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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: *January 18, 2022*

Re: *Application No. ZB-21-01
M. Vega Investments LLC
Preliminary & Final Major Site Plan with
'C' and 'D' Variances - Review #2
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 (12 sheets) prepared by Joshua H. Kline, PE with Stonefield Engineering & Design of Rutherford, New Jersey and bearing a latest revision date of January 7, 2022.
- A Stormwater Management Statement prepared by Stonefield Engineering and Design, LLC dated January 7, 2022.
- A Summary of Requested Relief prepared by Stonefield Engineering and Design, LLC, dated January 6, 2022.
- A Summary of Approvals and Permits prepared by Stonefield Engineering and Design, LLC dated January 6, 2022.
- A January 7, 2022 letter from Joshua Kline, PE to the West Orange Zoning Board of Adjustment which addresses the comments in the November 24, 2021 memorandum from



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the Planning Director, Paul Grygiel, PP, and the December 8, 2021 review memorandum from our office.

In addition to the above, our office previously received the following information as part of the previous submissions for this application:

- 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.
- 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



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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.

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 #46 – *Solid waste management plan.*
 - b) Item #52 – *Plans and legal documents for compliance with West Orange COAH Ordinance.*
2. The Applicant has requested the following waivers:
 - a) Item #31 – *Contours to extend at least 200' beyond subject property.*
 - b) To permit a 6 ft high chain link fence with privacy slats in the front yard whereas Section 25-8.4a stipulates that 4 ft high fences not more than 50% solid are permitted in the front yard.
3. The Sustainability Checklist Form submitted by the Applicant is blank. Therefore, it remains for the Applicant to submit a completed Sustainability Checklist Form which details the sustainable design features that are proposed for this project.
4. The Applicant has submitted architectural plans which are unsigned and unsealed. It remains for the Applicant to submit signed and sealed copies of the architectural plans to the Board as required by the Site Plan / Subdivision Checklist.



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4. Sheet 1 of the architectural plans includes a Site Plan which does not agree with the layout shown on the Site Plan drawings. It remains for this discrepancy to be resolved.
5. It states on sheet 1 of the architectural plans 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. It remains for this discrepancy to be resolved.
6. It shows on the architectural plans that an attic is proposed in the building. Therefore, it remains for the architectural plans to be revised 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.
7. 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.
8. The Applicant should address the Board regarding the proposed hours of operation at the site.
9. 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.
10. 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.
11. It remains for the Applicant to 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.
12. 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.
13. 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.
14. It shows on sheet C-4 that the Applicant proposes to install "Resident Only" signs to reserve two (2) of the parking spaces for residents of the proposed apartment. A detail of the "Resident Only" signs must be added to the plans.



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15. It states in the Stormwater Management Statement that the area of disturbance will be 10,352 sf and the new motor vehicle surface will be less than 0.25 acres. Since the area of disturbance will be less than 1 acre and the new motor vehicle surface will be less than 0.25 acres, the project is classified as a Minor Development. In addition, the Stormwater Management Statement demonstrates that the impervious area will be decreased by 399 sf and there will be no increase in the post-development runoff leaving the site for the 2, 10 and 100 year storms.
16. 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.
17. 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. It remains for the Applicant to provide calculations to demonstrate that the proposed pipes have adequate capacity to handle the peak flows that are anticipated.
18. It shows on sheet C-5 that the proposed drainage pipes will have less than 2 ft of cover. It remains for the Applicant to demonstrate that the proposed cover is adequate to protect the pipes from being damaged by vehicles entering and leaving the site.
19. 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, it remains for the detail to be revised accordingly.
20. It remains for sheet C10 to be revised to include a detail of the roof drain connection to catch basin.
21. 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.



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2. Revise the plans to provide isolux pattern details including a scale and graph for Fixture B.
3. Revise the plans to provide the manufacturer's catalog cut and ordering information for the proposed light pole. Also, provide the color and finish for the proposed pole.
4. Revise the plans to indicate timers and hours of operation for the proposed light fixtures.

D. LANDSCAPING COMMENTS

1. 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.
2. The plans must be revised to graphically depict the mulch bed lines to prevent confusion during construction. In addition, the dividing line between mulch beds and lawn areas must be clearly shown.

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.