



E. M. WATERBURY & ASSOCIATES, P.A.
ENGINEERING • PLANNING • LAND USE & DEVELOPMENT

March 23, 2021

West Long Branch Zoning Board of Adjustment
c/o Ms. Chris Ann DeGenaro, Zoning Board Secretary
965 Broadway
West Long Branch, NJ 07764

File No. WLBZB 2021-01

Re: Engineering Review No.2
Kibbe (ZB 2021-01)
Bulk Variance Application
12 West St; Block: 12 Lot:19; Zone: R-10

Dear Board Members:

As requested, I have received the following as it relates to the referenced application:

- Completed Variance Application for the referenced project signed by Christopher Kibbe dated December 30, 2020;
- Architectural Plan prepared by Antonio Scalise, AIA of Parallel Architectural Group. dated December 14, 2020 consisting of three (3) sheets.
- Zoning report denial letter dated July 22, 2020.

The property contains an existing single-family dwelling. The applicant has submitted a bulk variance application to construct an addition to the structure and a patio on the property. The property is located within the R-10 Zone and has access from West St. I have attached a copy of an aerial from the Monmouth County Property Viewer website depicting the site location and surrounding area at the end of this report. The addition and patio accessory are permitted uses in the zone.

I offer the following for the Board's consideration.

1.0 Completeness Review

A completeness review was prepared dated February 9, 2021 addressing completeness waivers to be reviewed and granted by the Board. In that report I compared the application to the Borough Development Checklist. Based on my review of the above referenced documents, the application is incomplete pending a determination on the waivers at a Completeness Waiver hearing. I offer the following as it relates to the outstanding checklist items:

- 1.1 Checklist Item B-22 Any existing or proposed easement or land reserved for or dedicated to public use – The applicant has noted this item as ‘not required’ and none are provided in the plan. I have no objection to this item being considered as ‘not required’ provided testimony is provided confirming no easements or land reservations exist on the property.
- 1.2 Checklist Item B-24 – Location of streams, floodplains, wetlands or other environmentally sensitive areas within 200 feet of the project site – The applicant has marked this item as ‘not required. I have reviewed FEMA and NJDEP mapping. Neither map indicates environmentally sensitive lands near the site. Therefore, I have no objection to this item being considered as ‘not required’ provided testimony is provided confirming no such lands exist on or near the property.



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1.3 Checklist Item D-12 Application for environmental commission site plan review – The applicant has indicated this item as not required. However, the checklist was completed and included in the application package. Therefore, a waiver is not required.

The application is **incomplete** at this time pending a Completeness Waiver hearing before the Board. I have no objection to the Board granting waivers of the items noted above for the reasons stated. However, the application remains incomplete until this information is either provided or a submission waiver is granted by the Board at a waiver hearing. Please note, the granting of waivers of checklist items for completeness purposes does not prohibit the Board from requesting the information during the hearings.

2.0 Fee Determination- The February 21, 2021 completeness report outlines the required fees as follows. It is my understanding these fees have been posted.

2.1 Following is a fee determination in accordance with Section 18-14.3 of the Borough ordinances and Ordinance O-19-5. Based on the ordinance, the fees are as follows:

Non-Refundable Application Fee: \$275.00
Escrow Fee: \$850.00

- a. Non-Refundable Application Fee –
 Hardship or Bulk Variance for single-family residential uses –
 \$25.00 per variance (\$75.00 min)
 Four ‘C’ variances requested = \$ 100.00
 Stenographer fee = \$175.00
 Total = \$275.00
- b. Escrow Fee – per Ordinance O-19-5
 Bulk ‘C’ Variance = \$850.00
 Total = \$850.00

3.0 Zoning

3.1 The applicant proposes to demolish portions of the existing home and construct additions to change the configuration of the first floor of the home. The second story is then proposed to be constructed over the reconfigured first floor. The existing structure has a front yard setback of 20’11”. The plans indicate a small, roofed porch on the front of the house. The setback to the roofed porch is not provided. The change in footprint proposes to add an addition containing a partial open porch to the front of the existing structure. The setback in the front is being reduced to 15’11”. Section 18-5.1 of the ordinance indicates that for a R10 zone a front setback of 35’ is required. The existing condition is deficient, and the proposed design exasperates that deficiency. A variance is required. The applicant should address the setbacks of the existing homes on either side and the area to determine if the proposed setback is conforming with the neighborhood.

3.2 The applicant proposes to remove a portion of the existing home on the southern side of the property. The side yard setback for the existing home is not dimensioned but measures approximately two (2) feet. The actual dimension should be provided. Section 18-5.1 of the ordinance indicates that for a R10 zone side yard setback or one side is ten (10) feet with a requirement for the combination of both sides to be thirty (30) feet.



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The proposed side yard setback on the southern side is shown as 7'2½". Therefore, a variance is required to be less than the required ten (10) feet. The existing side yard setback of 13'-3½" is proposed to be retained and creates a combined setback of 20'6" proposed on the property. Therefore, although the single yard setback requires a variance, the combination of the two setbacks meets the zone requirement.

- 3.3 An unroofed side porch is proposed on the northern side of the dwelling. One did not exist in this location prior. The setback to the side porch is shown as 8'7½". The proposed steps are shown in the side yard setback. The ordinance defines a side yard as "... an open unoccupied space between the side line of the lot and the nearest building line and extending from the front yard to the rear yard, or in the absence of either side yard, to the street or rear lot lines, as the case may be. The width of a side yard shall be measured at right angles to the sideline of the lot." The proposed steps are within the side yard of the property therefore a variance is required. See comment 4.3 to follow.
- 3.4 The change in the footprint increases the building coverage from 14.0% to 18.3%. Section 18-5.1 of the ordinance indicates that for a R10 zone a building coverage of 30% is permitted. The proposed plan conforms to that required.
- 3.5 The plan indicates the existing drive is created by a ribbon of gravel where the tires travel with grass in between. A solid parking area exists at the end of the ribbon. The applicant proposes to shorten the existing drive and construct a shorter drive with a full width asphalt section. In addition, new walks are proposed in the front and a paver patio in the rear of the home. The result including the change in the building footprint is a net increase of coverage from 22.2% to 30.1%. Section 18-5.1 of the ordinance indicates that for a R10 zone an impervious coverage of 40% is permitted. Therefore, the site conforms. A summary of coverage has been provided on the plan. The applicant should address if air conditioning pads will be proposed. Any exterior utility pad area should be shown on the plans and included in the proposed lot coverage. I do not anticipate the inclusion of a pad area will being the coverage over that which is permitted. See comment 4.2 to follow.
- 3.6 As noted above the applicant should address if a utility pad is proposed. If so, it should be shown on the plan and located outside of the required setbacks or a variance will be required. Section 18-5.1 of the ordinance indicates that for a R10 zone a side setback of ten (10) feet and a rear yard setback of twenty-five (25) feet are required for the principal building.
- 3.7 The height of the building is measured from the average grade around the foundation. The height of the structure is shown as 28'9". This is less than the 30' permitted by the ordinance for the zone. Grades have not been shown to confirm the exact height. The applicant should address the change in grade around the home to confirm the structure will be within the height as defined by ordinance.
- 3.8 The plans indicate a paver patio is proposed in the rear of the home. The patio is shown as setback to the side yards setbacks required for an accessory building. The ordinance does not define setbacks for at grade patios. Therefore, this conforms. In addition, Section 18.63(f)3 of the ordinance requires the accessory structures not occupy more than 25% of the rear yard. The proposed patio occupies approximately 7.5%. Therefore, this conforms.
- 3.9 The existing property contains the following deficiencies:



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Description	Requirement	Existing	Proposed
Lot area	10000 SF	7000 SF	7000SF
Lot width	100 feet	50'	50'

Please note section 18-6.3(a) outlines 'Permitted Modifications and Exceptions' and addresses 'Undersized Lots of Record'. The section requires "Any parcel of land with an area or width less than that prescribed for the zone in which the lot is located, which parcel was under one ownership at the date of the adoption of this Chapter and the owner thereof owns no adjoining land, may be used as a lot for any purpose permitted in the zone, provided that the minimum area and lot width requirements for such lot shall be 75% of the requirements of the zoning district, and provided that all other regulations prescribed for the zone in this Chapter are complied with.". The existing lot area is 70% and the width is 50% of that required by the zone. The existing deficiencies are not proposed to change

4.0 General Comments

- 4.1 A grading plan has not been provided so I cannot confirm the height for the structure based on average grade around the building. I also cannot review if runoff will impact surrounding neighbors. The applicant should address the general grade of the land and any impact to neighbors. The greatest extent possible I recommend any roof leaders be directed to flow toward the street. This should be addressed by the applicant. I recommend that as a condition of any approval the Board may grant the grading be provided for review to confirm the height and to provide grades for the proposed asphalt drive to confirm any impact to neighbors.
- 4.2 The plans indicate a step and porch leading into the house on the northern side of the property. The step is shown adjacent and encroaching into the proposed drive. The width of the drive is not provided; however, it measures approximately seven (7) feet. At the location where the step encroaches the drive narrows to six (6) feet. I am concerned that the proposed drive is too narrow. For comparison, a narrow parking space is 8.5' wide with a standard being 9' wide. I recommend the width be increased to a minimum of nine (9) at least up to the proposed side steps. This would increase the lot coverage by approximately 84 SF or 1.2%. The additional coverage would increase the proposed impervious coverage to 31.3%, which is permitted. The applicant should address the width of the existing driveway depressed curb and apron and advise if new would be needed to widen the drive.
- 4.3 The Borough ordinance defers to Residential Site Improvement Standard (RSIS) regulations for determination of the number of parking spaces required. The regulations base the number of spaces required on the number of proposed bedrooms. The plans label three rooms as bedrooms. There is also an office proposed on the second floor. RSIS requires that for three (3) bedrooms, 2 spaces are required and for four (4) bedrooms, 2.5 spaces are required. I note however RSIS rounds the ½ down to the lower number, therefore 2 spaces are also required for four (4) bedrooms. The applicant proposes to shorten the drive. The length of the driveway up to the side steps measure approximately 42' The actual measurement should be provided. This is adequate for the required 2 spaces.
- 4.4 The plans do not include the improvements within the Right-of-way in the front of the house and from the property line to the street. The plans should be updated to include any curb, sidewalk, driveway apron existing or proposed within the street Right-of-way. In addition, any changes to utilities should be provided.



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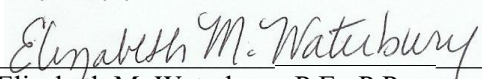
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Disturbances for new utilities should be shown on the plan. The Applicant should add a note to the plan that any curb, sidewalk and/or pavement within the Borough Right-of-way damaged due to proposed construction shall be repaired/replaced to the satisfaction of the Borough Engineer.

- 4.5 The plans reference a survey of the property. A signed and sealed copy of the survey should be submitted for the file. The lot numbers on the adjacent properties should be confirmed. The plan indicates them as lots 5 and 7, however County records suggest they are lots 18 and 20.
- 4.6 The architectural plans indicate are titled "Longren Residence". The plans should be retitled to be that for the applicant for clarify in the file.
- 4.7 I am in receipt of correspondence from the Borough Fire Marshal indicating he has no issues or objection in reference to this application
- 4.8 The plans do not contain the limit of disturbance associated with the proposed construction. The area of disturbance should include any disturbance in the right-of-way including those for utilities or access. A certification is required from Freehold Soil Conservation District for any disturbance of 5000 SF or more.

I reserve the right to make additional comments once the above information is requested. If you have any questions or require additional information, kindly advise.

Very truly yours,


Elizabeth M. Waterbury, P.E., P.P.
West Long Branch Zoning Board Engineer

cc: Michael A. Irene, Esq., via email
Christopher and Gail Kibbe, Applicant, via email
Antonio Scalise, AIA via email



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Monmouth County Property Viewer-Imagery noted as from Spring 2020



Street View from Google Maps-Imagery noted as from November 2020