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October 21, 2021

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Via E-Mail

Mr. Rich Sudol
313 Franklin Place
Plainfield, NJ 07060
rich.sudol@gmail.com

**Re: Application No.: ZBA 2021-45
Applicant: Rich Sudol
Bulk Variance Relief
Location: 917-919 Watchung Avenue, Plainfield, NJ 07060
Block 642, Lot 20
Zone – R-PW2 Putnam-Watchung Historic District
Our File: HPFZ0642.02
Completeness Review Letter # 1 / Planning Review #1**

Status: Complete

Dear Mr. Sudol,

This completeness review letter is in reference to above mentioned application. The application has been filed seeking variances for zoning requirement relief to permit the re-paving and expansion of an existing non-conforming driveway and the construction of a paver patio to the rear of the existing dwelling. **Applicant should clarify the area of paver patio that is proposed.**

Because the subject property is located in the R-PW2 Putnam-Watchung Historic District, a Certificate of Appropriateness (COA) from the Plainfield Historic Preservation Commission is required per **§17:10-4.A** of the Plainfield Land Use Ordinance (LUO). **The Applicant has submitted a COA dated August 31, 2021. This is satisfactory.**

The COA issued by the Historic Preservation Commission notes that a 10-page submission was entered into evidence for the public hearing of the HPC. **We recommend the Applicant provide any additional plans or drawings associated with that submission for this application.**

The Applicant has noted that the property has previously been used as a three-family residence, but is now to be used as a single-family residence. While single-family residential uses are permitted in the property's R-PW2 Putnam-Watchung Historic District, multi-family uses are not. **Applicant must provide additional information during testimony about how this transition from three to single-family residence is occurring, and confirm that the non-conforming three-family residential use is being terminated.**

We are in receipt of the following items in relation to this application:

- Application form received by the City on September 16, 2021;
- Application for Waiver Request dated September 8, 2021;



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- Political Contribution Disclosure Statement for Applicant;
- Application for 200 Feet Radius List;
- W-9 Form for Applicant;
- Certificate of Appropriateness from the Plainfield Historic Preservation Commission dated August 31, 2021;
- One copy of "Survey of Property" prepared by Morgan Engineering & Surveying dated February 24, 2021 with hand-written diagrams and notations indicating proposed development locations and dimensions.

1. Summary of Application

The Applicant, Rich Sudol, has filed this application requesting variance relief from supplementary zoning requirements to add an approximately 480 square foot section of asphalt driveway and repave the rear half of the existing driveway on the subject property, listed in the Plainfield Tax Maps as Block 642 Lot 20. **Applicant shall clarify the square footage of the existing driveway to be repaved.** Applicant also proposes to install a paver patio to the rear of the existing residential dwelling. It appears the patio might cover an existing section of the driveway. **Applicant shall clarify the area of the patio and if it is to cover a portion of the asphalt. If the patio is not to cover asphalt, Applicant to clarify if it is to be removed.**

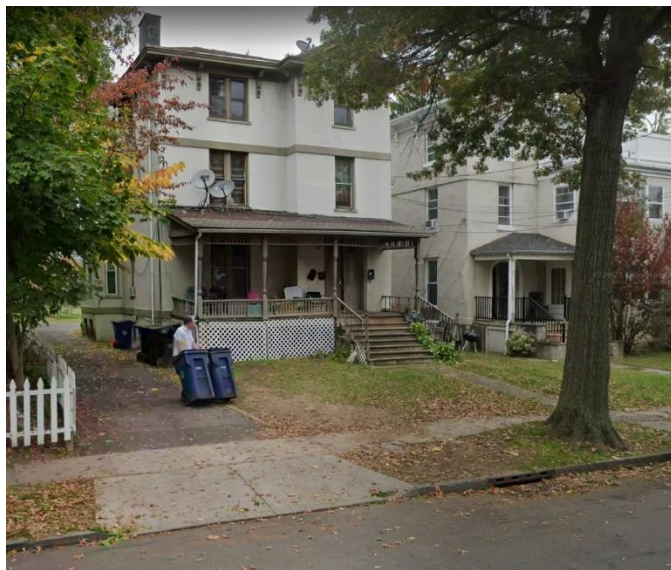


Image of subject property from Watchung Avenue.
Source: Google Maps Street View (image from October 2020).



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2. Completeness Review

Per §17:8-2, we note the following items as missing or incomplete:

- a. §17:8-2.B.3: Copy of any protective covenants or deed restrictions related to the property. **Applicant to confirm if any such covenants or restrictions exist.**
- b. §17:8-2.B.5: A tax search indicating current status of all taxes, assessments, and fees due to the City of Plainfield. **We are not in receipt of a tax search. An official search from the Plainfield Tax Department shall be submitted.**
- c. §17:8-2.B.6: All requisite escrow deposits and fees. **Please see below; we defer to the Board Secretary to determine compliance with this item.**
- d. §17:8-2.B.9a, b, c, d, e, h, j, k, n, p, r, s: These items have not been included. Based on the nature of the application, we take these to be submission waiver requests. **We recommend applicant submit written request for waiver of these items.**
- e. §17:8-2.B.9l: Delineation of flood hazard areas. **The subject property is located in FEMA Flood Zone AO, a special flood hazard area. The application will require review by the City's Floodplain Manager. We defer to the City's Floodplain Manager to determine the applicability of §17:9-30 (Flood Damage Prevention) of the LUO.**
- f. §17:8-2.B.9m: Tabulation indicating the square foot area of structures, pavement and open space and the percent of their lot coverage and floor area ratio. **Because this application requests approval for adding to the existing driveway and constructing a paver patio, the area of impervious coverage will be changing. Applicant should provide the tabulations of all impervious surfaces for the Board hearing.**
- g. §17:8-2.B.9o: Current outbound survey of the tract or a survey no more than five (5) years old certified by a licensed land surveyor that there have been no changes. **A survey of the property with notations showing the proposed improvements has been submitted. Applicant shall submit a signed and sealed copy of the survey without notations.**

3. Application Fees Calculation

Pursuant to Article XIII of the Land Use Ordinance, the initial **application fee** is:

1. Bulk and supplementary variances – One or two family residential use	3 @ \$75.00/each	\$225.00
2. Floodplain Development Permit Application Review		\$250.00
3. Public hearing fee		\$100.00
Total Application Fee		\$575.00

We reserve the right to amend this fee calculation pending the identification of additional variances.



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4. Deposit and Escrow

1. Bulk variances	\$1,000.00
Total Escrow Due	\$1,000.00

5. Recommendation and Submission of Plans

Pursuant to §17:8-2 of the Land Use Ordinance, Applicant's submission is capable of being deemed complete at this time. Please submit any additional documents requested above in addition to the plans noted below.

Applicant should submit to the Planning Division pdf or electronic copies, as well as eighteen (18) paper copies of the plans (survey and plot plan) to the Board Secretary within seven days of the determination of completeness. Only two of the paper copies need to be full-sized, signed and sealed. The other sixteen may be 11"x17" copies. Failure to provide copies may affect the scheduled hearing date noted below.

6. Scheduled Hearing Date: Wednesday, December 1, 2021

To confirm, this application is capable of **being deemed complete** and is **tentatively** placed on the Zoning Board Agenda for Wednesday, December 1, 2021. The Board meets at 7:00 pm.

Please be advised this is a tentative public hearing date due to the current global pandemic. This date is subject to change depending on the evolving circumstances and the applicant will be notified in case of date change. Additionally, please note this will be a virtual meeting which would require a special language in the notice. Please discuss with the Board Attorney Mr. Peter Vignuolo, Esq. (pvignuolo@verizon.net) regarding the procedure and language.

Under new Open Public Meetings Act regulations for virtual meetings, **any exhibit which you anticipate relying on at the time of the hearing needs to be supplied to the secretary of the Zoning Board of Adjustment at least two days prior to the hearing. Please provide the exhibits at least five (5) days prior to the scheduled hearing to allow time for these documents to be uploaded.**

The application is scheduled for the December 1, 2021 Zoning Board Agenda Meeting. You are required to perform all legal notice requirements. You are responsible for publishing the legal notice in the official newspaper (the Courier-News) at least 10 days prior to the hearing date. You must provide a copy of the notice to the Board Secretary and to the Board Attorney at least 5 days prior to the hearing date. The Courier News Legal Notice Division has requested that the legal notice be emailed as a PDF or Microsoft Word document attachment to cnlegals@gannett.com. If you should have any questions please contact the Courier News Legal Notice Division at 888-516-9220.



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You shall notify the surrounding property owners within two hundred feet (200 feet) of the subject property, municipal clerks of surrounding municipality if applicable, and all utility companies within the City. Notice must be mailed via certified mail at least 10 days prior to the hearing date. You are also required to provide affidavit of service of notice and a copy of the completed affidavit along with copies of the list of property owners, the notice, and the proof of service (certified mail receipts) be sent to Board Attorney as well as Board Secretary at least 5 days prior to the hearing date.

7. Planning Review

The subject property is located in the R-PW2 Putnam-Watchung Historic District, in which single- and two-family dwellings are permitted uses. Single-family dwellings are permitted in the R-PW2 district, but multi-family dwellings are not. The image of the subject property included in this review indicates the presence of three mailboxes and at least three satellite dishes. While the application form indicates that the property was a three-family dwelling and is to now be utilized as a single-family dwelling, ***the Applicant must confirm that the non-conforming three-family residential use is being terminated and the building will be used as a conforming single-family residential use.***

Based on the submitted plans, the following required variances or issues are noted:

- A. Due to the submitted plot plan not being completely to scale, we are unable to determine the precise impervious lot coverage of the property. Applicant shall provide a table with impervious coverage tabulations to determine if a variance is required for minimum impervious coverage. We note that in the R-PW2 district, the maximum permitted impervious lot coverage is 35%. For a lot the size of the subject property (about 10,585 square feet), this amounts to about 3,704.75 square feet. ***The total amount of existing coverage and proposed coverage must be confirmed to determine if the impervious coverage requirement for the zone are met or not, and if a variance is therefore required.***
- B. Per §17:9-34.A, a one-car garage not to exceed 300 square feet is required for single-family dwellings. No garage exists on the property. ***This is noted as an existing non-conformity.***
- C. Per §17:9-42.A, residential driveways shall not be located closer than two (2) feet to a property line. According to the plans, the driveway runs along a portions of the westerly property line, with a setback of zero (0) feet. This includes some portions of the driveway to be repaved. ***A variance is therefore required.***
- D. Per §17:9-42.P, front yard parking permitted for one and two-family dwellings is only those spaces directly in front of usable garages. ***As there is no garage on the property, a variance is required for the entire driveway.***
- E. While there is no garage, driveways for one-car garages (required for single-family residences) are required to be a minimum of ten (10) feet wide. The Applicant shall confirm the width of the driveway at its narrowest point, which based on the survey may be less than 10 feet. If less than 10 feet, a variance is required. Additionally, driveways shall be a



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maximum of 12 feet wide. The hand-drawn plans showing that the portion of asphalt being proposed is 24 feet wide. **A variance is therefore required.**

- F. When the number of bedrooms for a single-family dwelling or a duplex development is unknown, a ratio of 2.5 parking spaces per dwelling unit is applied. As this is just one dwelling unit, 2.5 parking spaces are required. The driveway provides enough parking for more than three cars. **This complies.**
- G. No HVAC system is noted in the survey/site plan. Applicant shall clarify if any HVAC system exists or will be provided. If a central HVAC system is or will be present, Applicant shall clarify where the compressor units will be located and if screening is or will be provided.

Please do not hesitate to contact me for any planning related questions at mapte@cmeusa1.com.

Sincerely,
CME Associates

Malvika Apte, PP, AICP
Consulting Board Planner

MA:nf

cc: Daniel White, Planning Board Secretary
Peter Vignuolo, Esq., Planning Board Attorney
Carlos Fuentes, PE, CME, Board Engineer
Valerie Jackson, Director, Department of Economic Development