



YOUR GOALS. OUR MISSION.

RBPB-R8850

July 5, 2019

Via Email and First-Class Mail

Glenn Carter, Administrative Officer
Borough of Red Bank
90 Monmouth Street
Red Bank, New Jersey 07701

**Re: 176 Riverside LLC
176 Riverside Avenue
Block 3, Lot(s) 2.01, 4.01, 6 and 9.01
Application No. #P13263; WD & VNA Redevelopment Area
Preliminary and Final Major Site Plan
First Engineering Review**

Dear Mr. Carter:

As requested, we have reviewed the above referenced site plan application. The applicant submitted the following documents in support of this application:

- Application for Development Permit, dated April 15, 2019.
- Denial of Development Permit, dated April 16, 2019.
- Intent to Proceed, dated April 25, 2019.
- Disclosure of Ownership.
- Green Development Checklist.
- Preliminary and Final Major Site Plan, prepared by Matthew J. Bersch, P.E., of Dynamic Engineering Consultants, P.C., dated April 15, 2019, consisting of fourteen (14) sheets.
- Architectural Plans, prepared by MVMK Architecture and Design, dated April 15, 2019, consisting of seventeen (17) sheets.
- Landscape Plans, prepared by David I. Lustberg of Arterial Street Design Studio, dated April 15, 2019, consisting of eight (8) sheets.
- Traffic Impact Study prepared by Dynamic Traffic, dated April 15, 2019.
- Drainage Report, prepared by Matthew J. Bersch, P.E., of Dynamic Engineering Consultants, P.C., dated April 2019.
- Redevelopment Plan, prepared by Peter Van den Kooy, PP, AICP, and Chris Dochney, PP, AICP, of CME Associates, dated December 12, 2018.
- Letter from Applicant's Attorney, Chad Warnken, Archer & Greiner, dated April 24, 2019.

The applicant is proposing to demolish the existing office building ("VNA Building"), a small two-story structure and appurtenant garage, and existing paved parking lots located on the property and construct a five-story mixed-use building consisting of 210 residential units, 9,000 square feet of co-working space, a retail/food space and related parking and infrastructure.

The site is subject to a Redevelopment Plan titled "Redevelopment Plan for Block 3, Lots 2.01, 4.01, 6, 7.01 & 9.01", which was adopted December 12, 2018, and was prepared by CME Associates.

Based on a recent site visit and review of the plans, we offer the following for Board consideration:



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1. Planning and Zoning:

- 1.1 Per the Redevelopment Plan, two-bedroom units must contain a minimum of 1,000 square feet of habitable floor area. Based on the plans there are several two-bedroom units that are below 1,000 square feet. The plans shall be revised, or a variance will be required.
- 1.2 Per the Redevelopment Plan, bay windows, balconies, overhangs, or other projections from the building façade may encroach into the required front yard area a maximum of three (3) feet, provided that a minimum clearance of twelve (12) feet above the adjacent sidewalk grade is maintained. Based on the architectural plans it does not appear the 12 ft. clearance requirement is met at the balcony shown on the southwestern side of the building, adjacent to Bodman Place. The plans shall be revised, or a variance will be required.
- 1.3 Per the Redevelopment Plan, the permitted residential density for the redevelopment area is 70 dwelling units per acre. In addition, a density bonus of up to 20 additional dwelling units per acre is permitted as long as the applicant incorporates a minimum of four (4) sustainable measures which are outlined in the Redevelopment Plan (5 dwelling units per acre for each sustainable measure provided). The applicant is proposing a density of 86 dwelling units per acre, therefore, four (4) sustainable measures are required. The applicant shall provide details regarding the sustainable measures implemented in this project and provide additional backup documentation confirming the requirements of each sustainable measure are met.
- 1.4 Per the Redevelopment Plan, any application within the redevelopment area must meet the requirements to achieve a LEED Silver rating or greater. Additional documentation confirming how this is met shall be provided.
- 1.5 Per the Redevelopment Plan, the proposed building must be setback a minimum of 20 ft. from the Flood Hazard Area (FHA) line. The applicant shall document the FHA line on the site plan or provide a plan note certifying that the FHA line is remote from the property and therefore document that the 20 ft. setback requirement is met.
- 1.6 Per the Redevelopment Plan, retail food establishments are conditionally-permitted uses, provided they do not exceed 2,500 sf of gross floor area. The applicant is proposing a 2,350 sf retail food establishment, which meets this condition.



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Bulk requirements define the intensity of use and are essential in preserving or creating the character of a zone. Most bulk requirements such as yard setback requirements, required frontage and permitted floor area affect intensity through their interrelation. Those requirements also define intensity of use and establish the metrics that represent a zone or neighborhood's development characteristics. Evaluation of a request to deviate from the bulk requirements must be directed to the specific zoning purposes actually implicated by the request. For example, preservation of light, air, and open space (40:55D-2.c) may be satisfied in assessing a variance from setback requirements. The number of variances requested, and the extent of the deviation is critical in considering the positive and negative criteria. The negative criteria specifically, must demonstrate that the variances can be granted without substantial impairment to the intent and the purpose of the zone plan and zoning ordinance. The planning testimony should clearly show that the benefits outweigh any detriment and not just merely advance the purposes of the owner or Applicant.

2. Off-Site or Off-Tract Improvements

- 2.1 The project has frontages on Bridge Avenue (NJ-35) and Riverside Avenue (NJ-35), therefore, we defer to the NJDOT for review and comment regarding improvements within their right-of-way.
- 2.2 The applicant is proposing water and sanitary sewer connections within Bodman Place. The applicant shall coordinate these connections with the Borough DPU. We defer further review to the Borough Department of Public Utilities.
- 2.3 It should be noted that a large diameter sanitary sewer force main is also located within Bodman Place and within the 20 ft. wide Sanitary Sewer easement on the subject property. The applicant shall confirm its location and add it to the plan set. Test pits may be required prior to roadway excavation.
- 2.4 If approved, the applicant shall clean and televise the existing sanitary and storm sewers within Bodman Place which they intend to connect to and provide the videos for our review.
- 2.5 The applicant is proposing several utility connections throughout Bodman Place which cross to the other side of the street. Considering the current condition of Bodman Place, the additional trips expected with this proposed development, and the wear and tear expected from construction of this project, we recommend the applicant be required to make certain improvements to Bodman Place. These improvements should consist of curb to curb 2" mill and pavement overlay with base repairs as needed from Riverside Avenue to the end of



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Bodman Place. Any storm drainage inlets within these limits should be upgraded to have Type 'N' Eco curb pieces and bicycle-safe grates, as necessary.

- 2.6 It appears a portion of the public sidewalk is within private property along Bodman Place. The applicant should review the plans and determine if it is possible to adjust the public sidewalk to be totally within the Public Right-of-Way. If this cannot be achieved a public access easement will be required.
- 2.7 As a condition of any approval, the applicant must post water connection and sewer connection fees based on the Ordinance in effect at the time of application for the connections.
- 2.8 As a condition of any approval, the applicant must post an off-site water vulnerabilities contribution in the amount of \$320.00 per service unit.

3. On-Site Improvements

- 3.1 The parking demand for the proposed development is as follows:

Redevelopment Plan

One Bedroom Apartment: 1 Space/Unit x 113 Units = 113 spaces
Two Bedroom Apartment: 1.7 Spaces/Unit x 91 Units = 155 spaces
Three Bedroom Apartment: 2 Spaces/Unit x 6 Units = 12 spaces

Co-Working Office Space: 9000 SF x 1 Space/350 SF = 26 spaces

Retail Food Establishment: 1 space per 4 seats x 40 seats = 10 spaces

Total: 316 spaces

The applicant is proposing three hundred twenty-six (326) parking spaces; therefore, the parking requirement is met with respect to the Redevelopment Plan.



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RSIS

One Bedroom Apartment: 1.8 Spaces/Unit x 113 Units = 203 spaces
Two Bedroom Apartment: 2.0 Spaces/Unit x 91 Units = 182 spaces
Three Bedroom Apartment: 2.1 Spaces/Unit x 6 Units = 13 spaces

Total: 398 spaces (RSIS)

The applicant is proposing two hundred ninety (290) residential parking spaces; therefore, the parking demand is not met with respect to the Residential Site Improvement Standards. The applicant shall seek a de minimis exception from the New Jersey Department of Consumer Affairs.

- 3.2 Based on three hundred twenty-six (326) parking spaces provided, the 2010 ADA Regulations require eight (8) barrier-free parking spaces to be provided on-site, two of which must be van-accessible. The applicant appears to meet this standard.
- 3.3 The applicant shall provide testimony regarding the operation of the proposed co-working space and retail food uses including hours of operation and number of employees.
- 3.4 The applicant shall provide testimony regarding deliveries and the types of trucks which will be required to access the site.
- 3.5 The applicant shall clearly identify the Accessible Route into the building from the sidewalk and from the parking area.
- 3.6 The applicant shall provide testimony regarding the operation of the car sharing service.
- 3.7 Per the Redevelopment Plan, loading areas shall be located in the side or rear of the principal building, and shall be screened from public view to the extent feasible. **The applicant is proposing unscreened loading areas within the front yard on Bodman Place, therefore, design waivers will be required.**
- 3.8 The applicant is proposing the building directly adjacent to the 20 ft. wide sanitary sewer easement. The applicant shall confirm that any foundation walls or footings will not extend into the easement. The applicant shall also provide testimony regarding how they intend to protect the sanitary sewer infrastructure during construction.



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- 3.9 The applicant shall indicate if any mechanical equipment will be provided on the roof and, if so, confirm it will be screened in accordance with the Redevelopment Plan and that it meets the height requirements of the Ordinance.
- 3.10 The applicant shall provide testimony regarding times and frequency of trash and recycling pickup and by whom.
- 3.11 The applicant does not appear to provide any outdoor trash enclosures; however, the applicant provides trash rooms within the building. The applicant shall provide testimony and documentation regarding trash pickup including location of pickup and adequacy of the refuse storage areas for the proposed uses.
- 3.12 A note shall be added to the plans indicating that all improvements shall be in accordance with current ADA Standards, as applicable.
- 3.13 The applicant shall provide testimony regarding the proposed loading areas and confirm the expected usage.
- 3.14 Per the Redevelopment Plan, the applicant is permitted to have a maximum of two driveways on Bodman Place. Based on the plans provided, the applicant is proposing four (4) driveways. **A design waiver will be required.**
- 3.15 The applicant is proposing several generic signs. The applicant is proposing two development identification signs that appear to meet the standards of the Redevelopment Plan. In addition, they are proposing multiple signs for the nonresidential uses. The Board should determine if the number of signs proposed is consistent with the intent of the Redevelopment Plan. The sizes of the signs appear to be consistent with the W-1 and W-2 standards set forth in the Ordinance.
- 3.16 Per Section 490-98.I.1.a. of the Ordinance, no parking is permitted within any front yard areas. **The applicant is proposing parking within the front yard on Bodman Place, therefore, the plans shall be revised, or a design waiver will be required.**
- 3.17 The applicant shall address the following regarding construction details;
 - a. Concrete details shall be revised to be NJDOT Class B, 4,500 psi.
 - b. Pavement detail shall be revised to provide 2" HMA 9.5M64 surface course and 4" HMA 19M64 base course.
 - c. The applicant shall provide a detail for the proposed brick pavers.



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- d. The applicant shall provide a detail for the proposed benches. The benches should be anchored into the ground.

4. Traffic

- 4.1 The redevelopment of the abovementioned site consists of the replacement of a medical/professional office building with a multi-use development consisting of 210 mid-rise residential units, 9,000 square feet of general office space, and a food service facility comprised of seating for 40 patrons.
- 4.2 Driveway access will be provided in two locations (four openings) along Bodman Place, connecting the site on the east side. Parking is provided for 326 vehicles on-site.
- 4.3 Traffic counts were recorded near the site on June 12, 2018 at two nearby intersections during the peak periods. Automatic Traffic Recorders (ATR) also obtained traffic volume data on the week of December 5, 2018 to December 11, 2018. The ATR counts were not appended to the report.
- 4.4 The turning movement counts at the Route 35 intersection with Bodman Place are misleading in that the AM peak period volumes show zero vehicles in the eastbound direction at the Route 35 approach to this intersection. The engineer should include updated count sheets showing values for the AM eastbound volumes between 7 AM and 9 AM.
- 4.5 During the PM peak hour, the engineer established a peak hour of 4:15 PM to 5:15 PM where in reality, the PM peak hour is 4:45 PM to 5:45 PM. The differential is 106 more vehicles in the corrected peak hour. The engineer should adjust the existing PM peak hour traffic volumes accordingly.
- 4.6 The peak hour factor for the AM peak hours used in the analysis is 0.92, per the turning movement counts, however a peak hour factor of 0.98 was used in the analysis. The PM peak hour factor of 0.98 was used in the PM analysis, however, this must be recalculated since the analysis must use the actual peak hour of 4:45 to 5:45 PM.
- 4.7 The counts show some conflicting pedestrians in the observations, however, the value used in the analysis of Route 35 and Bodman Place did not consider any pedestrian crossings.
- 4.8 The engineer indicated the “accessory retail/food space” is anticipated to primarily service the residents of the building. The engineer should clarify the use of this space comprising of 2,350 square feet (40 seats) and identify why off-site users are not expected to drive to this facility. It is



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noted the parking generation considers this use for the parking requirement. It is recommended this use be specifically associated with an ITE trip generation land use and trip estimates should be provided since no traffic volumes were estimated for this accessory use.

- 4.9 It is noted the engineer did not take trip credits for internal, walking and shuttle service trips, thus claims the trip generation analysis is conservative.
- 4.10 The engineer provided Level of Service analyses for No-Build, No-Build with the VNA occupied, and Build conditions. The resulting Levels of Service at the Bodman Place southbound approach during the AM peak hour is reported to be LOS D (27s delay) during the no-build, LOS D (33s delay) during the no-build w/VNA, and LOS E (39s delay) during the build conditions. During the PM peak hour resulting Level of Service is reported to be LOS E (37s delay) during no-build conditions, LOS F (56s delay) during no-build w/VNA, and F (74s delay) during build conditions. This is seemingly better than what may occur since this is the average delay for both right and left turning vehicles (the entire approach), where the delay associated with the left turning vehicles may actually be higher and the delay for right turning vehicles may be lower. The output for the 95th percentile queue length is also calculated to be somewhat lower than expected (2.4 to 3.5 queued vehicles). The applicant should consider an analysis that provides dedicated right and left turn lanes for Bodman Place to assess the individual movement delays/queues.
- 4.11 It is recommended that a gap analysis be conducted at the Bodman Place intersection to verify some of the report results. This gap analysis should span 1 full hour during both the AM and PM peak hour intervals and provide detailed data showing the length of simultaneous gaps (in both directions) and time stamp during the analysis period.
- 4.12 The applicant should identify potential mitigation measures to enhance access to Route 35 from Bodman Place, including, but not limited to dedicated left and right turn lanes from Bodman Place, increasing queue storage, increasing sight distance, restriping Route 35 to provide a Two-Way Left-Turn Lane, and other measures to enhance safety. The applicant should review the crash history at this location as there have been multiple left-turn/right angle crashes within the past few years (potentially without the VNA occupied), which cause great concern with maintaining the current conditions.
- 4.13 The engineer indicated that the Rector Place approach to the Route 35 intersection provides LOS F conditions during the PM peak hour with or without the proposed development and indicated a very small adjustment to the signal timing could mitigate this condition. The engineer indicated they will coordinate with NJDOT to determine the optimal signal timing adjustment. The engineer should provide a status of such coordination.



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- 4.14 Parking spaces were estimated in accordance with the Red Bank Redevelopment Plan. The parking capacity exceeds the required number of on-site spaces by 10.
- 4.15 The engineer stated that some customers will walk to the “retail food establishment” from areas off-site. Testimony should be offered as to how far customers will walk to a food service facility and reference a source. In the publication *Parking*, by Weant and Levinson of the ENO Foundation, customers usually do not want to walk more than 400 feet to a shopping center from their vehicles.

5. Grading and Drainage

- 5.1 The proposed area of disturbance exceeds one (1) acre and the increased impervious surface exceeds 0.25 acres, therefore, the project is considered a “major development” as defined by N.J.A.C. 7:8 and is subject to the NJDEP Stormwater Management standards.
- 5.2 The applicant indicates that the stormwater quantity requirements are addressed by reducing the post construction peak runoff rates for the 2, 10 and 100-year storm events to 50, 75, 80 percent, respectively, of the preconstruction peak runoff.
- 5.3 This project increases the impervious surface area more than 0.25 acres; therefore, the water quality requirements are applicable per N.J.A.C. 7:8-5.5. The applicant indicates that the project meets the water quality requirements by removal of existing parking and other drivable impervious areas.
- 5.4 The project is subject to the groundwater recharge requirements to maintain 100 percent of the average annual pre-construction groundwater recharge volume, for the site, in accordance with N.J.A.C. 7:8-5.4(a)2i(1). The subject property is located within the urban redevelopment area; therefore, the project is exempt from the Groundwater Recharge requirements at N.J.A.C. 7:8-5.4(a)2ii.
- 5.5 The applicant shall provide the limit of disturbance area and the area of new impervious surface for the proposed conditions in the Stormwater Management Report.
- 5.6 The applicant shall provide the pond routing analyses for 10- and 100-year storms for review.



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- 5.7 The applicant shall provide the minimum two (2) test pits at the proposed underground basin location to demonstrate the bottom of the basin has a minimum one (1) foot separation with the Seasonal High Groundwater Elevation.
- 5.8 The applicant shall provide a table indicating the total new and reconstructed impervious areas requiring to be treated for the 80% total suspended solid (TSS) removal and 50% TSS removal. Applicant shall also provide the area of existing parking and drivable area to be removed in proposed condition.
- 5.9 The applicant shall revise the proposed outlet control structure callout out on the Grading Plan, Drainage & Utility Plan and Construction Details to match the proposed outlet control structure data in Pond Report – Bodman Detention Basin.
- 5.10 All grass / landscaping areas within Type D soil shall use 0.65 for the runoff coefficient and impervious areas shall use 0.99 for the runoff coefficient in the stormwater conveyance system calculations.
- 5.11 The applicant shall use the 25-year discharge from outlet control structure for pipe sizing from outlet control structure to inlet 1.
- 5.12 The applicant shall provide additional details and testimony regarding roof drainage locations and connection points.
- 5.13 The applicant shall provide the Low Impact Development Check List for review.
- 5.14 A Stormwater Management Maintenance Plan is required along with an Operations and Maintenance (O&M) Manual providing the name/contact information of the person(s) responsible for the preventative and corrective maintenance tasks and schedules.
- 5.15 The applicant shall fill out to the extent possible and provide a draft copy of the “Tier A MS4 NJPDES Permit – Attachment D – Major Development Stormwater Summary” form for review.
- 5.16 We note that the underground detention basin is under a portion of the building. The applicant shall clarify structural details and the interaction with the building foundation.
- 5.17 We note that rain gardens are shown on the separate landscaping plans, however, they do not appear to be incorporated into the site plans or the stormwater management report. The applicant shall provide further design details.



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6. Lighting and Landscaping

- 6.1 The landscaping plan provided is limited in nature. The applicant must provide additional details regarding the landscaping proposed on site including planting layout, species, quantity, etc., and document how the landscaping complies with the Redevelopment Plan as there are several requirements related to landscaping which we do not have enough information to adequately review.
- 6.2 Per the Redevelopment Plan, a landscaped or decorative paver strip of at least 4' in width is required between curbs and sidewalk; however, the applicant is proposing 1'-3' width paver strip on the western and southern areas. **Please revise the paver width and update the plans accordingly or a design waiver will be required.**
- 6.3 Per Section 490-81.c.1. of the Ordinance the following shall be addressed;
 - a. The applicant should add the following notes to planting legend sheet:
 - i. At least 48 hours prior to removing any excess topsoil, the developer shall cause notice of the intent to perform such removal to be given to the Borough Engineer and Construction Official, if applicable.
 - ii. No chemical fertilizer shall be used until after one year of tree being planted.
 - b. A note should be made visible on landscaping details in regard to the size of the tree hole as to maintain 1/3 larger in width and depth than the existing root ball of the particular tree to be planted.
- 6.4 Tree location should be adjusted to avoid conflict with utility lines running on the west and east areas of the building. Multiple trees were noted to be within close proximity to gas line on west end of the building. Tree located on the east end to the right of the parking driveway, is too close to water line. Tree proposed to the right of the stairs on the west end in rain garden conflicts with electrical line. Please update and revise plan accordingly.
- 6.5 The applicant shall provide testimony regarding the hours of operation of the proposed lighting and confirm if any security lighting will be provided.
- 6.6 A point-by-point lighting analysis shall be provided within the garage to confirm minimum lighting level requirements.



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- 6.7 The applicant is proposing lighting spillage in excess of 0.5 horizontal foot-candles onto adjacent Lot 7.01. The plans shall be revised, or a design waiver may be required. It is noted that this lot currently contains a parking lot.

7. Environmental

- 7.1 Based on a review of the proposed project the applicant is proposing regulated activities within the Coastal Area Facility Review Act (CAFRA). As such, a CAFRA Permit is required for the proposed Project. The applicant must demonstrate compliance with the Coastal Zone Management Rules (NJAC 7:7). The applicant shall provide the Borough with the status of the CAFRA Permit application if/when it is submitting. Once the permit is approved they should provide a copy to the Borough.
- 7.2 The applicant will have to demonstrate stormwater management rule compliance (NJAC 7:8) with the CAFRA Permit. The portions of the Navesink River located downstream are Category 1 waters. As such a 300-foot Riparian Zone is associated with the top of bank of the Navesink.
- 7.3 Based on NJDEP GIS there are two Known Contaminated Sites (KCSL) and two Groundwater Contamination Areas (CEA) also onsite. The contamination is associated with Mobil and JCP&L. The applicant must provide information on the status of the Site Remediation Activities and any information on NJDEP Site Remediation Program (SRP) review of the site.
- 7.4 We note that the applicant is proposing rain gardens as part of this project. The applicant shall provide testimony and documentation indicating if infiltration is permitted given the groundwater contamination associated with the site.

8. Miscellaneous

- 8.1 The applicant shall provide a detailed compliance summary of how they comply with the various architectural requirements of the Redevelopment Plan. As currently shown, there is not enough information on the architectural plans to determine compliance.
- 8.2 The applicant shall provide a note on the plans indicating that all curb, sidewalk and pavement shall be restored to the satisfaction of the Board's Engineer.
- 8.3 The applicant is proposing an excess of 5,000 square feet of disturbance, therefore, approval from the Freehold Soil Conservation District will be required.



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- 8.4 The Building Department should review the plans for ADA compliance.
- 8.5 We defer to the Fire Official with respect to review of emergency access.
- 8.6 The applicant will be required to provide an affordable housing plan complying with the affordable housing obligations noted in the recently adopted Borough Ordinance (Ordinance No. 2019-18).
- 8.7 The following approvals or letters of no interest should be obtained:
- Monmouth County Planning Board
 - New Jersey Department of Environmental Protection
 - Building Department
 - Department of Public Utilities/Public Works
 - Freehold Soil Conservation District
 - Fire Official
 - All other agencies having jurisdiction

If you have any questions or require additional information, please call.

Very truly yours,

T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., C.M.E., C.F.M.
BOARD ENGINEER

EWH:GTG:dk

cc: Ziad Shehady, Administrator
Dina Anastasio, Planning Board Secretary
Michael Leckstein, Planning Board Attorney
Chad Warnken, Esq., Applicant's Attorney
Matthew J. Bersch, Applicant's Engineer

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