



**TOWNSHIP of HOPEWELL
MERCER COUNTY**

**201 WASHINGTON CROSSING – PENNINGTON ROAD
TITUSVILLE, NEW JERSEY 08560-1410**

PROJECT / APPLICATION

BLOCK:

LOT:

ADDRESS:

PROJECT NAME:

REVIEW REPORTS

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TOWNSHIP OF HOPEWELL

201 Washington Crossing-Pennington Road
Titusville, New Jersey 08560-1410
Phone 609.737.0605 Ext. 6280

MEMORANDUM

TO: Hopewell Township Zoning Board of Adjustment

CC: Applicant

FROM: James Hutzemann PE, PP - Board Engineer 

DATE: July 28, 2023

RE: **Engineering Review – Bulk Variance**
R-100 Well and/or Septic Zone
Block 78.42, Lot 31; 209 Pennington - Lawrenceville Road

I. Application Submission Items

The following documents were received by the Township on July 6, 2023:

- A. Zoning Board Application Form EZ, with required fees, escrow and authorization forms.
- B. Lot Coverage Calculation Worksheet, dated 7/5/2023.
- C. Plan titled “Variance Plan”, prepared by Goldenbaum-Baill Engineering, dated 6/28/2023.

II. Completeness

The application is deemed complete as of July 28, 2023. A hearing date may be scheduled.

III. Description

The property in question is a 22,938 square foot parcel located in the R-100 Zoning District, and the property is served by an on-site individual septic system and well. The property 94.69 feet of frontage on Pennington - Lawrenceville Road, which comprises the eastern boundary of the property. The property is improved with a single-family residential structure, with a paved driveway providing access from Pennington-Lawrenceville Road. There are no wetlands located on the property. This property is located in the Delaware and Raritan Canal Commission’s (DRCC) Zone B.

The application proposes the construction a 192-square foot shed in the rear of the property.

IV. Zoning

- A. The property is located within the R-100 Well and/or Septic Zoning District and required to meet Section 17-159 of the Ordinance. Compliance with the applicable standards for the Zoning District is summarized as follows:

Bulk Requirements	Required	Existing	Proposed
Min. lot area (sf)	80,000	22,938 (e)	22,938 (e)
Min. lot width (ft)	150'	94.69' (e)	94.69' (e)
Min. lot depth (ft)	200'	252.29'	252.29'
Min. front yard (ft)	75'	75'	75'
Min. side yard (ft)	40'	114.5'	114.5'
Min. rear yard (ft)	50'	12' (e)	12' (e)
Max. lot coverage (%)	15%	14.9%	15.7%
Accessory Structure, Shed<200 SF			
Min. side yard (ft)	10'	n/a	12'
Min. rear yard (ft)	10'	n/a	12'

- (V): Variance
 (e): Existing non-conformity

B. Variances

- a. A review of the existing conditions on the property reveal the following non-conformities that are proposed to remain with the current application:
- i. The property does not meet the R-100 Well and/or Septic Zoning District requirements for the minimum lot area, lot width and side yard setback. These are existing non-conformities that were previously granted variances by the Board under Resolution 2020-13.
- b. The proposed application creates the following variance for maximum lot coverage:
- i. The proposed impervious coverage will be 15.7%, where 15% maximum is allowed.

- C. The applicant should provide testimony in support of the variance. Applicants may seek a variance from bulk zoning requirements under one of the following two statutory provisions of the NJ Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.:

- a. C-1 Variances – Property “Hardship” Variances. The Board of Adjustment has the power to grant a bulk variance if, due to the unusual and unique features of the property - including the existing layout of buildings and improvements - denying the variance would impose an undue hardship. The applicant must also satisfy what is referred to as the “negative criteria”, by showing that a) the variance can be granted without causing substantial detriment to the public good, and, b) that the granting of a variance will not substantially impair the intent and purpose of the municipal master plan and ordinances.

- b. C-2 Variances – “Flexible c”. The Board of Adjustment may grant a bulk variance if the Board determines that the benefits of granting the variance outweigh the detriments of noncompliance with zone requirements. The Board must determine that the purposes of zoning (N.J.S.A. 40:55D-2), such as health, safety and welfare, or promotion of a desirable visual environment, will be advanced by a deviation from zoning ordinance requirements and that the benefits of the deviation will substantially outweigh any detriment. The “negative criteria” described above for c1 variances must also be satisfied.

V. Comments

- A. The plan proposes a drywell to mitigate for the impervious coverage variance. The volume of the drywell is adequately sized as required by the Township’s Stormwater Control Ordinance (Section 17-82). I offer no objection to this method of stormwater management.
- B. It appears that the invert elevations shown for the drywell may need to be revised. The invert elevation of 200.0’ and a surface elevation of approximately 202.50’ will not have adequate cover on the overflow pipe.
- C. An overflow pipe shall be depicted on the plan to daylight at a location that does not impact neighboring properties.
- D. The drywell is 5 ft. from the neighboring property line and approximately 35 ft. from the neighboring dwelling. The applicant shall verify the drywell location is greater than 50 ft from any neighboring septic system and testimony provided regarding the potential of groundwater mounding affecting the neighbor’s basement.
- E. The applicant shall verify that the entire roof area of the porch is collected and routed into the dry well.
- F. Soil testing shall be provided to demonstrate that the drywell invert elevation is two feet above the seasonal high ground water elevation and the soils are suitable for infiltration.
- G. Testimony shall be given to confirm the height of the shed is less than the allowable maximum height of 14 feet.

VI. Recommended Conditions of Approval

- A. Should this application be approved, we recommend, at a minimum, the following conditions of approval:
 1. Continued payment of any required application and escrow fees.

TOWNSHIP OF HOPEWELL

MEMORANDUM

TO: Zoning Board of Adjustment Members

FROM: Environmental Commission Members

DATE: September 19, 2023

RE: Case No. 23-15 Grzesiak Shed
Block Lot: Block 78.42 Lot 31
Address: 209 Pennington Lawrenceville Road
Zoning District: R-100
Application Type: Bulk Variance

We are writing to inform you of our comments regarding the subject application, which is scheduled to be reviewed by the Zoning Board of Adjustment.

During our Environmental Commission meeting on September 19, 2023, members Paul Kinney, Rex Parker, Vanessa Sandom, Andrew Plunkett, Mark Bean, and Mike Aucott reviewed and discussed the subject application together with Jim Hutzelmann.

We have no environmental concerns for the proposed project.

Respectfully submitted: Paul Kinney, Chair

cc: J. Hutzelmann, U. Purandare, EC Members