



November 14, 2022

Mr. John Maloney, Chairman  
Ewing Township Zoning Board  
2 Jake Garzio Drive  
Ewing, NJ 08628

**RE: ZBA-22-005  
Homes by TLC, Inc.  
1219-25 Lower Ferry Road  
Block 364.01, Lots 22.01, 22.02, 22.03, 22.04**

Owner:  
A.N.B.L. LLC  
PO Box 305  
South River, NJ 08882

Applicant:  
Homes by TLC, Inc.  
1880 Princeton Ave  
Lawrenceville, NJ 08648

**I. Proposal Summary:**

The applicant is seeking zoning (use) variance, bulk variance relief and administrative waiver of site plan review for approval of four (4) two-story two-family dwellings on four (4) previously subdivided and existing lots. The project area is 3.925 acres in the R-2 Single-Family Detached zone. Duplexes are not a permitted use. The application is bifurcated, meaning that, if the board approves the application for zoning relief, the board can either waive or require the applicant to return to the planning board for site plan review.

**II. Submission**

1. Land Development Application submitted 11/3/2022.
2. Addendum to Application.
3. Subdivision plat, prepared by Van Cleef Engineering Associates, dated 1/19/2007 and approved by Ewing Township Planning Board on 1/31/08.
4. Architectural Plans prepared by Pickell Architecture, LLC. dated 10/28/2022.
5. Concept Site Plan prepared by Pickell Architecture, LLC. dated 9/29/22.

**III. Waivers and Variances**

1. Variances
  - a. Permitted Principal Use (§215-15(A))
    - i. Two-family dwellings are not permitted in the R-2 Single-Family Detached zone. A D(5) variance is required.
  - b. Setback, Rear Yard (§215-15(D)(1)(i))
    - i. 35ft is required, where 29.25ft is proposed on Lot 22.01 and 30ft is proposed on Lot 22.02. A flexible C variance is required.

#### **IV. Planning Review**

1. Land Use
  - a. The applicant notes in the addendum that the units will be operated by Homefront, Inc. to provide low-income and resource housing. Income-restricted homes are an inherently beneficial use, which is sufficient to satisfy part of the criteria for a D variance. The Positive Criteria.
2. Setback, Rear Yard
  - a. The applicant is proposing two substandard rear yard setbacks for the structures on Lot 22.01 and Lot 22.02. Thirty-five (35) feet is required, whereas the applicant proposes 29.25 feet and 30 feet respectively.
  - b. The proposed nonconforming setback is located between the applicant's properties and out of public view and is otherwise unlikely to cause substantial detriment to the public good or substantial impairment of the Township's zoning plan or zoning ordinance.
3. General Comments
  - a. The submitted survey was drawn in 2007 and approved in 2008. An updated survey and wetlands determination may be necessary for outside approvals subsequent to this application.
  - b. Site plan review may be considered for assurance that the project meets other requirements such as coverage, trash/recycling, etc. Waiver of specific design and/or administrative requirements may be considered.

#### **V. Architectural Review**

1. The architecture appears to be contextual with existing single-family homes in the neighborhood and Township.
2. Additional emphasis of the front entry of Duplexes 'A' and 'B' fronting Lower Ferry Road is recommended by way of sidelights, or other means, if feasible to enhance its appearance and reveal the structures at first glance along the frontage as "single-family.

#### **VI. Landscaping Review**

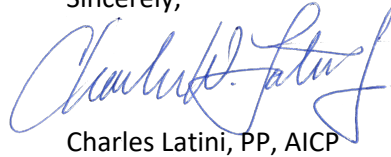
1. No Landscape Plan has been submitted with this application. If site plan review is waived by the board, testimony of the applicant's landscaping plan and attempted compliance with the intent of the Township's Tree Ordinance is recommended.

#### **VIII. Conclusion**

The board may find that the inherent benefits may outweigh any substantial detriment associated with the applicant's proposal and requested zoning relief. However, site plan review with potential for design and/or administrative waivers may be advisable to ameliorate any issues discussed among the board and attending public which could impede approval of the requested use variance. If the Board were to find that these issues can be addressed working with the applicant upon approval, our office will of course oblige.

Should you have any questions or concerns, please feel free to contact me at 212-203-5137 or via email, [cwl@latinigleitz.com](mailto:cwl@latinigleitz.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles Latini".

Charles Latini, PP, AICP