

October 24, 2022

Lori A. Camaya
Planning/Zoning Administrator
Township of Pequannock
530 Newark-Pompton Turnpike
Pompton Plains, NJ 07444

Re: **Preliminary and Final Major Site Plan w/Use Variances**

Sign Approval and Sign Variance

403 Newark Pompton Turnpike, LLC
403-411 Newark Pompton Turnpike
Block 3301, Lot 44
Pequannock, Morris County, NJ
Colliers Engineering & Design Project No. PQP0037

Dear Ms. Camaya,

Our office is in receipt of copies of documents relative to the above-referenced Application summarized in Exhibit 1.

Based on our review of these documents, we offer the following comments in this matter. Our additional comments are in ***Bold and Italics***:

General

The Applicant/Owner in this matter is:

403 Newark Pompton Turnpike, LLC
1000 Anderson Avenue, Suite 2
Fort Lee, NJ 07024

The Applicant shall notify the Board of any changes to the above information.

1. The property consists of one (1) lot designated as Lot 44, Block 3301, in the R-11 1/4-acre Residential on the Pequannock Township Tax Assessment Map, 403-411 Newark Pompton Turnpike.
2. The property is located at the southwest corner of the intersection of Newark Pompton Turnpike and Park Avenue.
3. The 29,971-square foot (0.7-acre) property is trapezoidal in shape, with 122-feet of frontage along Newark Pompton Turnpike, 224-feet along Park Avenue, 225-feet along the south property line and 145-feet along the west property line.

4. The lot is surrounded by residential properties, with properties to the north and west in the same zone, and properties to the east and south in the R-9 Zone.
5. The Applicant has not submitted a separate topographic survey but has provided elevations on Sheet 3 of the Engineering Plans. The property is relatively level and elevations range from 185-feet to 186-feet. ***The Applicant has provided an Existing Conditions Plan (Sheet 5). The property is relatively level, sloping from the northerly boundary of the property to the southwest corner with elevations ranging from 186-feet to 183.5-feet.***
6. The site is improved with a one-story 2,289-square foot garage, a 2,058-square foot fueling canopy which was recently renovated, along with paved and landscaped areas.
7. The Applicant seeks Preliminary and Final Site Plan Approval, a Use Variance and Bulk Variances in order "...to convert the existing repair garage to a convenience store/deli with seating for 12 in a residential zone." The Applicant notes that "the site is pre-existing non-conforming...and that "...a d(1) use variance is required along with bulk variances for proposed signs on the property."

Variances/Waivers

The Board should request comments from the Board Attorney and Board Planner regarding the requirements of any additional variances/waivers for this Application.

Comments

Based on our review, we offer the following comments:

8. The Applicant is proposing no change to the existing Building Coverage which is 4,347-square feet (14.5-percent), where the maximum permitted in the R-11 Zone is 16-percent.
9. The Applicant is proposing no change to the existing Impervious coverage which is noted as 5,789-square feet (19.3-percent), where the maximum permitted in the R-11 Zone is 40-percent.
10. The Applicant notes that they are proposing to rely on the existing stormwater improvements. Sheet 2 of 5 notes that the parking area stormwater is collected via two (2) trench drains at the Newark-Pompton Turnpike access drives which discharge to a catch basin at the corner of Newark-Pompton Turnpike and Park Avenue. The remainder of the site drainage appears to be directed to the landscaped areas. The Applicant shall confirm in testimony.
11. The Applicant has requested a waiver from the Surface Water Management Plan as there is no proposed increase in impervious coverage, no proposed changes to grading, and that the existing on-site stormwater improvements have been investigated and were shown to be functioning properly. The Applicant notes in a May 31, 2022 letter to the Board that "...the proposed improvements will not affect stormwater runoff in and around the site." The Applicant shall provide testimony.

12. The Applicant has provided a copy of a May 31, 2022 application to the Morris County Planning Board and shall confirm in testimony and provide updates to the Board.
13. Although the Applicant notes that all existing landscaping is to remain, it appears that several large trees are located where the septic tanks and leach field are proposed. The Applicant shall confirm in testimony. We defer to the Board Planner and the Board for any additional landscaping requirements related to this application. ***The Applicant has provided the following response: "The Site Plan depicts the removal of two trees to allow for the installation of the conceptual Septic System". We defer to the Board Planner and the Board for any additional landscaping requirements related to this application.***
14. The Applicant has noted that they are not proposing any change to the lighting on the site. However, any recent or future change of lighting to LED shall be compliant with the Ordinance. We recommend that all lighting be 3,500 K or less. All sign lighting must also meet the Ordinance. ***The Applicant has provided the following response: "The one (1) light pole-mounted sign has been removed." The Applicant also provides a Proposed Sign location and shall confirm if they are or not proposing new lighting for this new sign.***
15. The Applicant shall provide testimony regarding site operational hours. The Board may desire that site lighting be either dimmed or turned off during non-business hours.
16. The Applicant is proposing to install a new septic system due to the change of use. The Limit of Disturbance proposed to construct the upgraded septic is 3,550-square feet. The Applicant has provided a May 31, 2022 letter to the Morris County Soil Conservation District requesting a "Letter of Non-Regulation" as the project Limit of Disturbance is proposed to be under their 5,000-square foot requirement. The Applicant shall confirm in testimony and provide any updates from the County.
17. We defer to the Township for review and approval of the proposed septic system, which is shown on the Engineering Plans as "conceptual".
18. The Applicant shall provide testimony regarding the number of employees, parking requirements given the proposed use, etc.
19. The Applicant shall provide "striped islands" alongside the proposed two (2) space parking area in the northeast corner to further delineate this area. Testimony shall be provided as these proposed spaces are also needed for access to the existing air-pump and vacuum station. ***The Applicant has provided the following response: "5'-0" wide striped islands on each side of the vacuum and air pump have been added." The Applicant still shall provide testimony as stated previously. We would also recommend that the striping be angled along the curb-line to discourage additional parking in this area.***
20. The Applicant has provided a planning report of which pages 5 & 6 refers to blocks and lots unrelated to this application. The Applicant shall resolve these discrepancies and provide testimony.

21. The Applicant shall confirm how the seepage tank/leach field will be accessed for periodic maintenance. ***The Applicant has provided the following response: "A septic maintenance access location has been depicted on the plan." The proposed location is noted on the plan as "...Contractor Access Point for Septic Work. All Landscaping to be restored...". The Applicant has shown a construction access to construct the septic work at the driveway entrance at Park Avenue. Due to the close proximity of the construction access to the exiting driveway, there may be potential circulation issues during construction. Additionally, there is no continued access shown for future maintenance, as the landscaping in this area is called to be restored. The Applicant shall provide testimony and revise the plans as required to provide future maintenance access.***
22. The Applicant shall provide testimony regarding the dimensions of the ADA parking space (8-feet wide by 18-feet deep), which is below those required in the Ordinance. The Applicant has not provided any details regarding the route of travel for patrons/employees using the ADA parking space, grades, curb ramps, etc. The Applicant shall provide testimony and provide details to the Board.
23. It appears that the Applicant is proposing to "re-use" at least one (1) of the existing outside accessed restrooms, although it is not clear from the Architectural Plans. An ADA accessible restroom is proposed inside the building. The Applicant shall provide testimony.
24. The Applicant has provided Truck Turning Movements on Sheet 3 of 5. We have the following comments:
 - a. The Applicant notes that the fire truck would maneuver under the canopy. The Engineering Plans note a clearance of 14-feet 3-inches beneath the canopy. We defer to the Township Fire Department regarding any proposed route and required clearance beneath the canopy should they chose this route.
 - b. We would recommend that the fuel delivery vehicles not use Park Avenue, a residential road. The Applicant shall provide testimony and note times and days that fuel is generally delivered. ***Additionally, the fuel truck entering from Park Avenue may hit a parked car based on the proposed parking spaces. The Applicant shall provide testimony and revise the plans as required.***
 - c. The Applicant notes that a "Loading Zone" is proposed in front of the employee parking spaces. The Applicant shall provide testimony to confirm that should a delivery truck be parked and unloading, that vehicles can still access the fuel island.
 - d. We note that one of the employee spaces will need to be vacated in order for a garbage truck to access the dumpster enclosure. The Applicant shall also confirm that with the proposed change of use, this enclosure will also provide a recycling dumpster.
25. The Applicant shall confirm the proposed bollard color. We defer to the Board regarding the selected color.

26. The Applicant shall be aware that if stormwater runoff drainage problems occur on their property and/or neighboring properties as a result of their operations, it is the Applicant's responsibility to remedy that drainage issue.
27. The Applicant shall be aware that any work performed on the site cannot alter any existing drainage patterns or drainage patterns proposed on the above-referenced plan.
28. The Applicant shall address the concerns detailed in this report, and any concerns of the Board or the Board Professionals that may arise during testimony.
29. The Applicant is responsible for coordinating with the Pequannock Township Police Department regarding public safety and operations requirements.
30. The Applicant is responsible for coordinating with the Pequannock Township Fire Department regarding fire protection requirements.
31. The Applicant is responsible for all permitting required by other jurisdictions, such as, but not limited to:
 - a. New Jersey Department of Environmental Protection (NJDEP);
 - b. Morris County;
 - c. Pequannock Police Department;
 - d. Pequannock Building Department; and
 - e. Pequannock Emergency Services.

Thank you for your kind attention in this matter. Should you have any questions, please contact our office.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)



Andrew Hipolit, PE, PP, CME, CFM, CPWM
Discipline Leader

ARH/ds/lb

EXHIBIT 1

DOCUMENTS SUBMITTED FOR 403-411 NEWARK POMPTON TURNPIKE PRELIMINARY AND FINAL SITE PLAN with USE VARIANCES and SIGN APPROVALS AND SIGN VARIANCE

OCTOBER 2022

The following is a summary of the documents and information submitted for the 403-411 Newark Pompton Turnpike Application:

- a. Plan entitled, "Preliminary and Final Major Site Plan with Use Variance, #403-#411 Newark Pompton Tpke, Block 3301, Lot 44 situated in the Township of Pequannock, County of Morris, New Jersey", consisting of six (6) sheets, prepared by Thomas A. Boorady, PE of Darmofalski Engineering Associates, Inc., signed, sheets dated as follows:
 - Sheet 1 Cover Sheet, dated 11/4/2021, last revised 10/13/22;
 - Sheet 2 Site Plan, dated 11/4/2021, last revised 10/13/22;
 - Sheet 3 Truck Turning Movements, dated 11/4/2021;
 - Sheet 4 Construction Details, dated 11/4/2021, last revised 10/13/22;
 - Sheet 5 Existing Conditions Plan, dated 5/31/2022;
 - Sheet 6 Sight Distance, dated 10/13/2022;
- b. Engineer's Response Comments, consisting of two (2) pages, prepared by Thomas A. Boorady, PE, PP, CME, CFM of Darmofalski Engineering Associates, Inc., signed, dated October 17, 2022;
- c. Engineer's Submission Letter, prepared by Thomas A. Boorady, PE, PP, CME, CFM of Darmofalski Engineering Associates, Inc., signed, dated October 17, 2022
- d. Architectural Plan entitled, "Proposed Tenant Layout for: Fleet Express Gas Exchange, 403-411 Newark Pompton Tpke, Pompton Plains, NJ 07444", consisting of two (2) sheets, prepared by James P. Cutillo Associates, signed, dated 10/20/21, last revised 5/26/22;
- e. Gulf Visual (Color) Renderings- Signage and Amenities, consisting of 13-pages, dated 07/13/2020;
- f. Site Photo Exhibits, consisting of three (3) sheets, prepared by Thomas A. Boorady, PE of Darmofalski Engineering Associates, Inc., signed, dated 11/4/2021;
- g. Pequannock Planning Department Schedule of Public Hearing Letter, prepared by Jill A. Hartmann, PP, AICP, dated June 29, 2022;
- h. Site Plan Application, signed, dated February 19, 2022;
- i. Variance Application w/Supplement, signed, dated February 19, 2022;
- j. Application for Sign Approvals and Sign Variance, signed, dated 2/19/2022;
- k. Project Narrative, consisting of 13-pages, prepared by Jessica C. Caldwell, P.P., A.I.C.P., signed, dated February 9, 2022;
- l. List of Shareholders Names and Addresses;
- m. Waiver Request, consisting of three (3) pages, prepared by Thomas A. Boorady, PE, PP, CME, CFM of Darmofalski Engineering Associates, LLC, signed, dated May 31, 2022;

- n. Engineer's Letter of Non-Regulation request to the Morris County Soil Conservation District, prepared by Thomas A. Boorady, PE, PP, CME, CFM of Darmofalski Engineering Associates, Inc., signed, dated May 31, 2022;
- o. Land Development Review Application to Morris County Planning Board, signed, dated 5/31/2022; and
- p. Morris County Soil Conservation District- Request for Letter of Non-Regulation dated May 31, 2022.