

Revised June 2, 2020

Via electronic mail

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

Attn.: Connie Valenti, Planning Board Secretary

Re: **Preliminary & Final Site Plan Review**
Block 702, Lot 3
462 Springfield Avenue
Applicant: Gennaro Raimo & Elizabeth Fernandez
Township of Berkeley Heights, Union County, New Jersey
NEA File No.: BERKSPL20.014

Honorable Board Members:

Neglia Engineering Associates (“NEA”) has reviewed the application and supporting documents 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 (#SP-3-20), dated March 13, 2020;
- A completed copy of the Township of Berkeley Heights, Planning Board Site Plan Checklist, prepared by Richard Keller, P.E, of Casey & Keller, Inc, dated March 5, 2020;
- Zoning Permit, prepared by Thomas A. Bocko, Zoning Officer, dated January 28, 2020;
- Township of Berkeley Heights, Application for Sanitary Sewer Capacity Allotment, dated March 11, 2020;
- Union County Development Review Application, dated March 11, 2020;
- Union County Development Checklist for Site Plans, dated March 11, 2020;
- A signed and sealed set of engineering plans, consisting of three (3) sheets, entitled “Coffee Culture Roastery, Preliminary & Final Site Plan, 462 Springfield Avenue, Tax Lot 3, Block 702, Township of Berkeley Heights, Union County, NJ” prepared by Michael T. Lanzafama, P.E. & P.L.S., P.P., of Casey & Keller Inc., dated February 21, 2020, **with latest revision date of May 7, 2020**;
- A set of signed architectural plans, consisting of one (1) sheet, entitled “Proposed Alterations for: Coffee Culture Roastery, 462 Springfield Avenue, Berkeley Heights, NJ”, prepared by James Weill & Associates, dated February 21, 2020, last revised April, 28, 2020; and
- Rendering Plan sheet, unsigned, undated.

Project Description

The property in question is located on Block 702, Lot 3 and is commonly known as 462 Springfield Avenue, within the ‘DD’ (Downtown Development) Zone, per the Township of Berkeley Heights Zoning Map. The site encompasses approximately 0.11 acres and contains an existing two and a half (2 ½) story frame dwelling, two (2) bituminous driveways, rear detached garage, and associated site improvements.

The Applicant for the project is Gennaro Raimo & Elizabeth Fernandez, 31 Shelley Road, Springfield, NJ 07081. The Applicant is seeking preliminary and final site plan approval to make the following improvements: Renovate the ground floor for use as a commercial coffee retailer, demolish the existing rear garage to expand the existing parking lot to accommodate five (5) rear yard parking spaces, **add a four (4) foot high refuse enclosure**, and landscaping and lighting improvements.



1. Site Plan Check List

- 1.1 Calculation of Application Fee – NEA will provide on separate cover letter.
- 1.2 All easements or deed restrictions on or related to the tract – Marked as ‘N/A’ on the checklist; however, no easements or deed restrictions are indicated on the plans. If none exist, notation indicating the same shall be provided within the site plan.
- 1.3 The Applicant has noted that the following checklist items are not applicable to this application:
- Proposed Right of Ways
 - Proposed streets and street names
 - Areas dedicated to public use
 - All easements or deed restriction on or related to the tract
 - Any adjacent lots in which applicant has a direct or indirect interest
 - Improvements to adjoining streets and roads
 - Streams, waterways and flood plains within 200’ of tract
 - Existing structures on Historic Landmarks Inventory maintained by Union County Planning Board
 - Sight easements shown on plan
 - Fire Lanes
 - Loading spaces or docks
 - Traffic Impact Analysis for sites generating more than 25 vehicles per hour
 - Existing storm sewer system
 - Proposed storm sewer system
 - Documentation showing that the rate-of-runoff after development will not exceed rate-of-run-off prior to development (drainage calculations)
 - Proposed sanitary lines
 - Existing and proposed water mains and hydrants
 - Existing and proposed common space
 - Existing and proposed open space
 - Location of single trees not in wooded areas with diameter of six (6) inches or more as measured three (3) feet above the base of the trunk
 - Environmental Impact statement
 - Soil Erosion and Sediment control
 - Owner’s Letter of consent, if applicant is not the owner
 - Submission of plans to Somerset-Union Soil Conservation District
 - Soil Movement Permit
 - For sites containing hazardous materials under NJDEP jurisdiction: Documentation from NJDEP approving clean-up plan per Ordinance #30-00;
 - For sites containing hazardous materials under USEPA jurisdiction: Documentation from USEPA approving clean-up plan per Ordinance #30-00; and
 - Disclosure Statement of ten percent (10%) ownership interest of Corporation or Partnership (NJSA: 40:55D-48.1 and 48.2).

Based on the scope of the application, we agree with the applicant that these items are not applicable to the project, with the exception of the items as noted. The Applicant may wish to request waivers for a number of the checklist items noted in Section 1, above. Any requirements noted above which are not waived by the Board shall be provided prior to construction.

2. Engineering Comments

- 2.1 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.
- 2.2 Pursuant to the Zoning Requirements of the Downtown Development district, a six (6) foot minimum sidewalk shall be provided along Springfield Avenue. Pursuant to the submitted plans, it appears an approximately 4.75’ wide sidewalk is proposed. The Applicant shall revise the sidewalk width or a variance will be required. Note that the increase in the sidewalk width will require an adjustment to the landscaping plan.



- 2.3 The Applicant shall revise the Zoning Analysis table on the Casey & Keller plans to indicate a Rear Yard Setback of fifty (50) feet for sites where the rear yard contains a single row of parking. (§6.3.2.E.3.)
- 2.4 The Applicant shall provide the floor plan for the residential unit so that the requirement for a dry storage area, a minimum of twenty (20) square feet in area and a minimum of six (6) feet in height. (§6.3.2.I.3.)
- 2.5 The Applicant shall indicate that Springfield Avenue is also known as Union County Route 512 on the plan.
- 2.6 The Applicant shall provide testimony regarding the daily operations of the proposed coffee shop, including, but not limited to, refuse and recycling collection, delivery and move-in vehicles, number of employees, hours of operation, parking required for employees, etc. Additionally, the Applicant shall provide testimony regarding the proposed on-site parking operations (i.e. assigned parking, unassigned parking, and visitor/guest parking).
- 2.7 The Applicant shall provide testimony regarding the proposed sign and confirm that the proposed sign complies with current ordinance requirements for area, height and illumination.
- 2.8 The Applicant shall provide testimony with respect to the proposed building features, including but not limited to materials, colors, design elements, height and lighting. Additional construction details must be provided to support the same where required.
- 2.9 The subject property is located in the Downtown Development zoning district and is therefore subject to compliance with the streetscape standards (refer to §19.0 of the Township Ordinance). These standards include, but are not limited to, brick pavers, sidewalks, lights, etc. The Applicant shall provide testimony regarding compliance with said standards and shall indicate the same on the proposed plans.
- 2.10 The Applicant shall confirm that the proposed access doors and sidewalk clearance comply with current ADA requirements. Testimony addressing the same shall be provided.
- 2.11 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. A note stating the same shall be provided on the Site Plan.
- 2.12 The Applicant shall be responsible for the repair and reconstruction of pavement, curb, sidewalk, or other public property damaged during construction. A note stating the same shall be provided on the Site Plan.
- 2.13 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.
- 2.14 The Applicant shall be responsible for ensuring that any and all soils imported to the site are certified clean soils in accordance with current NJDEP Standards, with a copy of the said certification provided to the Township of Berkeley Heights and NEA prior to the import of any material by a professional. Recycled material or demolished materials are not permitted for the purposes of backfilling.

3. Grading, Drainage, and Utility Comments

- 3.1 The Applicant shall indicate the ADA accessible path from the at-grade ADA parking stall to the proposed entrance. The accessible path shall be clearly defined with spot grades to ensure the slopes are in compliance with ADA regulations.
- 3.2 The Applicant shall provide testimony regarding the status of existing utilities on the site and whether they are adequate for the proposed use.
- 3.3 If any existing utilities will be impacted by the proposed improvements, the Applicant shall indicate the proposed modification or relocation of any impacted utilities.
- 3.4 In accordance with NJAC 7:8, this project is not considered to be a “major development,” due to the disturbance of less than one acre of soil. However, the Applicant shall provide stormwater management calculations that indicate the post-construction peak runoff rates for the 2-, 10-, and 100-year storm event, do not exceed, at any point in time, the pre-construction peak runoff rates.
- 3.5 The Applicant shall ensure that the proposed improvements will not negatively impact adjacent lots, including but not limited to drainage considerations. The Applicant shall be responsible for any damages incurred upon adjacent lots, due to runoff.



4. Landscaping 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 shall provide screening, a minimum of five (5) feet wide, from view from both within the site and adjacent properties and public right-of-ways as far as practicable with an ever green hedge or shrubs, fencing or decorative wall up to four (4) feet above the surface of the parking lot. The proposed plans are not in conformance with this requirement. The Applicant shall provide testimony regarding same. (§11.1.4.A.2.b.)
- 4.3 All driveways and parking lots shall be suitably buffered and screened to minimize the impacts of noise, lighting and glare, exhaust fumes, views of parked vehicles and other nuisances. The submitted plans indicate little to no screening between the subject and adjacent properties. The Applicant shall provide testimony regarding same. (§11.1.4.A.3.)
- 4.4 The Applicant proposes landscape improvements within the right-of-way. Testimony regarding the same shall be provided.
- 4.5 The Applicant is recommended to provide an automatic irrigation system for the plant bed areas to ensure the plants are irrigated properly and thrive.
- 4.6 Testimony shall be provided regarding the operating hours of the proposed lighting.
- 4.7 The Applicant is proposing lighting levels between 0.6 and 3.1 whereas the minimum and maximum requirements for retail uses is 1 and 4 respectively. The Applicant shall revise the lighting plan for compliance with the ordinance. (§11.1.5.B.)
- 4.8 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. (§11.1.5.C.)
- 4.9 **The Applicant shall provide a six (6) foot high solid wooden fence or masonry wall and landscape screen with minimum four (4) high evergreen shrubs for the refuse area, whereas the Applicant is only proposing a four (4) foot high cedar fence around the refuse area at the rear of the building. (§10.6.8.B.7 and 8).**

5. Traffic Comments

- 5.1 In the Downtown Development Zone, parking areas in the interior of lots may be located in any yard space but shall be no closer than ten (10) feet to any street property line. Any parking area which is located within fifty (50) feet of a Residential Zone or use shall be separated and screened from said zone or use by a buffer strip. The Applicant is proposing parking adjacent to a Residential use within the zone with no buffer. The Applicant shall provide testimony regarding same. (§11.1.1.K.)
- 5.2 The Applicant is proposing two (2) eight (8) foot wide by eighteen (18) foot long parking spaces where the requirement is nine (9) feet wide by eighteen (18) feet long. The Applicant is also not providing any clearance between the easterly property line and the eastern most parking space which may promote the use of the narrow asphalt strip on the adjacent property for vehicles that are attempting to reverse out of the eastern most parking space. The Applicant shall provide testimony regarding same. (§11.1.3.B.2. & §11.1.3.B.9.)
- 5.3 The Applicant is proposing the existing 10.74' and 11.13' wide one-way driveways to remain. Ordinance requires twelve (12) foot minimum one-way driveways. The Applicant shall provide testimony regarding the suitability of the existing driveways for the proposed use. (§11.1.3.D.)
- 5.4 The Applicant shall provide granite block curbing for the parking area. (§11.1.3.E.1.)
- 5.5 The Applicant is proposing a 3.90' wide buffer strip at the south end of the parking lot and no buffer strips along the side yard whereas ten (10) foot wide buffers are required. The Applicant shall provide testimony regarding same (§11.1.3.H.)
- 5.6 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.



- 5.7 The subject application fronts on Springfield Avenue, which is also known as Union County Route No. 512, under the jurisdiction of the County of Union. As such, the Applicant shall submit to the County of Union for review. The Applicant shall provide copies of all correspondences with the County to the Board for review.
- 5.8 The Applicant shall provide testimony addressing vehicular circulation for deliveries, loading/unloading, drop-off, pick up areas, trash/recycling, and other operational issues as may be deemed relevant to the application. This shall include moving truck access and circulation including anticipated sizes and types of moving van that would access the site.

6. Final Comments

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 Revised reports, plans and exhibits, which are to be considered at the hearing, should be submitted ten days prior to the scheduled hearing.
- 6.5 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.

We trust you will find the above in order. Should you have any questions or required additional information, please do not hesitate to contact the undersigned.

Very truly yours,
Neglia Engineering Associates

Thomas R. Solfaro, P.E., CME
Board Engineer
Township of Berkeley Heights

cc: Bill Robertson, Esq. – Planning Board Attorney (via e-mail w/enclosure)
Richard Keller, P.E., P.P., Casey & Keller Inc. – Applicant's Engineer
(via mail w/enclosure – 258 Main Street, PO Box 191, Millburn, NJ 07041)
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