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May 8, 2023
70625 00

Attn: Ms. Maryalice Brown, Secretary
Southampton Township Zoning Board
5 Retreat Road
Southampton, NJ 08088-3591

Re: Application Review: Bulk Variance
23-1303-202: Contino Garage Addition
400 Willow Lane
Block 1303, Lot 2.01

Dear Board Members,

We have received an application to add a three (3) car garage to a single-family detached dwelling with an attached 3-car garage currently under construction. Although the submitted Bulk Variance Plan includes a reference to a future in-ground swimming pool, because it was not referenced in the application, we offer the following comments on the proposed new 3-car garage addition:

General Information

Owner / Applicant:

Mr. Carl & Mrs. Laurie Contino
39 Castleton Lane
Moorestown, NJ 08057

Land Surveyor, Engineer, & Planner:

James A. Clancy, PLS, PE, PP
Clancy & Associates, Inc.
601 Asbury Avenue
National Park, NJ 08063

Submitted Materials

The application included the following documents:

1. Southampton Township Planning Board & Zoning Board Application Form.
2. Zoning Permit Denial Letter, prepared by Zoning Officer dated 10/4/22.
3. Bulk Variance Plan, prepared by James A. Clancy, PE, PLS, PP of Clancy & Associates, Inc. in National Park, NJ, dated 3/10/2023 Sheet 1 of 1.
4. Architectural Plans, unsigned and undated 3 Sheets.

Completeness Review

We recommend that the Board find the application COMPLETE for its review and consideration of approval.

Zoning Requirements: Agricultural Residential (AR) District

Use Requirements:

1. Single-family detached dwellings with attached garages are permitted principal and accessory uses in this district. (Please see section below for comments on the proposed attached garages.)

Dimensional Requirements:

2. The last column in the following table indicates how the proposed development on this lot conforms to the area and bulk requirements in this zone.

Lot and Building Features	Required	Proposed	Status
Min. Density (per AC)	3.2	3.57	C
Min. Lot Area (AC)	3.2	3.22	C
Min. Lot Frontage: Willow Lane (FT)	100	258	C
Min. Lot Frontage: Chairville Road (FT)		232.18	C
Min. Front Yard Setback: Willow Ln (FT)	100	144.4	C
Min. Front Yard Setback: Chairville Rd (FT)		128.7	C
Min. Rear Yard Setback: (FT)	50	287.8	C
Min. Side Yard Setback: One / Both (FT)	30 / 60	47.6 / 143.2	C / C
Max. Total Impervious Lot Coverage (%)	20	17.5	C
Max. Principal Building Coverage (%)	10	5	C

C = Conforming.

3. The last column in the following table indicates how the 2 proposed attached 3-car garages together conform to § 12-4.1c.

Garage Features	Required	Proposed	Status
Max. Garaged Vehicles (#)	3	6	V
Maximum Garage Area (SF)	1,260	1,742	V

V = Variance required.

- a. *A c(2) bulk variance is required for the proposed garages' storage of 6 vehicles, when a maximum of 3 vehicles is permitted.*
- b. *A c(2) bulk variance is required for the proposed garages' total floor area of 1,742 SF, when a maximum of 1,260 SF is permitted.*

The Applicant has the burden of proof to justify the variance, by testimony or other means. For c(2) variances the Applicant must demonstrate:

- a. That the purposes of the Municipal Land Use Law (MLUL) would be advanced by a deviation from strict application of the zoning requirement;
- b. That the variance can be granted without substantial detriment to the public good;
- c. That the benefits of the deviation would substantially outweigh the detriment; and
- d. That the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

General Comments

4. This parcel has remained vacant since the Planning Board approved the c.2003 Willow Lane 10-lot major subdivision plan on this cleared portion of a former farm field. This Board approval was before NJDEP's 2004 stormwater management regulations and the 2020 regulations that are in effect now. We recognize that the Board's previous approval included drainage and basin easements to the retention pond on adjacent Lot 2.03, as well as stormwater management calculations and plan that presumed a specified amount of development and impervious surfaces. We recommend that any Board approval of this pending application be conditioned upon the Applicant working with the Board Engineer to review the Board's prior major subdivision approval

requirements to address the current stormwater management requirement concerns identified in comments #5 through #8 below.

5. The Applicant proposes greater than 0.25-acre net increase new impervious cover, i.e., 24,581 SF (0.564 acres) of total impervious cover and 17,583 SF (0.404 acres) of vehicular surfacing Accordingly, this application is classified as a major project for the purposes of stormwater management and must comply with the requirements of N.J.A.C. 7:8 (March 2021) and Southampton Township's Stormwater Control Ordinance, meeting water quantity, water quality, groundwater recharge and green infrastructure requirements. Thus, the project must meet the following requirements:
 - a. Address the rate and volume of runoff from the project site. This may be done in one of three ways as outlined in NJAC 7:8:
 - i. Reduce the peak rate of runoff from the project area by 50%, 25%, and 20% for the 2 year, 10 year, and 100 year storms, respectively; or
 - ii. Demonstrate that the rate of runoff for the project is not increased from the pre-developed condition at any point along the post-developed condition hydrograph; or
 - iii. Demonstrate that the peak rate of runoff is not increased and that the increase in volume and variation in timing will not have an adverse downstream impact.
 - b. Reduce the Total Suspended Solids (TSS) loading in stormwater by 80% for new motor vehicle surfaces.
 - c. Demonstrate that the amount of groundwater recharge in the post-developed condition is equal to or greater than the pre-developed.
 - d. Achieve requirements a, b, and c above, via the implementation of green infrastructure as recognized by the NJDEP.
6. Appropriate soil testing must be performed in accordance with the NJDEP Stormwater Best Management Practices Manual (BMP) to support the required stormwater management design.
7. A stormwater management maintenance manual specific to the measures to be designed for this site, must be submitted to the Board and its professionals for review. The manual must meet the requirements of the NJDEP Stormwater BMP.
8. Should the Board act favorably on this application, the applicant must record a deed restriction requiring that the owner of the property maintain the system in accordance with the manual in perpetuity. The restriction shall provide the Township of Southampton the right, but not the obligation, to enter upon the property to perform the required maintenance and lien the property for the related costs, in the event that the responsible party fails in its obligation to maintain the system.
9. Applicant should provide testimony regarding the following:
 - a. Whether it will park or store any commercial vehicles in or operate a business from the proposed garage. If so, a use variance would be required, per §12-4.1c.
 - c. The location of the property's existing private well and septic system and confirmation that the proposed development will be sufficiently separated from these facilities in accordance with N.J.A.C. 7:9A-4.3 and § 12-5.14B.2, which requires a minimum 50' separation between any component of a septic system to a property line and center line of a public right-of-way. The Board may grant a design waiver for the latter Township regulation, when required.

- d. Whether the proposed second attached 3-car garage will include plumbing fixtures. If so, any Board approval should be conditioned upon the Burlington County Health Department's approval of the property's septic system.
 - e. The locations and types of any proposed exterior lighting and provisions to ensure there will be no glare to adjacent properties.
10. We recommend that any Board approval be conditioned upon the Applicant's revision of the plan to indicate the correct scale, show the location of the property's well and septic system and to align the plan to have north as the top of the page.

Administrative Comments

- 11 Any approval is subject to applicant obtaining all required permits and approvals, including the following, and satisfying the review letters of the Board's Professionals:
- a. Burlington County Health Department, if required,
 - b. Southampton Township Construction Office, and
 - c. All others that may be required

We reserve the opportunity to provide further comments, as additional information becomes available.

Should you or the Applicant have any questions, please feel free to contact the undersigned.



Rakesh R. Darji, PE, CME, PP
Zoning Board Engineer



Edward Fox, AICP, PP
Zoning Board Planner

RRD/ EF

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cc: Carl & Laurie Contino, Applicants via email carl@premierphillypt.com
James A. Clancy, PLS PE PP, Applicant's Professional Consultant via email jclancy.clancyassoc@comcast.net
Thomas J. Coleman, III, Esq., Zoning Board Attorney tomcoleman@rclawnj.com



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**400 Willow Lane
Block 1303, Lot 2.01
Southampton Township, NJ**



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