

Applicant Dr. Pankey Moten


Appl. No. ZB-3/a3

REFERRALS

	Date		Date		Additional Reports
	Referred	Comments Dated	Referred	Comments Dated	
a. Municipal Engineer	<u>5/9/23</u>	<u>6/9/23</u>			
b. Professional Planner	<u>5/9/23</u>	<u>7/12/23</u>			
c. Traffic Consultant	<u>          </u>	<u>          </u>			
d. Construction Official	<u>5/9/23</u>	<u>5/11/23</u>			
e. Shade Tree Advisory Comm.	<u>          </u>	<u>          </u>			
f. Health Officer	<u>5/9/23</u>	<u>5/15/23</u>			
g. Tax Collector	<u>3/29/23</u>	<u>3/29/23</u>	<u>5/22/23</u>	<u>5/23/23</u>	
h. Public Safety	<u>          </u>	<u>          </u>			
i. Environ. Res. Committee	<u>          </u>	<u>          </u>			
j. Mercer County Planning Bd.	<u>          </u>	<u>          </u>			
k. Ewing-Law. Sewer Auth.	<u>          </u>	<u>          </u>			
l. _____ Water Co.	<u>          </u>	<u>          </u>			
m. D & R Canal Commission	<u>          </u>	<u>          </u>			
n. U.S. Post Office	<u>          </u>	<u>          </u>			
o. NJDOT	<u>          </u>	<u>          </u>			
p. PSE&G Co.	<u>          </u>	<u>          </u>			
q. Board of Education	<u>          </u>	<u>          </u>			
r. Historic Preserv. Comm.	<u>          </u>	<u>          </u>			
s. NJDEPE/Wetlands	<u>          </u>	<u>          </u>			
t. NJDEPE/Stream Encroach.	<u>          </u>	<u>          </u>			
u. _____	<u>          </u>	<u>          </u>			
v. _____	<u>          </u>	<u>          </u>			
w. _____	<u>          </u>	<u>          </u>			
x. _____	<u>          </u>	<u>          </u>			
y. _____	<u>          </u>	<u>          </u>			
z. _____	<u>          </u>	<u>          </u>			

Township of Lawrence  
**ENGINEERING DEPARTMENT**

TO: File

FROM:  Brenda Kraemer, Assistant Municipal Engineer

SUBJECT: Bulk Variance Application No. ZB-3/23  
**Dr. Pankaj Mohan**, 3870 Princeton Pike  
Tax Map Pages 51.06 & 51.08, Block 5101, Lot 32.02

DATE: July 11, 2023

**General:**

The applicant previously obtained a variance to increase the impervious coverage at his residence, 3870 Princeton Pike (Block 5101, Lot 32.02).

It appears that new variances are required for this project for the size of the proposed cabana area and the second story deck above the pool. In addition, the impervious surface calculation shall include all non-grass areas onsite. The turf areas and paver block areas are considered impervious for variance calculations, although not for stormwater management calculations. Testimony is required.

**Detailed Report:**

1. Roof drainage shall be directed to the basin and shall be clarified on the plan. The applicant's engineer shall summarize the impact to the grading and drainage pattern. The impact on the detention basin shall also be discussed.
2. Silt fence is required along the proposed limit of disturbance to prevent silt and sediment in the detention basin. The silt fence shall be inspected by this office prior to issuance of a building permit.
3. Health Department approval is required for the septic system modifications.
4. The owner shall be aware that pool effluent must be directed to the basin during maintenance operations.

BK/sjs

g:engineering/dr. Pankaj Mohan zb-3/23/review #1.doc

**Documents Reviewed:**

- Letter from Saul Ewing, dated March 27, 2023
- Application No. ZB-3/23
- Cover Sheet, revision dated February 23, 2023
- Proposed Variance Plan, revision dated February 23, 2023
- Architectural Plans, Sheets A-00 thru A-04, revision dated March 14, 2023

July 12, 2023

Lawrence Township Zoning Board of Adjustment (via e-mail)  
2207 Lawrenceville Road  
PO Box 6006  
Lawrence Township, NJ 08648



**Re: Dr. Pankaj Mohan – ZB-3/23  
Block 5101, Lot 32.02 – 3870 Princeton Pike  
Bulk Variance Relief  
EP-2 Environmental Protection 2 District**

Dear Board Members:

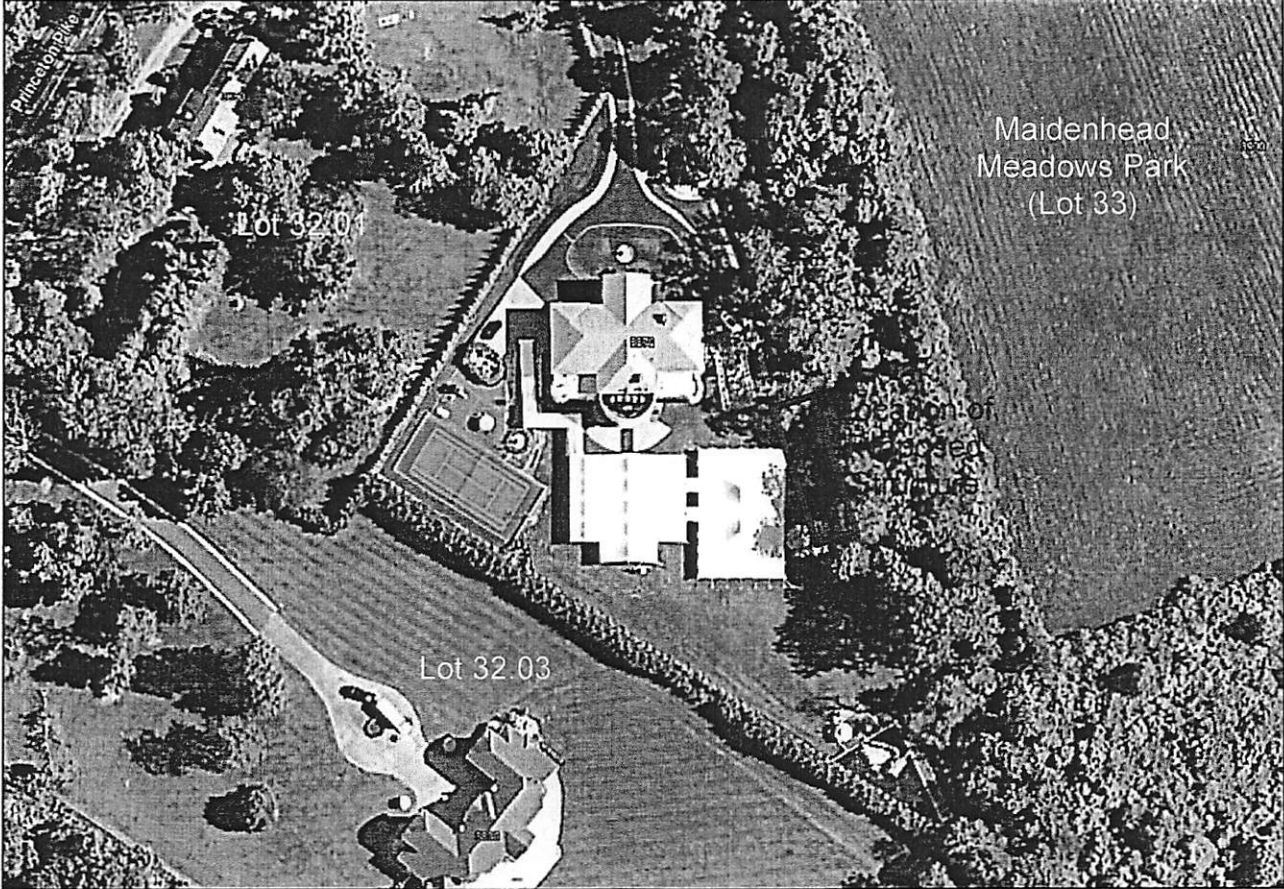
Pursuant to the Board's request, we have reviewed the above captioned matter for compliance with the Land Use Ordinance of the Township of Lawrence. The material reviewed, as supplied by the applicant, included the following:

1. Land Use Application and supporting documents.
2. Variance Plan, prepared by Peter W. Strong, PE, of Crest Engineering Associates, Inc., dated August 9, 2021 and last revised February 23, 2023, consisting of 2 sheets.
3. Architectural Plans, prepared by Lester Katz, NCARB, dated February 27, 2023 and last revised March 14, 2023, consisting of 5 sheets.

Based on the information provided with the submission, the applicant seeks bulk variance relief for impervious coverage related to construction of a new accessory indoor pool. As depicted on the architectural plans and variance plan, the one-story structure is approximately 80' long and 22' wide and contains a 4' deep pool, jacuzzi, seating areas, a full bathroom and mechanical room including washer and dryer. The structure also has a rooftop deck with railing around the entire perimeter, with an access ramp on the northwest corner of the building connecting to the roof. The application material notes the Board previously granted relief for impervious coverage in April of 2022 related to an attached addition that was to contain the pool. For various reasons, the applicant has chosen to reconfigure the proposal to put the indoor pool in a standalone accessory structure to be located to the east of the existing single family dwelling. According to the plans, the variance requested is identical to the one previously approved to permit total impervious coverage of 13.9% where 13% is permitted.

The subject property, known as Block 5101, Lot 32.02, with a street address of 3870 Princeton Pike, is located just west of Fackler Road on the south side of Princeton Pike. Totaling 3.183 acres, the lot has limited frontage on Princeton Pike with the majority of improvements on the rear half of the property. Presently the site contains a variety of improvements, including a single family

dwelling, synthetic turf patios and seating areas, a 32'x90' sport court and a small pond. Much of the perimeter of the rear half of the property is lined with arborvitae of various sizes. Surrounding land uses include single family dwellings to the south and west and Township-owned open space to the east that is part of Maidenhead Meadows Park. The aerial photo below shows the existing single-family dwelling and location of the proposed accessory pool structure. We note the tents depicted in the aerial are no longer on the property.



## Zoning

The subject property is located in the EP-2 Environmental Protection District, and the existing single family use is permitted as is the proposed accessory building containing the pool. The table below lists the bulk requirements for the EP-2 District and compares them to the applicant's proposal.

	Permitted	Proposed
Minimum Lot Size	2.5 acres	3.183 acres
Minimum Lot Frontage	200'	205'
Minimum Front Yard	100'	> 100'
Minimum Side Yard	50'	51'
Minimum Rear Yard	50'	>50'
Minimum Acreage Exclusive of Critical Areas	1 acre	> 1 acre
Maximum Impervious Surface Ratio	0.13	0.139 (v)(*)
Maximum Floor Area Ratio	0.25	0.10
Maximum Building Height (principal)	35'	<35'
Maximum Building Height (accessory)	15'	18' (v)
Minimum Accessory Building Setback	15'	16'

(v) denotes variance required.

(\*) see discussion in variance plan comment #1.

While the architectural plans note a proposed height of 15' for the pool building, a 3' tall railing is proposed around the perimeter of the roof enclosing the proposed roof deck. §400.1 of the Land Use Ordinance provides exceptions to height limits as follows:

*Height Limits. Except for one and two-family dwellings as permitted in this Ordinance, penthouses or roof structures for the housing of stairways, tanks, ventilating fans, air conditioning equipment or similar equipment required to operate and maintain the building, skylights, spires, cupolas, flagpoles, chimneys or similar structures may be erected above the height limits prescribed by this Ordinance but in no case shall such extension exceed 10% of the maximum height permitted in the district.*

As the proposed railing does not fall within the exceptions noted above, the applicant will require bulk variance relief for the height of the accessory pool building since the total height with the railing is 18' where a maximum of 15' is permitted. In the alternative the roof deck and railing could be removed, which would eliminate the variance.

## Variance Plan Comments

1. The plans present calculation of impervious coverage on Sheet 2. It appears the eco-pavers that exist and are proposed were not included as impervious area. In discussing this with the Board Engineer, from a stormwater management perspective the pavers are considered pervious but for impervious coverage calculation, they are

typically included. This would increase total impervious coverage proposed to 0.183. There is a question as to whether the synthetic turf areas should also be included in total impervious coverage. We note the synthetic turf play area in the southwest corner of the site is actually sport court over a bed of gravel, and there are definitive voids in the surface that allow water to pass through to the gravel underneath. Other areas noted as synthetic turf is a surface we would normally associate with this term. The applicant's engineer should provide additional information on the nature of the synthetic turf (excluding the sport court) so a determination can be made as to whether it should be included in the calculation. We are particularly interested in whether water can easily pass through the surface and into the ground.

2. The applicant's engineer should confirm that the various retaining walls and piers were included in the calculation of impervious coverage as they are not noted in the table referenced above.
3. The variance plan should be updated to note the area of synthetic turf that was installed over the septic disposal field. While this was approved by the Township administratively, the May 15, 2023 Health Department review expresses some concern about the potential impact of that improvement as well as the sport court on the disposal field. The Health Department also notes the 2015 septic permit was never closed out, and that as-builts are required. The variance plan does depict the location of the disposal field and other components, and the applicant's engineer should confirm if this is based on surveyed as-built locations.
4. The applicant's engineer should be prepared to discuss the capacity of the stormwater management system should the synthetic turf areas be considered impervious. Can the existing system accommodate these additional areas?

#### **Consideration of Bulk Variances**

The Board has the power to grant c(1) or hardship variances "(a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, (b) or 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 structure lawfully existing thereon, the strict application of any regulations...would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property." The Board may also consider the grant of c(2) variances where the purposes of the New Jersey Municipal Land Use Law would be advanced and the benefits of the deviation would substantially outweigh any detriment. In either case, the Board cannot grant "c" or bulk variances unless the negative criteria are satisfied, or that there is no substantial impact to surrounding properties (first prong) and the grant of the variance will not cause substantial impairment to the intent and purpose of the zone plan (master plan) or zoning ordinance (second prong).

We note the Board already approved the impervious coverage variance previously, however it appears the magnitude of that variance may change pending discussion of the variance plan comments. The site does contain stormwater management features including a detention basin at the rear and a rain garden towards the front.

The applicant should present testimony on potential visibility of the proposed pool structure, particularly given the increased height requested. The structure is proposed to be located on the far east side of the property, which abuts Maidenhead Meadows Park and a substantial area of trees. While the Lawrence Hopewell Trail runs through that property, it is on the east side far from the subject property. As shown in the aerial, there is a significant buffer of evergreen trees around the perimeter of the property as well as on Lot 32.03 that will likely obscure view from adjacent properties, but this should be confirmed.

As to the intent and purpose of the impervious coverage standard, this property is located in the EP-2 District, a zone designation that recognizes the limitation of land for development based on poor water yields and septic suitability along with the presence of various environmental constraints. Impervious coverage limitations are intentionally low to address these factors. The Board will need to be satisfied that the grant of relief in this case is not contrary to this intent, which is potentially mitigated with the stormwater management measures present on the site. Regarding the intent of the accessory building height limitation, while not spelled out in the ordinance or master plan, it is likely geared towards limiting the prominence of accessory structures as compared to principal structures as well as limiting their potential impact on adjacent properties. The reduced setbacks permitted for accessory buildings are based on the notion they would be limited to 15' in height, which is 20' less than the height permitted for principal buildings. Here the Board will need to confirm the increased height sought is not contrary to this intent, particularly given the size of the structure proposed.

We trust the Board will find this information useful in consideration of this matter and reserve the right to provide additional comment based on the applicant's presentation at the public hearing. Should you wish to discuss this review memo, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Kyle', with a stylized flourish at the end.

James T. Kyle, PP/AICP, Board Planner

Cc: Brenda Kraemer, PE (via e-mail)  
Ed Schmierer, Esq., Board Attorney (via e-mail)

TOWNSHIP OF LAWRENCE  
Division of Planning and Redevelopment

TO: Brenda Kraemer, Assistant Municipal Engineer  
James Kyle, Planning Consultant  
Michael Rodgers, Construction Official  
Keith Levine, Health Officer

FROM: Susan Snook, Administrative Secretary *SS*

SUBJECT: Bulk Variance Application No. ZB-3/23  
Dr. Pankaj Mohan, 3870 Princeton Pike  
Tax Map Pages 51.06 and 51.08, Block 5101, Lot 32.02

DATE: May 9, 2023

Attached are the following documents with regard to the above-referenced bulk variance application for the proposed accessory structure in rear yard:

- Letter from Saul Ewing, dated March 27, 2023
- Application No. ZB-3/23
- Cover Sheet, revision dated February 23, 2023
- Proposed Variance Plan, revision dated February 23, 2023
- Architectural Plans, Sheets A-00 thru A-04, revision dated March 14, 2023

This application is scheduled for review by the Zoning Board of Adjustment at the meeting to be held Wednesday, July 19, 2023.

Please review these documents and submit your report to this office as soon as possible, but no later than Friday, June 30, 2023 so that reports may be provided to the applicant and Board members prior to the meeting.

Attachments

cc: Edwin W. Schmierer, Esq., Zoning Board Attorney (w/attns.)

*NO Bldg Comments 5/11/23 MR*  
*NO Fire Comments 05/11/2023 SM*  
*NO PLBG Comments 5/12/23 JG*

*YES - ELECTRICAL - SUBMIT ALL SPECS FOR EQUIPMENT - MOVIE SCREEN, JACKZZI, POOL EQUIPMENT & MUSHROOM FOUNTAIN.*  
*SM*



LAWRENCE TOWNSHIP HEALTH DEPARTMENT

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

Telephone: (609) 844-7089

RECEIVED

Date: May 15, 2023

MAY 16 2023

To: Brenda Kraemer, Assistant Municipal Engineer

From: Keith Levine, 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 type="checkbox"/>	Planning Board	<input type="checkbox"/>	Individual Water Supply
<input checked="" type="checkbox"/>	<b>Zoning Board</b>	<input type="checkbox"/>	Commercial Property
<input type="checkbox"/>	Other: _____	<input checked="" type="checkbox"/>	Other: <b>Bulk Variance</b>

PROJECT NAME: Mohan Bulk Zoning Variance Application # ZB 3/23

LOCATION: 3870 Princeton Pike

BLOCK: 5101 LOT # 32.02 PR# \_\_\_\_\_

OWNER: Dr. Pankaj Mohan Phone: 317-514-8886

ENGINEER/ARCHITECT: Crest Engineering Associates, Inc. Peter Strong, PE

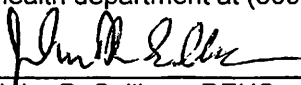
ADDRESS: 100 Rike Drive  
Millstone, NJ 08535 PHONE: 609-452-3152

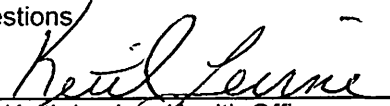
APPROVAL  DISAPPROVAL  APPROVAL WITH CONDITIONS

COMMENTS: Proposed bulk variance to install a new pool house with full bathroom, shower and laundry.  
Septic alteration design plans shall be submitted to the Health Dept. to address the new waste stream.  
Plan shows turf play area encroaching over existing septic system. Aerial photos show tennis courts and patio  
encroaching over existing septic system. The existing septic system shall be evaluated to determine if the  
system has been damaged by the encroachment. A written report of findings signed by an NJPE will be required.

The septic permit for the existing septic system (installed 2015) is still open. An as-built depicting the location of  
septic components, including tank locations and sizes, is still required. As such Const Permit #2014156 remains  
open.

Contact the health department at (609) 844-7089 if there are any questions

  
John R. Sullivan, REHS

  
Keith Levine, Health Officer

Township of Lawrence  
**ENGINEERING DEPARTMENT**

TO: Susan McCloskey, Tax Collector  
FROM: Susan Snook, Administrative Secretary *SS*  
SUBJECT: Verification of Current Tax and Sewer Payment Status  
DATE: May 22, 2023

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

Application No(s): ZB-3/23  
Application Name: **Dr. Pankaj Mohan**  
Street Address: 3870 Princeton Pike  
Tax Map Page(s): 51.06 & 51.08  
Block: 5101  
Lot(s): 32.02

Thank you for your anticipated assistance and response.

SJS  
g:\engineering\tax request.doc

*As of 5/23/2023 there is  
a small balance past due  
of \$ 43.49*

*[Signature]*  
*Tax Collector*

