



**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: March 13, 2023

RE: **Engineering Review #1 – ZBA**
Samuel Holmes
Bulk Variance: Covered Porch, Addition; MRC (R250)
Block 1 Lot 7; 225 Hopewell Amwell Road

I. Application Submission Items

The following documents were received:

- A. Zoning Board Application Form EZ, with required fees, escrow and authorization forms.
- B. 1-sheet Property Survey prepared by Bruce R. Blair, dated 9/16/2017, with the drawings of the proposed covered porch.
- C. 1-sheet Septic System Design prepared by Lyon Engineering, dated 2/2/2018, with the drawings of the proposed covered porch.
- D. Preliminary architectural drawings.

II. Completeness

The application was deemed complete on March 13, 2023 and a Board Hearing date may be scheduled.

III. Description

- A. The property in question is an approximately 3.6-acre lot improved with a single-family dwelling and associated residential improvements. The lot is served by an on-site individual septic system and well. The property is located in the Delaware and Raritan Canal Commissions Zone B, and is surrounded by residential uses. (Figures 1 & 2 below).



Figure 1: Subject property (2D view).



Figure 2: Subject property (3D view).

- B. The applicant proposes to construct an 8.15 ft. wide covered wraparound porch and second-story addition to the existing single-family one-story dwelling. The proposed second-story addition will contain an additional bedroom, bathroom, and closet. Property records research revealed that the dwelling was built in or about 1960.

IV. Zoning

- A. The subject property is located within the Mountain Resource Conservation (MRC) Zone, and a single-family dwelling is a permitted use in the zone.
- B. The dwelling received a certificate of occupancy prior to September 20, 2001, and therefore, pursuant to § 17-160 (m) of LUDO, the proposed enlargement shall conform to the yard, height, and lot coverage requirements of the former R-250 Zoning District (R-250 District Table).
- C. **Variances:**

The proposed improvements require the following “C” variance(s):

Description	Min. Required	Proposed	Variance	Ordinance
Front Yard Setback, Porch	100 ft.	Approx. 95 ft.	V	§17-160(m)(1)(c) (R-250 District Table)
Side Yard Setback, Porch and Addition	60 ft.	Approx. 55 ft.	V	§17-160(m)(1)(c) (R-250 District Table)

V = Variance

1. **Front Yard Setback, Porch** – The applicant proposes to construct an 8.15 ft. wide covered wraparound porch approximately 95 ft. from the front property line, whereas the minimum required front yard setback is 100 ft.
2. **Side Yard Setback, Porch and Addition-** The applicant proposes to construct an 8.15 ft. wide covered wraparound porch approximately 55 ft. from the side property line, and a second-story addition to the existing single-family dwelling approximately 56 ft. from the side property line, whereas the minimum required side yard setback is 60 ft.

The applicant should justify the requested variances and provide testimony to satisfy the C-1 (hardship) and/or C-2 (flexible-c) variance criteria of the NJ Municipal Land Use Law, N.J.S.A. 40:55D-70 et seq.:

- a. C-1 Variance – “Hardship” Variance. The Board of Adjustment has the power to grant relief from the strict application of zoning ordinance regulations pursuant to N.J.S.A. 40:55D-70c(1) where, (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of zoning ordinance regulations would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property.

No variance or other relief may be granted without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

- b. C-2 Variances – “Flexible C” Variance. The Board of Adjustment has the power to grant relief from the strict application of zoning ordinance regulations pursuant to N.J.S.A. 40:55D-70c(2) where in an application or appeal relating to a specific piece of property the purposes of the New Jersey Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

No variance or other relief may be granted without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

V. Miscellaneous

- A. The applicant should provide the limits of disturbance, including site access and septic field improvements. Certification from the Mercer County Soil Conservation District may be required.
- B. 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 § 12-4.1 of the Municipal Code and all applicable permits shall be obtained.

VI. Recommended Conditions of Approval

- A. Should this application be approved, we recommend, at a minimum, the following conditions of approval:
 - 1. The applicant must obtain Hopewell Township Health Department septic system approval for the proposed additional bedroom.
 - 2. The applicant must obtain all applicable state, zoning and building permits.

TOWNSHIP of HOPEWELL

MEMORANDUM

TO: Hopewell Township Zoning Board

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

DATE: March 27, 2023

SUBJECT: Holmes Covered Porch and Addition
225 Hopewell Amwell Road
Block 1, Lot 7
Case 23-03



The applicant, Samuel Holmes proposes the construction of a covered porch and a second floor addition to his residence located at 225 Hopewell Amwell Road, Block 1, Lot 7. A new three bedroom septic system was installed on the subject property in May 2018. The Zoning Board must memorialize testimony of the applicant that the proposed project does not add an additional bedroom, which would require an alteration of the septic system for a fourth bedroom. The applicant was contacted and he represented that there would be no additional bedroom following the completion of the project.

TOWNSHIP OF HOPEWELL

MEMORANDUM

TO: Zoning Board of Adjustment Members

FROM: Environmental Commission Members

DATE: April 26, 2023

RE: Case No. 23-03: **Holmes Covered Porch & Addition**
Block 1, Lot 7; 225 Hopewell-Amwell Road;
MRC 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 March 21, 2023, members Rex Parker, Vanessa Sandom, Paul Kinney, Mark Bean, and Andrew Plunkett reviewed and discussed the subject application together with Jim Hutzelmann and Uma Purandare.

For any shrubs or trees removed to accommodate the covered porch, the applicant should plant an equivalent number of approved native trees or shrubs.

Implement additional storm runoff mitigation measures resulting from the increased lot coverage of the covered porch addition. Acceptable mitigation measures include native plant rain garden(s) or retention basin(s).

Please consider our comments during your review.

Respectfully submitted: Jim Gambino, Secretary

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