



To: Bloomfield Zoning Board of Adjustment & Applicant

From: George Wheatle Williams, PP, AICP Principal  
Steven Martini, PP, AICP Senior Associate

Date: June 19, 2025

Re: **D-1 Use Variance Approval**  
**"C" Variance Approval**  
**Preliminary and Final Site Plan Approval**  
78 Watsessing Avenue (Block #103, Lot #30)

### Planning Review Memo

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## INTRODUCTION

This office has reviewed the application submitted by Capstone Home Solutions, LLC ("Applicant"). The applicant has filed an application with the Bloomfield Zoning Board of Adjustment proposing improvements to the existing dwelling and site. The property in question ("subject site") consists of one tax lot: 78 Watsessing Avenue (Block # 103, Lot# 30). The subject site is located in the R-2B Two-Family Residential Zone. A "D-1" Use variance is required as 'three-family dwellings' is not a permitted use in the R-2B Zone. Additionally, "C" bulk and area variances are requested in the R-2B Zone.

In preparation of this report, this office reviewed the following documents:

- Standard Development Application dated July 19, 2024.
- Variance Application Checklist undated.
- Final Major Subdivision and Site Plan Checklist undated.
- Statement Item No. 6 on the Variance Checklist.
- Ten Percent Disclosure Statement of Owner/ Applicant.



- Project Description of Application.
- Proposed floor plans containing three (3) sheets prepared by Pisano Development Group dated March 10, 2025.
- Survey of subject site prepared by Morgan Engineering & Surveying, dated October 16, 2024.
- Property List Request (completed by the Township in July 2024), List of Property Owners within 200 feet of the subject site and Map showing properties within 200 feet of the subject site.
- Board Engineer Review Letter, prepared by Anthony Marucci dated June 12, 2025.
- Board Traffic Engineer Review, prepared by Kevin E. Chen, PE, PTOE of CME Associates dated June 17, 2025
- Township of Bloomfield Land Development Ordinance (**Chapter 315**).
- Township of Bloomfield Master Plan and Reexamination Reports.
- Township of Bloomfield Zoning Map.



## PROPERTY AND AREA DESCRIPTION

The subject site is a corner lot with street frontages along Watsessing Avenue to the south and Grace Street to the west. The site contains one Township tax lot: Block 103, Lot 30. It is an irregularly-shaped lot that essentially resembles a parallelogram contains an area of approximately 6,532 square feet. There is a 2.5-story, residential dwelling standing on the subject site. According to MOD-IV tax records, the site is classified as residential and has a building description indicating that it is a two-family dwelling, which was constructed in 1900 (also according to MOD-IV tax records).

Other existing site improvements consist of a driveway leading to an accessory, detached garage. This driveway is accessible via a curb cut along Grace Street. There is also a shed attached to the garage along its eastern side. There are concrete covered areas in the rear yard, between the garage and the dwelling, which connects to a concrete walkway along the western side and front of the dwelling. Another concrete and brick walkway in front of the dwelling provides access to the sidewalk and front entrance. A chain-link fence encloses a portion of the rear and side yards.

Surrounding land uses mostly consists of residential uses. North of the site, along the eastern side of Grace Street, there is a 2-story, two-family dwelling. East of the site, along the same side of Watsessing Avenue, is a 2.5-story, two-family dwelling. A row of 2.5-story, two-family dwellings are located along the southern side of Watsessing Avenue. West of the site, on the opposite side of Grace Street, is a 2.5-story, two-family dwelling.

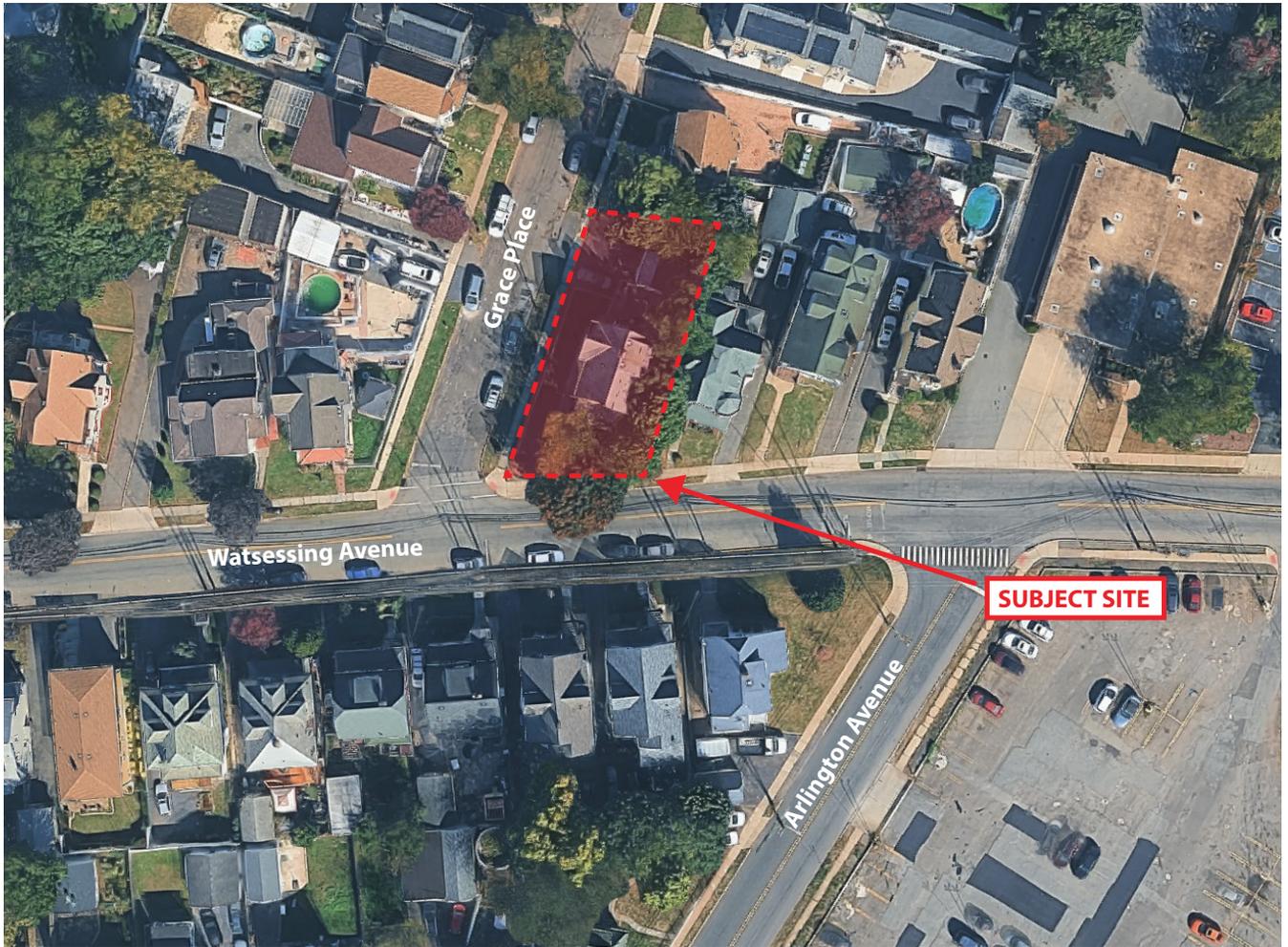


Exhibit 1. Aerial showing subject site location outline in red (Source: Google Maps, Accessed June 2025).

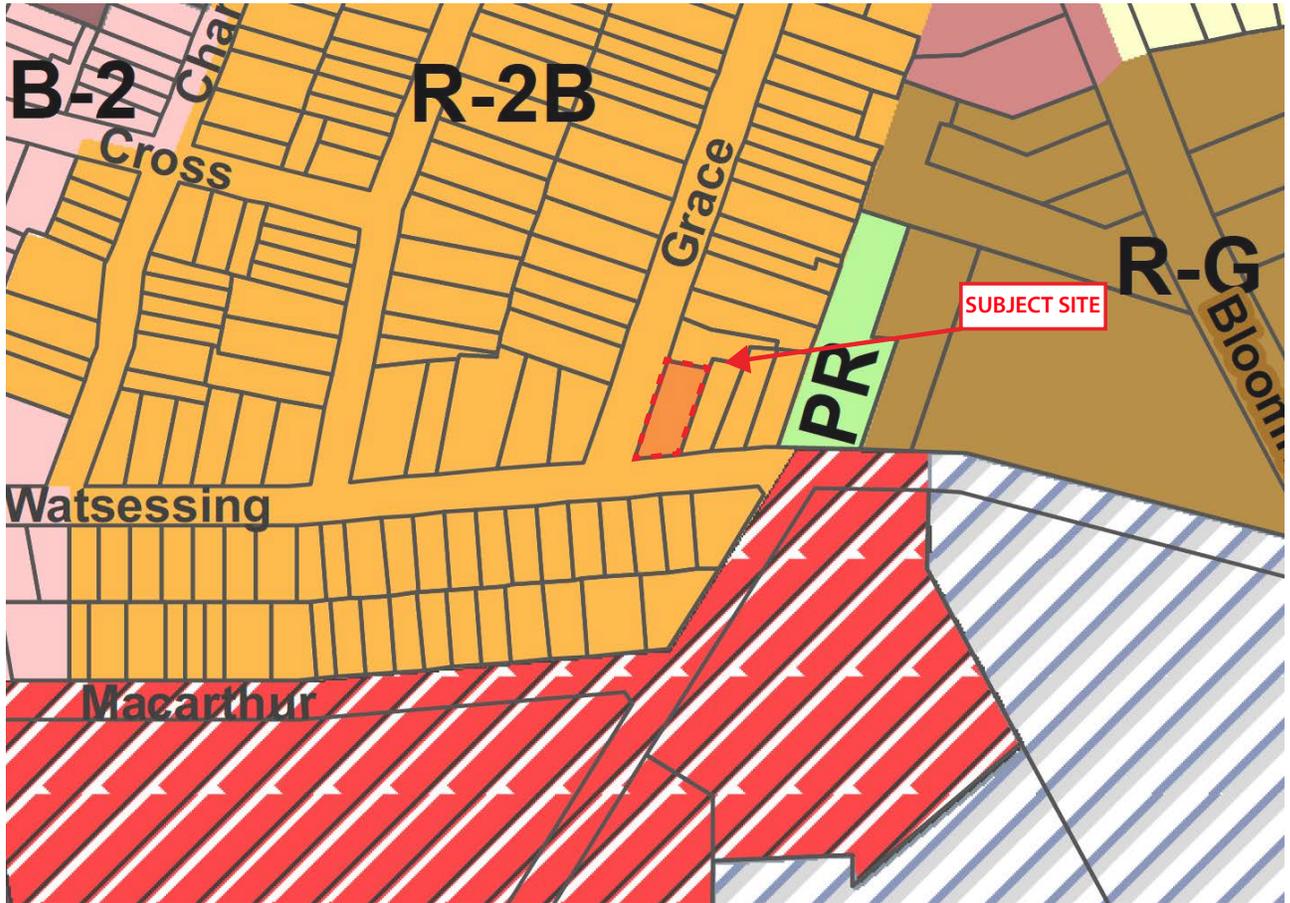


Exhibit 2: Excerpt of Bloomfield Township Zoning Map.



**Photo 1: View from the front of the subject site at the corner of Watsessing Avenue and Grace Street, looking towards the site.**



**Photo 2: View of site from its Grace Street frontage. Note the wide curb cut to accommodate the existing rear parking area.**



Photo 3: 15 Grace Street is 2-story, single-family dwelling and is located directly north of the site.



Photos 4: 72 Watsessing Avenue is a 2.5-story, two-family dwelling and is situated west of the site.



**Photo 5:** The southern side of Watsessing Avenue across from the site consists of a row of 2.5-story, two-family dwellings.



**Photo 6:** 80 Watsessing Avenue is 2.5-story, two-family dwelling located immediately east of the site.



## PROJECT DESCRIPTION

The Applicant is proposing to convert an existing two-family dwelling into a three-family dwelling.

At the basement level, there is a storage area and a bathroom. On Sheet ZP-1 of the floor plans, it is indicated that there will be no sleeping areas at this level.

The first floor consists of 'Unit 1'. There are two bedrooms, bathroom, kitchen, and space for a living/dining room area.

The 'Unit 2' will be located on the second floor. This unit will consist of two bedrooms, bathroom, kitchen, and space for a living/dining room area. There will be stairwell access to the floors below.

The 'Unit 3' will be on the third floor and contain a bedroom, kitchenette, closet, bathroom, and space for a living/dining room area. There is a fire escape that is accessible via a new egress window to be installed at the rear of the dwelling.

There will be 6 parking spaces provided onsite. Three of the proposed parking spaces will be situated within the garage. The remaining three spaces will be on the driveway. These spaces will have a tandem arrangement.

Sheet 3 of the civil engineering site plans indicates that there are two LED lighting fixtures proposed. These are two wall fixtures that are installed on the rear of the dwelling. One fixture has a mounting height of 10 feet and the other fixture has a height of 20 feet.

As noted on the application submitted by the Applicant, there are no exterior site improvements proposed. However, on Sheet 2 of the civil engineering site plans, it is shown that there will be an extension to the existing asphalt driveway in front of the garage, which consists of approximately 86 square feet.



## RELIEF SOUGHT ACCORDING TO THE APPLICATION

The relief that the Applicant is requesting is summarized below:

- **“D” Variances:**
  - **D-1 Use Variance** as ‘three-family dwellings’ is not a permitted use in the R-2B Zone.
- **“C” Variances:**
  - **Minimum Front Yard Setback:** 20’ is the minimum required, whereas 16.2 is existing and will continue to remain.



## LAND USE AND ZONING ANALYSIS

As shown on Exhibit 2, the subject site is located in the Two-Family Higher-Density Residential Zone (R-2B).

### **R-2B**

According to Section 315-38. A. (1) of the Land Development Ordinance, the intent of the R-2B zone is to preserve the integrity of the existing residential areas by preventing the intrusion of nonresidential uses into residential neighborhoods and by maintaining existing development intensity and population density consistent with residential neighborhood patterns and the specified one- or two-family density for the zone.

### **Principal Permitted Uses**

- (a) Single-family detached dwellings.
- (b) Public parks and playgrounds.
- (c) Two-family dwellings.

### **Accessory Uses**

- (a) Uses that are customarily incidental and accessory to the principal use as permitted herein.

### **Conditional Uses**

- (a) Home occupations.

### **Definitions**

- **Dwelling Unit:** One or more rooms designed, occupied or intended for occupancy as separate living quarters with cooking, sleeping and sanitary facilities provided within the dwelling unit. (Section 315-6 of the Bloomfield Land Development Ordinance)
- **Dwelling:** A structure or portion thereof that is used exclusively for human habitation. (Section 315-6 of the Bloomfield Land Development Ordinance)



- **Two-Family/Duplex:** A building on a single lot containing two dwelling units, each of which is separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units. (Section 315-6 of the Bloomfield Land Development Ordinance)
- **Multi-family:** A building containing three or more dwelling units that share common horizontal or vertical separations, including garden apartments and townhouses. (Section 315-6 of the Bloomfield Land Development Ordinance)

## BLOOMFIELD MASTER PLAN

The Township's Planning Board adopted the most recent Township Master Plan on April 10, 2025. The following goals, objectives recommendations, and excerpts from the Master Plan are relevant to this application:

### 2025 Master Plan

- Under the Community Vision, one of the characteristics identified was providing *'a variety of housing options that suit the needs of different age groups, lifestyles, and income levels. Development and redevelopment of residential projects should include housing choices specifically for young adult long term residents wishing to remain in Bloomfield; renters looking to purchase a home; and seniors who would like to age in place.'* (Community Vision, Goals and Objectives, pg. 40)
- Goal 3 of the Land Use Element states: *'Address quality of life issues resulting from land use conflicts, increases in residential density from illegal conversions, vacant or underutilized parcels, and limited parking in residential and commercial districts.'* (Community Vision, Goals and Objectives, pg. 41)
- Under Assessment of the R-2B: *The one- and two-family residential districts are considered to be among the more stable residential neighborhoods in the Township.*



*Anticipated future activity includes subdivision and infill development. (Land Use Plan Element, pg. 53)*

- Under *Recommended Actions* for the R-2B: *'Develop design guidelines to encourage new development and renovations be consistent with the architectural character of the neighborhood where the property is located.'* (Land Use Element, pg. 54)



## STANDARDS FOR GRANTING VARIANCE RELIEF

The New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-70 sets forth the statutory requirements for variance relief.

### D Variances

The Municipal Land Use Law (MLUL) at **N.J.S.A. 40:55D-70(d)(1)** permits the Board of Adjustment in particular cases for special reasons, grant a variance to allow departure from regulations to permit “a use or principal structure in a district restricted against such use or principal structure”. This represents the Positive Criteria of the statute. A “d” variance also requires a showing of the Negative Criteria. An applicant must demonstrate that the proposed variances can be granted “without substantial detriment to the public good and will be substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.”

### C Variances

The Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-70c sets forth the standards for variances from the bulk regulations of a zoning ordinance. A c(1) variance is for cases of hardship due to a) exceptional narrowness, shallowness or shape of a specific property, or b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

A c(2) variance may be granted where the purposes of the Municipal Land Use Law would be advanced by deviation from the zoning ordinance requirements, that the variance can be granted without substantial detriment to the public good, that the benefits of the deviation would substantially outweigh any detriment and that the variance will not substantially impair the intent an purpose of the zone plan and zoning ordinance. The benefits identified in granting a c(2) variance must include benefits to the community as a whole, not only the applicant of the property owner. A c-variance applicant must address the “negative criteria,” and affirmatively demonstrate that the variance can be granted “without substantial detriment to the public good” and “without substantial impairment to the intent



and purpose of the zone plan and zoning ordinance”.

## PLANNING COMMENTS

1. As required of “D-1” use variances, the Applicant should provide the Positive and Negative Criteria of the use variance for the proposed three-family dwelling. As outlined in *Medici v. BPR*, the Applicant must demonstrate the special reasons promote the general welfare of the community and that is site is particularly suited for the development (*positive criteria*). Also stated in *Medici*, the Applicant must show that the project will not be substantial detrimental to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance (*negative criteria*)
2. Although labeled for rooms and features were provided on the floor plans submitted, there is no label provided for living or dining rooms/areas. The Applicant shall provide these labels on the floor plans for clarity on the arrangement of these floor plans. Also, the proposed closet in Unit 3 is labeled, however the closets for Units 1 and 2 do not appear to be labeled. The Applicant shall also provide these labels.
3. Further, the Applicant shall provide further details regarding the proposed third floor unit. How does a ‘kitchenette’ differ from the provided kitchens in Units 1 and 2. Also, per Sheet ZP-2 of the proposed floor plans, it appears that the kitchenette is located within the bedroom. The Applicant shall confirm if this is accurate.
4. It is noted on the application that there will be no exterior changes proposed, however, on Sheet 2 of the civil engineering site plans, there will be an expansion to the proposed driveway consisting of approximately 86 square feet along its northwestern corner. To that end, the Applicant shall confirm if there will be any other site improvements proposed or any exterior modifications to the dwelling (e.g., new architectural materials, etc.).
5. The Applicant shall confirm if there will be any new landscaping, buffering or screening proposed as part of the improvements.



6. The Applicant shall provide testimony whether any of the proposed lighting will spillover onto adjacent residential properties.
7. The Applicant shall provide testimony regarding safety, parking and vehicular/pedestrian circulation. The Applicant shall especially discuss the proposed tandem arrangement of the parking spaces (i.e., will each unit be assigned the same two tandem spaces with one located in the garage and one in the driveway). We defer to any further comments regarding traffic, safety and circulation to the Board Traffic Engineer.

## CONCLUSION

The above comments are based on the review of the materials submitted to date. Nishuane Group reserves the right to provide new or updated comments as additional information becomes available. This Report should be cross-referenced with the Board Engineer's Review Letter.