

Memorandum #3

To: Kathy Lenahan, Land Use Administrator

From: Jacqueline Dirmann, P.E., C.M.E., C.F.M.

Date: May 11, 2022

Subject: Application ZBA-20-003
24 South Avenue West
Block 474, Lot 1
Use Variance Application
Proposed Mixed Use Building- Commercial & ~~75~~ ~~39~~ **24** Unit Residential

Project No.: CDZ323A

Colliers Engineering & Design DBA as Maser Consulting (CED) has reviewed the revised application prepared by Cranford Harrison Developers, LLC (Alex Pavlovsky). For ease of reference, our updated comments are reflected in **bold** lettering and our previous comments are reflected in *italic* lettering.

The following has been submitted by the Applicant for review:

- Plans titled "Use Variance Application, Cranford Modern, Block 474-Lot 1- 24 South Avenue West, Tax Map Sheet No. 104, Situated in Township of Cranford, Union County, New Jersey, consisting of three (3) sheets, prepared by FWH Associates, P.A., dated 8/25/2020, revised 3/14/2022, **5/2/22**.
- **Architectural Plan titled "Cranford Modern, 24 South Avenue West, Cranford NJ" prepared by Studio 16 Architecture LLC, dated 5/2/2022, consisting of four (4) sheets.**
- Traffic Impact Study, prepared by McDonough & Rea Associates, Inc, dated June 5, 2020, revised 2/1/2022.
- Architectural Plan titled "Cranford Modern Adaptive Reuse, 24 South Avenue W., Cranford NJ 07016" prepared by 4/4 Architecture, dated 2/1/2022, consisting of three (3) sheets.
- Cover letter, prepared by FWH Associates, P.A. dated 2/4/2022 and 3/4/2022.
- Argument for Granting of Variances and Waiver, prepared by FWH Associates, P.A. undated, consisting of three (3) sheets (undated).

The site is located within the DB District (Downtown Business) in the Township of Cranford. The property is located diagonally from the intersection of South Avenue West and Washington Place. The lot is currently improved with a two-story brick structure, which previously served as a manufacturing facility. The property features one ingress and egress location along South Avenue West, which is approximately one-hundred and fifty (150) feet from the intersection of Washington Place.

The Applicant is proposing to bifurcate the application, (preliminary and final site plan approval will be obtained at a later date) and is seeking a d(3) use variance, d(5) density variance, and numerous

c(2) variances for the proposed development. The Applicant is proposing to convert the existing two-story building warehouse into a ~~four-story~~ **three-story** residential building with a small retail space located on the first floor. The Applicant is proposing to demolish a portion of the existing building to support additional parking spaces and a landscaped courtyard. The proposed development will include ~~39~~ **24** residential units along with ~~640~~ **573** SF retail space.

The property is located in the Zone X (area of minimal flood hazard) as shown on the Flood Insurance Rate Map (FIRM) for the Township of Cranford, dated September 2006.

According to Geo-Web and as indicated in the "Applicant's Argument Letter", the Applicant's site has some known environmental contamination. The Applicant is actively working with a Licensed Site Remediation Professional (LSRP) and NJDEP to address the areas of concern.

Based on our review of the submitted documents, we offer the following comments.

A. General:

Title Sheet, (Sheet 1 of 3):

1. The Key map shall be updated to show the properties located within 200' feet of the site. *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**

Existing Conditions Plan (Sheet 2 of 3):

2. *Based on Google Earth, it appears there are seven (7) street parking spaces along the property frontage. The plans show six (6) street parking spaces that are not accurately depicted on the survey. The plan shall be revised accordingly.* **The Applicant has not addressed this comment.**

Variance Map (Sheet 3 of 3):

3. *The Applicant shall clarify if the parking area will be improved with curbing.* **The Applicant has not addressed this comment.**
4. *General Note #4 indicates the development is for a 46-unit building with a retail space of 780 SF. The note shall be updated to reflect the current conditions.* **The Applicant has revised the plans accordingly.**
5. *The parking calculations include forty-six (46) surface spaces, and three (3) offsite parking spaces. The parking tabulation shall only include on-site parking availability; therefore, the three (3) offsite parking spaces shall be removed. The proposed development will require seventy-seven (77) spaces. The Applicant shall provide testimony.* **The three (3) parking spaces on South Avenue West are limited to two-hour parking limits (Section 410-70 of Township Ordinance) and have a No Parking restriction from 2 a.m. to 5 a.m. (Section 410-68 of Township Ordinance). The parking spaces shall not be considered in the parking calculations. The available**

onsite parking is 45 and the Applicant is required to provide a minimum of 47 spaces (based on the calculation shown on the sheet). The Applicant will require a parking variance.

6. *The Applicant is proposing three (3) ADA spaces. The minimum required number of ADA parking spaces for forty-six (46) spaces is two (2), one of which is van accessible. The Applicant shall provide testimony if the additional ADA parking space is needed. **The Applicant has revised the plans and has removed the one of the ADA parking spaces.***
7. *The Applicant is proposing to modify the site access by reducing and shifting the existing driveway curb cut. The relocated driveway access will impact one (1) street parking space. **The Applicant shall provide approval from the Cranford Parking Authority regarding the loss of the parking spaces along the property frontage. The Applicant shall provide testimony regarding how many street parking spaces will be impacted.***
8. *The Applicant is proposing eighteen (18) parking spaces along the NJ Transit property boundary. The Applicant shall provide testimony regarding the installation of any fence or parking lot screening along the property boundary. **The Applicant has not addressed this comment.***
9. *The Applicant shall provide information regarding sanitary and water demand. It is unclear if the proposed development will require a TWA permit or BWSE permit from NJDEP. **The Applicant has not addressed this comment.***
10. *The Applicant is not showing any proposed utility connections. The Applicant shall provide inverts, pipe size, and pipe material for the proposed sanitary sewer connection. It is unclear how the proposed development will impact the existing sanitary sewer system. Should this variance be approved, the Applicant may be required to install a sanitary sewer flow monitor to measure the impact to the existing system. **The Applicant has not addressed this comment.***
11. *The Applicant is not showing any existing or proposed grades on the plan. It is unclear how the grading will impact the adjacent properties and the right-of-way along South Avenue West. **The Applicant has not addressed this comment.***
12. *The Applicant has indicated the proposed impervious lot coverage is 86%. Based on our calculation, the proposed impervious lot coverage is 91.8%. The Applicant shall provide a tabulation of the lot coverage. **The Applicant revised the plans to reflect the correct proposed impervious coverage amount. Note, there is still a need for a lot coverage variance. The Applicant has re-revised the plans and is showing a proposed lot coverage of 49.1%. The Applicant shall revise the plans to ensure the proper impervious lot coverage is being accounted for. Based on the requested variance, the Applicant has removed the request for an impervious coverage variance. The Applicant shall provide testimony and supporting calculation.***

13. There are currently ~~six (6)~~ **seven (7)** parking stalls located on South Avenue West along the property frontage. The proposed development will cause four (4) parking stalls to be removed permanently. The Applicant shall provide testimony. *The Applicant has not addressed this comment. Does the removal of the parking spaces along the property frontage require consent from the Cranford Parking Authority?* **The Applicant has not addressed this comment.**
14. ~~The Applicant shall provide testimony regarding the traffic circulation in the parking area. It appears the parking stall located in the northwest corner of the parking garage will have trouble navigating the travel way. It also appears it may pose a safety risk to the access door. The Applicant has revised the plans. Based on the revised parking layout, the Applicant shall provide a turnaround area for vehicles in the rear parking area. The Applicant shall designate the last parking stall as a turnaround area. The number of onsite parking spaces shall be reduced accordingly.~~ **It appears the Applicant revised the parking area to include a loading zone that is nine feet (9') wide. The loading zone is located along the west side of the building. The Applicant has not indicated how trucks and cars will be able to turn around when accessing the parking area.**
15. ~~The sprinkler room doorway appears to conflict with the northeast parking stall.~~ **This comment no longer applies.**
16. ~~The building columns are located at the rear portion of the parking stalls. Typically, the building columns are located at the head of the parking stalls to allow for proper turning radius into the stalls. It is unclear if the cars can navigate in and out of the parking stalls with the column placement shown in the design. The Applicant shall provide a turning template to support the proposed parking stalls.~~ **This comment no longer applies.**
17. ~~The Applicant is not showing a recycling and refuse area. The Applicant shall provide testimony. The Applicant has revised the plans to show a 12x10 refuse area. The Applicant shall provide testimony regarding the adequacy and size of the refuse area in relation to the proposed development. The Applicant shall also provide testimony regarding the frequency of the trash pickup.~~ **The Applicant shall provide testimony.**
18. **The parking requirements indicate there are eighteen (18) one-bedroom units, three (3) two-bedroom units and three (3) three-bedroom units. The Architectural plans provided have fifteen (15) one-bedroom units, six (6) two-bedroom units, and three (3) three/four-bedroom units. The Applicant shall clarify the units and revise the required parking calculations. The Applicant may need an additional variance related to parking.**

B. Stormwater Management:

The proposed development will increase the impervious coverage of the site by ~~39.8%~~ ~~34.9%~~ **37%**, which is approximately ~~11,400~~ **12,089** SF. The increase in impervious coverage is greater than one quarter (1/4) acre; therefore, the development is considered a major development by the Township Ordinance and NJDEP standards.

The site is located at a high point on South Avenue West and drains in a westerly direction and outfalls into the Orchard Brook.

19. The design and performance standards for “Major Developments” include groundwater recharge, runoff quantity controls, and runoff quality controls. The plans do not indicate the presence of any stormwater management measures. The Applicant shall provide testimony. *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**
20. The Applicant shall submit a stormwater management report which addresses the requirements of the Township Ordinance. The report shall include what impact the development will have on the Orchard Brook. *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**
21. Note, the environmental concerns of the site with the stormwater management system depend on the outcome of the preliminary assessment and the site investigation of the property. The system design and capacity will be impacted based on the reports. *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**

C. Traffic Impact Study Review:

22. ~~Although the traffic impact study contains traffic counts conducted at the intersection of South Avenue West with Washington Place and traffic projections associated with the development of the site, there is no analysis provided for this intersection. The analysis should be provided as the proposed egress from the project will create the four-leg of this intersection.~~ **The Applicant has revised the plans. This comment no longer applies.**
23. The project will require a parking variance as ~~42~~ **77** total spaces are required when only ~~76~~ **49** spaces are proposed, ~~two~~ **three** of which are on-street spaces that already exist. With only ~~74~~ **46** on-site parking spaces for ~~75~~ **39** apartment units, we are concerned with the amount of parking provided on-site as it equates to 1.18 spaces per unit. Although Residential Site Improvement Standards (RSIS) does allow municipalities to adopt parking requirements that are reduced from the RSIS parking standards and the site is approximately one quarter mile from the Cranford train station, ~~74~~ **46** parking spaces for ~~75~~ **39** units is too little parking for this area. Additional justification needs to be provided to support the parking variance or a reduction in the number of residential units should be considered to provide adequate parking. *The Applicant has decreased the density of the site. The Applicant shall clarify if parking spaces will be assigned to the tenants and/or designated for the commercial use.* **The Applicant shall provide testimony.**

24. Sight distance triangles at the proposed egress driveway in accordance with American Association of State Highway and Transportation Officials (AASHTO) sight line requirements should be shown on the site plan to ensure there is no conflict with driver's sight lines and any on-street parking spaces. *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**
25. Turning templates shall be provided showing the largest anticipated design vehicle that will utilize the parking area. *The Applicant shall provide a turning template showing how emergency vehicles will access the site in the event of an emergency. The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**
26. Testimony shall be provided on how any deliveries to the retail portion and residential units of the project will occur. Also, where will any moving vehicles for residents moving in or out of the building park? *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**

D. Environmental Review:

The subject property was required to undergo remediation in 2000 following the report of a discharge associated with an exterior drum storage area where soil contaminated with trichloroethylene (TCE) was discovered. NJDEP Case No. 00-06-28-0038-52 was assigned to the discharge [the program identification (PI) number for the property is G000044358]. A Memorandum of Agreement (MOA) was signed between the former property owner and operator, E.F. Britten & Company, Inc., and the NJDEP for remediation of the discharge. According to on-line records, the property was sold to Cranford Harrison Developers, Inc. on September 9, 2020, and the deed was filed on September 29, 2020. The NJDEP issued an Administrative Consent Order (ACO) to Cranford Harrison Developers LLC on August 26, 2020. Under the ACO, Cranford Harrison is responsible for completing the remediation of the property under "adjusted direct oversight" by the NJDEP. The ACO required Cranford Harrison to complete the following:

- Perform all remaining remediation;
- Signing an ISRA-required Remediation Certification prior to closing;
- Submitting a Remediation Cost Review;
- Maintaining a Remediation Funding Source (RFS);
- Paying NJDEP fees;
- Updating NJDEP records regarding the remediation contacts;
- Notifying the NJDEP within 30 days of taking title to the property;
- Retaining an LSRP within 30 days of signing the ACO;
- Submitting a Remediation Fee Reporting form within 30 days of signing the ACO;
- Completing a Preliminary Assessment (PA) and Site Investigation (SI) of the property within one (1) year of the effective date of the ACO;
- Completing a Remedial Investigation (RI) within two (2) years;
- Obtaining all Remedial Action Permits, submitting the final Remedial Action Report (RAR), and submitting a Response Action Outcome (RAO) within seven (7) years.

Cranford Harrison retained an LSRP (Robert J. Gascoyne of Matrix New World Engineering, Inc., Florham Park, NJ). In addition to Cranford Harrison, Mr. Gascoyne can provide an update on the status and findings of the site remediation.

27. NJDEP GeoWeb mapping shows "historic fill" at the rear of the property in the area along the railroad right-of-way. Unless the historic fill is removed, a deed notice, engineering controls and a Remedial Action Permit will be required. *The Applicant has not addressed this comment.*
The Applicant has not addressed this comment.
28. The occurrence of ground-water contamination is suspected by NJDEP but apparently, is not confirmed. The vapor intrusion issue reported for the property may have resulted from ground-water contamination beneath the subject property. The effect of site redevelopment, including the impact of any stormwater management systems, cannot be assessed without the benefit of knowing the presence and extent of ground-water contamination. *The Applicant has not addressed this comment.*
The Applicant has not addressed this comment.

Miscellaneous:

29. **Sheet A-003.00 of the Architectural Plans appears to be a duplicate of the second flood layout. The Applicant shall clarify the proposed bedroom count for the three (3) three-story residential units.**
30. **The Architectural plans indicate a green roof will be utilized on the roof of the structure. The Applicant has not provided any details regarding the green roof. The Applicant shall ensure the green roof is constructed to the standards outlined in Chapter 9.14 of the NJ BMP Manual. The Applicant shall provide detailed plans and calculations for the green roof. The Applicant shall provide testimony regarding the proposed green roof.**
31. The project is located along South Avenue West, which is a county road. The Applicant shall provide county approval. *The Applicant has not addressed this comment.*
The Applicant has not addressed this comment.
32. General Note #11 on sheet 3 of the plans indicates the submission of test pits and a stormwater management report. The report shall be provided to our office for review. *The Applicant has not addressed this comment.*
The Applicant has not addressed this comment.
33. The Applicant shall provide information regarding pedestrian safety for vehicles leaving the parking area. It appears vehicle traffic may have a hard time seeing pedestrians walking on the sidewalk. *The Applicant has not addressed this comment.*
The Applicant has not addressed this comment.
34. ~~The Applicant is proposing three (3) ADA parking stalls located near the parking lot entrance. The location will require the ADA travel path to use the parking lot entrance to get to the lobby and/or the commercial property. This comment no longer applies.~~

35. It is unclear if the parking stalls will be dedicated to the residential units or the commercial use. The Applicant shall provide information on whom will be using the stalls. *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**
36. The Applicant has not provided any stormwater management measures including a stormwater management system and supporting report. The Stormwater management system shall be designed in conformance with Section 364-10 of the Township Ordinance including the required information as outlined in Section 364-10(A)5 of the Township Ordinance. The Applicant has not provided a grading, lighting, landscape, or utility plan, all of which will be required for Site Plan approval. *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**
37. Outside Approvals: *The Applicant has not addressed this comment.* **The Applicant has not addressed this comment.**
 - a. Union County (Proposed Right-of-way improvements).
 - b. NJDEP Permits (if required).
38. The Applicant shall not direct any stormwater toward adjoining properties. The site grading and drainage should not adversely affect or burden the adjacent property owners or pose a negative impact as set forth by Subsection 351-4.
39. No changes in grading are permitted without the submission of a grading plan to the Engineering Department, for review and approval, as required by Ordinance 351-4. A Professional Engineer or Professional Land Surveyor must prepare any such grading plan.
40. All the roof leaders from the proposed development shall be connected to a stormwater management system. The Applicant shall ensure that the downspouts have cleanouts, as necessary, and that the overflow is directed away from the neighboring properties.
41. All excavated material shall be removed from the site. No material is to be stored on Township property unless prior approval is obtained from the Township Engineer. Under no circumstances can the contractor place excavated material within Township-owned property. Any soil disturbance shall be done as set forth by Subsection 351.
42. The Applicant shall be aware of their responsibility to repair any damage to improvements within the Township right-of-way, including but not limited to, sidewalk, driveway aprons, curb, and asphalt pavement as required by Subsection 367.
43. The Applicant shall call to coordinate inspections with the Engineering Department 24-hours prior to the start of construction as related to grading and drainage improvements on-site.
44. The Applicant shall be aware that posting of engineering escrow for construction administration oversight, plan review, and project closeout will be required at the time building permits are issued. Please be aware that unused escrow money will be returned to the property owner upon the issuance of a Certificate of Occupancy (CO).

45. A signed and sealed "As-Built" site plan should be submitted as a requirement for this office to "sign off" on the issuance of the Certificate of Occupancy (CO). The "As-Built" should accurately show site features including grading, spot elevations, drainage, structures, etc.

Should you have any questions, please do not hesitate to contact our office.

cc: Mark Rothman, Esq., Zoning Board Attorney (markrothman@robbinsandrobbsllp.com)
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