

DATE Received: BA 23-02
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APR 14 2023

WARREN TOWNSHIP ZONING BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE, APPEAL OR INTERPRETATION BOARD OF ADJUSTMENT

Name of Applicant: Pier Pimental Phone #: 908-334-1896

Address: 16 Old Smalleytown Rd, Warren, NJ 07059

Owner's Name: Pier Pimental Phone #: 908-334-1896

Address: 16 Old Smalleytown Rd, Warren, NJ 07059

Attorney's Name: _____ Phone #: _____

Firm & Address: _____

Name & Address of person preparing plans: Architect Phone#: 908-625-6459
(Profession)

Name: Cory Fernandez, RA *cory@potarch.com*

Address: 176 Linden St. Bridgewater, NJ 08807

Name and Address of Intended witness: (List additional names on rider)

Ron Sachs of Stonewater Properties *builds* Phone #: 908-464-3040

Kiersten Osterkorn of Osterkorn & Osterkorn Inc *eng* Phone #: 973-647-7820

Location of Property: 16 Old Smalleytown Rd, Warren, NJ 07059

Block: 212 lot: 1.08 District: R20 .51 Acres
(Tax Map Block) (Lot) (Zone) (Total Area of Acreage)

Total Square Footage of Building: 2,246 Total Square Footage of Lot: 22,228 SF

Number of Stories: 1.5

List any zoning variances known, design standard exceptions or waivers required: and attach as a separate rider, you factual basis and legal theory for the relief sought. If an appeal or interpretation is involved set forth on the rider the reasons why the relief you are seeking should be granted.

See Attached Rider 1

Deed restriction that apply or are contemplated (If no restrictions, circle "NONE", if "YES") Attach copy.

Change in Occupancy, Utilizing Existing Facilities

Addition(s) or Expansions of Existing Facilities

All New Construction

Site Work Only

Present or Previous Use: Single Family Residential

Proposed Use: Single Family Residential

Briefly describe and prior or presently pending proceedings before the Warren Township Zoning/Planning Board or any other Federal, State or Local Board or Agency involving the property which is subject to this application.

If applicable, attach completed application forms for subdivision or site plan approval.

DocuSigned by: 4/7/2023
Signature of Applicant(s) _____ *Date*
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Consent of Owner(s) if other than applicant

I (we) the undersigned being the owners of the lot or tract described in the forgoing application hereby consent to the making of this application and the approval of the plans submitted herewith.

Date: _____

(Title or office if corporation or partnership)

Do not write below this line-for official use only

Class of Approval Requested

(a) Appeal

(b) Interpretation

(c) Bulk Variance

(d) Use Variance

Separate Rider 1
16 Old Smalley Town Rd
Variance Application

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Variations Sought:

Attachment 2 Township of Warren Schedule of Area, Yard and Building Requirements
(Section 16-8)

- Max Building Coverage
- Max Impervious Coverage

Factual Basis and Legal Theory for Relief Sought

Mitigation of additional coverage: The existing property is overbuilt due to an oversized driveway built to access the garage at the rear of the house. The garage at the rear of the house allows for the living spaces to face the street to allow for a more attractive streetscape. The existing driveway is constructed of pavers to mitigate the coverage impacts. In order, to address the concern of exceeding allowable coverage, a drywell will be installed to effectively manage stormwater runoff from the pool house and patio. This mitigation measure will ensure that the additional coverage does not result in any adverse impact on the surrounding area.

Functional necessity: The pool house is a functional necessity for the proper operation and maintenance of the pool. It will serve as a storage and changing area for pool equipment, supplies, and pool users, helping to keep the pool area organized and safe. The pool house will also provide shelter from inclement weather and enhance the overall usability of the pool area.

Property enhancement: The addition of the pool patio & pool house will enhance the value and attractiveness of the property. It is a desirable feature and will contribute positively to the neighborhood overall.

Minimal visual impact: The patio & pool house will be designed to blend harmoniously with the existing architecture of the property and the surrounding area. Care has been taken to ensure that the pool house is aesthetically pleasing and does not create any visual disturbance to the neighborhood. There is an existing boundary of Arbor Vitae 10-12 feet high that serves as a visual buffer between the proposed pool house and existing neighbors. A new row of slender silhouette sweetgum, 12-14 ft tall, will serve as a buffer between the driveway and pool house.

Compliance with other regulations: The construction of the pool house will comply with all other relevant regulations, including setback requirements & building codes. The drywell installation will also meet all necessary stormwater management requirements.

Conclusion: Care has been taken in the design to mitigate the impacts of exceeding the allowable coverage by introducing a drywell. Care has also been taken to properly screen the new pool area and pool house with landscaping. For these reasons relief should be granted as the inability to meet the minimum requirements is de minimis and the project proposes no deleterious impacts to the neighborhood.

**WARREN TOWNSHIP BOARD OF ADJUSTMENT
TECHNICAL CHECKLIST – VARIANCE APPLICATION**

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Applicant's Name and Address:
Pier Pimental

APR 14 2023

Telephone #: 908-334-1896

BOARD OF ADJUSTMENT
Case #: _____

Location: Block: 212 lot: 1.08 16 Old Smalleytown Rd, Warren, NJ 07059
(Block) (Lot) (Street Address)

Submitted plans must be deemed complete in accordance with this checklist prior to scheduling a hearing before the Board of Adjustment. Plat plans will be determined either complete or not complete within 45 days of date of submitted to the "Warren Township Board of Adjustment Clerk".

APPLICANTS SHALL CHECK OFF ALL ITEMS AS SUBMITTED, NOT APPLICABLE, OR WAIVER REQUESTED.

PLEASE NOTE: Any request for waiver must accompany this application as a separate rider, denoting reasons why the waiver should be granted. The Board of Adjustment will review your request and notify you whether or not the waiver has been granted.

PLAT DETAILS	SUBMITTED	NOT APPLICABLE	WAIVER REQUESTED	FOR BOARD OF ADJUSTMENT USE
1. 2 copies of completed application and checklist.	X			
2. Application fee in accordance with Warren Township Ordinance: 15-5.2 Fees Board of Adjustment (A) Appeal filed pursuant to N.J.S.A. 40:55D-70 (a): 1. Residential.....\$150.00 2. Other.....\$300.00 (b) Appeals filed pursuant to N.J.S.A. 40:55D-70 (b): 1. Residential.....\$150.00 2. Other.....\$300.00 (c) Appeals filed pursuant to N.J.S.A. 40:55D-70 (c): 1. Residential.....\$200.00 2. Other.....\$300.00 (d) Appeals filed pursuant to N.J.S.A. 40:55D-70(d): 1. New Use or structure: a) Residential-\$200.00 for the first dwelling unit, then add \$25.00 for each additional unit.....\$200.00 (b) Non Residential.....\$300.00 e) Appeals filed pursuant to N.J.S.A. 40:55D-34.....\$150.00 f) Appeals filed pursuant to N.J.S.A. 40:55D-36.....\$150.00	X			

PLAT DETAILS	SUBMITTED	NOT APPLICABLE	WAIVER REQUESTED	FOR BOARD OF ADJUSTMENT USE
<p>1. Escrow fee in accordance with Warren Township Ordinance 15-5 Escrow funds required:</p> <p>A) Appeals filed pursuant to <u>N.J.S.A. 40:55D-70 (a)</u></p> <p>1. Residential.....\$1,000.00</p> <p>2. Other.....\$2,000.00</p> <p>b) Appeals filed pursuant to <u>N.J.S.A. 40:55D-70(b)</u></p> <p>1. Residential.....\$2,000.00</p> <p>2. Other.....\$5,000.00</p> <p>c) Appeals filed pursuant to <u>N.J.S.A. 40:55D (c)</u>:</p> <p>1. Residential**</p> <p>**Residential variances which concern subdivisions, site plans, isolated lots and lots not fronting on improved roads (all other residential variances shall have no escrow requirements) \$2,000.00</p> <p>Other..... \$6,000.00</p> <p>(d) Appeals filed pursuant to <u>N.J.S.A. 40:55D(d)</u>:</p> <p>1. New use structure:</p> <p>i. Residential.....\$4,000.00</p> <p>ii. Nonresidential-see escrow required under subsection 15-5.3a.3 \$5,000.00</p> <p>2. Extension, alteration or repair of existing use or structure:</p> <p>3. i. Residential.....\$2,500.00</p> <p>ii. Nonresidential-see escrow required under Subjection 15-5.3a.3</p> <p>e) Appeals filed pursuant to <u>N.J.S.A. 40:55D-34</u>.....\$4,000.00</p> <p><u>N.J.S.A. 40:55D-36</u>.....\$4,000.00</p>	X			
4. Signed Developer's Escrow Agreement	X			
5. Owner's Letter of consent if applicant is other than owner		X		
6. Certification by tax collector that all taxes have been paid through the current quarter	X			
7. Certification of Township Engineering Department of compliance with Watercourse Protection & Flood Hazard regulation (Section 15-10) or, in the alternative, certification by the Warren Township Engineering Department that the structure is not located in the Watercourse protection area. If the structure is located in the Watercourse protection area, site plan approval is required.	X			
8. 14 Folded blue on white prints in accordance with the following:	X			
9. Name and address of owner and applicant shown on plans	X			
10. Name and address of person preparing plans, including signature, date, seal and license number shown on plans	X			

PLAT DETAILS	SUBMITTED	NOT APPLICABLE	WAIVER REQUESTED	FOR BOARD OF ADJUSTMENT USE
11. North arrow	X			
12. Names of adjoining property owners within 200 feet with respective block and lot numbers	X			
13. Designation of Zoning District	X			
14. Tax Map identification (sheet number, block and lot numbers) shown on the plans	X			
15. All existing and proposed streets shown on plans	X			
16. Location and width of all existing and proposed easements	X			
17. Proper scale (1"=40' minimum) labeled on plat (1 inch = 40 feet)	X			
18. Entire tract on one sheet at scale not more than 1" = 100' (1 inch equals 100 feet)	X			
19. Date and revision dates on each sheet. (Overall plan revision dates to be shown on cover sheet)	X			
20. All proposed plot lines, as well as any lot lines to be eliminated, must be clearly indicated on plans	X			
21. Location of all existing buildings and structures	X			
22. Height and size of existing buildings and structures	X			
23. Percent (%) coverage for: a. lot coverage of building b. Lot coverage of all buildings, decks, and pavements c. Floor area ratio	X			
24. Indicate on plans those structures to be removed	X			
25. Designate and note any existing structure, which are on the Historic Landmarks' inventory (Maintained by Somerset County)	X			
26. Show location and size (square footage) of existing and proposed driveways	X			
27. Area in square feet of all existing and proposed lots	X			
28. Dimensions are (in square feet) and height of proposed buildings, additions or structures	X			
29. Mark front yard, side yard and rear yard setbacks lines on plan	X			
30. Show location of septic fields if applicable		X		
31. Show location of well and indicate if it is the sole source of drinking water if applicable		X		

PLAT DETAILS	SUBMITTED	NOT APPLICABLE	WAIVER REQUESTED	FOR BOARD OF ADJUSTMENT USE
32. Applicant will provide a disk in AutoCAD format, acceptable to the Township Engineer, at the time maps are submitted for signature by the Board, with all information necessary to update Township Tax Maps as a result of any development approval finally granted. In accordance with Ordinance No. 03-05 Section 15-6 (Checking the "submitted" column signifies applicant agrees.)		X		
33. Recycling Plan pursuant to the provisions of subsection 11-1.16.		X		
34. For Telecommunications Facilities a Structural Integrity Report must be submitted by a qualified expert certifying that the tower & equipment comply with BOCA requirements in accordance with Ordinance 2000-18 Section 16-5.31(g)3		X		
35. APPLICATION FEES (j) Wireless Telecommunications Facilities (1) if no new tower is proposed \$2,500 (2) if a new tower is proposed \$4,000		X		
36. ESCROW FEES (g) Wireless Telecommunications Facilities (1) if no new tower is proposed \$ 5,000 (2) id a new tower is proposed \$10,000		X		

The Board of Adjustment may require submissions of additional information not specified in this checklist as are reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application shall not be deemed incomplete for lack of any such additional information or for any revisions in the accompanying documents so required (Municipal Use Law Chapter 291C. 40:55D-10.3) (Ord. No. 92-33).