

**ZONING BOARD OF ADJUSTMENT  
CITY OF LAMBERTVILLE  
REGULAR MEETING MINUTES**

Thursday, February 26, 2015 at 7:30 pm

The meeting was called to order by William Shurts, at 7:30 p.m. with a statement of compliance with the Open Public Meetings Act.

**Roll Call**

Mrs. Lawton called the roll as follows:

Present: Pat Pittore, Fred Eisinger, Georg Hambach and John Woods.

Absent: Phil Mackey, Kate Dunn, Sara Scully, Marcus Rayner and Jane Wesby.

Also Present: Board Attorney William Shurts, Board Engineer Tom Cundy and Board Planner Emily Goldman.

**APPROVAL OF MINUTES**

George Hambach made a motion to approve the January 29, 2015 meeting minutes, as submitted. Fred Eisinger seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED.

**APPROVAL OF RESOLUTION # 2-2014**

152 North Union Street

Block 1011 Lots 11 and 11.01

Use Variance and Minor Subdivision

Mr. Shurts drafted a resolution for the Board members and Professionals to review. Minor changes were made to the original draft. Mr. Shurts advised the Board of those changes and the Board approved the resolution with the noted changes.

Georg Hambach made a motion to approve the resolution for 152 North Union Street, with the noted changes. Fred Eisinger seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED.

**PUBLIC HEARING – Continued**

South Franklin Street

Block 1048 Lot 45.03

Hardship & Bulk Variance for Steep Slope

The applicant submitted a Street Opening Permit to the City Clerk's office, however, the application was denied for two reasons. The first being that the application did not have plans attached to it and the second reason being that there is a moratorium on South Franklin Street for the recent work that was done.

In addition, the application also submitted plans to the City Engineer, T&M Associates, for their review regarding the storm water connection. The letter submitted by T&M

Associates, dated February 24, 2015, lists several things that are needed in order for them to complete the review of the application.

An application was submitted to the Delaware and Raritan Canal Commission for their approval for water run-off. An approval has not yet been issued.

The Board members discussed in length the options for moving forward with this application and came to a decision that they are not willing to grant any further time extensions and there is not adequate information provided for prior approvals and additional documentation submittals.

John Woods made a motion to grant approval for the Steep Slope Variance, as requested by the applicant. Fred Eisinger seconded the motion. A unanimous roll call vote against the motion was taken by all members present.  
**MOTION DENIED.**

### **COMPLETENESS**

63 Bridge Street

Block 1042 Lot 29

Use Variance, Conditional Use & Preliminary and Final Site Plan

Mr. Cundey's letter dated February 19, 2015, listed several items that were incomplete, however, those issues can be easily taken care of once the information is provided.

The Board did not have a quorum to vote on this application. Mr. Shurts stated that he would compose a letter to the applicant's attorney advising him of the remaining issues.

The Board will vote on the completeness aspect of this application at its next meeting. The merits hearing will also be heard on the same night.

### **PAYMENT OF BILLS**

Georg Hambach made a motion to pay bills, so long as funding is available. John Woods seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present.

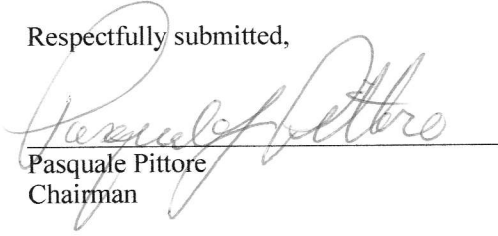
**MOTION CARRIED.**

### **ADJOURNMENT**


Fred Eisinger made a motion to adjourn the meeting at 8:20 pm. Georg Hambach seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present.

**MOTION CARRIED.**

Respectfully submitted,



Pasquale Pittore  
Chairman



Crystal Lawton  
Administrative Officer



YOUR GOALS. OUR MISSION.

February 24, 2015

Ms. Crystal Lawton  
Planning Secretary, City of Lambertville  
18 York Street  
Lambertville, NJ 08530

**RE: Plan Review**  
**Block 1048, Lot 45.03**  
**City of Lambertville, Hunterdon County, New Jersey**  
**Our Project Number LAMB-I0060**

Dear Ms. Lawton:

In reference to the above mentioned property, we have reviewed plans prepared by Goldenbaum Baill Engineering Inc., dated December 16, 2013 and last revised October 18, 2014. It is our understanding that the applicant has submitted plans for consideration by the Planning Board and/or Board of Adjustment. Further, we understand that the applicant is proposing improvements within the right-of-way of South Franklin Street, including a connection to the City's stormwater collection and conveyance system.

Please note that the following comments are solely for use in providing direction with respect to impacts to City infrastructure and all determinations with respect to the Code are deferred to the Planning Board and/or Board of Adjustment. The following comments are offered for your consideration:

#### **CHAPTER XIV- STREETS AND SIDEWALKS**

<u>Section</u>	<u>Description</u>
1. 14-1.2	An application for a Street Opening permit shall be made in writing to the Director of Public Works and shall be forwarded to and filed with the City Clerk. The application, accompanied by a plot plan, diagram or drawing, shall set forth the exact location, nature and extent of the opening to be made together with a statement of the purpose or purposes thereof.

#### **ZONING ORDINANCE**

<u>Section</u>	<u>Description</u>
2. 522.2	The limit of disturbance must be revised to extend around any areas of the property that were recently cleared.



<u>Section</u>	<u>Description</u>
3. 522.2	The applicant must obtain the review and approval/certification of the Delaware and Raritan Canal Commission (DRCC) and Hunterdon County Soil Conservation District (HCSCD).
4. 522.3(a)	This section of the ordinance requires that topography of the site shall extend a minimum of 200 feet beyond the limits of the proposed development. The plans must also indicate existing surface water drainage structures, marshlands, woodlands, wetlands, existing man-made structures, roads, utilities, property boundary with metes and bounds and significant natural and man-made features not otherwise shown. Include all the watershed boundaries and time of concentration paths for pre-developed conditions.
5. 522.3(d)(ii)	The weighted curve number calculations must be revised to account for those portions of the drainage areas that are wooded. The pre-developed condition must indicate the applicable curve number for woods in any areas that were recently cleared and the post-developed condition must reflect the change in cover.
6. 522.3(d)(iv)	The Stormwater Management Report must include pre and post development drainage area map(s) showing areas, cover type and Time of Concentration (Tc) paths.
7. 522.3(d)(iv)	The Stormwater Management Report must be revised to include a calculation of the Time of Concentration (Tc) for both the pre-developed and post-developed conditions, consistent with the Tc paths shown on the required drainage area map(s). Additionally, the computed values may not be rounded up.
8. 522.4(A)	The design shall conform to the provisions of the City's Steep Slopes Ordinance when applicable. The applicant should provide evidence in sufficient detail to demonstrate that the variances required have been obtained.
9. 522.4(B)	The plans must include a description of how the permanent stormwater BMPs will be properly operated and maintained.
10. 522.4(B)	Since the stormwater calculations indicate that the site is not suitable for infiltration, the applicant must provide alternative Best Management Practices (BMPs) that do not rely on infiltration, in order to mitigate stormwater impacts from the proposed development.
11. 522.5(1), 522.5(6)	The plans and calculations must be revised so that the total peak runoff from the site after development does not exceed pre-developed rates, in order to demonstrate compliance with the requirements of these sections of the ordinance.



<u>Section</u>	<u>Description</u>
12. 522.5(5)	The plans appear to show a proposed wall and grading within 1 foot of the Northernmost side property line. The plans must be revised to ensure that runoff will not be directed towards the adjacent Zima Property
13. 522.3(d)(v)	The plans indicate that silt fence is to be installed along the limit of disturbance, and must be revised to show the actual location of the sediment barriers, which must be installed parallel to existing contours.
14. 522.3(d)(v)	<p>The plans must be revised in order to demonstrate compliance with the "Standards for Soil Erosion and Sediment Control in New Jersey", as follows:</p> <ul style="list-style-type: none"><li>• The applicant's engineer must provide evidence in sufficient detail to demonstrate that the proposed 18" silt fence barrier will be adequate to provide erosion and sedimentation control on the site.</li><li>• The plans must be revised to show topsoil stockpile location(s).</li><li>• The plans must call for the use of turf reinforcement matting on steep slopes; including applicable construction details.</li></ul>

#### **CODE OF THE BOARD OF HEALTH**

<u>Section</u>	<u>Description</u>
15. BH:2-2	It shall be unlawful to place, throw or dump, or allow to be placed, thrown or dumped, any garbage, rubbish, offal or other offensive or injurious material of any kind in any well, spring, ditch, stream, creek or canal in the City. The plans and supporting calculations must be revised to demonstrate how the applicant intends to ensure and protect the quality of stormwater runoff discharging into the City stormwater collection and conveyance systems.

#### **ADDITIONAL COMMENTS**

16. Sheet 2 includes a detail for "permeable pavers for walkways"; the location of which must be shown in plan view.
17. The plans should show all proposed utilities, including any piping associated with the proposed well.
18. The plans should be revised to include constructible details for all proposed features, including but not limited to the "proposed sanitary sewer pump station" and retaining walls.



Ms. Crystal Lawton  
February 24, 2015  
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LAMB-I0060

19. The plans indicate a "possible deed overlap" with Lots 43 and 46, which should be resolved prior to plan approval.
20. The plans appear to show features which are located outside of the boundary lines of the subject property. The plans should not be approved until all structures and/or uses for the lot(s) are located entirely within the property boundaries or easements or similar legal instruments are established to allow their continuation.

Any future submission of the design plans for this project must be accompanied by a letter, prepared by the applicant's engineer, which addresses each of the comments contained in this report. Should you have any questions regarding this matter, please do not hesitate to contact me at this office.

Very truly yours,  
T&M ASSOCIATES

Krista L. Heinrich, PE, LEED-AP  
Lambertville City Engineer

c: Ms. Cynthia L. Ege CMR, RMC – City Clerk

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### VIA EMAIL

construction@lambertvillenj.org

February 24, 2015

City of Lambertville – Zoning Board of Adjustment  
18 York Street  
Lambertville, NJ 08530-2093  
Attention: Crystal Lawton, Secretary

**RE: Planner Report #1**  
**Request for: Use Variance**  
**Conditional Use, and**  
**Preliminary/Final Site Plan Approval**  
**Project: 63 Bridge Street**  
**Applicant: Woodrose Properties, LLC**  
**63 Bridge Street, Block 1042, Lot 29**  
**VNHA #42529-300-31**

Dear Crystal:

In accordance with the City's request, I have reviewed the above captioned application and submitted material, and offer the following observations and comments for the Zoning Board of Adjustment's information and consideration.

### 1.0 Materials Reviewed

I have reviewed the following materials for the preparation of this report:

- One (1) set of Architectural drawings prepared by Keith Chambers, dated October 31, 2014, consisting of 3 sheets;
- One (1) copy of an Engineering drawing prepared by Site Works Consultants, LLC, dated February 2, 2015, consisting of 1 sheet;
- One (1) copy of the Application and Submission Checklist;
- One (1) copy of the Checklist No. 4 – Determination of Completeness of Application for Preliminary / Final Site Plan Approval
- One (1) copy of the W-9 Form;
- One (1) copy of the Escrow Agreement;
- One (1) copy of the New Escrow Account;
- One (1) copy of the Deed;
- One (1) copy of the Certification of Submission to the Board Professionals;
- One (1) copy of a Tax Certification;
- One (1) copy of the Certified List of Property Owners; and

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- One (1) copy of a review letter prepared by Board Engineer, Tom Cundy, dated February 19, 2015.

## 2.0 Overview and Variances

- 2.1 The property is located on Block 1042, Lot 29, known as 63 Bridge Street ("Subject Property"), within both the Central Business District (CBD) zoning district and the Downtown Residential 2 (R-2) zoning district. The property contains a two-story masonry building with 1,402 square feet of retail space on the first floor and a two-bedroom residence on the second floor and a one-story frame garage for two parking spaces.
- 2.2 This is an application for a use variance, conditional use and preliminary/final site plan approval to permit the conversion of the second floor residential use into office use and a one-bedroom apartment use.
- 2.3 Due to the split-zoning on the property, a use variance is required because the existing and proposed retail/commercial use is not permitted in the R-2 zone.
- 2.4 Apartment use is a conditional use within both the CBD and R-2 zones; therefore a conditional use is required for the proposed apartment use.

## 3.0 Comments and Recommendations

While I understand that the Board's next meeting on February 26, 2015 is for a "completeness determination", I offer the following Use Variance, Conditional Use, and Preliminary/Final Site Plan application comments:

- 3.1 **Existing Conditions.** The Applicant shall provide an Existing Conditions Plan or clearly distinguish between existing and proposed features on the following plan:
  - "Conditional Use & Site Plan for 63 Bridge Street Situated in City of Lambertville, Hunterdon County, New Jersey", prepared by Site Works Consultants, LLC, Sheet 1 of 1.
- 3.2 **Proposed Conditions.** The Architectural Plans are a little unclear in that they are entitled "Existing First Floor Plans" and "Existing Second Floor Plans" but show proposed conditions. The Applicant shall provide revised Architectural plans that clearly indicate the existing and proposed conditions.

Based on a review of SK-1, it appears that Applicant is proposing office use on the first floor. The Applicant shall indicate the existing use of the space to be converted to office.

Additionally, based on a review of SK-2, it appears there is no separation between the proposed apartment and the proposed office use on the second floor. The applicant shall indicate if the proposed second floor uses will share a bathroom. By copy on this letter, I am requesting Ken Rogers, Construction Official, to determine if a fire-rated wall is required between the office and residential uses on the second floor.

- 3.3 **Flood Elevation.** The Engineering Plan should reference the most current Flood Map for the Subject Property.
- 3.4 **Use Variance.** As stated above, a use variance is required because the proposed commercial use and the existing retail use are not permitted in the R-2 zone. The applicant should provide testimony per Section 601 Standards for Grant of Variance.
- 3.5 **Conditional Use.** The proposed apartment use is a conditional use within both the CBD and R-2 zones.

Per Section 404.4B, accessory apartments within the R-2 zone are subject to the following criteria:

1. The apartment shall be occupied only by a low and moderate income household as defined by N.J.A.C. 5:93-1.3.
2. The apartment shall conform to the requirements for maximum rent level in N.J.A.C. 5:93-5.9(a)3.
3. The apartment shall be affirmatively marketed in accordance with N.J.A.C. 5:93-11.
4. Controls on the affordability of the accessory apartment shall remain in effect for a minimum of 10 years in accordance with N.J.A.C. 5:93-5.9(e), as it may be amended or superseded.
5. Accessory apartments shall only be permitted within single family detached dwellings or their accessory structures. Only one such apartment per lot shall be permitted.
6. Each accessory unit shall comply with the minimum unit size requirements for Neighborhood Preservation Balanced Housing Program (N.J.A.C. 5.14-1 et seq.), which is 600 square feet for a one-bedroom apartment.
7. Each accessory apartment shall have direct access to the side or rear exterior of the building.

Per Section 406.8, accessory apartments within the CBD zone are subject to the following criteria:

1. No apartment shall be permitted on the first or lower floor of a building.
2. Public notice shall be given in the same manner as required for applications for development.
3. Access to each apartment shall be by means of an entrance to the exterior of the building or by common hallway.
4. Each apartment shall have a minimum of two means of ingress and egress.
5. No one-bedroom apartment shall be less than 600 square feet.

Per Section 517.2, the Applicant shall provide testimony to establish that the criteria for granting a conditional use has been met and that the conditional use shall conform to any additional standards specified for an accessory apartment use in the applicable zoning districts as detailed above.

- 3.6 ***Preliminary/Final Site Plan.*** A Preliminary/Final Site Plan Approval is required for the proposed improvements on the Subject Property.

As detailed on the Engineering Plan, the Principal Structure meets all of the Area, Bulk, and Yard Requirements for the CBD Zone. However, the rear portion of the lot within the R-2 zone does not meet the minimum lot requirements. As the lot size is a pre-existing condition and no improvements are proposed within the R-2 zoned portion of the lot, it is of my opinion that the Board can grant a bulk variance for the pre-existing nonconformance.

Per Section 501.2, the minimum distance of any accessory building from a property line or adjacent building on the same lot shall be five feet. As the existing garage structure is 1.2 feet from the lot line, a bulk variance is required for the pre-existing, nonconforming use.

- 3.7 ***Loading Space.*** Per Section 406.7B, each business establishment shall have access to a loading and unloading space within 300 feet of the premises. The Applicant should provide testimony as to the location and adequate guarantee that establishes the right to the loading and unloading use.

- 3.8 ***Parking.*** The Applicant should indicate the number of existing parking spaces required and provided.

The Engineering Drawing indicates four (4) parking spaces are provided onsite while ten (10) spaces are required. The Applicant shall explain how the four (4) onsite parking spaces will be assigned to the three (3) uses (i.e. retail, commercial, and residential) within the building.

In addition to the four (4) spaces being provided onsite, the Applicant is required to provide six (6) off-site spaces. Per Section 406.7D, off-tract parking for a residential use shall be within 300 feet of the premises and non-residential use shall be located within 600 feet of the premises. The Applicant shall provide testimony indicating where the six (6) additional spaces will be provided. If no additional spaces are proposed, the Applicant shall require a parking variance. Testimony shall be provided if a parking variance is needed.

Three (3) spaces (the two spaces in the garage and handicapped accessible space) are undersized in that each space is approximately eight (8) feet in width. The Residential Site Improvement Standards, N.J.S.A. 5:21-4.15, states that each off-street parking space shall measure nine (9) feet in width by 18 feet in length. The two (2) spaces within the garage are pre-existing, nonconforming spaces. A design waiver is required for the undersized spaces.

- 3.9 **Driveway Standards.** The Subject Property contains an existing 9.5-foot wide driveway that is located approximately 2.2 feet from the lot line. Per Table 5.2 Driveway Standards in Section 509.11, the minimum width for a one-way driveway for multi-family, mixed or non-residential use is 12 feet and the minimum lot distance from a side lot line is 5 feet. Consequently, design waivers are required for a pre-existing nonconforming driveway width and driveway setback from the lot line.
- 3.10 **Utilities.** The Applicant should indicate if any new utility services will be provided to the building as a result of the conversion of space on the second floor. Any new utility service(s) should be shown on the Engineering Drawing.
- 3.11 **Standards for Granting a Variance.** Per the N.J.S.A. 40:55D-70(d) and Section 601 of the Zoning Ordinance, the applicant has the burden of demonstrating 'Special Reasons' for granting the variances as well as offering an 'enhanced quality of proof' which states that the variances are not inconsistent with the intent and purpose of the Master Plan and Zoning Ordinance (Positive Criteria). The applicant should also demonstrate that the requested relief can be granted without detriment to the public good and will not impair the intent and purpose of the Zone Plan and Zoning Ordinance (Negative Criteria).

#### 4.0 Relief Required

The following relief is required for this application:

1. Use Variance for the conversion of residential to commercial use;
2. Conditional Use for the apartment use;
3. Bulk variance for a pre-existing, nonconforming lot size in the R-2 zone;
4. Bulk Variance for a pre-existing, nonconforming side yard setback for the garage;
5. Design Waiver for the undersized off-street parking spaces;
6. Design Waiver for the pre-existing, nonconforming undersized driveway width;  
and
7. Design Waiver for the pre-existing, nonconforming driveway setback.

Additionally, a Parking Variance may be required pending the Applicants testimony to Section 3.8 above.

#### 5.0 Conditions of Approval

The Applicant shall provide the following items as conditions of approval:

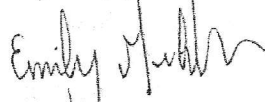
- 5.1 **Historic Preservation Commission Review.** As the Subject Property is within the CBD zone, the proposed project is within the Lambertville Historic District and subject to review by the Historic Preservation Commission. Per Ordinance 2002-13, Section 601(B), a Certificate of Appropriateness issued by the Historic Preservation Commission and signed by the Chairman and Secretary of the Commission shall be required before a construction, demolition, or sign permit may be issued on property within the Lambertville Historic District.

5.2 *Evidence of Other Approvals.* The Applicant shall provide evidence of other approvals, including but not limited to:

- Delaware and Raritan Canal Commission

I will be in attendance at the February 26<sup>th</sup> meeting to review the application for Completeness and may have additional comments at that time. Should you have any questions regarding this report, please contact me at your convenience.

Very truly yours,



Emily R. Goldman, PP, AICP  
City Planner

ERG/jgd

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cc: Lambertville Zoning Board of Adjustment  
William Shurts, Esq., Board Attorney (fcslegal@netcarrier.com)  
Thomas Cundy, P.E., Board Engineer (thomas.cundey@rve.com)  
Ken Rogers, Construction Official (kcorcon@comcast.net)  
Woodrose Properties, LLC, Applicant (Michael@rosemontassocs.com)  
Richard Mongelli, Esq., Applicant's Attorney (rich@mongellilaw.com)

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February 19, 2015

City of Lambertville  
Zoning Board of Adjustment  
18 York Street  
Lambertville, NJ 08530-2093

Attention: Crystal Lawton, Secretary

Re: **Completeness Review**  
**Use Variance, Conditional Use, and Preliminary/Final Site Plan**  
**Woodrose Properties**  
**63 Bridge Street**  
**Block 1042, Lot 29**  
**Our file #10-17-Z-014**

Dear Board Members:

We have received a Use Variance, Conditional Use, and Preliminary/Final Site Plan submission, received on February 11, 2015, consisting of the following:

Sheet	Title	Date
1 of 1	Conditional Use & Site Plan	02-02-15
SK-1	Existing First Floor Plans	10-31-14
SK-2	Existing Second Floor Plans	10-31-14
SK-3	Renovated Elevations	10-31-14

Sheet 1 of 1 was prepared, signed, and sealed by James Ceglia, P.E., Site Works Consultants, Inc., 6 Village Row, Logan Square, New Hope, Pennsylvania 18938, (215) 862-9701.

Sheets SK-1 through SK-3 were prepared by Keith T. Chambers, R.A., Chambers Architecture Inc., P.O. Box 1058, Flemington, New Jersey 08822, (908) 788-3646.

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I. GENERAL INFORMATION

**Applicant/Owner:** Woodrose Properties  
P.O. Box 216  
Rosemont, NJ 08556  
(609) 815-0005

**Proposal:** The applicant proposes to convert a 2-story masonry building along Bridge Street that is presently a residential and retail use. The applicant proposes to continue the retail use, convert a portion of the existing residential use into proposed office use and a portion into a 1-bedroom apartment.

**Zoning:** CBD - Central Business District and R-2 - Downtown Residential District

II. SUBMISSION INFORMATION

The requirements for completeness are included on the Checklist No. 4 and Section 516.5 of the Ordinance. The following applicable items have not been provided. Testimony should be provided to justify any requested waivers. The Board may either declare the plan incomplete or waive the outstanding items:

<u>Item</u>	<u>Description</u>
8.	Certification and signature of owner. <u><b>Comment:</b> Signature of the owner not shown on the certification. Testimony can be given of the owner's consent of filing the application. The owners signature can be a condition provided at a later date.</u>
14.c.	Completed application with appropriate fees and required information submitted directly to these Agencies with copies to the City for verification of these submissions: D & R Canal Commission. <u><b>Comment:</b> Applicant has checked off that this application was submitted to D &amp; R Canal Commission; however, no copy was submitted as evidence. Testimony by applicant should be given that said application was submitted.</u>
17.e.	All topographic information must be shown for adjoining area within 200' of the property boundary. <u><b>Comment:</b> The extent of the topographic information is only about 30 feet from the property line. The 200 foot</u>

<u>Item</u>	<u>Description</u>
	<u>limit is more than what is necessary for this situation. However, the topographic information immediately surrounding the site should be shown.</u>
18.a.	Field cross sections at 50' intervals, drawn at a scale of 1" = 5' vertical; 1" = 10' horizontal. <u><b>Comment:</b> Waiver requested. The application is not proposing new streets or altering the existing street geometry so we support the granting of this waiver.</u>
18.b.	Plans showing existing and proposed streets including field cross-sections at 50' intervals drawn at a scale of 1"=5' vertical; 1"=10' horizontal. <u><b>Comment:</b> Waiver requested. The application is not proposing new streets or altering the existing street geometry so we support the granting of this waiver.</u>
23.	Location of all man-made and natural features both on-site and <u>within 200'</u> of the property including, but not limited to: dedicated open space, culverts, structures, drain pipes, water courses, railroads, bridges, wooded areas, rock outcrops, wetlands (specific source and notation if there are any wetlands present), swamps, buildings, streets, drainage right-of-ways and easements. Location of above and underground storage tanks and fences. <u><b>Comment:</b> Waiver requested. We support the granting of this waiver for most of these items except that the buildings on adjacent lots should be shown.</u>
24.	Plan and profile drawings of all existing and proposed drainage and utility layouts, drawn at a scale of 1"=50' horizontal; 1"=5' vertical, including:  a. Sanitary sewer (include letter of service feasibility from public entity).  b. Public water (include letter of service feasibility for public utility).  <u><b>Comment:</b> Waiver requested. Since the application is not proposing the installation of underground piping nor changing the site grades, this information is not required.</u>
25.b.	Detailed Landscaping Plan indicating proposed landscaping including location, botanical name, common name, size, quantity, planting and staking details, mulched areas specifying type, thickness and edge of mulched areas. Specify whether plants are container grown, balled and

<u>Item</u>	<u>Description</u>
	burlapped (B & B) or bare root (BR). <u><b>Comment:</b> No proposed landscaping is shown. Testimony should be given concerning landscaping and if any is proposed. If none is proposed nor required then this submission requirement is not applicable, instead of a necessary waiver.</u>
28.	Stormwater Management Plans and Watershed Maps, including five copies of all drainage calculations analyzing existing and proposed conditions. <u><b>Comment:</b> Waiver requested. This waiver appears reasonable since only a very small amount of pavement is being added and drainage amounts and patterns will remain virtually the same as existing.</u>
32.	Location, size, and detail of all existing and proposed signs. <u><b>Comment:</b> A waiver is requested. Testimony should be given by the applicant if signs are proposed.</u>
33.	Lighting plans, including location, type, wattage, height, distribution pattern, footcandles, and details. <u><b>Comment:</b> A waiver is requested. Testimony should be given by the applicant if lighting is proposed.</u>
34.	Supplemental information as required by Ordinance or as determined by Board. <ul style="list-style-type: none"><li>a. Natural Resource Inventory. <u><b>Comment:</b> A waiver is requested. This waiver appears reasonable as the site conditions are in a central business district and only minor alterations are being recommended.</u></li><li>b. Environmental Impact Statement. <u><b>Comment:</b> A waiver is requested. This waiver appears reasonable as the site conditions are in a central business district and only minor alterations are being recommended with negligible environmental impacts.</u></li></ul>
36.	Specifications for location of proposed surfacing paving and curbing, including streets. <u><b>Comment:</b> The location of the minor amount of paving is shown on the plan but a pavement section showing the "specification" of the pavement is not shown.</u>

<u>Item</u>	<u>Description</u>
37.	Location of solid waste storage, screening and means of disposal, including amount of pick up per week and recycling facilities. <u><b>Comment:</b> The applicant is requesting a waiver. Testimony on solid waste storage should be given by the applicant. Unless the solid waste is being stored inside the building, the trash enclosure location and details should be shown on the plan.</u>

If you have any questions concerning the above, please do not hesitate to call.

Sincerely yours,

**REMINGTON, VERNICK & ARANGO ENGINEERS, INC.**

*Thomas E. Cundey*

Thomas E. Cundey, P.E., C.M.E.

TEC/mcb

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