

JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME



TIM W. GILLEN, PE, PP, CME (1991-2019)
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

MEMO TO: Township of Franklin
Zoning Board of Adjustment

FROM: Robert J. Russo, PE, PP, CME
Township Engineer

DATE: November 22, 2021

RE: **Levin Properties, LP
Preliminary & Final Site Plan
Report #1
Engineering
Block 385; Lot 2.07
940 Easton Avenue
Franklin, New Jersey
Our File: PFRZ0385.01/600.01
Application # ZBA-21-00019**

As per your request, this office has reviewed the following documents relative to the above referenced amended preliminary and final site plan application:

- Preliminary and Final Site Plan, as prepared by Menlo Engineering Associates, dated August 16, 2021, with no revisions;
- Partial Topographic and Utility Survey, as prepared by Control Point Associates, Inc., dated May 5, 2021, with a latest revision date of August 6, 2021;
- Architectural Plan, as prepared by Minko & Wasko, Architects and Planners, dated August 12, 2021, with no revisions;
- Stormwater Management Report, as prepared by Menlo Engineering Associates, dated August 16, 2021, with no revisions;
- Operation & Maintenance Manual, as prepared by Menlo Engineering Associates, dated August 16, 2021, with no revisions;
- Engineer's Report for Sanitary Sewer & Potable Water Service, as prepared by Menlo Engineering Associates, dated August 16, 2021, with no revisions;
- Environmental Assessment, as prepared by Menlo Engineering Associates, dated September 20, 2021, with no revisions;
- Traffic Statement, as prepared by Langan Engineering and Environmental Services, Inc., dated August 12, 2021, with no revisions;
- Truck Movement Plan, as prepared by Menlo Engineering Associates, dated August 16, 2021, with no revisions;
- Application forms.

The following comments are offered with regard to same:

A. PROJECT OVERVIEW

The site is located in the southeast corner of the intersection of Easton Avenue (C.R. 527) and John F. Kennedy Boulevard. The site currently contains a vacant Burger King with drive-thru in the northwest portion of the site, a Stop & Shop supermarket and Chase bank with drive-thru in the northeast portion of the site, multi-tenant retail building in the southeast portion of the site and an abandoned K-Mart in the southwest portion of the site.



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Ingress/egress driveways service the site from Easton Avenue and John F. Kennedy Boulevard. The property is approximately 27.418 acres and is located in the General Business District (G-B). The applicant is proposing to demolish the K-Mart and construct a 4-story 200 unit apartment building with two court yard amenity areas, upgrading of the façade along the multi-tenant building east of the proposed apartment building, reconfiguration of the internal site driveways. The applicant is proposing site improvements including but not limited to, construction of concrete curb, sidewalk, hot mix asphalt parking lot, stormwater facilities, utilities, grading, lighting and landscaping.

We defer the review of the zoning related issues to the Board Planner except where they may pertain to engineering issues.

B. GENERAL SITE IMPROVEMENTS

1. Official street address shall be obtained from the Franklin Township 911 Coordinator.
2. A separate on-site and off-site Engineering Cost Estimate, respectively, will be required once final plans are signed-off on by the Board. Upon approval, applicant shall provide appropriate bonds and Engineering inspection fees and attend a pre-construction meeting, prior to any site work.
3. All fees shall be paid by the applicant at the time of adoption of a resolution of site plan approval for the cost of making upgrades and modifications to the geographic information system (GIS) (§112-329).
4. At the time the final plans are submitted for signature of the municipal officials, the applicant shall submit CAD-generated data files, prepared by a New Jersey licensed land surveyor, directly translatable into an identical image of the plan per the requirements of Ordinance §112-329.
5. Note: An As-Built Plan prepared by a licensed Land Surveyor is to be submitted to the Township prior to any Certificate of Occupancy inspection or the release of performance bonds. Same should be noted on the site plan.
6. Note: No soil can be imported to or removed from the site until a Soil Importation or Exportation Permit has been obtained from the Township as required by the Ordinance. Soil removal shall be in accordance with §206 of the Ordinance. Same should be noted on the site plan.
7. Copies of any easements, exceptions, deviations, or liens on the property should be presented to the Board.
8. Multi-Family Residential Apartments are not a permitted use in the G-B General Business Zone and a variance is required.
9. A variance is required for maximum number of stories for the proposed building. 2 Stories are permitted in the G-B Zone; the applicant is proposing a 4 Story building.
10. A variance is required for maximum building height. A 30 foot high building is permitted in the G-B Zone; the applicant is proposing a 47 foot high structure.
11. A variance is required for maximum floor area ratio (FAR). A FAR of 0.30 is permitted in the G-B Zone; the applicant is proposing a FAR of 0.35.
12. A variance is required for the maximum percent of impervious coverage. A maximum coverage of 70% is permitted in the G-B Zone, the applicant is proposing a maximum coverage of 73.4%. The existing impervious coverage is 78.9% and this application is proposing to decrease the impervious coverage.
13. The applicant provided a parking calculation indicating the shopping center contains 161,744 sf of commercial building area. It appears this figure was calculated utilizing the 'future building' with drive-thru and parking lot modifications. However, the Soil Erosion & Sediment Control Plan and Overall Existing Conditions & Demolition



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Plan does not indicate any site improvements are being proposed in this location. The applicant should clarify whether approval for this future building, and parking lot modifications, are being sought as part of this application. If not, the parking calculation should be revised to utilize the existing Burger King and parking lot. It is unclear if a parking variance is required at this time. This office takes no exception to the proposed residential parking calculations. The overall parking will be further reviewed upon clarification of same.

14. This office defers to the Fire Prevention Officer as to the appropriate number of Fire Hydrants, Fire Department Connection, and their location. We defer to the Fire Prevention Officer regarding the need of 'No Parking' fire lane signage and striping.
15. The saw cut limits shown on sheet nos. 9 & 10 should be extended. Due to the size and scope of the improvements this office recommends that the applicant mill and pave past these limits to encompass the paving area from curb to curb.
16. The applicant's engineer is proposing three (3) curb islands south of the John F. Kennedy Boulevard driveway entrance. Head on parking is proposed where existing perpendicular parking exists. The site plan should be revised to clearly identify newly created driveway aisles and striping that is to be eliminated should be removed from the geometry plan sheets.
17. A lockable gate should be added to the western courtyard that contains pools.
18. The site layout proposes a one-way loading area in front of the building; however, the site layout may promote U-turns that will affect the traffic flow within the front of the building since the main realigned access driveway traffic will enter from the opposite direction of the drop-off area. We recommend the applicant's engineer further review the traffic circulation in this area and evaluate the potential design of a circular traffic layout with a 'grand' entrance.
19. Various sections of the existing parking lot associated with the Stop & Shop are in disrepair and in need of resurfacing and replacement of traffic striping and markings. Same should be noted on the site plan.
20. The applicant should clarify where on-site staging will occur for this project since the existing site is active. Should the Board act favorably for this application, a construction fence layout should be provided, for further review, demonstrating a safe work zone for the construction of the residential building and separation of the existing active site.
21. The design and placement of all traffic signs and striping shall follow the requirements specified in the latest "Manual on Uniform Traffic Control Devices for Streets and Highways," (MUTCD) published by the U.S. Department of Transportation and adopted by the N.J. Department of Transportation.

C. GRADING AND UTILITY COMMENTS

1. The property has had numerous water breaks on the existing cast iron main. Existing cast iron mains and service line connections/shutoffs shall be replaced. As an alternate, meter pits may be installed to the property. A meeting should be scheduled with the Township Water Division to further review.
2. A New Jersey Department of Environmental Protection allocation permit is required for the 200 units.
3. There are existing landscaping trees within the Township's water easement which shall be relocated.
4. The existing sign on Easton Avenue is within the Township's water easement and shall be relocated.
5. The proposed size and type of material for the proposed domestic and fire services should be provided.
6. The existing fire hydrant in the southwest corner of the site should be removed and replaced due to the proposed curb realignment. The hydrant shall be offset from the curblines in accordance with the Township standard detail.



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7. The existing fire hydrant to the west of the proposed open space should be relocated since it may be blocked by parking due to the site layout design. Final location should be approved by the Fire Prevention Director.
8. The applicant should add the following notes to the plans for construction of the water:
 - All constructions shall comply with the current rules and regulations/ or ordinances of Franklin Township, NJDEP, AWWA, Somerset County Health Department and all applicable regulatory agencies having jurisdiction.
 - The minimum clearances between water mains and sanitary sewers shall be in accordance with the State standards, i.e. Minimum horizontal clearance between water main and sanitary sewer in parallel shall be ten ft. (10'), Minimum vertical clearance between pipe crossings shall be eighteen inches (18") with the sanitary sewer below the water line. If such minimum vertical clearance cannot be provided, the sanitary sewer shall be encased in concrete ten ft. (10') from each side of the crossing or a total of twenty ft. (20').
 - Water mains crossing storm sewers or drains where the clearance between the pipes is less than eighteen (18") inches, pier supports for the storm line shall be provided in order to prevent the load transfer to the affected utility.
9. The applicant should address the following general grading comments:
 - The proposed sidewalk adjacent to the main driveway at the Easton Avenue entrance exceeds 5%, which does not comply with ADA standards. The applicant's engineer should further review this issue and determine if a compliant design is feasible along the existing driveway;
 - Provide additional spot elevations so compliance with ADA design standards can be reviewed further for all proposed ADA parking spaces, ramps and landings;
 - A full depth partial basement is proposed. Test pits should be provided demonstrating that the basement floor elevation is a minimum of 2' above the seasonal high ground water elevation;
 - Existing inlet no. D3 is noted to have a grate elevation of 46.54. The proposed construction notes indicates that the grate is to remain but the existing grate elevation is noted as 45.54. Clarification is required.

The grading will be reviewed further when the above has been addressed.

D. LANDSCAPING AND LIGHTING

1. Applicant provided a tree removal and replacement summary to satisfy the requirements of Ordinance §222- Trees. 16 replacement trees are required and 95 are proposed. This office defers to the Board Planner as to the adequacy of the tree replacement plan.
2. Parking lot lighting is provided south of the proposed residential building. There is no existing, or proposed, lighting east of the proposed resident building, south of the multi-tenant building; however, there is existing parking in this location. This office recommends additional site lighting should be installed in this location should the residential parking overflow in this area. The applicant should provide testimony regarding this issue.
3. The applicant is proposing to remove existing pavement and a masonry wall in the southwest corner of the site. While the final grading and finish material/restoration is unclear, this office recommends the applicant install additional landscaping and trees in this location to stabilize the grade in this location.
4. The Demolition Plan should clearly identify which existing light poles are proposed to be removed for clarity.

F. ENVIRONMENTAL IMPACT COMMENTS

1. Section 3.3 and 5.1 of the report incorrectly stated that site runoff is conveyed to an existing storm sewer along JFK Boulevard and should be corrected. Project area drains to Seeley's Brook. Water quality information for Seeley's Brook should be added to the report.
2. A search of the NJ GEO Web shows an Underground Storage Tank (UST) Facility at the project location. Information on this UST should be provided in the EIS report.



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3. The site is inside DRCC review zone A, an exhibit showing the site in relation to the DRCC review zones should be added to the report.
4. A copy of the existing survey plan and proposed site plan should be included with EIS.

G. STORM WATER MANAGEMENT

1. The Applicant proposes to redevelop part of an existing commercial site for residential use. The Applicant proposes to meet runoff quantity standards by reducing peak flows from the site. Peak flows are reduced by reducing impervious are on site. Two (2) water quality manufactured treatment devices, "Cascade Separator," are proposed to comply with water quality standards. The Applicant proposes to meet the groundwater recharge standard by maintaining the predeveloped storm volumes in a 2-year storm event.
2. The reference project has been reviewed in accordance with the Stormwater Management Rules NJAC 7:8 as amended March 2, 2020.
3. The project site is located within the review zone of Delaware and Raritan Canal Commission, and the Applicant should obtain a certificate of approval or exception from the Commission. A copy of the permit should be provided to this office.
4. The proposed development proposes more than 1 acre of land disturbance and must obtain a General Permit for Construction Activities from the NJDEP. A copy of the permit must be provided to this office.
5. The proposed development proposes disturbance of more than 5,000 sf of land and the Applicant must obtain Soil Erosion and Sediment Control Plan Certification from the Somerset-Union Soil Conservation District. A copy of the permit must be provided to this office.
6. An executed Major Development Stormwater Summary (Attachment D of the Tier A MS4 NJPDES Permit) shall be submitted to this office for review and approval.
7. Provide a Stormwater Maintenance Agreement for the stormwater system to ensure future maintenance. A sample agreement is available from the Engineering Department.
8. Stormwater calculations must be updated to use the current NOAA rainfall intensities for the design storms (<http://hdsc.nws.noaa.gov/hdsc/pfds/index.html>) that correctly reflect the project location.
9. The project area has multiple existing discharge points. Drainage areas should be delineated to each discharge point. In accordance with NJAC 7:8-5.2.I., stormwater runoff control standards need to be met for each drainage area/discharge point separately.
10. The summary table in the drainage report showing peak reductions from pre to post-developed conditions does not meet the requirements of stormwater runoff quantity standard at NJAC 7:8-5.6.(b).3. The engineer should review and correct the design.
11. Drainage areas tributary to water quality devices (both #1 and #2) must be provided in the drainage report.
12. The Applicant is proposing Cascade Separator™ Manufactured Treatment Device(MTD) for meeting the water quality standard. The device is not on the NJDEP approved list of Green Infrastructure MTD's. This will require a waiver or variance, in accordance with N.J.A.C. 7:8-4.6, for the use of the proposed non-green infrastructure MTD. It should be noted that receiving a waiver or variance will require the following:



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- a. The Applicant shall demonstrate that it is technically impracticable to meet any one or more of the design and performance standards on-site. For the purposes of this analysis, technical impracticability exists only when the design and performance standard cannot be met for engineering, environmental, or safety reasons. A municipality's approval of a variance shall apply to an individual drainage area and design and performance standard and shall not apply to an entire site or project unless an applicant provides the required analysis for each drainage area within the site and each design and performance standard.
 - b. The Applicant shall demonstrate that the proposed design achieves the maximum possible compliance with the design and performance standards on-site;
 - c. Mitigation of the project in accordance with N.J.A.C. 7:8-4.6.(a).3 shall be required.
13. The MTD should be used in the offline configuration unless the device has been approved for online configuration by NJDEP. Either plans should be revised to use MTD in offline configuration, or an NJDEP approval letter for online use should be provided.
 14. MTD should be consistently labeled on plans, profiles, details, and in the drainage report.
 15. MTD details table "Site Specific Data Requirement" shall be updated based on design information. The detail also needs to show design flows and bypass flows.
 16. Drainage report states that groundwater recharge standard is met by not increasing the stormwater volumes in a 2-year storm event. The drainage report should be updated to include calculations showing compliance with the standard.
 17. In accordance with RSIS standards, NJAC 5:21-7.3.(e), no pipe size in the storm drainage system shall be less than 15 inches. The pipe sizes should be revised to meet this requirement.
 18. All pipes must have adequate capacity to convey the 100-yr storm event unless the Applicant's engineer demonstrates that runoff from storms exceeding the 25-yr storm event will reach the outfalls via an alternate path. Revise drainage report accordingly.
 19. Pipe calculation should be revised to use the correct rainfall intensity. Please refer to comment #8 in this section.
 20. Inlet details on the plan sheet should indicate the make and model of inlet grates. All inlet grates must be compliant with Franklin Township Ordinance Article VI Section 201-37. In accordance with Article VI of township ordinance, any non-compliant existing grates in the vicinity of proposed construction must be converted to township compliant grates.
 21. A low-impact development checklist should be completed for this project.
 22. The drains in the pool deck should not discharge into the storm sewer system due to the close proximity of the chlorinated water. This should be reviewed further with this office.
 23. The O&MM should be revised to include a summary of design parameters for the water quality devices. The information should include design configuration (online/offline), flow treated and flow bypassed, and total suspended solids removal rate.
 24. The O&MM should be revised to indicate the make, model, and serial number of the MTD device as well as the manufacturer's contact information.
 25. Operation and maintenance manuals provided by the manufacturer should be added to the appendix.



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26. As per NJDEP BMP Manual Ch. 8, the maintenance plan should include approved disposal and recycling sites and procedures for sediment, trash, debris, and other material removed from stormwater management measures during maintenance operations. This information should be added to the plan.
27. As per NJDEP BMP Manual Ch. 8, maintenance plans should include procedures and equipment required to protect the safety of inspection and maintenance personnel. This information should be added to the O&MM plan.

H. MISCELLANEOUS

1. Revise/Add the following details based on Franklin Township standard details:
 - a. Add the following note on all of the detail sheets, "In case of discrepancy, Township Standard Details shall hold";
 - b. Add the Township Utility Pipe Bedding Detail;
 - c. Add the Township Inlet Casting, Type B Detail including the Bicycle Safe Grate detail;
 - d. Add the Township Curb Piece – Type 'N-Eco' Detail;
 - e. Add the Township Concrete Pipe Cradles Detail;
 - f. Add the Township Sign Posts detail;
 - g. All light pole details should be revised to indicate the depth of embedment;
 - h. Add the Township Hydrant & Valve Installation detail; if required.
 - i. Add the Township Fire Department Connection detail; if required.
 - j. All sanitary sewer details shall be submitted directly to the Franklin Township Sewerage Authority for review and approval, as required.

The Applicant is required to obtain either approvals or letter of no interest from the following agencies:

Outside Agencies:

- Delaware Raritan Canal Commission
- Somerset County Planning Board
- Somerset-Union Soil Conservation District
- New Jersey Department of Environmental Protection

Township Departments:

- Franklin Township Fire Department
- Franklin Township Police Department
- Franklin Township Health Department
- Franklin Township Sewerage Authority

The Engineering Department reserves the right to make additional comments based upon the submission of revised plans or testimony presented to the Board.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

RJR/DM
cc: Zoning Board Secretary