

TOWNSHIP OF BRICK

OCEAN COUNTY, NEW JERSEY
401 CHAMBERS BRIDGE ROAD, BRICK, N.J. 08723

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Division of Land Use Planning

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March 5, 2021

Brick Township Planning Board
401 Chambers Bridge Road
Brick, New Jersey 08723

RE: PB-2859-MS-C-9/20
Elzbeita Targonska
Block 831 Lot 29
1640 Harvard Avenue
Minor Subdivision w/Variance
First Review

Dear Board Members:

The Applicant, Elzbeita Targonska, proposes to subdivide existing lot into two (2) residential lots located at 1640 Harvard Avenue, Block 831 Lot 29.

I have reviewed the above referenced application for the Minor Subdivision with Variance approval and offer the following information and comments for your consideration:

I. Description:

- Title -Minor Subdivision w/Variance
- Owner - Elzbeita Targonska
- Applicant - Elzbeita Targonska
- Engineer - Edward M. Weinert, PLS, WSB engineering group, p.a.
- Attorney -John J. Jackson, Esq., King, Kitrick,Jackson,McWeeney & Wells,LLC
- Plan Date -January 29, 2021
- Existing Use -Single-family Residential – Vacant lot
- Proposed Use -Single-family Residential
- Zone -R-7.5 Single-family Residential
- Adjacent Uses -Single-family Residential
- Tract Size -7,500/7,500 sq. ft. (0.172/0.172 acres) – 15,000 sq. ft – (0.34 Acres)
- Location -Corner of Edge & Harvard – Most Southeastern lot

file
Appl.
WSB.
Jackson
HH.
ARLH
3/10/21



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II. Applicable Zoning Requirements & Variances: The proposed Minor Subdivision w/Variance is a permitted use in the R- 7.5 Single- family Residential zone subject to the following zone requirements.

Interior Lots

- Lot Area of 7,500 square feet
- Lot Depth of 90 feet
- Lot Width of 75 feet
- Front Yard Setback of 25 feet
- Side Yard Setback of 6 feet
- Rear Yard Setback of 15 feet

Corner Lots

- Lot Area of 9,000 square feet
- Lot Depth of 90 feet
- Lot Width of 75 feet
- Front Yard Setback of 25 feet
- Side Yard Setback of 6 feet
- Rear Yard Setback of 15 feet

III. Variances/Waivers Required:

The variances proposed currently include a number of c variances:

1. The proposed Minor Subdivision is a permitted use in the R-7.5 Single-family Residential Zone and is compliant with the bulk conditions of the ordinance with the exception of:
 - A. Lot Area of 7,500 square ft and, where 9,000 lot Area is required for R-7.5 corner lots. A c variance is required.
2. Under §245-39.1, Sidewalks and curbing are REQUIRED and not proposed A c variance is required.
3. Street Trees and Shade Trees are required as per §245-10 and none are provided. A c variance is required.

IV. Planning Testimony:

- A. The Applicant shall provide testimony regarding the justification for the granting of the variances under NJ M.L.U.L 40:55D-70(c) (1) Where:
 - a. By reason of exceptional narrowness, shallowness or shape of a specific piece of property, or
 - b. By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
 - c. By reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of this act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant upon an application for an appeal relating to such a property, grant a variance from such strict application of such regulation so as to relieve such difficulties or hardship.
- B. The Applicant must provide testimony in support of the application as it relates to the noncompliance of the site in terms of bulk standards and if granted, these variances will not be a substantial detriment to the public good, or the substantial impairment of the intent and purpose of the Township's Master Plan and Zoning Ordinance.
- C. The Applicant shall provide testimony supporting that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning requirements and that the benefits of the deviation would substantially outweigh any detriment. Please provide a balance test and specifically enumerate the negative aspects of the application and the positive aspects as they relate to the proposed development so that the Board can weigh the negative factors against the beneficial aspects to determine if the grant of the variances is appropriate.
- D. The Applicant shall provide testimony regarding how grant of these variances affects the zone plan, master plan and the surrounding uses. Please include an analysis of the zoning and bulk standard conformance of other single-family residential dwellings in the surrounding community.

V. Site Plan Comments:

- A. Under §245-39.1, Sidewalks and curbing are REQUIRED as part of any subdivision or site plan application. This neighborhood is residential in nature and the project location is not located on a County Road. In the event that the Board does waive the sidewalk installation, a contribution in lieu is to be made to the Township's pedestrian safety fund equal to the cost of installing the sidewalks at prevailing wage rates for both projected frontages facing Harvard Avenue and Edge Street.
- B. The Applicant should discuss why it is a better planning scenario to subdivide this conforming parcel to create one conforming, and one nonconforming lot.
- C. Street Trees and Shade Trees are required as per §245-10. One Street Tree is required for every 50 ft. of road frontage and a minimum of four Shade Trees per lot.
- D. Please discuss the existence of trees on this lot. The removal of trees requires a permit from the Township Engineer and if more than 9 trees are removed from a parcel, the Planning Board has jurisdiction to require the replanting of trees.
- E. Please identify how many trees are planned to be removed and if any trees can be saved and protected and provide a re-forestation plan for the replacement of trees that will be lost from construction of a home on this lot.

I will be present at that time to answer questions and provide additional information.

Very truly yours,



Tara B. Paxton, MPA, PP, AICP
Division of Land Use & Planning

TBP/VP