

September 22, 2020

*Via electronic mail*

Zoning Board of Adjustment  
Township of Berkeley Heights  
29 Park Avenue  
Berkeley Heights, New Jersey 07922

Re: **Preliminary & Final Site Plan Review**  
Block 208, Lot 20  
389-391 Springfield Avenue  
Applicant: 391 Springfield Avenue, L.L.C. (#17-20)  
Township of Berkeley Heights, Union County, New Jersey  
NEA File No.: BERKSPL20.020

Honorable Board Members:

Neglia Engineering Associates (“NEA”) has reviewed the revised application and supporting documents for the above-referenced development. Specifically, we have reviewed the following:

- The Township of Berkeley Heights Zoning Board of Adjustment Application for Site Plan Approval (#17-20), including Use Plan and List of Variances, dated July 28, 2020.
- A completed copy of the Township of Berkeley Heights, General Construction and Design & Grounds and Landscaping Considerations Checklist.
- A signed and sealed set of architectural drawings, consisting of four (4) sheets, entitled “Addition to 391 Springfield Ave, Berkeley Heights NJ” prepared by Nancy Dougherty, AIA, LEED, of Studio 1200 LLC, dated June 22, 2020.
- A signed and sealed set of engineering plans, consisting of three (3) sheets, entitled “Site Plan for Lot 20 Block 208 389-391 Springfield Ave, Township of Berkeley Heights, Union County NJ”, prepared by Aidan T. Murphy, PE, of Murphy & Hollows Associates LLC, dated June 23, 2020.
- Rendering of Existing Conditions, consisting of one (1) sheet, entitled “Site Plan for Lot 20 Block 208 389-391 Springfield Ave, Township of Berkeley Heights, Union County NJ Existing Conditions”, prepared by Aidan T. Murphy, PE, of Murphy & Hollows Associates LLC.
- Rendering of Grading Plan, consisting of one (1) sheet, entitled “Site Plan for Lot 20 Block 208 389-391 Springfield Ave, Township of Berkeley Heights, Union County NJ Grading Plan”, prepared by Aidan T. Murphy, PE, of Murphy & Hollows Associates LLC.
- Planning Review #1, consisting of nine (9) sheet, prepared by Keenan Hughes, AICP, PP of Pillips Preiss Grygiel Leheny Hughes LLC.

**Project Description**

The property in question is designated as Block 208, Lot 20 and is commonly known as 391 Springfield Avenue, within the ‘DD’ (Downtown Development) Zone, per the Township of Berkeley Heights Tax



Map and Zoning Map, respectively. The site is approximately 24,830 S.F. in size. Said property is currently developed with an existing three (3)-story office structure, which is currently being rehabilitated to include eight residential units across the 2<sup>nd</sup> and 3<sup>rd</sup> floors. The Applicant, 391 Springfield Avenue, LLC, received approval from the Berkeley Heights Planning Board, in February 2020, for such conversion, while maintaining commercial/retail use on the first floor. The property had been serviced by an on-site parking garage. Said garage is quarantined from public use, due to structural concerns.

The Applicant, under this application, is now seeking preliminary and final site plan approval to convert the 1<sup>st</sup> floor commercial space into three (3) residential apartment COAH units, and furthermore, desires to construct an addition over the existing parking deck to construct an additional eight (8) more units, for a total of eleven (11) residential units proposed.

**This office respectfully defers to the Township Planner relative to the completeness of the Site Plan Check List and any variances, associated with this project.**

#### **General Engineering Comments**

- 1.1. Per the submitted architectural plans, the Applicant proposes to construct aluminum railings on top of the upper floor of the parking deck. The Applicant shall provide testimony regarding the use of any rooftop areas for recreation, gathering, amenity space, etc.
- 1.2. The Applicant shall adequately address the poor condition of the existing on-site pavement to ensure the health and safety of the public (pavement restoration, striping, etc.). Construction details of the same shall be provided as required.
- 1.3. The Applicant shall revise the plans to delineate and quantify the proposed area of soil disturbance. The Applicant shall be advised that a Soil Erosion and Sediment Control Plan Certification may be required by the Somerset-Union Soil Conservation District, depending on the soil disturbance. The Applicant shall furnish copies of all approvals, denials, or waivers pertaining to soil disturbance to the Township for review prior commencing soil disturbance activities, if applicable.
- 1.4. The Applicant proposes to construct a reinforced concrete retaining wall with an apparent maximum height of six (6) feet. As such, the Applicant shall provide structural stability calculations for the proposed wall, signed and sealed by a New Jersey Professional Engineer, demonstrating the wall has been designed to meet applicable codes and regulations. Additionally, the Applicant shall provide construction details for the proposed wall system, including, but not limited to, footing and stem design, rebar configuration, concrete strength, wall drainage, etc. Upon satisfactory completion of construction of the wall, the Applicant shall provide a certification from the engineer-of-record certifying that the wall was built in accordance with approved plans and applicable codes/regulations, and that such will support the soil and loading conditions on the subject site. Finally, the Applicant proposes to remove a section of existing retaining wall in order to construct the snow storage area. The Applicant shall revise the plans to indicate such, as well as the proposed method of connecting to the portion of the existing wall which will remain.
- 1.5. The Applicant proposes to restripe the upper and lower floors of the existing parking garage. The Applicant shall revise the plans to indicate proposed dimensions, including, but not limited to, ADA-compliant parking stalls and loading areas, drive aisles, etc. Additionally, the Applicant shall provide the existing number of ADA accessible parking stalls on site and provide the required number of stalls for the site, in compliance with the United States Department of Justice ADA



regulations. In addition, the Applicant shall provide proposed topography (grading) information for the proposed ADA parking stalls, and the associated accessible route to the building, to demonstrate compliance with applicable sections of the ADA regulations.

- 1.6. The Applicant shall provide testimony describing the proposed use(s) and operation(s) of the site, proposed automobile and truck traffic, proposed emission of noise, glare, vibration, heat or odor, proposed air and water pollutions, or proposed safety hazards.
- 1.7. The Applicant shall revise the plans to provide the proposed dimension between the proposed stair and elevator tower, on the southeast façade of the parking deck, to the rear of the existing principal structure.
- 1.8. The Applicant shall provide construction details for site improvements, including, but not limited to, retaining walls, full height curbing, asphalt pavement, soil erosion and sediment control measures (i.e. silt fence, inlet filters, stockpile, etc.), lawn restoration, tree protection, drainage improvements, etc.
- 1.9. The Applicant shall provide testimony and compliance with respect to the proposed building features, including but not limited to materials, colors, design elements, height and lighting (refer to §19.0 of the Township Ordinance). Additional construction details must be provided to support the same where required. Furthermore, The Applicant shall provide testimony as to the implementation of any green infrastructure site and/or building elements.
- 1.10. The subject property is located in the Downtown Development zoning district and is therefore subject to compliance with the streetscape standards (refer to §19.0 of the Township Ordinance). These standards include, but are not limited to brick pavers, sidewalks, decorative lights, street furniture, etc. Currently, the lampposts and brick pavers do not comply with the correct standard. The Applicant shall provide testimony regarding compliance with said standards and shall indicate the same on the proposed plans.
- 1.11. A 16' access easement is shown within the site driveway; however, the corresponding easement agreement with metes and bounds descriptions were not enclosed with this submission. The Applicant shall submit all covenants for review and provide testimony of the same.
- 1.12. The site contains an existing trash enclosure. As per Section 6.3.2B(3) "Garbage, trash, and recycling facilities (are acceptable), providing they are screened to a height of six (6) feet with a capped brick wall on three sides and a metal or wood gate, have a roofed or trellised structure obstructing the view into the facility from above, and comply with the standards in Part 11." The Applicant shall provide testimony regarding compliance with the Township's requirement.
- 1.13. The Applicant shall confirm that the proposed access doors and sidewalk clearance comply with current ADA requirements. Testimony addressing the same shall be provided.
- 1.14. The Applicant shall indicate the location of any proposed HVAC units, generators or transformers and their associated concrete pads. The Applicant shall ensure that the HVAC units are adequately screened and shall provide construction details for the proposed method of screening (i.e. landscaping, fencing, etc.).
- 1.15. As previously described above, the two (2) level parking garage is in need of significant repair. The Applicant must provide testimony as to potential use of this structure, the adequacy of said structure, and any repairs required to ensure safety of the public and future tenants. A certified/sealed report, prepared by a New Jersey Licensed Professional Engineer, must be submitted for review and approval.



- 1.16. The Applicant shall indicate on the plans if any signage is being proposed as part of the development. A detail of the same shall be provided.
- 1.17. The Applicant shall be responsible for the repair and reconstruction of pavement, curb, sidewalk, or other public property damaged during construction. A note stating the same shall be provided on the Site Plan.
- 1.18. The Applicant must provide testimony as to the required parking demand generated by the proposed use, and the suitability of the existing parking garage to accommodate the same.

### **Grading, Drainage, and Utility Comments**

- 2.1 The Applicant shall provide testimony regarding the status of existing utilities on the site and whether they are adequate for the proposed use.
- 2.2 The Applicant shall ensure that the proposed improvements will not negatively impact adjacent lots, including but not limited to drainage considerations. The Applicant shall be responsible for any damages incurred upon adjacent lots, due to runoff.
- 2.3 The Applicant shall provide proposed sanitary sewer demand calculations to determine if a Treatment Works Approval Application is required for the project.
- 2.4 The Applicant shall survey the existing sanitary sewer lateral and perform a televised inspection of the lateral to determine if it is of adequate size and in adequate condition to be reused for the proposed parish center. If the televised inspection shows the lateral to be in poor condition, the Applicant shall provide a plan showing a sanitary sewer lateral that includes the proposed length, slope, and material of the lateral.
- 2.5 The Applicant shall provide proposed water demand calculations to determine if the existing water service to be reused is adequately sized for the change in use.
- 2.6 The Applicant shall provide “will-serve” letters demonstrating that applicable utility providers (including, but not limited to sanitary sewer, water, electric, and natural gas service) are capable of serving the site with adequate capacity.
- 2.7 The Applicant shall provide testimony that the site will properly drain in the conditions shown and no ponding occurs on site nor does the existing conditions negatively impact adjacent properties with regards to stormwater runoff.
- 2.8 The Applicant proposes improvements which will increase the on-site impervious coverage by approximately 1,197 square feet. The Applicant shall provide stormwater management measures with a minimum required storage volume equivalent to a two (2) inch rainfall over the net increase in impervious area. Said measure(s) shall be constructed with a stable means of overflow for storm events larger than two inches. Additionally, the Applicant shall revise the plans to indicate that inspection of the stormwater management measure(s) shall be done after all rainfall events exceed two (2) inches, but not less than twice annually. In addition, the Applicant shall revise the plans to indicate that the inspection, maintenance, repairs, and operation of the stormwater management measures are the responsibility of the property owner(s).
- 2.9 The Applicant shall be advised that if the proposed stormwater management measures, mentioned above, rely on percolation/groundwater infiltration, the Applicant will be required to perform percolation testing to demonstrate that the site soils can satisfactorily receive infiltrated stormwater, and that the seasonal high groundwater, if encountered, will not adversely impact said measure(s). The Applicant shall provide results of the percolation testing and groundwater depth confirmation,



signed and sealed by the professional-of-record, to the Township for review prior to the installation of any drainage improvements. If the results of such testing are unacceptable, the Applicant will be required to amend the design accordingly.

- 2.10 The Applicant shall revise the plans to clearly indicate the existing roof drainage for both the existing principal structure as well as the existing parking deck. The Applicant shall also revise the plans to indicate any new or modified drainage from either roof, or any on-site improvements. Said plan revisions shall include, but not be limited to, downspout and leader locations, pipe diameter, material, inverts, slope, length, etc.
- 2.11 The Applicant shall revise the Grading Plan to indicate the proposed grading (topography) of all improvements at ground level, including but not limited to, spot elevations at new building corners for elevator and stair towers, top and bottom of curbs at locations where such is being modified, top and bottom of wall elevations where the wall is being removed or otherwise modified, etc.
- 2.12 The Applicant shall indicate the ADA accessible path from the at-grade ADA parking stall to the proposed entrance. The accessible path shall be clearly defined with spot grades to ensure the slopes are in compliance with ADA regulations.

#### **Landscaping and Lighting Comments**

- 3.1 Testimony shall be provided regarding the conformance of the proposed landscaping with Township requirements for Buffers and Landscaping.
- 3.2 Final selection of tree species should conform to the Township's preferred list, and same be reviewed/coordinated with the Township's Environmental Commission.
- 3.3 The Applicant shall revise the plans to indicate which trees are to be removed as part of this application. At a minimum, the Applicant will likely need to remove the existing 8-inch caliper tree to the west of the proposed snow storage area, as well as two 12-inch caliper trees near the south end of the snow storage area. Similarly, the Applicant shall revise the plans to depict tree protection fencing around any existing trees to remain, which are within, or in close proximity to, the limit of disturbance line (see comment above related to area of disturbance).
- 3.4 The location, intensity and direction of all outdoor lighting shall not produce glare or other adverse effect on the existing or future use of nearby properties. Additionally, lighting shall not be more than twenty-five feet in height (§10.6.1D.).
- 3.5 The Applicant shall submit a lighting plan which illustrates Isometric Foot-candle Distribution Diagrams plotting the light levels for all fixtures at designated mounting heights. Maximum illuminance levels should be expressed in foot-candle measurements on a grid of the site showing foot-candle readings in every tenfoot square. The grid shall include light contributions from all sources (i.e. pole mounted, wall mounted, sign, and streetlights, etc.). Manufacturer cut sheets and construction details shall also be provided.
- 3.6 Minimum and maximum average illuminations in foot-candles, measured at ground level, shall be respectively, 1 and 4 for retail uses; 1 and 2 for commercial and office uses; and 0.5 and 1 for residential uses (§11.1.5.B).
- 3.7 The location, intensity and direction of all outdoor lighting shall not produce glare or other adverse effect on the existing or future use of nearby properties (§11.1.5.C).
- 3.8 The Applicant shall provide testimony regarding the operating hours of the proposed lighting, including, but not limited to, hours of full site lighting, hours of security lighting, etc.



- 3.9 The location, intensity and direction of all outdoor lighting shall not produce glare or other adverse effect on the existing or future use of nearby properties. To reduce skyglow, adverse night vision effects, and impact on residential areas, the lighting fixtures shall provide complete cutoff and light shielding above seventy-five (75) degrees from the downward vertical and must provide that no direct light from the fixture can be seen at any point on residential property or more than one hundred (100) feet from the base of the standard.

### **Traffic Comments**

- 4.1 The Applicant shall submit plans to the Township of Berkeley Heights Fire Official for review. The Applicant shall incorporate any requirements provided by the Fire Official into the plans, including, but not limited to, fire lanes, restricted parking areas, and fire apparatus access and circulation.
- 4.2 The subject application fronts on Springfield Avenue, which is also known as Union County Route No. 512, under the jurisdiction of the County of Union. As such, the Applicant shall submit to the County of Union for review. The Applicant shall provide copies of all correspondences with the County to the Board for review.
- 4.3 The Applicant shall provide testimony addressing vehicular circulation for deliveries, loading/unloading, drop-off, pick up areas, trash/recycling, snow removal, and other operational issues as may be deemed relevant to the application. This shall include moving truck access, emergency vehicles (EMS and fire included) and circulation including anticipated sizes and types of moving van that would access the site.
- 4.4 The Applicant must provide testimony of all detailed information regarding traffic impacts of the project, the intensity of the use, the adequacy of the access drives, the suitability of the on-site circulation, site triangles, pedestrian safety and parking measures.
- 4.5 The Applicant proposes 34 parking spaces, whereby 35 spaces are required per Township code. A variance is being requested for this deviation.
- 4.6 The Applicant shall provide testimony, and indicate on the plans, the minimum clearance height within the proposed parking garage.
- 4.7 All parking spaces, loading spaces, fire lanes, and circulation routes shall be striped and signed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).
- 4.8 It shall be the responsibility of the Applicant to present a complete traffic impact analysis for all proposals which could potentially generate twenty-five (25) or more vehicles in any hour. Such analysis shall include: 1)Existing traffic volumes passing on all streets abutting the proposed development. 2)Existing turning movements of vehicular traffic within one thousand (1000) feet of the proposed development. 3)Projected traffic movements as a result of the establishment of the proposed facility. 4)A statement of total impact such generations will have on the existing level of service as determined and certified by a traffic engineer.



**Final Comments**

- 5.1 Should the Board look favorably upon this application, a performance bond and inspection escrow will be established in accordance with the Municipal Land Use Law.
- 5.2 The Applicant shall obtain all approvals required by outside agencies, including but not limited to NJDOT, NJDEP, Union County, and Somerset-Union Soil Conservation District, as well as the Berkeley Height Police Department, Fire Department, Emergency Services and Department of Public Works. It is the applicant's responsibility to determine what outside agency permits are required. Copies of said approvals shall be provided upon receipt.
- 5.3 The Applicant shall provide space for endorsement of the Chairman, Secretary of the Zoning Board, and Township Engineer on the plans.
- 5.4 Any new or revised materials shall be filed with the Township and shall not be sent directly to the Board's professionals. The Township will forward the application and related materials to the Board's professionals when they are finished with their review. Materials submitted directly to NEA will not be reviewed.
- 5.5 Revised reports, plans and exhibits, which are to be considered at the hearing, should be submitted ten days prior to the scheduled hearing.
- 5.6 The above comments are based on a review of materials submitted and/or testimony provided to date. NEA reserves the right to provided new or updated comments as additional information becomes available.
- 5.7 The Applicant is responsible for the payment of all applicable fees, including but not limited to application, escrow, COAH, tax map revisions, permits, sewer, and the like.

We trust you will find the above in order. Should you have any questions or required additional information, please do not hesitate to contact the undersigned.

Very truly yours,

**Neglia Engineering Associates**

A handwritten signature in black ink, appearing to read 'T. Solfaro', is written over a horizontal line.

Thomas R. Solfaro, P.E., C.M.E.  
Board Engineer  
Township of Berkeley Heights

cc: Steven Warner, Esq. – Zoning Board Attorney (*via electronic mail*)  
August Santore, Jr., Esq. – Applicant's Attorney (*via electronic mail*)  
William Hollows, P.E. – Applicant's Engineer (*via electronic mail*)

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