

Planning & Real Estate Consultants

November 23, 2021

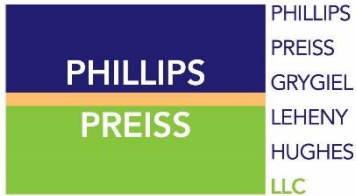
Planning Board  
Township of Berkeley Heights  
29 Park Avenue  
Berkeley Heights, NJ 07922

**Re: Planning Review #1  
Application SP-3-21  
Site Plan w/ Variances  
Block 1301, Lot 6  
135 Industrial Road  
WMG Berkeley Heights Owner, LLC  
LI Zone**

Dear Chairman Johnson and Members of the Planning Board:

Our office is in receipt of the above referenced application, including the following documents submitted by the applicant:

- Amended Application for Site Plan Approval, dated 11/2/21.
- Site Plans entitled “Public Storage – Berkeley Heights,” prepared by Marathon Engineering & Environmental Services, last revised 10/18/21.
- Architectural Plans entitled “135 Industrial Road | Berkeley Heights Preliminary Design Package,” prepared by SGW Architecture & Design, dated 11/2/21.
- NJDEP Permit No 2001-06-0006.1 LUP 190002, approved 2/3/20 with expiration date of 2/2/25.
- NJDEP Freshwater Wetlands Letter of Interpretation for Block 1301 Lot 6 in Berkeley Heights Township, Union County, issued 11/18/19, including LOI Approved Plan.
- Environmental Impact Statement for “135 Industrial Road Block 1301, Lot 6 Township of Berkeley Heights, Union County, New Jersey,” prepared by Marathon Engineering & Environmental Services, Inc., last revised 10/13/21.
- Union County Department of Economic Development Review Letter, issued 9/28/21.
- Right of Way Grant between Clair Fishbein and Jersey Central Power and Light, recorded in the Union County Deed Book 3508 Page 496, dated 4/29/87.
- Memorandum Response Letter to Township Planning and Zoning TRC Reviews, prepared by Kaplin Stewart, dated 11/8/21.
- Site Plans entitled “Gulf American Line – Berkeley Heights,” prepared by Marathon Engineering & Environmental Services, last revised 3/4/20.



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- Architectural Plans entitled “135 Industrial Road,” prepared by Redcom Design & Construction LLC, last revised 3/4/20.
- Planning Board of the Township of Berkeley Heights Resolution for Application No. SP 6-19, dated 12/11/19.

**Description of Site and Surroundings**

The subject property is a 154,581 square foot lot with frontage along Industrial Road. The site is largely unimproved, except for several paved areas by the Industrial Road frontage, including an area extending along the entirety of the eastern property line. There are some minor improvements, such as a trailer structure, fences with a gate, and utilities. Woodlands are located along the northern and western property lines. The property contains flood hazard areas and freshwater wetland areas along its perimeter.

The property is located in the LI Light Industrial Zone and is directly adjacent to large industrial/warehouse facilities to the north and south. The property is bordered by train tracks to the north. Beyond the train tracks is the planned inclusionary multifamily development on Lone Pine Drive, which is currently under construction. To the west, separated by a buffer area consisting of dense woodlands, are residential neighborhoods.

**Completeness Review**

Per our TRC Review letter dated 9/30/21, the application was deemed substantially complete. The remaining details that were missing/requested in the TRC Review Letter have been provided in this round of submissions.

**Compliance Review**

The proposed self-storage facility is a permitted use in the LI zone.

The following “c” bulk variances are identified at this time:

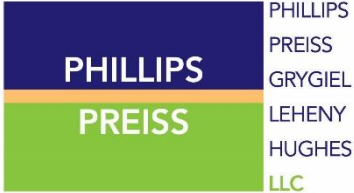
- §11.1.2: The proposed self-storage facility (containing office and warehouse spaces) requires 157 spaces whereas 52 spaces are provided.
- §5.4.3.1: In the LI zone, 1 wall sign less than 50 square feet in area and projecting no more than 12 inches from the wall is permitted for each use, and the sign shall not cover more than 10% of the first story wall area including windows and doors. The applicant’s proposed sign is non-compliant at 82 square feet. The applicant shall also confirm if the sign covers 10% or less of the first story wall area and if the projection is less than 12 inches.

The following **design exceptions** have been identified at this time:

- §11.1.3.B2: When parking stalls abut facing parking stalls, a 7 foot square planting diamond must be provided for each 5 front abutting parking stalls. The parking area by the stormwater management basin is deficient in planting diamonds.
- §11.1.4A.1b: For parking lots with 9 or more spaces, a minimum of 8% of the interior area of the parking lot shall be landscaped (minimum size of landscaped areas is 49 square feet), with a minimum of 1 deciduous tree with a minimum caliper of 2.5 inches planted for every 6 parking spaces. No such interior landscaping is proposed.
- §11.1.4A.2a: along the perimeter of all parking lots, there shall be 1 deciduous or evergreen tree at 25-foot intervals along the pavement edge, with minimum tree size of 2.5 inches in caliper or 6 feet in height if evergreen. The applicant has proposed perimeter trees of compliant size; however, tree intervals are non-compliant.
- §11.1.5.B: for industrial and commercial uses, the maximum illumination allowed is 2 footcandles. The proposed lighting exceeds this standard. The applicant shall also confirm compliance with the shielding requirements at §11.1.5.C.
- §11.1.6.C: all off-street loading berths shall be at least 15 feet in width by 50 feet in length, exclusive of aisle and maneuvering space. The applicant proposes 6 exterior loading berths, but has not provided dimensions. The applicant shall indicate the size of the berths to confirm compliance, or else seek a design exception from this condition.

### Planning Comments

1. The applicant shall provide testimony addressing the required “c” variances for the number of parking spaces and the wall sign. The MLUL at NJSA 40:55D-70(c) permits the Planning Board to grant a “c” or bulk variance if there is either undue hardship or practical difficulty associated with the strict application of the requirements of the zoning ordinance in connection with this specific piece of property; or that one or more purposes of zoning would be advanced by the deviation and the benefits of granting the variance(s) for this specific piece of property would substantially outweigh any detriment. In addition, the Board must be satisfied that the granting of the variance(s) would not cause



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substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and zoning ordinance.

2. The applicant shall provide testimony addressing the required design exceptions in accordance with the criteria established by the Municipal Land Use Law at NJSA 40:55D-51b.

The Board should note that the majority of design exceptions, except loading space size and lighting, are related to landscaping for the parking areas. The applicant should discuss and the Board should consider whether the proposed landscaping is sufficient to buffer and screen the proposed improvements from adjacent rights-of-way and residential properties.

3. As noted in the compliance section, the applicant shall indicate the dimensions of the proposed loading berths to confirm compliance with the Ordinance standards. If they are noncompliant, the applicant shall provide testimony to justify this design exception.
4. The applicant shall provide testimony on the operations of the site, including business hours, number of employees, capacity of storage, and expected traffic impacts.
5. We additionally defer to the Township engineer for comments regarding the proposed lighting, traffic and circulation, paving and grading, drainage and stormwater management, environmental impacts, and other construction details.

We trust that the above information is responsive to your needs.

Respectfully submitted,

Keenan Hughes, AICP, PP