



**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 Hutzelmann PE, PP - Board Engineer 

**DATE:** December 14, 2022

**RE:** **Engineering Review #1 – ZBA 22-14**  
**William & Kristen Squires**  
Bulk Var. – Swimming Pool; VRC Valley Resource Conservation Zone  
Blocks 93, Lot 49.07; 2 Pond View Lane  
VCEA File No. 78062218

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

The following documents were received by the Township for review:

- A. Zoning Board Application Form EZ, with required fees, escrow and authorization forms.
- B. Lot Coverage Calculation Worksheet, dated 10/12/2022.
- C. Plan entitled “Variance Plan Prepared for “Squires” 2 Pond View Lane, Lot 49.07 of Block 93”, Prepared by Midstate Engineering Inc., dated 9/20/2022, consisting of 1 sheet.

#### **II. Completeness**

The application was deemed complete on November 28, 2022 and a hearing date may be scheduled.

#### **III. Description**

The property in question is an 80,003± square foot parcel located in the VRC Valley Resource Conservation Zoning District. The property is served by an on-site individual septic system and well. The property is a corner lot and contains frontage on Pond View Lane and Tanglewood Drive. The property is improved with a single-family residential structure, containing approximately 2,676 square feet, and a paved driveway providing access from Pond View Lane. There are no wetlands or environmentally sensitive areas located on the property. The property is located in the Delaware and Raritan Canal Commissions Zone B.

Surrounding properties contain single-family residential structures of similar sizes.

The application proposes the construction of an in-ground pool in the rear yard of the existing dwelling. No new motor vehicle surfaces are proposed, but additional impervious surfaces are within the proposed scope of work.

**IV. Zoning**

A. The property is located within the VRC Valley Resource Conservation Zoning District and required to meet Section 17-160 of the Ordinance. Compliance with the applicable standards for the Zoning District is summarized as follows:

<b>Bulk Requirements</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Min. lot area (sf)	80,000 sf	80,003 sf	No Change
Min. lot width (ft)	200'	271.8'	No Change
Min. lot depth (ft)	200'	281'	No Change
Min. front yard (ft)	100'	119'	No Change
Min. side yard (ft)	50'	72'	No Change
Min. rear yard (ft)	50'	83'	No Change
Max. Building Height (ft)	35'	33'	No Change
Max. lot coverage (%)	10%	11.97% (e)	14.24% (V)***
Min. front yard (ft) - Pool	100'	n/a	184.8'
Min. side yard (ft) - Pool	20'	n/a	78.4'
Min. rear yard (ft) - Pool	20'	n/a	56.5'

(e): Existing non-conformity

(V): Proposed Non-Conformity

\*\*\*: Proposed improvement does not change setback but requires variance for the expansion of an existing non-conforming structure

B. Variances

a. A review of the existing conditions on the property reveal there is currently a lot coverage of 11.97%, where 10% is allowed.

b. The proposed application requires a variance to increase lot coverage beyond the current non-conforming 11.97% to 14.24%, where 10% 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 property currently exceeds the allowable 10% lot coverage and proposes additional lot coverage with the proposed pool and patios/walkways. Any increase in impervious coverage is subject to compliance with the Township’s Stormwater Control Ordinance Section 17-82.5(d)2, which would require 120% treatment for all lot coverage beyond the allowable 10%. The applicant proposes an underground detention system which appears to be undersized. Sizing should be based on the following:
  1. Required treated area: Impervious coverage (11,390 sf) – allowable coverage (8,000 sf) = 3,390 sf over allowable; area over allowable (3,390 sf) \* 1.2 = required area to be recharged (4,068 sf).
  2. Volume of water to be recharged from impervious surface: Required area to be recharged (4,068 sf) \* 3 inches = recharge volume (1,017 cubic feet).
- B. The underground detention appears to only collect a portion of the roof and a small area collected by a yard inlet. Therefore, the proposed runoff contributory areas are insufficient. The plan should be revised to infiltrate runoff from 4,068 square feet of impervious surfaces. An overflow from the BMP should be included that discharges to a stable outlet that does not affect neighboring properties.
- C. A soils report shall be submitted demonstrating that the permeability properties of the soil and depth to water table satisfy the infiltration criteria for BMPs found in the NJ Stormwater BMP manual.
- D. The applicant shall review the limit of disturbance, which is optimistically close to improvement limits and does not account for site access. Additional disturbance may trigger review and certification from the Mercer County Soil Conservation District.
- E. Testimony shall be provided regarding the quantity and size of any trees requiring removal. It appears that some removal may be required. All tree removal shall be in accordance with the ordinance and all applicable permits must be obtained.

## VI. Outside Agency Approvals

- A. The following additional approvals or letters of no interest will be required:
  1. Hopewell Township Health Department

2. Mercer County Soil Conservation District

**VII. 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.
  2. The applicant must obtain all applicable zoning, building and tree removal permits.
  3. After completion of construction, as-built plan shall be provided.
  4. Submit stormwater O&M plan to be filed and recorded prior to issuance of a CO.



**HOPEWELL TOWNSHIP FIRE DISTRICT NO. 1**  
**Board of Fire Commissioners**  
MERCER COUNTY

201 Washington Crossing-Pennington Road  
Titusville, New Jersey 08560-1410

December 16, 2022

Jim Hutzelmann PE, PPE, CME  
Director of Community Development/Township Engineer  
Township of Hopewell  
201 Washington Crossing-Pennington Rd  
Titusville, NJ 08560-1410

VIA ELECTRONIC MAIL

RE: Block 93, Lot 49.07 – 2 Pond View Dr, Titusville, NJ 08560  
Squires Pool – Bulk Variance  
Zoning Board Application

Dear Jim:

The Office of Fire Safety in conjunction with The Union Fire Company and Rescue Squad, has reviewed the application documents and offer the follow comments for consideration by The Board. Below are our comments from the original application and we request they be added as a prior approval for the property.

No concerns with the project. The applicant should keep any vegetation along the driveway trimmed to the edge of the driveway and a vertical clearance of 13 feet.

Please feel free to contact me at any time directly at (609) 537-0212 with any questions that may arise. On behalf of the Board of Fire Commissioners I would like to thank you for your assistance.

Regards,

*Andrew J. Fosina, Jr*

Andrew J. Fosina, Jr., BS, CFPS  
Fire Official – Hopewell Valley Bureau of Fire Safety

CC: Hopewell Township Board of Fire Commissioners  
Union Fire Company and Rescue Squad  
Matthew Martin – Chief of Emergency Services  
File

# TOWNSHIP of HOPEWELL

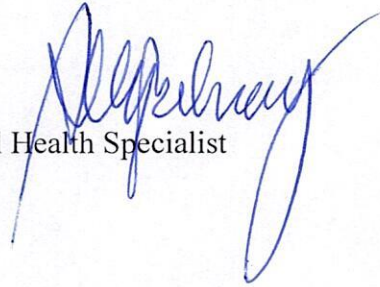
## MEMORANDUM

TO: Hopewell Township Zoning Board

FROM: Glen Belnay, Ph. D, PP, AICP, CEP  
Part-Time Registered Environmental Health Specialist

DATE: December 19, 2022

SUBJECT: Squires Pool  
2 Pond View Lane  
Block 93, Lot 49.07  
Case 22-14



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The applicants, William and Kristin Squires propose the construction of a freeform private in ground swimming pool with related improvements at their 2 Pond View Lane property, Block 93, Lot 49.07. The subject property is served by public water and an on-site septic system. A file review and site visit confirmed that the septic system is located in the front yard, not anywhere in proximity to the proposed pool. The public water connection of the home to the street enters in the front of the structure. As such the Health Department has no objection to the applicant's request to construct the pool off the back of the house.

**TOWNSHIP OF HOPEWELL**

**MEMORANDUM**

**TO:** Zoning Board of Adjustment Members

**FROM:** Environmental Commission Members

**DATE:** December 29, 2022

**RE:** Case No. 22-14: **Squires Pool**  
Block 93, Lot 49.07; 2 Pond View Lane;  
VRC/R200 Zoning District  
Bulk variance

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

During our Environmental Commission meeting on December 20, 2022, members Nora Sirbaugh, Andrew Plunkett, Mike Aucott, Rex Parker, Mark Bean, Jim Gambino, and Paul Kinney, reviewed and discussed the subject application together with Jim Hutzelmann and Uma Purandare.

We understand the existing property exceeds the allowable impervious lot coverage area of 10% for properties located in the VRC zone. The proposed project will exacerbate this issue by increasing lot coverage to 14.24 % and will require stormwater management. Also, it is not clear if any tree removal is required for this project.

We understand the applicant is proposing to install an infiltration system to mitigate the excess storm water produced from the additional lot coverage. It is not clear if the system design is adequate or will function as intended, since there are no soil test results to show adequate infiltration of the mitigated stormwater. We believe the mitigation should be designed to capture and infiltrate anything above the maximum allowable lot coverage.

Lots exceeding the maximum impervious coverage area have an adverse affect on our community and environment by increasing storm-water run-off and flooding, sedimentation of our streams, and other impacts to water bodies including loss of biodiversity and degradation of water quality. The cumulative effects of multiple approvals are of serious concern.

For the above reasons we do not recommend approving this application unless the excess lot coverage can be effectively mitigated on site and maintained into the future.

If the Board decides to approve this application we recommend that the project must comply with existing stormwater regulations.

Please consider our comments during your review.

Respectfully submitted: Jim Gambino, Secretary

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