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May 28, 2020

Mr. Bryan Seavey, Chairman
Mendham Borough Board of Adjustment
2 West Main Street
Mendham, New Jersey 07945

Re: Six Main Street Mendham, LLC Site Plan and Variance Application
Block 601 Lot 3
6 East Main Street
Project No. 19MB505

Dear Mr. Seavey:

The above application has been submitted for preliminary and final site plan and variance approval for a mixed use development located on lot 3 in block 601. The property is located at 6 East Main Street and shares parking and access easements with the adjoining properties. The following items have been submitted in support of the application:

- Board of Adjustment Application and Checklist, dated October 3, 2019, prepared by Jay Grant.
- Architectural Plans, consisting of nine sheets dated May 19, 2020, prepared by William P. Byrne, Architect.
- Preliminary and Final Major Site Plans, consisting of fourteen sheets, Revised through May 19, 2020, prepared by John Hansen, PE, EL&P Associates, Inc.
- Existing Conditions Plan, sheet 3 of 14, dated September 9, 2019, prepared by Wayne J. Ingram, PLS, EL&P Associates, Inc.
- Owner's Consent to Filing of Application Form
- Traffic and Parking Assessment Report, dated May 19, 2020, prepared by Matthew J. Seckler, PE and John R. Corak, PE
- Sanitary Sewer Video Inspections

A review of the above documents results in the following comments for the Board's consideration:

I. General

- A. This office received an emailed copy of a cover letter from the engineer outlining plan changes to address the prior report from this office. It is not clear if the Board received the letter since it was not in the electronic submission by the attorney or in the hard copy

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of the documents received by this office. Testimony needs to be provided on the plan changes other than those to address prior comments.

- B. The architectural plans have been revised to show a 2,037 square foot restaurant. The site plans now show parking calculations for a 75 seat restaurant and 1,989 square feet of retail. The discrepancy in the square footage of the restaurant and retail space need to be addressed. There is a second parking calculation for 4,026 square feet of retail space. As noted, the architectural plans show only the 2,037 square foot restaurant and no other retail space. The discrepancy between the parking calculations and the architectural plans must be addressed in order for the Board to be able to reasonably assess the parking variance required.
- C. The applicant should be advised that the available sewer capacity in the Borough is very limited. Based on the mandated affordable housing settlement recently entered into by the Borough, the available capacity is effectively exhausted by the inclusionary development project and it is very unlikely that capacity for a restaurant will be available in the foreseeable future.

II. Site Plans

A. Sheet 1 – Cover Sheet

- 1. Testimony in support of the proposed variances should be provided to the Board. We defer additional comments to the proposed variances to the Board Planner.
- 2. The owner's certification must be signed.
- 3. As noted above, there are two sets of calculations for the parking requirement – with and without a restaurant. The discrepancy relative to the architectural plans needs to be addressed.
- 4. Based on the calculation for a restaurant, relief is required for the site having a deficit of 54 parking stalls. The retail only calculation requires relief for a deficit of 35 stalls. Based on a review of prior approvals, the property that shares parking with the subject site was granted prior variance relief for 5 parking stalls. This brings the cumulative deficit to 59 or 40 parking stalls depending on the use. The letter from the applicant's attorney indicates that they are requesting 14 stalls in the public parking lot for use by the residents. If this permission is granted, the site will still have a deficit of 44 or 26 parking stalls based on the ordinance requirements.

B. Sheet 2 – Legend and Notes

- 1. Based on the note over the title block, the plans should not be signed by the Board until they are marked "Issued for Construction."

C. Sheet 3 – Existing Conditions Plan

- 1. The plans note the existing roof leaders of the buildings discharge to grade. The Engineer should confirm the feasibility of whether any of the roof leaders can be connected into the storm sewer system or a seepage pit. This will reduce the potential impact of icing in the parking areas which is important with the proposed increase in residential use.

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D. Sheet 4 – Demolition Plans

1. The note on the driveway replacement states that it will be “milled and repaved in accordance with existing easement agreements.” A similar note is on the concrete driveway apron. The applicant should provide his understanding of the easement agreements and who will be responsible for these improvements. The work must be done as part of the improvements related to this project regardless of the language in any easement.

E. Sheet 5 – Site Plan

1. The sheet includes a floor plan of the basement. It appears this is the discrepancy with the architectural plans since that level was not part of the plans submitted. This should be confirmed.
2. The plans depict an affordable housing unit. The property deed should include the restriction of the unit to affordable housing purposes. The restriction should be subject to review from the Borough Attorney.
3. The plans indicate the applicant will be seeking a modification of the parking restriction in the adjacent public parking lot (to be approved by the Borough), that restricts against parking between 2 am and 6 am. Testimony should be provided on the status of the modification. The parking calculation indicates 14 parking spaces are required for the residential component of the application while 4 parking spaces are provided on the subject lot.
4. The parking proposal needs to be reviewed in detail by the applicant. The ordinance requires that site plans provide off street parking on the lot on which the use is occurring. Based on the plan submitted, 58 or 39 parking stalls are required and 4 are proposed on the subject parcel. A variance is required for 54/35 stalls. As noted above, the properties that share the parking lot previously received a variance for 5 spaces which would increase the deficit. It may be useful to the Board to have an overall parking analysis prepared for the uses on the properties at 2, 4 and 6 East Main to evaluate the overall area deficit in parking as it relates to the individual relief required for 6 East Main.
5. Any agreement with the Borough Council to modify the use of the parking on lot 16 should also include permission to complete the construction on the lot as shown on the plan.

F. Sheet 6 – Signage Plan

1. The detail for the building mounted sign shows a single tenant. Is the intent to have multiple panels if multiple tenants are in the building?

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G. Sheet 7 – Grading and Drainage Plan

1. As noted above, the downspouts should be connected to inlets/drywells where feasible to reduce icing hazards. The drywells on the east side of the building will run across the sidewalk from the rear of the site to Main Street.
2. The drywell detail should be modified to make it clear that the filter fabric is not to be installed on the bottom of the drywell.

H. Sheet 8 – Utility Plan

1. Each residential unit should have its own water, electric, telephone, cable and gas services.
2. Where necessary, multiple sanitary services could be served by single laterals, however they should be at least 6” in diameter. The video submitted shows the existing cast iron pipes in fair condition. There are no obvious cracks or deformities, however as with typical with cast iron pipes, the flow area has been reduced over time. The single 4” cast iron lateral will not be sufficient for the proposed uses, especially with a restaurant.
3. A grease trap in accordance with the Borough ordinance will be required for the restaurant.
4. The sanitary sewer for the apartments in the former garage is shown by means of an ejector pump to the existing connection to Main Street. It also appears the barn structure flows to through the front building to Main Street. It is not clear how this is possible based on the fact that it is so far down gradient.

I. Sheet 9 – Landscaping and Lighting Plan

1. No existing or proposed illumination levels are shown on the plan. It is understood that the lighting plan does not include an existing area light. This large spot light should be replaced with cut off light fixtures. At the rear of the site and in the municipal lot, full cut off “blade” type fixtures would provide the best coverage with minimal spillover and glare.
2. It appears a waiver for exceeding the 0.1 footcandle level at the property line appears to be necessary and is noted on the plan, however no illumination levels are shown.
3. The site is proposed to be converted to a much higher intensity residential use than currently exists. As such, sufficient lighting will be necessary from dawn until dusk for safe pedestrian travel from the parking areas to all the building entrances.
4. The landscaping schedule indicates the boxwoods are to be planted from 5-15’ feet tall and 5-15’ wide. This is a very large range of plants. It also does not appear that the plants within this entire range can fit in the location identified.

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J. Sheets 10-12 – Soil Erosion and Sediment Control Plan and Details

1. This plan will need to be certified by the Morris County Soil Conservation District.

K. Sheets 13 and 14 – Construction Details

1. The water service details need to be approved by the water company.
2. The sanitary lateral should indicate DGA backfill.

III. Architectural Plans

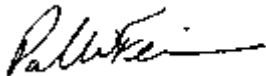
- A. The architect should review the usage and access to the various portions of the expanded existing building.
- B. As noted above, the basement level should be added to the plans.

IV. Traffic and Parking Assessment Report

- A. The report indicates that the “site” provides 62 parking spaces which includes 2 on street stalls and 56 on lot 16. As noted in the prior report, any on street parking does not meet the ordinance definition of off street parking. Additionally, the report assumes all 56 stalls in lot 16 (the Borough owned public parking lot) are dedicated to the project. The letter from the applicant’s attorney to the Mayor and Council requested the allocation of 14 stalls. The parking lot is intended to serve the downtown area of the Borough and not exclusively lot 3. It does not seem reasonable to count all these stalls to offset the demands of lot 3.
- B. The report provides commentary on shared parking that notes the peak demand for restaurants are midday and evenings and the peak for residential is overnight. While the report concludes this is not a conflict, the opposite is true since the evening peak of a restaurant will conflict with the early evening when residents are at home. This would likely be exacerbated on Fridays through Sundays when the restaurant demand is the highest and the most residents are home.

I trust the above comments are useful to the Board in its consideration of the application.

Very truly yours,



Paul W. Ferriero, PE, CME
Borough Engineer

cc: Board members

Thomas Germinario, Esq.

Jessica Caldwell, PP/AICP

John Hansen, PE

William Byrne, Architect