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December 23, 2020

Marlboro Township Zoning Board
1979 Township Drive
Marlboro, NJ 07746

Re: Yefremov & Sarkane (ZB20-6726)
Bulk Variance – Engineering / Planning Review #1
Block 305 Lot 110
Location: 128 Micki Drive
Zone R-20 (Residential)
Our File: HMRZ0305.07

Dear Zoning Board Members:

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

- A Variance Plan (2 sheets) prepared by Midstate Engineering, Inc., dated November 2, 2020, unrevised.
- A Survey of Property (1 sheet) prepared by Lakeland Surveying, dated July 29, 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 20,125 s.f. property is located within an R-20 Zone District and provides 115 feet of frontage along the easterly side of Micki Drive, approximately 798 feet north of the Gordons Corner Road intersection. Currently, the property contains a 2-story dwelling with associated walk and deck, as well as a paved driveway along the Micki Drive site frontage.

The Applicant is seeking Bulk Variance approval to construct an inground swimming pool with associated patio within the rear yard.

2. Surrounding Uses

Properties surrounding the subject site, including opposite Micki Drive, are similarly zoned R-20 and contain a mix of residential parcels.



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3. Zoning Compliance

The subject property is situated within an R-20 Zone District. The table below summarizes the Area, Yard and Building requirements of the zone and the property's conformance with these requirements.

<u>DESCRIPTION</u>	<u>REQUIRED</u>	<u>PROVIDED</u>
Minimum Lot Area	20,000 s.f.	20,125 s.f.
Minimum Lot Frontage	100 feet	115 feet
Minimum Lot Width	100 feet	115 feet
Minimum Lot Depth	150 feet	175 feet
Minimum Front Yard Setback	40 feet	44.9 feet ±
Minimum Side Yard Setback	10 feet	18 feet
Minimum Rear Yard Setback	50 feet	73 feet
Maximum Building Height	35 feet	<35 feet
Minimum Gross Floor Area	1,500 s.f.	>1,500 s.f.
Minimum Ground Floor area	1,000 s.f.	>1,000 s.f.
Maximum Percentage of Lot Coverage	28%	36.9% ± (V)
Maximum Principal Building Coverage	11%	13.9% (EC)
Maximum Total Building Coverage	14%	13.9% ±
Maximum Building Area (Accessory)	550 s.f.	N/A
Minimum Side Yard Setback (Accessory)	10 feet	10 feet
Minimum Rear Yard Setback (Accessory)	20 feet	17.8 (V)
Maximum Building Height (Accessory)	15 feet	N/A

The following is an existing condition which appears to remain pertinent to the subject property:

- a) **Section 220-140D(Table III)** – The maximum principal building coverage is 11%; 13.9% is provided.

The Applicant has requested variances for the following with this application:

- b) **Section 220-35D(24)(g)[5]** – A safety barrier, a minimum of four feet in height, is required along all walls greater than 2.5 feet in height; no barrier is proposed along the retaining wall which exceeds 2.5 feet in height.
- c) **Section 220-56C (Table I)** – The minimum required rear yard setback for an accessory structure is 20 feet; 17.8 feet is proposed to the pool.
- d) **Section 220-56C (Table I)** – The maximum permitted lot coverage is 28%; approximately 36.9% is proposed. We note that the existing lot coverage is approximately 32.7%



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4. The Applicant has not requested any submission waivers, 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:**

Hardship or Bulk Variance (residential pools)	\$150.00
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Subtotal:	\$150.00
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b. **Professional Services Escrow Fees:**

Bulk Variances (residential pools)	\$1,500.00
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Subtotal:	\$1,500.00
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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. Clarify access to the site, as the plan denotes access through adjoining Lot 118. If access is proposed through Lot 118, written permission must be provided.
 - b. When the existing driveway was constructed as per Section 220-35C(4), no paved terrace or driveway shall be permitted closer than five feet to any side or rear property line, if constructed after the year 2000.
 - c. Whether any tree removal is required to accommodate the proposed improvements.
 - d. The stormwater management of the property, including the need for a drywell system.
7. Based upon our review, we offer the following comments:
 - a. Our office recommends that a high point spot grade be provided at the inside base of the retaining wall along the east side of the pool, whereby a flat grade of 96.1 appears proposed along the entire length.



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- b. The existing deck steps and landing are indicated as to be removed within the lot coverage calculations, same should also be reflected on the plans.
- c. Update the Zone Schedule to include the side and rear yard setbacks for the pool.
- d. Provide a detail of the proposed concrete patio.
- e. Any existing fence or other site improvements to be removed or relocated should be indicated on the Plan.

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 as set forth within the Marlboro Township Land Use Ordinance and the Municipal Land Use Law.

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
Zoning Board of Adjustment Engineer and Planner

LJN/GAC/pg

cc: Marlboro Township Engineering Department
Ronald Cucchiaro. – Zoning Board Attorney
Sergey Yefremov & Evita Sarkane – Applicant
Midstate Engineering, Inc. – Applicant's Engineer
Jared M. Pape, Esq. – Applicant's Attorney