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NEW YORK, NY

February 8, 2021

Chairman Dewey Burluson
and Members of the Planning Board
Borough of Hillsdale
380 Hillsdale Ave.
Hillsdale, NJ 07642

Regarding: **Block 1909, Lot 5, Borough of Hillsdale
46 Hillsdale Ave.
Variance Application PZ-01-21
Lawrence Freedberg and Amanda Miller: Applicant and Owner**

Dear Chairman Burluson and Members of the Board:

We are in receipt of a bulk variance application and architectural drawings submitted to the Borough on January 21, 2021. The architectural plans are prepared by WJG Architects, LLC and consist of nine sheets dated November 19, 2020. The plans include photographs of the subject property.

The applicant is appealing a September 17, 2020 denial letter from the Zoning Official. The application appears to be for both a "c" (bulk) and "d" (use) variances due to the proposed improvements exceeding the Floor Area Ratio (F.A.R.) and the impervious coverage, and encroaching into a setback area.

General Site Description

Lot 5 consists of consists of 7,478 SF (0.17 acre) and is located on the northeast corner of the Highland Avenue/Highland Avenue intersection in the R-3 Zone District (minimum lot size 10,000 SF). It is improved with a two-story frame dwelling with a front open porch and a back paver patio. A detached garage is located in the northeastern property corner. A macadam driveway provides access from Highland Ave. to the frame garage.

As a corner lot, the property has two front yards with frontage on both Highland Avenue and Hillsdale Avenue. The existing dwelling does not meet the required front yard setback for either street frontage albeit the Hillsdale Ave. setback is less than an 9 inches of what is required. The lot is also substandard for lot area and lot width.

The plans and application indicate the site received variance approval for a similar application in 2008. However, we do not have record of a resolution.

Application

The applicant proposes to construct a one-story addition to the back of the dwelling. The addition has a 742 SF footprint and will contain a bedroom with full bathroom, an office/family room, a new entranceway and mudroom, and a new half bathroom. The applicant also proposes to install new brick pavers leading from the addition to the existing driveway.

If the variance application is approved, after construction the dwelling would contain two bedrooms and one full bathroom on the second level, a living room, dining room, kitchen, office/family room, bedroom, full bathroom and half bathroom on the first level.

The proposal does not conform to the R-3 Zone regulations. The proposed improvements exceed the maximum permitted impervious coverage and Floor Area Ratio. Also, with the addition, the dwelling will be located too close to the existing detached garage.

Completeness Review

The application was reviewed against the Checklist for Variance Applications. The Board can deem the application **complete** and schedule for a public hearing upon the applicant signing the application form.

Zoning Review

The architectural plans include a bulk table. The following variances are required:

Proposed Variances

1. **Impervious Coverage:** 38% proposed vs. 30% maximum permitted, a difference of 8% or 613 SF.

The exact square footage of the impervious coverage must be confirmed by the applicant or architect as the square footage shown in the bulk table differs from the square footage shown in the Zoning Tabulation Calculations.

2. **Floor Area Ratio:** 31.8% (2,378 SF) proposed vs. 30% (2,243SF) maximum permitted, a difference of 1.8% (135 SF).
3. **Distance from Dwelling to Accessory Structure (Garage), Section 310-55H(1):** “No detached accessory building shall be closer to any principal building than a distance equal to the height of such accessory building, but in no event closer than 10 feet to the principal building.” The plan shows 8.33 ft. separation proposed vs. 10 ft. required, a difference of 1.67 ft.

4. **Front Yard Setback, Highland Ave.:** 24.08 ft. to addition proposed vs. 30 ft. required, a difference of 5.92 ft. We note that the existing, deficient 29.27 ft. Front Yard Setback on Hillsdale Avenue triggers the Highland Avenue setback variance.

Existing Variances

5. **Lot Area:** 7,478 SF existing vs. 10,000 SF required, a difference of 2,522 SF.
6. **Lot Width:** 67.98 ft. existing vs. 100 ft. existing, a difference of 32.02 ft.
7. **Front Yard Setback, Hillsdale Ave.:** 29.27 ft. existing vs. 30 ft. required, a difference of 0.73 ft.
8. **Front Yard Setback, Highland Ave.:** 10.0 ft. existing vs. 30 ft. required, a difference of 20.0 ft.

General Comments

1. As a corner lot, the property has two required front yard setbacks.
2. The applicant is responsible for providing the required testimony for all variances. The positive and negative criteria must be satisfied.
3. Stormwater management is required. The applicant must provide stormwater capacity to retain a 2" rainfall for all added impervious coverage or a 1,000-gallon seepage tank subject to site subsoil conditions.
4. The detached garage is currently in a nonconforming location on the property. Section 310-55H(5) requires that accessory structures, such as garages, be located a distance equal to their height. The applicant must provide the height of the garage so the existing variance can be identified.

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

Very truly yours,

C. P. STATILE, P.A.

(original signed)

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

CPS/mr

cc: Nylema Nabbie, Esq.

WJG Architects LLC

Lawrence Freedberg and Amanda Miller

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