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negliagroup.com

September 16, 2022

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

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

Re: **Engineering Review**
The District
Block 4102, Lot 1; Block 4301, Lots 1.011, 1.012
Owner/Applicant: The Connell Company
Township of Berkeley Heights, Union County, New Jersey
NEA File No.: BERKSPL21.019

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 transmittal letter addressed to Connie Valenti, Planning Board Secretary prepared by Shannon Kattowski and Bryan Waisnor, P.E., of Langan Engineering and Environmental Services, Inc., dated July 11, 2022;
- A copy of the completed Site Plan Approval Application, prepared by The Connell Company, dated July 7, 2022;
- A copy of Check Lists for Site Plan and Design Standards, prepared by The Connell Company, dated July 7, 2022;
- A copy of the Certification of Taxes letters for all lots, prepare by Rachele San Filippo, Township Tax Collector, date July 5, 2022;
- A copy of correspondence with New Jersey American Water, dated July 29, 2022;
- A copy of the response letter to TRC Comment Letters, prepare by Shannon Kattowski and Bryan Waisnor, P.E., of Langan Engineering and Environmental Services, Inc., dated August 17, 2022;
- An unsigned and unsealed copy of the Environmental Impact Statement, prepared by Langan Engineering and Environmental Services, Inc., date July 7, 2022, last revised August 17, 2022;
- A signed and sealed copy of the Traffic Impact Study, prepared by Karl A. Pehnke, P.E., P.T.O.E., and Kerry A. Pehnke, P.E., of Langan Engineering and Environmental Services, Inc., date July 8, 2022;
- A signed and sealed copy of the Stormwater Management Report, prepared by Bryan Waisnor, P.E., of Langan Engineering and Environmental Services, Inc., dated July 7, 2022, last revised August 17, 2022;
- A signed and sealed architectural plan set, consisting of thirty-four (34) sheets, entitled, "The District, Preliminary and Final Site Plan Submission," prepared by Stuart A. Johnson, R.A., of Minno and Wasko Architect and Planners, dated July 7, 2022, last revised August 17, 2022;

LYNDHURST

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- A signed and sealed landscape architectural plan set, consisting of fifty-one (51) Sheets, entitled, "The District, Site Plan Application" Landscape Architect plan set, prepared by A. Paul Seck, R.L.A., of Michael Van Valkenburgh Associates, Inc., dated July 7, 2022, last revised August 12, 2022;
- A signed and sealed partial boundary & topographic survey, consisting of seven (7) sheets, prepare by David R. Avery, P.L.S., of Langan Engineering and Environmental Services, Inc., dated July 27, 2018, last revised July 7, 2022; and
- A signed and sealed engineering site plan set, consisting of thirty (30) sheets, entitled, "The District, Preliminary and Final Site Plan Application, Block No. 4102, Lot No. 1, Block No. 4301, Lot No. 1.011, 1.012," Bryan Waisnor, P.E., of Langan Engineering and Environmental Services, Inc., dated July 7, 2022, last revised August 17, 2022.

1. Project Description

The properties in question are identified as Lots 1.011 and 1.012 in Block 4301 and Lot 1 in Block 4102, per the Township of Berkeley Heights Tax Map. The site is further identified as 100, 200, 250, 300, and 400 Connell Drive, all located within the 'MU' (Mixed Use Zone), per the Township of Berkeley Heights Zoning Map. The subject properties are on the north side of Connell Drive, to the east of Plainfield Avenue. The existing site currently contains two office buildings (300 & 400 Connell Drive) to the south and west of the proposed development, and a hotel to the east (250 Connell Drive). The existing buildings on site are surrounded with parking lots and walkways throughout the property.

The Applicant is proposing to construct five (5) buildings on site along with a covered parking deck. The three-level parking deck will be located on the Northern portion of the site, with three (3) buildings, two containing just retail space, to the west and southwest of the parking deck, and one mixed-use residential and Retail building to the south east of the parking deck. The Applicant also proposes to construct an entertainment building on the south side of the proposed improvements and east of the existing 400 Connell Drive building. Finally, there will be a mixed use residential and retail building on the south east portion of the proposed improvement area. The Applicant proposes to install a subsurface infiltration basin within the parking lot, located in the southeast portion of the proposed improvements, which will tie into the existing storm system on site that drains to the existing stormwater basin on the southwestern portion of the property. In addition to the proposed buildings and parking deck, the Applicant also proposes modifications to existing landscape, hardscape, parking areas, walkways, and proposes the construction of new plazas, walkways, outdoor seating areas, a playground, swimming pools, and a water feature that converts to an ice rink.

NEA defers to the Board's Planner regarding zoning reviews for variances and waivers.

The following comments are in response to the previous TRC Meetings (July 29th & August 26th) that have yet to be addressed:

2. Site 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 The Applicant shall provide testimony confirming the parking garage and parking area striping, signage, and grading conform to the Township of Berkeley Heights code, RSIS, and any other requirements.
- 2.3 The Applicant shall provide testimony on the ADA compliant walkways on the insert located on CS-102.
- 2.4 Testimony shall be provided regarding conformance of the proposed development with current ADA requirements. ADA ramp construction shall be certified by the Applicant to the Township as meeting ADA standards, including, but not limited to, dimensions, slopes, orientation, etc.

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- 2.5 The Applicant shall ensure that the HVAC units and the like are adequately screened and shall provide construction details for the proposed method of screening (i.e., landscaping, fencing, etc.) and for the associated concrete pads.
 - 2.6 The Applicant shall provide adequate trash enclosure(s) for the proposed retail space and housing units. The Applicant shall indicate on the plans the location(s) of the trash enclosures, access route for trash pick-up and details of the proposed trash enclosure(s). Should the Applicant require a dumpster(s), the Applicant shall ensure the enclosure detail provides a screened height sufficient to shield the same from any view of surrounding properties. The Applicant shall provide testimony addressing the same.
 - 2.7 The Applicant has indicated proposed signage as part of the development will be submitted to the Board as part of a separate submission. The Applicant shall be aware any proposed signage shall comply with Section 6.3.5.1.L of the Township Code, and details of the same shall be provided. The Applicant shall ensure that all proposed signage conforms with the Township Ordinance and any/all requirements or request specific variance relief and provide supporting testimony.
 - 2.8 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.
 - 2.9 Per the tables located on sheet SP101 of the Landscape Architectural Plan Set the Applicant will be required to replant 119 Deciduous Trees (2-1/2" to 3" Caliper) and 1,030 total feet of evergreen trees. The Applicant proposes to plant 206 deciduous trees, 67 ornamental trees, 2,359 shrubs, and 38 evergreen trees as part of the proposed improvements. As such the proposed deciduous/ornamental trees make up a total of 950.8 credits, and a total of 380 feet of height replacement for the proposed evergreen trees. The Applicant shall provide testimony on the same.
 - 2.10 It appears various approvals will be needed to construct the proposed improvements, including but not limited to, Somerset-Union Soil Conservation District, Treatment Works Approval, Bureau of Safe Drinking Water, NJPDES, approval from the NJAW, etc. The Applicant shall provide testimony on all required approvals that will be required. The Applicant shall provide copies of all correspondences to the Board.

3. Utility Comments

- 3.1 The Applicant shall provide testimony regarding the status of existing utilities on the site and whether they are adequate for the proposed use. Any existing utilities proposed for reuse shall be verified for capacity, condition, and shall be televised, if appropriate.
- 3.2 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. The Applicant shall provide copies of all correspondences to the Board.
- 3.3 It appears that there will be a significant increase in the amount of sanitary sewage to be generated by the proposed development. The Applicant shall verify if a Treatment Works Approval ("TWA") permit is required from the New Jersey Department of Environmental Protection. The Applicant shall provide copies of all correspondences to and from the NJDEP regarding this matter to the Board for review.
- 3.4 The Applicant has stated The water purveyor for the property, New Jersey American Water, has a Master Permit with NJDEP; and therefore, a separate NJDEP Potable Water Extension Permit is not required. As such, the Applicant shall coordinate with New Jersey American Water and provide copies of all correspondences to and from New Jersey American Water regarding this matter to the Board upon receipt.

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- 3.5 The Applicant shall provide testimony on how they plan to connect the proposed water lines to the existing main within the right-of-way (i.e., wet tap connection) and revise the plans to show the same. The Applicant shall also submit the proposed plans to the water provider for their review and approval of the water connection into the main.
 - 3.6 A Sanitary Sewer Engineer's Report, setting forth the basis of design, shall be provided for the project by the Applicant. The detailed Engineer's Report shall include, but not be limited to, project description and flow projections (ADF, peak, etc.) in conformance with all applicable governing agencies. The standards as required by the NJDEP as provided in N.J.A.C. 7:14A-23 shall be used for said "Engineer's Report," so same may be included for submission to that Agency, after final approval from the Township.
 - 3.7 The Applicant shall provide capacity and self-cleansing velocity calculations for actual flow conditions and maximum flow conditions. Additionally, the Applicant shall provide calculations to support the sanitary sewer system to carry at least twice the estimated average design flow when flowing half full.
 - 3.8 The Applicant shall provide all utility crossings with corresponding clearances in table format on the drawings to reflect avoidance of conflicts with other underground utilities.
 - 3.9 The Applicant shall revise the architectural drawings to include plumbing plans in support of the project application.
 - 3.10 On sheet CU-101 of the Civil Site Plan Set the Applicant has proposed utility relocations for multiple buildings currently on the site. The Applicant shall insure adequate notification of coordination with all affected tenants.

4. Grading & Drainage Comments

- 4.1 The Applicant shall provide testimony that all ADA accessible routes, parking spaces, sidewalk ramps, etc. will conform to the ADA Standards for Accessible Design provided by the Department of Justice, latest revised.
- 4.2 Additional spot elevations shall be provided along the proposed sidewalk areas and at all curb ramps to ensure compliance with ADA Standards for Accessible Design. Said sidewalk areas shall contain maximum cross slopes of 2.0%. Slope labels shall be provided within the Site Plan Set to confirm compliance with the same.
- 4.3 The grading plan within the Site Plan Set includes notation referencing the landscaping plan set for grading information related to certain areas on site. We strongly recommend that this grading information be superimposed on the grading and drainage plans within the Site Plan Set for review of the same as compared to the overall proposed grading conditions.
- 4.4 The Landscaping Plan Set illustrates proposed retaining walls and associated grading. Sections of these walls exceed four (4) feet in height. Construction details related to these walls shall be added to the Landscaping and/or Site Plan Set for review. In addition, the Applicant shall note that all walls in excess of four (4) feet (exposed height) will require associated wall stability calculations prepared by a licensed professional engineer in the State of New Jersey. The required calculations shall be submitted for review.
- 4.5 Upon completion of construction, and if granted approval, all retaining walls in excess of four (4) feet in height (exposed 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.
- 4.6 The proposed site improvements classify the project as a "Major Development" as defined under the Stormwater Management Adopted New Rule: N.J.A.C. 7:8 by disturbing more than an acre of land.

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- 4.7 Per the Stormwater Management Adopted New Rule: N.J.A.C. 7:8-5.5, stormwater management measures shall be designed to reduce the post construction load of total suspended solid (TSS) in stormwater runoff generated from the water quality design storm by 80 percent of the anticipated load from the developed site for developments that increase the impervious coverage by one-quarter acre. Water quality requirements are not triggered for this project since the proposed development does not increase impervious coverage by one-quarter ($\frac{1}{4}$) acre or more.
- 4.8 Per the Stormwater Management Adopted New Rule: N.J.A.C. 7:8-5.4 (a) (2), 100 percent of the sites average annual pre-developed recharge volume must be maintained after development. As per the State of New Jersey Smart Growth Area Plan, the Township of Berkeley Heights is designated as a Metropolitan Planning Area. The project is exempt from groundwater recharge requirements as per N.J.A.C. 7:8 5.4 (a) (2) ii.
- 4.9 The stormwater management design must comply with the latest version of NJDEP Stormwater Management Rules and the supporting drainage calculations report shall make reference to these latest regulations as it relates to the proposed design. In addition, the project must comply with the NJDEP requirements for green infrastructure. The stormwater management report shall be revised to provide additional information confirming compliance with the aforementioned green infrastructure requirements.

We offer the following comments on the proposed stormwater management design:

- The Applicant shall provide pre-and post- construction basin routings for the existing downstream above ground basin to ensure adequate capacity.
 - The Applicant utilizes the prior approved Site Plan as Existing Conditions. The Stormwater Management Report associated with the prior approval shall be provided for review.
 - The Applicant shall provide additional information indicated that the proposed infiltration basin has been designed in accordance with BMP Manual Chapter 10.2. Stormwater Management Report shall be revised accordingly.
- 4.10 The Applicant is proposing to connect existing storm structures into the proposed stormwater conveyance system. We strongly recommend that all existing conveyance systems which are to remain active be cleaned and televised prior to construction.
- 4.11 The Applicant has submitted a maintenance plan/manual for the proposed stormwater management measures. The maintenance plan complies with the guidelines established within the New Jersey Stormwater Best Management Practices (BMP) Manual. The plan/manual shall be recorded with the property deed(s).
- 4.12 The Applicant shall ensure that stormwater runoff does not negatively affect neighboring properties. Any damages caused by an increase in runoff or improper drainage shall be repaired by the Applicant. Notation stating the same is provided on the plan.

5. Traffic and Circulation Comments

- 5.1 The Applicant has provided vehicle turning maneuvers entering and exiting the site via the existing driveways. The vehicles depicted include Single Unit box trucks (SU-30 & SU-40), Firetrucks, and Single Trailer Trucks (WB-50). NEA take no exception to the exhibits provided, as long as the BH Fire Official has no objections regarding the fire truck.

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- 5.2 The Applicant shall provide testimony addressing the vehicular circulation for deliveries, trash/recycling procedures, circulation, drop-off/pick up areas, fire apparatus, and any other operational issues as may be deemed relevant to the application.
 - 5.3 The Applicant shall provide testimony regarding the daily operations of the proposed site development, including, but not limited to, refuse and recycling collection, loading and unloading for 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, visitor/guest parking, shared parking, etc.)
 - 5.4 The Applicant has submitted 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, fire lanes, restricted parking areas, hydrant locations, and fire apparatus access and circulation.
 - 5.5 The Applicant has submitted plans to the Township of Berkeley Heights Police Department for review. The Applicant shall incorporate any requirements provided by the Police Department into the plans, including, but not limited to, emergency site access, safety, and any other concerns they may have.
 - 5.6 The Applicant proposes an ADA parking space eight (8) foot wide along with a five (5) foot (eight (8) foot for van accessible spaces) wide access aisle. Of which is more than sufficient per U.S. Department of Justice standards. However, the Applicant will still be required to request a waiver from Township standards for the same.
 - 5.7 The Applicant proposes to have gated access to the residential only lots located at the eastern entrance to the North parking lot, and at both the eastern and southern entrances to South 1 building. The Applicant shall provide testimony on how the gate will be triggered (i.e., button, key fob, etc.) to open and close. Additionally, the Applicant shall provide testimony on how they will depict the entrances to both residential and public parking lots for ease of identification by visitors.
 - 5.8 Sight Distance Triangles were added to the plants at the driveways off of the public roadways of Connell Drive and North Road. However, a design speed of 15MPH was used. The Applicant shall confirm that Connell Drive and North Road have speed limits of 15 MPH since sight triangles are based on the speed limit of the major road, or the road that one would turn onto coming out of the driveway. Additionally, the Applicant should install signage setting the speed limit for the two roadways in question as per the latest site visit it was observed that there is no existing speed limit signage.
 - 5.9 Per the Township of Berkeley Heights Ordinances (Section 6.3.5.1 - MU: Mixed Use Zone), the parking requirements are as follows:
 - 5.9.1 1.0 spaces per 1-Bedroom Unit: 179 1-Bedroom/Studio Units are reported.
 - 5.9.2 1.5 spaces per 2-Bedroom Unit: 140 2-Bedroom Units are reported.
 - 5.9.3 2.0 spaces per 3-Bedroom Unit: 9 3-Bedroom Units are reported.
 - 5.9.4 1 space per 300 square feet of Retail area: 126,545 SF of retail is reported.

Based on the above parking rates, the parking requirement for the proposed development is 830 spaces total ((1.0 parking spaces X 179 1-bedroom/studio units) + (1.5 parking spaces X 140 2-bedroom units) + (2.0 parking spaces X 9 3-bedroom units) + (1 parking spaces per 300 square feet * 126,545 square feet of retail)). In total,

the proposed campus parking is 5,331 spaces. As such, NEA takes no exception to the proposed number of parking spaces.

5.10 Per the EV Parking Requirements (NJ S3223 P.L. 2021 c. 171), will require the following:

5.10.1 Residential Development with more than 5 units: prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces.

5.10.2 Commercial Development: Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there are more than 150 off-street parking spaces.

As such, The Applicant will be required to have at least 79 EVSC parking spaces. The Applicant proposes installing 79 EVSE spaces. As such, NEA takes no exception to the proposed number of EV parking spaces.

5.11 NEA has revised the Traffic Impact Study, dated July 8, 2022, and has noted the following:

5.11.1 The Trip Generation the Applicant has provided uses the 11th Edition of the ITE Trip Generation Manual to source their trip generation rates. NEA take no issue with the results shown.

5.11.2 Overall, the Capacity Analysis of the various intersections shows no significant change to the intersection's Level of Service. The largest change occurs at Valley Road and Diamond Hill Road intersection, where the Saturday LOS goes from a LOS of C to a LOS of E. The Applicant has stated that the signal here would be retimed to improve the Build LOS to a D rating.

5.11.3 NEA agrees with the traffic signal warrants for the Plainfield Avenue and Connell Drive Intersection. The Applicant shall provide a traffic signal plan of the same for the proposed improvements.

6. Landscaping and Lighting Comments

6.1 On the Soil Detail Sheet L550 within the Landscape Architecture Plan Set, the Applicant has the different layers of material within the details labeled ""S1", "S2", etc. The Applicant has stated "Soil Mixes S1 to S7 to be Defined in Forthcoming Specifications According to Soil Scientist's Analysis of Existing Soils." The Applicant shall provide the same.

6.2 The Applicant proposes to us a structural soil of which specificities specify "CU-Structural Soil® aka CU-Soil™. CU-Structural Soil® is a patented product and produced by Amereq Inc.-licensed companies to ensure quality control." The Applicant shall provide notation regarding this to assure that the material has been produced by said companies and tested to meet research-based specifications. Additionally, the Applicant shall provide Installation Specifications Notes for the CU-Structural Soil® for the Board Professionals review and approval.

6.3 Per the CU-Soil™ guidelines the following will be required:

6.3.1 The CU-Soil™ guidelines state the required volume of CU-Soil™ is two cubic feet per every square foot of tree crown projection. The Applicant shall ensure that the proposed CU-Soil™ areas will meet these minimum guidelines.

6.3.2 The CU-Soil™ guidelines states the Applicant shall provide low volume drip irrigation in the CU-Soil™ installations. Notation of the same shall be provided to the plans. (See comment 4.8 below).

6.4 The Applicant shall revise the plans to provide both standard and project specific Landscape Notes.

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- 6.5 NEA strongly recommends the Applicant provide an irrigation system to ensure that all proposed landscaping thrives. If such is the case, the Applicant shall also revise the plans provide the following notation to the plans within the Landscape Notes:

IRRIGATION CONTRACTOR TO PROVIDE A DESIGN FOR AN IRRIGATION SYSTEM FOR PLANT BED 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.

- 6.6 If the Applicant does not plan to provide an irrigation system, the Applicant shall provide adequate means of ensuring adequate watering for the proposed landscaping, including, but not limited to, tree watering bags, and regular watering schedules. The Applicant shall provide testimony regarding such.
- 6.7 The Applicant shall provide testimony on compliancy of the Landscaping Plan in accordance with §10.6.3.F2 of the Township of Berkeley Heights Ordinance and the Townships Preferred Tree Species list.
- 6.8 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.
- 6.9 The Applicant shall provide testimony to confirm the location, intensity and direction of all outdoor lighting will not produce glare or other adverse effect on the existing or future use of nearby properties. Additionally, lighting shall not be more than twenty-five feet in height (§10.6.1D.).
- 6.10 The Applicant shall provide testimony to confirm compliance with §11.1.5 of the Township of Berkeley Heights Municipal Code.

7. Final Comments

- 7.1 Should the Board look favorably upon this application, a performance bond and inspection escrow will be required for any site improvements. The Board Engineer will prepare this estimate to address the cost of all site improvements in accordance with the Municipal Land Use Law.
- 7.2 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.
- 7.3 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.
- 7.4 Revised reports, plans and exhibits, which are to be considered at the hearing, should be submitted ten days prior to the scheduled hearing.
- 7.5 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.
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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., C.M.E., C.P.W.M.
Township and Board Engineer
Township of Berkeley Heights

TRS/mjg

cc: Bill Robertson, Esq. – Planning Board Attorney (via e-mail)
Keenan Hughes, A.I.C.P., P.P. – Planning Board Planner (via e-mail, khughes@phillipspreiss.com)
The Connell Company – Owner/Applicant (via e-mail, dionis@connellco.com)
Bryan Waisnor, P.E. – Applicant’s Engineer (via e-mail, bwaisnor@langan.com)
Richard J. Hoff, Jr., Esq. – Applicant’s Attorney (via e-mail, rhoff@bisqaierhoff.com)
A. Paul Seck, R.L.A. – Applicant’s Landscape Architect (via e-mail, pseck@mvvainc.com)
Stuart A. Johnson, R.A. – Applicant’s Architect (via e-mail, sjohnson@minnowasko.com)

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