



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

July 24, 2020

File No. 2020-02048

Crystal Lawton, Zoning Board of Adjustment Secretary
City of Lambertville
18 York Street
Lambertville, NJ 08530-2093

Reference: Conditional Use Variance & Site Plan Waiver Review #1
Scully/Abed Residence
26 South Main Street (Block 1046, Lot 5)
City of Lambertville, Hunterdon County, New Jersey

Dear Ms. Lawton:

Pursuant to your request, Gilmore & Associates, Inc. (G&A) has reviewed the information listed below with regard to the Planning & Board of Adjustment Application for 26 South Main Street and offers the following Zoning Ordinance comments for consideration by the City of Lambertville Zoning Board of Adjustment.

I. Submission

- A. Proposed Floor Plans for 26 South Main Street, prepared by Lionel A. Scriven Architect LLC, two (2) sheets, dated May 15, 2020.
- B. Location Survey for 26 South Main Street, prepared by Ronald L. Haffling P.L.S., sheet 1 of 1, dated December 27, 2019.
- C. Planning & Board of Adjustment Application for 26 South Main Street, prepared by Richard Mongelli, Esquire, dated May 22, 2020.

II. General Information

The subject parcel is a 1,371 square foot (0.031 acres) lot located at 26 South Main Street, within the Residential 2 (R-2) Downtown Residential Zoning District, and contains an existing three-story single-family semi-detached dwelling. The Owner/Applicant, Laura Scully and Aissa Abed, proposes to reconfigure the inside of the building making the basement and first floor into a primary residence and the second and third floors into an accessory apartment. The Applicant is not intending to increase the size of the building and is therefore seeking a site plan waiver.

III. Review Comments

A. Zoning Ordinance

We have identified the following issues in regards to the requirements and provisions of the current City of Lambertville Zoning Ordinance:

1. §404.4B. – An accessory apartment may be permitted as a conditional use. The Applicant is proposing an accessory apartment on the second and third floors.
2. §404.4B.1, 2, 3, & 4. – Conditional Uses. The architectural plan states that the Applicant will comply with sections N.J.A.C. 5:93-1.3, 5:93-5.9(a)3, 5:93-11, and 5:93-5.9(e) in accordance with these sections of the Zoning Ordinance. The plan shall be recorded accordingly to memorialize the Applicant's conformance with these provisions.

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3. §404.4B.5. – Conditional Uses. Accessory apartments shall only be permitted within single family detached dwellings or their accessory structures. The property is a semi-detached dwelling and not a detached dwelling or accessory. The Applicant is requesting relief from this criterion.
4. §404.4B.6.d. – Conditional Uses. Each accessory unit apartment shall not exceed 900 square feet in area. The Applicant is proposing a 1,207 square foot accessory apartment. The Applicant is requesting relief from this criterion.
5. §404.4B.7. – Conditional Uses. Each accessory apartment shall have direct access to the side or rear exterior of the building. The Applicant proposes a shared entrance to the property via the front. The Applicant is requesting relief from this criterion.
6. §404.5. – R-2 Area, Yard, Height and Coverage Requirements. We note that the existing property does not conform to four (4) of the R-2 requirements: minimum lot size, minimum lot frontage, minimum lot width at the building line, and principal building minimum side yard depth. The noted non-conformities are pre-existing conditions.
7. §516.3. – The Board of Jurisdiction may waive the requirement for site plan approval whenever there is a determination that the proposed development, alteration, repair, or change of use or occupancy does not affect the existing conditions of the lot or premises. The Applicant has requested a waiver from site plan approval since there are no proposed alterations to the site or existing exterior of the building.

B. General Comments

1. Per the NJ Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21-4-14(f), four (4) parking spaces are required for the proposed project. In order to assist in fulfilling this requirement, the Applicant has provided a signed Parking Lease Agreement with the owners of 50 Swan Street, dated January 2020, for two (2) parking spaces. However, the agreement states that “Swan Street has a gated driveway sufficient to park six cars” but the Plot Plan for 50 Swan Street, prepared by Lionel A. Scriven Architect LLC, dated May 15, 2020, indicates that there are only four (4) parking spaces. This discrepancy shall be clarified by the Applicant. Also, the Parking Lease Agreement is for a one (1) year term, which shall automatically extend unless terminated after a 30-day notice. If the lease agreement is terminated, then additional parking spaces will need to be provided prior to termination of the agreement or the Applicant will have to request additional parking relief from the Board for the two (2) parking spaces. In addition, the agreement only provides two (2) of the required (4) parking spaces, and therefore, the Applicant will require relief for the two (2) remaining spaces or demonstrate compliance.
2. The Applicant is responsible for any other required approvals, permits, etc. (i.e., Hunterdon County Planning Board, etc.). Copies of these permits and approvals should be submitted to the City.

If you have any questions regarding the above, please contact this office.

Sincerely,

Douglas C. Rossino

Douglas C. Rossino, P.E.
Gilmore & Associates, Inc.
Zoning Board of Adjustment Engineers

DCR/sw

cc: Stewart Palilonis, Esq., Zoning Board of Adjustment Attorney
Emily Goldman, P.P., AICP, Zoning Board of Adjustment Planner
Ken Rogers, Construction Official
Laura Scully & Aissa Abed, Owner/Applicant
Richard Mongelli, Esquire, Applicant's Attorney