

November 12, 2024

Karen Radcliffe, Board of Adjustment Secretary
Kingwood Township Board of Adjustment
559 Oak Grove Road
Frenchtown, NJ 08825

via email: boa@kingwoodtownship.com

Reference: Variance Application – Engineering Review
Block 28, Lot 10.01 – 47 Fairview Road
Kingwood Township, Hunterdon County, New Jersey
Applicant: Gerald Strober
VCEA # 6598.043

Dear Board Members:

As their October 9, 2024 meeting the Board deemed complete the variance application to construct a new detached garage requiring variances from the bulk requirements. The purpose of this letter is to provide comments on the merits of the application.

Documentation reviewed consists of the following:

1. Wetland Investigation for proposed Shed Construction Letter, by Jeff Tareila Environmental Consulting, dated May 30, 2024.
2. Existing Conditions Plan for Block 28, Lot 10.01, as prepared by Patrick H. Fatton, PLS, consist of one (1) sheet, dated September 2024.
3. Engineering plan titled “Variance and Conceptual Garage Plan,” as prepared by Robert Martucci, of Martucci Engineering, LLC., consisting of four (4) sheets, dated September 2024.

Application Summary

Subject property is located at Block 28, Lot 10.01, having an address of 47 Fairview Road. Fronting on Fairview Road to the north and bordered by improved residential lots along the remaining sides, the subject property contains a net area of 2.00 acres and is currently improved with a two-story single family residential dwelling, rear deck, in-ground swimming pool, two (2) sheds and a paved driveway. The driveway is a common drive shared with adjacent Lot 10.02 within a 50 ft wide common driveway access easement. The Applicant seeks approval to relocate and existing shed and construct a new 30’ x 40’ garage in its place, 12 feet from the existing sideline. A C1 Non-Use Variance (Hardship) application is requested as noted in the submitted application form.

OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ
908-735-9500

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
215-345-1876

Pottstown, PA
610-323-4040

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Figure 1. Subject property, showing existing conditions and approximate boundary lines.
Aerial imagery courtesy of Nearmap.com, June 2024

Engineering Review

Subject property is located in the Agriculture/Residential (AR-2) District. Principal permitted uses within the zone include detached single family dwelling units with swimming pools, sheds and garages as accessory uses. The following table provides a summary of the existing and proposed dimensional requirements in accordance with the Schedule of Lot and Building Requirements for AR-2 Districts

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AR-2 – Agricultural and Single-Family Residential District Requirements

Principal Building	Required	Existing	Proposed
Min. Lot Area (net)	7 Acres	2.0 Acres ⁽¹⁾	2.0 Acres ⁽¹⁾
Min. Lot Frontage	250 ft	223.01 ft ⁽¹⁾	223.01 ft ⁽¹⁾
Min. Lot Width	300 ft	213.17 ft ⁽¹⁾	213.17 ft ⁽¹⁾
Min. Lot Depth	300 ft	425.01 ft	425.01 ft
Min. Side Yard (each)	40 ft	72.80 ft	72.80 ft
Min. Front Yard	75 ft	170.01 ft ⁽²⁾	170.01 ft ⁽²⁾
Min. Rear Yard	60 ft	161.0 ft	161.0 ft
Max. Building Height	2 ½ story or 35 ft	2-Story	2 - Story
Max. Building Coverage	8%	3.5% ⁽³⁾	3.5% ⁽³⁾
Max. Agg. Impervious Lot Coverage	13%	12.37% ⁽³⁾	14.29% ^{(3)(V)}
Min. Lot Circle Diameter	200 ft	N/A ⁽¹⁾	N/A
Min. Buildable Area	1 Acres	> 1 Acres	> 1 Acres
Accessory Building			
Min. Front Yard	100 ft	282.88 ft	283.70 ft
Min. Side Yard	30 ft	12 ft ^(N)	12 ft^(V)
Min. Rear Yard	30 ft	116.44 ft	101.31 ft
Min. Distance Between Buildings	20 ft	62.40 ft	50.20 ft
Max. Building Coverage	2%	0.45% ⁽³⁾	1.82% ⁽³⁾

(1) Class I Minor Subdivision requirement, per definition at §115-3. Minimum Lot Area of 2 acres and Lot Frontage of 200 ft required for lots having frontage on an existing street. No minimum lot circle is required.

(2) As measured from the ROW

(3) Calculated based on the Net Lot Area

(N) Existing Nonconformance

(V) **Variance Required**

1. The Zone Data Table on the submitted Variance and Plot Plan includes lot coverage calculations and front yard based on the Gross Lot Area of 2.718 acres. Calculations shall be revised to reflect coverage and distance based on Net Lot Area of 2.0 acres, excluding the public ROW.
2. Items in the lot coverage summary table should be revised to reflect the items as labelled on the plan. For example, the plan calls out a 40'x30' proposed garage whereas the table indicates a shed. Similarly, the proposed gravel drive in the plan view is identified as a gravel sidewalk in the table.
3. The proposed 1,200 sf garage is to be located in an area currently occupied by a 297 sf shed and set 12 feet from the easterly property line. The minimum setback for an accessory structure is 30 feet from the side property line. **A Variance is Required**

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4. The current aggregate impervious coverage on the existing lot is 12.37% and complies with the maximum of 13%. Addition of the 1,200 sf detached garage and associated 472 sf gravel driveway increase the aggregate impervious coverage to 14.29%, exceeding the maximum 13% permitted. **A Variance is Required.**
5. The proposed garage has a height of 22.75 feet which is appropriate for the proposed garage size. Ordinance §132-30C(3) identifies a maximum height of 12 feet for accessory buildings utilized for storage of tools and equipment used for maintenance of the grounds. Ordinance §132-30C(5) permits Private Garages as a permitted accessory use, however does not stipulate a maximum building height or size. It is unclear if 12 foot height restriction is applicable to a detached garage. **A variance may be required.**
6. Testimony is required relative to the siting of the proposed garage on the site and if it can be shifted to the west bringing it more into compliance with the minimum setback requirement.
7. Testimony is required regarding any opportunities to reduce the impervious coverage into compliance with the maximum permitted. Options may include:
 - a. Reduction of the garage footprint.
 - b. Reducing the length of the proposed gravel drive to the garage.
 - c. Elimination of the 297-sf shed rather than relocating.
 - d. Elimination of the 417-sf gravel area in the southwest corner of the lot.
8. The Proposed Barn Concept Plan notes that the garage is to be used for storage and workspace for residential purposes only and that no commercial activity is proposed or intended. The notes further state that utilities serving the garage will be limited to electricity and no water or sewer service is proposed. This should be stipulated as conditions of any approval granted by the Board and memorialized by resolution

This concludes our review at this time. Should there be any questions, please contact our office.

Sincerely,



Thomas R. Decker, PE, PP, CME
Kingwood Township Board of Adjustment Engineer

cc: Gerald Strober – Applicant (via mail: 47 Fairview Rd., Frenchtown, NJ 08825)
Erica Edwards Esq. – Applicant’s Attorney (via email: Edwards@edwardslaw.com)
Robert Martucci, PE – Applicant’s Engineer (via email: rmartucci@martucciengllc.com)
Matthew R. Flynn, Esq. – Board Attorney (via email: flynn@centraljerseylaw.com)
David Banisch, PP – Board Planner (via email: davidbanisch@banisch.com)