



**Zoning Board of Adjustment  
Borough of Caldwell  
1 Provost Square  
Caldwell, New Jersey 07006**

**December 28, 2022**

**Attn: Zoning Board Secretary**

**Re: Preliminary and Final Site Plan Approval  
358 Bloomfield Avenue  
Block 52, Lot 25.01  
Caldwell NJ, 07006  
Completeness Review**

**Dear Ms. Kim Conlon,**

The applicant filed for a Preliminary Site Plan Application for a Mixed-Use Building located in the Borough of Caldwell's Redevelopment Zone, Subdistrict 1- Downtown Core 1, located at 358 Bloomfield Avenue, Block 52, Lot 25.01. The applicant proposes to develop a single story retail space into 1,030 sf. retail space and five residential one-bedroom apartments (Apartment on the first floor is proposed to be a 620 sf. COAH apartment). This application has been reviewed and approved by Caldwell Mayor and Council on October 11, 2022. The time frame that this application was scheduled in the Redevelopment Plan "Development Schedule" was September 5, 2022 through November 4, 2022 and Site Plan Approval with a Planning Board approval date as of December 31, 2022. This Planning application was submitted on November 15, 2022. Since this application requires a "D Variance" the application has been moved to the Zoning Board for review and approval. This application has been reviewed in accordance with the Borough of Caldwell Redevelopment Plan and the Redevelopment Agreement between the applicant and the Borough of Caldwell.

**General Information:**

**Applicant/Owner:** 358 Bloomfield Avenue LLC.  
15 Fairfield Place  
West Caldwell, N.J. 07006  
Phone: (973) 575-5200  
Email: [eric@arcorroof.com](mailto:eric@arcorroof.com)

**Owners of the  
LLC:** Arkadiusz Baginski  
14 Boxwood Drive  
Fairfield, N.J. 07004

Luigi Colella  
6 Park Lane  
Oak Ridge, N.J. 07438

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**Applicants** William LaTourette  
**Attorney:** 15 Fairfield Place  
West Caldwell, N.J. 07006  
Phone: (973) 521-5689  
Fax: (973)-575-5210  
Email: [William.latourette@outlook.com](mailto:William.latourette@outlook.com)

**Applicants** J. Michael Petry  
**Engineer and** 155 Passaic Avenue  
**Architect:** Fairfield, N.J. 07004  
Phone: (973) 227-7004  
Fax: (973) 227-7074  
Email: [mikepetry@petryengineering.com](mailto:mikepetry@petryengineering.com)

**Zoning:** Redevelopment, Subdistrict 1- Downtown Core 1

**Proposal:** The applicant proposes to develop a single story retail space into a three story Mixed-Use Building with retail and five residential one-bedroom apartments. The first floor consists of 1,030 sf. of retail space, 620 sf. COAH apartment, bike storage room and a trash storage. The second and third floor will consist of 2-one bedroom apartments and the roof will have a roof top deck for the tenants use. The applicant seeks Variance relief for (Hardship) and [N.J.S. 40:55D-70c(2)] for Maximum Residential Density and Off Street Parking. However, Maximum Density creates a D Variance N.J.S. 40:55D-70d(5) this will need to be handled by the Zoning Board.

**Documents Submitted:**

**The following drawings were submitted and reviewed by this office:**

<u>Sheet</u>	<u>Title</u>	<u>Revision</u>	<u>Date</u>
1	SP-1 Layout Sheet	Rev. #0	June 15, 2022
2	A-101 Floor Plans	Rev. #0	June 15, 2022
3	A-201 Elevations	Rev. #0	June 15, 2022
4	A-401 Renderings	Rev. #0	June 15, 2022

The above drawings were prepared by J. Michael Petry PE,PP,RA,AIA, NJ Lic. # 36662, NJ Architect Lic. # 13144 of Petry Engineering, LLC., located at 155 Passaic Ave., Fairfield, N.J. 07004.

**We also reviewed the following information:**

- 1) Zoning Board Application
- 2) Redevelopment Agreement, dated October 11, 2022
- 3) Cover Letter by William La Tourette, dated November 15, 2022
- 4) Caldwell Resolution 10-221 to approved Redevelopment Plan by Mayor and Council.
- 5) Cover Letter to Caldwell Mayor & Council, dated October 24, 2022

1. Area and Bulk Requirements:

Description Block 52, Lot 25.01		Zone Requirement	Existing	Proposed	Status
Permitted Use: Retail Services or Retail Store and Multifamily Residential		Subdistrict I- Downtown Core I	Retail	Mixed Retail/Residential	C
Min. Lot Requirements	Area (sf.)	3,000 sf.	2,838 sf.	2,838 sf.	N(1)
	Lot Width (ft.)	30 ft.	29.85 ft.	29.85 ft.	N(2)
Max. Residential Density		Sites<0.4 Acre: 40 du/ac.= 2.7 Units	N/A	77 du/ac. = 5 Units	V(3)
Max. Building Coverage		85%	100%	100%	N(4)
Principal Building	Front Yard (ft.) Bloomfield Avenue	10 to 20 ft. Measured from face of the Curb	10 ft.	10 ft.	C
	Side Yard Setback(ft.)	0 ft.	0 ft.	0 ft.	C
	Rear Yard Setback	20 ft.	0 ft.	0 ft.	N(5)
	Impervious Coverage %	90%	100%	100%	N(6)
	Maximum Building Height	Stories	4 Stories	1 Story	3 Stories
Feet		50 ft.	21.5 ft.	47 ft.	C
Parking Requirements		Residential (Per Unit) 1/2 5 Spaces	U	0 Spaces	V(7)
		Commercial (Per 1,000 GFA) 2.5/3.5 3 Spaces	U	0 Spaces	
Bicycle Parking Residential (Per Unit) Multifamily with 5 or more units		1 space per unit, not to exceed 50 spaces 5 Spaces	U	U	V(8)
Bicycle Parking Commercial		1.0 spaces per 7,500 sf. 0 Space	0	None	C
1 <sup>st</sup> Floor Transparency		60%	U	61%	C
Above Ground Transparency		30%	U	32%	C

C- Conforms, V- Variance, N – Existing Non-Conformance, EN- Expansion of an Existing Non-Conformance,  
 U- Unknown and requires additional information or testimony

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- 1) Minimum Lot Area 3,000 sf. is required the existing is 2,838 sf. and no change is proposed, this is an Existing Non-Conformity a Variance is required.
- 2) Minimum Lot Width 30 ft. is required; the existing is 29.85 sf. and no change is proposed, this is an Existing Non-Conformity a Variance is required.
- 3) Maximum Residential Density required by the is Sites < 0.4 acre: 40 du/ac.= 2.7 Units. The applicant is proposing 77 du/ac. = 5 Units. Maximum Density creates a D Variance N.J.S. 40:55D-70d(5) this application has been moved to the Zoning Board.
- 4) Maximum Building Coverage required is 85%; existing is 100% and no change is proposed, this is an Existing Non-Conformity a Variance is required.
- 5) Rear Yard Setback- Required is 20 ft., existing is 0 ft. and no change is proposed, this is an Existing Non-Conformity a Variance is required.
- 6) Maximum Impervious Coverage allowed is 90%; Existing is 100% and proposed is 100%. This is an Existing Non-Conformity a Variance is required.
- 7) Parking- 8 spaces are required; no parking spaces are to be provided. **The applicant shall supply a valid shared off-site parking agreement within 400 feet of site as per the Borough of Caldwell's Redevelopment Plan. A Variance may be required.**
- 8) Bicycle Parking- 5 spaces is required; a bicycle room is proposed the applicant must supply details and comply with the Redevelopment plan. A Variance may be required.

**Variations Required:**

1. Minimum Lot Area- Existing
2. Minimum Lot Width - Existing
3. Maximum Residential Density
4. Maximum Building Coverage- Existing
5. Rear Yard Setback- Existing
6. Maximum Impervious Coverage- Existing
7. Parking
8. Bicycle Parking

**Completeness Review:**

The application has been deemed **Complete as long as the applicant supplies the information listed below**; in accordance with Subdistrict I- Downtown Core I, Borough of Caldwell Chapter 250 Zoning and the Redevelopment Agreement between the applicant and the Borough of Caldwell. The applicant should provide additional or modified drawings or request waivers for each checklist deficiency. Each waiver requested should be addressed with a reason for each waiver.

- Name, signature, license number, seal and address of engineer, land surveyor, architect, professional planner and/or landscape architect, as applicable. Involved in preparation of plat.  
**Signed sealed survey shall be submitted.**
- **Proof that taxes are current.**
- Signature blocks for Chairman, Secretary, Municipal Clerk and Municipal Engineer. **This shall be added to the plans.**

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- Where applicable, all proposed lot lines and area of lots in square feet is applicable, e.g., dedication of right-of-way. **The applicant shows 10' Right-Of-Way and referenced "Book: V68 PG:201" in the rear of the property; a copy shall be provided for review. This is the how the proposed tenants access their apartments. The applicant shall provide proof of rear access easement and/or proof of use.**
- Copy and/or delineation of any existing or proposed deed restrictions or covenants; **if there are none, a note shall be added to the plans stating there are none.**
- Any existing or proposed easement or land reserved for or dedicated to public use or utility use. **If there are none; a note shall be added to the plans stating there are none.**
- List of required regulatory approvals or permits. **If there are none; a note shall be added to the plans stating there are none.**
- List of variances requested or obtained; **shall be added to the plans.**
- Payment of application fees and escrow fees, if applicable. **All required development fees, bonds and escrows shall be submitted in accordance to the Borough Ordinance and Redevelopment Agreement.**
- Property owners and lines of all parcels within 200' identified on most recent tax map sheet. (Provide names, addresses, blocks and lots.) **This shall be added to the plans.**
- All existing streets, adjoining uses, structures, driveways, watercourses, flood plains, wetlands or other environmentally sensitive areas on and within 200' of site to the extent known. (Survey of adjacent property not required.) **If there are none, a note stating such shall be added to the plans.**
- **Proposed system of drainage of subject site shall be added to the plan.**
- Proposed vehicular and pedestrian circulation and utility infrastructure plans, including disposal of sanitary sewage, water management, all other utilities may be shown by footnote. **When required.**
- **Spot and finished elevations at all building corners.**
- Construction details, all proposed floor layout plans shall be added to the architectural plans including basement. **The Basement details shall be added to the plans.**
- **Landscaping details shall be added to the plans or a Waiver requested.**
- **Lighting details shall be added to the plans or a Waiver requested.**
- Location and design/details of containers for solid waste, including recyclables. **These details shall be added to the plans. Testimony may be required.**
- Parking plan where applicable showing spaces, size and type, aisle width, curb cuts, drives, driveways and all ingress and egress areas and dimensions. **There is no onsite parking proposed. The applicant shall supply a valid shared off-site parking agreement within 400 feet of the site as per the Borough of Caldwell's Redevelopment Plan.**

**Additional Review Comment:**

- Open/Outdoor Amenity Space: Less than 10 Units, 150 sf. of amenity space is required per unit a total of 750 sf. is required for this project. **Balconies and rooftop deck area count towards this requirement. Rooftop deck and rear balconies shall be dimensioned on the plans.**
- The applicant is required to provide 5 bicycle parking spaces one per unit. **The applicant is proposing a bicycle room on sheet A-101; details of bike racks shall be added to the plans.**
- Loading Zones or areas are preferably to be located in areas proving rear access to commercial spaces and accessible by alleyway. Alternatively, if impossible due to site conditions, shared loading zones located on streets adjacent to Bloomfield Avenue are preferred. **The applicant shall provide details of Loading and Unloading Zone for retail space on the Plans; testimony may be required.**

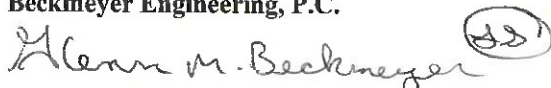
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- Access to alleyways located and designed to minimize conflicts with pedestrian and vehicular circulation. Alley ways must be physically separated from adjacent parking areas. **The applicant must show the access alley in the rear of the building provides safe travel between pedestrian and vehicular circulation. Since, this alleyway is the driveway access to the Caldwell Municipal Parking Lot and will be the main entrance for the residence of the building. Please submit a copy of the 10' Right-Of-Way referenced on the plans as "Book: V68 PG:201" for review. Testimony may be required.**
- **The applicant shall prove that the alleyway behind the building is accessible to the general public 24 hours per day, 7 days a week and provide who is responsible for maintenance and management of the alley.**
- **The applicant is proposing a rooftop deck. The plans state "Roof Access Penthouse". As per the Redevelopment Plan rooftop decks shall not exceed 20% of rooftop area and be available and accessible to each unit. The rooftop deck shall be dimensioned on the plans.**
- **Balconies are not permitted along Bloomfield Avenue, as per the Redevelopment Plan. Juliet Balconies are proposed on the front of the building along Bloomfield Avenue. This will require a Waiver.**
- **The applicant may need approval for Projections in the Borough Right of Way. Juliet Balcony dimensions shall be added to the plans.**
- **It appears there is a cornice extending onto lot 25 and lot 26 in the front of the building. The applicant shall provide testimony that this is allowed.**
- **Signage details were not supplied. A note shall be added to the plans that if this application is approved signs were not reviewed and will need to be submitted before permits for signs are given.**
- **Lighting details shall be added to the plans. A note shall be added to the plans that non-essential lights shall be turned off between the hours of 11:00 pm and 5:00 am.**
- **The applicant shall comply with Redevelopment Plan Streetscape requirements.**
- **All Utility connections shall comply with Redevelopment Plans, "Utilities General Requirements".**
- **The applicant shall apply for, obtain and submit to the Borough all County approvals, since Bloomfield Avenue is a County Road.**

The Site Plan shall include all requested information and answers for the non-compliance's or is granted waivers and/or variances. It shall also be the intent of the applicant to follow all rules and regulations in accordance with the County of Essex, HEP Soil Conservation District, New Jersey Department of Environmental Protection, Caldwell Water and Sewer Departments, Caldwell Fire and Police Departments and the Health Department.  
**Should you have any questions, I can be reached through email at [gbeckmeyer@caldwell-nj.com](mailto:gbeckmeyer@caldwell-nj.com).**

Yours Truly,  
Beckmeyer Engineering, P.C.



Glenn M. Beckmeyer P.E., P.P., CME, CFM  
Borough Engineer  
Borough of Caldwell

Cc: Mayor John Kelley  
B.J. Kurus Chairman.  
Tom Banker, Borough Administrator  
Brittany Heun, Deputy Clerk  
358 Bloomfield Avenue, LLC, Applicant  
William La Tourette, Applicants Attorney  
J. Michael Petry P.E., Applicants Engineer