

FILE COPY #1



TOWNSHIP OF BORDENTOWN  
1 MUNICIPAL DRIVE  
BORDENTOWN, NEW JERSEY 08505



PLANNING BOARD & ZONING BOARD  
APPLICATION FORM

The application, with supporting documentation, must be filed with the Township and must be delivered to the professionals for review at least fifteen (15), but not more than twenty (20) business days prior to the meeting at which the application is to be considered.

PROJECT NAME: 30 WATERFORD DR.

To be completed by Township staff only.

Date Filed: 7/2/20 Application No.: PB-2020-05  
Planning Board:  Application Fee: \$200-  
Zoning Board of Adjustment: \_\_\_\_\_ Escrow No.: 990600  
Escrow Deposit: \$500-  
Scheduled for: Review for Completeness: \_\_\_\_\_ Hearing: \_\_\_\_\_

1. SUBJECT PROPERTY

Location: 30 WATERFORD DR. BORDENTOWN NJ 08505  
Tax Map Page: 18 Block: 00093 05 Lot(s): 00001  
Page: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_  
Dimensions Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_ Total Area: \_\_\_\_\_  
Zoning District: RESIDENTIAL R-30 (PCD)

2. APPLICANT

Name: MARK PALUMBO  
Address: 30 WATERFORD DR.  
BORDENTOWN NJ 08505  
Telephone No. 609-731-9811 E-Mail MPAL053@CAOL.COM  
Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual X

VISIT OUR WEBSITE AT WWW.BORDENTOWNTOWNSHIP.COM

3. DISCLOSURE STATEMENT

Pursuant to N.J.S.A. 40:55D-48.1 the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 105 ownership criterion have been disclosed. (Attach pages as necessary to fully comply.)

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

Telephone No. \_\_\_\_\_ E-Mail \_\_\_\_\_

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes (attach copies) \_\_\_\_\_ No \_\_\_\_\_ Proposed \_\_\_\_\_

Note: All deed restrictions, covenants easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present use of the premises: RESIDENTIAL

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Applicant's Attorney

Address

Telephone No.

E-Mail

FAX No.

7. Applicant's Engineer

Address

Telephone No.

E-Mail

FAX No.

8. Applicant's Planning Consultant

Address

Telephone No.

E-Mail

FAX No.

9. Applicant's Traffic Engineer

Address

Telephone No.

E-Mail

FAX No.

10. List any other Expert who will submit a report or who will testify for the Applicant:  
(Attach additional sheets as may be necessary)

Name

Field of Expertise

Address

Telephone No.

E-Mail

FAX No.

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

\_\_\_\_\_ Minor Subdivision Approval

\_\_\_\_\_ Subdivision Approval (Preliminary)

\_\_\_\_\_ Subdivision Approval (Final)

Number of lots to be created \_\_\_\_\_  
(including remainder lot)

Number of proposed dwelling units \_\_\_\_\_  
(if applicable)

SITE PLAN:

\_\_\_\_\_ Minor Site Plan Approval

\_\_\_\_\_ Preliminary Site Plan Approval [Phases (if applicable) \_\_\_\_\_ ]

\_\_\_\_\_ Final Site Plan Approval [Phases (if applicable) \_\_\_\_\_ ]

\_\_\_\_\_ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet or acreage) \_\_\_\_\_

Number of proposed dwelling units (if applicable) \_\_\_\_\_

\_\_\_\_\_ Request for Waiver From Site Plan Review and Approval

Reason for request: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Informal Review

\_\_\_\_\_ Request for Rezoning and/or Amendment to Master Plan

\_\_\_\_\_ Appeal decision of an Administrative Officer [N.J.S.A. 40:55D-70a]

\_\_\_\_\_ Map or Ordinance Interpretation or Special Question [N.J.S.A. 40:55D-70b]

\_\_\_\_\_ Variance Relief (hardship) [N.J.S.A. 40:55D-70c(1)]

\_\_\_\_\_ Variance Relief (substantial benefit) [N.J.S.A. 40:55D-70c(2)]

\_\_\_\_\_ Variance Relief (use) [N.J.S.A. 40:55D-70d]

\_\_\_\_\_ Conditional Use Approval [N.J.S.A. 40:55D-67]

\_\_\_\_\_ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way,  
or flood control basin [N.J.S.A. 40:55D-34]

\_\_\_\_\_ Direct issuance of a permit for a lot lacking street frontage [N.J.S.A. 40:55D-35]

\_\_\_\_\_ Other Relief (specify): \_\_\_\_\_

12. Section(s) of Ordinance from which a variance is requested:

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13. Waivers Requested of Development Standards and/or Submission Requirements:  
(attach additional pages as needed)

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14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable. The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: [attach pages as needed]

SEE ATTACHED LETTER

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16. Is a public water line available? YES

17. Is public sanitary sewer available? YES

- 18. Does the application propose a well and septic system? \_\_\_\_\_
- 19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? \_\_\_\_\_
- 20. Are any off-tract improvements required or proposed? \_\_\_\_\_
- 21. Is the subdivision to be filed by Deed or Plat? \_\_\_\_\_
- 22. What form of security does the applicant propose to provide as performance and maintenance guarantees? \_\_\_\_\_
- 23. Other approvals which may be required and date plans submitted: \_\_\_\_\_

	Yes	No	Date Plans Submitted
City of Bordentown Water Company	_____	_____	_____
Bordentown Sewerage Authority	_____	_____	_____
Bordentown Township Board of Health	_____	_____	_____
Burlington County Health Department	_____	_____	_____
Burlington County Planning Board	_____	_____	_____
Burlington County Soil Conservation District	_____	_____	_____
NJ Council on Affordable Housing	_____	_____	_____
DJ Department of Environmental Protection:			
Sewer Extension Permit	_____	_____	_____
Sanitary Sewer Connection Permit	_____	_____	_____
Stream Encroachment Permit	_____	_____	_____
Waterfront Development Permit	_____	_____	_____
Wetlands Permit	_____	_____	_____
Tidal Wetlands Permit	_____	_____	_____
Potable Water Construction Permit	_____	_____	_____
Other _____	_____	_____	_____
NJ Department of Transportation	_____	_____	_____
Public Service Electric & Gas Company	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- 24. Certification from the Tax Collector that all taxes due on the subject property have been paid.
- 25. List of Maps, Reports and other materials accompanying the application (attach additional pages as



CERTIFICATIONS

27. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

(If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this 27<sup>th</sup> day of June, 2020. [Signature] NOTARY PUBLIC. [Signature] SIGNATURE OF APPLICANT. Notary seal for Scott Cooper, Notary Public, No. 50076598, Burlington County, New Jersey, Commission Expires February 7, 2022.

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

(If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this 27<sup>th</sup> day of June, 2020. [Signature] NOTARY PUBLIC. [Signature] SIGNATURE OF OWNER. Notary seal for Scott Cooper, Notary Public, No. 50076598, Burlington County, New Jersey, Commission Expires February 7, 2022.

29. I understand that the sum of \$ \_\_\_\_\_ has been paid to the Township of Bordentown as a Non-Refundable Application Fee.

6-29-20 DATE. [Signature] SIGNATURE OF APPLICANT.

29. I understand that the sum of \$ \_\_\_\_\_ has been deposited in an escrow account (Builder's Trust Account). In accordance with the Land Development Ordinance of the Township of Bordentown, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of applications for development, review and preparation of documents, inspection of improvements, the publication of the decision by the Board or other purposes under the provisions of the Municipal Land Use Law. Sums not utilized shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

6-29-20 DATE. [Signature] SIGNATURE OF APPLICANT.

VISIT OUR WEBSITE AT WWW.BORDENTOWNTOWNSHIP.COM



# BORDENTOWN TOWNSHIP

## REQUEST FOR CERTIFICATION OF PAID TAXES

NAME OF OWNER: MARK & ALICIA PALUMBO

ADDRESS OF OWNER: 30 WATERFORD DR.

BLOCK: 00093 05 LOT (S): 00001

LOCATION OF PROPERTY: BORDENTOWN NJ 08505

APPLICANT'S NAME: MARK PALUMBO

APPLICANT'S ADDRESS: 30 WATERFORD DR. BORDENTOWN NJ 08505

TAXES DUE: \$ 0

ASSESSMENTS DUE: \$ \_\_\_\_\_

TOTAL: \$ 0

I hereby certify that the information stated above pertaining to the taxes and assessments on the property for which the application is made is true and correct.

7/6/20  
DATE

**COLLECTOR OF TAXES**  
**I verify that the information accurately reflects**  
**municipal tax records.**

**Tax Collector**  
**Bordentown Township**  
**Burlington County**



# 15

I have attached the letters sent from M. Theokas as a guide for what we need to apply for all the variances. There were 6 items on the 2<sup>nd</sup> letter and at least 4 on the 1<sup>st</sup> letter which may have some be redundancy. I am writing everything up in an effort to ensure nothing is missed. I have included some notes and details below in case anything else comes up.

Chapter 25, Section 516.A for the rear setback of the pool at 9.5' where 10' is required. ***The original survey submitted shows the proposed pool location at a 12' rear yard setback, which complied with Ordinance standards.***

(Owner Reply - We were unaware that the pool was being placed in the wrong location by the pool company. The pool company should be seeking the relief of this ordinance through a variance or an "as built". We are seeking relief of this ordinance.)

Chapter 25, Section 516.A for the absence of a 4' wide landscape buffer between the pool concrete decking and the rear yard property line. ***You will either need to provide proof of a buffer in the form of grass, trees or shrubs between the pool concrete and the property line or an additional variance will be required.***

(Owner Reply - The distance from the concrete to the property line in the rear of the property line is 4'7 inches. The wall and then a fence will be inside that distance. We plan on either, stone, grass, shrubs or a combination of inside that area as well as all the other areas surrounding the pool. Cannot do this until work stoppage is lifted. We seek relief if it's deemed necessary.)

Chapter 25, Section 516.G. for the absence of a buffer for the pool equipment that will be placed in the side yard adjacent to the street along Bentwood Drive. ***Per the Code, the filter & pump shall be designed and buffered in such a way as to not cause undue negative impacts on adjoining properties. You will need to provide proof that the condition will be met, and if not, it will require a variance.***

(Owner Reply - We were unaware of the placement of the pool equipment by the pool company. We will provide the proper buffering. The pool company should be seeking the relief of this ordinance through a variance or an "as built". We are seeking relief of this ordinance.)

Chapter 25, Section 403.D for an accessory structure (retaining wall) located at a 0 ft rear yard setback where 6' is required. ***The wall is defined by Ordinance as a structure and therefore is subject to setback requirements.***

(Owner Response - A new survey with wall measurements has been provided and the wall specs are listed in the notes below. We seek relief from this ordinance for the wall that has been 90% completed.)

Chapter 25, Section 606.B.5 Landscape wall/retaining wall at 0 FT second front yard setback where 25' FT is required

(Owner Response - - A new survey with wall measurements has been provided and the wall specs are listed in the notes below. We seek relief from this ordinance for the wall that has been 90% completed.)

Chapter 25, Section 606.B.5 Pool located at a 23' ft second front yard setback where 25' is required.

(Owner Response – We seek relief from the ordinance for the pool which is complete.)

Chapter 25, Section 606.B.5 Pool decking located at a 13" ft second front yard setback where 25' is required

(Owner Response – We seek relief from the ordinance for the pool decking which is complete.)

## Notes and Details

The total square footage of the pool decking and its appurtenances possibly exceed 75% coverage of the rear yard.

(Owner Response - We are awaiting confirmation from township officials after provided sq. ft. measurements from the pool company as to our current lot coverage. We seek relief from this ordinance if it is deemed necessary. As per 2<sup>nd</sup> letter we are under the 75% coverage.)

Fence will maintain a minimum setback of 7.2' from the inside of the sidewalk that runs along Bentwood Drive, per the Resolution of approval Z-2014-08.

(Owner Response – Our fence installation will meet the above requirements as per the resolution of approval listed above.)

Details of the retaining wall are required (Height, length and materials)

(Owner Response – The wall consists of the following: Height - 16.6inches to 33.5 inches, Length - 39ft 10.5inches in length, made of pressure treated wood)

**TOWNSHIP OF BORDENTOWN**  
**BURLINGTON COUNTY, NEW JERSEY**

June 17, 2020

Mark & Alicia Palumbo  
30 Waterford Drive  
Bordentown, NJ 08505

1 MUNICIPAL DRIVE  
BORDENTOWN, NJ 08505-2193

**OFFICE OF COMMUNITY DEVELOPMENT**  
Telephone: (609) 298-2800, EXT. 5  
FAX: (609) 298-0667

Re: In-ground pool, retaining wall, drainage issues  
30 Waterford Drive  
Block 116, Lot 4

Dear Mr. & Mrs. Palumbo,

After review of the updated topographical survey, prepared by Martin G. Miller III, dated 6/12/20, our office has several concerns/ comments that are enumerated below:

**Variances are required for the following items from the Land Use Ordinance:**

- Chapter 25, Section 516.a for the rear yard setback of the pool at 9.5' where 10' is required. *The original survey submitted shows the proposed pool location at a 12' rear yard setback, which complied with Ordinance standards.*
- Chapter 25, Section 516.a for the absence of a 4' wide landscape buffer between the pool concrete decking and the rear yard property line. *You will either need to provide proof of a buffer in the form of grass, trees or shrubs between the pool concrete and the property line or an additional variance will be required.*
- Chapter 25, Section 516.g. for the absence of a buffer for the pool equipment that will be placed in the side yard adjacent to the street along Bentwood Drive. *Per the Code, the filter & pump shall be designed and buffered in such a way as to not cause undue negative impacts on adjoining properties. You will need to provide proof that the condition will be met, and if not, it will require a variance.*
- Chapter 25, Section 403.D for an accessory structure (retaining wall) located at a 0 ft rear yard setback where 6' is required. *The wall is defined by Ordinance as a structure and therefore is subject to setback requirements.*
- Upon receipt of the total square footage of the pool decking, it is possible an additional variance may be required if the pool and its appurtenances exceed 75% coverage of the rear yard.

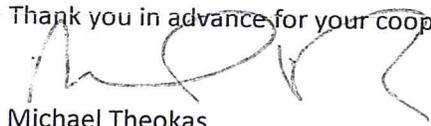
**Additional information for the public hearing and amended zoning permit:**

- An updated Zoning permit application will be required upon approval from the Planning Board of the variance application.
- Details of the retaining wall are required (ie: height, length, materials)

- Latest topographical plan does not show the fence location in the side yard adjacent to the street alongside Bentwood Drive. ***When the fence is relocated after construction is finished, the fence must maintain a minimum setback of 7.2' from the inside of the sidewalk that runs along Bentwood Drive, per the Resolution of approval Z-2014-08.***
- The retaining wall and proposed fence are both located in the 10' utility easement that runs the length of the entire lot frontage.

If you should have any questions or concerns regarding this letter, you can contact me Monday through Friday at (609) 298-2800, ext. 2102 or by email at [m.theokas@bordentownwp.org](mailto:m.theokas@bordentownwp.org).

Thank you in advance for your cooperation in this matter,



Michael Theokas  
Acting Director of Community Development, Zoning Officer

Encl.

cc: file

**TOWNSHIP OF BORDENTOWN**  
**BURLINGTON COUNTY, NEW JERSEY**

1 MUNICIPAL DRIVE  
BORDENTOWN, NJ 08505-2193

OFFICE OF COMMUNITY DEVELOPMENT  
Telephone: (609) 298-2800, EXT. 5  
FAX: (609) 298-0667

June 29, 2020

Mark & Alicia Palumbo  
30 Waterford Drive  
Bordentown, NJ 08505

Re: Inground pool, retaining wall,  
30 Waterford Drive  
Block 116, Lot 4

Dear Mr. & Mrs. Palumbo,

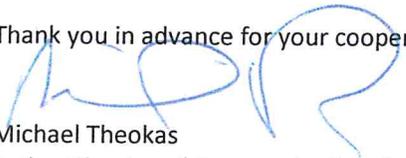
Enclosed in this letter, please find the list of required variances determined necessary by the Zoning Officer.

The list encompasses the sections of the Bordentown Land Use Ordinance that you should be seeking relief from. Some sections are repeated, however it is due to more than one regulation in that section that has not been met by the current pool installation, and not a typographical error.

Our office would like to reiterate that the original Zoning approval for the pool permit in May of 2019, showed all proposed improvements were in compliance with all Zoning Codes. The apparent shift in pool location during the installation of the pool, subsequent change of topography and additional concrete have created the need for the variances enumerated in the attached list.

If you should have any questions or concerns regarding this letter, you can contact me Monday through Friday at (609) 298-2800, ext. 2102 or by email at [m.theokas@bordentowntwp.org](mailto:m.theokas@bordentowntwp.org).

Thank you in advance for your cooperation in this matter,

  
Michael Theokas  
Acting Director of Community Development, Zoning Officer

Encl.  
cc: file

June 29, 2020  
30 WATERFORD DRIVE, BORDENTOWN, NJ  
REQUIRED VARIANCE FOR POOL INSTALLATION

25: 403.D	LANDSCAPE WALL/RETAINING WALL AT A 0 FT REAR YARD SETBACK WHERE 6 FT IS REQUIRED
25:606.B.5	LANDSCAPE WALL/RETAINING WALL AT A 0 FT SECOND FRONT YARD SETBACK WHERE 25' FT IS REQUIRED
25:606.B.5	POOL LOCATED AT A 23 FT SECOND FRONT YARD SETBACK WHERE 25' IS REQUIRED
25:606.B.5	POOL DECKING LOCATED AT A 13' SECOND FRONT YARD SETBACK WHERE 25 FT IS REQUIRED
25:516.a.	POOL LOCATED AT A 9.5 FT REAR YARD SETBACK WHERE 10 FT IS REQUIRED
25:516.a.	NO 4 FT WIDE LANDSCAPE BUFFER IN FORM OF GRASS, SHRUBS OR TREES ALONG REAR YARD PROPERTY LINE, WHICH IS REQUIRED BY ORDINANCE

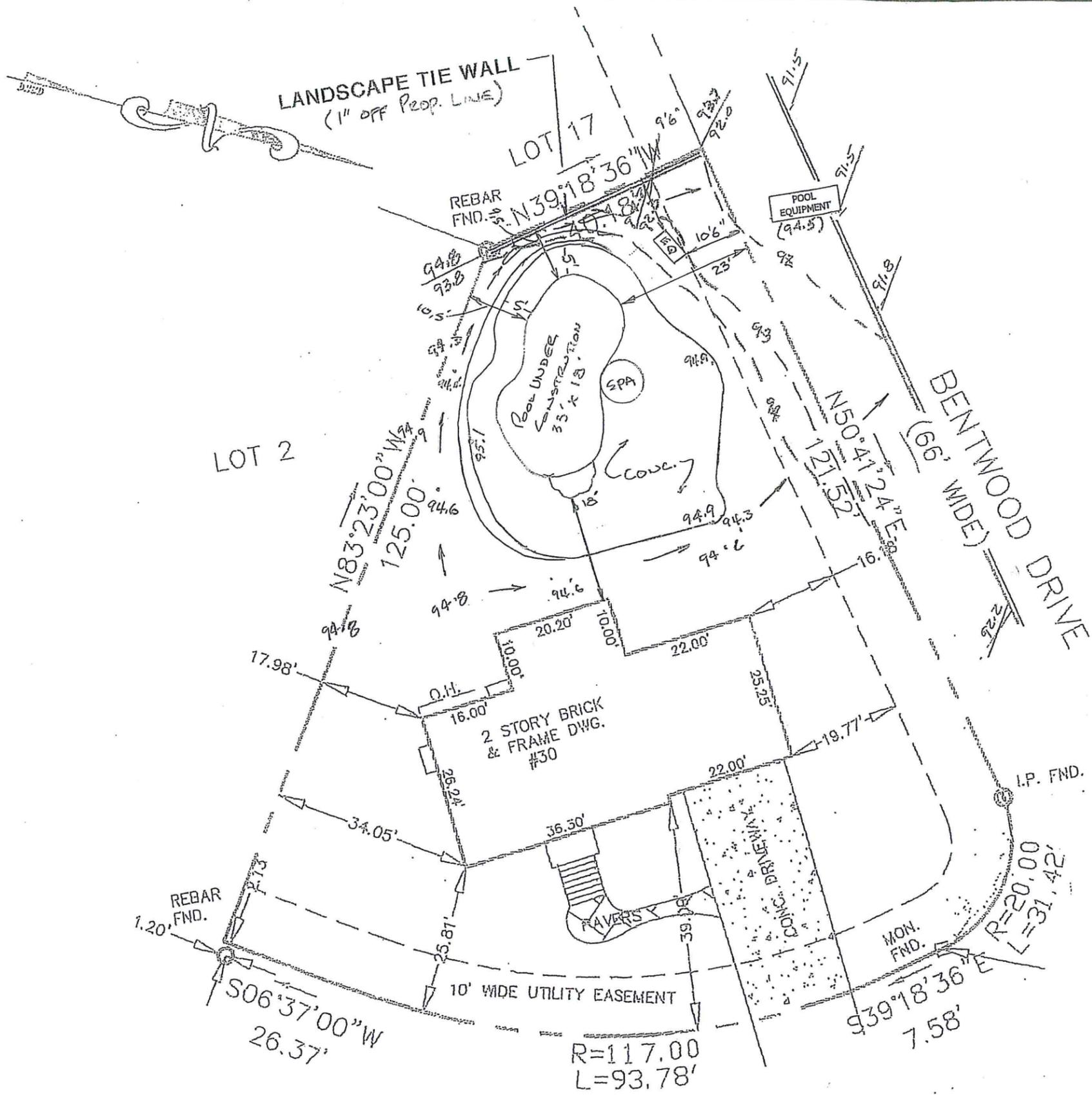
Details not included:

- 1) The proposed fence is not shown on the revised topographical survey. Per the 2014 Zoning Board approval, it must not be any closer than 7.5 ft to the second front yard along Bentwood Dr.
- 2) No details are shown for the construction of the retaining wall.



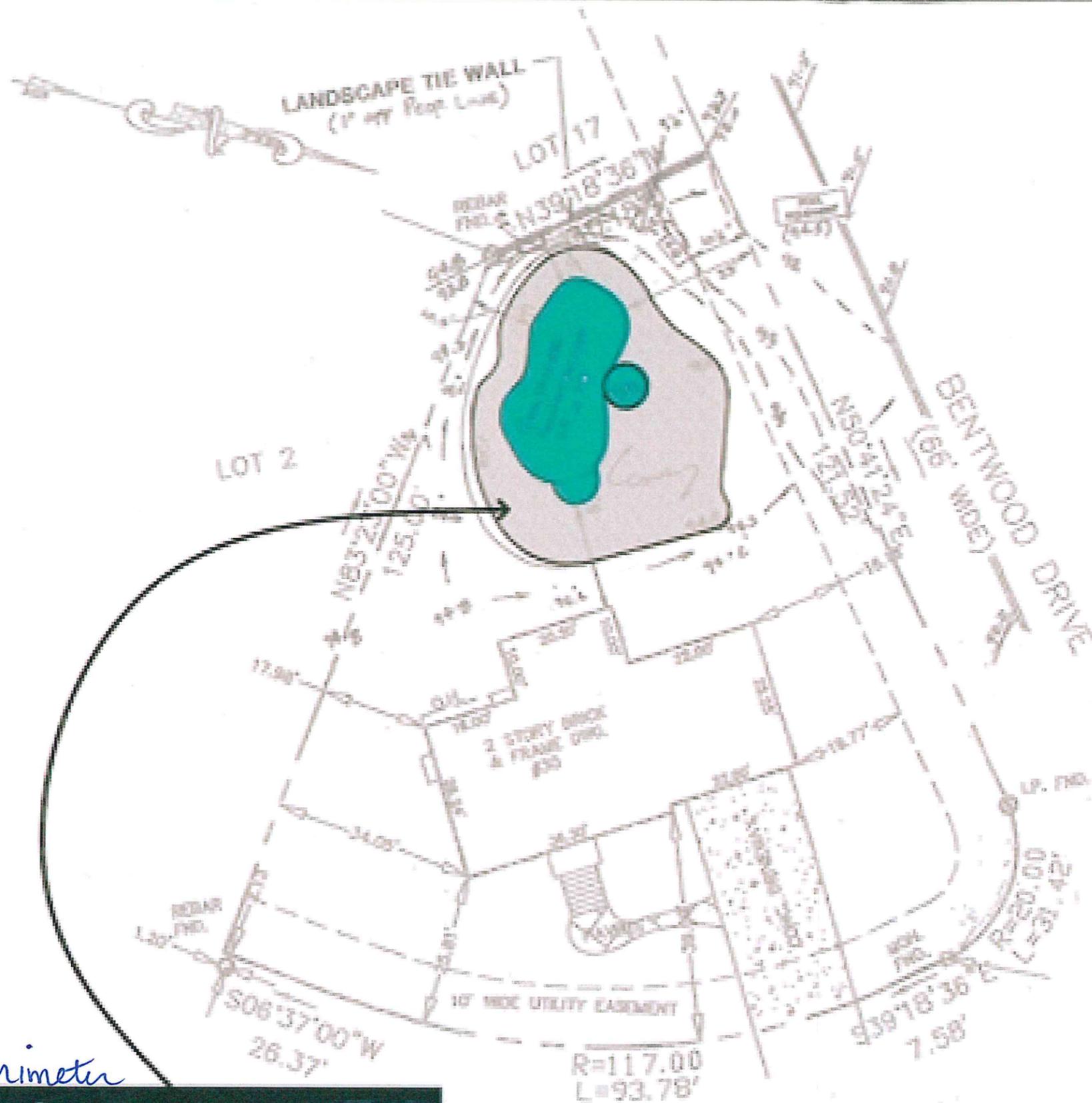
NOTES:

1. Property of Mark D. & Alicia A Polumbo known as Block 93.05, Lot 1 Bordentown Township Tax Map.
2. This is a topographical plan to document the existing conditions in the vicinity of the pool area under construction as of April, 2020. This is not a boundary or property survey.
3. Landscape tie wall (under construction) is located at or near the property line.
4. Pool area is under construction with rough grading around the pool the pool as shown.



Block 93.05, Lot 1 Bordentown Township Burlington County, New Jersey	<b>Pool Area Grading Plan</b>	DATE: 6/12/20
		SCALE: 1" = 20'
<b>Martin G. Miller III</b> PROFESSIONAL ENGINEER & LAND SURVEYOR  8 STRATHMORE COURT FREEHOLD, NJ 07728 Phone: 732-580-7689 Fax: (732) 780-3565	 MARTIN G. MILLER III N.J. Prof. Engr. & Land Surveyor N.J. License No. 20363	JOB No.: 2170604
		SHEET 1 of 1

No.	Date	Description



NOTES:

1. Property of Mark D. & Alicia A Polumbo Inc Block 93.05, Lot 1 Bordentown Township Tc
2. This is a topographical plan to document the conditions in the vicinity of the pool area on construction as of April, 2020. This is not a lot or property survey.
3. Landscape tie wall (under construction) is to or near the property line.
4. Pool area is under construction with rough grading around the pool the pool as shown.

Customer picked up  
6 original sealed copies  
6/15/2020

X

Perimeter

Perimeter:	157' 10"
Area:	1206 ft <sup>2</sup>

Area

Block 93.05, Lot 1 Bordentown Township Burlington County, New Jersey	<b>Pool Area Grading Plan</b>
<b>Martin G. Miller III</b> PROFESSIONAL ENGINEER & LAND SURVEYOR	
<small>6 STRONGHOLD COURT FRENCHTOWN, NJ 07728 Phone: (732) 250-7888 Fax: (732) 250-3040</small>	
<small>MARTIN G. MILLER III P.E., Prof. Eng. &amp; Land Surveyor N.J. License No. 25897</small>	