



GROTTO ENGINEERING ASSOCIATES, LLC

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Via e-mail and US Mail

Revised April 17, 2023
January 13, 2023

Borough of North Plainfield
Planning Board
263 Somerset Street
North Plainfield, NJ 07060

Attn: Mr. Thomas Fagan, Chairman

Re: Preliminary and Final Site Plan Application
SPR-23-001; Yeshiva Tiferes Boruch, Inc.
21 Rockview Avenue
Block 134.0, Lot 1
(Our File No. NP-0114)

Dear Chairman Fagan:

This letter has been updated based upon plans submitted with a revision date of 3/8/23. Any comments no longer valid are shown with ~~strike through~~ text. Any new comments are in ***bold italics***.

The following documents have been reviewed in conjunction with the above referenced application:

1. Drawings entitled "Preliminary and Final Site Plan, Yeshiva New Academy Building, Lot 1, Block 134, 21 Rockview Avenue, Borough of North Plainfield, Somerset County, NJ", sheets 1 thru 15, prepared by Charles Stewart, P.E., P.L.S., of E2 Project Management LLC of Rockaway, NJ, dated 8/24/22, ***last revised 3/8/23***.
2. Architectural drawing entitled "Proposed New Building for Springfield Yeshiva, 21 Rockview Avenue, Lot 1, Block 134, North Plainfield, New Jersey", Drawing Z-1, prepared by Lawrence S. Schreiber, AI, of B + F Design of Lakewood, New Jersey, dated ~~10/25/22~~***3/8/23***.

3. Boundary and Topographic Survey, Block 134, Lot 1, 21 Rockview Avenue, North Plainfield Borough, Somerset County, New Jersey, Sheet 1 of 1, prepared by Christopher Bouffard, P.L.S., of New Lines Engineering & Survey of Lakewood, N.J., dated 12/06/21, revised 9/14/22.
4. Historic Preservation Commission Submittal Drawings, entitled “Yeshiva New Academic Building, 21 Rockview Avenue, North Plainfield, New Jersey”, prepared by Barton Ross & Partners, LLC, dated January 28, 2022.
5. Traffic Engineering Review prepared by Elizabeth Dolan, P.E. of Dolan and Dean Consulting Engineers, LLC, of Somerville, N.J., dated October 20, 2022.
6. Stormwater management Report for “Yeshiva New Academy Building, Block 134, Lot 1, Borough of North Plainfield, Somerset County, New Jersey”, prepared by Charles Stewart, P.E., P.L.S., of E2 Project Management LLC of Rockaway, NJ, dated October 2022.
7. Certificate of Appropriateness with conditions from the North Plainfield Historic Preservation Commission for Yeshiva Tiferes Boruch, 21 Rockview Ave (112 Linden Ave), North Plainfield, NJ, dated 4/11/22.
8. Borough of North Plainfield Board of Adjustment/ Planning Board Application and Site Plan Checklist.

Summary

The Applicant, Yeshiva Tiferes Boruch, Inc., with address at 21 Rockview Avenue, North Plainfield, NJ 07060 is seeking Preliminary and Final Site Plan Approval to construct a 7,739 square foot two-story building with full basement. The total occupiable floor area would be 18,877 square feet. The Applicant is requesting a waiver from the Board for the deficiency in the required number of parking spaces. A total of 275 parking spaces are required and 27 parking spaces are being proposed. The site currently has 31 parking spaces. The building is being proposed for classrooms space, study halls, offices, multi-purpose space, kitchen and dining room space for the Yeshiva. The Applicant is not proposing any increase in the number of students.

The subject property is located in the R-4 Residential Zone and also in the H-2 Historic District Overlay Zone. The Applicant has already received a Certificate of Appropriateness (C of A) from the North Plainfield Historic Commission as far as the visual aspects and character of the proposed building. The site as comprised makes up the entirety of Block 134.0 and is bordered by Rockview Avenue, Sycamore Avenue, Linden Avenue and Washington Avenue. Block 134 is surrounded by residential properties on all sides.

Checklist Items

Grotto Engineering Associates has reviewed the subject application for completeness in accordance with Borough Ordinance §22-56c: "Submittal Procedure", and provide the following:

- 1) Name and title of applicant. **Provided.**
- 2) Name of owner. **Provided.**
- 3) Name of person preparing map. **Provided.**
- 4) Place for signature of Chairman of Planning Board or Zoning Board of Adjustment. **Provided.**
- 5) Place for signature of Secretary of Planning Board or Zoning Board of Adjustment. **Provided.**
- 6) Place for signature of Borough Engineer. **Provided.**
- 7) Tax map lot and block numbers. **Provided.**
- 8) Street address. **Provided.**
- 9) Date, scale and "north" sign. **Provided.**
- 10) Tax map. **Provided.**
- 11) Zone district in which property in question falls, zone district of adjoining properties and all property within a two-hundred-foot radius of the property in question. **Provided.**
- 12) Names of owners of all contiguous land. **Provided.**
- 13) All driveways and streets within two hundred feet of site. **Provided.**
- 14) The entire property in question, even though only a portion of said property is involved in the site plan; provided, however, where it is physically impossible to show the entire property on the required sheet, a separate map at an appropriate scale may be submitted. **Provided.**
- 15) Dimensions of lot, setbacks, front yard, side yards and rear yard; size, kind and location of fences. **Provided.**
- 16) Bearing and distances of property lines. **Provided.**
- 17) Existing and proposed contours of site at two-foot intervals for areas less than five percent grade and ten-foot intervals above five percent grade. **Provided.**

- 18) Existing and proposed spot elevations based upon the U.S. Coastal Geodetic datum at all building corners, all floor levels, center lines of abutting roads, top and bottom curbs, property corners, gutters and other pertinent locations. **Provided.**
- 19) Location of all existing trees or tree masses, indicating general sizes and species of trees. **Provided.**
- 20) Significant existing physical features including streams, water courses, rock outcrops, swampy soil, etc. **Provided.**
- 21) All existing and proposed utility lines within and adjacent to the subject property. **Provided.**
- 22) Existing and proposed sanitary sewerage disposal system. **Provided.**
- 23) Storm drainage plan showing location of inlets, pipes, swales, berms and other storm drainage facilities including roof leaders, indicate existing and proposed runoff calculations. **Provided.**
- 24) The outside dimensions of existing and/or proposed principal building(s) and all accessory structures. **Provided.**
- 25) Typical floor plans and elevations. **Provided.**
- 26) Location dimensions and details of all signs. **Not Applicable.**
- 27) Exterior Lighting Plan including type of standards, lighting patterns data, beam cutoff, and light intensity in foot candles for all fixtures. **Provided.**
- 28) Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants and trees and dimensions, approximate time of planting and method of planting (base rooted, ball and burlap). **Provided.**
- 29) Method of solid waste disposal. **Provided.**
- 30) Plans of off-street parking area layout and off-street loading facilities showing location and dimensions of individual parking spaces, loading areas, aisles, traffic patterns and driveways for ingress and egress. All existing and proposed curbs and sidewalks. **Provided.**
- 31) Right-of-way, easements and all lands to be dedicated to the municipality or reserved for specific uses. **Provided.**

We find the submitted information satisfactory for us to provide a comprehensive engineering review.

Based upon a review of the documents provided above and a site visit of January 5, 2023, we offer the following comments for the Board's consideration:

A. Planning and Zoning

- 1) We defer all comments to the Board Planners and their revised report of March 28, 2023.

B. General

- 1) The Applicant's Engineer shall provide a construction cost estimate to assist the Borough in determining the amount of performance and maintenance guarantee required.
- 2) The Applicant will be required to post with the Borough Finance Department the required surety and cash guarantees as required by the N.J.M.L.U.L. and Borough Ordinance.
- 3) The Applicant will be required to post escrow with the Board Secretary to allow the Borough Engineer's office to perform the required site inspections.
- 4) The Applicant will need to complete and submit the Statewide Non-Residential Development Fee Certification Form to the Borough Construction Office with the Building Permits. Any Development Fees that are determined to be required will need to be paid to the Borough prior to the issuance of a Certificate of Occupancy.
- 5) We recommend that the Borough Fire Department review the plans for fire lane, hydrant and Siamese connection locations.
- 6) The Applicant will be required to obtain all required permits from the Borough of North Plainfield Building Department.
- 7) The Applicant shall provide testimony as to the current and proposed number of students and staff.
- 8) The Applicant shall provide testimony as to if the Yeshiva operates year-round or if the students leave the site for any period of time.
- 9) *The Applicant shall provide testimony as to whether all students currently reside on site or if any students commute daily to the site, and also, if the Yeshiva advertises that commuting is a possibility for students?*
- 10) The Applicant shall provide testimony as to whether there is any outdoor recreation for students and, if so, where it takes place.
- 11) The Applicant shall provide testimony regarding the anticipated duration of Construction for the proposed building and site improvements.

- 12) The Barton Ross Plans submitted to the NPHPC showed a possible “Geothermal Underground Well Field” along Linden Avenue. The Applicant should provide testimony regarding if this is still being considered.
- 13) If approved, the Applicant shall provide two (2) electronic copies all final plans and reports to the Board Secretary for the file.

C. Demolition Plan (Sheet 3)

- 1) The plan is showing ~~42~~ 18 trees to be removed but the proposed fencing is shown to go right thru several existing trees that are not called out to be removed. The fence alignment should be revised, or additional trees will need removal and require additional new trees to be planted. The Applicant shall provide testimony regarding this issue.
- 2) The existing chain link fence being removed along Sycamore Avenue and Linden Avenue appears to be in the Borough Right-of-Way. Any disturbance in the Right-of-Way must be restored.
- 3) References to “Existing laterals to be cut and capped in accordance w/PMUA regulations” should be changed to “**Borough of North Plainfield**” regulations.
- 4) Demolition Note No. 13 references West Third Street. This note should be removed or corrected as there is no West Third Street.

D. Site & Utility Plan (Sheet 4)

- 1) The proposed five (5) foot high perimeter fence will require a waiver from the Board as the current Borough Ordinance only permits a three-foot-high fence along the front yard line along the Right-of-Way.
- 2) All proposed sidewalk replacement in the Borough Right-of-Way will be required to be either bluestone slabs or colored, stamped concrete to look like bluestone.
- 3) All existing broken and/or deteriorated *or missing* sidewalks *or curbs* along Linden Avenue and Sycamore Avenue must be replaced with either bluestone slabs or colored, stamped concrete to look like bluestone. The Borough of North Plainfield currently has a stockpile of old bluestone slabs that the Applicant can use to make these repairs if they so choose. More information can be provided.
- 4) *It is our recommendation that the Board make a condition of any approval that the Applicant construct colored concrete curbing on both Linden Avenue and Sycamore Avenue property frontages where none currently exists. This would serve to better protect the sidewalks along the property from vehicles parking too close and eroding the grass strip.*

- 5) The Board should consider requiring the Applicant to reconstruct the two access driveway aprons along Linden Avenue. The driveway aprons should be colored, stamped concrete with depressed curb. Curbing must be colored to match the apron and sidewalks. Stamp color and pattern information can be supplied by the Borough.
- 6) The Applicant shall coordinate with the Borough Sewer Engineers, Mott MacDonald, regarding any specific sanitary sewer lateral, main connection details and inspection of same.
- 7) The Applicant shall provide an Operations and Maintenance Manual for the stormwater system that will be utilized by the Applicant for the ongoing yearly inspection and maintenance of the system as required by NJDEP.

E. Grading & Drainage Plan (Sheet 5)

- ~~1) The perimeter roof drain header piping does not indicate the pipe type, size or slope. This information should be added to the plan.~~
- ~~2) It would appear that an additional five (5) trees will need to be removed to construct the on-site drainage system and piping. The Applicant shall re-check the feasibility of the proposed plan and update any conflicts.~~
- ~~3) The Plan does not indicate how the roof drain piping will be connected to the 12" HDPE piping connecting to the Subsurface Infiltration Basin. We don't see any details regarding this connection.~~
- 4) The Plan shows a proposed 12" HDPE connecting into an existing Type "B" Inlet in Rockview Avenue. The Applicant's engineer shall confirm that the proposed 12" HDPE can be installed under the footings for the existing rock wall. As the pipe is very shallow it may be in conflict with the wall footing.
- 5) The Plan does not indicate any replacement of existing colored, stamped concrete sidewalk near the connection to the Borough's Type "B" stormwater inlet in Rockview Avenue. The Plan should be revised to show the sidewalk being replaced in this location.
- 6) The Applicant shall confirm that all excess excavated soils from the building and drainage system will be removed off site and disposed of legally. The Applicant shall provide documentation to the Borough as to the location of the ultimate destination of these soils.
- 7) The Applicant shall provide an Operations and Maintenance Manual for the stormwater system that will be utilized by the Applicant for the ongoing yearly inspection and maintenance of the system as required by NJDEP and Borough Ordinance. The system must be inspected quarterly with reports provided to the Borough Department of Public Works.

F. Landscaping Plan (Sheet 6)

- 1) The Applicant is proposing ~~23~~ 33 new trees be planted based up the removal of ~~12~~ 18 existing trees. If additional trees require removal this plan will need to be updated with additional proposed tree plantings.
- ~~2) The Applicant is not proposing any shrubs or evergreen trees around the building or walkway areas. The renderings plans submitted to the Historic Preservation Commission showed extensive evergreens and foundation plantings. The Applicant should consider adding some evergreen trees and shrubs around the building, walkways and along the fence to provide better screening from the adjacent residential properties.~~
- ~~3) The plan does not show any topsoil or seeding notes or callouts. It appears that all areas inside the limit of disturbance will require topsoil and seed restoration. The Plans should be revised to show all the topsoil and seed restoration areas.~~

G. Lighting Plan (Sheet 8)

- ~~1) The proposed lighting should be revised so that there is no spillage of light into the Borough Right of Way along Linden Avenue and the Linden Avenue/Sycamore Avenue intersection.~~
- 2) The Applicant shall provide testimony regarding any lighting that will be installed on the proposed building walls or at entrance/exit doors. This may affect the lighting intensities shown on the lighting plan. If wall lights are proposed, then this lighting plan must be revised to include the wall light photometrics.

H. Soil Erosion and Sediment Control Plan (Sheet 10)

- 1) The plan does not indicate any areas for stockpile of topsoil stripped from the site. All topsoil should remain on site for re-use as needed.

I. Proposed Fence Plan (Sheet 11)

- ~~1) The proposed ornamental fence and gates should be shown in a heavier line type so it stands out and the Board members can better see what is being proposed.~~
- 2) The Applicant shall clarify the height of all proposed fencing and gates.
- ~~3) The Fence callout on Linden Avenue states "Pickett fence to extend six (6) feet above existing stone wall, Typ". Is the fence being installed inside the wall? How will it be six (6) feet above the existing stone wall? Testimony should be provided to clarify.~~
- 4) The Applicant will need a waiver from the Board for any fencing higher than three (3) feet along the frontages of Linden Avenue, Sycamore Avenue, Rockview Avenue and Washington Avenue.

- 5) The Applicant shall provide testimony regarding if any of the six (6) proposed fence gates will be locked.

J. Construction Details

- 1) A Colored Stamped Concrete Detail must be added. The Borough standard typical detail will be provided.
- 2) A Colored Stamped Concrete Apron Detail must be added. The Borough standard typical detail will be provided.
- 3) A Sanitary Sewer Service Lateral Detail must be added.
- 4) A Sanitary Sewer Doghouse Manhole Detail is not the Borough standard. The Standard Detail must be used.
- 5) The Pipe Trench (ROW) Detail on Sheet 13 calls for 2" Thick I-4 Surface Course. The Borough Standard is 2" I-5 Surface Course. The Detail must be revised.
- 6) A Wood Fence Detail must be added.
- 7) The Perimeter Ornamental Picket Fence Detail on Sheet 15 *does not indicate the height of the fence or the masonry columns.* ~~depicts an eight (8) foot high fence. Eight foot high fencing is not permitted in the Borough.~~ The Applicant shall clarify *the height of the fence being proposed as well as the column heights. Any fence over three feet high will require a variance to be installed along the front yard.* ~~that a five (5) foot high fence is being proposed and the detail must be revised.~~

K. Other Agency Approvals

- North Plainfield Police Department
- North Plainfield Fire Department
- Somerset-Union Soil Conservation District
- Somerset County Planning Board
- NJDEP
- Any other agencies having jurisdiction.

Copies of all approvals shall be forwarded to the Board Secretary upon receipt of same.

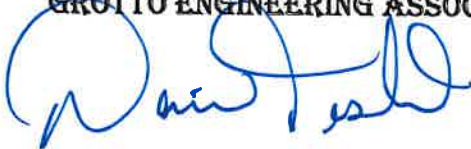
The comments in this correspondence are based on the information submitted at this time. Additional comments may arise as updated information is provided for review. If the Board acts favorably on this application, we recommend that all comments outlined in this letter be made a condition of approval.

SPR-22-001
January 13, 2023
Revised April 17, 2023

Should you have any questions, please feel free to contact me at (908)-272-8901 or dtesta@grottoengineering.com.

Sincerely,

GROTTO ENGINEERING ASSOCIATES, L.L.C.



David J. Testa, P.E., C.M.E., C.P.W.M.
Vice President

cc: Lawrence La Ronde, Mayor, *via email pdf*
David Hollod, P.E., Business Administrator, *via email pdf*
Dawn Gaebel, Planning Board Secretary, *via email pdf*
Katherine Miller, N.P.H.P.C., *via email pdf*
Brian Schwartz, Esq., Board Attorney, *via email pdf*
Peter Wolfson, Esq., Applicant's Attorney, *via facsimile (973-206-6325)*
Angelo Bufaino, P.E., Mott MacDonald, *via email pdf*
Paul Grygiel, P.P., Phillips Preiss Grygiel, *via email pdf*

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PHILLIPS
PREISS
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December 20, 2022
Revised March 28, 2023

Planning Board
Borough of North Plainfield
Municipal Building
263 Somerset Street
North Plainfield, NJ 07060

RE: **Planning Review – Yeshiva Tiferes Boruch, Inc.**
Block 134, Lot 1 (21 Rockview Avenue)
Application for Site Plan Approval for New Building

Note: This letter supplements my original review letter dated December 20, 2022 to address amended plans. New information is denoted in **bold**, deletions are shown in ~~strikethrough~~.

Dear Members of the Planning Board:

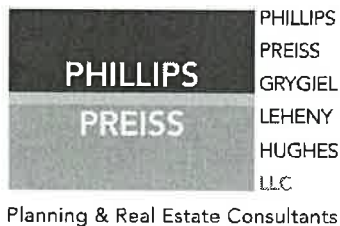
Introduction

As per your direction, I have reviewed the above-referenced development application. The applicant, Yeshiva Tiferes Boruch, Inc., is requesting preliminary and final site plan approval to construct a new building for a private, religious-based residential school on its property.

As part of my analysis, I undertook the following tasks: review and analysis of the pertinent sections of Borough of North Plainfield Zoning Ordinance and Master Plan; and review of the filed application materials, including the following:

- Cover letter and application forms, dated November 7, 2022.
- Resolution of the Board of Adjustment of the Borough of North Plainfield for Yeshiva Tiferes Boruch, Inc., application for interpretation approved August 17, 2022.
- Historic Preservation Commission submittal package prepared by Barton Ross & Partners LLC Architects, dated January 28, 2022.
- North Plainfield Historic Preservation Commission Certificate of Appropriateness, Application #01-06-22-2021 for Yeshiva Tiferes Boruch, approved April 11, 2022.
- Boundary & Topographic Survey prepared by Christopher J. Bouffard, P.L.S., New Lines Engineering & Survey, LLC, dated December 6, 2021.
- Preliminary and Final Major Site Plan (15 sheets) for “Yeshiva New Academy Building,” prepared by Charles J. Stewart, P.E., P.L.S., E 2 Project Management LLC, dated August 24, 2022, **revised March 8, 2023**.

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- Architectural Plans entitled “Proposed New Building for Springfield Yeshiva,” prepared by Lawrence S. Schreiber, B+F Design, dated ~~October 25, 2022~~ **March 8, 2023**.
- Color renderings of the building (2 sheets), unsigned and undated.
- Traffic Engineering Review, prepared by Elizabeth Dolan, P.E., Dolan & Dean Consulting Engineers, LLL, dated October 20, 2022.
- Stormwater Management Report for “Yeshiva New Academy Building,” prepared by Charles J. Stewart, P.E., P.L.S., E 2 Project Management, dated August 24, 2022.

I also visited the subject property and surrounding area to document existing conditions. Photographs from this site visit are included at the end of this letter.

Description of Site and Surrounding Area

The subject property is an irregular lot comprising an entire block bounded by Rockview Avenue, Sycamore Avenue, Linden Avenue and Washington Avenue with a lot area of 96,930 square feet (approximately 2.22 acres). It is currently improved with a three-story frame dwelling (the “mansion building”) which has one-story additions attached to it, two one-story building, driveways, parking areas and other improvements. The applicant currently operates a private, religious-based residential school (i.e. yeshiva) on the property.

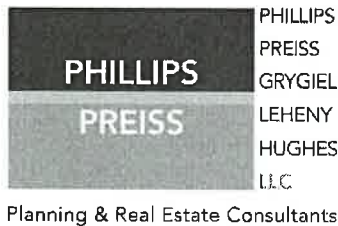
According to materials submitted by the applicant to the Zoning Board of Adjustment for a use interpretation earlier this year, the yeshiva is “a top-tier educational institution that offers a highly specialized program of study in Talmud, which is the central text of Rabbinic Judaism and the primary source of Jewish religious law and theology, and related study.” Information provided with that application stated the yeshiva serves male students ages 14 through 22.

The site has existing driveways on Rockview Avenue, Linden Avenue and Washington Avenue. There are stone walls along some of the property’s frontages, while a chain link fence is located along the Sycamore Avenue frontage and part of the frontage on Linden Avenue. Sidewalks are located on each of the site’s frontages.

The subject property is located in an area characterized predominantly by single-family and multi-family residential uses. Other uses in the vicinity include the North Plainfield Memorial Library, Stony Brook Park and Church of the Holy Cross.

Summary of Development Proposal

The applicant proposes to construct a two-story building above grade. The building will have a footprint of 7,739 square feet and a total occupiable floor area of 18,877 square feet, inclusive of a finished basement. The basement will include a dining room



(~~3,825~~-**3,793** square feet), kitchen, storage areas, bathrooms and a janitorial closet. The first floor will include a “bais medrash,” or study hall (~~3,962~~-**3,971** square feet), a lobby and vestibule, an office, a coat room, a closet, bathrooms and a janitorial closet. The second floor will include a multi-purpose room, a classroom, a bathroom and a janitorial closet, and will have an occupiable area of 3,539 square feet. Access to each of the three levels will be provided by two stairways and an elevator. An additional exterior stairway provides access to the basement.

The exterior design of the building will be complementary to the design elements of the mansion building, with brick, wood, stone and copper elements and slate roof tiles, although the primary façade material will be stucco.

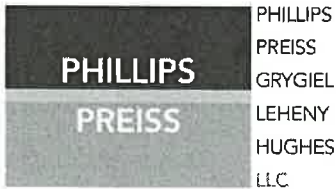
No changes are proposed to the existing site driveways or parking areas, with the exception of the removal of a portion of an asphalt area in the same area where the southeast corner of the building will be located, as well as near the proposed building corner. Four parking spaces will be removed due to this site modification. A wooden fence ~~is~~ **was previously** proposed along the edge of the modified pavement area, **but is not shown on the revised site plan**. The existing chain link fence along the perimeter of the property is proposed to be removed and replaced with a black ornamental perimeter fence. The fence is proposed to be six feet high and supplement the existing stone walls in some locations. Concrete sidewalks are proposed on the north and south sides of the building, and an asphalt walkway is proposed on the east side.

~~Twelve~~-**Eighteen** trees of varying sizes are proposed to be removed as listed on Sheet SP-102.00 of the site plan, which indicates ~~23~~-**33** replacement trees are required per the Shade Tree Ordinance. The proposed new trees are as follows: ~~eight~~-**16** October Glory Red Maple, seven Dura-Heat River Birch, five Sourwood/Sorrel and ~~three~~-**five** Greenspire Littleleaf Linden. **Landscaping added on the revised plans are 56 Little Richard Abelia, which are proposed on the street side of the ornamental fence in the vicinity of the new building, and 13 Emerald Green Arborvitae.**

Seven light poles with a mounting height of ~~ten~~-**eight** feet are proposed in the vicinity of the new building. The lights will be ~~26~~-**45** watt LED fixtures with a color temperature of ~~3000~~-**2700** Kelvin. A subsurface stormwater infiltration basin is proposed under the lawn between the proposed building and Sycamore Avenue.

Zoning Compliance

The subject property is located in the R-4 Residence Zone, as well as the H-2 Historic District Residence Zone, an “overlay” zoning district. Pursuant to § 22-105.1 of the Zoning Ordinance, the only permitted uses in the R-4 zone are “Any use as permitted in the R-3 Residence Zone subject to all required conditions of that zone,” and in turn the R-3 zone permits “Any use permitted in the R-1 and R-2 Residence Zones” as well



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as two family dwellings. Permitted uses in the H-2 zone are any use permitted in the R-1, R-2 and R-3 Residence Zones, subject to the required conditions of the R-2 zone.

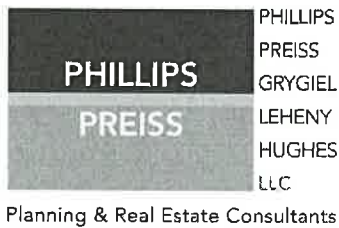
Permitted uses in the R-1 and R-2 Residence Zones (and therefore the R-4 zone and H-2 zone) as listed in § 22-103.1 are as follows:

- One-family dwellings.
- State accredited schools and public buildings and uses owned or operated by the Borough or its agent or by the Board of Education.
- Churches, synagogues and other religious buildings and uses.
- Not more than two roomers or boarders per one-family dwelling.
- Accessory uses limited to off-street parking and signs.
- Accessory buildings and structures normally incident and subordinate to the principal use including private garages, property maintenance and storage buildings, private swimming pools and cabanas and similar utility and recreational buildings and structures.

As has been determined by an interpretation by the Zoning Board of Adjustment, a yeshiva falls within the category “other religious buildings and uses” listed in the third bullet above and is therefore a permitted use.

The applicant is not requesting any variances for the proposed development. One existing nonconforming condition that will remain is the height of the three-story mansion building, which exceeds the maximum permitted. Existing nonconforming conditions pertaining to a front setback of 16.2 feet from the Linden Avenue for a shed ~~and floor area of 399 square feet for a one-story building which does not meet the minimum floor area requirement~~ will be eliminated due to ~~these buildings~~ it being demolished. **A one-story building with a floor area of 399 square feet, which does not meet the minimum floor area requirement, is now proposed to remain.**

Off-street parking requirements for nonresidential uses are set forth in Section 22-117.2b of the Land Development Ordinance. There is no requirement specifically listed for schools. As such the requirement for “unlisted uses” is applicable. This standard is “one space for each 200 square feet of gross floor area unless waived by the Planning Board.” According to the site plan, the existing building has 36,193 square feet of gross floor area, for a requirement of 181 spaces. The proposed building has a gross floor area of 18,877 square feet, which requires 94 spaces. Therefore, the total requirement is 275 spaces. There are currently 31 parking spaces on the subject property and four are proposed to be removed, for a proposed total of 27 parking spaces. The applicant is requesting a waiver of the parking requirement based on documentation in the applicant’s Traffic Engineering Review report (the “traffic report”).



Master Plan Considerations

The Borough of North Plainfield's current Master Plan was adopted in 2014. This document includes a number of background studies and plan elements, and provides general goals and objectives as well as land use recommendations for the municipality. The Master Plan Land Use Plan designates the subject property for Semi-Public/Institutional use, a category that includes "houses of worship, private schools, fraternal organizations, group homes and one cemetery" (page 16). Much of the surrounding area is designated for Single Family Residential use with varying lots sizes. In addition, the Land Use Plan includes the subject property in the Washington Park Historic District.

Planning Analysis and Issues for Consideration by the Board

I offer the following for your consideration in reviewing this application (status of original comments in *italics* below each one):

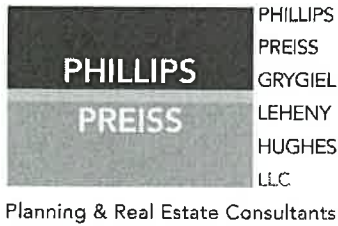
1. The applicant should provide testimony on the operations of the yeshiva, including confirming the number of students and employees, and whether there will be any changes in these figures resulting from the proposed development. Testimony should also be provided regarding the anticipated usage of the proposed space, and whether it is replacing existing facilities on the property.

Current status: This comment remains valid.

2. The site plan and the traffic report calculate the required number of parking spaces based on the gross floor area of the first and second floors of the proposed building (11,267 square feet). However, the basement of the building should be included as well, as it is an integral part of the use. Including all three floors results in a gross floor area of 18,877 square feet, which requires 94 parking spaces. Therefore, the total requirement is 275 spaces, inclusive of the existing facilities. As noted, there are 27 spaces proposed.

Current status: This comment remains valid in my opinion. A strict reading of the Land Development Ordinance definition of "floor area" could exclude the basement from being included. I note that "gross floor area" is not defined, and it would not seem reasonable to exclude a large assembly area from a required parking calculation simply for being located below grade.

3. The traffic report states there are currently six apartments on the property. The parking requirement for a mix of land uses is typically calculated by combining the requirements for the individual uses. Removing these apartments from the floor area total would likely change the required number of spaces. However, the applicant is requesting a waiver from the Planning Board from the parking



requirement being applied due to the nature of the use. The Board should determine whether adequate information has been provided to justify the waiver request, or if additional documentation and/or testimony is required.

Current status: *This comment remains valid.*

4. If the parking requirement waiver request is not granted, a “c” variance would be required for off-street parking spaces. The MLUL at N.J.S.A. 40:55D-70c permits a board of adjustment to grant variances from the bulk regulations of a zoning ordinance and other zoning deviations that do not require a “d” variance. A “c(1)” variance is for cases of hardship due to factors such as shape or topography, or due to “an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.” A “c(2)” variance may be granted where the purposes of zoning are advanced and the benefits of deviating from the ordinance requirements outweigh any detriments. The benefits derived from granting a “c(2)” variance must include benefits to the community as a whole, not just to the applicant or property owner. A “c” variance applicant also must address the “negative criteria,” and affirmatively demonstrate that the variance can be granted “without substantial detriment to the public good” and “without substantial impairment to the intent and purpose of the zone plan and zoning ordinance” of the municipality.

Current status: *This comment remains valid.*

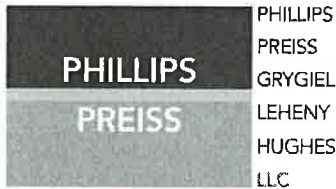
5. There is no off-street loading requirement for this use, as it is not commercial or industrial. However, testimony should be provided as to how trash removal and deliveries for the kitchen will be handled.

Current status: *This comment remains valid.*

6. Sheet SP-103.00 of the site plan shows a “proposed wooden fence to separate proposed improvements from parking existing parking lot” next to the south east corner of the proposed building, but no details are provided for this fence. Information regarding the height and design of the fence should be added to the site plan.

Current status: *This fence no longer appears to be proposed, although a text label still indicates it will be. The applicant should confirm.*

7. The locations of some of the proposed trees on the Landscape Plan (Sheet SP-105.00 of the site plan) conflict with the location of the proposed perimeter fence and should be relocated. An explanation should also be provided as to why one of the proposed trees is located within the public right-of-way outside the perimeter fence while the others are proposed on the subject property.



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Current status: This comment has been addressed through plan revisions.

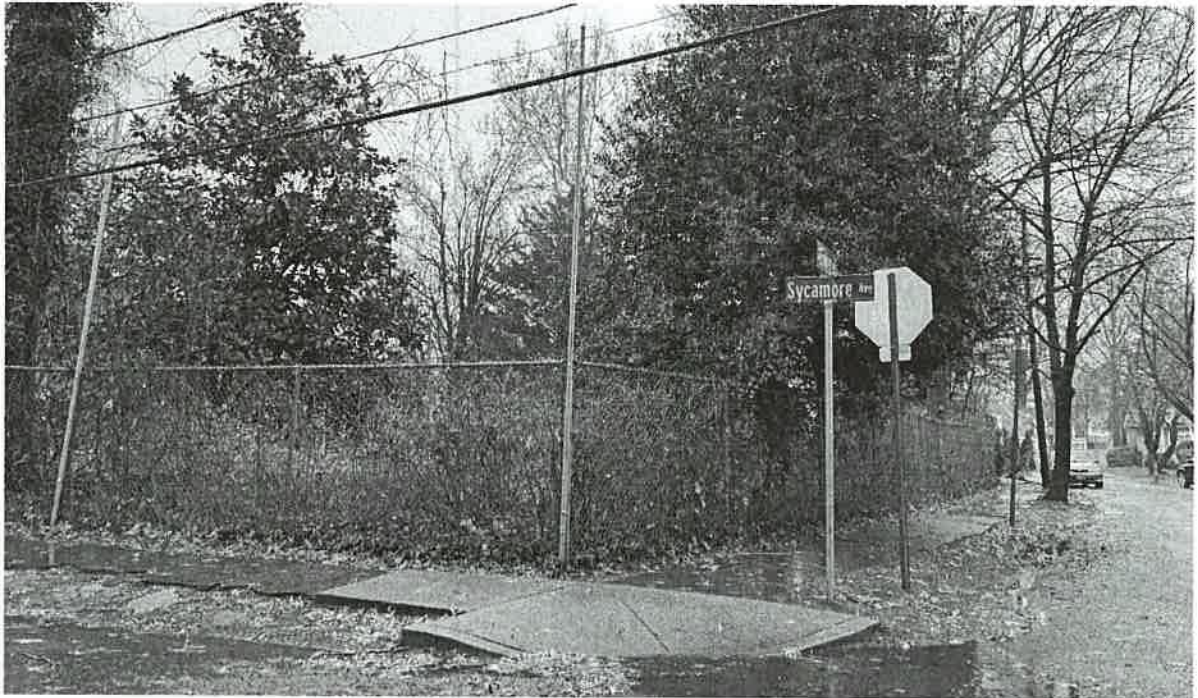
8. There is a discrepancy between the revised architectural plans and site plan regarding an egress stairway from the basement. It is referred to as an “interior building stairwell” on Sheet SP-103.00 of the site plan, but it is shown as an exterior stairwell with a 42-inch high railing around it on the architectural plans. The applicant should confirm which is correct.

If the Board has any questions or comments on the above, I would be happy to address them at the public hearing.

Respectfully submitted,

Paul Grygiel, AICP, PP
Principal

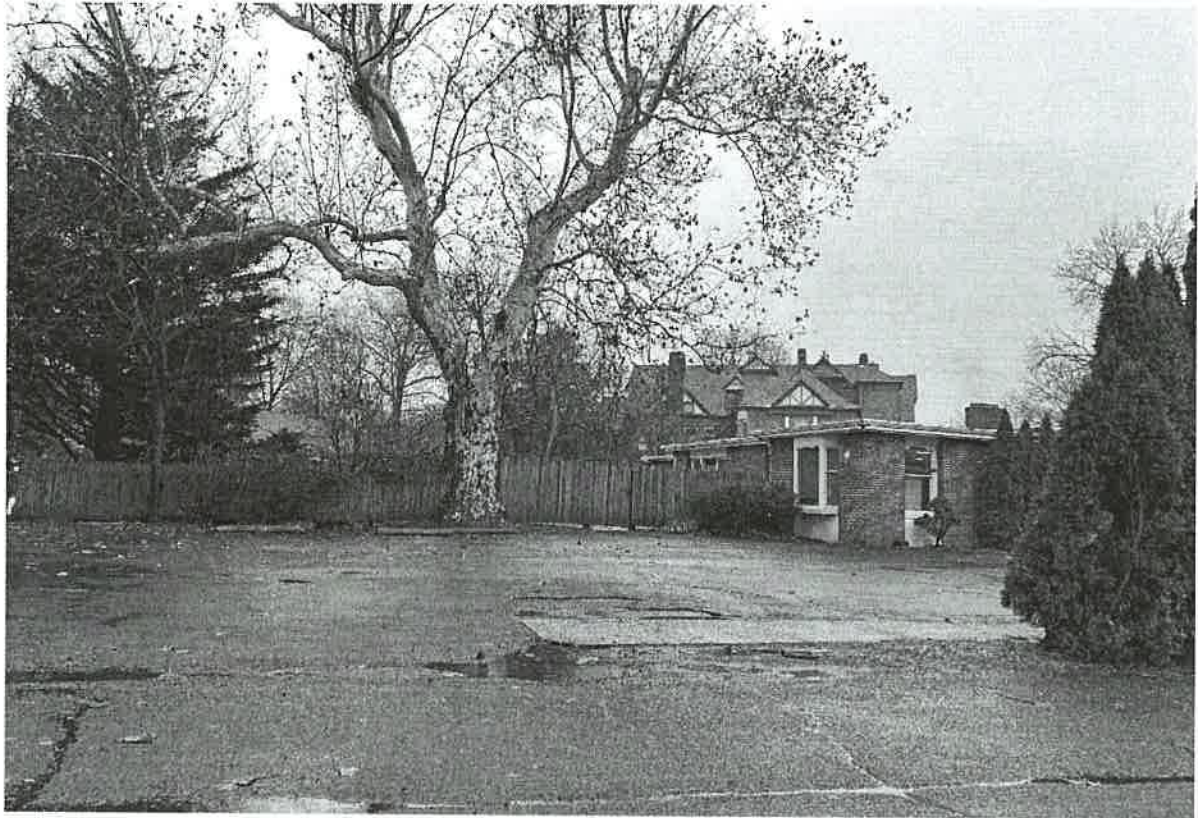
Site Photographs – taken December 16, 2022 at approximately 12:30 PM



Southwest portion of subject property where new building is proposed



Southwest portion of subject property where new building is proposed



Area to north of location of proposed building



View southwest from Washington Avenue at Linden Avenue towards location of proposed building



View south from Rockview Avenue at Sycamore Avenue towards location of proposed building



View of mansion building from Rockview Avenue