

GREEN TOWNSHIP LAND USE BOARD MINUTES

REGULAR MEETING, August 17, 2017

CALL TO ORDER: The August 17, 2017 Regular meeting of the Land Use Board was called to order at the Green Township Municipal Building, 150 Kennedy Road, Green Township, by Mr. Holzhauser, at 7:03pm. He then led everyone in the PLEDGE OF ALLIGIANCE, followed by the recitation of the OPEN PUBLIC MEETING STATEMENT.

ROLL CALL: Present: Mr. Jim DeYoung, Mrs. Sharon Mullen, Mr. Michael Muller, Mr. Watson Perigo, Mr. Mike Viersma, Mr. Dennis Walker, Mr. Rick Wilson and Mr. Scott Holzhauser.

Members Absent: Mrs. Marie Bilik, Mr. Joe Cercone, Mr. Jim Chirip, Mr. Danny Conkling, Mr. Jeff Wilson

Motion was made to excuse the absent members by Mr. Perigo and seconded by Mrs. Mullen
No Discussion. All in Favor. Motion Carried.

Also present: Mr. David Brady, Board Attorney and Mr. Dan Kaufman (in for Mr. Daren Phil), Board Engineer and Mr. David Manhardt, (in for Ms. Jessica Caldwell), Board Planner.

MOTION TO APPROVE MINUTES:

Land Use Board Minutes of July 13, 2017.

A motion was made by Mr. R. Wilson to approve the minutes and was seconded by Mr. Muller.

No Discussion. All in Favor. Motion Carried

RESOLUTIONS:

Application: LU#1705

Owner/Applicant: Ambrosia Real Estate of North Jersey LLC

Block 17 Lot 9 – 73 Pequest Road

Action: Approval of Waiver and bifurcation vote results and July 13th meeting details.

Mr. Brady spoke briefly about the resolution and then the Board voted to approve the resolution.

****Due to a miscommunication during the vote this resolution did not have a motion, only a second, therefore, it was not passed and will return to a vote at the September 14th meeting. ****

Mr. Brady announced the Board had received a letter from Ms. Holly Schepisi, Ambrosia's attorney, which has been attached to and made part of these minutes. He read the letter to everyone in the room.

OLD BUSINESS:

Application: PB#1305/B

Owner/Applicant: Crossed Keys

Block 22 Lot 2.02/2 289 Pequest Road

Action: Completeness Review/Public Hearing

Ms. Megan Ward, the applicant's attorney, began by explaining this current part of the application:

- She explained with the proposed changes the new banquet facility the overall footprint would increase by 2,000 sq. feet but the overall size of the building will decrease by over 2,500 sq. feet due to the elimination of the second floor. There are small changes in the setbacks but all are still within the requirements. For example, the front yard setback is going from 415 feet to 414.8 feet.

Mr. Allen Campbell, engineer to the applicant, was put under oath by Mr. Brady.

Mr. Campbell gave testimony on the following:

For Completeness:

- Item No. 9 on Suburban's report dated August 10, 2017 which has been attached to and made part of these minutes, refers to notification of the Sussex County Planning Board. He stated that the intensity of use on this site that is proposed today is no different than had been proposed in the past. There is a maximum occupancy of 200 per event. The County approval has been given in the past. Mr. Campbell has a meeting with the County on September 11 and he will acquire a letter to show that approval. Mr. Brady stated this issue is something that can be waived for completeness only with an expectation that the letter will eventually be produced.
- Item No. 28 - Man-made and natural features with 200 feet. Sheet 1 of the site plan presented to the Board show those features.
- Item No. 29 – Testimony is the same as item 28.
- Item No. 31 - EIS - Mr. Campbell does not feel that any of the proposed changes will warrant a new EIS since the changes are minor.
- Item No. 42 – Corner Stakes – Mr. Campbell feels Lots 2 and 2.02 are integrated uses within each other so relevance of the property markers is not applicable.
- Item No. 62 – Alternate Use – The use will be continued as it has been for the last 17 years.
- Item No. 66 – Buy/Sell Letter – is not applicable because the property is all owned by Crossed Keys

Mr. Kaufman stated although the Board makes the final choice, he agrees with Mr. Campbell on the waiver requests.

A motion to move all the waivers subject to the County's approval was made by Mr. Perigo and seconded by Mr. Walker.

Roll call vote:

Aye: Mr. Jim DeYoung, Mrs. Sharon Mullen, Mr. Michael Muller, Mr. Watson Perigo, Mr. Dennis Walker, Mr. Rick Wilson and Mr. Scott Holzhauer.

Abstain: Mr. Viersma

No discussion. All Ayes. Motion Carried.

Mr. Brady announced Since Mr. Viersma has a conflict with this application he will have to leave the dais and return when the application is over. He proceeded to leave the dais but remained in the room.

A motion to deem the application complete was made by Mr. Perigo and seconded by Mr. Walker.

Roll call vote:

Aye: Mr. Jim DeYoung, Mrs. Sharon Mullen, Mr. Michael Muller, Mr. Watson Perigo, Mr. Dennis Walker, Mr. Rick Wilson and Mr. Scott Holzhauer.

No discussion. All Ayes. Motion Carried.

Mr. Campbell began by explaining a little bit of the history of the site:

- The house was originally a private home.
- Back in the 90's, it was in a residential zone and Crossed Keys received the use variance approval for the banquet facilities within the tent, bed and breakfast facility, the "playhouse" which housed additional bed and breakfast (B & B) units and gardens for ceremonies.

- In the early 2000's the zone was changed to a business zone and the facility was a permitted use within that zone.
- In 2005, Crossed Keys came to the planning Board with an elaborate plan to build a large banquet hall on the property.

- Exhibit A-1 is a color rendering of that original building. They had received multiple variances for this original facility, but since then many things have changed which has diminished the variances needed for this application.
- The site as it was designed in 2005 and how is designed today are essentially the same.
- Exhibit A-2 is a colored rendering of the proposed site as it is currently planned and presented before the Board. It has addressed the same aspects with keeping in consideration all of the prior approvals. It shows the entrance, the circulation to integrate the B & B facility and maintaining the parking for the B& B. It also shows an area in the center where turf parking was proposed in the front of the building when it was not allowed in 2005. The ordinance has since been changed so paved parking is currently proposed.

- The septic is well over 2000 gallons a day. Crossed Keys has obtained a NJPDES permit from the state. Mr. Campbell said the septic system has been installed and all was essentially the same in 2005 as well.

- Exhibit A-3 is colored plan that shows the differences in the current proposal and the previous plan.

- Ms. Ward clarified that this was the third amendment to the site plan. The first in 2013 and the second in 2014.
- Mr. Campbell stated this project was delayed in 2006-2007 and revisited to reduce the size of the building and gained approval to keep the tent.
- The newly proposed building is different in that there is no longer a second floor banquet room or deck. The patio was expanded and the upper deck removed. There is no longer a variance needed for front yard parking and the loading is on the left side in the back. Any large truck can deliver with no problems with the widening and addition of the employee parking. Mr. Campbell will add the turn templates to the revised plans. The additional employee parking has added a surplus of parking spaces. Ninety parking spaces presently proposed. The newly proposed center lot that was originally turf parking will be paved, valet parking only. If they pave the front lot the impervious coverage will not be an issue and will not exceed 25%. There are no stormwater runoff issues. The original second story deck staircase has been removed and the garden/green space will no longer fit into that area so the green gap will be closed in and it will all be patio.

- Mr. Campbell stated this entire application is demonstrating the finalized lot after the lot line adjustment. Lot 2.02 will become 7.5 acres when the subdivision is perfected. Referencing the site plan, Mr. Campbell went over the property lines. The lot lines were adjusted so there would be no impervious coverage issues. The subdivision is not perfected yet because the tent is currently on lot 2.
- Mr. Campbell said there was a correction from the correspondence of June 15th. The state regulations have changed since then and it was decided instead of going with a porous pavement to pave with blacktop.

- There is an emergency access corridor on the west side of the property which is currently being used as the construction entrance. The soil erosion plan was altered to include this construction entrance so it would not interfere with entrance of the banquet facility. That area has been so built up, 6-10 inches of shot rock and rip rap put in, for the construction vehicles that Mr. Campbell believes this corridor would be fine with just dress this off with a few inches of top soil and seed it which would eliminate the proposed turf parking. The current grass parking area that is currently used for the tent and will be maintained as such. This

parking area use is going to be significantly reduced once the new parking lot goes in and will only be used for overflow parking as needed.

- After a brief discussion about the height of the original structure (38.4 without the cupolas) and how it is determined, the height of the new structure will be 24 feet 7 inches which includes the grade change and the average of the roof peaks.
- Building footprint is 10,280 sq. feet where the original was 8,279 sq. feet. The overall building size is reduced from 16,825 sq. feet to 13,158 sq. feet.
- A terraced wall system is proposed between near the tent. The elevation is approximately 7 ft. higher near the building and tapers to about 3 feet at the end of the wall near the tent.

- Mr. Campbell explained that having industrial or commercial types of lighting does not lend itself to this facility. The B & B has a mix of “engineer” and “art” lighting, the large 12 foot poles do not necessarily light up the parking lot but other, smaller types help provide the light needed. There are landscape lights throughout the existing grounds and there are even lights in the trees. He explained they plan included Bollard lights and light posts throughout and they are asking for some flexibility in the lighting as long as the applicable lighting requirements are maintained. Suburban recommends “any approval is conditioned that the applicant maintains adequate lighting per ordinance at all times” and according to Suburban, “field verification after construction is required since the light plan does not include these accent lights”.
- Mr. Campbell explained that due to the nature of the facility the landscape will not only be maintained, it will go above and beyond what the Board would probably request. Suburban’s report suggests a post construction walk though for the landscape as well.

Construction details (since Crossed Keys was last here in January) - The following has been done:

1. The entrance was constructed.
2. The curbing on the inside island has been constructed.
3. The front area has been landscaped with trees and buffering trees which will be removed in the future when no longer needed.
4. Area of the entrance has been sodded over to the B & B.
5. The pond is currently taking on sediment which will be taken care of.
6. The underground fire suppression tanks have been designed to go inside the island (between the regular parking and the center parking). The plumber needs to review the tanks and permits need to be pulled before they can be installed.
7. The circulation loop has been graded. Once the tanks are in the stabilization can continue.
8. The fence has been installed with plantings along the exit drive which helps hide the construction.

The applicant is hoping to have the foundation in before the winter. The tent will remain in place while the building is being constructed. The hope is that the building shell and windows will be constructed before the start of the 2018 season so that the tent activities can run as scheduled while the interior of the building is constructed throughout the summer of 2018 and then have the new building complete and tent up and running for the start of the 2019 season. Maintaining the tent is a key component to the business plan.

Ms. Katherine Rodriguez, the applicant/owner/operator, was sworn in by Mr. Brady.

- The tent has been in operation since 1999 and people come from all over to hold their weddings in this tent.
- She explained there are more and more wedding venues popping up in this area but none of them will have this beautiful building, tent and spectacular grounds.

- All the rules and regs will be the same as in the past with regards to the music. There will still be no music after 9pm but now the party will have the option of continuing the festivities inside so it can go on longer without disturbing the neighbors.

Mr. Manhardt stated that the biggest concern from the planner's perspective was the intensity of the use which will not be changing because there will only be one event at a time. As long as the noise regulations do not change there are no issues.

Ms. Ward clarified that not only will the music not be heard because it will be inside, the banquet room is below grade which will help even further in keeping the noise level down. As long as the doors and windows remain closed there shouldn't be any issues.

Mr. Kaufman questioned the terraced wall that will run near the tent. Mr. Campbell explained it will be some type of uni-block wall system and it will be ornamental but what type of façade is not known yet. There is a 7 foot grade change from one side to the other. Mr. Campbell agreed that the structural calculations will be given in order to get the permit.

Principal vs. Accessory

- Mr. Campbell believes the tent should be considered an accessory structure since they are the same use.
- Mrs. Mullen asked if both the tent and the building could be used for the same event. For example, holding a cocktail hour in the tent and then move on to the actual reception in the building. Ms. Ward said absolutely, since Crossed Keys only holds ONE event at a time, there will NEVER be a wedding in the tent while another is in the building.
- Ms. Rodriguez explained that first, brides do not want other events going on at the same time as their wedding and second, the tent and the building are close enough that if there were to be separate events they would affect each other. She reiterated that there will never be two events at once.
- She went on to say that the tent is also important in case of weather issues. If a ceremony is scheduled to be outside in the gardens and it is raining they could still hold it outside but under the tent.
- Mr. Holzhauser asked if they would open the facility up to retreats, meetings and events of that nature. Ms. Rodriguez said she hoped the building would work for those events as well as Christmas and retirement parties but only one event at a time no matter what type of event it was.
- The tent is still temporary and will be taken down for the winter so it does not get damaged. The tent approval is May 1 to December 1st although it almost always comes down by November 1st. She may leave it up into November for marketing purposes .
- There can be up to two events in a day with a few hours in between but only one at a time as the septic is only sized to carry 400 people per day.

Mr. Perigo asked about the fire suppression system tanks. Mr. Campbell said it is two 8,000 or 12,000 gallon tanks.

- The site circulation plan shows the location of these tanks which feed a utility room in the front left corner of the building that has a sump which allows for whatever necessary pumps and gravity feeds from these tanks into the basement.
- There is a very complex control room in the building. There is a standpipe in case the tanks need to be fed by turtle pond across the street but these tanks are designed to fill the fire suppression needs for the building per code.
- These tanks are not under any parking spaces and will not be driven over.
- The number of parking spaces went from 84 to 90. The overflow is not factored into the 90 spaces, would be an additional 20.

Mr. Brady believes these are two principal structures even though he use is the same.

The majority of the Board, after a brief discussion, disagrees and feels it is an accessory structure. The following issues were raised in the discussion:

- The floor under the tent is the continuation of the patio that stems out from the building.
- The tent is not permanent
- It does not have bathrooms or a kitchen.
- Food is catered in and portable bathrooms are brought in.
- If it was attached to the building by a canopy walkway wouldn't it be all one structure? A canopy presents a fire code issue.
- The old larger structure would have encompassed the area of the current proposed building and the tent.
- If Ms. Rodriguez is not paying taxes on a temporary tent how can it be considered a principal structure?

From a planner's point of view, Mr. Manhardt explained because it is temporary he sees it as an accessory structure. The new building, the identifying structure of the property will be the principal which makes the tent now an accessory structure.

Mr. Brady found a previous resolution from 2014 which stated:

"The Board continues to be persuaded by the applicant and the applicant's professionals to allow the temporary outdoor dining facility to remain in place based upon the Board's determination that the outdoor dining tent is ancillary to the principal use to be established on Lot 2.02 and can continue as an accessory use to the principal use, per any banquet and catering facilities, during the construction of the banquet hall and other site improvements whereupon the tent shall be deemed as an accessory use to the banquet hall facility.

Based on this statement the Board has decided the tent is an accessory use and therefore no D variance is needed.

Mr. Brady questioned any conditions that may need to be put into the resolution.

- The amplified music in the tent is to be shut down by 9pm.
- Everything else will remain the same as per the previous approvals.

Mr. Holzhauser opened the public comment portion. It was closed immediately due to lack of public.

Ms. Ward listed the conditions of approval she has compiled:

1. The reconfigured loading area allows for 6 additional spaces will be designated employee use.
2. The center parking lot will be asphalt and the pressed curbing will remain.
3. Emergency entrance will not be porous, will be soil and seeded and will be utilized the same as the construction entrance.
4. The average height of the building is 24 feet 7 inches.
5. Field verification upon completion of lighting installation.
6. Field verification upon completion of landscaping.
7. Plans will be submitted for the block wall.
8. The tent can be up May 1st through December 1st as previously approved.
9. There will only be two events per day and 200 people per event. No two event will be in progress at the same time.
10. No amplified music after 9pm inside the tent. They will comply with the statewide ordinances.

Mr. Brady added:

1. A letter from the County Planning Board.
2. Produce as built drawings and turning templates

3. Construction phasing and scheduling to the Board. The Board does not feel Crossed Keys needs to come back before the Board for updates. It was suggested that a letter be sent every six months or so. The timeframe for this will be determined by Mr. Brady's office.

A motion was made to approve the amended site plan by Mr. Perigo and seconded Mrs. Mullen

Roll call vote:

Aye: Mr. Jim DeYoung, Mrs. Sharon Mullen, Mr. Michael Muller, Mr. Watson Perigo, Mr. Dennis Walker, Mr. Rick Wilson and Mr. Scott Holzhauser.

No discussion. All Ayes. Motion Carried.

Kim will draft a letter for the construction and zoning departments to explain the approvals for Crossed Keys since the resolution will not be ready in time for them to obtain construction permits.

Crossed Keys application ended at 9:07pm

NEW BUSINESS: None

- **CHAIRMAN'S REPORT** - None
- **ATTORNEY'S REPORT** - None
- **CORRESPONDENCE** - None
- **SECRETARY'S REPORT** – None

After a brief discussion on the new potential zoning expansions that Ms. Caldwell has been working on with township since last year, Mr. Brady would like to take a look at our ordinances to see if parts can be strengthened where it comes to permitted vs. prohibited uses. The Board would like to find the proper areas in town if companies do come to town looking to build.

It was established that there will be no September 14th meeting since there is nothing on the agenda

A Motion was made by Mr. Walker to adjourn the meeting at 9:21pm and seconded by Mr. Muller.

All Ayes. No Discussion. Motion Carried.

Respectfully Submitted:



Kim Mantz, Land Use Board Secretary

Date Approved: 9.14.17

HUNTINGTON BAILEY, L.L.P.

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August 17, 2017

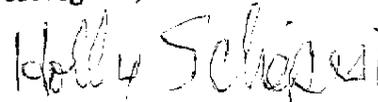
Ms. Kim Mantz
Green Township Land Use Board
150 Kennedy Rd
Tranquility, NJ 07879

**Re: Ambrosia Real Estate of North Jersey LLC
 73 Pequest Road, Green, New Jersey
 Application LU #1701**

Dear Members of the Land Use Board:

This letter is to confirm that Ambrosia Real Estate of North Jersey LLC is withdrawing the above referenced application at this time. No additional time is authorized by the applicant to be incurred by any professionals in Green related to this application. Please note that in withdrawing this application, the applicant does so without prejudice is not waiving any rights or remedies it may have in the future.

Best regards,



Holly T. Schepisi, Esq.

cc: Joseph Morrison



August 10, 2017

Via Electronic Mail (landuse@greentwp.com) and Regular Mail

Township of Green
P.O. Box 65
150 Kennedy Road
Tranquility, New Jersey 07879

Attn.: Kim Mantz, Land Use Secretary

Re.: Township of Green, County of Sussex, State of New Jersey
Application # PB 1305B – Rodriguez – Crossed Keys
Minor Subdivision – Lot Line Adjustment and Amended Preliminary Site Plan
Block 22, Lots 2 and 2.02 – 289 Pequest Road
Our File No.: SCE-R02280.003

Dear Ms. Mantz:

As directed, **SUBURBAN CONSULTING ENGINEERS, INC. (SCE)** has reviewed the following in reference to the above-referenced application:

1. Transmittal Cover from Kim Mantz dated July 26, 2017
2. Cover Letter from Robert L. Campbell Associates, dated June 15, 2017 outlining the changes to the application.
3. Letter from Robert L. Campbell Associates, dated July 27, 2017 outlining the changes to the stormwater management report.
4. Green Township Land Use Board Universal Application Form
5. Application Checklist Green Township Sussex County, New Jersey
6. Height of Structure Summary from Robert L. Campbell Associates, dated June 2005, last revised April 25, 2017.
7. 11"x17" Plan entitled, "Height Detail, Lot 2.02 in Block 22 for Pequest 202 LLC, Green Township – Sussex County – New Jersey," prepared by Robert L. Campbell Associates, dated January 2006, last revised April 17, 2017.
8. Color rendering of Crossed Keys Estates, undated.
9. Pequest 202, LLC Notes to review per July 10, 2017 dated July 26, 2017
10. 11"x17" Drawing A7.01 entitled "Proposed New Banquet Hall for Pequest 202, LLC, Sheet A7.01" by Columbro Architecture, dated April 21, 2017.
11. Changing Pervious Parking Lot to impervious dated July 26, 2017.
12. Crossed Key Estate; 289 Pequest Road (Block 4, Lots 2 and 2.02); Explanation of Relief Requested from Checklist.



13. Full sized drawings A1.01, A1.02 A2.01, & A2.02 Plan entitled “Proposed New Banquet Hall for Pequest 202, LLC” by Columbro Architecture, dated April 21, 2017.
14. Set of nine (9) plan sheets entitled, “Lot 2.02 in Block 22 for Pequest 202 LLC, Green Township – Sussex County – New Jersey,” prepared by Robert L Campbell Associates, dated June 2005, last revised June 14, 2017.
15. “Stormwater Management Report for Pequest 202, LLC Lot 2.02 in Block 2, Green Township – Sussex County – New Jersey,” prepared by Robert L. Campbell Associates, dated May 2005, last revised July 26, 2017.
16. Full Sized Drawing entitled, “Watershed Areas; Lot 2.02 in Block 22 for Pequest 202 LLC, Green Township – Sussex County – New Jersey,” prepared by Robert L Campbell Associates, dated June 2005, last revised July 17, 2017, included with the Stormwater management report.
17. Full Sized Drawing entitled, “Stormwater Management Plan; Lot 2.02 in Block 22 for Pequest 202 LLC, Green Township – Sussex County – New Jersey,” prepared by Robert L Campbell Associates, dated June 2005, last revised July 17, 2017, included with the Stormwater management report.

Overview

This application is for a Third Amended Preliminary Site Plan approval (*previously Application #1305A, Resolution of Approval dated October 10, 2013, and previous Application #449, Resolution of Approval dated May 12, 2006*), with the last amended Preliminary Site Plan approve was approved on December 11, 2014.

The modifications to the site plan are related to the catering and banquet facility and are limited to the areas immediately surrounding the banquet facility. The proposed new building footprint has increased by 2,001 SF per the applicant’s engineer’s letter. According to the applicant engineer’s letter, the increase in building footprint was offset by the elimination of the deck and a decrease in patio areas. The proposed amendment also includes the elimination of the second floor resulting in an overall reduction in the gross floor area by 3,667 SF. However, it should be noted that the seating capacity of the revised building remains the same as previously approved.

Completeness Review

The submitted documents were reviewed along with the application checklist. As a result, SCE has determined that all required documents have been provided with exception of the following:

- Item 9 – The applicant has indicated that notification to the Sussex County Planning Board is not applicable since all documents were previously submitted under the prior approval. Given the history of this application, we have no objection to the board accepting this statement for completeness but a letter from the Sussex County Planning Board agreeing with their interpretation should be provided.
- Item 28 – The applicant is asking for a partial waiver to provide man-made and natural features within 200 the property. The applicant has provided the required features 200 from the western and northern property lines, 75 feet from the eastern property lines and 100 feet from the southern property lines.
- Item 29 – The applicant is asking for a partial waiver to provide topography within 200 the property. The applicant has provided the required features 200 from the western and northern



property lines, 75 feet from the eastern property lines and 100 feet from the southern property lines. Given the history nature of the application, we have no objection to the board granting a waiver for this item.

- Item 31 – The applicant has indicated that providing an Environmental Impact Statement as not applicable citing that this is the 3rd amendment to an approved site plan with no significant environmental impact from the proposes changes.
- Item 42 – The applicant has indicated that providing corner stakes as not applicable.
- Item 62 – The applicant has indicated that providing a description of alternate use is not applicable citing that the current use has been approved and functioning for 19 years. Given the history and nature of the application, we have no objection to the board declaring this item not applicable.
- Item 66 – The applicant has indicated that providing a Buy/Sell letter as not applicable.

As required by ordinance, the applicant has provided an explanation for relief. Please refer to this document for the basis of their request. Should the board accept the applicant’s request for waivers and agree with the applicant’s assessment of the not applicable items, this application can be deemed complete.

Technical Review

The proposed building and surrounding area changes have impacts on building setbacks as follows:

- Side yards – Building setback is decreased on the left side from 136 feet previously approved to 132.3 which is still in compliance. The right-side yard setback essentially remained the same.
- Front yard – Building setback is decreased from 415.3 feet previously approved to 414.8 which is still in compliance.
- Rear yard – Building setback is decreased from 112.2 feet previously approved to 101.8 which is still in compliance.

The revised plan increases the number of parking spaces provide by six (6) conventional spaces while the parking demand remained unchanged, even with the reduction of building square footage. The proposed plan compares to the ordinance as follows:

- Required:
 - 200 seats proposed – 67 parking spaces required + 15 employee spaces, for a total required 82 parking spaces.
- Proposed:
 - 90 parking spaces with 54 conventional and 36 porous pavement spaces.
 - Eight (8) parking spaces to be maintained for Lot 2 as per Zoning Board Application No. 212-1992 (with 3 on Lot 2 and 5 via easement on Lot 2.02)

The proposed building height is 29.5 feet, which is less that the 38’-5” height approved as a variance and the 35’ maximum height required in the zone. The plans indicate the method utilized to calculate the building height is the same method that was used in 2006 (*to grant a variance for the then proposed building height of 38’5”*). The current amended plans do not require a height variance. The applicant is proposing to continue to use the seasonal tent on the existing slate patio, as previously approved with PB #1305A.



The following are our comments:

1. We have reviewed and take no exception to the design of the revised stormwater management facility.
2. While the applicant has provided the area of the building footprint on the applicant's Engineer's letter, the plans should be revised accordingly to reflect that information.
3. The applicant shall provide a turning movement diagram to verify that delivery vehicles can properly navigate the loading dock area while vehicles are parked in the parking spaces. It should be noted however that the spaces in question are for employees which gives the applicant flexibility when deliveries are anticipated.
4. The applicant shall provide light levels for the isocurves shown on the lighting plan. Based on the isocurves, there seems to be numerous dark areas in the parking lots and walkways. The applicant shall testify how they will provide lighting to maintain the safety of their patrons. It is our understanding that the applicant has used non-traditional site lighting measures such as landscaping uplights and low voltage LED lighting to accommodate the lighting requirements which was previously reviewed and approved by this board. We recommend that any approval is conditioned that the applicant maintains adequate lighting per ordinance at all times. Field verification after construction is required since the light plan does not include these accent lights
5. The applicant shall provide a landscaping plan to meet or exceed current local regulation and to verify that none of the landscaping adversely affects the lighting. It is our understanding that the applicant's landscaping design in the past has been fluid to allow for the proper landscaping during construction while still exceeding the Township's requirements. Should the board continue to allow this latitude, we recommend an overall evaluation by the board planner and engineer of the landscaping at critical points during construction and at the conclusion prior to issuance of a Certificate of Occupancy.
6. A detailed sequence of construction/phasing and schedule was previously submitted. Given the changes proposed, this schedule should not significantly change. However, we recommend that the sequence of construction be verified during testimony to ensure no anticipated changes are being proposed that the board should address.
7. Any approval of this application should be conditioned that the applicant provide As-Built drawing of the proposed improvements prior to issuance of a Certificate of Occupancy.

SCE reserves the right to make additional comments based on further documents submitted. Should there be any questions, please contact our office.

Very truly yours,
SUBURBAN CONSULTING ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'Daren J. Phil', is written over a faint, larger version of the signature.

Daren J. Phil, PE, PP, CME
Township Engineer