commercial uses fronting upon Clayton Road.

3. Zoning Compliance

The subject property is situated within an R-20 Zone District. The table below summarizes the Bulk Measures and Zone Requirements for the property:

<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Minimum Lot Area	20,000 s.f.	22,716 s.f.	22,716 s.f.
Minimum Lot Frontage	100 feet	0 feet	0 feet (EC)
Minimum Lot Width	100 feet	145 feet±	145 feet±
Minimum Lot Depth	150 feet	>150 feet	>150 feet
Minimum Front Yard Setback	40 feet	40.9 feet (dwelling) 36.5 feet (steps)	40.9 feet (dwelling) 36.5 feet (steps) (EC)
Minimum Side Yard Setback	10 feet	27.8 feet	27.8 feet
Minimum Rear Yard Setback	50 feet	54.3 feet	54.3 feet
Maximum Building Height	35 feet	<35 feet	<35 feet
Minimum Gross Floor Area	1,500 sf	>1,500 s.f.	>1,500 s.f.
Minimum Ground Floor area	1,000 sf	2,223 s.f. ±	3,159 s.f. ±
Maximum Percentage of Lot Coverage	28%	14.4% ±	26.7% ±
Minimum Side Yard Setback (Accessory)	10 feet	N/A	10 feet (cabana)
Minimum Rear Yard Setback (Accessory)	20 feet	N/A	10 feet (cabana porch) (V)
Maximum Building Height (Accessory)	15 feet	N/A	<15 feet

(EC) – Existing Condition      (V) – Variance Required



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The 2012 Resolution granted the following variances which would remain pertinent to the property:

- a. **Section 220-35D(5)** – Every principal building shall be built upon a lot with frontage upon a public street; the subject property provides no frontage upon a public right-of-way.
- b. **Section 220-56C (Table I)** – The minimum required front yard setback is 40 feet; 36.5 feet is provided to the front steps along the dwelling.

The Applicant has requested the following variances with this application:

- c. **Section 220-42G(3)** – Private swimming pool shall comply with the zoning regulations as to rear and side line requirements governing accessory buildings, whereby a 20 foot rear yard setback is required; 17.1 feet is proposed to the pool along the rear property line.
- d. **Section 220-56C (Table I)** – The minimum required rear yard setback for an accessory building is 20 feet; 10 feet is proposed to the cabana covered porch along the rear property line.
- e. **Section 220-140D(1)(Table III)** – The maximum permitted area for an accessory structure within an R-20 Zone shall be 550 s.f.; a 936 s.f. cabana with an attached 432 s.f. covered porch (1,368 s.f. total) is proposed.
- f. **Section 220-140D(1)(Table III)** – The maximum permitted total building coverage within an R-20 Zone shall be 14%; approximately 15.8% is proposed.

In addition to the above, the following variance appears necessary:

- g. **Section 220-42B(3)(f)** – There shall be no change in existing grade which raises any portion of the lot more than 3 feet above the existing ground level at a point 15 feet from the property line; the finished floor grade (127.6) for the cabana and covered porch raises the existing grade more than 3 feet within 15 feet of the side and rear property line.
4. The Applicant has not requested any waivers from providing required Bulk Variance Checklist submission items and none appear necessary.
  5. Based upon our review of the subject application, we estimate that the following fees are required:
    - a. **Nonrefundable Application Fees:**



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Hardship or Bulk Variance (Residential fences, accessory structures, pools, decks additions and sheds) \$150.00

**Subtotal: \$150.00**

**b. Professional Services Escrow Fees:**

Bulk Variance (Residential single-family dwellings, sports courts, pools, additions) \$1,500.00

**Subtotal: \$1,500.00**

We recommend the Township collect \$150.00 in nonrefundable application fees and \$1,500.00 in professional services escrow fees from the Applicant prior to deeming the application complete. In addition, the Applicant will be required to pay all applicable revision fees as stipulated in the Township Ordinances.

6. The Applicant should be prepared to discuss the following issues with the Board:
  - a. Compliance with any Conditions of Approval contained within the June 5, 2012 Resolution and/or any other prior Resolutions associated with the property.
  - b. The amenities associated with the proposed cabana, specifically whether utilities will be extended to same. The Board may wish to consider providing a Condition of Approval, if granted, that said cabana not be utilized as any bedroom and/or habitable living area.
  - c. The stormwater management of the property, including the need for any drywell system. General Note #9 should also indicate no adverse impact to adjoining properties.
  - d. The need for any updated Survey Plan to be provided, whereby same dated December 14, 2016 is indicated as utilized.
  - e. Any permits/approvals required by outside agencies. The Applicant shall discuss the status of all outside agencies with the Board and copies of all outside agency approvals shall be forwarded to this office.



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7. Based upon our review, the Plan should be revised as follows:
- a. Indicate the proposed height of the cabana, and include Accessory Building Height requirement to the Zone Data Schedule.
  - b. The proposed paver patio coverage calculation appears to include the pool area which should be verified and excluded if so provided.
  - c. Verify grading of existing/proposed 127 elevation contour along the existing dwelling to the proposed cabana.

Based upon the minor nature of the information requested, we recommend that this application be deemed complete subject to the Applicant complying with all applicable notification requirements.

The right is reserved to present additional comments pending the receipt of revised plans and/or the testimony of the Applicant before the Board.

If you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,

**CME ASSOCIATES**

Laura J. Neumann, PE, PP  
Board Engineer and Planner

LJN/GAC/pg

cc: Marlboro Township Engineering Department  
Ronald Cucchiaro, Esq. – Board Attorney  
Artur Avetisyan – Applicant  
Geller Sive and Company – Applicant's Engineer  
Cirangle Architects– Applicant's Architect  
Salvatore Alfieri, Esq. – Applicant's Attorney