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October 16, 2021

MEMORANDUM TO: Andover Township Land Use Board

FROM: Cory L. Stoner, P.E., C.M.E., Land Use Board Engineer

SUBJECT: ENGINEERING REVIEW OF UPDATED PLANS
Preliminary/Final Site Plan & Variance Application for BHT Properties Group
Property Located at 248 Stickle Pond Road
Block 151 Lot 21
Andover Township, Sussex County
HPA No. 19-324

Dear Board Members:

The above referenced Applicant has submitted updated documents for the Preliminary & Final Site Plan and Variance application for the proposed development of the Block 151 Lot 21 property located at 248 Stickle Pond Road. These new documents reflect the changes that have been made to the propose site plan as presented to the Land Use Board as exhibits at the September 21, 2021 meeting. Based on a review of the new documents, I offer the comments below regarding the current application. It should be noted that this memorandum is meant as a thorough review of this application and the comments here should supersede previous comments that I have made regarding this application.

1. The new plans and documents submitted in support of this current application include:
 - a. Plans entitled “Preliminary and Final Major Site Plan, BHT Properties, Block 151 Lot 21, Andover Township, Sussex County, New Jersey”, prepared by Engineering & Land Planning Associates, Inc., consisting of twenty-seven (27) sheets, dated December 12, 2019 and last revised September 29, 2021.
 - b. Stormwater Management Report prepared by Engineering & Land Planning Associates, Inc., dated November 28, 2019 and revised September 28, 2021.
 - c. Stormwater Management Maintenance Manual prepared by Engineering & Land Planning Associates, Inc., dated November 28, 2019 and revised September 28, 2021.
2. The plans and documents previously submitted in support of this current application included:

- a. Environmental Impact Statement prepared by Engineering & Land Planning Associates, Inc. dated December 12, 2019 and last revised January 26, 2021.
 - b. Freshwater Wetlands Report & General Permit 6 and Transition Area Waiver prepared by Engineering & Land Planning Associates; Inc. dated January 20, 2020.
 - c. Flood Hazard Area Verification Report prepared by Engineering & Land Planning Associates, Inc. dated January 20, 2020.
 - d. Architectural drawings entitled “Insurance Auto Auctions, ...”, prepared by The Hill Firm, dated May 13, 2020 and last revised February 5, 2021.
 - e. ALTA/ACSM Land Title Survey entitled “Acquisition Parcel from RRL Group, Public Service Electric & Gas Company, ...”, prepared by Carroll Engineering, dated December 19, 2012 and consisting of two (2) sheets.
 - f. Traffic Impact Study for Proposed Construction Equipment & Material Storage Facility prepared by Dynamic Traffic, revised February 4, 2021.
 - g. Document entitled, “Construction Business Office and Construction Equipment and Material Storage”
 - h. Architectural drawings prepared by The Hill Architectural Firm last revised February 5, 2021.
 - i. Land Development Application, checklists, and other supporting documents.
3. This application proposes to use the property for the storage of construction vehicles and construction equipment and materials. The application also includes the construction of a 12,860 square foot commercial office building.
 4. The updated site plan documents cover the changes to the site plan that were presented to the Board as exhibits at the September 21, 2021 meeting. These new plans are different in many from the plans that were deemed complete by the Board on May 18, 2021. The changes made in these plans include removal of construction equipment and materials storage areas along the existing airport runway, movement of the commercial building up to the building setback line, reconfiguration of site parking area, modifications to the stormwater management design, and specific designations where equipment storage and materials storage will occur on the property.

5. **Zoning Comments:**

- a. The Block 151 Lot 21 property is located in the C/I, Commercial Industrial Zone District. A review of the proposed bulk requirements for a development of a property within the C/I, Commercial Industrial Zone District is as follows:

Item	Required	Existing	Proposed	Variance
Min. Lot Area	130,000 sf.	100.87 acres	No Change	No
Min. Lot Width	250 ft.	3,908 ft.	No Change	No
Min. Front Yard Setback	70 ft. Min.	17.9 ft. House	74.9 ft. New Building	No
Min. Rear Yard Setback	50 ft.	1.556 ft +/-	413.93 ft.	No
Min. Side Yard Setback	30 ft.	450 ft. +/-	386 ft.	No
Max. Structure Lot Coverage	25%	0.3%	0.3%	No
Max. Impervious Coverage	60%	4.4%%	46%	No
Max. Building Height	2 ½ Stories/ 35 ft.	1 story/ <35 ft.	1 story <35 ft.	No

- b. It is assumed that the Planner for the Board will address zoning and any use related variances that may be required for the proposed uses. I have no further comments regarding zoning.

6. **Site Plan Layout & Parking:** The following comments are updated comments for the newly proposed uses of the property in question.

- a. The site plan documents illustrate that approximately 60 acres of the 100 acre +/- property will be developed as part of this application. Extensive grading will be required as part of this project.
- b. The parking area for the new building will have forty (40) parking spaces. Per Section 190-61 of the Township Code, the requirement for Industrial uses shall be one space per employee or one space per every 500 square feet of gross area, whichever is greater. Per Section 190-58, business office shall provide at least one space per every 200 square feet. Since no information regarding the proposed building has been provide, it is unclear how the new building will be utilized. The Applicant should provide testimony to determine how the building will be utilized and justify the number of parking spaces that are being proposed.
- c. Per Section 131-37 of the Township Code, all parking spaces shall be at least 10 feet by 20 feet. The parking space sizes have been modified in the new plans and now meet this requirement.

- d. Per Section 131-37 of the Township Code, one loading space would be needed for the building. The updated plans now provide a loading area in the rear of the proposed building.
- e. The Site plan shows an 8-foot-high chain link fence around the perimeter of the site. Per Section 190-97 of the Township Code, only a four-foot-tall fence is permitted in the front yard and a six-foot-tall fence in the side and rear yards. A design waiver will be required for the proposed fence.
- f. The plans illustrate that no fencing will be constructed around the long detention basin nearest to Stickle Pond Road. With this basin being an infiltration basin where stormwater may be held for a length of time and the basin being located so close to the roadway, it is recommended that a 4-foot-high fence be installed around the perimeter of this basin.
- g. Per Section 131-37 of the Township Code, all parking areas on a commercial property are to be paved. The main access driveway and the proposed parking area for the commercial building will be paved, the access roads will consist of capped millings and storage areas will consist of gravel. Design waivers will be required for not paving all areas.

Note: A detail for the gravel storage areas has not been provided in the plans. It is assumed that these areas will consist of 4 inch or 6 inches of dense graded aggregate. A detail needs to be provided for these areas. It should also be noted that these areas are quite large in size and uncapped millings will not be permitted in these areas.

- h. Per Section 131-37 of the Township Code, all parking areas on a commercial property are to be enclosed in curb. No curbing is proposed for the proposed parking areas. A design waiver will be required for not enclosing the parking areas with curbing.

7. Stormwater Management:

- a. The proposed development, which spans over approximately 60 acres of the 100-acre property, consists of multiple points of analysis to compare pre-development and post-development conditions. The water quantity reductions, water quality treatment and groundwater recharge are proposed to be addressed by utilizing five (5) above-ground infiltration basins.
- b. The proposed site plan application meets the definition of a “Major Development”, and is therefore subject to meeting the current Andover Township and NJDEP stormwater requirements. The design of the proposed stormwater management facility must adequately address three main criteria,

which includes water quantity reductions, water quality treatment and groundwater recharge.

- c. Andover Township adopted a new Stormwater Ordinance on February 18, 2021. This ordinance updated the Township Code to align the procedures for stormwater management design with new NJDEP regulations that were to become effective on March 2, 2021.

While the new ordinance was adopted by the Township Committee prior to the May 18, 2021 date when the application was deemed complete by the Board, the ordinance was still proceeding through the County Planning Board review process at that time and an argument may be made that the ordinance was not in effect as of that date. For this reason, the Applicant has decided to proceed with the submittal of their updated site plans and updated stormwater management plan utilizing the Township regulations that existed prior to the new ordinance being implemented.

The major changes that occurred with the adoption of the new regulations relate to green infrastructure requirements for “Small-Scale Infiltration Basins” which limit the drainage area to each basin to a maximum of 2.5 acres. The large infiltration basins proposed with this project do not meet this requirement. There are a number of changes that could occur if the new regulations are implemented, but the major change would be that the large basins proposed would be replaced with several smaller basins in order to decrease to a maximum of 2.5 areas per basin.

It is my understanding that the Applicant has submitted permit applications to the NJDEP prior to the March 2, 2021 date and the application is currently being reviewed under the old regulations. With the NJDEP reviewing this application under the old regulations and the question being made whether the Township ordinance was in effect or not on May 18, 2021, it is my recommendation that the stormwater management design for the project be reviewed at the municipal level under the regulations prior to the new ordinance being adopted.

The above being stated, it is not known whether the NJDEP is reviewing the site plan design as is now being presented to the Board. The Applicant should provide proof that the NJDEP has been notified of the submission of the current site plan application. If the NJDEP have not received this new information, they may determine that new changes submitted after March 2, 2021 trigger a

need for the project to meet the new regulations. If that occurs, then the site plan will need to be modified accordingly and the Applicant would need return to the Board to amend any approval it may have obtained for this project.

- d. Based on the review of the site plans and stormwater management calculations for the project versus the Township stormwater management requirements prior to February 18, 2021, I offer the following comments regarding specific design elements that need to be addressed for this application:
- (1) Pretreatment in the form of a forebay complete with sizing calculations needs to be provided.
 - (2) An analysis of the separation distance between the bottom of the 6” sand layer and the seasonal high-water table (SHWT) to be submitted for review.
 - (3) In addition to the “On Site Soil Testing” provided in Appendix H of the stormwater management report, the testing of permeability rates must be consistent with procedures as outlined in Chapter 12 – “Soil Testing Criteria” of the NJDEP BMP manual. Multiple soil tests are required at the exact location of the proposed BMP’s in order to confirm its ability to function as designed. The Applicant Engineers has stated before that the above will be provided prior to final approval. However, if granting the above-mentioned waiver is considered, and given that a large portion of the soils on site are classified as a Type-D soil, (meaning poorly drained), the infiltration rates become such an essential part of the infiltration basin design and functionality, that approval of any form can only be granted until soil testing results have been reviewed and accepted.
 - (4) Groundwater mounding impacts must be assessed, as required by N.J.A.C. 7:8-5.4(a)2.iv.
 - (5) Drain time calculations for all BMP’s needs to be submitted for review.
 - (6) The recharge calculations may need to be revised based on the soil testing results. Additionally, the input data for the recharge BMP’s needs to be verified by the applicant’s Engineer and revisions made where necessary.

- (7) The storm sewer calculations included in Appendix “E” of the Stormwater Management Report does not match the proposed design. The Applicant’s Engineer to verify and make corrections where necessary.
 - (8) Grate efficiency and capacity calculations of the proposed catch basins to be submitted for review.
 - (9) The Applicant’s Engineer to clarify the purpose and functionality of the proposed 8” RCP pipes (at 0.0% slopes) along the southeasterly berm of SWM-B1, and how it is impacting the water quality storm in the basin.
 - (10) Gravel access drives that are no steeper than 15% must be provided for each of the five (5) infiltration basins for monitoring and maintenance purposes.
 - (11) The existing and proposed grading is provided at a scale of 1” = 60’, with unlabeled existing contours. We were unable to determine if any of the proposed infiltration basins are impounding water greater than a depth of five (5) foot, which would be classified as a class IV dam. The Applicant’s Engineer to provide detailed grading of the proposed infiltration basins at a scale of 1” = 40’, including existing and proposed contour labels.
 - (12) The maintenance manual should be updated to include a contact person and phone number. The five infiltration basins are incorrectly labeled in the section Part II – Filed Manuals, and should be corrected. This document will need to be recorded as required per NJAC 7:8-5.8(d).
- e. A final review of the stormwater management design is needed once the above information is provided. It should be noted that the results of the soil testing and the ground mounding assessment could have significant impacts to the basins proposed with this project. I have great concerns whether the basins as proposed will drain properly and will not become large areas that drain poorly and will eventually contain wetlands due to standing water.
8. **Architectural Plans:** Architectural drawings have been provided but these drawings are not specifically prepared for this property. It is assumed that the building proposed at this site is to generally match the building that was constructed at another location shown on these plans for Lexington, South Carolina. The Applicant should be prepared to discuss

the proposed building in detail with the Board. The items that will need to be specifically discuss should include but not be limited the following:

- a. Size and height of the building.
- b. Location of doors, windows, etc..
- c. Materials that the building will made of.
- d. Colors of the building

Any approval granted by the Board should be conditioned on updated architectural drawings being submitted for review that matches what is presented to the Board.

9. **Lighting & Landscaping:**

- a. The Lighting Plan included in the updated plans illustrates that lighting is only being proposed in the vicinity of the proposed entrance driveway, building and parking lot. No other lighting is shown on the plans. The Applicant should state whether any other security lighting is proposed anywhere on the property.
- b. The Applicant should describe to the Board the planned hours of operation and state what hours the proposed lights will be on. It is recommended that the driveway and parking lot lighting be reduced during operating hours and only security lighting be allowed to remain on overnight.
- c. An elaborate landscape plan has been provided with the application. The Applicant should be prepared to review the landscaping in detail and provide renderings to illustrate how the landscaping will block the views from nearby residential properties.
- d. The Applicant provided Site Line Exhibits at the September 21, 2021 meeting that illustrated what the views of storage facilities be from the residents along Stickles Pond Road. Based on a review of these exhibits, I offer the following comments:
 - (1) Site Line #1 – Existing trees will provide a buffer during many of the months of the year. During winter months when no leaves are on the trees, however, views to the equipment storage areas behind the commercial building will be seen.
 - (2) Site Line #2 & 3– The removal of construction storage along the former airport runway now results in only the detention basin for the facility being visible in the center of the property. The view of the storage area in the rear of the property will be blocked by an existing hill and trees.
 - (3) Site Line #4 & 6 - Existing trees along Stickle Pond Road will block much of the equipment storage area on the north side of the property for much of the year. During the winter months when no leaves are on the trees the upper storage areas will easily be seen. The Applicant is proposing

evergreen trees to buffer these areas but the height of the residents and the proposal to storage equipment and materials on the hillside will likely result in these areas being observed even if buffered.

- (4) Site Line #5– The removal of construction storage along the former airport runway now results in only the detention basin for the facility being visible in the center of the property. The view of the storage area in the rear of the property will be blocked by an existing hill and trees.

10. **Signage:**

- a. Per the Township Schedule of Sign Regulations, a single 32 square foot free standing sign is permitted per business. The proposed sign is now shown at 32 square feet in size and meets the maximum sign size requirement.
- b. It is unknown whether a façade sign will be proposed with this application. Per the Township Schedule of Sign Regulations, a signal façade sign is permitted with a maximum size of 15% of the front façade. The Applicant should state whether any additional signs are proposed on the site.

11. **Environmental Comments & Permits:**

- a. Environmental Impact Statement (EIS): An Environmental Impact Statement has been provided. The report provides a general review of the project and the environmental conditions that exist in the vicinity of the subject property. The report is not real detailed in regards to the environmental sensitivity of the Pequest River or how the project construction will include measures to protect these areas.
- b. Freshwater Wetlands: Per the Freshwater Wetlands Report that was submitted with the original application for this site, stated that the Applicant would need to obtain a General Permit 6 and a Transition Area Averaging Plan Waiver. A General Permit 6 is required for the permanent disturbance of isolated wetlands along Stickles Pond Road. The Transition Area Averaging Plan Waiver is required for the disturbance of wetland transition areas of exceptional resource value.

Since the plans have been modified, it is not known whether any changes to the Freshwater wetland permit need to occur. Any Board approval will need to be conditioned upon the Applicant obtaining the NJDEP Freshwater Wetland permits and approvals required for the development proposed with this current application.

- c. Flood Hazard Areas: A NJDEP Flood Hazard Area verification report was submitted with the original submission. This report illustrated that the property in question is located in close proximity to a tributary of the Pequest River and Stickles Pond. The report states that both water bodies are classified as FW2-TM (Trout Maintenance) waters and are designated with a 150-foot riparian buffer. However,

based on a review of the Surface Water Quality Standards (N.J.A.C. 7:9B), both of these waters categorized as FW2-TMC1 waters which will require a 300-foot riparian buffer.

The updated site plans illustrate that the development activities will now occur outside of the 300-foot riparian buffer areas referenced above. The development activities, however are located very close to the buffer lines shown on these plans. It is recommended that any approval that may be granted by the Board be conditioned on NJDEP verification that NJDEP Flood Hazard Area permits will/will not be required for this project.

- d. With the need for NJDEP land use regulation permits, this development project will also require a full stormwater design review by the NJDEP. The design review by the NJDEP may require additional stormwater management requirements than the local review will require. Any changes to the site plan design that modifies the layout of the site will require the Applicant to return to the Board with an amended site plan application.
- e. The project will require a Soil Erosion and Sediment Control permit from Andover Township.
- f. A new septic system will be installed as part of this project. It is assumed that septic system requirements for this facility would be minimum and this permit will be obtained from the Sussex County Health Department and not require NJDEP review.

12. **Traffic Impact Study:**

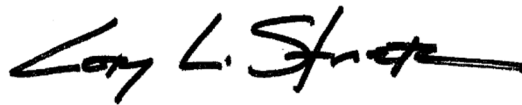
- a. The Traffic Impact Study submitted for the project was prepared prior to the submission of the new site plans. The study refers to a larger proposed parking area but still is applicable for the current design in my opinion. That being stated, any approval by the Board should be conditioned on the project Traffic Impact Study being updated to agree with the final changes to the site plan documents.
- b. In this report, it is stated that the project will generate approximately 190 trips per day with 37 trips occurring during the peak AM and peak PM hours. This is based on the assumption that facility will operate with a maximum 20 full time employees and there will be approximately 150 trips per day associated with the pick-up and delivery of equipment and materials.
- c. The Applicant should be prepared to discuss the operations of the site and fully explain how many employees will be present on the property and how many deliveries are anticipated to determine if the information provided in this study is appropriate.

Andover Township Land Use Board
RE: Preliminary/Final Site Plan & Variance Application for
BHT Properties Group
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13. Other Approvals that will be required include but may not be limited to:
- i. Andover Township Construction Department
 - ii. Andover Township Fire Subcode Official
 - iii. NJDEP Land Use Regulation Permits
 - iv. NJDEP Stormwater Management Approval
 - v. Sussex County Health Department
 - vi. Sussex County Planning Board.

Very truly yours,



Cory L. Stoner, P.E., C.M.E.
HAROLD E. PELLOW & ASSOCIATES, INC.
Andover Township Land Use Board Engineer

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cc: Via Email
Stephanie Pizzulo – Land Use Board Secretary
Thomas Molica, Esq. – Attorney for the Land Use Board
Mathew Morris, P.P., C.L.A. – Planner for the Land Use Board
Ram Adar – BHT Properties Group
Roger Thomas, Esq.
Wayne Ingram, P.E.
Liz Durkin, Esq.