

February 26, 2025

Borough of Sayreville  
Sayreville Planning Board  
167 Main Street  
Sayreville, NJ 08872

**Re: Thomas J. Fallon – 16 Charlotte Street  
Minor Subdivision with “c” Variances  
Block 125, Lots 6,6.01, 7, 7.01, 8 and 9  
ACS Project No.  
Planning Review # 1**

Dear Board Members:

In accordance with your authorization, our office has reviewed materials for the above-referenced site including the following:

- Borough of Sayreville Standard Development Application and Preliminary Major Subdivision and Site Plan Checklist signed by Thomas A. Fallon, dated July 10, 2024;
- Completeness and Technical Review by CME Associates, dated January 9, 2025, and signed by Jay B Cornell, PE, Borough Engineer’s Office;
- Tree Preservation Report, prepared by East Point Engineering, LLC, dated November 21, 2024;
- Survey of Property for Reliable Asset Management, prepared by Thomas M. Ernst & Associates, PLS and dated March 11, 2024;
- Minor Subdivision Plans, 16 Charlotte Steet, prepared by East Point Engineering, LLC, dated May 8, 2024, and consisting of 3 Sheets: and
- Related application materials.

We offer the following comments for the Board’s consideration:

## **1. Project Description**

The minor subdivision plan for 16 Charlotte Street (Block 125, Lots 6,6.01,7,7.01,8 and 9, the “Subject Site”) proposes to subdivide an existing residential lot, containing a single-family dwelling into two lots for the purpose of constructing a second dwelling on what would be the rear of the property. The applicant is requesting “c” or bulk variances, and may require additional waivers, as outlined in Sections 3-5 below.

## **2. Site Description and Surrounding Uses**

The Subject Site is a 15,493 square foot rectangular lot located in the (R-7) Single Family Residential Zone in the central portion of the Borough. The site is located on the northeast corner

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of the Charlotte Street/Water Tower Lane Intersection, with the greater frontage being along Water Tower Lane. The Saint Stanislaus Cemetery abuts the site to the north and has a maintenance building located less than 10 feet from the shared property line with the Subject Site. To the east, west and south, of the Subject Site are single-family homes. The site is currently occupied by a single-story dwelling located on the southern portion of the property facing Charlotte Street. The rear of the property contains a shed and several mature deciduous trees. There is a block retaining wall approximately 3 feet high that runs the length of the property frontage adjacent to Water Tower Lane. Water Tower Lane lacks curbs and sidewalks and is not paved to the required minimum width.

**Zoning Compliance**

The project is in the Borough’s R-7 Zone, which permits single-family detached dwellings as a principal permitted use. The existing and proposed dwellings are permitted uses in the Zone.

The bulk or “c” variances are discussed in subsequent sections of this letter.

**3. Bulk Standards and Required Variances**

The bulk standards for the R-7 Zone are detailed below:

<b>Standard</b>	<b>Required</b>	<b>Proposed Lot 6.02</b>	<b>Proposed Lot 8.01</b>
Minimum Lot Area – Interior	7,500 SF	7,503 SF	NA
Minimum Lot Area - Corner	8,500 SF	NA	7,990 SF*
Minimum Lot Width - Interior	75 FT	79.8 FT	NA
Minimum Lot Width - Corner	85 FT	NA	85 FT
Minimum Lot Depth	100 FT	94 FT*	94 FT*
Minimum Front Yard	20 FT	20 FT	19.7 FT**
Minimum Side Yard – One Side	8 FT	14.8 FT	18.13 FT
Minimum Side Yard – Total	20 FT	29.02 FT	NA
Minimum Rear Yard	25 FT	29 FT	24.1 FT*
Maximum Building Height/Stories	35 FT-2.5 Stories	<35 FT (2 sty)	<35 FT (1 sty)
Max Lot Coverage (Building)	20%	26.67%*	20.1%%*
Maximum Lot Coverage (Impervious)	45%	33.32%	40.39%
* Variance required			
** Pre-existing non-conformity.			

Required Variances:

1. As a minimum lot area of 8,500 square feet is required for a corner lot, and Lot 8.01 has a proposed lot area of 7,990 square feet, a “c” or bulk variance is required.
2. As a minimum lot depth of 100 feet is required, and each of the new lots has a proposed depth of 94 feet, a “c” or bulk variance is required.
3. As a 20-foot minimum front yard setback is required and a 19.7-foot setback exists for Lot 8.01, a “c” or bulk variance is required.

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4. As a 25-foot minimum rear yard setback is required and new lot 8.01 has a proposed setback of 24.1 feet, a “c” or bulk variance is required.
5. As a maximum building coverage of 20% is required and lots 6.02 and 8.01 have proposed coverages of 26.27% and 20.1% respectively, a “c” or bulk variance is required.

Required Waivers:

1. As street trees are required along both street frontages and are not provided, a waiver will be required.
2. As noted in the Borough Engineer’s report, sidewalks are required along Water Tower Lane, but none are proposed, requiring a waiver.

We reserve the right to provide additional comments if additional variances or waivers are identified.

The applicant should be prepared to provide testimony on the following to support variance relief:

- a) Positive Criteria
  - i) Purpose of Municipal Land Use Law will be promoted by the proposed deviation; and
  - ii) The benefits of the deviation substantially outweigh the detriments.
- b) Negative Criteria
  - i) The proposed deviation will not result in a substantial detriment to the public welfare; and
  - ii) The proposed deviation will not substantially impair the intent and purpose of the master plan and the zoning ordinance

Furthermore, in accordance with N.J.A.C. 5:21-3.1(a), local land use boards have the power to grant “...de minimis exceptions...” from the requirements of the RSIS. While we defer to the Board Engineer regarding any required de minimis exceptions or waivers from RSIS, the Applicant should be prepared to provide testimony on whether any relief from RSIS is required.

**4. Planning Comments**

- a) Miscellaneous
  - i. Applicant should testify to the disposition of the existing retaining wall along Water Tower Lane in front of proposed Lot 6.01. It appears it’s being removed for the purposes of development.
  - ii. Section 26-96.3 – Supplemental Design Standards for Residential Districts, requires under parts b. and c. that under *b. No more than fifty (50%) percent of the first-floor facade which faces the street shall be devoted to garages or car ports,* and under *c. The entry face of a garage shall be offset a minimum of three (3) feet*

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*from the face of the first story of the house or have a design which similarly minimizes the streetscape dominance of the garage.* The Applicant should address if waivers will be required from this Section.

- iii. Applicant should address if screening is proposed between the subject site and the cemetery.
- iv. The north arrow should be corrected on the Tax Map Sheet - Key Map.
- v. Applicant should adjust the Zoning Schedule on Sheet 1 to reflect the Ordinance definition of a corner lot. For corner lots, the shorter frontage is its width, and the longer frontage is its depth. The rear yard is opposite the shorter frontage.
- vi. The applicant should discuss whether any trees or plantings will be installed along the eastern property line of proposed Lot 6.02.
- vii. We defer to the Board Engineer and Traffic Engineer regarding lighting, grading, drainage, utilities, traffic, and any required waivers.
- viii. Application is subject to § 26-111 Affordable Housing Development Fees and should be assessed the 1% fee as appropriate.

We reserve the right to present additional comments, variances, and/or design waivers pending the receipt of revised plans and/or the testimony of the applicant before the Board. Should you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,

**Acuity Consulting Services**



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