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TO: Borough of Sayreville Planning Board

FROM: Michael P. Fowler, AICP/PP, Board Planner *MPF*

DATE: February 2, 2024

SUBJECT: 2069 Highway 35, LLC
(Bulk Yard 35)
Preliminary and Final Site Plan
Block 428, Lots 1, 2, & 2.01
Sayreville, New Jersey

We have reviewed the above referenced Preliminary and Final Site Plan prepared by French & Parrello Associates, dated September 15, 2022, and last revised December 18, 2023, consisting of eleven Site Plan sheets. We have also reviewed the Architectural Plans prepared by Kurt J. Ludwig, AIA, dated August 16, 2023, consisting of three Plan sheets.

Based on our review of the Application and Plans, we have the following comments as provided below:

A. PROJECT

1. The subject property is located at 2069 Highway 35 in the B-3 Highway Business Zone and contains an existing landscape yard and residential dwelling. The Application for amended Preliminary and Final Site Plan approval is for the construction of a single story 2,250 sq ft Pole Barn building measuring 45 ft X 50 ft. It will be constructed at the front of the site in the approximate location of the existing dwelling and will be utilized for storage. The dwelling, which is a pre-existing nonconforming use, will be demolished if this Application receives Board approval. The plans also depict site improvements in support of the existing landscape yard, such as parking, landscaping, lighting, and stormwater facilities.
2. The history of the site is detailed in the Board Engineer's February 7, 2024, review of this Application. It includes attachments relating to actions taken on the part of the Borough to address site improvements which occurred that are inconsistent with the 2001 Zoning Board of Adjustment approval.

B. EXISTING CONDITIONS

1. The property fronts on Highway 35 South about 200 ft south of the Borough's border with South Amboy. The subject property contains a landscape yard located on a 1.977-acre parcel. The developed site contains a mix of paved and gravel surfaces, twenty material storage bins, stacks of landscape stone and pavers, little in the way of landscape plantings, and landscape equipment is randomly located about the site.

The configuration of the site improvements is influenced by the Route 35 jughandle which accounts for the majority of the site's roadway frontage and by a 20 ft wide onsite sanitary sewer easement running north and south adjacent to the jughandle.

As previously mentioned, the Board Engineer's Memo of February 7, 2024, contains a history of the site's prior approval and subsequent actions as the result of unauthorized site improvements.

With respect to the surroundings, the Subject Property has several abutting land uses. To the north is a Concrete Contractor's yard and office, to the south is a Retail Center and Single-family dwellings, to the east across Highway 35 is a Moving Business, Contractor, and Auto Body Shop, and to the west (rear) of the site is an active Farm.

C. MASTER PLAN

1. The Borough's 2013 Master Plan designates the Subject Property as Highway Business, consistent with the Zoning. The Highway Business Zone is intended to allow for a full range of commercial development and redevelopment opportunities along the Route 35 corridor.

D. ZONING

1. The subject site is in the B-3 Highway Business Zone as mentioned above, in which a Landscape Business has been deemed to be a permitted use.
2. A variance has been requested to utilize the front yard area for material and equipment storage and for display. Storage and display are not permitted in the front yard area.
3. Regarding the Bulk Zoning Standards for the B-3 Zone, Sheet 1 of the Applicant's Plan set displays the Minimum Bulk Standards in relation to existing and proposed conditions. As noted, no new bulk variances are being created by the current Application.
4. The Board Engineer's Technical Review, attached to the February 7, 2024, identifies many inconsistencies between the site plan improvements and the Ordinance Design Standards to be addressed at the Hearing. Many of these inconsistencies, as described in the Review, will require waivers from the Board.
5. The Applicant was granted a front yard setback variance for the existing garage as part of the 2001 approval. A 50 ft minimum setback is required, and a 21.6 ft setback exists from the

Highway 35 Jughandle. General Note 7 on Sheet 1 of the Site Plan set indicates a required minimum front setback of 25 ft, while 50 ft is required. The note should be revised. In addition, it appears a front yard setback deficiency exists for the Shop and Storage building also approved in 2001. It is set back only 25 ft from the Highway 35 Jughandle, while a minimum of 50 ft is required. The 2001 approval did not make mention of the variance. As noted, it is an existing condition and is related to a building constructed according to Plan. It is recommended that a variance be granted to clarify the record.

E. GENERAL COMMENTS

1. The Applicant should address the general operating procedures for the developed site. Such as, the days and hours the site will be staffed, the maximum number of employees onsite, and the hours available to the public.
2. The Applicant should explain how vehicular circulation on the site will function without conflicting movements as both parking/loading areas are dead ended. The routes that delivery trucks and trucks picking up landscape materials or rental equipment will follow to safely maneuver about the site should be presented to the Board.
3. Directional arrows should be added to the ends of the main driveway and parking area.
4. Relative to the rear portion of the site, any areas to be utilized for material or equipment storage or business associated parking should be clearly identified to allow for the provision of established travel lanes and fire lanes.
5. All surfaces should be clearly identified to determine the extent of pavement, gravel, and bare soil.
6. Street trees shall be required for all development applications. Trees shall be approximately fifty (50') feet apart and located between the setback line and the street right-of-way line if possible (including the side street on corner lots) and not closer than twenty-five (25') feet from any existing or proposed streetlight or street intersection.

Street trees are not indicated on the plan but should be provided along the site's Highway 35 frontage, exclusive of the jughandle.

7. The landscape design shall comply with the requirements of the Borough Ordinance at 26-96.7. The Applicant should address compliance with the Ordinance as cited in the Board Engineer's report.
8. No structure, activity, storage, or materials or parking of vehicles shall be permitted within the buffer area except where permitted by the Board. A 50 ft buffer is required along the southerly property line adjacent to the Merritt Avenue subdivision and along the rear property line. A variance was received in 2001 to allow a reduction in the buffer width to 25 ft. The current Plan depicts a 50 ft wide vegetated buffer adjacent to the Merritt Avenue dwellings and a 25 ft wide buffer adjacent to the Farm at the rear of the site.

It is recommended that the 25 ft buffer along the rear property line be supplemented with additional evergreen plantings. When the buffer variance was granted, there were only three storage bins proposed along the rear of the property. The current plan proposes twelve.

The prior approval also included the construction of a berm to elevate the plantings and enhance the screening in both the rear buffer and the buffer adjacent to Merritt Avenue. Testimony should be provided relative to the condition of the berms.

It should also be noted that Merritt Avenue dead ends adjacent to the subject site creating a minimum front yard setback of 50 ft in that location. The Plans should be updated to depict the front setback line.

9. The Applicant should address any irrigation proposed to maintain the proposed landscape/buffer plantings.
10. All freestanding and wall mounted lighting in proximity to the residential areas should contain house-side shields. In addition, lighting shall be reduced after operating hours by at least fifty (50%) percent throughout the site. Motion-sensor security lighting or other lighting needed for safety purposes shall be permitted to exceed this threshold.
11. The Applicant's Architect should address the maximum height of the proposed building, any building mounted lighting, and any façade signs.
12. Groups of related buildings shall be designed to present a harmonious appearance in terms of building silhouette, architectural style and scale, massing of building form, surface material, finish and texture, decorative features, window and doorway proportions, entry way placement and location, signage, and landscaping.

Additionally, commercial businesses consisting of two (2) or more buildings, whether individually owned or owned by separate entities, shall maintain a consistent design theme throughout the development. Within this overall design theme, individual buildings may be differentiated by size, shape, detailing, and fenestration.

The Architect should present a rendering of the proposed pole barn and address consistency with the above design requirements.

The Architect should also provide a rendering of the proposed free-standing sign and discuss how it fits in with the property's design theme.

13. Relative to sustainability and green building, the installation of roof-mounted solar panels is encouraged, but not required. The Applicant should address any plans for solar panels or any other green energy improvements both active and passive.
14. The provision and location of EV charging stations consistent with State requirements should be addressed by the Applicant.

15. All outdoor storage facilities shall be enclosed by a fence or wall adequate to conceal such facilities and the contents thereof from adjacent property and shall meet all required accessory building setbacks for the zone in which it is located. No outdoor storage shall be in the front yard of a property.

As previously noted, the Applicant has requested a variance from the Ordinance's outdoor storage restriction to allow for equipment and material storage in the front yard. Should the Board be in favor of granting the variance, it is recommended that the precise location and the number and types of equipment to be stored/displayed be identified, with a similar requirement for materials. Clearly, the entire front yard area as indicated on the plan should not be permitted for haphazard storage.

Product display in the case of landscape stone can be presented in the front yard in an aesthetically pleasing manner, as opposed to just placing pallets of stone in that area.

16. No signs shall be placed on fences, utility poles, trees, railway or road bridges, bridge supports or abutments, retaining walls, or water towers unless approved by the Borough Council. Any onsite signage located on the subject property that does not satisfy this requirement should be removed or a variance requested.
17. The existing refuse area should be designed and updated in accordance with the Borough's requirements to accept trash and recyclables.
18. The Site Plan should be reviewed and approved by the Borough's Bureau of Fire Prevention and Division of Traffic Safety.
19. As noted in the Board Engineer's review, approval of this project is subject to all applicable outside agency approvals.
20. The Applicant shall recognize that it is subject to any affordable housing fees and/or other obligations per the Borough's Affordable Housing Ordinance.
21. The Applicant should provide adequate testimony to justify any variance or waiver relief. The testimony should include any hardship created by features of the site, better planning alternatives being proposed and the benefits thereof, advancing purposes of the MLUL, any detrimental impacts on neighboring properties, and impacts on the Borough's Master Plan/Zone Plan.

We are available to answer any questions regarding this planning report.

Very Truly Yours,

Michael P. Fowler

Michael P. Fowler, AICP/PP
Board Planner