



**TOWNSHIP of HOPEWELL  
MERCER COUNTY**

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

**PROJECT / APPLICATION**

BLOCK:

LOT:

ADDRESS:

PROJECT NAME:

**REVIEW REPORTS**

**CONTENTS**

# TOWNSHIP of HOPEWELL

## MEMORANDUM

TO: Hopewell Township Planning Board

FROM: Dawn Marling, MPH, Health Officer

SUBJECT: Francis/Topley Minor Subdivision (Consolidation)  
Block 129, Lot 124  
Block 133, Lot 45

DATE: April 20, 2022

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The applicant, Edward Francis of 13 Butterfoss Avenue, proposes the subdivision of Block 129, Lot 124 into two parcels, which would then be merged into adjoining parcels Block 129, Lot 111.01 (*13 Butterfoss Avenue*) and Block 128, Lot 2.

Additionally, the applicant proposes consolidating Block 133, Lot 45 into Block 128, Lot 2 (*26 Fern Ridge Lane, owned by James Topley*).

There is no development proposed and the intent of the subdivision is to enlarge each of the adjoining, existing developed lots. As such, no impacts to existing well water usage or wastewater disposal. The Health Department has no objections to the proposal.

# Memorandum

To: Hopewell Township Planning Board

From: Frank Banisch III, PP/AICP

Date: April 21, 2022

Re: Francis, Minor Subdivision  
Block 128, Lot 2  
Block 129, Lot 124 and 111.01  
Block 133, Lot 45  
Zone: VRC and R-75

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## Documents Reviewed

We have reviewed the following information in preparation of this report:

- Land Use Application dated 3-19-22
- Minor Subdivision Checklist and Waiver Form
- Plan of Survey and Minor Subdivision Plan prepared by Thomas Harris, Jr., P.L.S., dated March 10, 2022, consisting of two (2) sheets.

## Comment

1. The applicant is proposing a minor subdivision/lot line adjustment of existing Block 128, Lot 2, Block 129, Lots 124 and 111.01, and Block 133, Lot 45. The proposed adjustments essentially result in the four lots consolidated into two larger lots. Block 133, Lot 45 and Block 128, Lot 2 are located in the VRC zone district Lot 2 has frontage on Fern Ridge Lane with Lot 45 located at the end of Bethany Avenue. Block 129, Lots 124 and 111.01 have frontage on Butterfoss Avenue and are in the R-75 Zone district.
2. Consolidated lots 124 and 111.01, located on Butterfoss Avenue in the R-75 district, a one-story single-family dwelling and shed. Consolidated Lots 2 and 45, located along Bethany Avenue and Fern Ridge Lane in the VRC district, is developed with a 1 ½ story single family dwelling with an accessory barn to the rear. No new development is proposed with the subdivision.
3. Consolidated lots 111.01 and 124, located in the R-75 district on Butterfoss, meet all of the zone requirements and require no variances.
4. Consolidated lots 45 and 2, located in the VRC district, meet all of the requirements of the VRC with the exception of lot width, where 300 feet is required and 229.75 feet exists for the exiting lot 2, located along Fern Ridge Lane. Existing lot 2 includes an interrupted portion to the front with adjoining lot 10, which impacts the lot width calculation. This is a pre-existing non-conforming condition which is not exacerbated with the proposed consolidation.

5. The applicant should provide testimony regarding the lot consolidation and request. The proposed consolidation appears to a natural extension of existing ownership and development and does not create an unusual lot dimension or trigger additional relief.
6. Any approval by the Planning Board should be conditioned on approval by any other outside agency having jurisdiction over the subject matter.

cc: Linda Barbieri, via e-mail for distribution to Planning Board and applicant

**TOWNSHIP OF HOPEWELL**

**MEMORANDUM**

**TO:** Planning Board Members

**FROM:** Environmental Commission Members

**DATE:** April 24, 2022

**RE:** **Francis/Topley Minor Subdivision & Consolidation**  
Block 129, Lot 124 & Block 133, Lot 45; Butterfoss Avenue;  
R-75 & VRC Zoning Districts

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

During our Environmental Commission meeting via Zoom on April 19, 2022, members Nora Sirbaugh, Rex Parker, Mike Aucott, Paul Kinney, Mark Bean, Jim Gambino, and Andrew Plunkett, reviewed and discussed the subject application together with Jim Hutzelmann and Uma Purandare.

We have no environmental concerns for the proposed subdivision and consolidation.

Respectfully submitted: Jim Gambino, Secretary

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




## TOWNSHIP OF HOPEWELL

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

### MEMORANDUM

**TO:** Hopewell Township Planning Board

**CC:** Applicant

**FROM:** James Hutzemann PE, PP, CME - Board Engineer 

**DATE:** May 3, 2022

**RE:** **Engineering Review – Francis/Topley Minor Subdivision**  
Minor Subdivision; VRC & R-75 Zones  
Block, 129 Lots 124 & 111.01; Block 133, Lot 45; Block 128, Lot 2  
Butterfoss Avenue

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#### **I. Application Submission Items**

The following documents were received by the Township and reviewed for this application:

- A. Planning Board Application Form with checklists, required fees, escrow and authorization forms.
- B. Plan entitled “Plan of Survey & Minor Subdivision for Edward Francis”, Prepared by Harris Surveying, Inc. dated 3/10/22.

#### **II. Completeness**

The application is complete and can be scheduled for a hearing date.

#### **III. Description**

The properties associated with this application contain a total of 12.29± acres located in the VRC and R-75 Zoning Districts. The properties are each served by an on-site well and individual septic system. The properties have frontage on Butterfoss Avenue and Fern Ridge Lane. The property is improved with a single-family residential structure on existing lot 2 and a single-family residential structure on existing lot 111.01. There are no known wetlands located on the property. Surrounding properties contain single-family residential structures with wooded properties to the northwest.

The application proposes to subdivide and consolidate the four (4) existing lots into two (2) new lots. No construction is proposed as part of this application.

**IV. Zoning**

- A. Existing Block 129/Lots 124 & 111.01 are located within the R-75 Zoning District and Existing Block 133/Lot 45 & Block 128/Lot 2 are situated in VRC District. The properties are required to meet Sections 17-159 and 17-160 of the Ordinance, respectively. Compliance with the applicable standards for the Zoning District is summarized as follows:

<b>Bulk Requirements R-75 Residential Zone</b>	<b>Required</b>	<b>Existing Lot 111.01</b>	<b>Existing Lot 124</b>	<b>Consolidated Lot</b>
Min. lot area (sf)	11,250	22,500	35,773	58,273
Min. lot width (ft)	75'	150'	150'	300'
Min. lot depth (ft)	125'	150'	145.1'	145.1'
Min. front yard (ft)	40'	51.9'	n/a	51.9'
Min. side yard (ft)	10'	33.4'	n/a	80.2'
Min. rear yard (ft)	25'	73.5'	n/a	73.5'
Max. Building Height (ft)	35'	20'	n/a	20'
Max. lot coverage (%)	25%	11.6%	0.3%	4.6%

<b>Bulk Requirements VRC Zone</b>	<b>Required</b>	<b>Existing Lot 45</b>	<b>Existing Lot 2</b>	<b>Consolidated Lot</b>
Min. lot area (Ac)	6	1.842	9.109	10.951
Min. lot width (ft)	300'	18.11'(e)	229.75(e)	229.75 (v)
Min. lot depth (ft)	400'	150'	900'	900'
Min. front yard (ft)	100'	n/a	291'	291'
Min. side yard (ft)	60'	n/a	82'	130'
Min. rear yard (ft)	60'	n/a	539'	539'
Max. Building Height (ft)	35'	n/a	Unknown*	Unknown*
Max. lot coverage (%)	10%	0%	1.6%	1.3%

- (e): Existing non-conformity  
 (V): Proposed Non-Conformity  
 \*: information not provided by applicant

- B. The applicant should provide testimony in support of the variance for minimum lot width. Applicants may seek a variance from building requirements under either of two statutory provisions:

1. 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, denying the variance would impose an undue hardship.

The unique features affecting a specific piece of property include exceptional narrowness, shallowness, shape or exceptional topographical conditions or physical features including the existing layout of buildings and improvements.

2. c(2) Variances – “Flexible c” (“benefits v. detriments”). 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 and public purposes such as health, safety and welfare, or promotion of a desirable visual environment will be advanced by a deviation (variation) from zoning ordinance requirements and that the benefits of the deviation will substantially outweigh any detriment.

**V. Comments**

- A. The proposed lot consolidation creates a non-conforming lot width in the in VRC Zone. It is noted that this lot width is the same as the pre-existing non-conforming condition on existing lot 2.
- B. The Zoning Table (Zone VRC) on the plan has an incorrect area for existing Lot 45. The table has an area of 1.897 acres and it should be 1.842 acres so the provided consolidated lot area is 10.951 acres.
- C. The Zoning Table (Zone R-75) has an incorrect area for existing Lot 124. The table has an area of 33,382 SF and it should be 35,773 SF so the provided consolidated lot area should be 58,273 SF and not 55,882 SF.
- D. Indicate on the plan what monuments or other markers have been set or found.
- E. The new lot numbers shall be assigned and approved by the Township’s Tax Assessor. This lot number shall be shown on the plan.
- F. Metes and bounds descriptions for both new lots shall be prepared and submitted for approval.
- G. Revise the graphic scale on sheet 2 to accurately reflect the plan.
- H. Local road Fern Ridge Lane should be labeled correctly on Sheet 2.
- I. The plan shall be revised to show all setbacks to all property lines for the existing structures.
- J. The applicant shall provide testimony as to any right-of-way dedications that are part of this application.
- K. The applicant did not provide a building height for the existing dwelling on existing Lot 111.01. Testimony shall be provided to confirm this is a conforming structure.

**VI. Additional Approvals**

- A. Mercer County Planning Board

**VII. Recommended Conditions of Approval**

- A. Should this application be approved, we recommend, at a minimum, the following conditions of approval:
  1. Letter from Township Tax Assessor confirming proposed lot numbers
  2. Draft metes and bounds descriptions for each lot



3. Draft deeds for each lot.
4. Obtain all applicable outside agency approvals
5. Continued payment of any required application and escrow fees.