

Applicant: Phat Le, 165 Eldridge Avenue

Appl. No.: S-6/19

REFERRALS

	Date Referred	Comments Dated	Date Referred	Comments Dated	Additional Reports
a. Municipal Engineer	<u>1/24/20</u>	<u>2/10/20</u>			
b. Professional Planner	<u>"</u>	<u>3/30/20</u>			
c. Traffic Consultant	<u>—</u>				
d. Construction Official	<u>"</u>				
e. Shade Tree Advisory Comm.	<u>"</u>				
f. Health Officer	<u>"</u>				
g. Tax Collector	<u>"</u>	<u>1/24/20</u>			
h. Public Safety	<u>"</u>				
i. Environ. Res. Committee					
j. Mercer County Planning Bd.					
k. Ewing-Law. Sewer Auth.					
l. _____ Water Co.					
m. D & R Canal Commission					
n. U.S. Post Office					
o. NJDOT					
p. PSE&G Co.					
q. Board of Education					
r. Historic Preserv. Comm.					
s. NJDEPE/Wetlands					
t. NJDEPE/Stream Encroach.					
u. _____					
v. _____					
w. _____					
x. _____					
y. _____					
z. _____					

Township of Lawrence
ENGINEERING DEPARTMENT

TO: File

FROM: James F. Parvesse, Municipal Engineer

SUBJECT: Minor Subdivision with Variance Application No. S-6/19
Phat Le, 165 Eldridge Avenue
Tax Map Page 23, Block 2310, Lot 27

DATE: February 10, 2020

General:

The applicant has requested minor subdivision approval to create one (1) new building lot on Eldridge Avenue, adjacent to the existing dwelling at 165 Eldridge Avenue (corner of Eldridge Avenue and Rolfe Avenue). The new building lot will conform to R-4 Zone requirements, with the exception of existing conditions including the side yard setback for the existing garage, which is noted to remain.

In reviewing the proposed plan, we recommend consideration of an alternate layout that would utilize the exiting driveway, allow utility lateral connections outside of the road hump and preserve the existing 15" cedar tree (see Comments 1 and 2 of the detailed report).

We will defer to the Planning Consultant for review of the variances and requested exceptions.

Detailed Report:

1. New building lot "B" will be created from the existing property at the corner of Eldridge Avenue and Rolfe Avenue by subdividing the western part of the lot. The proposed plans show the existing shed to be removed; however, the existing garage is labeled to remain. Although a waiver from submission of architectural plans has been requested, it appears from the schematic layout that a new garage and driveway combination is proposed. Two (2) driveway access points would not typically be approved for a 90' frontage lot.
2. An alternate layout for the new building lot should be considered. If the detached garage and driveway will remain, the currently proposed driveway and garage should be eliminated. The applicant could also consider "flipping" the proposed footprint, removing the existing garage, and utilizing the existing driveway with a side entry garage. We note that the existing concrete must be replaced if the driveway will remain.

A third option is removal of the existing driveway and garage.

3. The proposed utility laterals are shown through the road hump area, which is not practical for trench reconstruction. In addition, the sanitary sewer lateral is shown within the dripline of the existing 15" cedar tree. All connections shall be relocated.

We also note that the plans show relocation of the existing utility pole. This type of relocation is generally costly. With consideration of an alternate layout, this relocation may be avoided.

4. The existing stone driveway area on Arcadia Avenue shall be removed and the right-of-way area properly restored with grass.
5. Prior to issuance of plot plan approval, architectural plans will be required for review for compliance with §531.B.2. of the Lawrence Township Land Use Ordinance.

Phat Le – Application No. S-6/19

6. There are no sidewalks on either side of Eldridge Avenue or along Rolfe Avenue. We have no objection to an exception for sidewalk installation.
7. All new iron property markers must be set and inspected by our office prior to signing new lot deeds. Lot B will utilize street address 171 Eldridge Avenue.
8. The attached General Notes for Minor Subdivisions shall be added to the plan.
9. The owner shall sign the plan.
10. Others permits / approvals:
 - a. Mercer County Planning Board
 - b. Ewing-Lawrence Sewerage Authority – availability of service
 - c. Trenton Water Works – availability of service

JFP/sjs

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Documents Reviewed:

- Application No. S-6/19
- Minor Subdivision, dated July 11, 2019
- Plan of Topographic Survey, dated July 11, 2019
- Detail Sheet, dated July 11, 2019

GENERAL NOTES FOR
MINOR SUBDIVISIONS

1. Prior to issuance of a building permit, a plot plan prepared by a licensed New Jersey Professional Engineer shall be submitted to the Engineering Department for review and approval.
2. Prior to issuance of a Certificate of Occupancy, an as-built plan prepared by a licensed New Jersey Land Surveyor shall be submitted to the Engineering Department for review and approval.
3. If a sump pump is installed, it shall be connected to the underground storm sewer system unless the Municipal Engineer approves an alternate location.
4. All new utilities shall be installed underground.
5. A paved or concrete driveway apron is required.
6. A street opening permit is required for all work performed in the street. Engineering Department inspection is required for all improvements in the right-of-way.
7. Tree protection is required for all existing trees to remain.
8. The sight triangle area at the driveway will be inspected prior to issuance of a Certificate of Occupancy. If directed by the Municipal Engineer, selective clearing shall be performed to provide proper sight distance.
9. Property corner pins must be set and field verified by the Engineering Department. Bonding may be submitted in lieu of setting of corner pins to allow final approval and stamping of the plan.



MEMORANDUM

Clarke Caton Hintz

Architects
Planners
Landscape Architects

100 Barrack Street
Trenton NJ 08608
clarkecatonhintz.com
Tel: 609 883 8383
Fax: 609 883 4044

To: Lawrence Township Planning Board

From: Brian Slaugh, PP, AICP
Andrea Malcolm, PP, AICP

Re: **Phat Le (Applicant)**
Phat Le and Thuy Duc (Owner)
Minor Subdivision
Block 2301, Lot 27
165 Eldridge Road
R-4 Residential 4 Zoning District
Application S-6/19

Date: March 30, 2020

In accordance with transmittals from the Planning and Redevelopment office dated January 24, 2020, we have reviewed the minor subdivision application materials indicated below. We offer the following comments:

1. **Materials Reviewed**

- Application S-6/19, with certification dated December 3, 2019;
- *Minor Subdivision Plan*, prepared by Joseph Mester PE, PLS, of Trenton Engineering Co., Inc., dated July 11, 2019, consisting of 3 sheets.

In addition to the review of this information, the site was investigated for existing conditions.

2. **Project Description**

- 2.1 Subdivision Proposal. The applicant proposes to subdivide a 10,500 sf. lot (Lot "B") from an existing 18,900 sf. tract that is bordered by Eldridge Avenue to the north, Rolfe Avenue to the east and Acadia Avenue to the south. A new 2-story dwelling and new driveway on Eldridge Avenue is proposed on Lot B. An existing detached garage and its driveway on Eldridge Avenue would also be retained at the western end of Lot B. Lot "A" would comprise the remaining 11,538 sf. of the

Philip Caton, FAICP
John Hatch, FAIA
George Hibbs, AIA
Brian Slaugh, AICP
Michael Sullivan, AICP

Emeriti

John Clarke, FAIA
Carl Hintz, AICP, ASLA



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tract; an existing dwelling and its driveway on Rolfe Avenue would be retained on this remainder lot.

- 2.2 Existing Conditions. The existing dwelling faces Rolfe Avenue to the east, with a paved driveway on the south side of the house providing access to Rolfe Avenue. At the western end of the tract, the detached garage is served by a paved driveway providing access on Eldridge Avenue. A brick path that connects the detached garage to the existing dwelling is proposed to be removed, and an existing shed in the southern area of the tract would also be removed. There are several trees in the vicinity of the proposed dwelling and driveway that will need to be removed.
- 2.3 Surrounding Land Use. Single-family residences are located on the adjacent property to the west, to the north across Eldridge Avenue, and to the south across Arcadia Avenue, and to the east across Rolfe Avenue.



Aerial View of Existing Tract and Proposed Subdivision



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A new dwelling is proposed along Eldridge Avenue, between the existing dwelling (above left) and detached garage (center right)

3. Variances and Exceptions

- 3.1 Potential Use Variance. The existing garage would become a non-permitted principal use once the western portion of the tract is subdivided from the eastern portion that contains the existing dwelling, requiring a use variance pursuant to N.J.S.A. 40:55D-70d(1). As discussed in Comment 4.1, removal of the existing garage would eliminate the need for the use variance.
- 3.2 Street Tree Exceptions. No street trees are proposed, whereas at least 4 street trees are required along the 150 ft. tract frontage along Eldridge Avenue, and 4 street trees are required along the 140' frontage along Rolfe Avenue, based on the minimum 40-foot spacing required for large street trees by §525.C. The number of existing shade trees along the Arcadia frontage appears to exceed the street tree requirement.
- 3.3 Front Yards/Existing Dwelling. The applicant is requesting variances for the 11.94' setback and 5.67' setback of the existing dwelling from Eldridge Avenue and from Rolfe Avenue, respectively, since these setbacks do not meet the required 35 feet. No change is proposed to this existing nonconforming condition; as such, no variances are required since the condition is not being aggravated.
- 3.4 Front Yard/Proposed Dwelling. The applicant proposes a 24.5' setback from Eldridge Avenue, exceeding the minimum 23.29' reduced front yard depth



permitted for infill development (based on the average setback of the adjacent dwellings) pursuant to §400.E.1.

- 3.5 Side Yard/Existing Garage. The applicant is requesting a variance for the existing 15' side yard setback for the garage. However, no variance is required as the 15' side yard conforms with the minimum 5' side yard required for an accessory building on a lot of less than 15,000 sf in area within the R-4 zone pursuant to §407.E.5.b(3).

4. **Subdivision and Site Development Issues**

- 4.1 Existing Detached Garage and Driveway. The need to retain the detached garage and driveway is unclear as a new driveway is proposed for the new dwelling, and no connection is proposed between the garage and dwelling. The existing garage also appears to be in poor condition. To eliminate the need for a use variance, the garage should be removed. Alternatively, the applicant should consider a revised design whereby the existing garage would be attached to the proposed dwelling, and/or the dwelling would be reoriented to provide a better connection with the garage and eliminate the need for two driveways on Lot B. If the garage is to be retained as a separate structure, it may be possible to eliminate the need for a use variance if, as a condition of any approval, the applicant is required to remove the garage unless a building permit for the new dwelling is obtained within 6 months and certificate of occupancy for the dwelling is obtained within 12 months. We defer to the Board Attorney for comment on this approach.
- 4.2 Street Trees. At least two street trees should be provided along the Lot B frontage on Eldridge Avenue, where there are few existing trees. The trees should be set back at least 5' from the right-of-way to avoid conflicts with the overhead electric lines. Along Rolfe Avenue, the location of the existing dwelling and driveway, as well as overhead power lines limit the ability to provide street trees.
- 4.3 Chain Link Fence. The applicant should clarify the disposition of the existing chain link fence along the northern and southern tract perimeter, which would be divided by the new lot line.
- 4.4 Building Design. The applicant should provide testimony regarding the proposed building design of the new dwelling, including its compatibility with the surrounding houses in the neighborhood. We note that the 1,520 sf. living area (SFLA) indicated for the proposed dwelling unit is well below the maximum 3,177 SFLA permitted by §407.E.1.i (based average SFLA within the surrounding



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neighborhood) and well below the maximum neighborhood 5,302 SFLA permitted §407.E.1.j (based on average ratio of SFLA to lot area in the surrounding neighborhood.)

- 4.5 Street Improvements. We defer to the Board Engineer regarding the need for any improvements along the site's frontage along Eldridge, Rolfe, and Arcadia Avenues. Eldridge Avenue is curbed and there is a sidewalk on the opposite side of the street. There is no curbing or sidewalk along Rolfe Avenue or Arcadia Avenues, and Arcadia Avenue is an unimproved, paper street just to the west of the site. Electric service is by overhead wire, but the current requirement is for underground service from the pole at the curb into the house. The applicant should indicate how it proposes to provide power to the proposed dwelling.

We would be pleased to answer any questions concerning this review.

C: James Parvesse, PE, CME, for distribution.

LAWRENCE TOWNSHIP HEALTH DEPARTMENT

2207 Lawrenceville Road - Box 6006 - Lawrenceville, New Jersey 08648

Telephone: (609) 844-7089

Date: May 27, 2020

To: James Parvesse, P.E., Planning Board Secretary

From: Carol Chamberlain, Health Officer

REVIEW FOR:

<input type="checkbox"/>	Building Permit	<input type="checkbox"/>	Food Establishment
<input type="checkbox"/>	Certificate of Occupancy	<input type="checkbox"/>	Sewage Disposal System
<input checked="" type="checkbox"/>	Planning Board	<input type="checkbox"/>	Individual Water Supply
<input type="checkbox"/>	Zoning Board	<input type="checkbox"/>	Commercial Property
<input type="checkbox"/>	Other: _____	<input checked="" type="checkbox"/>	Other: <u>Minor Subdivision</u>

PROJECT NAME: Phat Le

LOCATION: 165 Eldridge Avenue

BLOCK: 2310 LOT # 27 PR# S-6/19

OWNER: Phat Le Phone: 609-273-2485

ENGINEER/ARCHITECT: Trenton Engineering

ADDRESS: 2193 Spruce Street
Ewing, NJ 08638 PHONE: 609-882-0616

APPROVAL DISAPPROVAL APPROVAL WITH CONDITIONS

COMMENTS:

Any junk, debris or trash accumulated on the property shall be removed from the
property prior to signing of the new lot deeds.

RECEIVED

MAY 28 2020

ENGINEERING DEPT.

Carol Chamberlain
Health Officer

Township of Lawrence
ENGINEERING DEPARTMENT

TO: Susan McCloskey, Tax Collector
FROM: James F. Parvesse, Municipal Engineer
SUBJECT: Verification of Current Tax and Sewer Payment Status
DATE: January 24, 2020

Please update the status of taxes and sewer payments with regard to the following application:

Application No.:	S-6/19
Application Name:	Phat Le
Street Address:	165 Eldridge Avenue
Tax Map Page:	23
Block:	2310
Lot:	27

Thank you for your anticipated assistance and response.

JFP/sjs

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Taxes and sewer are current as of 1/23/2020



Susan McCloskey