

# CHRISTOPHER P. STATILE, P.A.

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NEW YORK, NY

July 14, 2021

Chairman Michael Burleson  
and Members of the Planning Board  
Borough of Hillsdale  
380 Hillsdale Ave.  
Hillsdale, NJ 07642

Regarding: **Block 2303, Lot 1, Borough of Hillsdale**  
**47 Kent Road: Variance Application PZ 06-21**  
**Matthew DeFelice: Owners & Applicants**

Dear Chairman Burleson and Members of the Board:

We are in receipt of a bulk variance application with plans that was submitted to the Borough on June 17, 2021. The Site Plan is prepared by Kent Rigg Engineering & Land Surveying, LLC and consists of two sheets dated May 12, 2021. The applicant also submitted a plan entitled, "Pool Structure Details," prepared by Careaga Engineering Inc. and dated May 5, 2021.

The applicant is appealing a denial letter dated May 20, 2021 from the Zoning Official. The application is for a "c" bulk variance because the proposed pool and patio installation will further exceed the maximum permitted impervious coverage.

## General Site Description

Lot 1 is consists of 15,235 SF (0.35 acre) and is located on the west side of Kent Road, south of the Baylor Ave. intersection, in the R-2 Zone District (minimum lot size 15,000 SF). The site is improved with a two-story frame dwelling and back paver patio with a fireplace and kitchen area. Various walls, walks and fencing is located on the property. A macadam driveway provides access to the dwelling from Kent Road.

The *existing improvements* on the property exceed the permitted impervious coverage. In addition, Lot 1 is substandard for Lot Depth, and the existing dwelling encroaches into the required rear yard setback area.

### Application

The applicant proposes to install an inground swimming pool behind the dwelling. A paver patio is proposed around the swimming pool. The pool area measures approximately 14 ft. x 26 ft. (the pool water surface is not considered in impervious computations). The surrounding paver patio consists of approximately 300 SF.

The proposed pool improvements that contain impervious coverage (pool coping and equipment area), as well as the new paver patio area around the pool, are further adding to the impervious coverage on the property, resulting in the need for a variance.

### Completeness Review

The boundary survey on which the site plan is based must be provided.

The application was reviewed against the Checklist for Variance Applications. The application **may be deemed complete** conditioned on submission of the boundary survey, and can be scheduled for a public hearing.

### Zoning Review

The Site Plan includes a bulk table. An impervious coverage analysis was also provided.

#### Proposed Variances:

1. **Impervious Coverage Section 310-49:** 33.3% proposed (5,068 SF) vs. maximum 30% permitted (4,570.5 SF), a difference of 3.3% or approximately 498 SF. The applicant is adding 301 SF coverage via this application.
2. **Accessory Uses, Patios Section 310-55H(5):** 10 ft. setback from all property lines, versus 3 ft. proposed.

#### Existing Variances

1. **Lot Depth:** 140 ft. existing vs. 150 ft. required, a difference of 10 ft.
2. **Rear Yard Setback:** 43 ft. existing vs. 50 ft. required, a difference of 7 ft.
3. **Impervious Coverage:** 31.3% existing (4,767 SF) vs. 30% maximum permitted (4,570.5 SF), a difference of 1.3% (197 SF).

General Comments

1. The application is for bulk variances to install an inground swimming pool and surrounding patio. It is located adjacent to the Edgewood Country Club at the dead end of Kent Road. The rear yard of the subject property is adjacent to the side yard of 65 Baylor Avenue due to the corner configuration of the lots.
2. The application increases impervious coverage, which presently is nonconforming. The applicant is proposing seepage pits to collect runoff from the pool apron/patio. The total storage capacity of the system must be provided on the plans subject to groundwater conditions.
3. The stormwater chambers may not be capable of support motor vehicle traffic loads, and may require consideration during construction of the pool or future access.
4. The proposed patio around the swimming pool is a paver patio, which results in a 50% reduction for purposes of calculating impervious coverage. Conversion of the existing driveway in front of the garages to pavers would negate the need for the variance.
5. The pool patio cannot be within 10 ft. of any property lines. The patio shown has no dimensions. Dimensions must be shown.
6. The property generally slopes towards the dwelling in the rear yard.
7. An As-built survey must be provided at the completion of work to confirm actual impervious coverage and setbacks.

We trust these comments will assist the Board members in their review of the application.

Very truly yours,

C. P. STATILE, P.A.



Christopher P. Statile, P.E.  
Planning Board Engineer

CPS/mr

Cc: Matthew DeFelice, Owner and Applicant  
Kent Rigg Engineering

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