

VIA EMAIL & COURIER

April 14, 2021

Andy Mashanski, Zoning Officer
Joan Kemble, Board Secretary
Borough of Sayreville Board of Adjustment
49 Dolan Street
Sayreville, NJ 08872

Use Variance and Preliminary & Final Major Site Plan for
Epic Church - Parking Lot Improvements
Colliers Engineering & Design Project No. 05000500F

Dear Mr. Mashanski / Ms. Kemble,

On behalf of the Applicant, Sayreville Seaport Associates Urban Renewal, L.P., enclosed please find of the following revised documents in response to the Engineer and Planner review letters, dated March 18, 2021 and March 19 2021. We understand this matter will be heard by the Zoning Board of Adjustment on April 28, 2021. By copy of this letter, a full copy of this submission is being submitted directly to Jay Cornell and John Barree.

- Seventeen (17*) collated packages containing the following:
 - Development Application;
 - Preliminary Earthwork Calculations;
 - Traffic Impact Study, prepared by Maser Consulting, dated February 12, 2021, unrevised;
 - Stormwater Management Report, prepared by Maser Consulting, dated January 2021, revised April 2021.
 - Boundary Survey, prepared by Maser Consulting, sheet 1 of 1, dated August 26, 2016, revised through February 3, 2021;
 - Partial Topographic Survey, prepared by Maser Consulting, sheet 1 of 1, dated November 23, 2020, revised through February 3, 2021;
 - Tree Preservation Plan, prepared by Maser Consulting, consisting of 2 sheets, dated January 13, 2021, revised April 9, 2021;
 - Vehicle Circulation Plans, prepared by Maser Consulting, consisting of 2 sheets, dated April 9, 2021;
 - Use Variance and Preliminary & Final Major Site Plan for Epic Church, prepared by Maser Consulting, consisting of 12 sheets, dated January 13, 2021, revised April 9, 2021;
 - Final Plat Major Subdivision for Riverton Village Phase 1, prepared by Maser Consulting, consisting of 3 sheets, dated May 15, 2019 and revised through March 4, 2021;
 - USB drive containing the above documents in PDF format **(to Jay Cornell only)**.

***from which I am taking 2 for submission directly to Jay Cornell and John Barree (as discussed with Andy Mashanski)**

Below is an itemized response to the Engineer Review letter dated March 18, 2021 from Jay Cornell.
Our responses are in **bold type**;

1. Preliminary earthwork calculations must be provided.
Enclosed are preliminary earthwork calculations.
2. All required application/escrow fees must be submitted (to be verified by Board Planner)
As discussed at the 3/24/21 TRC meeting the application/escrow fees submitted are acceptable.

Below is an itemized response to the Engineer Review letter dated March 19, 2021 from Jay Cornell.
Our responses are in **bold type**;

A. SITE GRADING AND GENERAL COMMENTS

3. The Applicant will be required to obtain the following governmental approvals necessary to implement this project:
 - a. NJDEP - Freshwater Wetlands Letter of Interpretation,
 - b. NJDEP - Wetlands General Permit,
 - c. NJDEP - Transition Area Average Plan,
 - d. NJDEP - General Permit to discharge Stormwater from Construction Activity,
 - e. Borough of Sayreville-Soil Erosion and Sediment Control Plan Certification,
 - f. Borough of Sayreville-Soil Removal Permit,
 - g. Borough of Sayreville-Tree Preservation Permit.

The following is a status summary of the above listed approvals:

- a. **NJDEP – Freshwater Wetlands Letter of Interpretation: *A freshwater wetlands letter of interpretation was previously issued by the NJDEP under File No. 1219-07-0003.1. The prior verification has since expired. The Applicant has a pending application (same file number) with NJDEP for a new LOI.***
- b. **NJDEP – Wetlands General Permit: *The Applicant has a pending application for a Freshwater Wetland General Permit 6 with the NJDEP under File No. 1219-07-0003.1.***
- c. **NJDEP – Transition Area Average Plans: *The Applicant has a pending application for a Transition Area Waiver with the NJDEP under File No. 1219-07-0003.1.***
- d. **NJDEP – General Permit to discharge Stormwater from Construction Activity: *To be obtained upon soil erosion and sediment control certification.***
- e. **Borough of Sayreville – Soil Erosion and Sediment Control Plan Certification: *Pending subject application with zoning board of adjustment.***
- f. **Borough of Sayreville-Soil Removal Permit: *Pending subject application with zoning board of adjustment.***
- g. **Borough of Sayreville-Tree Preservation Permit: *Pending subject application with zoning board of adjustment.***

4. Bearings and distances should be provided on the plan for any proposed right of way dedications and/or easements . In addition, metes and bounds descriptions for the proposed dedications and/or easements should be submitted to our office for review.
The proposed ROW dedication and easement and metes and bounds are included on the Final Plat Major Subdivision for Riverton Village Phase 1, prepared by Maser Consulting, dated May 15, 2019 and revised through March 4, 2021. The Final Plat was submitted for Approval as part of the Riverton Village Phase 1 Planning Board Application and is enclosed for reference.
5. The plans should be revised to indicate all Ordinance required front, side, and rear yard setback lines.
The site plans now indicate required front, side, and rear yard setback lines, as applicable. Refer to Sheet 3.
6. As per the requirements of the Borough Ordinance, no parking areas shall be constructed in the front yard setback area or within five (5) feet of a property line. The proposed parking areas do not comply with this requirement and the Applicant is requesting a waiver for same.
The Applicant requests relief.
7. A note should be added to the plan that indicates all grading in paved areas will be a minimum of 0.75% in accordance with Borough standards.
A note is added to the site plans indicating the same. Refer to Sheet 4.
8. A note should be added to the plan that indicates all grading in lawn and landscaped areas will be a minimum of 2% in accordance with Borough standards.
A note is added to the site plans indicating the same. Refer to Sheet 4.
9. Additional width dimensions should be provided for all curbed parking lot islands.
Additional width dimensions are now provided for proposed curbed parking lot islands. Refer to Sheet 3.
10. Typical parking space width dimensions should be provided on the dimension plan.
Typical parking space width dimensions are now provided for proposed parking spaces. Refer to Sheet 3.
11. Additional offset dimensions should be provided between proposed curb lines and property lines.
Additional offset dimensions between proposed curb lines and property lines are now provided. Refer to Sheet 3.
12. In accordance with Borough Ordinance requirements, sidewalks shall be provided along all streets. The street frontage of the site along Main Street Extension does not comply with this requirement. The Applicant is requesting a waiver of this requirement.
The Applicant requests relief.

13. Additional proposed spot elevations should be provided at the following locations in order to verify positive drainage patterns and minimum slope requirements for lawn and pavement areas:

- a. Along all proposed pavement sawcut match lines,
- b. At all high points and low points of grading,
- c. Between all existing and proposed contours of like elevations.

Additional proposed spot elevations are now provided. Refer to Sheet 4.

14. The grading plan should be revised to indicate additional elevations for all proposed and existing contours.

Additional elevations for proposed and existing contours are now provided. Refer to Sheet 4.

15. The proposed contour lines along the western property line should be revised to properly tie-in to the existing grading in that area. Additional proposed contours and spot elevations may be required.

Proposed grading along the western property line is now clarified. Refer to Sheet 4.

16. The proposed contour lines located within the northeast corner of the site should be revised to properly tie-in to the existing grading in that area.

Proposed grading within the northeast corner of the property is now clarified. Refer to Sheet 4

17. The existing cross hatched parking area adjacent to the western side of the building encroaches into the required 24 ft. wide access aisle and should be further reviewed.

The subject cross hatched area is an existing loading area (the "parking" text label is removed from the plan for clarity). The existing striping is now shown to be removed, as necessary, to accommodate the proposed 24' wide drive aisle. The loading area maintains a minimum 50-ft length after removal of a portion of the striping to accommodate the drive aisle. Refer to Sheet 3.

B. STORM DRAINAGE SYSTEM

1. The property in question, Block 257, Lot 3.06, consists of approximately 13.99 acres of land. The proposed development will disturb approximately 2.64 acres of land and will increase the impervious surface by approximately 0.8 acres. The project exceeds the threshold of 1 acre of disturbance and increases the impervious surface by more than 0.25 acres, therefore, in accordance with the Borough Ordinance, the project is classified as a major development for stormwater management purposes. Major projects must comply with water quantity control, water quality and groundwater recharge standards.

Informational.

2. A Letter of Interpretation (Line Verification) should be obtained from NJDEP to verify the wetlands shown in the northeastern section of the site. A copy of the LOI and the approved plan should be provided to this office.

Please refer to the approval summary in Comment A.1. for a status of approvals.

3. The Existing Site Constraints and Demolition Plan shows an area identified as isolated wetlands to be filled under General Permit #6. A copy of the NJDEP permit should be provided to this office.

Please refer to the approval summary in Comment A.1. for a status of approvals.

4. A portion of the wetlands transition area will be disturbed for the construction of the new parking area at the northwestern area of the site. A permit should be obtained from the NJDEP prior to construction. A copy of the permit should be provided to this office.

Please refer to the approval summary in Comment A.1. for a status of approvals.

5. The drainage report on page 7 states that water quality standards are not required for point of analysis #2 and #3 because not more than one-quarter acre of additional impervious surface is being proposed within the tributary drainage areas. The threshold of 0.25 acres applies to the entire property not to individual watersheds and the property proposes 0.80 acres of additional impervious surface. The drainage report should be revised to address water quality standards. **It is agreed water quality standards are applicable to the proposed development due to a net increase of greater than 0.25 acres of impervious coverage. The net increase in impervious coverage for the entire project site is 0.49 acres. Individually, net impervious coverage change in each drainage area is as follows:**

- **Drainage Area P-1: Net increase of 0.63 acres of impervious coverage.**
- **Drainage Area P-2: Net decrease of 0.07 acres of impervious coverage.**
- **Drainage Area P-3: Net decrease of 0.07 acres of impervious coverage.**

Water quality is addressed in Drainage Area P-1 through connection to the approved Riverton stormwater management system. As the entire increase in impervious coverage (i.e. the regulated impervious coverage) is contained in Drainage Area P-1, water quality for the proposed development is fully addressed through connection to the approved Riverton system.

Drainage Areas P-2 and P-3 have no regulated impervious coverage because there is no net increase of impervious coverage nor are there any modifications to the existing stormwater conveyance system which would adversely affect the quality characteristics of the runoff.

The enclosed stormwater management report is updated to clarify water quality for the proposed development is fully addressed through connection to the Riverton stormwater

management system due to all regulated impervious coverage being contained in Drainage Area P-1.

6. The drainage report on page 7 states the proposed development is exempt from the groundwater recharge requirement because it is located within the Metropolitan Planning Area (PA-1) and satisfies the definition of an urban redevelopment area. Urban redevelopment areas are defined as previously developed portions of the PA-1 area. The area between former Chevalier Avenue and the wetlands on Lot 3.06 do not qualify as a previously developed area, therefore the drainage report should be revised to address groundwater recharge standards.
Porous asphalt pavement is now proposed in a portion of the proposed parking lot at the northwest corner of the property to address groundwater recharge. Refer to Sheet 3. The enclosed stormwater management report is updated to address compliance with the groundwater recharge standards.
7. The Applicant proposes to use the wet pond proposed by the Riverton Village - Phase I to provide water quality and water quantity control for Block 257, Lot 3.06. The maintenance responsibility of the stormwater management facilities relative to the project should be outlined in a maintenance agreement between the owner of Riverton Village and the Applicant, and a copy of the agreement should be provided to the Borough for review and approval.
A copy of the agreement will be provided.
8. The development in question relies on proposed stormwater management facilities for Riverton Village - Phase 1, in order to comply with stormwater management requirements for the proposed improvements on Lot 3.06. Therefore, construction of the proposed improvements for Block 257, Lot 3.06 cannot take place until the stormwater collectors along Chevalier Avenue, Peter Fisher Boulevard, Street H and their connection to the Wet Pond and the Wet Pond have been constructed. A note should be added to the plan stating this requirement.
A note was added to the site plans indicating the same. Refer to Sheet 1.
9. The proposed development involves more than 1 acre of land disturbance and must obtain a General Permit for Construction Activities from the NJDEP. A copy of the permit must be provided to this office.
The Applicant will pursue a General Permit for Construction Activities from the NJDEP subsequent to Borough approval of the soil erosion and sediment control plan.
10. The applicant should upgrade all existing stormwater curb pieces to 'N-eco' curb pieces and all grates shall be upgraded to be bicycle safe throughout the entire site. This requirement should be noted on the site plan.
A note is added to the site plans indicating the same. Refer to Sheet 5.
11. Invert elevations should be provided where existing storm sewer pipes are to be connected to new inlets.
Invert elevations are now provided where existing storm pipes are connected to new inlets. Refer to Sheet 5.

C. SOIL EROSION AND SEDIMENT CONTROL

1. The Stabilized Construction Entrance detail should be revised to specify the length of the stabilization pad as 100 ft. The dimension table included in the detail should be removed and the Soil Erosion and Sediment Control Plan revised accordingly.
The Stabilized Construction Entrance detail and Soil Erosion and Sediment Control Plan are updated to specify a 100ft stabilization pad. Refer to Sheets 8 and 10.
2. Note 4 of the Stabilized Construction Access detail should be amended to add "Periodic top dressing with additional stone or additional length may be required by the Borough Engineer as conditions demand".
Note 4 of the Stabilized Construction Access detail now indicates the same. Refer to Sheet 10.
3. Silt fence should be provided around all disturbed area to be stripped of vegetation.
The Soil Erosion and Sediment Control Plan is clarified to identify the limits of proposed silt fence more clearly. Refer to Sheet 8.
4. The sequence of construction should be revised to include replacement of catch basin castings.
The sequence of construction now includes replacement of catch basin castings. Refer to Sheet 9.
5. The Soil Erosion and Sediment Control Plan should be revised to show installation of inlet filters on existing inlets in the existing parking area that may receive silt from disturbed areas. The sequence of construction should be revised to include installation of the inlet filters.
The Soil Erosion and Sediment Control Plan now indicates installation of inlet filters on applicable existing inlets. Refer to Sheet 8. The sequence of construction now includes installation of the inlet filters. Refer to Sheet 9.
6. A note should be added to the Soil Erosion and Sediment Control Plan requiring compaction testing results to be submitted to the Borough Engineer's office prior to requesting a soil erosion control inspection. Test results must be provided on a soil verification form obtained from the Borough Engineer's office.
A note is added to the Soil Erosion and Sediment Control Plan indicating the same. Refer to Sheet 8.
7. The Soil Erosion and Sediment Control Plan should be revised to indicate the areas to be tested for soil compaction.
The Soil Erosion and Sediment Control Plan now indicates areas to be tested for soil compaction. Refer to Sheet 8.

D. LANDSCAPING AND LIGHTING

1. In accordance with the Borough Tree Conservation and Reforestation Ordinance, the proposed tree removal and site improvements will require a total of 148 replacement trees having a

minimum caliper of 3". The Applicant is proposing to plant 45 trees with a minimum caliper of 3", resulting in a replacement tree planting deficit of 103 trees. Accordingly, the tree replacement calculations should be revised to indicate this requirement.

The tree replacement plan and calculations have been revised.

2. The maximum lighting intensity at property lines shall be 0.5 foot-candles in accordance with the Borough Ordinance. The Applicant is requesting a waiver of this requirement.

The Applicant requests relief.

E. ROADWAY IMPROVEMENTS AND MISCELLANEOUS

1. The size of the largest vehicle to visit the site should be specified on the plans. In addition, the Applicant's Engineer should provide turning plans that indicate the travel pattern and turning paths of the largest sized vehicle visiting the site.

Enclosed are Circulation Plans identifying the design delivery vehicle and path of the same within the site.

2. The Applicant's Engineer should indicate any required signage and striping of fire zones as may be required by the Borough Fire Official. A note indicating same should be added to the plans.

A note is added to the site plans indicating the same. Refer to Sheet 3.

3. As per the requirements of the Borough Ordinance, sidewalk is required to be installed along all parking lot access aisles and driveways. The site plan is not in accordance with this requirement. The installation of additional sidewalk to access the proposed parking should be further reviewed.

Additional sidewalk has been added along the drive aisles for the new parking lots in the northwest and south west corners of the site. Refer to Sheet 3.

4. The Applicant's Engineer should further review the turning movements of the Borough's Emergency Vehicles and their ability to maneuver around the subject site. Turning plans for same should be provided.

Enclosed are Circulation Plans identifying the circulation path of a fire truck within the site.

5. The Concrete Sidewalk Detail should be revised to indicate 4500 psi in accordance with the Borough Ordinance.

The concrete sidewalk detail now indicates 4500 psi. Refer to Sheet 11.

6. The Standard Asphalt Pavement Detail should be revised to indicate a 2" thick surface course and a 4" thick stabilized base course in accordance with Borough Ordinance requirements for moderate traffic areas that include refuse and delivery truck use.

The Standard Asphalt Pavement Detail now indicates 2" surface course and 4" stabilized base course. Refer to Sheet 11.

7. The PVC Sanitary Pipe Bedding Detail should be revised in accordance with the Borough Standard Detail for same.

The PVC Sanitary Pipe Bedding Detail previously on Sheet 11 is now removed. The Borough standard pipe bedding detail is provided on Sheet 12.

Below is an itemized response to the Planner review letter dated March 19, 2021 from John Barree. Our responses are in **bold type**.

Master Plan Review

The subject property is identified as part of the Waterfront Redevelopment Area. The Waterfront Redevelopment Area is a significant part of the Borough's future economic development strategy. The Plan calls for a mixed-use development with residential units, office space, retail, entertainment, public waterfront access. Various general circulation improvements are identified as forthcoming in the Redevelopment Area.

The 2013 Borough Master Plan contains the following recommendations and language relevant to this application:

- General Policy 4 Functional – Maintenance, and where necessary, expansion or improvement of community services, facilities and other physical infrastructure should be encouraged in support of the social, aesthetic, and economic policies.
- Objective 4A – Develop a growth strategy to properly position the Borough with regard to anticipated Regional / County growth.
- Objective 4D – Encourage new development which will not place unmanageable demands on the Borough's infrastructure and/or will assume responsibilities for required improvements in an equitable manner.

Variances and Waivers Required

D(1) Use Variance

- The existing church was approved as a d(1) use variance by the Zoning Board of Adjustment in 1996. As such, d(1) relief is required to permit the proposed improvements and modifications to the property although the existing use will not change.

The Applicant requests relief. This will be addressed in testimony.

C Bulk Variances

- Insufficient Lot Area – The existing lot area is approximately 13.991 acres and the proposed lot area is approximately 13.681 acres where the SED-2 Zone requires 30 acres. The proposed reduction is de minimis but shall be addressed as a bulk variance.

The Applicant requests relief. This will be addressed in testimony.

Existing Non-Conformities

- Excessive Building Height – The church is two stories and approximately 50 feet tall, where 35 feet is permitted in the SED-2 Zone. This is an existing condition that was previously approved by the Board and will not change.

The Applicant requests relief. This will be addressed in testimony.

- Insufficient Number of Loading Spaces (26-88.2.a) – Based on the size of the building, seven loading spaces are required where two exist. This condition was previously approved by the Board and will not change.

The Applicant requests relief. This will be addressed in testimony.

Design Exceptions

The following design exceptions pertain to the proposed areas of new disturbance and construction on the property. Any other previously granted design exceptions are not altered by the subject application.

- Excess Lighting Intensity at Property Line (26-96.8.h.4) – A maximum of one-half (0.5) foot-candle is permitted at any property line, where levels up to 2.4 foot-candles are proposed.
- Hairpin Striping not Provided (26-98.1.b.1) – Hairpin striping is required for parking spaces where standard striping is proposed for the new spaces consistent with the remainder of the existing parking lot.
- Insufficient Parking Setback (26-98.1.b.8) – Parking spaces are not permitted in required front yard areas and are not permitted within five (5') feet of any property line. Spaces are proposed within the front yard setback (where some spaces already exist) and within 3.5 feet of the side lot line.

The Applicant requests relief. This will be addressed in testimony.

Planning Comments:

Variances and Exceptions

1. This application requires d(1) use variance relief to permit the modifications to the site where the previously approved church is located. The applicant must offer testimony to satisfy the positive and negative criteria associated with the grant of a use variance in accordance with the MLUL (NJSA 40:55D-70.d) and applicable case law.

Testimony to be provided.

2. The application requires a bulk variance for insufficient lot area based on a de minimis reduction to a pre-existing de minimis lot size. The applicant shall provide planning testimony in support of the variance requests that satisfies either the “hardship” standard (N.J.S.A. 40:55D-70.c(1)) or the “benefits vs. detriments” standard (N.J.S.A. 40:55D-70.c(2)).

Testimony to be provided.

3. For all variance relief, the applicant must demonstrate that grant of the request relief would not cause substantial detriment to the public good or substantial impairment of the Master Plan or Zoning Ordinance.

Testimony to be provided.

4. The application requires several design exceptions. The applicant shall provide testimony demonstrating that strict compliance with the site plan design standards would be impracticable or create an undue hardship (N.J.S.A. 40:55D-51).

Testimony to be provided.

General

5. The applicant appeared before the Sayreville Economic and Redevelopment Agency (SERA) prior to filing the application with the Zoning Board. SERA approved the plans as they are presented to the Board. The purpose of the project is to provide for parking to compensate for the loss of spaces due to the widening of Chevalier Avenue, which is part of the larger redevelopment project.

Informational.

Environmental

6. The proposed parking lot expansion in the northwest corner of the property requires the disturbance of wetlands. The wetland is identified as an isolated wetland to be filled under NJDEP General Permit #6. The applicant should provide testimony to the Board about the area to be filled as well as disturbance within the 50’ transition area associated with another wetland on the property.

Please refer to the approval summary in CME Associates Comment A.1. for a status of approvals, including NJDEP Freshwater Wetlands Permitting. Applicable NJDEP permits to be provided to the Borough upon receipt of the same by the Applicant.

Landscaping

7. The applicant has provided a tree preservation plan that shows the proposed tree removal. Based on Chapter 30 of the Borough Ordinance, the following tree replacement planting requirements apply:
 - 9,619 square feet of 34,275 square feet (28%) of wooded area is proposed to be removed.
 - 44 trees with a diameter at breast height (DBH) of between 4” and 16”, with 20% required to be replaced with trees of three (3”) inch DBH or greater = 9 replacement trees required.

- 3 trees with a DBH between 18" and 21" proposed to be removed, which require a replacement of four (4) 3" DBH trees each = 12 replacement trees required.
- 1 tree with a DBH between 24" and 27" proposed to be removed, which requires a replacement of six (6) 3" DBH trees = 6 replacement trees required.
- 192 parking spaces are proposed to be developed or reconstructed, which require the planting of one (1) tree for every two (2) parking spaces = 96 trees required.
- By my calculation, it appears 123 trees are required. This differs from the calculation provided on the Plan. The applicant should review the Plan and revise the calculation as needed.

The tree replacement plan and calculations have been revised.

8. The applicant is proposing new plantings in and around the modified parking lots. Shrubs, ground cover, and a total of 64 deciduous trees, of which 45 are scheduled to be planted at a DBH of 3" or greater, in a mix of maples, hornbeams, oaks, linden, and zelkova, are proposed on the property. Assuming the calculations are accurate in comment #6 above, the applicant is deficient by 78 required tree plantings. The applicant shall address the requirements of Chapter 30 – Tree Conservation and Reforestation through additional plantings or an in-lieu contribution to the satisfaction of the Board.

The tree replacement plan and calculations have been revised.

9. The applicant should provide testimony about street tree plantings proposed along the widened future Riverton Boulevard, future Peter Fisher Boulevard, and any other comprehensive landscaping improvements proposed around the subject property as part of the broader redevelopment program.

Testimony to be provided. The plans now indicate the locations of plantings in the street rights-of-way that are designed by others as part of the broader redevelopment program.

Lighting

10. The applicant is proposing new pole-mounted light fixtures to be mounted at approximately twelve (12') feet in height with high pressure sodium lamps. The applicant should provide testimony about the compatibility of the proposed light pole design and luminaires with the existing property and surrounding redevelopment area.

The plan indicates all new fixtures are to be LED. Testimony to be provided.

11. Has the applicant considered using LED lamps instead of high-pressure sodium as a longer-lived, more energy efficient alternative? Testimony about the lamp choice and potential LED replacement should be provided.

Testimony to be provided.

Should you have any questions or require additional materials, please do not hesitate to contact this office.

Sincerely,

Colliers Engineering & Design



Simonne Vaccaro
Senior Project Coordinator

SV/mmb
Enclosures

cc: Sayreville Seaport Associates Urban Renewal, L.P.
Cameron W. MacLeod, Esq.
John Barree, P.P., Heyer Gruel and Associates (via email & UPS w/enclosure)
Jay Cornell, P.E. CME Associates (via email & UPS w/enclosure)