

May 10, 2021

Via E-mail

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

Attn.: Connie Valenti, Planning Board Secretary

Re: Preliminary and Final Site Plan Review

Applicant: Connell Corporate Center I, LLC. (Application No. SP-1-21)
100 Connell Drive (Block 4301, Lot 1.02)
Township of Berkeley Heights, Union County, New Jersey
NEA File No.: BERKSPL21.010

Honorable Board Members:

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

- A completed copy of the Township of Berkeley Heights Planning Board Application for Site Plan Approval, Application Number SP-1-21, as well as the corresponding checklist and other supporting documents, dated February 3, 2021;
- A signed and sealed set of engineering plans, consisting of fourteen (14) sheets, entitled “100 Connell Drive Site Improvements, Block no. 4301, Lot No. 1.02, Township of Berkeley Heights, Union County, New Jersey,” prepared by Bryan Waisnor, P.E., of Langan Engineering and Environmental Services, Inc., dated February 3, 2021, last revised March 18, 2021;
- A signed and sealed set of survey plans, consisting of seven (7) sheets, entitled “Connell Corporate Park, Berkeley Heights, Union County, Block 4102, Lot 1, Block 4301, Lots 1.011, 1.012 and 1.02, Watchung Borough, Somerset County, Block 75.01 Lots 3 and 5, New Jersey,” prepared by David R. Avery, P.L.S., of Langan Engineering and Environmental Services, Inc., dated May 22, 2018, last revised November 20, 2020;
- A set of signed and sealed landscape architectural plans, consisting of eighteen (18) sheets, entitled “100 Connell Drive, Site Improvements, Preliminary and Final Site Plan Application, Berkeley Heights, N.J.,” prepared by David Lustberg, L.L.A., of Arterial Street Design Studio, dated February 3, 2021, last revised March 18, 2021; and

Project Description

The property in question is Lot 1.02 in Block 4301, within the ‘OR-B’ (Office & Research) Zone, per the Township of Berkeley Heights Zoning Map. The site, commonly known as the Connell Corporate Park, is located at 100 Connell Drive, and is bordered by an existing office building and fitness center to the east, Interstate 78 to the north, two (2) existing office buildings to the west and Connell Drive to the south with the Weldon Materials quarry beyond. The property is presently developed with an existing large office building. In addition, the site also contains paved parking lots and driveways, landscaped curbed islands, utility infrastructure, and a detention basin. The Applicant for the project is The Connell Corporate Center I, LLC., 100 Connell Drive, Berkeley Heights, New Jersey.



The Applicant is seeking a preliminary and final site plan approval to construct site and patio improvements and update landscaping in the front and rear of the building. The improvements will generally include road resurfacing, concrete curbs and sidewalks, concrete pavers, drainage improvements and landscaping work.

1. Zoning Analysis

Zoning Analysis Table for Block 1403, Lot 1.02 (OR-B ‘Office & Research’ Zone)					
Criteria	Description	Required	Existing	Proposed	Complies
Permitted Principal Uses	(See Ord. §Appendix A-6.3.5)		Office Building	No Change	Yes
Min. Lot Area (Acres)	N/A	11	38.86	No Change	Yes
Min. Lot Width (FT)	N/A	400	1,044.9	No Change	Yes
Min. Lot Depth (FT)	N/A	800	1,393.0	No Change	Yes
Minimum Front Yard Building Setback (FT)	N/A	125	407.2	No Change	Yes
Minimum Side Yard Building Setback (FT)	(1)	100	315.5	No Change	Yes
Minimum Rear Yard Building Setback (FT)	N/A	150	379	No Change	Yes
Maximum Building Coverage (%)	N/A	N/A	N/A	No Change	Yes
Maximum Lot Coverage (%)	N/A	55	47.38	47.66	Yes
Maximum Building Height (FT)	N/A	55 (75 with minimum 300 foot setback in all yards)	45.3	No Change	Yes
Minimum Front Yard Setback – Accessory Building (FT)	N/A	100	N/A	TBD	TBD
Minimum Side Yard Setback – Accessory Building (FT)	N/A	40	N/A	TBD	TBD
Minimum Rear Yard Setback – Accessory Building (FT)	N/A	40	N/A	TBD	TBD
Notes:					
1. Measured as the distance between the principal building and the closest principal building on any adjacent lot for lots within the ‘OR-B’ Zone					

2. Site Engineering Comments

- 2.1 The Applicant shall provide testimony regarding the proposed improvements, including but not limited to, existing and proposed use of the project site, occupancy or capacity, hours of operation, proposed improvements and amenities, etc.
- 2.2 Testimony shall be provided regarding conformance of the proposed development with ADA requirements. Since there are proposed grade changes associated with the development, this comment remains applicable for all areas with proposed grade changes.



- 2.3 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.
- 2.4 The Applicant shall confirm that the proposed access doors and sidewalk clearance comply with current ADA requirements. Testimony addressing the same shall be provided.
- 2.5 The Applicant shall revise the pavement section construction detail to show a four (4) inch bituminous concrete binder course (hot mix asphalt 19M64 base course).
- 2.6 The Applicant proposes to construct new HVAC equipment within a proposed enclosure near the northeast corner of the subject plaza. The Applicant has not provided any information relating to this accessory structure, including but not limited to construction materials, details, and demonstration of compliance with applicable zoning criteria (setbacks, etc.), elevation views, etc. The Applicant shall revise the plans accordingly and provide testimony regarding the same.
- 2.7 The Applicant shall ensure that all disturbed work areas are stabilized. The Applicant shall topsoil, seed, hay, and straw mulch to ensure lawn growth, where appropriate.
- 2.8 The Applicant indicates on the Landscape Architecture plans that the proposed concrete curb and sidewalk will be constructed monolithically, which is not acceptable. The Applicant shall revise the plans accordingly to provide concrete curbing and sidewalk which complies with NJDOT standards for construction.
- 2.9 The Applicant indicates the removal and protection of various trees on the site clearing plans prepared by the Landscape Architect which are not depicted on the plan. The Applicant shall revise the plans accordingly to depict all existing trees to be removed or preserved. Additionally, the Applicant shall provide a detail for protection of existing trees.
- 2.10 The Applicant has dimensioned the proposed side yard setback from the existing office building to adjacent property lines. However, in accordance with Township Ordinance §6.1(x) in Appendix A, "*Side yard setbacks shall be measured as the distance between the principal building and closest principal building on any adjacent lot for lots within the OR-B zone.*" While it appears the Applicant is compliant with the minimum required setback, the Applicant shall revise the plans and provide testimony regarding the existing and proposed side yard setbacks.
- 2.11 The Applicant shall provide testimony to demonstrate that the reconstruction of the ADA-accessible parking spaces is compliant for the minimum number of ADA-accessible spaces required.
- 2.12 The Applicant proposes to construct a shade pavilion structure in the new courtyard. The Applicant has not provided any information relating to this accessory structure, including but not limited to, construction materials, details, and demonstration of compliance with applicable zoning criteria (setbacks, etc.), elevation views, etc. The Applicant shall revise the plans accordingly and provide testimony regarding the same.
- 2.13 The Applicant shall provide testimony regarding the presence of any NJDEP regulated areas.

3. Grading, Drainage and Utility Comments

- 3.1 The Applicant proposes to disturb approximately 2.8 acres of land to construct the proposed improvements. As such, in accordance with N.J.A.C. 7:8 and the Township Ordinance §13.17, the proposed improvements would be categorized as a "major development". Accordingly, the Applicant shall demonstrate strict compliance with N.J.A.C. 7:8 and Ordinance §13.17, specifically related to stormwater quantity, quality, groundwater recharge, and required green infrastructure elements. The Applicant shall provide testimony regarding the same.



- 3.2 The Applicant proposes to disturb an area of approximately 2.8 acres. As such, should the Board act favorably upon this application, and prior to construction, the Applicant shall apply for and obtain the required Soil Erosion and Sediment Control Plan Certification from the Somerset-Union Soil Conservation District. The Applicant shall provide copies of the approved permit to the Township for review prior to commencing construction on-site.
- 3.3 The proposed grading shown on the plans appears to have steeply sloping areas throughout the site. Properties in the OR-B zone are exempt from the Steep Slope ordinance subject to submission of or compliance with the following: (1) No work prior to obtaining a Site Plan approval; (2a) a Buffer and Landscaping Plan approved by the Planning Board satisfying the conditions established in §10.6.3 “Buffers and Landscaping” as well as, (2b) the requirements of the Tree Removal Chapter; (3) an Environmental Plan approved by the Planning Board, and (4) all requirements of Ordinance No. 30-04 “Trees” of the Code of the Township of Berkeley Heights. The Applicant shall demonstrate compliance and provide testimony regarding the same.
- 3.4 The Applicant shall provide spot shot elevations for all areas with proposed curbs, new surfaces, crosswalks and ADA ramps for further review of the grading. Testimony shall be provided regarding conformance of the proposed development with current ADA requirements. ADA ramp construction shall be certified by the Applicant to the Township as meeting ADA standards, including, but not limited to, dimensions, slopes, orientation, etc. The Applicant shall also revise the plans to clearly indicate the ADA-accessible route throughout the pedestrian plaza areas.
- 3.5 The Applicant shall verify that the on-site utilities, including but not limited to electric, telecom, gas, water and sanitary, that are proposed to be extended have adequate capacity for the proposed use.
- 3.6 The Applicant shall revise the plans to indicate that all existing and proposed inlet grates within the plaza or pedestrian circulation areas shall be ADA-compliant. NEA strongly recommends that said inlet grates also be heel-proof, given the concentration of pedestrians in this area.
- 3.7 The Applicant will require a soil movement permit to construct the proposed improvements, prior to construction. NEA reserves the right to provide additional comments pertaining to grading, drainage, and soil movement at that time.

4. Landscape and Lighting Comments

- 4.1 Testimony shall be provided regarding the conformance of the proposed landscaping with Township requirements for Buffers and Landscaping (§10.6.3).
- 4.2 The Applicant indicates that the plantings proposed under this application will be used towards tree planting requirements associated with the Connell Corporate Park site as a whole. NEA takes no exception to this statement as it relates to the subject application.
- 4.3 The proposed development would require the removal of nine (9) trees. Testimony shall be provided regarding the conformance of the proposed tree removals and replacements with Township requirements (§12.16.050). Should the Board look favorably upon this application, the Applicant shall be responsible for obtaining all necessary permits for tree removal.
- 4.4 The Applicant shall ensure that the sizes of the trees are in accordance with Section §10.6.3 F2 of the Township of Berkeley Heights Ordinance.
- 4.5 The Applicant shall label the proposed plant material on the Landscape Plans.
- 4.6 The Applicant shall revise the plans to note that all trees that are proposed in or adjacent to parking lots shall be limbed up to seven (7) feet to allow unobstructed visibility in the parking lots.



- 4.7 NEA recommends the Applicant install an irrigation system to ensure that all proposed landscaping thrives. Alternatively, the Applicant shall ensure that adequate provisions are made for hand watering, if irrigation is not provided (i.e. hose bib, etc.).
- 4.8 The Applicant shall ensure that all reset lighting fixtures shall remain consistent with current operations.
- 4.9 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. Additionally, lighting standards shall not be more than twenty-five feet in height (§10.6.1D.). The Applicant shall revise the plans to provide a point-by-point photometric illumination analysis.
- 5. General Comments**
- 5.1 The Applicant shall design and construct all improvements in accordance with the Uniform Construction Code and Americans with Disabilities Act.
- 5.2 The Applicant shall meet with the Environmental Committee and work with the Committee to consider implementing as many of the Committee's comments as possible.
- 5.3 The Applicant shall obtain any and all approvals required by outside agencies, including, but not limited to, NJDOT, NJDEP, Union County, Somerset-Union Soil Conservation District, Township of Berkley Heights, Township of Berkley Heights Police Department, Township of Berkeley Heights Fire Department, Township of Berkley Heights Emergency Management, and Township of Berkley Heights Department of Public Works, Tree Removal and Soil Removal. It is the applicant's responsibility to determine what outside agency permits are required. Copies of said approvals shall be provided upon receipt.
- 5.4 To the extent requires by the Municipal Land Use Law, N.J.S.A. 40:55D-53, the Applicant shall post performance guarantees, safety and stability guarantee, escrows and inspection fees with the Township of Berkley Heights in amounts established by the Township Engineer. The performance guarantees are to be in a form satisfactory to the Township Attorney, This condition shall be satisfied prior to the commencement of any construction or site disturbance.
- 5.5 The Applicant shall periodically post sufficient funds with the Township to satisfy any deficiency in the developer escrow amount.
- 5.6 The Applicant shall pay all taxes, fees and required escrow deposits that may be due and owing prior to the issuance of any building permits.
- 5.7 The Applicant shall provide as-built plans and drawings to the Township.
- 5.8 Should the Board look favorably upon this application, a performance bond and inspection escrow will be required for any site improvements. The Board Engineer will prepare this estimate to address the cost of all site improvements in accordance with the Municipal Land Use Law.
- 5.9 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.
- 5.10 Revised reports, plans and exhibits, which are to be considered at the hearing, should be submitted ten days prior to the scheduled hearing.
- 5.11 The above comments are based on a review of materials submitted and/or testimony provided to date. NEA reserves the right to provide new or updated comments as additional information becomes available.



We trust you will find the above in order. Should you have any questions or require 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., C.P.W.M.
Township/Board Engineer
Township of Berkeley Heights

TRS/EMJ/ko

Very truly yours,
Neglia Engineering Associates

Evan M. Jacobs, P.E., P.P., C.F.M.
For the Township/Board Engineer
Township of Berkeley Heights

cc: William Robertson, Esq. – Planning Board Attorney (via e-mail, wrobertson@newjerseylaw.net)
Shane Connell – Owner/Applicant (via USPS, 300 Connell Drive, Berkeley Heights, NJ 07922)
Richard J. Hoff, Jr., Esq. – Applicant’s Attorney (via e-mail, rhoff@bisgaierhoff.com)
Bryan Waisnor, P.E. – Applicant’s Engineer (via e-mail, bwaisnor@langan.com)
Dave Lustberg L.L.A. – Applicant’s Landscape Architect (via e-mail, dave@arterialstreets.com)

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