

PLANNING BOARD
CITY OF LAMBERTVILLE
REGULAR MEETING MINUTES

Wednesday, November 12, 2014

The meeting was called to order by Tim Korzun, at 7:10 p.m. with a statement of compliance with the Open Public Meetings Act.

Roll Call

Mrs. Lawton called the roll as follows:

Present: Tim Korzun, Paul Kuhl, John Miller, Derek Roseman, Ken Rogers, Mike Biase and Glenn Davis. David Morgan called in via telephone.

Absent: Mayor DelVecchio, Steve Stegman and Gina Fischetti.

Also Present: Alternate Board Attorney Stewart Palilonis, Board Planner Emily Goldman and Board Engineer Robert Clerico.

Approval of Minutes

Paul Kuhl made a motion to approve the October 1, 2014 meeting minutes, as submitted. Derek Roseman seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present

MOTION CARRIED

Approval of Resolution # 4-2014

Talbot Homes, LLC
80 Wilson Street
Block 1054 Lot 6

The applicant and his attorney were both present at the meeting. Neither one had any changes or objections to the resolution that Mr. Shurts submitted to the Board members.

Derek Roseman made a motion to approve the resolution, as submitted, for a Preliminary and Final Site Plan. Paul Kuhl seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED.

Completeness – Final Major Subdivision

39 Ferry Street, LLC (formally known as MEGA Development)
39 Ferry Street
Block 1045 Lot 4

Larry Wahl, the applicant's attorney, was present at the meeting. He stated that his client has agreed to resubmit an application for Preliminary and Final Subdivision approval. Mr. Wahl stated that he will notify the Board once the application is complete.

No action by the Board members was taken.

Drainage Easement Relocation

Kevin and Susan Robertson
65 Perry Road
Block 1099 Lot 5.03

The property owners, Kevin and Susan Robertson, submitted an application to the Board for approval to relocate an existing drainage easement that was previously approved by the Planning Board.

The owners are currently in the process of building a new dwelling on this property and the plans that the architect designed shows the driveway placed directly in front of the garage doors.

They are proposing to revise the plans to show the proposed driveway extension and reconfigure the drywell and easement. By doing this, no part of the easement would be located beneath the driveway.

The applicant will submit revised plans to the Board members and the Board Professionals for their review and approval.

Paul Kuhl made a motion to approve the request for the relocation of the drainage easement. Ken Rogers seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED.

Completeness – Final Major Subdivision

JWG Builders
Church and North Franklin Street
Block 1076 Lot 14

The applicant is required to submit an application for Final Site Plan approval. There are also two completeness issues that need to be addressed.

The Board members and its professionals agreed that a one year time extension was needed since we are approaching the time limit shortly. The applicant was granted a time extension that will expire on December 1, 2015.

John Miller made a motion to grant the one year time extension. Paul Kuhl seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED

Completeness – Preliminary Site Plan and Major Subdivision

ReAlliance
Clinton Street
Block 1029 Lots 3 & 3.01

There are still outstanding completeness issues with this application. The applicant will submit the required documents when they are available.

Mr. Clerico's letter dated November 7, 2014 lists all the waivers requested by the applicant.

Derek Roseman made a motion to grant the waivers as listed in Mr. Clerico's letter and deem the application incomplete at this time. Paul Kuhl seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED.

Informal Conceptual Review

Lambertville Music Hall
57 Bridge Street
Block 1042 Lot 28

The applicant submitted a conceptual review application to the Board for input on the future use of the building at 57 Bridge Street.

A sub-committee was created and previously met prior to this meeting.

A portion of the property is located in Central Business District of the City, while the rear portion of the property is located in the Residential 2 area of the City.

The Planning Board previously approved a request from the applicant for the increase in occupancy so that they could utilize the property while plans were being drafted

The expansion of use for this building would require building code updates be done to the property prior to occupancy. Occupancy above fifty drastically increases the code requirements. A handicap ramp would need to be installed, the bathrooms must be ADA compliant and the alarm system needs to be upgraded. This would all be addressed prior to building permits being issued should an approval be granted.

Emily Goldman asked about the parking arrangements for special events. She noted that the symphony that currently use the church across the street has the church's parking lot for their events.

Paul Kuhl commented that the traffic flow during such events is a concern, especially with no on-site parking.

Kenneth Vaughan, of 40 Ferry Street, stated that the noise level is a major concern of his. Especially in the summer time, the noise seems to be elevated because the windows are open during this time.

The applicant stated that the HVAC system for the building will be installed and the need to open the windows during the summertime would not be an issue.

November 12, 2014
Planning Board Meeting

The Board members and Board Professionals stated that there are several issues that need to be addressed before a decision can be made.

Ms. Goldman stated that the first step would be to submit an application for a zone change to be approved by the Planning Board.

Mr. Burns stated that they an application will be submitted for the zone change for the next meeting.

PAYMENT OF BILLS

Derek Roseman made a motion to pay bills, so long as funding was available. Paul Kuhl seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present.

MOTION CARRIED.

PUBLIC COMMENT

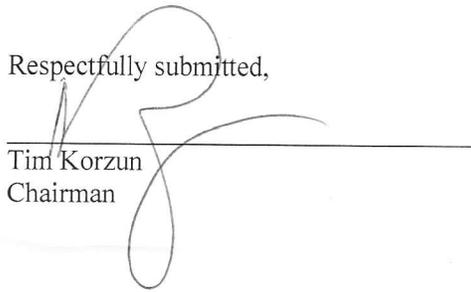
None

ADJOURNMENT

Derek Roseman made a motion to adjourn the meeting at 8:20 pm. Paul Kuhl seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present.

MOTION CARRIED.

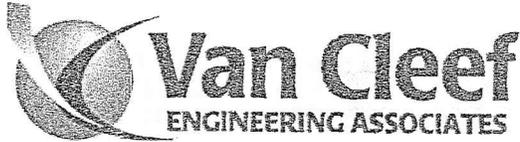
Respectfully submitted,



Tim Korzun
Chairman



Crystal Lawton
Administrative Officer



www.vcea.org

Since 1972 • Consulting Civil, Environmental & Municipal Engineering
Land Surveying • Professional Planning • Landscape Architecture

November 6, 2014

City of Lambertville
18 York Street
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Block 1045, Lot 4 – 39 Ferry Street, LLC
Final Major Subdivision and Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Dear Crystal:

I am in receipt of the Final Major Subdivision and Final Major Site Plan Application for the above referenced three (3) unit townhouse project. The documentation filed with this submission consists of the following:

1. A cover letter from the Applicant's attorney, Niall O'Brien, Esq., dated September 24, 2014, along with a completed Application Form for a Final Major Subdivision and Final Site Plan Approval.
2. A completed City "Application Submittal Checklist", was provided however, **Checklists #3 (Final Major Subdivision) and #4 (Preliminary/Final Site Plan) have not been submitted, nor have any waivers from the requirements of same been requested.**
3. A "Boundary and Topographic Survey" prepared by Ritter and Plante Associates, LLC (Stephen A. Higgins, III), dated October 15, 2013, and unrevised.
4. A set of Final Major Site Plan and Subdivision Drawings, prepared by Ritter and Plante Associates, LLC (David J. Plante, PE), dated October 15, 2013, unrevised, consisting of ten (10) sheets.
5. A report entitled "39 Ferry Street Stormwater Management Report" prepared by Ritter & Plante Associates, LLC (David J. Plante, PE), dated September 1, 2008, and revised to June 3, 2011.
6. A set of architectural drawings consisting of floor plans and elevations, prepared by Harman Deutsch Architects Planners (Brett A. Harman, RA), revised through April 15, 2009.
7. City "Certification That All Documents Have Been Mailed Directly to the Appropriate Board Professionals", dated 9/24/14 and signed by Niall J. O'Brien, Esquire, the Applicant's attorney.
8. City "Certification of Property Tax Status" with the applicant's property information was filled **however; this document has not been signed or certified by the Tax Collector.**
9. A copy of City Planning Board Resolution No. 3-2009 granting variances, exceptions and waiver approvals. **I note that a copy of PB Resolution No. 4-2009 granting Conditional Preliminary Subdivision and Site Plan Approval was not submitted.**
10. A letter of unconditional approval granted by the Hunterdon County Planning Board dated October 7, 2008.

Please Reply To:

WESTERN NEW JERSEY OFFICE • 1128 Route 31 • Lebanon, NJ 08833 • 908.735.9500 • Fax: 908.735-6364

With Other Offices In:

Hamilton NJ • Hillsborough NJ • Phillipsburg NJ • Freehold NJ • Doylestown PA • Bethlehem PA • Wyomissing PA • Newark DE

A handwritten signature in black ink, appearing to be "WF", is located in the top right corner of the page.

Nell I. Van Cleef, P.E., L.S. & P.P.
Robert J. Clerico, P.E. & P.P.
Robert B. Heibell, P.E., L.S. & P.P.
Daniel A. Nagy, L.S. & P.P.
Samuel D. Costanzo, P.E. & P.P.



November 6, 2014

Reference: Block 1045, Lot 4 – 39 Ferry Street, LLC
Final Major Subdivision and Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Page 2 of 8

11. A Letter of Conditional Certification issued by the Hunterdon County Soil Conservation District dated September 16, 2008 that states that approval shall in no case extend beyond three and a half years beyond the original certification date. **As such, this certification is invalid and a new application to HCSCD must be made by the applicant.**
12. A letter dated October 15, 2013 from the Lambertville Municipal Utilities Authority stating that adequate sewer capacity exists for the proposed project.
13. A "will-serve" letter dated October 21, 2013 from Jersey Central Power & Light.
14. A spreadsheet printout labeled "Fire protection results from John Stevens @ Lambertville/United Water – Reid received via email 3/26/2009"
15. A Delaware and Raritan Canal Commission Staff Report dated April 29, 2009 declaring the application incomplete and not recommending approval.
16. A New Jersey Department of Environmental Protection Permit dated October 7, 2011, expiring October 16, 2016 approving a Flood Hazard Area (FHA) Line Verification, an FHA Individual Permit and a Freshwater Wetlands General Permit No. 11.

I have reviewed the submitted documentation and offer the following for the Board's consideration with respect to the "completeness" aspect of the submission:

Checklist #3 – Final Major Subdivision

- **Items 1, 2, 3 and 18**- These are administrative requirements that you should review for the determination of compliance with these items.
- **Item 16** – The applicant has submitted an approval from the Hunterdon County Soil Conservation District that is over 3-1/2 years old and is therefore no longer valid. He also has submitted a letter from D&RCC that indicates they will not approve their application until the applicant submits proof of Municipal (preliminary) approval. As a result, **this item is incomplete.**
- **Item 17** – The applicant has not submitted as-built plans of the proposed utilities nor has he requested a waiver from this requirement. As a result, **this item is technically incomplete.** However, since construction has not yet begun, I would recommend that the Board grant a temporary waiver from this requirement once the applicant requests it. The requirement should then be made a condition of the applicant receiving a certificate of occupancy for any of the units.

Checklist #4 – Final Major Site Plan

- **Items 1, 2, 3, 5 and 9** – These are administrative requirements which you should review for determination of compliance with these items.
- **Item 7c** – The plans have been **submitted as new documentation with no revisions.** The plan documents must be resubmitted under their original date of preparation

November 6, 2014

Reference: Block 1045, Lot 4 – 39 Ferry Street, LLC
Final Major Subdivision and Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Page 3 of 8

(preliminary) with documentation of their revision history with the Final Application submission simply being a revision entry along with noting what on the plan has changed since the previous submission. Otherwise, the reviewer is forced to assume that the drawings are different from what was previously submitted and reviewed. Future submissions shall conform to this protocol. **Accordingly, this item is incomplete.**

- **Item 8** – The site plans indicate that John Conner of Clementon, NJ is the Owner of the property, but the plans do not contain a consent certification from him. The plans should be revised to include this consent or to indicate that the Applicant is actually the Owner, as is stated in the Application forms. **Accordingly, this item is incomplete.**
- **Item 9** – as noted above a certification on payment of taxes has not been provided. **Accordingly, this item is incomplete.**
- **Item 13** – the Deed of Record for the property along with any existing easements or protective covenants have not been submitted. **Accordingly, this item is incomplete.**
- **Item 14b** – A new application to HCSCD has not been provided and the previous approval is void. **Therefore, this item is incomplete.**
- **Item 14c** – as noted above the applicant has not yet obtained certification of the plan by D&R Canal Commission however they did submit the plan for review as part of the Preliminary Approval process. The D&R Canal Commission review states that they need to first obtain the City's approval of the Preliminary Plan before they will issue a formal review of the application. Since this issues needs to be resolved as a condition of the Board's Preliminary approval the Board could grant a **Temporary Waiver** of this item as part of the Final Site Plan review process.
- **Item 17e** – The submitted documentation does not include all topographic information within 200' of the property. **Accordingly, this item is incomplete. However, during the preliminary phase, the applicant requested and received a partial waiver from this requirement. If requested, I would recommend that the Board grant a partial waiver for Final Site Plan as well.**
- **Item 18a** – Cross-sections of Ferry Street have not been provided nor has a waiver from this requirement been requested. **Therefore, this item is incomplete. However, during the preliminary phase of this application, I recommended and the Board granted a waiver from this requirement. Should the applicant request a waiver of this item under Final, I would recommend that the Board once again grant the waiver of this requirement.**



November 6, 2014

Reference: Block 1045, Lot 4 – 39 Ferry Street, LLC
Final Major Subdivision and Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Page 4 of 8

- **Item 19** – Checklist item 19 requires that property line distances be shown to the nearest 1/1000 feet. The submitted plans only show these distances to the nearest 1/100 feet. **Therefore, this item is incomplete.**
- **Item 21** – The existing conditions plan does not show the setbacks from the existing structures to the various property lines. **Therefore, this item is incomplete.**
- **Item 22** – The existing dwelling on the site is serviced by on lot septic and well that need to be abandoned. **The Board granted a temporary waiver from showing the location of these features as part of the preliminary phase; however, the location of the existing well is still not shown on the plans and designated for abandonment. Therefore, this item is incomplete.**
- **Item 23** - The submitted documentation does not include all topographic information within 200' of the property. **Accordingly, this item is incomplete. However, during the preliminary phase, the applicant requested and received a partial waiver from this requirement. If requested, I would recommend that the Board grant a partial waiver for Final Site Plan as well.**
- **Item 24** – The current site plan depicts a depression constructed in the rear yard of the HOA lot, presumably to satisfy the "zero net-fill" requirements of NJDEP's Flood Hazard Area Rules and the applicant's stream encroachment permit. This depression includes a drainage pipe and headwalls to discharge to Swan Creek. A profile of this pipe run must be provided. **Therefore, this item is incomplete.**
- **Item 28** – The Stormwater Management Report submitted is missing Page 3. **Therefore, this item is incomplete.**
- **Item 33** – The lighting plan does not show lighting intensity curves or point values at ground level in the rear of the structures. **Therefore, this item is incomplete.**
- **Item 35** – The architectural plans do not include square footages on the floor plans. **Therefore, this item is incomplete.**

While the Board should deem the application to be incomplete for the deficiencies noted above there are also other procedural issues noted below that would prevent the Board from considering an application for Final Subdivision and Site Plan approval at this time:

- A. **The applicant has not yet received unconditional Preliminary Major Subdivision and Site Plan approval for the project.** Paragraph 39 of both Resolution 3-2009 and Resolution 4-2009 state that the applicant may submit its plans for final approval "(w)hen the conditions of this (preliminary) approval have been met".

November 6, 2014

Reference: Block 1045, Lot 4 – 39 Ferry Street, LLC
Final Major Subdivision and Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Page 5 of 8

- B. Not only are there unresolved conditions of the preliminary approval but there have also been revisions to the plan that were made as a result of the applicant's NJDEP permit process. These changes have not yet been presented to the Board or its professionals. As such, I feel it would be appropriate for the applicant to address those issues and advise the Board and its professionals of any substantial changes as part of a reconsideration of the Preliminary Approval. Under that process the applicant would submit revised preliminary plans and supporting documentation for review and sign-off prior to the Board hearing its application for Final Subdivision and Site Plan approval.
- C. It appears that the original preliminary subdivision approval granted in May 2009 has expired and as such the applicant would need to request and obtain a new preliminary approval from the Board prior to filing for Final Subdivision Approval. The Board should obtain input from Bill Shurts on this issue and establish the process that the applicant should follow to address this issue.

Although not requested by the applicant we have also reviewed the plan to determine if they have addressed the conditions of Preliminary approval. Based upon that review I note the following.:

Resolution 3-2009 – Variances, Exceptions and Waiver Approvals

- 41. The proposed access easement along the side yard of Lot 4.03 benefitting Lot 4.02 is insufficient in that it doesn't provide access to Lot 4.02. The sidewalk within this easement ties into the rear parking area of Lot 4.03 and not into any common pedestrian facilities. The easement must either be extended along the rear of Lot 4.03 or the sidewalk must extend into the common HOA Lot 4. **However, this must be worked out prior to Final Approval and doesn't affect the applicant's ability to file for Final approval.**
- 46. The applicant has not submitted any written approvals from the affected utility companies regarding the proposed aerial installations of the respective utilities. **Therefore, this remains an open item.**
- 47. The architectural drawings included a sketch SK-1.0 entitled "Section Detail @ Utility Soffit Below Ground Floor", which depicts the sanitary and potable water services in a "boxed-out" insulated soffit assembly. However, the detail doesn't address the gas service, nor does it provide any structural information such as required pipe hanger size, spacing, etc. **Therefore, this remains an open item.**
- 48. The applicant submitted a copy of a spreadsheet (reference submission item 14 above) that appears to reflect hydrant flow data that was presumably provided by United Water. However, the data doesn't include any static and residual flow pressure data and it is impossible to determine whether the system complies with applicable code requirements. Additional information or certification from the water company is required. **Therefore, this remains an open item.**

November 6, 2014

Reference: Block 1045, Lot 4 – 39 Ferry Street, LLC
Final Major Subdivision and Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Page 6 of 8

49. The resolution requires an approval letter from D&R Canal Commission as a condition of its approval, however, DRCC will not issue an approval letter without proof of municipal approval. **Technically, this remains an open item but I recommend that the preliminary approval be authorized when everything else is addressed and that the Applicant be required to submit and obtain DRCC approval prior to filing the Final Subdivision and Site Plan application.**
52. Documentation from the permeable paver manufacturer that the coarse sand proposed for traction in winter weather is an appropriate solution and will not have an adverse effect on the system has not been provided. **Therefore, this remains an open item.**

Resolution 4-2009 – Preliminary Major Subdivision/Site Plan Approval

- The items enumerated under Resolution 3-2009 above are repeated in Resolution 4-2009 but are not repeated here.
- Condition 1b – Compliance with VCEA review letter of March 26, 2009:
 - A7 – Satisfied.
 - A9 – Satisfied
 - B1 – Written approval from the utility companies has not been provided. **Accordingly, this item remains open.**
 - B2 – This item has not been completely addressed on the architectural plans as submitted. **Accordingly, this item remains open.**
 - B3 – Compliance with pressure and flow requirements has not been adequately demonstrated. **Accordingly, this remains an open item.**
 - B4 – The approval letter from DRCC has not been provided. See above... this item should be waived until the application for Final. **This item is ongoing.**
 - B5 – The NJDEP permit that was issued does not directly speak to any deed restrictions regarding the use of the ground level area. The fact that they did not specifically permit parking of vehicles in this area means that it is prohibited as far as the Board is concerned per previous discussions on the matter. The method of preventing using the area as a garage in the future shall be a topic of discussion during the Final approval process. **This item is ongoing.**
 - B8 – This documentation has not been provided. See item 52 above. **This remains an open item.**
 - C4 – Nothing required of the applicant at this time.
 - C5 – The architectural plans as submitted appear to substantially conform to what is depicted on the Site plans, although the architectural drawings show the length of the buildings as 65'-1", whereas the Site plan indicates a length of 65'-0". For consistency purposes, the site plans should be revised to reflect the proper dimensions. **This remains an open item.**

November 6, 2014

Reference: Block 1045, Lot 4 – 39 Ferry Street, LLC
Final Major Subdivision and Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Page 7 of 8

- Condition 1c – Compliance with the City Planner's report of January 30, 2009.
 - The City Planner at the time was Linda Weber; I defer to Emily Goldman to review the prior report and advise whether the previously outstanding items have been addressed.
- Condition 2
 - I have reviewed the revised architectural drawings that were submitted and I am satisfied that they now essentially agree with the site plan engineering drawings, except as already discussed.
 - The new drawings indicate "pretreated wood or painted steel gate and fence" within all masonry openings used for flood mitigation on the "Sub-grade Plan". This appears to satisfy the requirement to prevent the parking of vehicles in the open area beneath the living space of each structure. However, there should be some type of language in the deed that prohibits future owners from removing these "fences" in the future.
- Condition 3 - Revised preliminary plans have not been submitted for review. **This remains an open item.**
- Condition 4 – Upon a general review of the obvious changes made to the submitted Final Site Plan I will want to add a few additional comments that should be addressed prior to Final approval. Specifically:
 - a) As part of the NJDEP permit process, the applicant had to create a depression in the rear yard to comply with the "zero net fill" requirement of the Flood Hazard Act. As currently depicted, a portion of this depression falls outside of the proposed "conservation easement". The conservation easement should be expanded, as necessary, to completely encompass this feature that is not permitted to be filled in the future.
 - b) The access easement along the side yard of Lot 4.03 benefitting Lot 4.02 does not provide access to either the common property or Lot 4.02. As the sidewalk is currently depicted, the resident of Lot 4.02 would have to leave the access easement onto the rear parking area of Lot 4.03, which is private property. Either the access easement should be extended across the rear of Lot 4.03 or the sidewalk should be extended along the side yard until it reaches common ownership Lot 4.
- Condition 5 – **No action required of Applicant for Preliminary approval.**
- Condition 6 – Must be addressed prior to final approval. **No action required of Applicant for Preliminary approval.**
- Condition 7 – My office will review the Final Plat once the issues with the easements have been resolved. **No action required of Applicant for Preliminary approval.**



November 6, 2014

Reference: Block 1045, Lot 4 – 39 Ferry Street, LLC
Final Major Subdivision and Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Page 8 of 8

- Condition 8 – As-builts are a condition of obtaining a C.O. for any of the units. **No action required of Applicant for Preliminary approval.**
- Condition 9 – HCSCD and DRCC approval need to be obtained. **This remains an open item.**
- Condition 10 – Ongoing conditions. **No action required of Applicant for Preliminary approval.**
- Condition 11 – Condition of Final Approval. **No action required of Applicant for Preliminary approval.**
- Condition 12 – Easement issues have already been raised in this report. **This remains an open item.**
- Condition 13 – Ongoing obligation to maintain sufficient escrow. **No action required of Applicant for Preliminary approval.**

The above represents my comments with respect to both the current application for Final Subdivision and Site Plan Approval as well as the unaddressed conditions of the applicant's Preliminary Subdivision and Site Plan approval. As previously mentioned, I believe that it would behoove the Applicant to finalize his Preliminary approval, as required in the conditions of same, before addressing the completeness issues and attempting to obtain Final Subdivision and Site Plan approval for this project.

If there are any questions related to the above, please feel free to contact me or Ian Hill, PE, of my office.

Very Truly,

A handwritten signature in black ink, appearing to read "R. Clerico", written over a light blue grid background.

Robert J. Clerico, PE
Board Engineer
R-5040.192-141106-CompletenessReviewRpt1.docx
RJC/ILH

cc: All Planning Board Members (email distribution)
William A. Shurts, Esq. -email (fcslegal@netcarrier.com)
Emily Goldman, P.P. -email (egoldman@vannoteharvey.com)
David J. Plante, PE – email (mail@ritterandplante.com)
Brett A. Harmann, RA – email (info@hdarchitecture.com)
Niall J. O'Brien, Esq. – email (nobrien@archerlaw.com)

LAW OFFICES
FELTER, CAIN & SHURTS

J. KNOX FELTER (1933-1976)
ROGER M. CAIN (1965-2002)
WILLIAM A. SHURTS

1 OLD HIGHWAY #28
REPLY TO: P.O. BOX 492
WHITEHOUSE, NJ. 08888

E-mail: fcslegal@netcarrier.com

(908) 534-7619
FAX NO. (908) 534-7625

November 7, 2014

VIA EMAIL ONLY

Crystal Lawton, Secretary
Lambertville Planning Board/
Board of Adjustment
18 York Street
Lambertville, New Jersey 08530

Re: 39 Ferry Street, LLC (formerly MEGA Development NJ, LLC)
Block 1045, Lot 4, City of Lambertville

Dear Crystal:

I do not have a copy of the current application but I have reviewed the resolutions of approval for MEGA Development, the current applicant's predecessor. MEGA received preliminary subdivision and preliminary site plan approval pursuant to Resolutions No. 3-2009 and 4-2009 on May 6, 2009. The applicable statute, *N.J.S.A. 40:55D:49c*, provides a three year period of statutory protections for that approval. Those protections and the preliminary approvals expired on May 6, 2012. The statute allows an applicant to request up to two one year extensions of the preliminary approvals in this case. No such application was ever made. Even if the Planning Board considered a belated application for same, the two one year extensions, if granted, would have expired on May 6, 2014.

Because Lambertville is in Planning Area 4B, it is an environmentally sensitive area which exempts the prior approvals from the Permit Extension Act. I am not aware of any other statutory provisions which would allow the preliminary approval to be further extended. As a result, I do not know how the applicant's request for final subdivision approval can be considered until the preliminary subdivision and site plan applications are reapproved. I leave it to the Engineer and the Planner to determine exactly what the reapproval would entail. I see no reason why it should not be reapproved if a proper application is submitted.

I am forwarding copies of this letter to the applicant's representatives.

I will not be attending the meeting. Mr. Palilonis will be at the meeting and I will discuss this matter with him.

Very truly yours,

FELTER, CAIN & SHURTS



William A. Shurts

WAS:jarn

- cc: Robert J. Clerico, P.E. (via email only)
- Emily Goldman, P.O. (via email only)
- Timothy Korzun, P.B. Chairman (via email only)
- John D'Angelo, 39 Ferry Street, LLC (via email only)
- Naill J. O'Brien, Esq. (via email only)
- David J. Plante, P.E. (via email only)

✓

van note - harvey
ASSOCIATES, PC

777 Alexander Road
Princeton, New Jersey 08540
609-987-2323 Fax: 609-987-0005

www.vannotcharvey.com

VIA EMAIL
construction@lambertvillenj.org

November 6, 2014



Since 1894

City of Lambertville – Planning Board
18 York Street
Lambertville, NJ 08530-2093
Attention: Crystal Lawton, Secretary

RE: Planner Report #1
Final Major Subdivision / Site Plan Request
Applicant: 39 Ferry Street, LLC f/k/a MEGA Development of New Jersey, LLC
Address: 39 Ferry Street
Block 1045, Lot 4
VNHA #42343-300-31

Dear Crystal:

In accordance with the City's request, I have reviewed the above captioned application and submitted material, and offer the following observations and comments for the Planning Board's information and consideration.

A. Material Forwarded & Reviewed

This office is in receipt of the following additional information from the applicant:

1. City of Lambertville Planning Board Application for Final Major Subdivision and Final Major Site Plan Approval with attached Checklist, Certification of Property Tax Status and Certification of Mailing to Board Professionals.
2. Boundary and Topographic Survey entitled: "39 Ferry Street, City of Lambertville, Hunterdon County, NJ 08530, Block 1045, Lot 4, Tax Map Sheet #24, prepared for: 39 Ferry Street, LLC, 4671 E. Street Road, Trevese, PA 19053," Prepared by Ritter & Plante Associates, LLC, Final Major Site Plan & Final Major Subdivision Plan, Dated October 15, 2013, consisting of 1 sheet.
3. Site Plans entitled: "39 Ferry Street, City of Lambertville, Hunterdon County, NJ 08530, Block 1045, Lot 4, Tax Map Sheet #24, prepared for: 39 Ferry Street, LLC, 4671 E. Street Road, Trevese, PA 19053," Prepared by Ritter & Plante Associates, LLC, Final Major Site Plan & Final Major Subdivision Plan, dated October 15, 2013, consisting of 10 sheets.
4. Architectural floor plans and elevations entitled: "3 New Single Family Homes: 39 Ferry Street, Lambertville, NJ 08530", prepared by Harman Deutsch, Architects/Planners, dated May 5, 2008, last revised April 15, 2009, consisting of 8 sheets.

5. Stormwater Management Report entitled: "39 Ferry Street Storm Water Management Report, prepared for 39 Ferry Street, LLC, 4671 E. Street Road, Trevoese, PA 19053," prepared by Ritter & Plante Associates, LLC, dated September 1, 2008, last revised June 3, 2011.
6. City of Lambertville Planning Board Resolution No. 3-2009, Mega Development of New Jersey, LLC, Variances, Exceptions and Waiver Approvals, Block 1045, Lot 4.
7. Hunterdon County Soil Conservation District Letter of Conditional Certification, dated September 16, 2008.
8. State of New Jersey Department of Environmental Protection, Division of Land Use Regulation, Flood Hazard Area Verification, Flood Hazard Area Individual Permit and Freshwater Wetlands General Permit No. 11, dated October 7, 2011.
9. Hunterdon County Planning Board Unconditional Approval, dated October 7, 2008.
10. Delaware and Raritan Canal Commission Staff Report Notice of Incompletion requiring Submission of Final Municipal Approval, dated April 29, 2009.
11. Lambertville Municipal Utilities Authority Notification of Adequate Treatment Capacity, dated October 15, 2013.
12. Jersey Central Power & Light, Will Serve letter dated October 21, 2013.
13. Lambertville/United Water Fire Protection Results, dated March 26, 2009.

B. Description of Subject Property & Proposed Development

Applicant/Owner: 39 Ferry Street, LLC f/k/a MEGA Development of New Jersey, LLC
4671 E. Street Road
Trevoese, PA 19053

Existing Conditions: Block 1045, Lot 4 (the Subject Property), is 0.528 acres (22,999.7 sf) as shown on Tax Map no. 24.

The Subject Property is currently improved with a single family, 2-story brick residence on the lot's center area and a small shed located to the southeast of the existing dwelling. The Subject Property also contains a retaining wall and a driveway that leads to a parking area.

The Subject Property is located within the Lambertville Historic District, and has been identified as a Historic Property within the Delaware and Raritan Canal State Park Historic Structures Survey. The Subject Property is also located within the Archaeological Grid BO138.

Swan Creek flows through the southern side of the Subject Property. Freshwater wetlands are present onsite and the Subject Property is located entirely within the 100-year and/or the 500-year floodplain.

Proposal: The Applicant is requesting Final Major Subdivision / Site Plan Approval for a subdivision of property for the creation of four (4) new lots to be known as Lots 4, 4.01, 4.02, and 4.03, for the ultimate development of new townhomes on Lots 4.01, 4.02, and 4.03, with the remainder of Lot 4 to be retained and owned by a Homeowners Association (and which will include a common parking area and a 7,933 +/- square foot conservation area).

Zoning: R-2

C. Subdivision Plan Comments

While I understand that the Board's next meeting on November 12, 2014 is for a "completeness determination", I offer the following Final Major Subdivision/Site Plan comments:

1. **Valid Approval.** The Applicant states that the Planning Boards May 6, 2009 Approval remains valid until at least June 30, 2015, pursuant to the provisions of the New Jersey Permit Extension Act of 2012. However, the City of Lambertville is located within the Rural/Environmentally Sensitive State Planning Area (Planning Area 4B). As such, the City of Lambertville is designated as an Environmentally Sensitive Area and permits are not extended within the City of Lambertville pursuant to the Permit Extension Act of 2012.

Per N.J.S.A. 40:55D-49, a preliminary approval of a site plan confers upon the developer the assurance that:

- 1) For a period of three (3) years from the date of approval the general terms and conditions of the preliminary approval will not be changed, including such things as use requirements, lot size and yard dimensions;
- 2) The developer may apply at any time within the three (3) year period for final approval of a section or sections of the entire project; and
- 3) The developer may apply for extensions of such preliminary approval for additional periods not to exceed, in aggregate, two years.

I defer to the Board attorney regarding any approved extensions granted to the Applicant. However, it appears that the Preliminary Major Subdivision/Site Plan Approval expired May 6, 2014.

As such, it is of my opinion that the Applicant should amend this submission and apply for Preliminary/Final Subdivision/Site Plan.

2. **Prior Relief Granted.** Under Resolution 03-2009 for Preliminary Subdivision/Site Plan Approval, the Board granted the following relief:

- Variances for Lot Coverage for Lots 4.02 and 4.03
- Variance for Building Coverage for Lot 4.02
- Exception from the Driveway Standards for a minimum width of eight (8) feet whereas nine (9) feet is required
- Waiver from the stream buffer requirements

3. **Residential 2 (R-2) Zone.** The R-2 Zone allows for townhouse structures. Private garages are allowed as accessory uses to the principal residential use.

As shown in the below table, the Final Major Subdivision/Site Plan requires the bulk variances from the Area, Yard, Height and Coverage Requirements.

Townhouse Use					
Use	Required	Lot 4	Lot 4.01	Lot 4.02	Lot 4.03
Min. Lot Size	1,350 sf	15,905.74 sf	2,659.60 sf	1,885.22 sf	2,547.90 sf
Min. Lot Frontage	18'	10' ⁽²⁾	23.44'	18.67'	25.23'
Min. Lot width at the Building Line	18'	18'-8"	18'-8"	18'-8"	18'-8"
Max. Bldg. Coverage	70%	NA	54%	76% ⁽²⁾	56%
Max. Lot Coverage	80%	25%	78%	96% ⁽²⁾	85% ⁽²⁾
Principal Building Minimum Yard Depths and Height Limitations					
Front Yard	0'	NA	3'	3'	3'
Side Yard	0' ⁽¹⁾	NA	14.03'	0'	10.13'
Rear Yard	15'	NA	19'	19'	19'
Max. Height	40' or 3 stories	NA	31.5' / 3 stories	31.79' / 3 stories	32.37' / 3 stories

Notes:

1. The end wall of a building not attached to another unit shall be a minimum of 10 feet from any other building.
2. Variance Required

The bulk variances required are the same as previously approved by Resolution 3-2009. It is of my opinion that the Board can grant the identical bulk variances, if necessary, for this Final Major Subdivision/Site Plan application.

4. **Subdivision.** The proposed subdivision is in compliance with Section 513.1 General Requirements for Subdivision Layout.
5. **Parking Standards.** The Applicant is proposing three (3) units containing three (3) bedrooms each. Per RSIS, a 3-bedroom unit requires 2.4 spaces per unit. As such, a total of eight (8) parking spaces are required for the Project.

The Applicant has made provisions for six (6) spaces directly behind the units and has provided two (2) additional off-street parking spaces along the westerly side of the property.

6. **Driveway Standards.** The Applicant proposes a driveway width of eight (8) feet which requires an exception from the Driveway Standards at Section 509.11 (9-foot minimum and 12-foot maximum widths permitted). The Board previously granted this exception under Resolution No. 3-2009. It is of my opinion that the Board can grant the identical exception to the Driveway Standards, if necessary, for this Final Major Subdivision/Site Plan application.

7. **Stormwater Management.** The City Engineer will review each development disturbing land in excess of 3,000 square feet for conformance to the design standards set forth in Ordinance No. 2004-12 to regulate the discharge of drainage runoff. As this Project will disturb more than 3,000 square feet, the Applicant has provided a Stormwater Management Report. I will defer to comments from the Planning Board Engineer, Robert Clerico, regarding proposed stormwater management measures.
8. **Stream Buffer.** Per Resolution No. 3-2009, the Board granted the Applicant's request for a waiver from the strict requirements of the stream buffer adjacent to Swan Creek. The Preliminary approved plan resulted in a net reduction in the impervious cover located in the stream buffer area which justifies the approval of the waiver.
9. **Demolition Permit Required.** Per Ordinance No. 2006-08, a Demolition Permit shall be approved by the Historic Preservation Commission to demolish the existing structure.
10. **Hunterdon County Soil Erosion and Sediment Control Approval.** Per the Soil Erosion and Sediment Control Act Rules, N.J.A.C. 2:90-1.9(i), District certification of a soil erosion and sediment control plan for any project shall be valid only for the duration of the initial project approval granted by the municipality or other land use approval agency but in no case shall exceed three and one-half years.

The Hunterdon County Soil Erosion and Sediment Control Approval, provided by the Applicant, was issued on September 16, 2008. As previously detailed in Item C1, the Permit Extension Act of 2012 does not apply to Projects within the City of Lambertville. As such, the Hunterdon County Soil Conservation District approval expired on March 16, 2012. Therefore, the Applicant shall provide evidence of a new Soil Erosion and Sediment Control Approval.
11. **NJDEP Approval.** The Applicant provided evidence of a NJDEP Approval for the construction of three (3) townhouses in the floodplain of Swan Creek and the disturbance of 16 square feet of State open waters under the Freshwater Wetlands General Permit No. 11 for the installation of a stormwater outfall. The plans listed within the NJDEP Approval have different dates than the plans submitted for the Board's review for Final Major Subdivision/Site Plan Approval. The Applicant should provide copies of the NJDEP Approved plans to confirm the plans submitted to the Board are not different.

D. Conditions of Approval

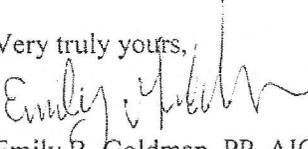
If the Planning Board should grant final approval of this Project, the following are applicable, along with any other conditions as determined by the Planning Board.

1. **Evidence of Agency Approvals.** In addition to the copies of the outside agencies already provided, the Applicant shall provide copies of the following approvals, including but not limited to:
 - Hunterdon County Soil Erosion and Sediment Control Plan Certification
 - City of Lambertville Demolition Permit

- City of Lambertville Shade Tree Commission Approval
2. **Access Easements.** There will be walkways constructed on the west side of Lot 4.01 and the east side of Lot 4.03 to allow access to the rear of the lots by the property owners. The owner of Lot 4.03 will provide an access easement for use of its walkway to the owner of Lot 4.02 so that the latter will also have access to the rear of the property. The specifics of that easement shall be worked out prior to approval of the Final Subdivision/Site Plan application and the access easement will be a condition of the Final Approval.
 3. **Residential Development Fee.** Per Ordinances 2009-07 and 2009-13, a Residential Development fee of one and half percent of the equalized value shall be imposed provided no increased density is permitted. The fees collected shall be used for the sole purpose of providing low- and moderate-income housing. Fifty percent of the development fee shall be collected at the time of the issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy.

I will be in attendance at the November 12th meeting to hear the applicant's testimony and may have additional comments at that time. Should you have any questions regarding this report, please contact me at your convenience.

Very truly yours,



Emily R. Goldman, PP, AICP
City Planner

ERG/dr

Y:\VNHADATA\PROJECTS\42343\CORRESPONDENCE\PLANNER REPORT #1.DOCX

ec: Lambertville Planning Board
Mr. Robert Clerico, Van Cleef Engineering Associates, LLC (rclerico@vcea.org)
William Shurts, Esq., Felter, Cain & Shurts (fcslegal@netcarrier.com)
John D'Angelo, 39 Ferry Street, LLC (jda@dangeloco.com)
Naill J. O'Brien, Esq., Archer & Greiner, P.C. (nobrien@archerlaw.com)
David J. Plante, P.E., Ritter & Plante Associates, LLC (cesira@ritterandplante.com)

LAW OFFICES
FELTER, CAIN & SHURTS

J. KNOX FELTER (1933-1976)
ROGER M. CAIN (1965-2002)
WILLIAM A. SHURTS

1 OLD HIGHWAY #28
REPLY TO: P.O. BOX 492
WHITEHOUSE, N.J. 08888

E-mail: fcslegal@netcarrier.com

(908) 534-7619
FAX NO. (908) 534-7625

November 7, 2014

VIA EMAIL ONLY

Crystal Lawton, Secretary
Lambertville Planning Board/
Board of Adjustment
18 York Street
Lambertville, New Jersey 08530

Re: JWG Builders (formerly Zatzuhini)
Block 1076, Lot 14, City of Lambertville

Dear Crystal:

I have several observations regarding the above. The current applicant has apparently purchased the property from Genadi Zatzuhini who received preliminary subdivision and site plan approvals on December 1, 2010. Subsequently, Mr. Zatzuhini was granted a one year extension of those two approvals pursuant to *N.J.S.A. 40:55D-49c* on March 5, 2014. That extension expires on December 1, 2014.

The current applicant has applied for final subdivision approval but not for final site plan approval. The application is on the November 12, 2014 agenda for a determination as to whether or not the final subdivision application may be declared complete. It is my opinion that if the application for final subdivision approval is declared complete, then no further action needs to be taken at the November 12, 2014 meeting with respect to that application. If, however, the application is not declared complete, then the Planning Board should grant an additional one year extension of time through December 1, 2015 for the preliminary subdivision approval as is permitted by statute.

In either case, the Planning Board should consider an extension of time for the preliminary site plan approval because the applicant has not submitted a request for the final site plan approval. Accordingly, the additional one year extension which remains should be considered at this time.

I will not be attending the meeting. Mr. Palionis will be at the meeting and I will discuss this matter with him.

Very truly yours,

FELTER, CAIN & SHURTS



William A. Shurts

WAS:jam

cc: Robert J. Clerico, P.E. (via email only)
Emily Goldman, P.E. (via email only)
Eric Rupnarain, P.E. (via email only)
Timothy Korzun, P.B. Chairman (via email only)

van note - harvey

777 Alexander Road
Princeton, New Jersey 08540
609-987-2323 Fax: 609-987-0005

www.vannoteharvey.com

VIA EMAIL
construction@lambertvillenj.org

November 6, 2014



van note-harvey associates

Since 1894

City of Lambertville – Planning Board
18 York Street
Lambertville, NJ 08530-2093
Attention: Crystal Lawton, Secretary

RE: Planner Report #1
Final Major Subdivision Request
Applicant: Jason Greenwald
Address: 31 N. Franklin Street
Block 1076, Lot 14
VNHA #42266-300-31

Dear Crystal:

In accordance with the City's request, I have reviewed the above captioned application and submitted material, and offer the following observations and comments for the Planning Board's information and consideration.

A. Material Forwarded & Reviewed

This office is in receipt of the following additional information from the applicant:

1. One (1) copy of the Planning Board Application.
2. One (1) copy of the completed Checklist No. 3 – Determination of Completeness of Application for Final Major Subdivision Approval.
3. One (1) copy of the Hunterdon County Planning Board "No Jurisdiction" letter, dated September 21, 2009.
4. One (1) copy of the Hunterdon County Soil Conservation District Approval, dated August 28, 2009.
5. One (1) copy of the plan, entitled: "Final Subdivision Plan, Tax Map Sheet 18, Block 1076, Lot 14, Prepared for Jason Greenwald, situated in the City of Lambertville, Hunterdon County, New Jersey; prepared by Goldenbaum Baill Engineering, Inc., dated August 11, 2014, Sheet Nos. 1 of 1.
6. One (1) copy of Resolution No. 9-2010.
7. One (1) copy of the Resolution Conformance Review, prepared by Van Cleef Engineering Associates, dated October 28, 2014.

B. Description of Subject Property & Proposed Development

Applicant/Owner: Jason Greenwald
P.O. Box 1208
Buckingham, PA 18912

Existing Conditions: Block 1076, Lot 14 (the Subject Property), as shown on Tax Map no. 18, has a gross lot area of 6,804 sf (0.1562 acres) and a net lot area of 3,547 sf (0.0814 acres).

The Subject Property is currently improved with a stone parking area.

The Subject Property is located within the Lambertville Historic District, and is located within the Archaeological Grid BO137. No freshwater wetlands are present onsite, nor is the Subject Property located within the 100-year or the 500-year floodplain.

Proposal: The Applicant is requesting Final Subdivision approval to subdivide the Block 1054, Lot 6 into three (3) new lots. The Applicant will need to request Final Site Plan Approval for the construction of a three (3) unit townhouse building.

Zoning: CBD

C. Subdivision Plan Comments

While I understand that the Board's next meeting on November 12, 2014 is for a "completeness determination", I offer the following Final Major Subdivision comments:

1. *Residential 2 (R-2) Zone.* The R-2 Zone allows for townhouse structures. Private garages are allowed as accessory uses to the principal residential use.

As shown in the below table, the Final Major Subdivision requires the bulk variances from the Area, Yard, Height and Coverage Requirements.

Townhouse Use				
Use	Required	Lot 14	Lot 14.01	Lot 14.02
Min. Lot Size	1,000 sf	1,241 sf	1,120 sf sf	1,185 sf
Min. Lot Frontage	14 ft.	25.73 ft.	22.02 ft.	22.70 ft.
Min. Lot width at the Building Line	14 ft.	25.60 ft.	22.02 ft.	22.70 ft.
Max. Bldg. Coverage	80%	57%	63%	60%
Principal Building Minimum Yard Depths and Height Limitations				
Front Yard	0 ft. ⁽¹⁾	5.4 ft.	6.4 ft.	0.7 ft.
Side Yard	0 ft. ⁽²⁾	2.6 ft.	0 ft.	0 ft.
Rear Yard	10 ft. ⁽³⁾	5.0 ft.	5.3 ft.	NA
Max. Height	40 ft.	34.8 ft.	34.8 ft.	34.8 ft.

Notes:

1. Front Build to Line: The front wall of a building shall be located on the front property line, unless modified by §602.
2. Minimum side to side distance between buildings:
 - a. Wall with windows adjacent to existing buildings with side windows: Ten (10) feet
 - b. Blank wall adjacent to existing building with side windows: Five (5) feet
 - c. Blank wall to blank wall: Zero (0) feet
3. Minimum rear yard: Ten (10) feet, excepting corner lots.

Approval for Preliminary Subdivision and Site Plan was granted under Resolution No. 9-2010. As part of this prior approval, the Board granted rear yard setback variances for proposed Lots 14 (required 10 feet, proposed 5 feet) and 14.01 (required 10 feet, proposed 5.3 feet).

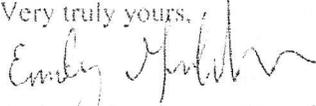
Additionally, there are numerous windows on the rear (south side) of the dwelling units on the three proposed new lots. Immediately to the south of these lots is Block 1076, Lot 13 (n/f Christine Bolles). There is one window on the north side of Ms. Bolles' residence. The ordinance requires a distance of ten (10) feet between a wall with windows which is adjacent to an existing building with windows. The south side of all three proposed units will be closer than ten (10) feet to the north side of Ms. Bolles' unit. As such, the Board granted variances for all three units under Resolution No. 9-2010.

The bulk variances required are the same as previously approved by Resolution 9-2010. It is of my opinion that the Board can grant the identical bulk variances, if necessary, for this Final Major Subdivision application.

2. *Subdivision.* The proposed subdivision is in compliance with Section 513.1 General Requirements for Subdivision Layout.
3. *Final Major Site Plan Approval.* Please note that the application in front of the Board is for Final Major Subdivision only. If the Applicant seeks Final Site Plan approval, additional information is required.
4. *Hunterdon County Soil Erosion and Sediment Control Approval.* Per the Soil Erosion and Sediment Control Act Rules, N.J.A.C. 2:90-1.9(i), District certification of a soil erosion and sediment control plan for any project shall be valid only for the duration of the initial project approval granted by the municipality or other land use approval agency but in no case shall exceed three and one-half years. The Hunterdon County Soil Erosion and Sediment Control Approval, provided by the Applicant, was issued on August 28, 2009. As such, the approval expired on February 28, 2013. Therefore, the Applicant shall provide evidence of a new Soil Erosion and Sediment Control Approval.

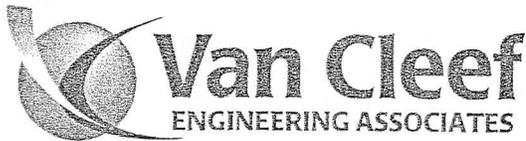
Lambertville Planning Board
Page 4
November 6, 2014

I will be in attendance at the November 12th meeting to hear the applicant's testimony and may have additional comments at that time. Should you have any questions regarding this report, please contact me at your convenience.

Very truly yours,

Emily R. Goldman, PP, AICP
City Planner

ERG/dr
Y:\VNL\DATA\PROJECTS\42266\CORRESPONDENCE\PLANNER REPORT 1 #1.DOCX

cc: Mr. Eric B. Rupnarain, P.E., Goldenbaum Baill Engineering (EBR@gbamail.com)
Lambertville Planning Board
Mr. Robert Clerico, Van Cleef Engineering Associates, LLC (reclerico@vcea.org)
William Shurts, Esq., Felter, Cain & Shurts. (feslegal@netcarrier.com)



www.vcea.org

Since 1972 • Consulting Civil, Environmental & Municipal Engineering
Land Surveying • Professional Planning • Landscape Architecture

Neil I. Van Cleef, P.E., L.S. & P.P.
Robert J. Clerico, P.E. & P.P.
Robert B. Heibell, P.E., L.S. & P.P.
Daniel A. Nagy, L.S. & P.P.
Samuel D. Costanzo, P.E. & P.P.

October 28, 2014

City of Lambertville
18 York Street
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Jason Greenwald (previously Genadi Zatzuzhni) - Subdivision/Site Plan
Block 1076, Lot 14
City of Lambertville, Hunterdon County, New Jersey
Resolution Conformance Review

Dear Crystal:

As you recall at their meeting on October 1, 2014 the Board took the following action regarding the Final Subdivision application for the above address:

1. Granted the requested waivers for checklist item 17.
2. Deemed the application to be complete subject to submission of the descriptions of the proposed easements (Item 11).
3. Deferred action on the application until VCEA had the opportunity to review the design changes and the Goldenbaum-Baill Engineering resolution compliance letter.

As indicated in #3 above, on September 26, 2014, we received revised and additional documentation on the above referenced application. The submission from the project engineer accompanied by a cover letter dated September 18, consisted of the following:

- A revised plan set titled “Major Subdivision and Site Plan for Genadi Zatzuzhni”, prepared by Goldenbaum Baill Associates dated and revised as follows:

<u>Sheet</u>	<u>Dated</u>	<u>Last Revised</u>
1	8/14/09	1/03/13
2	8/14/09	4/17/13
3	8/14/09	4/17/13
4	9/15/10	9/19/14
5	8/14/09	3/25/13
6	8/14/09	1/03/13
7	2/05/10	1/03/13
8	9/15/10	3/25/13

- An Operations and Maintenance Manual for Porous Pavement prepared by Eric Rupnarain, dated June 2, 2012.
- A copy of correspondence from NJDOT dated April 30, 2013, regarding connection to existing storm inlet.

Please Reply To:

WESTERN NJ OFFICE • 1128 Route 31 • Lebanon NJ 08833 • 908.735.9500 • Fax: 908.735.6364

With Other Offices In:

Hamilton NJ • Hillsborough NJ • Phillipsburg NJ • Freehold NJ • Parsippany NJ • Doylestown PA • Bethlehem PA • Wyomissing PA • Newark DE • Salisbury MD



October 28, 2014
Jason Greenwald – Preliminary Major Subdivision and Site Plan
Block 1076, Lot 14
City of Lambertville, Hunterdon County, New Jersey
Conformance Review

Page 2

- Copies of correspondence from Lambertville Municipal Utilities Authority, dated February 1, 2010 and from United Water, dated October 27, 2010.

The owner and applicant have changed since the Preliminary Approval. The Major Subdivision and Site Plan should be revised to reflect the new ownership and applicant's information. Also the applicant should clarify whether they are seeking to obtain Board signatures on the Preliminary Plans or if they intend to submit a Final Site Plan application along with the Final Subdivision application.

This application received approval of Preliminary Major Subdivision and Site Plan in 2010. We have reviewed the plans listed above for conformance with the resolution of approval dated December 1, 2010. The resolution specifically indicates that the approval is conditioned (condition #7) upon addressing the following comments from my September 29, 2010 report. The comments from that report are repeated and updated here where necessary:

B. Grading

- B.1. Grading information has been provided on plan sheet 4. The plans also depict proposed layout for curb and sidewalk improvements on Church Street (sheet 4) along with a profile of the existing curb conditions (sheet 6). However, the applicant has not provided any information on the proposed grade elevation for these proposed improvements. In addition, cross sections depicted on sheet 6 do not include any specific existing or proposed curb elevation at the various road cross sections depicted. In order to better evaluate the road cross section conditions, the cross sections should be redrawn using a horizontal scale of 1"=5' while maintaining the depicted vertical scale of 1"=2'. In designing the proposed curb improvements, the proposed curb grades should create a uniform street cross sections which requires consideration of the existing curb on both the north side of Church Street and the east side of North Franklin Street.

The applicant has provided redrawn roadway cross sections with a horizontal scale of 1"= 5' as requested. However, the proposed improvement information is not complete and in some cases not clearly labeled. Also reconstruction of a portion of Church Street is recommended as described in paragraph D.2 below. These improvements will need to be reflected in these cross sections. An effort should be made to construct a crown in the existing Church Street where possible. Also the proposed improvement (ie: curb, etc.) are not shown on the profile on Sheet 6. This should be updated.

The plan view on Sheet 6 is drawn at a small scale and does not clearly show proposed grades. The handicap ramp plan detail on Sheet 4 is drawn at a clear scale but with the exception of one location, this plan also does not show

**actual proposed grades and slopes (it only provides maximum slopes).
Specific grading information must be indicated on this detail plan on Sheet 4.**

These items remain open.

C. Stormwater Management

C.2. Comments relating to previous stormwater management assessment are as follows:

C2a. Soil permeability data and BMP drain time calculations must be provided. **The soil K rating has been provided on the plan and in the drainage report however no specific permeability rate has been demonstrated through on site soil permeability testing. Also, no indication of which soil horizon is being utilized for infiltration of Porous Pavement BMP is indicated (K values range from K0 to K-5). Also no BMP drain time calculations have been provided. These items remain open. Applicant should address each of the issues specifically.**

C2b. A maximum void ratio of 0.35 is to be used in stone storage volume calculations.

The applicant has indicated that the void ratio has been revised however no updated drainage report was provided. Therefore the revision cannot be confirmed. This item remains open.

C2c. Greater detail of the Porous Pavement BMP's must be provided, showing driveway slope, minimum effective depth required and sufficient depth to groundwater.

Driveway slopes, depth to bottom of stone and seasonal water table are shown on driveway profiles on sheet 4, however the vertical scale is unclear and appears to be inconsistent. Also the garage elevations and other proposed grades should be indicated on the profiles. This item remains open.

C2d. Balancing of the recharge deficit has not been demonstrated. Applicant shall attempt to increase recharge volume by directing roof runoff to infiltration bed beneath porous pavement.

The applicant has indicated that it is their intent to connect the roof of the front half of each dwelling to the porous pavement; however I see no indication of where this is detailed or noted on the plan. Also the applicant has not provided a revised recharge calculation demonstrating that there is a surplus of recharge on the site. This item remains open.

C.3. A Stormwater Management BMP Operation and Maintenance Manual must be prepared and submitted for review and approval. Additionally, an approved version of same must be incorporated into the property deeds and Homeowner's

October 28, 2014
Jason Greenwald – Preliminary Major Subdivision and Site Plan
Block 1076, Lot 14
City of Lambertville, Hunterdon County, New Jersey
Conformance Review

Page 4

Association covenants and restrictions. A Homeowner's Association would need to be formed since the applicant proposes a common storm drainage collection system that would be constructed across the rear yards of the three (3) proposed lots.

The BMP Operations and Maintenance Manual has been submitted. This must be made a part of the deed. Also, there is a requirement that the area of the porous pavement be dedicated as a BMP maintenance easement and be incorporated into the deed. The Board determined cross easements would be sufficient for the common stormwater collection system and the rear of the properties and did not require the creation of a homeowners association. The cross easements should be prepared by the applicant and reviewed and approved by the Boards professionals prior to issuance of a building permit.

The BMP O&M Manual should be modified to reflect the current owner of the property/responsible party for maintenance. Also, the applicant should address how the ultimate property owners will facilitate the quarterly vacuuming of the porous driveway as required by the O&M Manual.

- C.4. Storm drainage profiles will be evaluated once the grade information referenced in Item B1 has been provided.
See comments at B1 above and C6 below.
- C.5. The applicant has denoted existing soil log data (sheet 5) for test pits dug within the vicinity of the three (3) proposed driveways. In all three (3) cases, the soil logs depict some form of groundwater seepage at varying depths, however, a seasonal high ground water table elevation has not been established. In addition, the plan notes that various "soil samples were taken" from the three (3) locations. However, permeability data for the underlying soil has not been provided with the current submission. If subsurface infiltration for BMP's are being considered for installation under these driveways, then this supplemental data would need to be provided and documented.
A seasonal high water table has been established and indicated on the driveway profiles on Sheet 4 and in the soil log data on Sheet 5, however the date of the soil logs is not noted on the plans and as noted above no on site soil testing was performed and no calculation of BMP drain time has been provided. These items are still open.
- C.6. The proposed stormwater collection system along the rear of the three (3) lots in addition with the proposed construction of storm drainage along the west side of North Franklin Street will ultimately tie into a proposed inlet on the west side of North Franklin Street with a proposed cross drain connection to the existing NJDOT inlet located at the northeast corner intersection of North Franklin Street with Route 179. The applicant's proposal to connect to the existing NJDOT inlet

October 28, 2014
Jason Greenwald – Preliminary Major Subdivision and Site Plan
Block 1076, Lot 14
City of Lambertville, Hunterdon County, New Jersey
Conformance Review

Page 5

will require the issuance of a permit by NJDOT to cover this proposed construction.

The applicant has indicated that the NJDOT would not approve a direct connection to their system. The current proposal by the applicant is to connect into an existing City inlet by means of a 10 inch ductile iron pipe. It is our opinion that this is not an appropriate solution. The pipe is undersized and still may present cover issues and conflicts with other improvements. It may be feasible to construct a new inlet directly across from the proposed inlet over the existing City operated 18 inch DIP. I defer to the City Engineer for the specifics of this connection to the City system. Regardless of where the connection is made, the Drainage report should be updated to include calculations demonstrating the adequate capacity of the proposed pipe. No calculations for the proposed pipe were provided. These items remain open.

D. Utilities

D.1. Plan notes that the existing overhead telephone and communication wires that cross the southwest corner of the subject property and connect with existing dwellings on adjoining Lots 10, 12 and 13 will be relocated by the respective utility companies. While this can be a condition of any Board action on the application, some testimony must be offered by the applicant's engineer as to whether the respective utility companies have been connected to determine the feasibility of the depicted proposal.

The applicant has indicated that the referenced overhead wires have been removed/relocated by the utility companies. The applicant should address where they were moved to underground/overhead and whether the new location has any impact on the subject property (ie: utility easement, etc.) This item remains open.

D.2. The proposed gas, water and sewer connections for the three (3) proposed units will result in significant disturbance of the applicant's frontage along Church Street. ~~In addition, the applicant's current proposal to complete the extensive reconstruction at the Church Street and North Franklin Street intersection (reference Item A7) will result in significant disturbance of previously reconstructed pavements.~~ Once the Board and City have decided on the limits of allowable disturbance, those portions of the City streets (Church Street and North Franklin Street as applicable) must be resurfaced as part of frontage improvements for this project. Appropriate details of the street resurfacing/reconstruction would ultimately need to be incorporated in the applicant's plans.

The bump out at the intersection has been eliminated based on the decision of the fire official and the extent of required reconstruction has been

reduced, however there is still need for reconstruction of Church Street due to the installation of the multiple utility connections within the street. Therefore it is my recommendation that the applicant be responsible to reconstruct the full width of Church Street from the westerly property line to the present extent of the previously reconstructed intersection. The applicant shall provide the additional detail for this in the plan set including further development of the proposed cross sections and profile on Sheet 6. This work should also be coordinated with the City Engineer and a note added to the plan set to that effect. This issue remains open.

- D.3. The proposed development will be serviced by the Lambertville Municipal Utilities Authority (LMUA), who issued a letter dated February 1, 2010, stating that sewer capacity was available for the proposed development. Any Board action on this application should be conditioned upon approval of the sewer connection details by the LMUA.
The applicant indicated that the LMUA connection permits will be obtained at the time of construction. Approval by LMUA of sewer connection details remains a condition of this approval. This item remains open.
- D.4. The proposed development is within the service area of United Water of Lambertville. To date, requests by the applicant for a “will-serve” letter have gone unanswered. Any Board action on this application should be conditioned upon adequate water service being available and United Water signoff on the connection details. In addition, if the City allows for the relocation of the existing hydrant (Reference Item A7), then those details would be subject to review and approval by United Water.
The applicant has provided a conditional ‘will serve’ letter from United Water. The approval by United Water (provision of hydraulic data, approval by fire officials of hydrant locations, detail approval) remains a condition of the approval for the subject application. It should also be noted that the willingness to serve letter was only valid for one year. This item remains open.
- D.5. The utility plan (sheet 5) denotes that three (3) separate underground electric utility lines will be installed from the existing pole located on Church Street in the northwest corner of the proposed Lot 14. The three (3) services will extend under the sidewalk along Church Street to the closest front corners of the three (3) proposed dwelling units. The applicant should offer testimony as to the viability of this proposal and likelihood of acceptance by the power company. Any action taken by the Board would be subject to the applicant’s ability to have this specific proposal for underground utility services approved and installed as part of this project.

October 28, 2014
Jason Greenwald – Preliminary Major Subdivision and Site Plan
Block 1076, Lot 14
City of Lambertville, Hunterdon County, New Jersey
Conformance Review

Page 7

No response was provided by the applicant. I don't see anything in the resolution indicating that this was addressed at the public hearing or on the revised plans.

- E. Landscaping and Lighting** - These matters were deferred to the Board Planner.
- F. Outside Agency Approvals**
- F.2. The Hunterdon County Soil Conservation District has issued a Soil Erosion and Sediment Control Plan certification for the project. Recertification will likely be necessary after the stormwater facilities have been relocated.
The applicant will still need an updated certification once the extent of the drainage improvements is confirmed.
- F.3. As previously mentioned, the New Jersey Department of Transportation (NJDOT) likely owns the drainage inlet that the applicant is proposing to connect to. As such, approval by NJDOT or a letter of no interest from them will be required of the applicant.
NJDOT approval no longer required.
- F.4. The applicant must obtain the approval of the LMUA as well as United Water of Lambertville.
This remains a condition of the Boards approval.
- F.5. An application has been submitted to the Delaware and Raritan Canal Commission (DRCC) but we have yet to see an approval letter from them. DRCC approval should be made a condition of any Board action on this application.
This remains a condition of the Boards approval.

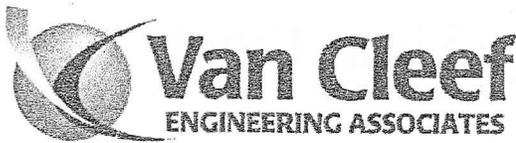
The above represents my comments to date on the revised submission. The applicant will need to address these comments (and all other conditions of the resolution of approval) prior to signing of the Preliminary Site Plan and/or as a condition of any action by the Board on the Final Subdivision Application. Assuming that this application is on the agenda, either Bob Clerico or Peter McCabe from our office will attend the Board's meeting on November 12th to hear the applicant's continued presentation and discussion on this project.

Very truly yours,



Peter G. McCabe, P.E. for
Robert J. Clerico, P.E., Board Engineer

R 5040.191 ConformanceReport141028.doc
cc: Board Members (via e-mail)
William Shurts, Esq. (via e-mail fcslegal@netcarrier.com)
Emily Goldman, P.P. email (egoldman@vannoteharvey.com)
Eric Rupnarain, P.E. (via e-mail ebr@gbamail.com)
Ralph Finelli (via fax 908-284-1790)



www.vcea.org

Since 1972 • Consulting Civil, Environmental & Municipal Engineering
Land Surveying • Professional Planning • Landscape Architecture

November 7, 2014

City of Lambertville
18 York Street
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Block 1029 Lots 3 & 3.01- 3 Clinton St.
Preliminary/Final Site Plan & Preliminary Major Subdivision
reAlliance, LLC Townhouse Project - Completeness Report #3
City of Lambertville, Hunterdon County, New Jersey

Dear Crystal:

I am in receipt of this Preliminary/Final Site Plan and Preliminary Major Subdivision Application requesting approval for a 3 unit townhouse project. I reviewed the prior submission of these plans and issued a report (#2) on September 15, 2014. The Board considered the original submission at their meeting in October and deemed the application to be incomplete. On October 17, 2014, I received the following revised submission:

1. Application Form for a Preliminary Major Subdivision, Preliminary Site Plan, Final Site Plan and Bulk Variances prepared by the applicant. I note that the application has not been signed by the Property owner and the Applicant is an LLC but indicates that they are not being represented by an Attorney. The Applicant also has not signed the "agent appointment" section of the application.
2. City Checklist for
 - a. Checklist #2- for Preliminary Major Subdivision
 - b. Checklist #4 for Preliminary & Final Site Plan.
3. List of Checklist Waiver Requests, unsigned.
4. Minor Subdivision & Preliminary and Final Site Plans prepared by Goldenbaum Baill Engineering (GBE) consisting of 7 sheets. Sheets 1, 4, 5, & 6 are dated 9/10/14, revised to 10/15/14, and signed by Eric B. Rupnarain PE. Sheet 2 is dated 9/9/14, revised to 10/15/14, and is signed by Vincent J. Rigelon Jr., PLS. Sheet 3 is dated 9/9/14, revised to 10/15/14, and signed by both Vincent J. Rigelon, Jr., PLS and Eric B. Rupnarain, PE. Sheet 7 is dated 10/15/14 and signed by Eric B. Rupnarain, PE.
5. "Drainage Report" prepared by GBE (Eric Rupnarain, PE) dated October 14, 2014.
6. "Certification that All Documents have been Mailed Directly to the Appropriate Board Professionals", dated 9/11/14, unsigned.
7. Variance Request, prepared by GBE, undated and unsigned.
8. Copy of an application to Delaware & Raritan Canal Commission, undated and unsigned.
9. Copy of an application to Hunterdon County Planning Board for Minor Subdivision and Residential Site Plan.
10. Copy of a "Pre-Application Form" submitted to United Water Lambertville, undated and unsigned.
11. Copy of a letter to Lambertville Sewerage Authority, prepared by GBE and dated 10/15/14, requesting confirmation of available sewer service.
12. Copy of Application for Soil Erosion and Sediment Control Plan Certification to Hunterdon County Soil Conservation District, undated and unsigned.
13. Deed for Block 1029, Lot 3 (DB 807, Page 540).
14. Deed for Block 1029, Lot 3.1. (DB 1130, Page 926)

Please Reply To:

WESTERN NJ OFFICE • 1128 Route 31 • Lebanon NJ 08833 • 908.735.9500 • Fax: 908.735.6364

With Other Offices In:

Hamilton NJ • Hillsborough NJ • Phillipsburg NJ • Freehold NJ • Parsippany NJ • Doylestown PA • Bethlehem PA •
Wyomissing PA • Newark DE • Salisbury MD

WTF

Neil I. Van Cleef, P.E., L.S. & P.P.
Robert J. Clerico, P.E. & P.P.
Robert B. Heibell, P.E., L.S. & P.P.
Daniel A. Nagy, L.S. & P.P.
Samuel D. Costanzo, P.E. & P.P.

November 7, 2014
Block 1029 Lots 3 & 3.01- 3 Clinton St.
Preliminary/Final Site Plan and Preliminary Major Subdivision
reAlliance LLC- Townhouse Project - Completeness Report #3
City of Lambertville, Hunterdon County, New Jersey -

Page 2

It should be noted that Architectural Plans were not filed with the current application. It is possible that the applicant may be relying upon the plans that they presented informally to the Board a prior meeting. However, signed and sealed plans of the Building Elevations and Floor Plans must be made part of the current submission in order for them to be formally considered as part of the Public Hearing Process.

My comments relating the submitted documentation in reference to the City Checklist are as follows:

- A. Application Submittal Checklist – the previously submitted form was not completed and was not resubmitted with the current package so it still does not identify if the applicant is providing all the required documentation or if they are seeking waivers from any of the submission requirements. **The application remains incomplete until the proper form and listed documentation has been filed.**
- B. Preliminary Major Subdivision – Checklist #2 (2a above)
- Items 1-3 – You should verify that the proper number of items and the appropriate application fees have been submitted.
 - Item 5 – the required “disclosure statement” has not been provided for this LLC
 - Item 8 – the “certification of owner” (Owner’s Consent) has been provided on the plans, but has not been provided on the application forms where required.
 - Item 9 – the certification of payment of taxes has not been provided.
 - Item 11 – You should verify that the appropriate application fees for the requested variances have been provided.
 - Item 12 - the deeds of record for each of the two lots have been provided. However, a copy of a title search documenting any recorded covenants and deed restrictions has not been provided.
 - Item 13 – Copies of partially completed applications to HCSCD and DRCC have been provided. However, neither of the forms have been signed and there is no documentation that they was actually submitted to the respective agencies, which is what the Checklist requires.
 - Item 14 – The applicant has requested a submission waiver from providing the proposed tax lot numbers from the City Assessor. **I have no objection to the Board granting a Temporary Waiver of this item.**
 - Item 17e. – The Applicant has requested a waiver of the requirement to provide topographic information within 200 feet of the property boundary. The applicant has provided roadway cross-sections at 25-foot intervals and sufficient spot elevations to effectively evaluate the proposal. **I have no objection to the Board granting a Partial Waiver of this requirement.**
 - Item 23 – The applicant is requesting a waiver from the requirement of locating all man-made and natural features within 200 feet of the property boundaries. As the applicant has provided the additional topographic data requested in my previous report, **I have no objection to the Board granting a Partial Waiver of this requirement.**

November 7, 2014
Block 1029 Lots 3 & 3.01- 3 Clinton St.
Preliminary/Final Site Plan and Preliminary Major Subdivision
reAlliance LLC- Townhouse Project – Completeness Report #3
City of Lambertville, Hunterdon County, New Jersey -

Page 3

- **Item 24 (a & b)** – The applicant is requesting a submission waiver for providing will-serve letters from LSA and United Water. A request to LSA for same has been made and a copy of an application to United Water has been provided. **I recommend the Board deny this request and require the Applicant to obtain will-serve letters for Sewer and Water prior to being deemed complete.**
- **Item 24 (d & e)** – The applicant is requesting a permanent waiver of providing will-serve letters from the gas and electric, telephone and cable companies due to the fact that all of these utilities are existing along the applicant's frontage. **I have no objection to the Board granting a "temporary" waiver of this requirement but the applicant should submit these will-serve letters as a condition of any Board action on this project.**
- **Item 28** – The Flood Hazard Elevation at the rear of this site has not been provided.
- **Item 29** – Metes and bounds information for the proposed retaining wall maintenance easement has not been provided.
- **Item 33** – The applicant is stating that they will have no exterior lighting and accordingly they are requesting a waiver from providing a lighting plan. If no lighting is proposed, then the item can be considered "not applicable". However, if the applicant intends to install any exterior pole or building mounted lighting it needs to be documented on the plan. **I have no objection to the Board granting a Conditional Waiver of this item, until such time that lighting is proposed, at which time a lighting plan and details will be required.**
- **Item 34** – The applicant is requesting a waiver from providing a Natural Resource Inventory and Environmental Impact Statement for this project. **I defer to the Board's and Environmental Commission's discretion in granting the waiver. However, I recommend that given the use of the property as a vehicle garage and parking area that some testing for contaminated soils be conducted to determine if any of the excavated material would be classified as regulated waste.**

C. Preliminary / Final Site Plan – Checklist #4 (2b above)

- **Item 5-** the required "disclosure statement" has not been provided for this LLC.
- **Item 8** – the "certification of owner" (Owner's Consent) has not been provided. The owner's certification needs to be included on the application forms as well as on the site/subdivision plans.
- **Item 9** - the certification on payment of taxes has not been provided.
- **Item 13-** the deeds of record for each of the two lots have been provided. However, a copy of a title search documenting any recorded covenants and deed restrictions has not been provided.
- **Item 14b and c** – the copies of applications to Hunterdon County Soil Conservation District and the Delaware and Raritan Canal Commission that were provided are unsigned and therefore incomplete.
- **Item 17e** - the applicant seeks a waiver from providing topographic documentation extending 200 feet beyond the property. Additional topographic information has been

November 7, 2014
Block 1029 Lots 3 & 3.01- 3 Clinton St.
Preliminary/Final Site Plan and Preliminary Major Subdivision
reAlliance LLC- Townhouse Project - Completeness Report #3
City of Lambertville, Hunterdon County, New Jersey -

Page 4

provided per my previous request. I recommend that the partial waiver of this requirement be granted.

- Item 23- the applicant seeks a waiver from providing the location of man-made and natural features 200 feet beyond the property. The planimetric data provided is adequate and I recommend that the waiver be granted.
- Item 24 – Proposed lateral and roof leader profiles have not been provided.
- Item 24a - the applicant seeks a waiver from providing an approval from the LMUA. I recommend that the waiver be denied.
- Item 24b - the applicant seeks a waiver from providing an approval from United Water. I recommend that the waiver be denied.
- Item 28 – the applicant has submitted a Stormwater Management Plan but is requesting a waiver from the requirement of providing “watershed maps”, apparently. Due to the small nature of the site and the current condition being entirely developed, these maps would be of little practical use. I have no objection to the Board granting a partial waiver of this requirement.
- Item 29 -while it appears that the property is not located in a Flood Hazard Area, the plan should document the FH Elevation that is located on the Canal side of the wall.
- Item 34a & 34c - the applicant seeks a waiver from providing an NRI and wetland delineation. I defer to the Board's and Environmental Commission's discretion in considering this request but I would have no objection to the Board granting the requested waiver.
- Item 34b - the applicant seeks a waiver from providing an EIS. I defer to the Board's and Environmental Commission's discretion in granting the waiver. However, I recommend that given the use of the property as a vehicle garage and parking area that some testing for contaminated soils be conducted to determine if any of the excavated material would be classified as regulated waste.
- Item 35 – Architectural plans have not been submitted nor has a waiver been requested.

If the Board is in agreement with the above then they should take the following action at their meeting on November 12, 2014:

1. Grant the requested waivers for checklist items 17e, 23, [34a & 34c (Checklist 4)].
2. Grant conditional waivers on items 33 (Checklist 2), 34 (Checklist 2) & 34b (Checklist 4) – subject to the project not requiring lighting (33) and agreeing to test the soil for contaminated material (34 & 34b)



November 7, 2014
Block 1029 Lots 3 & 3.01- 3 Clinton St.
Preliminary/Final Site Plan and Preliminary Major Subdivision
reAlliance LLC- Townhouse Project - Completeness Report #3
City of Lambertville, Hunterdon County, New Jersey -

Page 5

3. **Grant temporary waivers** of submission items 14 (Checklist 2), 24d & 24e (Checklist 2) for the proposed tax lot numbers from the City Assessor (14) and will-serve letters from the gas, electric, telephone and cable companies (24 d & e)
4. **Deny the requested waivers** for checklist items 24a & 24b (both checklists) and note these items to be incomplete.
5. **Deem the application to be incomplete** for the missing documentation under the items listed in paragraph 4 above as well as checklist items 5, 8, 9, 12 (Checklist 2) 13, 14b (Checklist 4), 14c (Checklist 4), 24 (Checklist 4), 28 (Checklist 2), 29 (Checklist 4) & 35 (Checklist 4). Items are the same on both checklists unless specified otherwise.

In addition to the completeness issues, the revised submission has failed to address my previous procedural comments, repeated here for convenience:

- a) **Obtain preliminary input** from the D&R Canal Commission. They will most likely have comments relating to any site runoff and SWM provisions along with requiring additional buffer & maintenance easements along the rear of these lots in order to preserve the existing stone masonry wall that extends beyond and encroaches into various portions of this property. Input from the D&R Canal Commission is critical to any consideration for development on this property.
- b) **Obtain written input** from the LMUA and United Water relating to the availability of service and details for individual unit connections. Information relating to adequacy of fire flow in this area of the City should be verified.
- c) Since the proposed units are relatively close to the existing overhead primary electric service lines: **obtain input from JCP & L** to determine the required minimum building offset from any high voltage lines.
- d) **Identify an additional variance** for providing off-street parking. Currently the plans show that 2 "off-street" parking spaces are provided with one car parked within the proposed garage and one car will be parked in the proposed driveway. The current layout was revised somewhat and now shows 18 feet available for driveway parking beyond the City right-of-way. However, this is still in non-compliance with the RSIS 20-foot requirement and they do not meet the 2.4 spaces per unit standard even if it were in compliance.

The completeness and procedural issues aside, I have also had an opportunity to begin my review on the merits of the application as it relates to general engineering issues only. I offer the following for the Board's consideration:

A. General Layout/Zoning/RSIS

1. The subject property consists of two lots (Block1029, Lots 3 & 3.01) that are proposed to be consolidated and then subdivided into three (3) lots for the purpose of constructing a three unit townhouse project.

November 7, 2014
Block 1029 Lots 3 & 3.01- 3 Clinton St.
Preliminary/Final Site Plan and Preliminary Major Subdivision
reAlliance LLC- Townhouse Project - Completeness Report #3
City of Lambertville, Hunterdon County, New Jersey -

Page 6

2. The property is currently the site of one-story garages and a gravel parking area that are to be razed in order to construct the proposed improvements. A portion of the existing site improvements encroach onto the adjacent Delaware and Raritan Canal property and they will need to provide approval for the necessary demolition work that is to be done on their property. In addition, more detail must be provided with respect to how the existing wall (which is essentially part of the existing garages, will be protected during demolition. This should be part of the discussion the applicant has with DRCC as recommended under procedural item "a" above.
3. The applicant must demonstrate compliance with RSIS design criteria. Typically, the applicant's engineer provides a table of applicable RSIS design criteria with an indication of whether the proposed design conforms or whether the applicant is requesting a "design waiver", request for "design exceedance" or a request for a determination of a "de minimis exception".
4. The individual lot numbers must be identified on the "Existing Conditions Plan". Also, there is an existing wall along the rear of the garages that must be identified on that plan as well.
5. The applicant is proposing to provide a four-foot wide concrete sidewalk "adjacent to" the Clinton Street curb line, contrary to the layout of the sidewalk on the adjacent property, which has a 2-foot +/- wide grassed area between the curb and sidewalk. The intent of this is apparently to provide additional driveway length to allow for the parking of a vehicle in the driveway and current public ROW. This alignment will create a situation with the utility pole at the southerly end of the frontage where there does not appear to be four feet of clearance which would be in violation of PROWAG standards for handicapped accessibility in a public right-of-way. The sidewalk must be relocated to conform to the offset location as it was constructed on the adjoining George Michael project. This will avoid the current situation where the applicant is attempting to provide ramps and adjustments in the sidewalk profile in an attempt to fit into the driveway apron ramp which would become part of the sidewalk. The plan also needs to provide a detail showing how the required four foot of clearance for the sidewalk can be achieved around the utility pole. This may require the relocation of the pole further to the north.
6. The cross-slopes of the sidewalk appear to be designed at 2%, which is the maximum allowable. The Project Engineer should reduce the design slope to 1.5% to allow for some construction tolerance, as any sidewalk that does not conform will be required to be replaced. Additional detail and spot elevations of the proposed sidewalk must be provided to determine if it is in compliance with all current accessibility requirements.
7. Zoning and variance/waiver issues are deferred to Emily Goldman, who addressed them in her report of November 5, 2014.

B. Utility Connections, Stormwater Management and Street Improvements

1. The plan proposes a storm drain to be set at the southerly terminus of the property frontage and a drain line to run along the entire frontage of the property along Clinton Street and tie into the existing inlet that was installed as part of the townhouse project to



November 7, 2014
Block 1029 Lots 3 & 3.01- 3 Clinton St.
Preliminary/Final Site Plan and Preliminary Major Subdivision
reAlliance LLC- Townhouse Project - Completeness Report #3
City of Lambertville, Hunterdon County, New Jersey -

Page 7

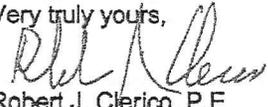
the north of this one. There is also a proposed 2'x2' "yard inlet" proposed to be installed within the public right-of-way behind the proposed sidewalk. The applicant's engineer should clarify what the purpose of this inlet is and why it cannot be placed on the applicant's property rather than in the public ROW.

2. The site plans do not indicate how the roof runoff will be collected and discharged. The plans must be revised to show the roof leaders and the ultimate discharge point for the site's runoff.
3. Nine individual utility connections are proposed within the Clinton Street pavement in addition to the storm sewer line previously discussed. The applicant's engineer should provide a plan that minimizes the disturbance of the pavement surface and/or provide a method of restoring the pavement that eliminates the risk of unevenly settling trenches, such as thermal infra-red restoration or milling and resurfacing post-construction.
4. The applicant's engineer has submitted stormwater management calculations in accordance with Section 522.2 of the City Ordinance. Due to the property being completely developed in its current state, the engineer's calculations showed that post-development discharge will be less than existing and that no recharge deficit will be created. However, the development will create TSS generating surfaces where before there were none. The addition of impervious pavement surfaces is small and the applicant's engineer proposes to treat it as negligible. I have no problem with agreeing to that proposal if the applicant is willing to provide small drywells that the roof leaders will tie into, thus reducing the offsite flows and increasing groundwater recharge. This is similar to what was done on the adjoining "Canal View" (George Michael) townhouse project directly to the north of this site.
5. The applicant needs to provide documentation from the Water Company that adequate domestic and fire protection pressure and flow rates exist in accordance with RSIS and other applicable codes. The individual fire service lines, if required, should be added to the site plans.

The above represents my initial technical comments that relate to the project as currently submitted. Upon clarification and revision by the applicant, I may have further technical comments related to this application.

I will attend the meeting on November 12, 2014 to address any questions relating to these comments.

Very truly yours,


Robert J. Clerico, P.E.
Board Engineer
R 5040.186 -141104-Rpt03.doc
RJC

cc: All Planning Board Members (email distribution)
William A. Shurts, Esq. -email (fcslegal@netcarrier.com)
Emily Goldman, P.P. email (egoldman@vannoteharvey.com)
Eric Rupnarain PE - email (ebr@gbamail.com)

van note - harvey
associates, pc

777 Alexander Road
Princeton, New Jersey 08540
609-987-2323 Fax: 609-987-0005

www.vannoteharvey.com

VIA EMAIL:
construction@lambertvillenj.org

November 5, 2014



Since 1894

City of Lambertville Planning Board
18 York Street
Lambertville, New Jersey 08530

Attention: Crystal Lawton

RE: Planner Report #2
Preliminary/Final Site Plan, Minor Subdivision, and
Hardship/Bulk Variance Request
Applicant: ReALLIANCE, LLC
Address: 3 Clinton Street
Block 1029, Lots 3 and 3.01
VNHA #41792-310-31

Dear Crystal:

In accordance with the City's request, I have reviewed the above captioned application and submitted material, and offer the following observations and comments for the Planning Board's information and consideration.

A. Material Forwarded & Reviewed

New documents submitted for review include the following:

1. One (1) copy of the Planning & Board of Adjustment Application including a Variance Request.
2. One (1) copy of the Checklist No. 1 – Sketch Plat / Minor Subdivision Approval.
3. One (1) copy of the Checklist No. 4 – Determination of completeness of Application for Preliminary / Final Site Plan Approval.
4. One (1) copy of the Submission Waiver Requests.
5. One (1) set of plans entitled: "Minor Subdivision & Preliminary and Final Site Plan, Tax Map Sheet 7, Block 1029, Lots 3 & 3.01, Prepared for reAlliance, LLC, situated in the City of Lambertville, Hunterdon County, New Jersey", prepared by Goldenbaum Baill Engineering, Inc., dated September 10, 2014, last revised October 15, 2014, consisting of 7 sheets.
6. One (1) copy of a Drainage Report, prepared by Goldenbaum Baill Engineering, Inc., dated October 14, 2014.
7. One (1) copy of the Certification that all documents have been mailed directly to the appropriate Board professionals.

8. One (1) copy of Deeds.
9. One (1) copy of an application submitted to the Hunterdon County Soil Conservation District.
10. One (1) copy of an application submitted to the Delaware and Raritan Canal Commission.
11. One (1) copy of an application submitted to the Hunterdon County Planning Board.
12. One (1) copy of a United Water Pre-Application Form.
13. One (1) copy of a letter requesting a "Will Serve" letter from the Lambertville MUA.

B. Description of Subject Property & Proposed Development

Owner: P&E Esposito
10 Clinton Street
Lambertville, NJ 08530

Applicant: reALLIANCE, LLC
711 Hyde Park
Doylestown, PA 18902

Existing Conditions: The two parcels contain private garages and gravel areas.

Proposal: The Applicant proposes to subdivide Block 1029, Lots 3 and 3.01 into three (3) lots for construction of three (3) townhouse dwellings (the Project).

The Applicant's proposal is to demolish the existing garage and remove most of the gravel surfaces and construct the new building. The application requires two (2) bulk variances for rear yard setbacks to provide two (2) off-street parking spaces for each new dwelling unit. Additionally, the application requires a parking variance for three (3) parking spaces.

The Applicant is requesting a waiver from dedication of additional right-of-way along the frontage of Clinton Street.

Zoning: R-2

C. Subdivision / Site Plan Comments

While I understand that the Board's next meeting on November 12, 2014 is for a "completeness determination", I offer the following Subdivision / Site Plan comments:

1. ***Residential (R-2), Downtown Residential District.*** Townhouses are permitted uses within the R-2 District.

The table below summarizes the R-2 Area, Yard, Height and Coverage Requirements and the proposed conditions stated on the Site Plan.

Townhouse Use				
Use	Required	Lot 1	Lot 2	Lot 3
Min. Lot Size	1,350 sf	2,033 sf	1,715 sf	2,141 sf
Min. Lot Frontage	18 ft.	39.21 ft.	32.0 ft.	37.29 ft.
Min. Lot width at the Building Line	18 ft.	39.21 ft.	32.0 ft.	37.29 ft.
Max. Bldg. Coverage	70%	53%	63%	54%
Max. Lot Coverage	80%	58%	69%	58%
Principal Building Minimum Yard Depths and Height Limitations				
Front Yard	0 ft.	1.0 ft.	1.0 ft.	1.0 ft.
Side Yard	0 ft. ⁽¹⁾	7.2 ft. (10.0 ft. from any bldg.)	0 ft.	5.0 ft. (15.8 ft. from any bldg.)
Rear Yard	15 ft.	12.3 ft.	12.9 ft.	15.2 ft.
Max. Height	40 ft. or 3 stories	Complies	Complies	Complies

Notes:

(1) – The end wall of a building not attached to another unit shall be a minimum of 10 feet from any other building.

(2) – Unless modified by §400.7.A.

The Applicant requires two bulk variances for rear yard setbacks for proposed Lot 1 (15 feet required, 12.3 feet proposed) and proposed Lot 2 (15 feet required, 12.9 feet proposed).

The Applicant states that the proposed Project complies with the maximum height requirement. However, architectural plans were not provided for review. As such, the Applicant must provide architectural plans that indicate the maximum height of the proposed structures in both feet and number of stories.

2. **Subdivision.** The Project is in compliance with Section 513.1 General Requirements for Subdivision Layout
3. **Flood Hazard Area.** A review of the FEMA Firm Map, Map No. 34019C0402G, revised May 2, 2012 (copy attached), indicates the NJ Flood Hazard Area Design Flood is located on the Subject Property. As such, the plan set should be revised to identify the exact location of the NJ Flood Hazard Area Design Flood in proximity to the Subject Property.
4. **Delaware and Raritan Canal Commission Buffer.** Per Section 400.7D, any required yard or required setback shall be measured from the closest edge of any buffer required by the Delaware and Raritan Canal Commission. The Applicant should show the extent of the buffer required by the Delaware and Raritan Canal Commission at the time of the formal application.
5. **Parking Standards.** The Applicant is proposing three (3) units containing three (3) bedrooms each. Per RSIS, a 3-bedroom unit requires 2.4 spaces per unit. As such, each unit shall provide three (3) parking spaces, for a total of nine (9) parking spaces for the Project.

The Applicant is proposing to provide two (2) off-street parking spaces per unit, one (1) space in a garage and one (1) space in the driveway, for a total of six (6) parking spaces. As such a Parking Variance is required for three (3) parking spaces, one (1) space for each of the proposed lots.

6. ***Driveway Standards.*** The Applicant proposes driveway widths of ten (10) feet which complies with the Driveway Standards at Section 509.11 (9-foot minimum and 12-foot maximum widths permitted).
7. ***Landscape Plan.*** The Applicant has provided a landscape design as shown on Sheet 6 of 7 which complies with the minimum landscaping standards as set forth in Section 510. As indicated in Supplemental Planting Note No. 15, the guy wires shall be removed after one (1) growing season. While I do not believe the Board can require compliance with Note 15, I strongly urge the Applicant to comply so the newly planted material is not strangled as it continues to grow.
8. ***Utilities.*** The Applicant shows the proposed location of all drainage, sewage and water facilities with proposed grades, capacities and materials to be used on Sheet 4 of 7. The Applicant does not identify the location of proposed Fire Service on Sheet 4 of 7, and did not indicate Fire Service is required on the United Water Pre-Application Form. The Applicant shall confirm with the Lambertville Construction Office if Fire Service for each unit shall be provided as the recently constructed townhome units adjacent to the Subject Property required separate Fire Service to each unit. The plans should be revised and resubmitted, if/as necessary.

The Applicant has indicated proposed lighting facilities are not applicable on Checklist No. 4, Item 33. Per Section 516.6D, proposed lighting facilities shall be included showing the direction and reflection of the lighting. It is up to the Board to determine if proposed lighting facilities shall be identified on the Site Plans at the time of formal submission.

9. ***Stormwater Management.*** The City Engineer will review each development disturbing land in excess of 3,000 square feet for conformance to the design standards set forth in Ordinance No. 2004-12 to regulate the discharge of drainage runoff. As this Project will disturb more than 3,000 square feet, the Applicant has provided a Drainage Report. I will defer to comments from the Planning Board Engineer, Robert Clerico, regarding proposed stormwater management measures.
10. ***Demolition Permit Required.*** Per Ordinance No. 2006-08, a Demolition Permit shall be approved by the Historic Preservation Commission to demolish the existing structure.
11. ***Design Guideline Standards.*** The Applicant should provide testimony and evidence (i.e. Architectural Plans) that the Project complies with Chapter 5 – Building Design of the Lambertville Design Guidelines, dated September 2, 2009.

- a. Per 5.1.1(a), the façade of new buildings should be modulated to avoid a flat, visually unappealing appearance. The larger the structure, the more articulated the façade should be designed for compatibility the traditionally fine grain architecture of the City.

- b. Per 5.1.1(b), residential buildings in the floodplain shall be sensitively designed to minimize the perceived scale of the structure. Architectural features that break up the appearance of the raised structure, such as horizontal coursings and foundations windows, should be used to the greatest extent possible.
 - c. Per 5.1.3(a), the front door entrances to all buildings shall be highly visible and inviting. The use of pediments, trim, glazing and porches are encouraged to emphasize the front entry.
 - d. Per 5.1.4(b) new construction should not imitate the style of historic buildings in the City, but, rather adapt historical building elements to new structures. The styles of new construction should be readily distinguishable from the historic construction to maintain the authenticity of the built environment.
 - e. Per 5.1.5(a), the use of garages shall be minimized in the downtown residential districts. The width of the garage door shall not exceed 35% of the width of the new residences. First floor garages shall not be permitted on city blocks where there are no existing garages. Alternatives to first floor garages include carports, driveways and separate garage structures in the rear of the lot. As currently shown on the Sheet 3 of 7, the garages are approximately 25.5-31.3% of the width of the residences and comply with the standards as set forth in the Design Guidelines.
12. *Variance Request.* Per Section 601.1, Professional Planning testimony should be provided that the variances may be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and the Zoning Ordinance.

D. Conditions of Approval

If the Planning Board should grant final approval of this Project, the following are applicable, along with any other conditions as determined by the Planning Board.

1. *Evidence of Agency Approvals.* The Applicant shall provide copies of approvals received from outside agencies, including but not limited to:
 - New Jersey Department of Environmental Protection Flood Hazard Area Approval, if/as necessary
 - Delaware and Raritan Canal Commission
 - Hunterdon County Planning Board
 - Hunterdon County Soil Conservation District
 - City of Lambertville – Demolition Permit
2. *Residential Development Fee.* Per Ordinances 2009-07 and 2009-13, a Residential Development fee of one and half percent of the equalized value shall be imposed provided no increased density is permitted. The fees collected shall be used for the sole purpose of providing low- and moderate-income housing. Fifty percent of the development fee shall be collected at the time of the issuance of the building permit.

City of Lambertville Planning Board

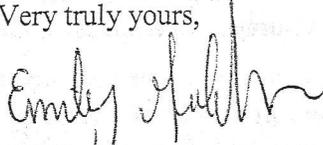
Page 6

November 5, 2014

The remaining portion shall be collected at the issuance of the certificate of occupancy.

I will be in attendance at the November 12th meeting to hear the applicant's testimony and may have additional comments at that time. Should you have any questions regarding this report, please contact me at your convenience.

Very truly yours,



Emily R. Goldman, PP, AICP
City Planner

ERG/jgd

Y:\VNHADATA\PROJECTS\41792\CORRESPONDENCE\PLANNER REPORT #2.DOCX

cc: Lambertville Planning Board

Mr. Robert Clerico, Van Cleef Engineering Associates, LLC (rclerico@vcea.org)

William Shurts, Esq., Felter, Cain & Shurts, (fcslegal@netcarrier.com)

Peter Stampfl, reAlliance, LLC (pstampfl@realliancedev.com)

Eric B. Rupnarain, P.E., Goldenbaum Baill Engineering (ebr@gbamail.com)

Program at 1-800-638-6620.



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0402G

FIRM
 FLOOD INSURANCE RATE MAP
 HUNTERDON COUNTY,
 NEW JERSEY
 (ALL JURISDICTIONS)

PANEL 402 OF 426
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
 COMMUNITY NUMBER PANEL SUFFIX
 LAMBERTVILLE, CITY OF 340237 0402 G
 WEST AMWELL, TOWNSHIP OF 340243 0402 G

MAP NUMBER 34019C0402G
 MAP REVISED MAY 2, 2012

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-INT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.msc.fema.gov



van note - harvey

777 Alexander Road
Princeton, New Jersey 08540
609-987-2323 Fax: 609-987-0005

www.vannoteharvey.com



Since 1894

VIA EMAIL November 5, 2014
construction@lambertvillenj.org

City of Lambertville Planning Board
18 York Street
Lambertville, NJ 08530-2093

Attention: Crystal Lawton, Secretary

RE: Planner Informal Review No. 1
Project: Proposed Educational Center for the Arts
Applicant: Bridge Street Foundation, Inc.
57 Bridge Street, Block 1042, Lot 28
VNHA #42364-300-31

Dear Crystal:

I have reviewed the above-cited Project and offer the following comments for the Board's consideration during its informal review.

1.0 Materials Reviewed

I have reviewed the following materials for the preparation of this report:

- Architectural drawings prepared by Michael Burns Architects, dated October 13, 2014, consisting of 5 sheets.
- Planning & Board of Adjustment Application.
- W9 form.
- Escrow Agreement.
- New Escrow Account.
- Certification of Submission to Board Professionals.
- Certificate of Property Tax Status.
- City of Lambertville Planning Board Resolution 2013-__-P.
- Engineer Report, dated November 11, 2013, prepared by Van Cleef Engineering Associates.
- Planner Report, dated November 12, 2013, prepared by Van Note-Harvey Associates, P.C.

2.0 Overview

- 2.1 The property is located on Block 1042, Lot 28, known as 57 Bridge Street. The property is located within both the Central Business District (CBD) zoning district

and the Residential 2 (R-2), Downtown Residential zoning district. Currently, the property is occupied by the former Baptist Church. The building itself is situated in the CBD Zone.

- 2.2 Per the November 11, 2013 Engineer Report, the current building has an outside footprint of approximately 5,500 sq. ft. with a full basement, ground floor and second-floor along with a small third floor balcony area of approximately 460 sq. ft. along with two Organ Chamber rooms accounting for an additional 380 sq. ft. That would give the overall structure a gross floor area of appreciably 17,340 sq. ft.
- 2.3 The Applicant received approval in November 2013 to convert 4,500 sq. ft. of the building to business office use and 2,500 sq. ft., or 50 seats, of the building to classroom use, requiring 25 parking spaces.
- 2.4 This is an application for an informal conceptual hearing in order to discuss the possibilities for the expanded use of the building for an Educational Center for students of the arts, as well as, special events. This would allow the building to be used in a limited way while the Bridge Street Foundation continues their application to the Board of Adjustment for a longer term use.

3.0 Comments and Recommendations

- 3.1 *Zoning.* Block 1042, Lot 28 is located within two zoning districts within the City of Lambertville - the CBD and the R-2 Zoning Districts. Commercial recreational uses, such as an Educational Center for students of the Arts, are permitted uses within the CBD Zone and public, parochial and private schools for academic instruction are permitted uses within R-2 Zone. While it appears that Special Events could be permitted as commercial recreational use within the CBD Zone, it is unclear if special events are permitted within the R-2 Zone. I defer to the zoning officer for his opinion and have copied Mr. Barczyk on this report.

It is recommended that the Applicant submit a Request for Rezoning to have the Zoning Map amended so Block 1042, Lot 28, in its entirety, is located solely within the CBD Zone District.

- 3.2 *Proposed Uses.* The Applicant should explain the proposed Educational Center for the Arts in more detail. How many square feet of the building and/or number of seats are anticipated? What are the hours of operation? What type of classes will be offered?

The Applicant should also explain the types and number of Special Events anticipated. How many square feet of the building and/or number of seats are anticipated? How late are the Special Events anticipated to run? Depending on the types of events, will noise be an issue? A maximum capacity for the Special Events shall be determined in order to calculate the required number of parking spaces.

- 3.3 *Credited Parking.* Per the November 13, 2013 Planning Board hearing, the Board agreed to provide a "credit" of 30 parking spaces to the Applicant. The November 2013 approved Project required 25 of the 30 spaces. Therefore, the Applicant still has a "credit" of 5 parking spaces.

- 3.4 *Required Parking.* Per Section 406.7, the Project is required to provide 1 space for each 5 seats for public assembly (classroom use). Depending on the type(s) of Special Events anticipated, 1 space for each 3 seats of theatre space is required, 1 seat for each 400 sq. ft. of indoor recreation use is required, and 1 space per 300 sq. feet is required for other uses specifically not identified in the Section 406.7 of the Zoning Ordinance.

It is assumed, at the time of formal application, the Applicant will be requesting more than 25 seats for public assembly (classroom use). As such, a Parking Variance shall be required. The Applicant should detail the number of parking spaces required and how they intend to provide the required spaces to the best of their ability at the time of the formal application.

It should be noted that per Section 406.7(D)3(c), off-tract parking shall be located within 600 feet of the proposed non-residential use.

- 3.5 *Utilities.* The proposed change in use may alter the amount of sewer discharge and water demand from the structure. Therefore, at the time of formal submission, the Applicant shall provide evidence of service feasibility from the Lambertville MUA and United Water.

I will be in attendance at the November 12th meeting to hear the applicant's testimony and may have additional comments at that time. Should you have any questions regarding this report, please contact me at your convenience.

Very truly yours,



Emily R. Goldman, PP, AICP
City Planner

ERG/

Y:\VNI\DATA\PROJECTS\42364\CORRESPONDENCE\PLANNER INFORMAL REVIEW 1.DOC

cc: Lambertville Planning Board
William Shurts, Esq., Board Attorney (fcslegal@netcarrier.com)
Robert Clerico, P.E., Board Engineer (rclerico@vcea.org)
John Barczyk, Zoning Officer (construction@lambertvillenj.org)
Michael Burns Architects (michael@michaelburnsarchitects.com)
Richard Mongelli, Esq. (rich@mongellilaw.com)
Bridge Street Foundation (anne@playhouseinn.com)