



TOWNSHIP OF NORTH BRUNSWICK

710 HERMANN ROAD

NORTH BRUNSWICK, NJ 08902

Tel.: (732) 247-0922 x440

Fax: (732) 289-3822

Website: WWW.NORTHBRUNSWICKNJ.GOV

DEPARTMENT OF COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Randi and Gregg Weinglass
1668 Platte Avenue
North Brunswick, NJ 08902

FROM: Andrei Alexeev, Zoning Officer

DATE: September 14, 2022

SUBJECT: Block: 47 Lot(s): 4
Street Address: 1668 Platte Avenue
Applicant: Randi Weinglass

Dear Mr. and Mrs. Weinglass:

I have reviewed a variance application for the above-referenced address, and I am issuing the following report.

The following application materials were reviewed:

- o 1-sheet Pool Grading Plan prepared by Midstate Engineering Inc., dated 6/16/2022.

Administrative

1. The applicant proposes to install a 569 sq. ft. L-shaped in-ground pool with pool equipment in the rear yard of the subject property.
2. The subject property is developed with a single-family dwelling and is located in the R-3 Residential Zoning District. A single-family dwelling is a permitted use in the zone (Figures 1 & 2 below).

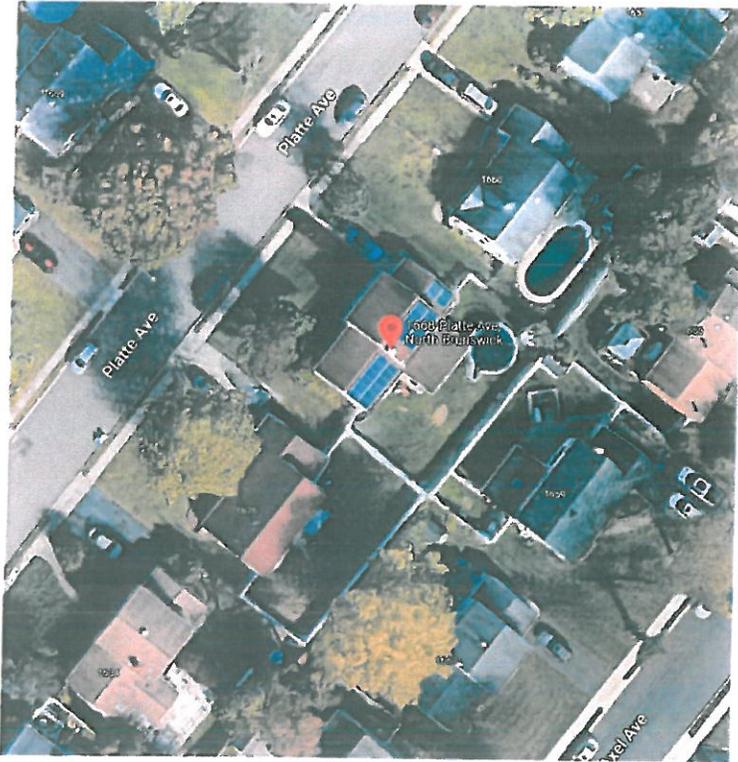


Figure 1: Subject property (2D view).



Figure 2: Subject property (3D view).

3. Research of the property records revealed that the dwelling was built in or about 1961, and the existing lot is undersized for the R-3 Zone.

4. Variances associated with the development application are summarized in the following table(s):

a. The proposed development requires the following “C” variance(s):

Description	Min. Required/Max. Permitted	Proposed	Variance	Ordinance
Rear Yard Setback, In-ground Pool	10 ft.	7.7 ft.	V	§205-94 (G)
Side Yard Setback, Pool Equipment	15 ft.	2 ft.	V	§205-94 (H)

b. The following pre-existing nonconforming conditions remain:

Description	Min. Required/Max. Permitted	Existing	Variance	Ordinance
Lot Area (Interior Lot)	10,000 sq. ft.	7,500 sq. ft.	EN	§205-4.1 (Table 1, R-3 Zone)
Lot Width (Interior Lot)	90 ft.	75 ft.	EN	§205-4.1 (Table 1, R-3 Zone)
Side Yard Setback, Shed	5 ft.	Approx. 0 ft.	EN	§205-26.1 (C)
Rear Yard Setback, Shed	5 ft.	Approx. 3 ft.	EN	§205-26.1 (C)

V = Variance

EN = Existing Nonconformity

Technical

1. Variances:

- a. **Rear Yard Setback, In-ground Pool** – The applicant proposes to install a 569 sq. ft. L-shaped in-ground pool 7.7 ft. from the rear property line, whereas the minimum required rear yard setback to the water’s edge is 10 ft. (§205-94 (G)). The applicant should justify this variance request and provide testimony to satisfy the C-1 (hardship) and/or C-2 variance criteria.
- b. **Side Yard Setback, Pool Equipment** - The applicant proposes to install an in-ground pool with the proposed pool equipment pad to be located 2 ft. from the side property lines, whereas the minimum required pool equipment side yard setback is 15 ft. (§205-94

(H)). The applicant should justify this variance request and provide testimony to satisfy the C-1 (hardship) and/or C-2 variance criteria.

2. **Miscellaneous:**

- a. It appears from the submitted plan that the rear portion of the fence is encroaching onto the neighboring lot. The applicant should provide testimony regarding the ownership of the fence and take appropriate actions to address the issue, if any.

The Township reserves the right to further comment based upon the testimony at the public hearing.

Completeness

1. **Checklist:**

The applicant must remit the following items in order for a completeness certification to be issued:

- Original and 14 copies of the **fully completed** variance application form.
- 15 copies of the property survey.
- 3 copies of Tax and Assessment Payment Report.
- W-9 form.

2. **Fees and Escrow Deposits (§ 205-139):**

The applicant must remit the following application fees and technical review escrow deposits in order for a completeness certification to be issued.

Land Use Application Fees:

C Variance (Residential):	_____ \$100.00
TOTAL:	\$100.00

Technical Review Escrow Deposit:

C Variance (Residential):	_____ \$350.00
TOTAL:	\$350.00

Please remit two separate checks in the above total amounts and provide the items identified above. Upon receipt and review of the requested materials, you will be notified regarding the status of your application with respect to a Board hearing, for which proper notification will be required. If you

have any questions, you may contact Kristen Olcsvay, Secretary to the Zoning Board, at 732-247-0922, extension 440.

Sincerely,



Andrei Alexeev, Zoning Officer

c: Mayor and Council
Michael Hritz, Director of Community Development
Tom Vigna, Planner
Zoning Board of Adjustment



For Office Use Only	
Date Filed: <u>9/1/22</u>	Appl. No.: _____
Appl. Fee: \$ <u>50.00</u>	Escrow Deposit: \$ _____
Check One:	
<input checked="" type="checkbox"/> Zoning Board of Adjustment	
<input type="checkbox"/> Planning Board	

Revision Date: 9/2020

TOWNSHIP OF NORTH BRUNSWICK

Variance Application (FORM C)

The original and fourteen (14) copies of the completed application form supplied by the Township and the required number of copies of supporting documents listed in the applicable checklist must be filed with the Department of Community Development. If a waiver is being requested for any item on the checklist, it must be noted in the "waiver requested" section, and each item must be listed by checklist number and a detailed reason for the request must be provided. Any application that does not include an item required by the checklist, and for which a waiver has not been requested, will be automatically deemed incomplete.

All applications must be accompanied by appropriate fees and escrow deposits together with a written explanation of the amount calculations. Separate application fee and escrow deposit checks must be provided.

In addition to submittal of hard copies of documents, copies of all applications, surveys, plans, reports and studies, such as environmental impact, traffic, stormwater, sewer and water reports, and any other documents associated with the application, shall be submitted on a CD in portable document format (pdf) at 400 × 400 dpi. Submittal of such digital copies shall be required to constitute an application for development, and all revised files shall be resubmitted as the originals are changed or amended. Every electronic submission must be accompanied by a cover letter listing all attached documents and any revisions, where applicable. Single-family or two-family homeowners preparing variance applications on their own behalf shall not be subject to this electronic submission requirement, provided that such applications do not require site plan or subdivision approval.

The following proof of satisfying the notice requirements must be filed with the Secretary of the appropriate Board at least five (5) days prior to the date fixed for the hearing:

- Affidavit of Service
- Copy of notice served
- Certified List of Property Owners within 200 feet and others served with manner of service
- Certified Mail receipts stamped by the USPS
- Affidavit of Publication from the newspaper in which the notice was published.



PART I

SUBJECT PROPERTY:

Block 47 Lot(s) 4 Zone _____
Property Location 1668 Platte Ave
Size of Property 100 x 75

Present Use: Residential Non-Residential Vacant
Proposed Use: Residential Non-Residential Specify: _____

CONTACTS:

Applicant: Corporation Partnership Individual
 Other/Explain _____

Name: Randi Weinglass + Gregg Weinglass
Address: 1668 Platte Ave. N.B. 08902
Telephone: 732-947-6475 Fax: _____
Email: mrwheels81@aol.com

Owner (if different from Applicant):

Name: _____
Address: _____
Telephone: _____ Fax: _____
Email: _____

Engineer:

Name: Midstate Engineering
Address: 82 Walnut Hill Lane Freehold NJ 07728
Telephone: 732-308-4226 Fax: 732-308-4190
Email: _____

Attorney:

Name: _____
Address: _____
Telephone: _____ Fax: _____
Email: _____



PART II

Describe the Proposed Development/Request (continue on a separate sheet if necessary):

* Construction and installation of
inground pool

VARIANCE(S) REQUESTED (Check all that apply):

- "C" Variance(s):
 - C(1) - The strict application of the provisions of Chapter 205 would result in peculiar and exceptional practical difficulties or exceptional and undue hardship.
 - C(2) - The purposes of the 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.

- "D" Variance(s):
 - D(1) - Use or principal structure in a district restricted against such use or principal structure.
 - D(2) - Expansion of a nonconforming use.
 - D(3) - Deviation from a specification or standard pertaining solely to a conditional use.
 - D(4) - Increase in the permitted floor area ratio.
 - D(5) - Increase in the permitted density.
 - D(6) - Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.



ASSOCIATED APPROVALS REQUESTED:

Site Plan:

- Site Plan
- Amended Site Plan
- Conditional Use

Subdivision:

- Minor Subdivision
- Preliminary Major Subdivision
- Final Major Subdivision
- Amended Preliminary Major Subdivision
- Amended Final Major Subdivision

Other (specify): _____

A change to a nonpermitted use shall require a site plan approval or, as a minimum, a site plan waiver request. Such request may be considered by the Board, and, if granted, will constitute an acknowledgment by the Board that the condition of the property is satisfactory and meets the requirements of Chapter 205. No site plan waiver will be granted if the condition of the property is not satisfactory in such matters as traffic, circulation, access, parking, lighting, setbacks, lot coverage, safety, landscaping, buffer, fire safety, noise or other requirements of Chapter 205

Is a site plan waiver requested?

YES NO

If a site plan waiver is sought, explain why the request shall be granted:

Is the application proposed to be bifurcated?

YES NO

If bifurcated, identify the nature of subsequent development approvals to be sought:

Identify Requested Variances:

Ordinance Section: Requirement:

Proposed Deviation:

§205- _____



§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____

Identify Requested Design Waivers:

Ordinance Section:	Requirement:	Proposed Deviation:
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____
§205-_____	_____	_____

“C” Variance(s) (Check one that applies):

A variance under N.J.S.A. 40:55D-70.C(1):

Detail your argument for how this case conforms to this requirement, including, if applicable, reference to exceptional narrowness, shallowness or shape of the property, or exceptional topographic conditions or physical features uniquely affecting the property, or extraordinary and exceptional situations uniquely affecting the property or the structures lawfully existing thereon:



and/or

A variance under N.J.S.A. 40:55D-70.C(2):

Detail your argument for how this case conforms to this requirement: _____

D Variance(s):

State special reasons why the refusal to allow the project would impose on the applicant an undue hardship and/or how the proposed project carries out a purpose of zoning as defined in N.J.S. 40:55D-2. Detail your argument for 1) how the proposed use inherently serves the public good, and/or 2) why the property cannot reasonably be adapted to a conforming use, and/or 3) what unique characteristics of the site make it particularly appropriate for the proposed use rather than a permitted use: _____

C and D Variance(s):

Supply a statement of facts why relief can be granted without substantial detriment to the public good: _____

Supply a statement of facts why relief can be granted without substantial detriment to the intent and purpose of the zone plan and zoning ordinance: _____



PART III

Has there been any previous application to any Township Board involving these premises?

YES NO

If yes, provide file number(s) and state the nature, date and disposition of said mater:

Is public water available?

YES NO

If no, how will water service be supplied? _____

Is public sewer available?

YES NO

If no, provide proposed method of sewage disposal: _____

Are there any existing deed restrictions, easements or covenants?

YES NO

If yes, are copies provided? YES NO

Are any deed restrictions, easements or covenants contemplated?

YES NO

If yes, are copies provided? YES NO

Does the owner own or have any ownership interest in any contiguous property?

YES NO

If yes, provide type of ownership, address, block and lot(s): _____

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

Quantity:	Description of Item:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized, I am still obligated to pay any shortfall amount, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application.

Applicant's Signature: _____ Date: 8/30/12

Owner's Signature (if different from Applicant): _____ Date: _____



SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick professional staff or municipal agencies and their agents to come upon and inspect these premises with respect to this application.

Owner's Signature: [Signature] Date: 8/30/22

APPLICANT'S CERTIFICATION:

I, Randi Weinglass, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 1668 Platte Ave. in the County of Middlesex and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant, and I am authorized to sign the application for the partnership or corporation.

[Signature]
SIGNATURE

Sworn to and subscribed before me this 14 day of November, 20 22

[Signature]
NOTARY PUBLIC
CHRISTINE J. MIKULKA
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires March 31, 2027

OWNER'S CERTIFICATION (If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner):

I, _____, of full age, being duly sworn according to law and upon my oath depose that: I reside at _____ in the County of _____ and State of _____, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner in fee of all that certain lot, piece or parcel of land



situated, lying, and being in the municipality aforesaid, and known and designated as Block(s) _____ and Lot(s) _____,

and that I am either the applicant or I have authorized the applicant to make this application, and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

SIGNATURE

Sworn to and subscribed before
me this 14 day of
November, 2022

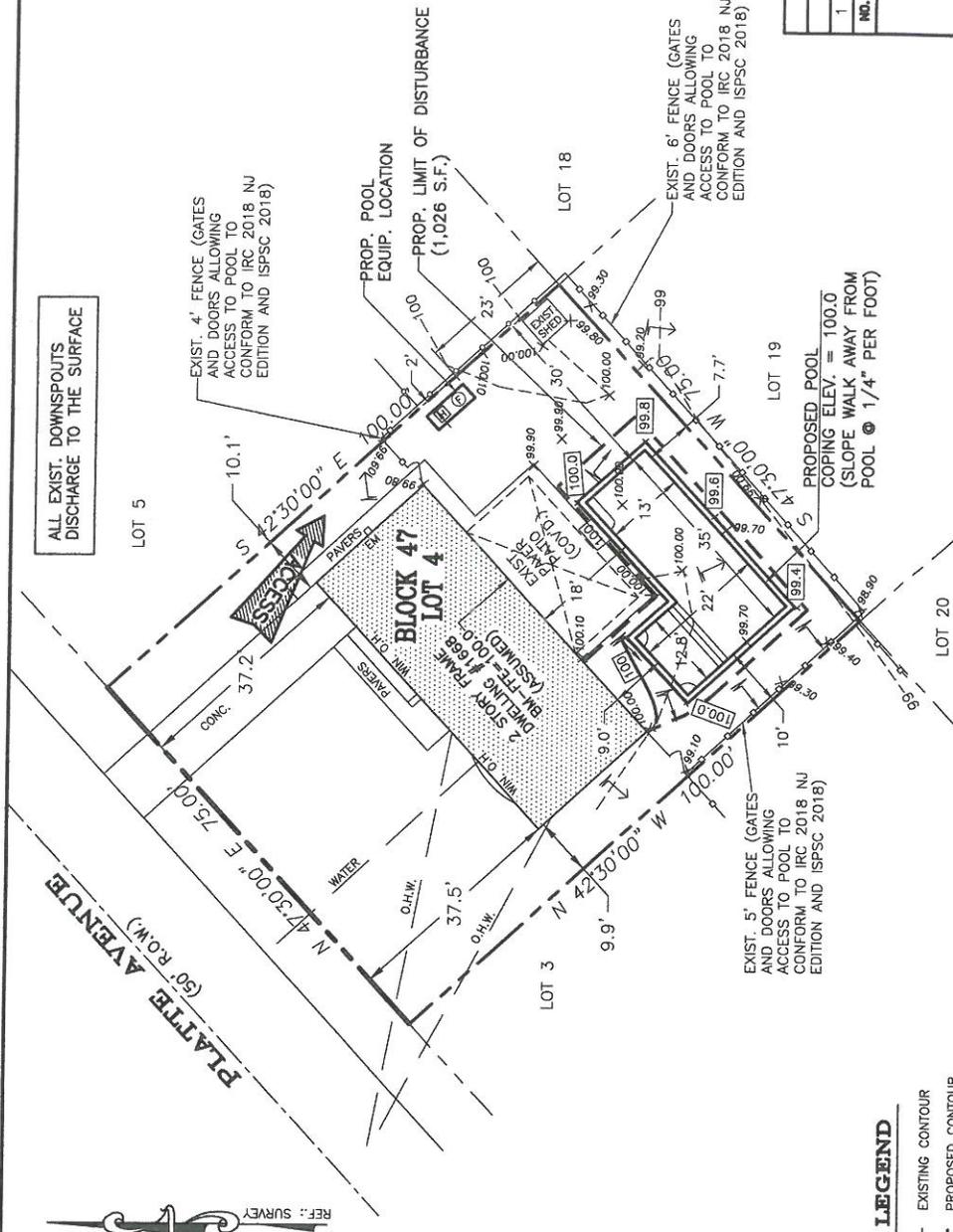
Christine J. Mikulka

NOTARY PUBLIC
CHRISTINE J. MIKULKA
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires March 31, 2027

GENERAL NOTES

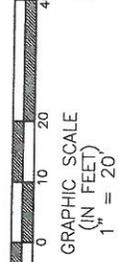
- DO NOT SCALE DRAWINGS, AS ADJACENT AND SURROUNDING PHYSICAL CONDITIONS, BUILDINGS (STRUCTURES, ETC.) ARE SCHEMATIC ONLY AND ARE PROVIDED TO GIVE THE REVIEWER A CLEARER OVERALL PICTURE OF THE SITE AND THE SURROUNDING TOPOGRAPHY AND PHYSICAL FEATURES.
- THIS IS A POOL GRADING PLAN, AND UNLESS SPECIFICALLY NOTED ELSEWHERE HEREON IS NOT TO BE USED FOR ANY OTHER PURPOSE.
- THIS PLAN HAS BEEN PREPARED FOR PURPOSES OF MUNICIPAL AND AGENCY REVIEW AND APPROVAL. THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED ON THE DRAWINGS.
- EXISTING UTILITY INFORMATION SHOWN HEREON HAS BEEN COLLECTED FROM VARIOUS SOURCES AND IS NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS. THE CONTRACTOR SHALL VERIFY ALL INFORMATION TO HIS KNOWLEDGE PRIOR TO CONSTRUCTION. EXISTING UTILITIES ARE TO BE CROSSED BY PROPOSED CONSTRUCTION, TEST PITS SHALL BE DUG BY THE CONTRACTOR PRIOR TO CONSTRUCTION, LOCATIONS, DEPTHS, EXISTING INVENTS, MATERIALS AND SIZES. TEST PIT INFORMATION SHALL BE REVIEWED BY THE ENGINEER PRIOR TO CONSTRUCTION TO PERMIT ADJUSTMENT AS REQUIRED TO AVOID CONFLICTS.
- ALL MATERIALS, WORKMANSHIP AND CONSTRUCTION FOR SITE IMPROVEMENTS SHOWN HEREON SHALL BE IN ACCORDANCE WITH INTERNATIONAL RESIDENTIAL CODE (IRC), LATEST REVISION (2018), AS WELL AS ISPSC 2018.
- POOL AND INFORMATION BASED ON A SURVEY PREPARED BY ADVANCE LAND SERVICES.
- THIS PLAN IS SUBJECT TO CONDITIONS WHICH AN ACCURATE TITLE SEARCH MIGHT DISCLOSE.
- NO ATTEMPT WAS MADE OR LIABILITY IS ASSUMED TO DETERMINE IF ANY PORTION OF THIS PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS. ENVIRONMENTALLY SENSITIVE AREAS ARE NOT LOCATED BY THIS SURVEY.
- PROPERTY KNOWN AND DESIGNATED AS LOT 4 OF BLOCK 47, SITUATED IN DEPT. BRUNSWICK TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED FOR ESTABLISHING PROPERTY LINES.
- UTILITY LOCATIONS TO BE VERIFIED PRIOR TO CONSTRUCTION.
- PROPOSED FILTER TO BE A CARTRIDGE FILTER WHEREAS NO BACK-WASHING IS REQUIRED.
- OFFSET DIMENSIONS BY OTHERS, AND ARE FOR ALIGNMENT PURPOSES ONLY NOT TO BE USED FOR ESTABLISHING BOUNDARY.
- THE PUBLIC SIDEWALK AT THE STREET, IF DAMAGED BY POOL CONSTRUCTION MUST BE REPLACED USING 4,500 PSI CONCRETE.
- TOPOGRAPHIC SURVEY PERFORMED BY MIDSTATE ENGINEERING, INC. ON 6/3/22.

ALL EXIST. DOWNSPOUTS DISCHARGE TO THE SURFACE



LOT COVERAGE:

EXISTING:	DWELLING	1,329 S.F.	LOT AREA = 7,500 S.F.
	DRIVEWAY	368 S.F.	
	FRONT WALK	84 S.F.	EXISTING COVERAGE
	SIDE WALK & UNCOVERED	2,373 S.F.	7,500 S.F. = 31.6%
	REAR PATIO	215 S.F.	
	COVERED REAR PATIO	377 S.F.	
	SUBTOTAL	2,373 S.F.	
PROPOSED:	POOL WATER SURFACE (569 S.F.)	-0- S.F.	
	COPING	118 S.F.	PROPOSED COVERAGE
	FILTER PAD	24 S.F.	2,515 S.F. = 33.5%
	SUBTOTAL	142 S.F.	



LEGEND

- 99--- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SURFACE DRAINAGE
- PROPOSED SURFACE DRAINAGE
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- x 99.0 EXISTING SPOT ELEVATION
- + 99.0 PROPOSED SPOT ELEVATION
- PROPOSED SILT FENCE
- EXISTING FENCE
- PROPOSED FENCE
- PROPOSED LIMIT OF DISTURBANCE

<p>MIDSTATE ENGINEERING INC. ENGINEERS, SURVEYORS & PLANNERS 82 WALNUT HILL LANE FREEHOLD, NEW JERSEY 07728 (PHONE) 732-308-4190 (FAX) 732-308-4190 CERT. OF AUTHORIZATION NO. GA277692</p>		<p>DATE 06/16/22 SCALE 1" = 20' DRAWN JC CHECKED CDL FILE NO. 13199 SHEET 1 OF 1</p>			
<p>CHESTER DI LORENZO P.E., I.S., P.P. P.E. & I.S. LICENSE NO. 28966 PP LICENSE NO. 2871</p> <p><i>Chester D. Lorenzo</i></p>					
<p>POOL GRADING PLAN PREPARED FOR "WEINGLASS" 1668 Platts Avenue LOT 4 OF BLOCK 47 TAX MAP SHEET NO. 8 NORTH BRUNSWICK TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY AUTHORIZING POOL COMPANY: Anthony & Sylvan</p>					
NO.	REV'D.	POOL SIZE, LOCATION, IMPERV. COV'G.	DATE	DRAWN	CHECKED
1			8/10/22	JC	CDL

