
To: Borough of Milltown Planning Board

From: John Barree, PP, AICP

CC: Neil Marotta, Esq.
Gabriella Siboni, Board Secretary
Michael McClelland, PE, PP, CME
Louis Ploskonka, PE
Deanna Corio, PE

Date: January 30, 2019

Re: Heritage Plaza II
Ryders Lane
Block 131, Lots 13, 31, 32 & 33
Preliminary and Final Site Plan and Bulk Variances

We have reviewed the following materials in preparation of this report:

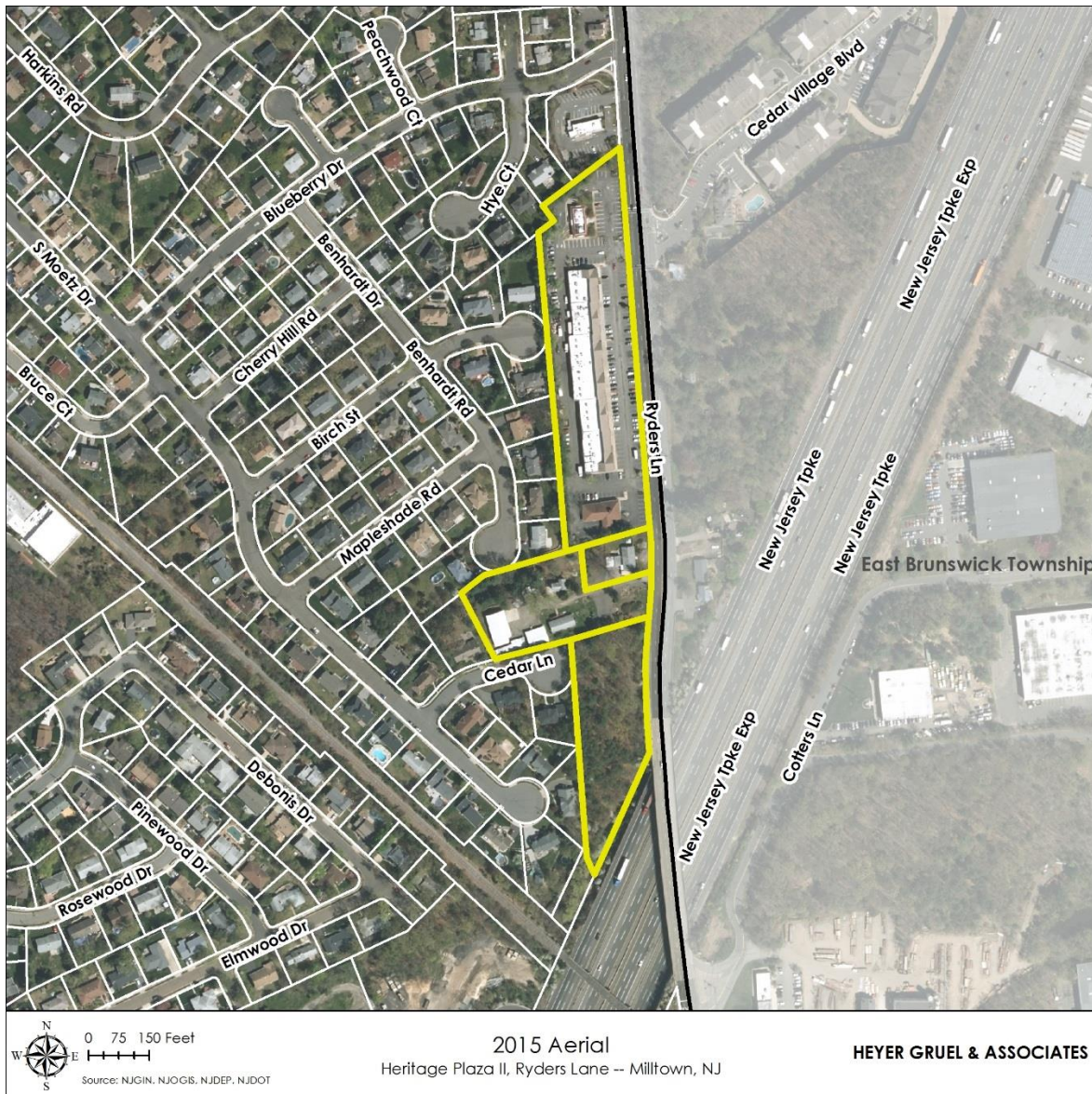
- Borough of Milltown Preliminary and Final Major Site Plan application and checklist, dated July 19, 2018.
- Preliminary and Final Major Site Plan, consisting of thirteen (13) sheets, prepared by Amertech Engineering Inc., dated July 10, 2018, and revised through January 23, 2019.
- Operation and Maintenance Manual, prepared by Amertech Engineering Inc., dated July 10, 2018.
- Traffic Impact Analysis, prepared by McDonough and Rea Associates dated June 14, 2018.
- Stormwater Management Report, prepared by Amertech Engineering Inc., dated July 10, 2018.
- Environmental Impact Statement prepared by Sharif Aly, PE, of Amertech Engineering, Inc. dated September 19, 2018 (unsigned).
- Architectural Plans, consisting of nine (9) sheets, and Colorized Architectural Rendering prepared by Kurt Ludwig, AIA, and revised through July 19, 2018.
- Signage Lighting & Detail Plan, prepared by Sharif Aly, PE, of Amertech Engineering, dated, November 20, 2018.
- Tree Survey Sample Location Plan and memorandum, prepared by Sadat Associates, Inc. dated January 2, 2019.

Property and Project Description

The subject property is located along the west side of Ryders Lane just north of the New Jersey Turnpike. The property consists of Lots 13, 31, 32, and 33. Lot 13 is currently developed with the Heritage Plaza shopping center, a free-standing Taco Bell, and a free-standing Kearny Bank. Lots 31 and 32 had been developed with numerous buildings, sheds, and trailers. The majority of these structures have been removed, as referenced on the existing conditions plan. Lot 33 is currently wooded and undeveloped.

The applicant is proposing to develop "Heritage Plaza II" which will connect to the south end of the existing Heritage Plaza development. Five new commercial buildings are proposed along with parking, circulation aisles, dumpsters, retaining walls and fencing, landscaping, lighting, and stormwater management infrastructure.

- Building 1 – 4,640 square feet "Retail / Office"
- Building 2 – 3,665 square feet "Retail / Office"
- Building 3 – 3,880 square feet "Retail / Office"
- Building 4 – 9,600 square feet "Office / Office Flex Space"
- Building 5 – 7,280 square feet "Office / Office Flex Space"



Zoning

The majority of the subject property is located in the B-4 Highway Commercial Zone District. A narrow sliver of the western portion of Lot 31 is located in the R-10 Residential Zone District. The Borough Ordinance contains a provision governing lots with split zoning – per Section 34-19.3.h, a property located partially in a commercial zone and partially in a residential zone may be developed with a commercial use subject to several conditions. No part of the property may be developed with a fast food use and there may be no storage of non-residential refuse and no parking within the residential portion of the property. The portion of the applicant's property located in the residential zone is only proposed to be developed with a portion of a drive aisle, landscaping, a retaining wall, and fencing.

B-4 Bulk Schedule		
	Required	Proposed
Min. Lot Area	20,000 sf	174,606 sf (Lots 31, 32, 33)
Min. Lot Width	100 feet	184.9 feet
Min. Lot Depth	150 feet	197.8 feet
Min. Front Yard Setback	35 feet	55.4 feet
Min. One Side Yard Setback	20 feet	37.3 feet
Min. Combined Side Yard Setback	40 feet	82.9 feet
Min. Rear Yard Setback	35 feet	36 feet
Max. Height	2.5 stories/ 35 feet	2 Stories <35 feet
Max. Lot Coverage	50%	14%
Max. Impervious Coverage	80%	65%

Parking and Loading		
Parking	Business and Service Establishments 1 space / 300 SF	131 Spaces
	Restaurants: 1 / 3 seats + 1 / employee	
	Medical Office: 5 / professional staff + 1 / employee or 1 / 100 SF	
	Banks: 1 / 100 SF	
	Total Requirement = 99 Spaces	
Loading Berths	1,000 - 8,000 sf = 1 space	Building 1 – 1 Building 2 – 1

	8,001 – 25,000 sf = 2 spaces	Building 3 – 1 Building 4 – 0 Building 5 – 0
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Variations Required

1. Insufficient Buffer – The property abuts residential uses to the southwest, west, and northwest. A minimum ten (10') foot wide landscaped buffer is required where a buffer of less than ten feet is proposed in along Lots 34, 38, and 39, and where the buffer along lot 30 does not contain the required amount of evergreen plantings.
2. Insufficient Loading Berths – Buildings 4 and 5 do not have loading berths, where two are required for building 4 and one is required for building 5. However, these buildings do have overhead doors that provide access to the “flex spaces within the buildings”.

Planning Comments

- 1) Several bulk “c” variances are required for the property, as listed above. The applicant shall present testimony in support of these variance requests that is consistent with the standards found in the MLUL at section 40:55D-70.c.
 - a) c(1) variances focus on the particulars of the property size, shape, topography or other characteristics that may cause a hardship. A hardship may be related to the location of the existing building on the property.
 - b) c(2) variances demonstrate how the proposed variance relief furthers the purposes of the MLUL and show that the benefits of granting the variance relief substantially outweigh the detriments.
- 2) The plans include improvements on Lot 13, including new and restriped parking, connecting drive aisles, and a new refuse enclosure. The plans include existing and proposed condition sheets for Lot 13, but the application materials exclude this lot. All application materials should be updated to indicate that Lot 13 is part of the application.
- 3) Use –
 - a) The proposed uses of the property are listed as generic “office, retail, and office-flex” space. The architectural floor plans appear to show flex-space style units in Buildings 4 and 5 with overhead garage doors along with a separate office space with doors on the opposite side of the building. The nature of the uses within each building shall be clarified.

- b) A drive-through window is shown on the plans for one of the retail spaces in Building 3. Due to the split-zoned nature of the lot, a fast food use is not permitted in that building. The applicant shall discuss the intended user of the space.
- 4) Parking –
- a) The applicant has calculated the required parking at one space per 300 square feet of gross floor area for all of the buildings on-site. Per this requirement, 99 spaces are required where 131 spaces are proposed. Several permitted uses in the B-4 Zone have parking requirements that differ from one space per 300 square feet. The applicant should be aware that the future tenant mix of the commercial spaces could alter the parking requirement.
- b) A total of 10 parking spaces, 6 to the south of Building 5, and 4 to the south of Building 4 are oversized spaces located in front of the overhead doors. The applicant is not relying on these spaces to satisfy the site's parking requirement. There should be some restriction on their use to prevent the garage doors from being blocked.
- 5) Loading – One loading berth is required for commercial uses between 1,000 and 8,000 square feet in area, and two are required for uses between 8,001 and 25,000 square feet. One loading space is proposed for each of Buildings 1, 2, and 3. No loading spaces are proposed for buildings 4 and 5, although the flex spaces have overhead doors. The applicant shall provide testimony about the uses and the adequacy of the loading space.
- 6) Circulation – A driveway to the Cedar Lane cul-de-sac is proposed as an emergency access. A "post and chain" are proposed to restrict access. The applicant shall discuss the use of this driveway and any coordination that has taken place with the Fire Official.
- 7) Lighting –
- a) Portions of the drive aisles, including the proposed new egress driveway are projected to have illumination levels below 0.5 foot-candles. The Borough does not have a minimum lighting standard, but it is customary to maintain a minimum illumination level of 0.5 foot-candles in areas for vehicle and pedestrian traffic.
- b) Considering the site's proximity to a number of residences, we recommend that the applicant utilize daylight sensors and/or timers to reduce the illumination levels on-site outside business hours and overnight.

- 8) Signage – The applicant is proposing a conforming free-standing sign with a 24 square foot face with multiple panels for the tenants. The sign will be set back 15 feet from Ryders Lane and will be 15 feet in height. The details for the sign were submitted as a separate addendum to the plans – they should be added to the complete plan set.
- 9) Easements – There are several easements on site, including a steep slope easement along the Ryders Lane frontage. Details have not been provided regarding the conditions associated with these easement. The site plan indicates that the steep slope easement is to be vacated. Additional information about this easement shall be provided.
- 10) Environmental Impact –
 - a) The applicant is proposing to eliminate the steep slope easement, and regrade a portion of the steeply sloped area along the property frontage. The applicant shall quantify the slope of these areas and the amount of disturbance. The Borough Ordinance prohibits disturbance of steep slopes greater than 20%.
 - b) The applicant conducted a tree survey using two 20' x 20' sample plots. In the sample plots, a total of 7 trees with diameters of 6-12 inches, 11 trees with diameters of 12-24 inches, and 1 tree with a diameter of 24 inches or more were identified. The consultant conducted further review and determined that 345 trees with a diameter of greater than six inches are proposed to be removed in the 1.47 acre that is to be cleared.
 - c) The applicant's environmental impact report acknowledges that there are impacts associated with the clearing of the wooded portion of the site, but does not propose any mitigation efforts.
 - d) The applicant should discuss potential alternative stormwater management measures that include the application of green infrastructure best management practices. Utilizing methods such as bioretention swales in and around parking areas, rain gardens, and permeable paving systems can reduce the scope of the structural stormwater system and limit the amount of clearing required, which will also have stormwater management benefits.