

**STAFF REPORT**

**PLEASE REFER TO DRCC # WHEN SUBMITTING  
ADDITIONAL DOCUMENTS**



**DRCC #:** 19-3483B

**DATE:** March 2, 2020

**PROJECT NAME:** 115 North Union Street -- Proposed Porch Stairs & Landscape Plan

**Latest Submission Received:** January 29, 2020

**Applicant:**

Mr. & Mrs. Kabir Nath  
115 North Union Street  
Lambertville, NJ 08530

**Architect:**

Gary O'Connor, AIA  
Gary R. O'Connor -- Architect, LLC  
8 Coryell Street  
Lambertville, NJ 08530

**Project Locations:**

Road	Municipality	County	Block(s)	Lot(s)
115 North Union Street	Lambertville City	Hunterdon	1020	2

**Jurisdictional Determination:**

Zone A	Minor	Nongovernmental
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**Subject to Review for:**

Drainage	Visual	Traffic	Stream Corridors
X	X		

**THIS STAFF REPORT IS ISSUED AS A GUIDE TO APPLICANTS IN COMPLYING WITH DRCC REGULATIONS. IT IS NOT AN APPROVAL. NO CONSTRUCTION SHALL BEGIN UNTIL A CERTIFICATE OF APPROVAL HAS BEEN ISSUED.**

**Documents Received:** Cover Sheet, Project Data & Building Standards (1 sheet) dated August 22, 2019 prepared by Gary R. O'Connor -- Architect, LLC.

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Staff comments continued below.

**PO BOX 539**

**STOCKTON, NJ 08559**

**609-397-2000**

**[www.nj.gov/dep/drcc/](http://www.nj.gov/dep/drcc/)**

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**The application is incomplete. The following is a staff report and review of deficiencies:**

**Existing Conditions:** The project area is a 15,384 square foot (0.35 acre) lot located in the City of Lambertville, Hunterdon County, approximately 176 feet east of the Delaware and Raritan Canal Commission and within Commission Review Zone A. The property consists of a two and one-half story, single-family residential dwelling constructed in the year 1890 in the Colonial Revival Style, and an associated detached garage abutting Clinton Street, gravel driveway providing ingress and egress onto North Union and Clinton Streets, patios, pergola, walkways and inground swimming pool.

The 1982 Delaware and Raritan Historic Structures Survey states that the three-bay, center hall, hipped roof, hipped center dormer house is of "notable" architectural significance, possessing such features as a one-bay porch with round columns topped by Doric capitals, as well as an Oriel window above the entrance.

While the residence and garage were constructed prior to January 11, 1980, the lot has been the subject of the following Commission project reviews:

DRCC #07-3483 -- Peters Garage Relocation: The Commission issued a certificate of approval in 2007 for the relocation and restoration of the existing garage, moving the structure approximately 15 feet to accommodate an extension of the existing driveway to North Union Street. That project created 450 square feet of new impervious surface coverage. (See attached copy)

DRCC#13-3483A -- Nath Pool: In 2013, the Commission issued a certificate of approval for the construction of a 659-square-foot inground pool and a 117-square-foot patio located north of the pool, both of which were built on the west side of the lot. The pool/patio is project added a total of 776 square feet of impervious surface coverage to the lot. (See attached copy)

In the course of this review, the Commission staff also became aware of the addition of a 168.75-square-foot patio and wall placed east of the garage. It was at this time that former-Director Dooley notified the applicant in correspondence dated May 8, 2013 that that stormwater impact review would be required for any future project that proposed new impervious surfaces, including gravel (See attached copy).

Therefore, the cumulative amount of post-1980 cumulative impervious surface coverage on the lot has increased by 1,394.75 square feet (0.04 acre). Therefore, pursuant to the provisions of N.J.A.C. 7:45-6.2(a)1, the project is ineligible for a Commission General Permit No. 2.

**Proposed Project:** The applicant is proposing to construct a "knot garden", a new slate patio, and slate walkways and relocate and enlarge the steps from the existing covered porch located on the southerly side of the dwelling. The knot garden (a formal square frame garden typically comprised of aromatic plants and culinary herbs having its origins

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in Elizabethan England) would be constructed in the front yard facing North Union Street and consist of 3-inch-thick loose gravel bed and formal plantings. The remainder of the proposed impervious surface is comprised of slate walks and patio and a wooden step.

Based upon the submitted application, the increase in impervious surface area coverage onsite is estimated to be about 675 square-feet (0.015-acres). The proposed project shall result in an area of land disturbance of about 2,200 square-feet (0.05-acres).

**Stream Corridor:** Consistent with the determination made in the review of DRCC #13-3483A, Commission staff finds that there are no streams or floodplains on this site. Accordingly, the project is not subject to stream corridor review pursuant to N.J.A.C. 7:45-9.1(a).

**Stormwater Runoff Quantity:** The proposed project will result in an increase in the amount of impervious surface area onsite, and an associated increase in stormwater runoff if unmitigated.

The submitted application proposes to control stormwater runoff flow and volume increases via the construction of a drywell. The proposed drywell will collect runoff from a portion of the roof of the existing dwelling. Runoff from the reconstructed steps and new patio will flow overland and uncontrolled. The proposed drywell has been designed to collect the entire volume of runoff from the roof for all events up to and including the 100-year storm. The total storage provided by the drywell is 414 cubic feet. The drywell consists of a 6-foot-diameter concrete seepage tank and a 12-inch-thick clean stone layer under the new patio. The area of the new patio is 334 square-feet.

The stormwater report contends that the stormwater management measures have been designed so that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the two, 10, and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. The submitted calculations utilized the Natural Resource Conservation Service (NRCS) Technical Release No. 55 (TR-55) hydrologic methodology, Standard unit hydrograph rainfall distribution and current New Jersey 24-hour rainfall frequency data for Hunterdon County to compute peak runoff flow rates and volumes. Therefore, the proposed stormwater management measures will provide enough peak flow attenuation to meet the specific runoff quantity standards of N.J.A.C. 7:45-8.6(a)2.

**Water Quality:** Based upon the submitted application, no new or renewed access drive or parking areas are being added or reconstructed as part of this project. The actual improvements being constructed as a part of the project consist of patios, walkways and steps which do not require water quality treatment. As such, the proposed project complies with the water quality requirements of N.J.A.C. 7:45-8.7.

**Groundwater Recharge:** The Commission regulations require that stormwater management measures maintain 100 percent of the average annual preconstruction

groundwater recharge volume for the site; or that any increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.

Based upon the submitted stormwater calculations, under the pre-construction conditions, there would be a runoff volume of 238 cubic-feet and, under the post-construction conditions, there would be a runoff volume of 139 cubic-feet. This confirms that the stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated. Therefore, the groundwater recharge requirements of N.J.A.C. 7:45-8.5 have been addressed.

**Nonstructural Methods:** In accordance with N.J.A.C. 7:45-8.4, sufficient nonstructural stormwater management strategies need to be incorporated into the project site design “to the maximum extent practical”. However, an NJDEP Nonstructural Strategies Point System (NSPS) spreadsheet was not submitted for this project. Therefore, it is unclear if the project has proposed nonstructural measures that are adequate in accordance with N.J.A.C. 7:45-8.4.

**Stormwater Management Maintenance Plan:** A stormwater management operation and maintenance plan document has not been submitted for the best management practice (BMP) elements proposed for the 115 North Union Street project. The plan should include maintenance details for the proposed onsite stormwater conveyance system and drywell system. The submitted plan should be prepared in accordance with the requirements of N.J.A.C. 7:45-8.8.

**Visual, Historic & Natural Quality Impact:** The proposed project is located in an “Urban” canal environment as described in the Delaware and Raritan Canal State Park Master Plan (Master Plan). The urban environment is characterized at N.J.A.C. 7:45-10.2(a) by enclosure of the canal by dense development.

The provisions of N.J.A.C. 7:45-10.3 relating to mitigation for major or minor projects in certain canal environments are inapplicable to the proposed project.

N.J.A.C. 7:45-10.4(a) directs that projects in Commission Review Zone A be set back from the Delaware and Raritan Canal State Park sufficiently far so that the winter visual and natural quality of the park is not adversely affected. No minimum setback for the Urban canal environment is required except as may be prescribed by municipal ordinance. Therefore, the project is in compliance with this provision.

N.J.A.C. 7:45-10.4(b) directs that projects in Commission Review Zone A shall maintain a reasonable height and scale relationship to nearby structures or vegetation. For urban canal environments, the height of structures may vary according to the height of existing structures that have a visual relationship to the proposed structure. Commission staff has determined that the elements of the proposed project, which are shorter than surrounding existing structures, are in compliance with this provision.

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The provisions of N.J.A.C. 7:45-10.4(a) through (c), which regulate electric, telephone, cable television lines and equipment, storage areas, out-buildings, exposed machinery service areas, parking lots, loading areas, utility buildings, commercial signs or outdoor advertising structures, and the preservation of natural terrains, soils, stones, and vegetation, are all inapplicable to the proposed project.

The project, which is located approximately 176 feet from the Delaware and Raritan Canal, is located within the Delaware and Raritan Canal Historic District, which encompasses the canal bed and all structures within 300 feet of the canal. N.J.A.C. 7:45-10.4(d)6 directs that projects that are located in any officially designated Federal, State or local historic district or site shall be assessed for their impact upon that district or site. Consistent with past determinations of former-Directors, Commission staff believes that the proposed project would have no impact upon the district, because the proposed project will be completely the screened from the canal by intervening structures located at Block 1021, Lots 7, 8, 9 and 10, respectively, as well as vegetation.

**Additional Information Required:**

1. Please provide a completed NJDEP Nonstructural Strategies Point System (NSPS) worksheet, which verifies compliance with the specific nonstructural stormwater management standards of N.J.A.C. 7:45-8.4.
2. A stormwater management maintenance plan should be prepared and submitted for review in accordance with N.J.A.C. 7:45-8.8 and the NJDEP Stormwater Management BMP Manual.
3. Pursuant to the schedule at N.J.A.C. 7:45-13.2(e) and (f)1, respectively, please remit fee payment in the amount of \$350.00, made payable to "Treasurer, State of New Jersey."
4. The Commission requires notice of county and municipal approvals.

**Staff Recommendation:** Staff does not recommend approval at this time.

Sincerely,



John Hutchison  
Executive Director

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- c. Hunterdon County Planning Board  
Lambertville City Zoning Board of Adjustment