
November 24, 2021

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

Attn.: Ms. Connie Valenti, Secretary (via e-mail, cvalenti@bhtwp.com)

Re: Amended Preliminary and Final Site Plan Approval – Technical Review

Public Storage (Application No. SP-3-21)

Applicant: WMG Berkeley Heights Owner, LLC. / Owner: 135 Industrial Road, LLC.

135 Industrial Road (Block 1301, Lot 6)

Township of Berkeley Heights, Union County, New Jersey

NEA File No.: BERKSPL21.017

Honorable Board Members:

Neglia Engineering Associates (“NEA”) has reviewed the submitted application documents 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 (No. SP-3-21), dated September 13, 2021;
- A completed copy of the Township of Berkeley Heights Planning Board Application for Site Plan Checklist;
- Affidavit of Ownership for Application of WMG Berkeley Heights Owner LLC., Block 1301, Lot 6, 135 Industrial Road – Amended Site Plan, dated November 2, 2021;
- Ownership Disclosure for Application of WMG Berkeley Heights Owner LLC., Block 1301, Lot 6, 135 Industrial Road – Amended Site Plan;
- NJDEP Division of Land Use Regulation Permit for Flood Hazard Verification Reissuance and Flood Hazard Area Individual Permit, prepared by Valda Opara, dated February 3, 2020;
- NJDEP Division of Land Use Regulation Response Letter to Freshwater Wetlands Letter of Interpretation: Line Verification, prepared by Rebecca Grike, Environmental Specialist III, dated November 18, 2019;
- A signed copy of a 11x17 survey plan entitled, “Map of Survey, 135 Industrial Road, Lot 6, Block 1301, Township of Berkeley Heights, Union County, New Jersey,” prepared by Stephen M. Fisk, L.S., of Fisk Associates, P.A., dated October 25, 2019;
- A copy of the County of Union review letter, property located at 135 Industrial Road, Block 1301, Lot 6, Township of Berkeley Heights, Union County, New Jersey, Township of Berkeley Heights, Union County, New Jersey,” prepared by; Kamal Salah, P.P., A.I.C.P., of County of Union Department of Economic Development, dated September 28, 2021;
- Right of Way Agreement between Clair Fishbein and Jersey Central Power and Light prepared by Donald J. Olivo, recorded in the Union county Deed Book 3508, Page 496;
- A Response Memorandum, outlining specific responses to the Review Letters, prepared by Kaplin Stewart Attorneys at Law, dated November 8, 2021;

LYNDHURST

34 Park Avenue
PO Box 426
Lyndhurst, NJ 07071
p. 201.939.8805 f. 201.939.0846

MOUNTAINSIDE

200 Central Avenue
Suite 102
Mountainside, NJ 07092
p. 201.939.8805 f. 732.943.7249

- Planning Board Township of Berkeley Heights Application No.: SP-6-19 Resolution Approving Application, adopted on December 11, 2019;
- A Transmittal for Planning Board Submission – Amended Site Plan Approval – 135 Industrial Road, Block 1301, Lot 6, prepared Ameer S. Farrell, Esq., of Kaplin Stewart Attorneys at Law, dated November 8, 2021;
- A signed and unsealed environmental impact statement, entitled “135 Industrial Road, Block 1301, Lot 6, Township of Berkeley Heights, Union County, New Jersey,” prepared by Christopher Kaminskas, E.I.T., and Donald W. Brickner, Senior Environmental Scientist both from Marathon Engineering and Environmental Services, dated July 24, 2019, last revised October 13, 2021;
- A signed and sealed engineering plans set consisting of nineteen (19) sheets, entitled “Public Storage – Berkeley Heights, Sheet 13, Block 1301, Lot 6, Township of Berkeley Heights, Union County, New Jersey, Amended Preliminary and Final Site Plans,” prepared by Jesse D. Dougherty, P.E., of Marathon Engineering & Environmental Services, dated August 13, 2021, last revised October 18, 2021;
- A signed and sealed architectural plans set consisting of twelve (12) sheets, entitled “135 Industrial Road – Berkeley Heights Preliminary Design Package,” prepared by Mark J. Sullivan, R.A., of SGW Architecture and Design, dated November 3, 2021; and
- Department of Economic Development – Land Development Application, Development Review Application Form;
- Union County Land Development Standards Fee Schedule;
- County of Union, New Jersey, Development Review Checklist for Site Plans;
- A Township of Berkeley Heights Application for Sanitary Sewer Capacity Allotment;
- A Township of Berkeley Heights Certification of Taxes, prepared by Rachele San Filippo, Tax Collector, dated August 16, 2021;
- A Parking Analysis Evaluation for Proposed Self-Storage Facility, Parking Variance Request, Block 1301, Lot 6, 135 Industrial Road, prepared by Gray W. Dean, P.E., P.P., and Rianna Kirchoff, P.E., of Dolan and Dean Consulting Engineers, LLC., dated August 30, 2021;
- TRC Planning Review for Application SP-3-21, Site Plan w/ Variances, Block 1301, Lot 6, 135 Industrial Road, WMG Berkeley Heights Owner, LLC, LI Zone, prepared by Keenan Hughes, A.C.I.P., P.P., of Phillips Preiss Planning & Real Estate Consultants, dated September 30, 2021;
- A Township of Berkeley Heights Zoning Permit, ZA-21-608, dated October 5, 2021; and
- A signed but unsealed stormwater management report, entitled “Stormwater Management Compliance Statement, for 135 Industrial Road, Block 1301, Lot 6, Township of Berkeley Heights, Union County, New Jersey”, prepared by Jesse D. Dougherty, P.E. of Marathon Engineering & Environmental Sciences, Inc., dated July 12, 2019, last revised August 13, 2021.

Project Description

The subject site is identified as Lot 6 in Block 1301, located within the ‘LI’ (Light Industrial) Zone, per the Township of Berkeley Heights Zoning Map. The site is further identified as 135 Industrial Road and is located on the northern side of Industrial Road. The site in question is surrounded by townhouses to the northwest, a wooded area and a healthcare facility to the southwest, a warehouse to the south, an industrial warehouse with parking to the east, and a wooded area to the north that acts as a buffer between the property in question and a railroad line. The property in question also contains an existing drainage network that

discharges to Snyder Avenue Brook. This drainage system consists of a manhole in the northeastern section of the lot, two 22"x34" HERC pipes, an inlet, a headwall, and a riprap apron immediately downstream of the headwall. The site also contains a trailer in the southeast portion of the property, a chain-link fence that runs along the frontage, and a paved driveway. The Applicant for the project is WMG Berkeley Heights Owner, LLC., 2801 SW 31st Avenue, Suite 2B, Miami, FL 33133. The Owner of the property is 135 Industrial Road, LLC., 330 Snyder Avenue, Berkeley Heights, NJ 07922.

The Applicant seeks amended preliminary and final site plan approval to construct a three (3) story self-storage facility with a building footprint of approximately 52,533 square feet. The first floor will consist of an office space and storage units. The second and third floors will consist of additional storage units. Additional, associated site improvements include fifty-two (52) parking spaces, concrete sidewalk, concrete curb, signage, striping, trash enclosure, and a loading dock area. Additionally on-site improvements include permeable pavement area, utilities, drainage, lighting, and landscaping improvements. Furthermore, the Applicant proposes to reconstruct the driveway apron along the property frontage.

NEA defers to the Board Planner for all matters pertaining to the Zoning Ordinance, variances, etc.

1. Engineering Comments

- 1.1. At such time as a hearing is scheduled regarding this matter, a representative or owner of the project site shall be present to address questions from the Board. The Applicant's professionals shall provide testimony in support of all required variance and waiver relief.
- 1.2. The Applicant shall provide testimony with respect to the proposed building features, façade materials, colors, design elements, visual access, entrances, awnings, lighting, and roofing.
- 1.3. The Applicant shall provide testimony regarding the daily operations of the proposed use, including, but not limited to, loading, and unloading, number of employees, hours of operation, parking required for employees, etc. Additionally, the Applicant shall provide testimony regarding the proposed on-site parking operations.
- 1.4. The Applicant shall provide testimony addressing trash recycling removal and disposal procedures. We recommend a private hauler.
- 1.5. The Applicant shall identify the location of any and all proposed HVAC units on-site and their associated concrete pads. A detail of the concrete pad shall be provided. Furthermore, the Applicant shall provide testimony regarding any potential rooftop HVAC equipment, appurtenances, noise levels, screening, and sound proofing.
- 1.6. The Applicant shall provide a "Stop" pavement marking at the driveway. A detail of the same shall be provided.
- 1.7. The Applicant shall revise the concrete sidewalk detail to indicate a minimum of four (4) inches of three-quarter (¾) inch clean crushed stone.
- 1.8. The Applicant shall revise the plans to provide the curb-to-curb width of Industrial Road.
- 1.9. The Applicant shall provide testimony addressing access to the site and lift gate operations.
- 1.10. The Applicant shall revise the architectural site plan in accordance with the latest engineering site plan.
- 1.11. The Applicant shall note that all walls in excess of three feet (exposed height) will require associated wall stability calculations prepared by a licensed professional engineer in the State of New Jersey. Upon completion of construction, all retaining walls in excess of three feet in height require certification by a licensed professional engineer in the State of New Jersey confirming that the wall was built in accordance with the plans and details and that it will support its design and intended loads.

-
- 1.12. The Applicant shall protect any perimeter fencing, curbs, walkways, plantings, walls, and any offsite improvements on adjacent properties during construction, if approved. The Applicant shall be responsible for any damage caused to neighboring properties during construction of the proposed improvements. A note on the plan stating the same shall be provided.
 - 1.13. The Applicant shall ensure that the operations of soil movement vehicles are not to be utilized in a way that would deposit soil on any street, sidewalk, public place, or within any other private property. A note stating the same shall be provided on the Site Plan.

2. Grading, Drainage and Utility Comments

- 2.1. The Applicant shall provide testimony that all ADA accessible routes, points of ingress/egress, parking spaces, sidewalk ramps, etc. will conform to the ADA Standards for Accessible Design provided by the Department of Justice, latest revised. A note to that effect shall be provided on the Site Plan.
- 2.2. The Applicant shall revise the Soil Erosion and Sediment Control Plan to include and identify the limit of disturbance, and the associated area in square feet and acres.
- 2.3. The Applicant proposes to relocate an existing utility pole and associated overhead wire in order to facilitate construction of a 28-foot-wide driveway and curb cut. It shall be noted that neither NEA nor the Township of Berkley Heights has the jurisdiction to approve or facilitate the pole relocation. As such, the Applicant shall coordinate the pole relocation with the respective pole owner(s) and utility provider(s).
- 2.4. The property appears to be partially within an NJDEP Flood Hazard Area. The Applicant shall provide testimony addressing any required NJDEP Land Use permitting related to the flood hazard area and grading within the limits of said area.
- 2.5. Based on FEMA Map Number 34039C0017F, dated September 20, 2006, the subject property is located within the Flood Hazard Design Flood Elevation 222. The Applicant's Engineer shall provide testimony addressing the measures proposed on-site to prevent and / or mitigate potential damage from floodwaters. The Applicant shall discuss existing flood elevations as they relate to the proposed first floor elevations of the building.
- 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. All proposed utility connections shall be coordinated with the appropriate authority or governing agency.
- 2.7. The Applicant proposes to disturb over one (1) acre of soil in order to construct the proposed improvements. In accordance with both N.J.A.C. 7:8 and Township Ordinance §13.17 (Stormwater Control), the subject application is considered to be a "Major Development." As such, the Applicant is required to comply with applicable sections of both regulations, related to stormwater quantity, stormwater quality, and groundwater recharge. The Applicant has provided a stormwater management report; however, testimony shall be provided to confirm that all aspects of the proposed stormwater management systems are fully compliant with applicable regulations and codes.
- 2.8. The Applicant proposes to construct an extended detention basin with a clay liner and a flat bottom. In order to ensure that the basin will fully drain, the Applicant shall revise the plans to incorporate a low flow channel, as well as to provide additional grading information to provide positive drainage towards the outlet.
- 2.9. The Applicant indicates that the bottom of the proposed extended detention basin complies with Chapter 9.4 of the NJDEP BMP Manual regarding the minimum one (1) foot separation between the basin bottom and the seasonal high ground water table. However, test pits indicated that the elevation of the pond will be below the groundwater elevation

observed at Test Pit No. 8. The Applicant shall provide testimony regarding compliance with the BMP Manual's one (1) foot separation above seasonal high groundwater.

- 2.10. The Applicant shall revise the Storm Sewer Notes on the Storm Sewer Detail Sheet to reflect the Township of Berkeley Heights, not Logan Township.
- 2.11. The Applicant utilizes a time of concentration of six (6) minutes. The Applicant shall provide calculations to substantiate the usage of the minimum six (6) minutes.
- 2.12. In accordance with N.J.A.C. 7:8 – 5.8(b), the Applicant shall revise the Stormwater Maintenance Manual to identify the name and telephone number of the person(s) responsible for stormwater maintenance.
- 2.13. The Applicant proposes to modify and reuse portions of the existing 22-inch by 34-inch HERCP. As such, the Applicant shall clean and televise the existing HERCP within the property, before and after construction. Should the pre-construction television inspection indicate deficiencies or issues with this pipe, the Applicant shall be required to address such (i.e. repair, replace, or rehabilitate), to the satisfaction of the Board and Department of Public Works, prior to the reuse or modification of such. Two (2) copies of the pre- and post-construction television inspection video footage and associated report shall be furnished to the Township for review, upon receipt.
- 2.14. The Applicant shall ensure that stormwater runoff does not negatively affect neighboring properties. Any damages caused by an increased runoff or improper drainage shall be repaired by the Applicant. Notation regarding this shall be added to the plan.
- 2.15. Should the Board act favorably upon this application, and prior to construction, the Applicant will require a soil movement permit. NEA reserves the right to provide additional comments related to grading, drainage, and soil movement until the time of submission and NEA's review of said soil permit application.

3. Landscaping and Lighting Comments

- 3.1. 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.
- 3.2. 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.).
- 3.3. The Applicant shall indicate the illumination levels in foot-candles to demonstrate compliance with §11.1.5 of the Township of Berkeley Heights Municipal Code.
- 3.4. As per the Township of Berkeley Heights Ordinance, §10.6.3.E, the Applicant shall provide a Landscape Plan which shall be prepared, signed, and sealed by a Landscape Architect, licensed in the State of New Jersey.
- 3.5. The Applicant shall revise the Landscape Schedule in accordance with §10.6.3.F.2. and §10.6.9.A.1. of the Township of Berkeley Heights Ordinance, specifically the size of proposed deciduous shade trees. Additionally, the Applicant shall refer to the Township's Preferred Tree Species list and incorporate the same to the maximum extent practical.
- 3.6. The Applicant shall revise Planting Note No. 18 to stipulate a mulch layer of three (3) inches so that it coincides with the planting details.
- 3.7. The Applicant shall revise the Deciduous Tree Detail, substituting "peat moss" in the backfill mix note with "organic compost."

- 3.8. The Applicant shall provide eighteen (18) inches of topsoil (settled) to all plant bed areas and six (6) inches of topsoil (settled) to all lawn areas. Notation of such shall be added to the Planting Notes.
- 3.9. The Applicant shall provide Turfgrass Seeding & Preparation Notes along with the turfgrass mix of the seed. The turfgrass seed mix shall include a top rated Turf Type Tall Fescue within the mix and shall be no less than 50 percent of the mix. Notation of such shall be added to the Planting Notes.
- 3.10. The Applicant shall provide Seeding & Preparation Notes for the Stormwater Basin. Notation of such shall be added to the Planting Notes.
- 3.11. The Applicant shall provide an irrigation system to ensure that all proposed landscaping thrives. The Applicant shall provide the following notation to the plans within the Planting Notes:
 - Irrigation contractor to provide a design for an irrigation system for both plant beds and lawn areas. Plant beds and individual trees shall be serviced by drip irrigation and lawn areas are to be serviced with spray heads. Rain sensors shall be incorporated into the service. Contractor to verify the maximum, on site dynamic water pressure available. Pressure reducing devices or booster pumps shall be provided to meet system pressure requirements. Irrigation design to shall depict all valves, piping, heads backflow prevention, meters, controllers, and sleeving within hardscape areas.

4. Traffic Engineering Comments

- 4.1. The Applicant shall provide testimony regarding traffic and circulation, including personal vehicles pick-up/drop off, emergency vehicles, and garbage collection trucks.
- 4.2. 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, hydrant locations, fire lanes, restricted parking areas, and fire apparatus access and circulation.
- 4.3. The Applicant has submitted truck maneuvering templates utilizing fire trucks and small single unit trucks. The Applicant shall provide testimony addressing access to the site for WB-40 and larger trucks and if larger trucks will be restricted from accessing the site.
- 4.4. As per §10.4.6 of the Ordinance, the Applicant shall submit a Traffic Impact Report which contains the proposed site trip generation, existing and future Level of Service of the nearby intersections, and traffic figures showing the existing traffic volumes and the future “build” volumes.
- 4.5. The Applicant proposes to construct fifty-three (53) parking spaces as part of this application. The Township Ordinance requires one (1) parking space per one thousand (1,000) square feet of warehouse (storage facility). The proposed facility will have a gross floor area of approximately 156,600 square feet, across three floors, which equates to: $(156,600 \text{ SF}) \times (1/1000) \approx 157$ required parking spaces. However, the Applicant has provided a parking analysis which utilizes the ITE Parking Generation methodology to assess the parking demand at only forty (40) spaces. The Applicant shall provide testimony in support of the variance request to deviate from the Township’s Ordinance.

5. 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. 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.
- 5.4. Revised reports, plans and exhibits, which are to be considered at the hearing, should be submitted ten days prior to the scheduled hearing.
- 5.5. 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.
- 5.6. 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 require additional information, please do not hesitate to contact the undersigned.

Very truly yours,
Neglia Engineering Associates

Very truly yours,
Neglia Engineering Associates



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

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

TRS/EMJ/jv

- cc: William Robertson, Esq. – Planning Board Attorney (via e-mail, wrobertson@newjerseylaw.net)
Keenan Hughes, A.I.C.P., P.P. – Planning Board Planner (via e-mail, khughes@phillipspreiss.com)
WMG Berkeley Heights Owner, LLC – Applicant (via USPS, 2801 SW 31st Avenue, Suite 2B, Miami, FL 33133)
135 Industrial Road, LLC. – Owner (via USPS, 330 Snyder Avenue, Berkeley Heights, NJ 07922)
Amee S. Farrell, Esq. – Applicant's Attorney (via e-mail, afarrel@kaplaw.com)
Jesse Dougherty, P.E. – Applicant's Engineer (via e-mail, jesse.dougherty@marathonconsultants.com)
John Manillo, R.A. – Applicant's Architect (via USPS, 433 North Avenue East, Westfield, NJ 07090)

\\Nea-file01\WDOX\$\MUNI\BERK\BERKSPL21017\CORRESP\00289283.DOCX