

April 18, 2023

Ms. Eileen Rubano
Administrative Officer
Howell Township
Planning Board
4567 US Route 9
PO Box 580
Howell, NJ 07731

**Re: 271 Adelphia, LLC
271 Adelphia Road
Block 157, Lots 1, 2, 3, 4, & 5
Preliminary and Final Major Site Plan
Minor Subdivision
Our File: HWPB 23-08**

Dear Board Members:

Our office received and reviewed materials that were submitted in support of an application for preliminary and final major site plan and minor subdivision approval for the above referenced project. The following documents were reviewed:

- Howell Township Development Application and Checklist received February 22, 2023.
- Submittal Letter prepared by Patrick R. Ward, PE, PP of InSite Engineering, LLC, dated February 9, 2023.
- Application for Soil Erosion and Sediment Control Plan Certification dated January 24, 2023.
- Monmouth County Planning Board Site Plan Application Form dated January 25, 2023.
- Monmouth County Planning Board Subdivision Application Form dated January 25, 2023.
- Prior Planning Board Resolution recommending Board of Adjustment site plan approval, Case No. SP-50, dated February 12, 1970.
- Prior Zoning Board Resolution granting site plan approval, Case No. 401, dated June 11, 1970.
- Prior Township Committee Resolution confirming Zoning Board site plan approval, Case No. 401, dated July 13, 1970.
- Prior Zoning Board Resolution granting use variance approval, Case No. 619, dated September 9, 1975.

- Prior Township Committee Resolution granting major site plan approval, Case No. SP-298, dated October 27, 1975.
- Deed of Easement and ROW.
- Checklist Waiver Requests prepared by Patrick R. Ward, PE, PP of InSite Engineering, LLC, dated February 9, 2023.
- Traffic Impact analysis prepared by John R. Rea, PE and Scott T. Kennel of McDonough & Rea Associates, Inc., dated February 6, 2023.
- Environmental Impact Report & Natural Resource Inventory for 271 Adelphia LLC, prepared by Patrick R. Ward, PE, PP and Maeve E. Desmon, PP, AICP, of InSite Engineering, LLC, dated January 23, 2023.
- Stormwater Management Operations & Maintenance Manual for 271 Adelphia LLC, prepared by Patrick R. Ward, PE, PP of InSite Engineering, LLC, dated January 13, 2023.
- Stormwater Management Report prepared by Patrick R. Ward, PE, PP of InSite Engineering, LLC, dated January 13, 2023.
- Boundary & Topographic Survey consisting of one (1) sheet, prepared by Justin J. Hedges, PLS, CFS, of InSite Surveying, LLC, dated last revised January 5, 2023.
- Pre- and Post-Development Drainage Area Map consisting of two (2) sheets, prepared by Patrick R. Ward, PE, PP of InSite Engineering, LLC, dated January 13, 2023.
- Preliminary & Final Major Site Plan & Minor Subdivision consisting of 20 sheets, prepared by Patrick R. Ward, PE, PP of InSite Engineering, LLC, dated January 13, 2023.
- Architectural Plans consisting of seven (7) sheets, prepared by Antonio Scalise, AIA of Parallel Architectural Group, dated January 27, 2023.

1. Site Analysis and Project Description

The subject property consists of Block 157, Lots 1, 2, 3, 4, and 5, 17.49-acre site located east of Route 9 with frontage to Adelphia-Farmingdale Road (CR 524) and Squankum Yellowbrook Road (CR 524A) in the Special Economic Development Overlay / Agricultural Rural Estate 2 Zone (SED OV/ARE-2). The site is currently developed with a 2-story masonry manufacturing building and a 2-story frame residential dwelling, located in Lot 5. The site is also developed with associated paved parking areas and drive aisles, existing concrete storage pads, sheds, and fencing. A 20 ft. sanitary sewer easement crosses the western portion of the site from Adelphia-Farmingdale Road to Squankum Yellowbrook Road, and the eastern portion of the site remains undeveloped. Industrial uses are located to the east, residential uses and public land is located to the north, and residential uses are located to the west and south.

The applicant is seeking preliminary and final major site plan and subdivision approval to subdivide the five (5) existing lots into two (2) new lots (Lots 1.01 and 1.02). Proposed Lot 1.01 would consist of 6.62 acres (288,304.94 sq. ft.) and contain the existing industrial use and

driveway. Proposed Lot 1.02 would consist of 10.70 acres (466,234.62 sq. ft.). The existing residential dwelling would be removed and a new, 135, 276 sq. ft. warehouse with 12,500 sq. ft. of office space would be constructed, along with 39 loading docks and 106 parking spaces. Access to the site will be provided via four (4) full-movement driveways, two (2) of which will be located along Adelpia-Farmingdale Road, and two (2) of which will be located along Squankum-Yellowbrook Road. Additional site improvements include sidewalks, curbing, lighting, landscaping, and stormwater management.

2. Ordinance Requirements

A. Building Height

- 1) The maximum permitted building height in the SED OV/ARE-2 Zone is 45 feet, whereas the proposed building height is 49 feet. **A variance is needed.**

B. Buffers

- 1) As per §188-63A, every application for site plan approval or major subdivision approval on lots of one acre or more shall contain a fifty-foot perimeter buffer or farmland buffer easement. Said buffer areas are required along all lot and street lines separating residential uses from arterial and collector streets, separating a nonresidential use from either a residential use or residential zoning district line or active farmland. Residential uses are located to the north, west, and south, and all surrounding lots are zoned ARE-2, requiring a 50 ft. residential buffer. **The site plan should be revised to depict the residential buffer areas.**
- 2) As per §188-63D, no structure, disturbance, storage of materials or parking of vehicles shall be permitted in a buffer area. Access points from public roadways and utility infrastructure as well as fences along the rear property lines, as the case may be, shall be excluded from this subsection of this section. Utility infrastructure does not include stormwater management facilities. Stormwater retention/detention basins are not permitted within a buffer area. The applicant is proposing stormwater basins, portions of the parking area, curbing, fencing, and refuse areas within the required residential buffers. **A variance is needed.**

C. Recyclable materials storage

- 1) As per §188-32C(6), all outdoor recycling storage areas shall be screened by a solid uniform wall or fence. Landscaping shall also be provided around any outdoor recycling storage area in an aesthetically pleasing manner. The proposed landscaping does not fully surround the outdoor recycling storage areas. **A waiver is needed.**

D. Circulation

- 1) As per §188-106G, all areas between the parking area and the building shall be landscaped, whereas no landscaping is proposed between the proposed loading areas and the building. **A waiver is needed.**

- 2) As per §188-106F(1)(a), on industrial and commercial applications, a thirty-foot-wide circulation aisle must be maintained for emergency purposes, whereas a 30 ft. circulation aisle is not maintained. **A waiver is needed.**
- 3) As per §188-106I(4), parking spaces for commercial/industrial uses shall be within 300 feet of the entrance of the building being served, whereas some of the proposed parking spaces are located greater than 300 ft. from the entrance of the building. **A waiver is required.**

E. Sidewalks

- 1) As per §188-132A, sidewalks shall be constructed on both sides of all proposed streets, along the entire frontage of the subject property, and in other selected locations determined by the Board to be in the interest of public safety and proper pedestrian circulation, whereas no sidewalks are proposed along the Adelphia-Farmingdale Road frontage or the Squankum Yellowbrook Road frontage. **A waiver is needed.**
- 2) As per §188-225G, all lots shall have private walkway access to a public sidewalk in the right-of-way. All site plan applications shall provide public sidewalks along the entire frontage of the subject property. Pedestrian walkways shall be a minimum of four feet wide, except pedestrian sidewalks located in front of commercial storefronts, which shall be eight feet wide. Where sidewalks abut curbing and cars overhang the sidewalk, widths shall be six feet. No sidewalk is existing or proposed to the frontage of each street. **A waiver is needed.**

F. Lighting

- 1) As per §188-22, the light intensity provided at ground level shall be a minimum of 0.3 footcandle anywhere and shall average a maximum of 0.5 footcandle over the entire area, whereas the applicant is proposing a minimum of 0.0 footcandle and an average of 1.5 footcandle. **A waiver is needed.**

G. Streetscape design principles

- 1) As per §188-225F, publicly useable site furnishings such as benches, tables, bike racks and other pedestrian amenities shall be provided at building entrances, plazas, open spaces and/or other pedestrian areas for all buildings or structures larger than 10,000 square feet, whereas none are provided. **A waiver is needed.**

H. General Non-residential Architectural Design Standards

- 1) As per §188-228B, all exposed sides of a building shall have an articulated base course and cornice. The architectural treatment of the front facade shall be continued around all exposed sides of a building; whereas the proposed base course and cornice does not continue along the northern, southern, and eastern façades. **The architectural plans should be revised to better meet this ordinance requirement.**
- 2) As per §188-228D, developments with facades over 50 feet in linear length shall incorporate wall projections or recesses a minimum of three-foot depth and shall extend

over 10% of the façade, whereas the length of the proposed wall projections and recesses are not indicated. **The architectural plans should be revised to better meet the intent of this ordinance.**

- 3) As per §188-228E, gable roofs are encouraged. Mansard roofs on buildings two stories and lower are typically discouraged. Flat roofs are generally discouraged, however, they may be considered for a building at least two stories in height if an articulated cornice or parapet is provided. **The applicant is proposing a flat roof.**

3. **Required Proofs for Variance Relief**

A. C Variances

A number of “c” variances are required. There are two types of c variances with different required proofs.

- 1) Boards may grant a c(1) variance upon proof that a particular property faces hardship due to the shape, topography, or extraordinary and exceptional situation uniquely affecting the specific property.
- 2) Boards may grant a c(2) variance based upon findings that the purposes of zoning enumerated in the MLUL are advanced by the deviation from the ordinance, with the benefits of departing from the standards in the ordinance substantially outweighing any detriment to the public good. The Supreme Court’s ruling in Kaufmann v. Planning Board for Warren Township provides additional guidance on c(2) variances, stating that “the grant of approval must actually benefit the community in that it represents a better zoning alternative for the property. The focus of the c(2) case, then, will be...the characteristics of the land that present an opportunity for improved zoning and planning that will benefit the community.”
- 3) C variances must also show consistency with the negative criteria as well.

B. Design waivers are required. The Board has the power to grant design waivers as “exceptions” from the requirements of the Township’s Land Use Ordinance as part of site plan review under N.J.S.A. 40:55D-51(b), so long as the exceptions are reasonable and within the general purpose and intent of the provisions for site plan review and approval, if the literal enforcement of one or more provisions is impracticable or will exact undue hardship because of the peculiar conditions pertaining to the land in question.

4. **Additional Comments**

- A. The Applicant should provide testimony on all required variances and clarify all points where additional information is needed.

- B.** The applicant should provide testimony regarding the proposed use of the site, including the typical hours of operation, the anticipated maximum total number of employees and the number per shift, anticipated number of daily visitors to the site, anticipated site traffic mix, on-site vehicular and pedestrian circulation, and proposed deliveries that will be made and the frequency of such, proposed vehicle storage, and refuse generation and storage.
- C.** The applicant indicates 107 parking spaces and 41 loading spaces are provided for the new warehouse, whereas only 106 parking spaces and 40 loading spaces are depicted in the site plan. The applicant should clarify the total number of parking and loading spaces proposed and update the plans for consistency throughout.
- D.** The applicant should clarify the total area of the proposed warehouse building and office areas, as the total area indicated on the site plans and architectural plans do not match.
- E.** The architectural plans depict canopies along the western façade that are not depicted in the site plan. The applicant should revise the plan to include these for consistency throughout, and revise any impacted building setbacks accordingly.
- F.** The applicant should consider revising the proposed building color and the window designs along the eastern façade in order to better match design features, colors and materials used in surrounding developments.
- G.** The applicant should confirm compliance with §188-79B(6) regarding the number of tenants.
- H.** The applicant should indicate if any ground or wall signs are proposed and provide details of such. Additional variances may be needed.
- I.** A retaining wall is provided north of the proposed loading spaces. The applicant should provide the height and construction details of the proposed wall.
- J.** The applicant should confirm the total number of parking spaces proposed. The parking calculations are based on 123,900 sq. ft. of warehouse use, whereas 122,776 sq. ft. are proposed on the site plans.
- K.** The applicant should provide testimony as to compliance with the NJ State Electronic Vehicle Parking Requirements.

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Please be advised that additional comments may follow upon completion of testimony and/or submission of further revisions by the Applicant. Should you have any questions regarding this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Jennifer C. Beahm, P.P.
Board Planner

JCB:clb:icr

cc: Laura Neumann, P.E., Board Engineer
Ron Cucchiaro, Esq., Board Attorney
Shari Spero, LTE, Board's Licensed Tree Expert
Patrick R. Ward, PE, PP, Applicant's Engineer
Todd A. Cohen, Esq., Applicant's Attorney