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MEMORANDUM

To: *Chairman and Members of the
West Orange Zoning Board*

From: *John J. Hess, PE, PP, CME
Zoning Board Engineer*

Date: *December 8, 2021*

Re: *Application No. ZB-21-01
M. Vega Investments LLC
Preliminary & Final Major Site Plan with
'C' and 'D' Variances - Review #1
66 Franklin Avenue
Block 134.02, Lots 75.03, 79 & 81
Our File: VWRZ0134.01*

CC: *Paul Grygiel, AICP, PP - Township Planning Director
Leonard Lepore, PE – Township Engineer
Alice Beirne, Esq. – Zoning Board Attorney
M. Vega Investments, LLC – Applicant
Chris J. Murphy, Esq. – Applicant's Attorney
Joshua H. Kline, PE – Applicant's Engineer
Matthew J. Seckler, PE, PP, PTOE – Applicant's Traffic Engineer
John McDonough, LA, PP – Applicant's Planner
Nicolas Salerno, RA – Applicant's Architect
Thomas F. Miller, PLS – Applicant's Surveyor*

Our office has received for review the following documents which were submitted in support of the above referenced application for Preliminary and Final Major Site Plan approval with 'C' and 'D' Variances:

- A set of Preliminary and Final Major Site Plan drawings (11 sheets) prepared by Joshua H. Kline, PE with Stonefield Engineering & Design of Rutherford, New Jersey dated September 24, 2021.
- A print of a Boundary & Topographic Survey (1 sheet) prepared by Thomas F. Miller, PLS with Stonefield Engineering & Design dated June 28, 2021.
- A set of unsigned architectural plans (5 sheets) prepared by Nicolas Salerno Architect, LLC of East Hanover, New Jersey and bearing a latest preparation date of September 20, 2021.
- A Planning Report prepared by John McDonough, LA, PP with John McDonough Associates, LLC of Morris Plains, New Jersey dated December 22, 2020.
- A Traffic & Parking Assessment Report prepared by Matthew J.Z Seckler, PE, PP, PTOE with Stonefield Engineering & Design, LLC dated September 24, 2021.



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- A completed Application Package.
- An undated Proposal which describes the proposed improvements at the site and details the variances that are requested by the Applicant.
- A completed Site Plan / Subdivision Checklist.
- A completed Sustainability Checklist Form.
- A copy of a January 5, 2021 statement from the Office of the Tax Collector which states that the taxes on lot 75.03, block 134.02 are paid until January 31, 2021.
- A copy of a January 5, 2021 statement from the Office of the Tax Collector which states that the taxes on lot 79, block 134.02 are paid until January 31, 2021.
- A copy of a January 5, 2021 statement from the Office of the Tax Collector which states that the taxes on lot 81, block 134.02 are paid until January 31, 2021.
- A copy of a List of Owners Within 200 Feet of Block 134.02, Lot 79 dated December 9, 2020.

We have reviewed the information submitted in support of this application and offer the following comments:

A. PROJECT DESCRIPTION

The property in question is a rectangular tract located on the easterly side of Franklin Avenue approximately 125 ft north of the intersection with Chestnut Street. The property is located in the B-1 Retail Business Zone and has an area of 10,000 sf or approximately 0.23 acres. It is currently occupied by a 1-story masonry building with a partial basement and a detached 1-story frame shed. The balance of the property is a gravel parking area which is currently being used as a contractor's storage yard.

The Applicant is seeking Preliminary & Final Major Site Plan approval with 'C' and 'D' Variance relief to renovate the existing building and to construct a second floor addition with an attic. It shows on the architectural plans that the first floor will be used for office and storage space and the existing basement will remain. It further shows on the architectural plans that a 3-bedroom apartment is proposed on the second floor. It appears from the architectural plans that the attic will be used by the tenants of the apartment. The Applicant also proposes the parking of commercial vehicles in the parking lot. We note that the existing shed is also proposed to remain.

The Applicant proposes to construct a paved parking lot with on-site parking for 11 vehicles including 1 handicap accessible parking space. In addition, a 6 ft high chain link fence with privacy slats is proposed surrounding the entire parking lot. An electronic sliding gate is proposed to provide access to the parking lot. A trash enclosure is also proposed adjacent to the shed.



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The stormwater runoff from the parking lot will be collected in two inlets located along the southerly side of the parking lot. And will be piped through the curb where it will discharge onto Franklin Avenue. The runoff from the roof of the building will also be piped to the inlet closest to Franklin Avenue.

B. DESIGN COMMENTS

1. Based on our review of the submitted documents, we request that the following additional information be submitted as stipulated on the Site Plan / Subdivision Checklist:
 - a) Item #20 – *Copy and/or delineation of any existing or proposed deed restrictions or covenants.*
 - b) Item #23 – *List of required regulatory approvals or permits.*
 - c) Item #25 – *Requested or design waivers or exceptions.*
 - d) Item #31 – *Contours to extend at least 200' beyond subject property.*
 - e) Item #35 – *Drainage calculations.*
 - f) Item #46 – *Solid waste management plan.*
 - g) Item #52 – *Plans and legal documents for compliance with West Orange COAH Ordinance.*
2. The Sustainability Checklist Form submitted by the Applicant is blank. Therefore, the Applicant should submit a completed Sustainability Checklist Form which details the sustainable design features that are proposed for this project.
3. The Applicant has submitted architectural plans which are unsigned and unsealed. The Applicant must submit signed and sealed copies of the architectural plans to the Board as required by the Site Plan / Subdivision Checklist:
4. The Land Use and Zoning table on sheet C-4 of the Site Plan drawings states that the proposed use is a personal service store. However, the Planning Report states that a construction contractor business is proposed. This discrepancy must be resolved.
5. Sheet 1 of the architectural plans includes a Site Plan which does not agree with the layout shown on the Site Plan drawings. This discrepancy must be resolved.
6. It states on sheet 1 of the architectural plans and sheet C-1 of the site plan drawings that the Owner/Applicant is Manuel Vega. However, it states on the Planning Board /Zoning Board Application form that the Applicant is M. Vega Investments LLC. This discrepancy must be resolved.



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7. It shows on the architectural plans that an attic is proposed in the building. Therefore, the architectural plans must be revise to include a floor plan of the attic space. In addition, the Applicant should address the Board regarding the proposed use of the attic space.
8. It shows on the architectural plans that a basement exists in the building. The Applicant should address the Board regarding the proposed use of the basement space.
9. The Applicant should address the Board regarding the proposed hours of operation at the site.
10. A note should be added to the plans which states that any settled or damaged sidewalk or driveway aprons along the site frontage shall be replaced as directed by the municipal engineer.
11. It shows on sheet C-4 that a trash enclosure is proposed at the site. The Applicant should provide testimony to the Board to demonstrate that the trash enclosure has adequate capacity to accommodate the trash and recyclables that will be generated at the site.
12. It shows on sheet C-4 that the trash enclosure will be located between the existing shed and the southerly property line. Based on the proposed curb layout shown on the plan, we find that there is not enough room for a trash truck to access the trash enclosure area. Therefore, the Applicant should address the Board regarding how trash will be collected at the site.
13. The Applicant should submit a truck turning template to the Board to demonstrate that adequate maneuvering room is available for the vehicles anticipated to use the site including trash trucks, emergency vehicles and trucks associated with the commercial use of the site.
14. It shows on sheet C-4 that 1 handicap parking space, five 9'x18' parking spaces and 5 10'x20' parking spaces are proposed at the site. The Applicant should address the Board to clarify the types of vehicles that will be parked in the different size spaces.
15. It shows on sheet C-4 that the parking lot will be surrounded by a 6 ft high chain link fence with privacy slats. It stipulates in Section 25-8.4c in the Ordinance stipulates that in all nonresidential districts, fences or walls not exceeding 6 ft in height shall be permitted in the side and rear yards. We note that the Applicant requires a waiver to permit a 6 ft high fence in the front yard.
16. It states on sheet C-4 that an electronic sliding gate is proposed at the entrance to the site. The Applicant should address the Board regarding how the sliding gate will be controlled (i.e. by key card or fob). In addition, a detail of the gate must be added to the plans. If any gate control devices such as key card readers are required, they should be shown on the plans.



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17. The Applicant should address the Board regarding their plans to install the necessary signage to reserve two (2) of the parking spaces for residents of the proposed apartment.
18. The Applicant should address the Board regarding their plans to mitigate the increase in runoff from the site.
19. It shows on sheet C-5 that the Applicant proposes to install two (2) Type B inlets along the southerly property line to collect the runoff from the parking lot. In addition, the roof leaders from the building are to be connected to the Type B inlet closest to the street. The Applicant then proposes to install two (2) 4" PVC pipes to allow the runoff to be discharged under the sidewalk where they will daylight through the curb and discharge into the street. Our office is concerned with allowing the runoff to discharge through the curb into the street. It is our recommendation that the runoff be discharged into the existing storm sewer on the westerly side of Franklin Avenue.
20. It shows on sheet C-5 that the Applicant proposes to install 4" PVC pipes to convey the runoff from the site to the street. Our office is concerned with the small size of the proposed pipes. The Applicant must provide calculations to demonstrate that the proposed pipes have adequate capacity to handle the peak flows that are anticipated.
21. It shows on sheet C-5 that the proposed drainage pipes will have less than 2 ft of cover. The Applicant must demonstrate that the proposed cover is adequate to protect the pipes from being damaged by vehicles entering and leaving the site.
22. Sheet C-10 includes a 6' High Chain Link Fence detail. Note 2 on the detail states that it only applies to fence without privacy slats whereas the Applicant has proposed a fence with privacy slats. Therefore, the detail must be revised accordingly.
23. Sheet C10 must be revised to include a detail of the roof drain connection to catch basin.
24. As a condition of any approval granted by the Board, it is our recommendation that the Applicant be required to consolidate the three (3) existing lots. Prior to recording, a copy of the proposed Deed of Consolidation must be submitted to the Board for review and approval by the Board Attorney and our office. In addition, the proposed lot number for the consolidated parcel must be approved in writing by the West Orange Tax Assessor.

C. LIGHTING COMMENTS

1. The Applicant requires a waiver from Section 25-14.2 as the proposed parking lot lighting is under the 2.0 footcandles required. However, we note that the proposed lighting meets IES (Illuminating Engineering Society) standards and appears to be sufficient as proposed.
2. The Applicant indicates on Sheet C-6 that a waiver is required for not meeting the minimum light levels for the street. However, this minimum requirement is for applications



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that are to provide lighting for roadways; whereas this application is for off-site parking and street lighting is not proposed nor required.

3. Revise the plans to provide isolux pattern details including a scale and graph. Also, provide isolux patterns on the plans to indicate 0.50 footcandle isolux location, for further review.
4. Revise the plans to provide the manufacturer's catalog cut and ordering information for the proposed light pole. Also, provide the color and finish proposed for all light fixtures and poles.
5. Revise the plans to indicate timers and hours of operation for the proposed light fixtures.
6. Revise the 'Light Pole Installation Detail' on sheet C-11 to indicate a concrete strength of 4500 psi. Currently, 3,000 psi is indicated.

D. LANDSCAPING COMMENTS

1. In accordance with Section 25-11.3a, a buffer strip shall be planted with trees and shrubs to adequately screen the buildings abutting a residential zone; whereas plant materials have not been proposed within the designated landscape buffer along the rear of the property.
2. In accordance with Section 25-11.3b, a twenty (20) feet wide buffer strip planted as indicated above is to be provided along the east property line; whereas the Applicant has provided a buffer strip with a width of 5.1 feet.
3. In accordance with Section 232-10.4, provide one (1) shade tree to be located south of the entrance drive, along Franklin Avenue. Our office recommends this tree to be a different species than the two (2) proposed AR (Red Maple) in the parking lot.
4. Provide foundation landscaping along the frontage of the existing building, to enhance site aesthetics.
5. Revise the 'Plant Schedule' on sheet C-8 to indicate a specific cultivar for proposed AR (Red Maple).
6. Revise the plans to graphically depict mulch bed lines on the plans, to prevent confusion during construction.
7. Revise the plans to indicate the proposed disposition for all open areas, such as lawn, mulch, stone, etc., to prevent confusion during construction.
8. Revise the plans to specify proposed plant materials within the raised planter as indicated on Sheet C-4, to prevent confusion during construction.



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The Applicant is hereby advised that any revised plans or other documents submitted to the Board should be accompanied by a cover letter which addresses each of the comments in this review letter and also details any other changes that have been made to the plans as these may not be readily apparent.