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January 27, 2021

Dorothy Hayden, Chairwoman  
Zoning Board of Adjustment  
Borough of Demarest  
118 Serpentine Road  
Demarest, NJ 07627

Re: 218 County Road  
Block 154, Lot 1.01  
Borough of Demarest, Bergen County, NJ  
Zoning Board Application Review  
**MC Project No. DEZ-014**

Dear Ms. Hayden:

Pursuant to your request, our office has reviewed the following plans and documents filed by the Applicant in support of the Application for Variance for the property of 218 County Road. The Applicant is proposing to construct an in-ground pool/spa and other related appurtenances.

- a) Pool Site Plan consisting of two (2) sheets, titled "Proposed Pool & Patio No. 218 County Road, Lot 1.01, Block 154, Borough of Demarest, Bergen County, NJ", prepared by Hubschman Engineering, P.A., signed and sealed by Michael J. Hubschman, P.E., P.P., with original date of September dated December 2, 2013 and last revised September 17, 2020;
- b) Drainage Report for Proposed Pool & Patio, 218 County Road, Lot 1.01, Block 154, Borough of Demarest, Bergen County, New Jersey, File #3114, as prepared by Michael J. Hubschman P.E., P.P., and dated December 2, 2013;
- c) Zoning Board Application for Variance for 218 County Road dated December 11, 2020;
- d) Prior Resolution from the Zoning Board of Adjustment, Borough of Demarest, File No. 739-14 (now expired), granting the requested variance of this application (see below at 6.).

After our review of these documents, we offer the following comments in this matter:

**General**

1. The Property Owner/Applicant is:

Steven Glassman  
218 County Road  
Demarest, NJ 07627

The Applicant/Owner shall notify the Borough of Demarest Zoning Board of Adjustment of any changes to the above information.



2. The existing lot is currently occupied by a 2 ½ -story single family frame dwelling with a Macadam driveway and paver patio.
3. The property is located in the Residential B Zone, where a single-family dwelling is an allowed use and the installation of an in-ground pool is permitted as well.
4. The property is located in Zone X (areas determined to be outside the 0.2% annual chance floodplain) as shown on the Flood Insurance Rate Map (FIRM) for the Borough of Demarest, Bergen County, New Jersey, dated August 2019.
5. The Applicant is proposing to construct an in-ground pool with a seat wall and wood synthetic deck, with drainpipe to proposed seepage pit for stormwater management. The total proposed improvements equate to approximately 1,739 S.F. of additional impervious / improved coverage. There is no proposed alteration or addition to the existing house. An existing row of hemlocks along the rear yard area is intended to remain and provides a measure of screening from the rear adjoining property.
6. Per the submitted site plans, the rear-yard area appears to be relatively flat and minimally sloped. There appears to be a minimal amount of proposed grading and soil disturbance required in association with this application.

#### **Variance / Waiver Requests**

7. It appears the Applicant is requesting one (1) variance, as follows:
  - a. §175-16, Limiting Schedule District permits a maximum lot impervious coverage of 30%. The Applicant is seeking an additional 4.43% over the 30% allowable (i.e. 34.43%) which equates to an additional 1,071 square feet over maximum allowable. The total increase from current to proposed impervious is 1,739 square feet (27.24% to 34.43%).
  - b. It should be noted that the previously granted variance (File 739-14) appears to have expired per §27-20 “Expiration of Variances” which states such granted variance expires by limitation after one (1) year if construction or alteration has not commenced. See §27-20;
  - c. The Applicant is not requesting any design waivers.

#### **Site Plan Review**

8. Based on the definitions provided in §175-27 of the Borough Ordinance, the proposed pool is considered an Accessory Use.



9. In regard to accessory structures and accessory use, §175-19(B)(3) states that setbacks shall be a minimum of 10-feet from the rear-yard. The proposed pool's rear yard setback is 14.5-feet. The proposed pool accessory complies (i.e. 10-foot minimum from the rear-yard).
10. In regard to accessory structures and accessory use, §175-19(B)(2) states that setbacks shall conform to the side yard setback requirements and minimum yard dimensions per the Limiting Schedule. The proposed pool's side-yard setback is 44.83-feet. The proposed pool accessory complies (i.e. 20-foot minimum from the side-yard).
11. The Applicant is proposing to remove a section of existing paver walkway and install a proposed bluestone slab walkway. This appears to have been done to help offset the amount of impervious area being requested on this lot.
12. The Applicant is proposing installation of ground inlets and drain pipes around the proposed pool, which connect to one (1) proposed rear-yard seepage pit in conjunction with the proposed improvements. We have reviewed the corresponding drainage report and do not take exception to the provided stormwater calculations.
13. There appears to be a fence along three (3) sides of the property which sections off the rear-yard area. The Applicant shall confirm via testimony that this fence conforms to the standards at §175-24. Per the site plans, a note suggest that the existing fence shall be made code compliant. A detail addressing this note and any such fence should be added to the plans.
14. Applicant should be prepared to provide testimony and/or additional information in regards to the wood synthetic deck and its constructability. Per the site plans, the deck appears to be at grade. A detail should be added to the plans.
15. Applicant should be prepared to provide testimony and/or additional information in regards to the seat wall around the pool and its material and constructability. Per the site plans, there appears to be no height specified for the wall. A detail should be added to the plans.
16. The Applicant should be aware that drainage issues may arise during or after the proposed construction. It will be the Applicant's responsibility to remedy any drainage issues caused by the proposed improvements. In addition, water runoff directed to neighboring properties is prohibited. If runoff water does enter neighboring properties as a result of the proposed improvements, the Applicant will be responsible to remedy the situation at no cost to the Borough.
17. It appears the Applicant does not require a soil moving permit application in accordance with Chapter 147 (§147-1) of the Borough Ordinance as soil movement appears to be under 250 cubic yards. Applicant is to confirm this item.
18. The Applicant is advised that it is their responsibility to make sure their contractor is aware to call the NJ One Call Center a minimum of 72 hours prior to the commencement of construction, so that all on-property underground utilities are marked-out and accounted for.



Dorothy Hayden, Chairwoman  
MC Project No. DEZ-014  
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Should you have any questions, you may contact me at (973) 398- 3110, extension 4576.

Very truly yours,

MASER CONSULTING, INC.

A handwritten signature in blue ink that reads 'Carl P. O'Brien'.

Carl P. O'Brien, P.E., P.P., C.M.E., C.P.W.M.  
Principal

CPO/cz

cc: Marti Francis, Zoning Board of Adjustments Secretary (via e-mail)  
Board Members (via Zoning Board of Adjustments Secretary)  
Susan Crossman, Borough Clerk (via e-mail)  
Steven Glassman, Applicant (via e-mail)  
Matthew G. Capizzi, Esq, Applicant's Attorney (via e-mail)  
Michael J. Hubschman, PE, PP, Applicant's Engineer (via e-mail)

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