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July 20, 2021

**The Honorable Members of the
Borough of Caldwell Planning Board
Borough of Caldwell Municipal Building**
1 Provost Square
Caldwell, New Jersey 07006

**Re: Caldwell Village
4, 12, 14 and 18 Lane Avenue**
Block 41, Lots 2, 3.01, 3 and 4
Borough of Caldwell, Essex County
MCBEA FILE NUMBER 4226

Dear Honorable Members,

On behalf of our Client regarding the above referenced development project, enclosed please find the following items:

- Eighteen (18) copies of from a plan entitled, "Preliminary / Final Site Plan for The Caldwell Village, Block 41 – Lots 2, 3.01, 3 & 4, Borough of Caldwell, Essex County, New Jersey", ten (10) sheets, last revised June 18, 2021.
- Eighteen (18) copies of the revised Architectural Plans.
- Eighteen (18) copies of a Traffic and Parking Assessment Report, prepared by Stonefield, dated June 2, 2021.
- Eighteen (18) copies of a color rendering for the new proposed building.

This letter is also intended to supplement the submission by providing an overview of changes made to the site plan in response to a memorandum received from Glenn M. Beckmeyer, Borough Engineer, dated June 15, 2021. To each of the comments, we offer the following responses.

Area and Bulk Requirements:

- 7) Minimum Floor Transparency and Methodology Used shall be shown on the drawings.
Response: The transparency is referred to on all floor plans of the Architectural set and on the front elevation on sheet A-4.

General Review:

- 1) Topographic overlapping side and rear property lines for minimum of 10 feet.
Response: Labels to the topographic lines on adjacent properties will be added.
- 2) Details section and profile, of all underground drainage retention/detention facilities as well as "Water Quality Devices" shall be added to the Plans. Comment: The drainage systems cannot be reviewed until each system discharge is connected into a comprehensive storm system. Also, the details of the

Hydrodynamic Separation Water Quality Devices shall be added to the plans. Revised Storm Water report was not submitted.

Response: Revised Storm Water report to be submitted.

- 3) All retaining walls, proposed and existing shall have top and bottom elevation and all ends, change of directions and change of top of wall elevation.

a. All retaining walls shall be located from the property lines. Distance between property line and back of/front of wall (whichever is closest) shall be labeled on Plans.

Response: Provided in revised plan.

b. Proposed block retaining wall is located adjacent to the common property line with lot 5. The detail supplied for "Alan Block" type retaining wall more than likely will require "Geogrid" which appears to will be required to be installed on or up to the previously mentioned lot. Even though a note stating "Retaining Walls" are only provided for Planning Purposes Only, it appears the "Easements" or Temporary Construction Easements" may be required on the mentioned lot to construct wall adjacent to the property line.

Response: Revised Storm Water report to be submitted.

c. All Retaining walls in the rear and side yards (not in the building envelop) over 6 feet in height Requires a Variance. *Comment: The south east corner of the retaining wall appears higher than 6 ft. top of wall 312.32. However, the bottom of the wall appears, from the grading lines, to actually be 304.25, creating a wall 8 ft. high. A Variance would be required.*

Response: Revised grading and wall layout to address. Wall at southeast corner is now less than 6 feet in height.

- 4) Sidewalk in front of Lot 2, shall be replaced and widened to permit full access past utility pole in middle of walking path. Minimum ADA travel width shall be present at this location. *Comment: Complied. However, the ADA Ramp on the Southern Driveway should be move to the east so it is not interfered with by the tree planters.*

Response: Revised location of proposed street tree to accommodate ADA ramp.

- 5) Proposed floor plans for building # 12 on Lot 3.01 and #4 on Lot 2 shall be submitted if interior is renovated, if not existing floor plans shall be Required. *Comment: The applicant shall supply these.*

Response: Architect to provide.

- 6) Developer must provide testimony that the bicycle storage areas are adequate.

Response: Information to be provided via testimony.

- 7) This project will require a soil moving permit. *Comment: § 199-3 Permit required; No person shall cause any soil movement or land disturbance within the Borough without having first obtained a permit from the Borough Engineer. The provisions of this chapter and requirement of a permit shall not apply to any soil removal or land disturbance covering a total area of 500 square feet or 5% of the total land area of the premises affected, whichever is lesser. The developer shall submit Chain of Custody shall be submitted.*

Response: Applicant has agreed to comply, pending application approval.

General Review:

- 6.7.7A Ground floor fronting any street shall have minimum transparency of 25%.

Response: The transparency is referred to on all floor plans of the Architectural set and on the front elevation on sheet A-4.

6.7.7B Upper floor fronting any streets shall have minimum transparency of 20%.
Response: The transparency is referred to on all floor plans of the Architectural set and on the front elevation on sheet A-4.

6.8.A.1.iv Parking

Parking Additional Comments:

2) 6 parking spaces are not available for daytime parking spaces since the area is listed as the "Loading Zone" from 8a.m. to 6p.m. daily. *Comment: The applicant designated the six (6) spaces parking spaces used for loading during the day.*

Response: To be addressed in Traffic Engineer's testimony.

3) The central turn around has to be replaced with 2 parking spaces and 2 areas to make "K" turns to turn around. The applicant to give testimony on the efficiency and the safety of this design. *Comment: A turning template shall be added to the plans on sheet 4.*

Response: Turning exhibit and testimony to be provided.

4) The first two parking spaces directly behind the existing building #12 Lane appears to have a blind spot when exiting the spaces. Vehicles entering the driveway do not have a sight line with the 2 spaces if the vehicles are backing out of the spaces and the vehicle in the driveway turns at the rear of the building. *Comment: Applicant stated that 2 spaces will be designated for loading during the daytime but what happens if people are parked there at night?*

Response: To be addressed in Traffic Engineer's testimony.

11) The drawings to illustrate and explain how the garage door will operate. *Comment: The applicant has stated the door will operate using a "Key FOB" allowing hands free access to the sheltered parking; a note shall be added to the plans stating such.*

Response: Proposed key fob location is shown on the architectural ground floor plan at the garage entrance.

13) A wall or safety rail shall be shown on the west edge of the single parking space on the second floor adjacent to the ramp. The car width of this parking space shall also be labeled on the plan. This is required to protect people and vehicles parked in this spot from approaching vehicles traveling up the ramp as well as the person stepping out of the vehicle to a drop off, unexpected step on uneven grade. *Comment: Rails were added to the architectural plans. However, similarly the rails shall be added to the Site Plans*

Response: To be included in revised plans.

14) On the second-floor parking level, the drawings to show what safety device/wall/rail that will be installed around that the ramp opening. *Comment: Rails were added to the architectural plans. However, similarly the rails shall be added to the Site Plans.*

Response: To be included in revised plans.

6.8.A.1.v Bicycle Parking

B.6.8.4 Site plans shall show the proposed location of bicycle parking/storage facilities on the site and on the building floor plan design. A construction detail of the bicycle rack or facilities shall be provided. *Comment: A note stating 22 bicycles per each bicycle parking area shall be labeled on the plans. In addition, a note stating seven (7) bicycles can park behind Building # 12 or is it Building # 4?*

Response: Proposed seven (7) spaces are behind Building 4. Note included in revised plans

Bicycle Parking Additional Comments:

15) Is it anticipated on using the second-floor parking level 2 corner areas for bicycle parking as well? *Comment: The applicant stated that all bicycle parking will be on the ground floor; a note shall be added to the plans stating such.*

Response: Note included in revised plans.

6.9. Loading and Unloading

6.9.A. General Requirements

6.9.A.1-6 The specific parameters of loading space design and operations will be addressed within Redevelopment Agreement(s). *Comment: Applicant to give testimony on loading zone, size location and amount, details on all 3 buildings. See under Parking Additional Comments # 3.*

Response: To be addressed in testimony.

6.12 Open Space

6.12.C Signage

6.12.C.3 All projects within the Redevelopment Area shall comply with the §250-21 - Signs of the Zoning Ordinance of the Borough of Caldwell. *Comment: Applicant to provide testimony on signage. The Plans shall state "Signage is not part of these plans or Board Approved. All signage will Require Building Department review and approval." Comment: The applicant states that no signage is proposed for this project. Applicant to give testimony, as well as a note stating such shall be added to the plans.*

Response: Note included in revised plans. To be confirmed in testimony.

6.12.D Lighting

6.12.D.1 Developer shall propose a palette of fixtures and finishes for lighting that are modern, human-oriented and imaginative. *Comment: Finishes for lighting shall be added to the Plans. Comment: Lighting information has been added to sheet 6 of the site plan. Lighting in the lower-level parking area shall be added to the plans.*

Response: Lower-level lighting information to be included in revised plans.

6.12.E Streetscape

6.12.E.2 ADA Compliance: ADA compliant tactile pavers shall be used to define the edge of any service drive or driveways. Tactile pavers shall be installed to the same standards required by ADA at the base of public sidewalk curb ramps and should indicate to pedestrians that they are entering the driveway. *Comment: The 2 driveways shall have ADA Compliant Pavers on the edge of the driveways. Comment: Complied. However, the ADA Ramp on the southern Driveway should be move to the east so it is not interfered with by the tree planters.*

Response: Revised location of proposed street tree to accommodate ADA ramp.

6.12. G. Landscaping

6.12. G.1. Street Trees: Pollution resistant street shade trees are to be planted along both sides of the street, at regular intervals of 25 feet on center. *Comment: General Comment. Complied. However, in lieu of planting trees within the sidewalk area, the Borough prefers that all trees be planted on the property side of the sidewalks.*

Response: Location of street trees shall be revised upon Borough's request.

- 6.12. G.2. Landscaping: Landscaping, rain gardens and bioswales are encouraged to the greatest extent practicable. Comment: General Comment. The plans shall incorporate "Green Infrastructure Guidance" as recommended by the Caldwell Environmental Commission.

Response: Green Infrastructure Guidance recommendations to be incorporated to landscaping plans.

- 6.12. G.3. Retaining Walls Additional Comments:

- 4) Have any borings along the rear property line been performed to determine the type of soils to be encountered from the elevation of the adjacent properties to elevation of 305 as well as the existing water table elevation. The vertical cut required for the installation of the retaining walls will most likely encounter a significant amount of ground water. The plans should calculate the amounts of anticipated ground water as well as the plan to manage it. *Comment: The question raised concerning the ground water to be encountered when excavating a shear cut as proposed and what will be done with this ground water has not been answered.*

Response: To be discussed in testimony.

- 5) Since terraced retaining walls are proposed and each wall does not appear to be separated by "2 times the wall height" distance of each other, each section of terraced walls shall have global slope analysis calculations to confirm total wall stability. *Comment: All Terraced walls will require global slope analysis calculations to confirm total wall stability.*

Response: Slope analysis calculations to be provided prior to construction.

- 7) The retaining wall detail shows a batter from vertical. However, it does not appear a batter is being shown on the plans. If a batter is to be utilized the offset distance must be shown within the terrace retaining wall separation distances as well as the global stability calculation. *Comment: A note stating all retaining wall batters will be offset to not reduce the distance between the top of the retaining wall and any adjacent property lines.*

Response: Note added to revised plans.

- 8) With regards to the retaining wall design, it is imperative in the approval stage of this application. Due to the size and quantity of the walls, if they cannot be built as per the plan, other items may need to be revised i.e., location of the parking, location any size any size of the building, amount of parking to mention a few. The detail also states, "To assure no land disturbances on adjacent properties". The fact the retaining walls will be constructed at some points at 1 ft. from an adjacent property line will undoubtable cause some sort of disturbance to the adjacent property owner and therefore a temporarily construction easement will be required. If the retaining walls requires Geogrid and it needs to be installed beyond the property line, then a permanent easement is required. If there is a construction method that could be used without the previously described easements; then that type of retaining wall should be shown on the plans. *Comment: The plans reduced the magnitude of proposed retaining walls with most retaining walls being moved well enough away from the adjacent property lines. The only wall which still could be an issue is the southern-most wall. A note shall be added to the plans stating that a "Construction Easement" may be required by the Borough Engineer after the retaining walls are designed and reviewed.*

Response: Note added to revised plans.

- 9) All retaining walls 4 ft. high or higher shall contain fall safety fences along the entire length. *Comment: Complied. However, all walls on sheet 4 shall show the safety fence.*

Response: Fence to be included in revised plans.

6.13 Utilities

6.13A. General Requirements

6.13 A. 1-6 All utilities (including transformers, HVAC, generators, telecommunication equipment) shall be located in a way that is visually unobtrusive. Utilities shall be placed within the interior of the principal structure if feasible. Otherwise, utilities shall be located to the rear or side of the principal structure where such locations are infeasible inside. *Comment: General Comment. All utilities shall be located on the Site Plan. Comment: Will be provided after further Architect updates.*

Response: Architect to provide.

6.13B. Water & Sewer

6.13B.1 Each development shall be connected to the public sanitary sewer and water systems, as approved by the Borough Engineer. *Comment: General Comment. The applicant stated they shall comply.*

Response: Applicant to comply.

6.13B.2 Redeveloper(s) must ensure all project provide sufficient flow and meet all standards required by the Fire Department. *Comment: General Comment. The applicant stated they shall comply.*

Response: Applicant to comply.

6.13B.3 For water and sewer, Redeveloper(s) must model and provide guidance to Borough of Caldwell on existing service and capacity to ensure proper service for any development proposed. Continued monitoring and coordination with the Borough of Caldwell is required for all projects. *Comment: General Comment. Applicant must Submit information on the existing water and sewer services and capacities. Comment: The applicant stated they shall comply by way of filing a water main extension application.*

Response: Water main extension application to be submitted.

Sanitary Sewer Additional Comments:

2) The applicant will require a TWA from the NJDEP. *Comment: The applicant stated they will file a treatment works approval application for this project.*

Response: Treatment Works Approval application will be prepared and submitted to NJDEP.

3) The review of the sanitary sewer connection is to be reviewed by the Caldwell Sanitary Sewer Licensed Operator. *Comment: The applicant stated they will comply.*

Response: Applicant to comply.

6.13B.4 Fire hydrants shall be installed by the developer in adequate numbers and at locations recommended by the Borough Engineer. *Comment: General Comment. Fire hydrants, if required, location shall be approved by the Caldwell Fire Department. Comment: The applicant will comply.*

Response: Applicant to comply with Caldwell Fire Department recommendations.

6.13C. Stormwater

6.13C.1 All projects within the Redevelopment Area shall comply with Chapter 206 - Stormwater Control of the Borough of Caldwell General Legislation. *Comment: Stormwater Plan under review by The Borough Engineer. Also See Comment "General Review #2"*

Response: Revised Storm Water report to be submitted.

6.13C.2 All projects within the Redevelopment Area shall be considered a 'major development' as defined under Chapter 206 - Stormwater Control of the Borough of Caldwell General Legislation. *Comment: Stormwater Plan under review by The Borough Engineer, however; the following is noted: Comment: Since a revised Storm Water Report was not submitted, these following comments will stay open.*

Stormwater Additional Comments:

- 1) Since lots #14 & #18 are relatively undeveloped (single family homes on larger lots) the existing flow of the site should be considered spread along this frontage of the 2 lots. Reviewing the existing topographic on Lane Avenue shows a high point elevation 282.6 along the center of the road which coincides with the property line separation these two lots. Since, spot elevations are not supplied along the western curb/gutter line of Lane Avenue, an assumption can be made that there is also a high point, within this curb/gutter, aligned with the same property line. Therefore, besides the combination of flows previously given a new set of calculations will be required, since part of the flow will travel north to Bloomfield Avenue and part will flow south from this high point on Lane Avenue. The new calculations will demonstrate the existing flow from lot 4 alone flowing south and the existing flow from lot's 2, 3.01 and 3 shall be generated together flowing north.
- 2) There are no storm sewers located in Lane Avenue in front of the project, so new storm pipes running north to Bloomfield Avenue and running south in the direction of Klimback Court will be required, unless a totally different basin system is designed.
- 3) On the proposed flow calculations, the flows should be compared to the north/south existing flows as established in the previous comment #2.
- 4) Time of the peak proposed flows north and south shall be compared between the existing and proposed hydrographs to check the timing of the peaks to determine that the proposed design does not have a negative impact on the existing system(s) the flow will be discharging into.
- 5) The inverts of the nearest existing storm facilities to the north and south of development on Lane Avenue shall be labeled on the plans. In addition, the size, length, slope, and type of pipe of the existing storm sewer to the north and south of development.

Response: All stormwater comment to be addressed in testimony and a revised stormwater management report.

6.13D. Refuse

6.13D.1 Refuse shall not be located in any required front yard or buffer. *Comment: How many refuse locations are proposed? One is shown in Plans. Applicant to provide testimony. Comment: Applicant to provide testimony.*

Response: To be addressed in testimony.

6.13D.2 All outdoor refuse shall be visually screened within a durable, non-combustible enclosure, so as not to be visible from adjacent lots or sites, neighboring properties, or streets. *Comment: Location of refuse area with proximity to lot 12.04. Applicant to provide testimony. Comment: The refuse has been relocated and testimony will be provided regarding the refuse/recycling collection and disposal.*

Response: To be addressed in testimony.

6.13D.3 Screening may be accomplished through the use of planting buffers, fences or walls, and shall be high enough to screen these structures. *Comment: Refuse enclosure details to be added to the Plans. Comment The applicant to supply facade details in the future. However, it is suggested that the enclosure be made of masonry and the exterior of the enclosure match the exterior of the building.*

Response: Trash enclosure to be as per Board's recommendation.

250 Zoning

250.20.B Minimum Design Standards

250.20.B(4) Required size of loading / unloading berths. A loading berth shall have a minimum width of 12 feet and a minimum fifteen-foot overhead clearance. The length of the loading berth shall be such that the horizontal distance from the front of a dock for back-in parking to the limiting boundary of the loading and unloading area

shall be not less than twice the overall length of the longest vehicle expected to use the facility, but not less than 40 feet in any case. *Comment: Loading berths shall be 12 feet by 40 feet minimum. The plans show a loading booth of 9 ft. x 54 ft. See Parking Additional Comments #3. Comment: The Applicant states the Loading Space is 18 ft x 54 ft, however, it is in the same location as 6 parking spaces. Parking spaces to be used only at nighttime.*

Response: To be addressed in testimony.

250.20.B.(17).b In all residential zones, any items included in items B(17)(a)[I] through [9] above shall not be permitted to park in the rear yard unless they are properly screened from the view from adjacent properties. Parking in the rear yard shall be permitted only on impervious surface... said impervious surface shall not exceed the maximum allowed in the respective zone. A buffer shall be provided in accordance with Subsection **B(16)** to shield adjacent properties from the view of the items listed. *Comment: All parking in rear of property shall be screened from the view from adjacent properties. Applicant to provide testimony. Comment: Applicant to add landscaping that will screen the north-east property line adjacent to the rear parking area.*

Response: Additional screening to be provided in the north-east parking area.

Thank you in advance for your continued time and consideration. Please do not hesitate to contact us should you have any questions.

Very truly yours,
MCB ENGINEERING ASSOCIATES, LLC



Patrick D. McClellan, P.E.
For the firm