

**Request for Recommendations
from Cranford Township Professionals**

TOWNSHIP OF CRANFORD – PLANNING & ZONING DEPARTMENT
8 Springfield Avenue - Cranford, NJ 07016
Phone: (908) 709-7216 * Fax: (908) 276-7664



Application #: <u>PB 22-001</u>
Date Sent to Township Professionals: <u>April 17, 2023</u>
Date Due Back to Zoning Office: <u>May 5, 2023</u>

TO: Cranford Department of Traffic & Safety ✓ Cranford Fire Department
Cranford Health Department Cranford Engineering Department
Environmental Committee Historical Preservation Advisory Board
Downtown Economic & Business Development Office

RE: 73-91 Myrtle Street
Block: 573 Lot: 9, 10, & 12.02
Application #PB 22-001
Applicant: AVIDD Services of New Jersey Inc.

Applicant is requesting Preliminary Minor Subdivision and Preliminary & Final Major Site Plan – Residential and c(2) variances to construct affordable housing for low income developmentally disabled individuals.

SEE ATTACHED LIST OF VARIANCE & DESIGN WAIVERS

Type of Variance	LDO Section	Requirement	Relief Requested

73-91 Myrtle Street – PB 22-001

Land Development Code Section	Requirement	Relief Requested
§255-34, Attachment 1, Schedule 1	38% maximum impervious coverage permitted in R-3 Zone	45.5% impervious coverage proposed for lot 10
§255-35D(4)	Ground-mounted generators permitted in side or rear yards	Generator in front yard proposed for lot 9
§255-26G(3)(a)	Off- street parking areas require a 3 ft. setback from a side property line	No setback in the parking areas is proposed for lots 9 & 10
§255-26G9	Lighting in all parking areas requires a minimum of 1.5 footcandles throughout	1.0 footcandle is proposed in the parking area
§255-26G9	16 ft maximum height for light fixtures	20 ft max height light fixtures proposed
§255-26L	Look -alike provisions	Exceptions may be required; to be determined upon submission of architectural plans for the second building
§255-26N(2)	A tree replacement plan shall be submitted when trees are proposed to be removed or have been removed	Submitted landscape plan notes proposed planting but does not indicate tree to be removed
§255-34, Attachment 1, Schedule 1	25' minimum front yard setback (20' prevailing)	17' front yard setback proposed to porch
§255-44D(5)	New residential dwellings require a garage that provides at least one on-site parking space	No garage proposed.

Following pre-existing conditions:

Type of Variance	LDO Section	Requirement	Relief Sought

PLEASE CHECK ONE:

No negative impacts are apparent from my review of this application as it affects my area of review.

I request that the Board discuss/require the following items which relate to my area of review during the public hearing on this matter:

Parking is my only concern. Will delivery trucks be able to negotiate the driveway for large deliveries or will the by off-loading on a highly traveled roadway? Also, there is on street parking fronting the properties but will that be ample for visitors and or additional employees? This will affect snow removal on days that the roadway is being utilized for parking/ deliveries.

Project Hours: 2

Signature: _____



Date: _____

5/10/23



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No negative impacts are apparent from my review of this application as it affects my area of review.

I request that the Board discuss/require the following items which relate to my area of review during the public hearing on this matter:

Project Hours: 20 mins

Signature: Monika Honora Date: 4/19/23

Cranford Environmental Commission

73-91 Myrtle St

4-May-2023

Site Plan Review

The comments were organized and drafted by Jason Stevens and submitted to the Township of Cranford by Jason M. Stevens on 13-April-2023 by email. All correspondence related to the Cranford Environmental Commission review of the application for 73–91 Myrtle Street should be addressed to cranfordec@gmail.com.

The main area of concern from an environmental perspective is the loss of open space. The wooded vacant lot features many mature trees that provide habitat for wildlife, absorb stormwater, and most importantly given the proximity to the Garden State Parkway, clean the air. The current plans seek to protect some existing trees and provide new tree plantings however this will pale in comparison to what is lost. Additionally, the area in question contains a large amount of surrounding impervious cover and the introduction of significant impervious cover may present flooding issues within the adjacent neighborhood. Therefore, the environmental commission recommends that the following actions as a condition of granting any required variances.

1. Provide funds for the Township to plant 20 trees on municipal property nearby. The loss of the air purification offered by the existing trees will significantly impact the air quality in the neighborhood that has poor air quality as it adjacent to the garden state parkway and an industrial area that sees a significant amount of traffic from diesel trucks. Trees could be planted at the Centennial Ave complex, which is a quarter mile from the site.
2. As there is no existing driveway there is no reason why the developers cannot install pervious asphalt. The use of pervious asphalt will significantly reduce the volume of stormwater discharged from the property.
3. The current plans implement a stormwater retention basin whereas a bioretention basin (http://water.rutgers.edu/Rain_Gardens/RGWebsite/misc/NJ_SWBMP_9.1.pdf) would provide more benefit through removing pollutants from stormwater. A traditional retention basin will inevitably fill with silt and will experience reduced capacity and effectiveness over time. Any stormwater infrastructure must include a maintenance plan as a condition of variance approval.

Sincerely,

Jason M. Stevens Ph.D.

Chair – Cranford Environmental Commission



CRANFORD FIRE DEPARTMENT
BUREAU OF FIRE PREVENTION & RISK MANAGEMENT
7 SPRINGFIELD AVE, CRANFORD, NJ 07016
PHONE: (908)709-7360
FAX: (908) 276-6183
WWW.CRANFORDNJ.ORG

May 5, 2023

MEMORANDUM FOR: Township of Cranford – Planning and Zoning Department

FROM: B/C Matthew J. Lubin /s/
Fire Official

SUBJECT: Application PB-22-001
73-91 Myrtle Street; Block 573 – Lots 9, 10, & 12.02
Applicant: AVIDD Services of New Jersey, Inc.

The Cranford Fire Department has conducted a review of the subject Board Application Package, revised January 11, 2023, and the following documents submitted in support of the application;

- (1) *Preliminary and Final Site Plans*, dated 11/30/2022, prepared by Sciuollo Engineering Services, LLC.
- (2) *Architectural Plans*, dated 11/30/2022, prepared by Kitchen & Associates.
- (3) *Minor Subdivision Plan*, dated 10/18/2022, prepared by Vargo Associates.
- (4) *Boundary and Topographic Survey*, dated 1/24/2020, prepared by Vargo Associates.
- (5) *Stormwater Management Report*, dated March 2022, prepared by Sciuollo Engineering Services, LLC.

The applicant in this matter is seeking preliminary and final minor subdivision and site plan approval, along with c(2) variance relief, to develop a vacant Township property. The proposal entails a subdivision of the parcel and construction of two separate, single-story structures for inclusionary housing for disabled individuals. The housing will be operated by AVIDD Services of New Jersey, based in Denville, NJ.

The proposed operation of the property would include housing for eight (8) individuals via two (2), 4-unit homes. The homes would be staffed with up to six (6) staff members to serve the residents.

We offer the following comments pertaining to our review of this application;

Comments Relative to Site Plans:

No concerns relative to the site plans. The applicant noted that the buildings will be fully sprinklered, and this office would request to coordinate the location of Fire Department Connections (FDCs) with the applicant at the appropriate design stage.

The applicant should ensure the location of the building generator is sufficiently distanced from the retention basin on-site so as to prevent flood damage to the emergency generator equipment.

Comments Relative to Architectural Plans:

No concerns or comments relative to the architectural drawings. Our office would note that the project will fall under Uniform Construction Code permitting should the Board approve this application.

Comments Relative to Subdivision Plan, Site Survey, and Stormwater Management Report:

No concerns or comments relative to our review of these documents.

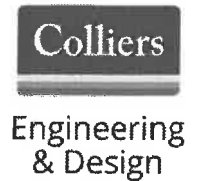
Comment Relative to requested Relief:

Our office would note there are no negative impacts or concerns apparent within our area of review of the requested relief.

General Administrative Comments:

Once developed and operational, this property will be required to register as a Life Hazard Use (LHU) with the NJ Division of Fire Safety. This property will fall under the Uniform Fire Code jurisdiction of our office for periodic fire inspection and fire prevention activities. We look forward to a productive operational relationship with the site operator in this regard.

400 Valley Road
Suite 304
Mt. Arlington, New Jersey 07856
Main: 973 810 0091



Memorandum

To: Kathy Lenahan, Land Use Administrator
From: Jacqueline Dirmann, P.E., C.M.E., C.F.M.
Date: May 10, 2023
Subject: Application PBA-22-001
73-91 Myrtle Street
Block 573, Lots 9, 10, 12.02
Minor Subdivision Approval with Bulk Variances
Preliminary & Final Site Plan Approval
Project No.: CDZ0365A

Colliers Engineering & Design DBA as Maser Consulting (CED) has reviewed the minor subdivision and preliminary and final site plan application prepared by Avidd Services of New Jersey, Inc. for the proposed construction of two (2) assisted living facilities and associated improvements.

The following has been submitted by the Applicant for review:

- Plans titled "P83 Myrtle Street Supportive Housing, Block 573, Lots 9, 10, & 12.02" Prepared by Sciallo Engineering Services, LLC consisting of nine (9) sheets, last revised 11/30/2022;
- Minor Subdivision Plan prepared by Vargo Associates dated 10/18/2022;
- Boundary & Topographic Survey prepared by Vargo Associates dated 1/24/2020;
- Architectural Plans entitled, "Cranford Supportive Housing, Myrtle Street, Block 573 Lot 10, Cranford NJ 07016" prepared by Kitchen & Associates dated 11/30/2022, consisting of four (4) sheets;
- Stormwater management Report, prepared by Sciallo Engineering Services, LLC dated March 2022;
- Township of Cranford Zoning Department Application completed and signed by Applicant, dated 5/25/2022.

The site is located within the R-3 One Family Detached residential district in the Township of Cranford. The property is located along Myrtle Street, between Bryant Avenue and Ludlow Avenue (Paper Street). The lot is a wooden lot and is currently vacant.

The Applicant is proposing to subdivide the lot into three (3) lots. Two (2) lots will be used for the development and the third lot will be owned by the Township. The Applicant is proposing to clear

the site and construct two (2) affordable housing units for low income developmentally disabled individuals on two of the three lots. Each developed lot will contain a four (4) bedroom assisted living facility. The lots will also be improved with a shared parking area containing eight (8) parking spaces. The Applicant is proposing stormwater management measures with an above-ground detention basin located along the eastern portion of the property. The Applicant is also proposing improvements along the property's frontage of Myrtle Street. The Applicant is proposing to install concrete curbing and sidewalk along the frontage

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.

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

A. General

Boundary & Topographic Survey Sheet (Sheet 1 of 1)

1. The Applicant is showing a wooded area with no indication of how many trees are located within the property boundary. The Applicant shall provide additional information regarding the size, species, and location of existing trees onsite. Testimony shall be provided.

Cover Sheet (Sheet 1 of 9)

2. No comments.

Information Sheet (Sheet 2 of 9)

3. No comments.

Site Plan (Sheet 3 of 9)

4. The Applicant is showing a cross access easement area. The Applicant shall provide addition information regarding what is to be included in this easement.
5. The Applicant is proposing to install a five-foot-wide (5') sidewalk along the Myrtle Street frontage. The sidewalk is showing to end at the intersection of the paper street for Ludlow Avenue. The Applicant is not proposing any pedestrian safety measures to get pedestrians across Myrtle Street to access the sidewalk on the other side of the street.
6. The proposed sidewalk is located approximately nine feet (9') from the roadway. Typically, there is a three-to-four-foot (3'-4') grass strip between the roadway and the sidewalk. It is unclear why the sidewalk is setback from the roadway so far.

7. The site plan shows there are multiple encroachments throughout the property, which need to be relocated as part of this project. The Applicant is not showing any of the encroachments along Lot 12.02 to be relocated. The Applicant shall eliminate all encroachments on the lots.
8. The Applicant is proposing two (2) ADA parking spots, along with six (6) compliant parking spaces located on the site. The Applicant shall provide testimony regarding how onsite parking will be between the two (2) dwellings.
9. It is our understanding that the assisted living facility will have a caretaker at the facility. The Applicant shall provide information regarding employee parking.
10. The Applicant is proposing a fifteen-foot-wide (15') one-way drive aisle which is reduced to thirteen feet (13') near the parking areas. The Applicant shall provide a turning template indicating emergency vehicles can navigate the proposed turns without impacting the parked vehicles.
11. The Applicant is not proposing any fencing around the perimeter of the property. The Applicant shall provide testimony regarding screening measures.
12. The Applicant shall be aware the proposed improvements within the Township right-of-way require a separate permit. The Applicant shall ensure a permit is completed for these improvements.

Grading Plan (Sheet 4 of 9)

13. The Basin Section Detail is misleading as it shows the basin is about 2.6 feet deep (Elevation 77.90). The basin detail also indicates the basin will maintain 1' of freeboard above the 100-year elevation. The basin is being constructed with a 2' wide weir at an elevation of 78.6 and is only 0.7 deep to the weir.
14. The plan shows two (2) test pit logs, which do not appear in the stormwater management report. The Applicant shall ensure the test pit information is captured in the report.

Utility Plan (Sheet 5 of 9)

15. The Applicant is proposing to install an eight inch (8") sanitary sewer line, which will connect into the existing sanitary sewer line located within the right-of-way of Ludlow Avenue. The Applicant shall clarify if this connection requires a TWA Application Approval as this is an extension of an existing sewer main.
16. The Applicant shall provide information regarding the existing capacity of the sanitary sewer line. It is unclear if the existing sanitary sewer line has sufficient capacity to handle the additional flow from the proposed use.
17. The Applicant shall provide testimony regarding recycling and refuse areas and frequency of pick up. The Applicant shall provide information on the need for any medical waste that may be needed.
18. It appears the Applicant is proposing to install an additional utility pole near the southwest corner of proposed Lot 10. The Applicant will install an underground utility line from the new pole to the dwelling.
19. The Applicant shall provide will serve letters for the public utilities.

Landscaping & Lighting Plan (Sheet 6 of 9)

20. The Applicant is proposing to install one light fixture to luminate the parking area. The light fixture will be 20 feet and will be equipped with a light shield to prevent glare on the adjacent properties. The Applicant is not showing any building mounted lighting. The Applicant shall provide testimony regarding any additional site lighting.
21. The Applicant is proposing to install 42 green arborvitaes along the rear property line. The Applicant shall provide testimony regarding the adequacy of the proposed screening.

Detail Sheet (Sheet 7 of 9)

22. The Applicant shall use the Township details for the proposed right-of-way improvements. The details can be found on the Engineering page on the Township Website.

Soil Erosion & Sediment Control (Sheets 8 & 9 of 9)

23. The Applicant shall provide approval from Somerset-Union County Soil Erosion and Sediment Control.

B. Stormwater Management Report

The subject proposed property encompasses 52,500 SF (1.2 AC) located on Myrtle Street. The existing lot is vacant and partially wooded land. The property is surrounded by residential development along the rear and side of the property. There is a commercial establishment across the street from the proposed development.

The project is defined as a major development, as the increase in impervious coverage exceeds the 1,000 sf threshold and the disturbance area exceeds the one (1) acre threshold, as outlined in the Township Ordinance and RSIS definition of a major development. The proposed improvement to the property will increase the impervious coverage of the site by 15,079 SF. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment, through DEP Green infrastructure methods, as listed in section 365-4 of the Township ordinance.

The Applicant is proposing to construct an above-ground infiltration basin that is approximately 0.7' deep and 50'x95' wide at the base. The infiltration basin will be located at the east side of the lot along the paper street frontage of Ludlow Avenue. The infiltration basin is designed to accept the runoff from the offsite drainage area located along the north side of the property. The infiltration basin will also accept water from the proposed roof and parking lot areas.

Based on the stormwater management report provided, we offer the following comments.

24. The Applicant has provided a stormwater management report outlining compliance with the Township Green Infrastructure, Groundwater Recharge, Runoff Quality and Quantity measures. We take no exception to the stormwater calculations provided.
25. The Applicant performed four (4) soil test pits at the original location for the stormwater management system when the development only included Lots 10 and 12.02. The project scope changed, and Lot 9 was added. The proposed stormwater management basin is located about 225 feet east of the existing soil log information. The Applicant shall provide testimony regarding any potential changes in soil conditions.
26. The Applicant is proposing to over excavate a 41'x43' area within the infiltration basin and backfill the area with a sandy material in order to penetrate the clay layer of the soil. The Applicant shall provide testimony.
27. The Applicant shall revise the stormwater management report to elaborate on the green infrastructure measures taken place on the lot. The Applicant shall provide additional information regarding how they comply with the stormwater management regulations outlined in Section 365 of the Township Ordinance.

28. The Applicant shall be aware any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Union County Clerk's Office. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to § 365-10B(5). The Applicant shall provide a copy of the filed document.
29. The Applicant is proposing to subdivide the lot into two (2) lots. The proposed stormwater management measures extend through both lots. It is unclear how the Applicant intends to manage the stormwater management measures for each lot. The Applicant shall provide additional information.
30. The project is considered a major development project as defined by NJDEP. The Applicant shall provide the NJDEP Major Development Checklist to ensure all NJDEP requirements have been met.
31. The Applicant shall submit an operation and maintenance (O&M) manual prior to the start of construction to the Township for review and approval. The Applicant shall be aware that the stormwater management plans, report and O&M manual will also have to be filed with the deed. The Applicant shall submit a copy of the annual maintenance records and inspections to the Township Engineer no later than March 1st every year.
32. The Applicant shall ensure the project will not have any adverse impacts to the neighboring properties, downstream water courses, or conveyance systems within the water shed. The Applicant shall monitor the stormwater management system of the site after the construction has been fully completed to ensure there are no negative impacts. The Applicant shall rectify any issues that come up during and after construction.

C. Minor Subdivision Review

The Applicant is proposing to subdivide the parcel into three (3) tracts, one (1) Township owned vacant tract and two (2) community residential tracts. The Township owned tract will consist of 10,000 SF (0.23 Acres) of land and will be a vacant lot. The residential tracts will be improved with a four-unit community residence for developmentally disabled individuals. The lots will also include a parking lot, concrete walkways, lighting, landscaping, and stormwater management areas including an above-ground detention basin.

33. The Applicant shall clarify who will own Lots 9 and 10 after the minor subdivision has taken place.

34. The Applicant shall provide new lot numbers for the modified lot lines. Proposed lot numbers need to be approved by the Tax Assessor.
35. The Application documents indicate the subdivision will be filed by deed. The Applicant has provided a minor subdivision map. The Applicant shall clarify how the subdivision will be perfected.
36. The Applicant shall provide additional information regarding the cross access/maintenance easement required for the project. It appears "Stormwater Measures" and "Driveway/Parking Areas" may require easements. Testimony shall be provided.

D. Miscellaneous

37. The Applicant shall provide testimony with regards to trash and recycling collection and removal.
38. The Applicant shall provide testimony with regards to snow plowing operations.
39. Construction cost estimates for on-site and off-site improvements shall be submitted for review and determination of applicable bonding and inspection fees.
40. The Applicant shall be responsible for obtaining any necessary outside agency approvals included but not limited to:
 - a. Somerset Union Soil Conversation District;
 - b. Township of Cranford Road Opening Permits.
41. 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.
42. 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.
43. 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.
44. 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.

45. 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.
46. 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.
47. 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).
48. 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: Jonathan Drill, Esq., Planning Board Attorney (jdrill@sksdlaw.com)
Nick Dickerson, Township Planner
Ryan Cooper, Township Attorney (ryan@cooperllc.com)
Avidd Service of NJ Inc, Applicant, (tmckeon@aviddnj.org)
Gary Goodman, Applicant's Attorney, (goodmanlaw23@outlook.com)
Jason Sciuлло, Applicant's Engineer (jsciuлло@sciuллоengineering.com)

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_____ I request that the Board discuss/require the following items which relate to my area of review during the public hearing on this matter:

Project Hours: _____

Signature: *R. M.* Date: 4.25.23

Historical Preservation Advisory Board (HPAB)

PBA-22-001

Received - April 17, 2023

Returned - May 5, 2023

Applicant - AVIDD Services of New Jersey Inc.

Address - 73-91 Myrtle Street

Block: 573, Lot: 9, 10 & 12.02

Zone - R3 (One Family Detached Residence District)

There are no existing buildings on this site

The applicant is requesting Preliminary Minor Subdivision and Preliminary & Final Major Site Plan approval including variances to construct affordable housing for low income developmentally disabled individuals. There are two buildings with 4 unit residences each in a single story (23'- 2") 2,690 square foot space consisting of four bedrooms, living, kitchen, dining, office and porch.

Required - 38% maximum impervious coverage Proposed is 45.5% impervious on lot: 10

Required - Ground mounted generators in side or rear yards Proposed generator in front yard of lot: 9

Required - Parking lighting minimum of 1.5 footcandles Proposed is 1.0 footcandle in the parking area

Required is a maximum height for light fixtures of 16 feet Proposed is a 20 foot height

Required - Buildings are not to look alike Proposed are two buildings that are mirror images

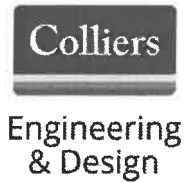
Required - 25 foot minimum front yard setback Proposed is 17 feet to an open porch

Required - one garage per dwelling Proposed are no garages

73-91 Myrtle Street – PB 22-001

Land Development Code Section	Requirement	Relief Requested
§255-34, Attachment 1, Schedule 1	38% maximum impervious coverage permitted in R-3 Zone	45.5% impervious coverage proposed for lot 10
§255-35D(4)	Ground-mounted generators permitted in side or rear yards	Generator in front yard proposed for lot 9
§255-26G(3)(a)	Off- street parking areas require a 3 ft. setback from a side property line	No setback in the parking areas is proposed for lots 9 & 10
§255-26G9	Lighting in all parking areas requires a minimum of 1.5 footcandles throughout	1.0 footcandle is proposed in the parking area
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§255-44D(5)	New residential dwellings require a garage that provides at least one on-site parking space	No garage proposed.

101 Crawfords Corner Road
Suite 3400
Holmdel, New Jersey 07733
Main: 877 627 3772



April 28, 2023

Kathy Lenahan, Board Administrator
Zoning Department
Township of Cranford
8 Springfield Avenue
Cranford, NJ 07016

Planning Review Letter No. 1
PB-22-001 (Preliminary Minor Subdivision and Preliminary and Final Major Site Plan)
AVIDD Services of New Jersey Inc. (the Applicant)
73-91 Myrtle Street
Block 573, Lots 9, 10, and 12.02
Colliers Engineering & Design Project No. CDP-0018

Dear Ms. Lenahan:

As requested, our office has reviewed application PB 22-001, submitted by AVIDD Services of New Jersey (the Applicant), seeking Preliminary Minor Subdivision and Preliminary and Final Major Site Plan approval along with bulk variance relief approval to construct special needs housing.

The following documents, which were submitted in support of the Application, have been reviewed:

- Plans entitled, "83 Myrtle Street Supportive Housing, Block 573, Lots 9, 10 & 12.02, Cranford Township, Union County, New Jersey, Preliminary and Final Site Plans." Prepared May 9, 2022, and revised through November 30, 2022, by Jason T. Sciallo, PE, PP, of Sciallo Engineering Services, LLC, and consisting of 9 sheets.
- Stormwater Management Report, prepared by Jason T. Sciallo, PE, PP, of Sciallo Engineering Services, LLC, Dated March 2022.
- Development Application, including Form Nos. 01, 04, 07, 09, 10, 15. Date received by the Township: May 25, 2022, and revised through January 11, 2023.
- Architectural Elevations, prepared November 30, 2022, by Stephen L. Schoch of Kitchen & Associates, consisting of 4 sheets.
- Plan entitled, "Minor Subdivision Plan." Prepared October 18, 2022, by Michael R. Vargo, PLS, of Vargo Associates, consisting of 1 sheet.
- Plan entitled, "Boundary and Topographic Survey." Prepared January 24, 2020, by Michael R. Vargo, PLS, of Vargo Associates, consisting of 1 sheet.
- April 17, 2023, request for recommendations from Cranford Township Professionals and list of variances.



Figure 1: Nearmap image of the site (Imagery date: March 5, 2023), with the property boundary approximated.

A. Existing Conditions

The subject site, known as 73-91 Myrtle Street, is a 52,500 sq. ft. tract, consisting of lots 9, 10, and 12.02 in Block 573. The tract is located on the north side of Myrtle Street, with limited secondary frontage along Ludlow Avenue, which is partially improved. The tract is currently vacant and undeveloped. Surrounding uses are predominantly detached single family residential to the east, north, and west, while the properties south of Myrtle Street are commercial/light industrial in character.

B. Applicable Land Use Controls

The subject tract is located in the R-3 One-Family Detached Residence District. The district permits detached single-family dwellings, community residences for the developmentally disabled, farms, and essential services. The bulk requirements governing such uses is included in the following section. It should also be noted that existing Lots 10 and 12.02 were identified in the Township's 2021 Housing Element and Fair Share Plan as the "Myrtle Street Special Needs Site."

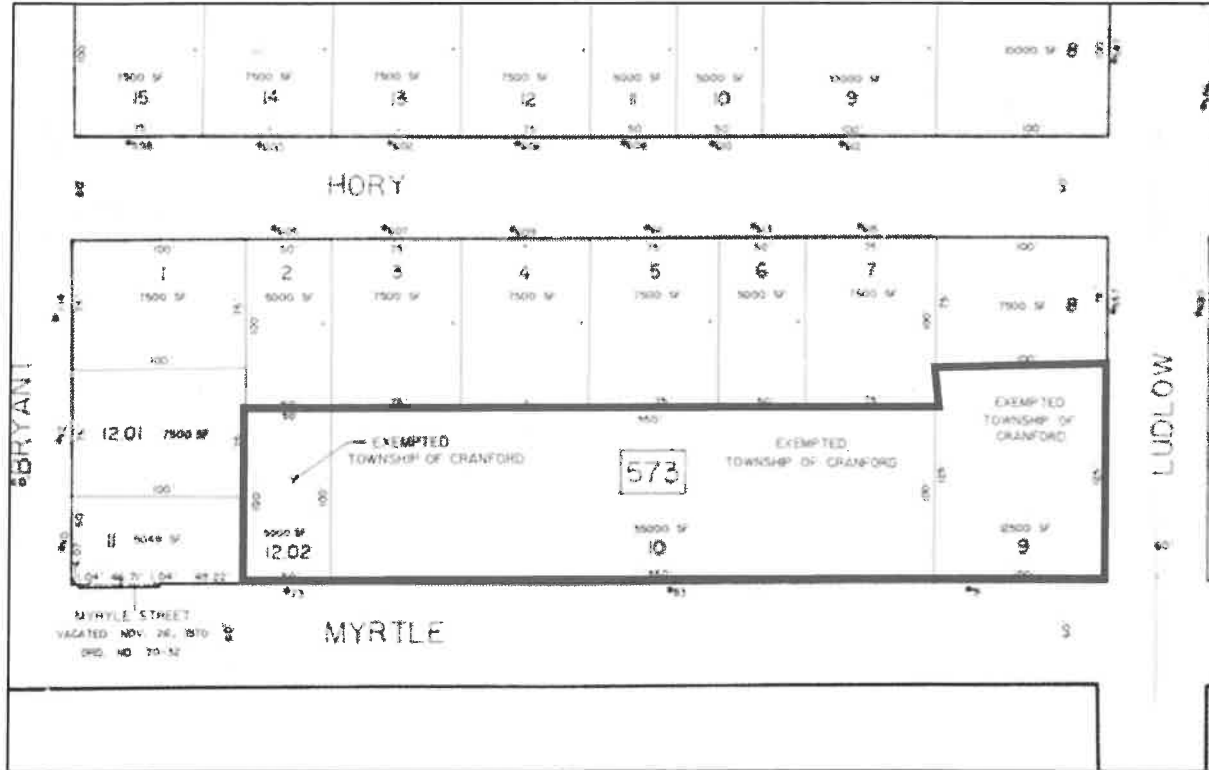


Figure 2: Tax Map of the site, boundaries approximated.

C. Proposed Conditions

The Applicant is seeking to resubdivide existing Lots 9, 10, and 12.02 into proposed Lots 9, 10, 12.02. The proposed subdivision result in a vacant Proposed Lot 12.02, and proposed Lots 9 and 10 would each be developed with a 1 story, 4 bedroom community residence for the developmentally disabled. Lot 9 would also include a stormwater management basin. The two developed lots would share a driveway and parking area located between the two dwellings.

BULK REQUIREMENTS – R-3 ONE-FAMILY DETACHED RESIDENCE DISTRICT				
	Required	Proposed Lots		
		9	10	12.02
Minimum Lot Area (sq. ft.)	8,000 sq. ft. 9,200 sq. ft. (corner lots of new subdivisions)	26,467	16,033	10,000
Minimum Lot Width (ft)	65 (interior lots) 75 (corner lots)	239.67	160.33	100
Minimum Front Yard Setback (ft)	25*	17 to front porch (v)	17 to front porch (v)	n/a
Minimum Rear Yard Setback (ft)	~30**	29 to patio 36 to building	29 to patio 36 to building	n/a
Minimum Side Yard Setback (ft)	10% of lot width, 7 foot minimum (16 ft required for Proposed Lot 10; 23.9 ft required for Proposed Lot 9)	70	13 (V)	n/a
Combined Side Yard Setback (ft)	30% of lot width (71.9 ft required for proposed Lot 9; 48.1 ft required for proposed Lot 10)	160	81	n/a
Maximum Lot Impervious Coverage	38%	29.4	45.4 (V)	n/a
Maximum Building Coverage	28%	10.1	16.7	n/a
Maximum Building Height (stories)	2.5	1	1	n/a
Maximum Building Height (ft)	32	23.17	23.17	n/a
Maximum Distance from Front Street Right of Way that Minimum Lot Area May be Measured (ft)	100	100	100	n/a
Minimum Distance from Principal Building to a Railroad or Garden State Parkway (ft)	100	>100	>100	n/a
V-Variance Required				
*The minimum front yard setback in the R-3 zone is 25 feet, except where a prevailing setback has been established on improved lot within 200 feet of the subject lot, in which case the prevailing				

BULK REQUIREMENTS – R-3 ONE-FAMILY DETACHED RESIDENCE DISTRICT			
	Required	Proposed Lots	
		9	10
setback shall govern, with setbacks not to be less than 20 feet nor more than 35 feet. The Applicant has not provided evidence of a prevailing setback.			
**Applicant shall provide corrected measurements. The Township’s Schedule 1 (Schedule of Zone District Area, Yard and Building Requirements) specifies that the rear yard setback is calculated as 30 percent of the first 100 feet of lot depth, 45% of the next 50 feet of lot depth, 65 % of the next 50 feet of lot depth, and 90% of the balance of the lot depth. The plans submitted by the applicant suggest that the measurement is 30% of the front yard setback. If this provision exists somewhere in the code, the Applicant should clarify; otherwise, plans should be revised to reflect the correct setback measurement.			

D. Variances

The Application requires the following bulk “c” variances:

1. Section 255-34 (Schedule 1): Maximum Impervious Coverage (Lot 10).

The R-3 Zone District requires maximum impervious coverage of 38 percent. The Applicant is proposing 45.4 percent impervious coverage. Bulk variance relief is required to permit this deviation. Is relief cognizable under “C(1)” hardship or “C(2)” flexible variance provisions?

2. Section 255-34 (Schedule 1): Front Yard Setback (Lot 9).

The R-3 Zone District requires a minimum front yard setback of 25 feet, except where a prevailing setback has been established (See note in previous section). The Applicant is proposing 17 feet from the property line to the covered front porch. Bulk variance relief is required to permit this deviation. Is relief cognizable under “C(1)” hardship or “C(2)” flexible variance provisions?

3. Section 255-34 (Schedule 1): Front Yard Setback (Lot 10).

The R-3 Zone District requires a minimum front yard setback of 25 feet, except where a prevailing setback has been established (See note in previous section). The Applicant is proposing 17 feet from the property line to the covered front porch. Bulk variance relief is required to permit this deviation. Is relief cognizable under “C(1)” hardship or “C(2)” flexible variance provisions?

4. Section 255-34 (Schedule 1): Side Yard Setback (Lot 10)

The R-3 Zone District requires a minimum side yard setback of 10 percent of the lot width, with a minimum of 7 feet. The lot width for Proposed Lot 10 is 160.33, meaning that a side yard of 16 feet is required. The Applicant is proposing a side yard of 13 feet on its western side. Bulk variance relief is required to permit this deviation. Is relief cognizable under “C(1)” hardship or “C(2)” flexible variance provisions?

5. Section 255-44 D(5): Residential Garages (Lot 9).

The ordinance requires all new one- and two-family homes to provide a garage for at least one on-site parking space, whereas no garage is proposed for Lot 9. Bulk variance relief is required to permit this deviation. Is relief cognizable under “C(1)” hardship or “C(2)” flexible variance provisions?

6. Section 255-44 D(5): Residential Garages (Lot 10).

The ordinance requires all new one- and two-family homes to provide a garage for at least one on-site parking space, whereas no garage is proposed for Lot 10. Bulk variance relief is required to permit this deviation. Is relief cognizable under “C(1)” hardship or “C(2)” flexible variance provisions?

7. Section 255-35D(4)—Generator Location.

The ordinance restricts ground mounted generators to the side or rear yard. The proposed generator is technically located within the street side yard of the unimproved section of Ludlow Avenue, which would require a variance. Bulk variance relief is required to permit this deviation. Is relief cognizable under “C(1)” hardship or “C(2)” flexible variance provisions?

“C” Variances

For bulk ‘c’ variances, NJSA 40:55D-70(c) sets forth the criteria by which a variance can be granted from the bulk requirements of a zoning ordinance. The first criteria is the C(1) or hardship reasons including exceptional narrowness, shallowness or shape of a specific piece of property, or exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or extraordinary and exceptional situation uniquely affecting a specific piece of property.

The second criteria involves the C(2) or flexible “C” variance where the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

Pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-70C), deviation from a bulk standard can be granted under either a “C(1)” hardship variance or a “C(2)” flexible variance.

- A “C(1)” hardship variance can be granted to relieve peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of a specific piece of property that is uniquely affected by (a) exceptional narrowness, shallowness or shape, (b) exceptional topographic conditions or physical features, or (c) other extraordinary and exceptional situation affecting the property or the lawfully existing structures. For a “C(1)” variance, the Applicant must demonstrate that there is some specific physical feature of the property that prevents compliance with the ordinance.
- A “C(2)” flexible variance requires the Applicant to demonstrate that the benefits of allowing the proposed deviation will substantially outweigh any detriments associated with the

deviation. The Applicant must show that the requested "C(2)" variance will result in a better plan for the property.

For both "C(1)" and "C(2)" variances, the Applicant must also demonstrate to the Board that:

- The purposes of zoning (see N.J.S.A. 40:55d-2) would be advanced by the proposed deviation. Furthering one or more purposes of zoning would indicate that there is a benefit to granting the proposed variance.
- The variance can be granted without substantial detriment to the public good. The focus is on the impact of the proposed variance upon the adjacent properties and whether or not it will cause such damage to the character of the neighborhood as to constitute "substantial detriment to the public good".
- The variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The Applicant must demonstrate that the variance is not inconsistent with the intent and purpose of the ordinance requirements from which relief is sought.

E. Waivers/Exceptions

The Applicant has requested the following waivers or exceptions as part of this application:

1. Section 255-26G(3)(a)—Parking Area Setback For Lot 9.

This section of the code requires a 3 foot setback for parking from the side property line. As the parking area is shared between Lots 9 and 10, an exception is required for a 0 foot setback.

2. Section 255-26G(3)(a)—Parking Area Setback For Lot 10.

This section of the code requires a 3 foot setback for parking from the side property line. As the parking area is shared between Lots 9 and 10, an exception is required for a 0 foot setback.

3. Section 255-26G(9)—Lighting in Parking Area.

This section of the code requires a minimum of 1.5 footcandles throughout the parking area. The Applicant is requesting an exception to provide 1.0 footcandles.

4. Section 255-26G(9)—Light fixture heights in parking area.

This section of the code requires a maximum light fixture height of 16 feet above grade, whereas the Applicant is seeking an exception to provide 1 fixture measuring 20 feet high. It is not clear why two smaller fixtures would not be able to provide the same amount of lighting. The Applicant shall clarify.

5. Section 255-26L Lookalike provisions.

This section of the code prohibits the construction of dwellings that are “like or substantially like” any existing or proposed neighboring dwelling. The applicant has requested an exception from this requirement.

6. Section 255-26N(2) Tree replacement plan.

The Applicant is suggesting that because the property is wooded, reforestation would be cost generative, and as such, requires an exception.

F. Comments

1. The Applicant shall provide evidence of all outside approvals.
2. Plans show a brick pad with fire pit on proposed Lot 12.02, which appears to be an encroachment from the adjacent property Lot 3. While the plans show that a playset from Lot 5 and a shed from Lot 8 will be relocated to their respective lots, nothing is shown for this feature. The Applicant shall clarify.
3. All necessary steps shall be taken to make the affordable units creditworthy pursuant to applicable law.
4. The Applicant shall comply with all applicable affordable housing requirements, the Fair Housing Act, any applicable order of the Court, and other applicable laws.
5. The Board may wish to hear testimony on snow storage as many operators pile snow in parking spaces, which reduces the number of available spaces.
6. The applicant should consider, but is not required to provide, adding bicycle racks for its residents.
7. The proposed residential units comply with the minimum numbers of off-street parking requirements under the New Jersey Residential Site Improvement Standards. We note, however, that two of the spaces are divided by the proposed property line. The site plans show that the proposed parking and driveway will be part of a proposed cross access easement.
8. Similar to the above, the Applicant shall clarify if a shared maintenance agreement will be prepared for the stormwater basin.
9. The Applicant is encouraged to bring in examples of building materials and/or provide conceptual renderings of the proposed building.

Should you have any questions concerning the above comments please do not hesitate to contact my office. We reserve the right to make additional comments based upon further review or submission of revised plans or new information.

Sincerely,

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



Nicholas Dickerson, PP, AICP, CFM
Board Planner

cc: Molly Hurley Kellett, Esq., Planning Board Chair (via email)
Jonathan E. Drill, Esq., Planning Board Attorney (via email)
Jacqueline Dirmann, Planning Board Engineer (via email)
Ty Apgar, Township's Engineering Consultant (via email)
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