

August 25, 2023

Mr. Richard Owen, Chairman  
Ewing Township Planning Board  
2 Jake Garzio Drive  
Ewing, New Jersey 08628

**Re: Township of Ewing  
Preliminary and Final Site Plan – First Review  
Investor Management, LLC  
1252 Parkway Avenue (Block 364, Lot 73)  
RVE #1102-P-172**

Dear Chairman Owen and Board Members:

We have reviewed Preliminary and Final Site plan application submission consisting of the following documents:

Sheet	Title	Date	Latest Revision Date
C 1.1	Cover Sheet	04-19-23	06-05-23
C 2.1	Demolition & Soil Erosion Control Plan	04-19-23	----
C 2.2	Site Plan	04-19-23	06-05-23
C 2.3	Grading, Utility & Soil Erosion Control Plan	04-19-23	06-05-23
C 2.4	Landscape & Lighting Plan	04-19-23	06-05-23
C 3.1	Site Details	04-19-23	----
C 3.2	Utility Details	04-19-23	----
C 4.1	Canopy Elevations & Free-Standing Sign	04-19-23	06-05-23
C 4.2	Preliminary Floor Plan & Front Elevation	04-19-23	----
C 4.3	Preliminary Rear & Side Elevations	04-19-23	----

Sheets C 1.1, C 2.1, C 2.2, C 2.3, C 3.1, C 3.2 and C 4.1 were prepared and signed by Eric M. Hough, P.E., Bertin Engineering, 66 Glen Avenue, Glen Rock, New Jersey 07452, (201) 670-6688. The sheets should be signed by a licensed professional according to State regulations.

Sheet C 2.4 was prepared and signed by Brian J. Shortino, P.E., L.L.A., Bertin Engineering, 66 Glen Avenue, Glen Rock, New Jersey 07452, (201) 670-6688. The sheet should be signed by a licensed professional according to State regulations.

Sheets C 4.2 and C 4.3 were prepared and signed by Jasvinder Arjani, R.A., Bertin Design Studio, 66 Glen Avenue, Glen Rock, New Jersey 07452, (201) 670-6688. The sheets should be signed by a licensed professional according to State regulations.

**I. GENERAL INFORMATION**

**Applicant/Owner:** Investor Management, LLC  
 210 Westfield Avenue  
 Clark, NJ 07066  
 (630) 919-1047

**Proposal:** The applicant seeks preliminary and final site plan approval for a multipurpose fueling station with a convenience store.

**Zoning:** TC – Town Center Zone within the Parkway Avenue Redevelopment Area

**II. ZONING REQUIREMENTS: TC – Town Center Zone within the Parkway Avenue Redevelopment Area**

**A. Area and Bulk Requirements (§215-31.D) & §215-35.C(14):**

Code Ref.	Item	Required	Existing	Proposed	Status
215-35.C(14)(a)	Lot Area	4 ac.	0.71 ac.	0.71 ac.	<b>P</b>
215-31.D(1)(c)	Lot Width	150 ft.	197.6 ft.	197.6 ft.	<b>C</b>
Principal Setbacks					
215-31.D(1)(e)	Min. Front Yard – Parkway Ave.	65 ft.	56.9 ft. – building	56.9 ft. – building	<b>C</b>
			8.8 ft. – canopy (gas)	8.8 ft. – canopy (gas)	<b>C</b>
			N/A – canopy (diesel)	44.4 ft. – canopy (diesel)	<b>C</b>
215-31.D(1)(e)	Min. Front Yard – Scotch Rd.	65 ft.	134.3 ft. – building	134.3 ft. – building	<b>C</b>
			108.8 ft. – canopy (gas)	108.8 ft. – canopy (gas)	<b>C</b>
			N/A – canopy (diesel)	50.3 – canopy (diesel)	<b>C</b>
215-31.D(1)(e)	Max. Front Yard – Parkway Ave.	25 ft.	56.9 ft. – building	56.9 ft. – building	<b>V</b>
			8.8 ft. – canopy (gas)	8.8 ft. – canopy (gas)	<b>C</b>
			N/A – canopy (diesel)	44.4 ft. – canopy (diesel)	<b>V</b>
215-31.D(1)(e)	Max. Front Yard – Scotch Rd.	25 ft.	134.3 ft. – building	134.3 ft. – building	<b>P</b>
			108.8 ft. – canopy (gas)	108.8 ft. – canopy (gas)	<b>P</b>
			N/A – canopy (diesel)	50.3 – canopy (diesel)	<b>V</b>
215-31.D(1)(f)	Side Yard	12 ft.	33.3 ft. – building	33.3 ft. – building	<b>C</b>
			62.8 ft. – canopy (gas)	62.8 ft. – canopy (gas)	<b>C</b>
			N/A – canopy (diesel)	145 ft. – canopy (diesel)	<b>C</b>
215-31.D(1)(g)	Rear Yard	12 ft.	46.8 ft. – building	35.1 ft. – building	<b>C</b>
			97.8 ft. – canopy (gas)	97.8 ft. – canopy (gas)	<b>C</b>
			N/A – canopy (diesel)	52.3 – canopy (diesel)	<b>C</b>
215-31.D(1)(h)[2][a]	Min. Building Height	20 ft.	15.5 ft. – building	22.33 ft. – building	<b>C</b>
			19 ft. -canopy	19 ft. -canopy	<b>V</b>
Redevelopment Plan	Min. Building Height	2 sty.	1 sty. – building	1 sty. – building	<b>V</b>
			1 sty. - canopy	1 sty. - canopy	<b>V</b>
215-31.D(3)(a)	Lot Coverage	75%		77.3%	<b>V</b>

Code Ref.	Item	Required	Existing	Proposed	Status
Canopy Setback					
215-35.C(14)(1)[1]	Front – Parkway Ave.	30 ft.	8.8 ft. – canopy (gas) N/A - canopy (diesel)	8.8 ft. – canopy (gas) 44.4 ft. - canopy (diesel)	V C
215-35.C(14)(1)[1]	Front – Scotch Road	30 ft.	108.2 ft. – canopy (gas) N/A - canopy (diesel)	108.2 ft. – canopy (gas) 50.3 ft. - canopy (diesel)	C C
215-35.C(14)(1)[2]	Max. Distance Between Canopy and Store	65 ft.	22.7 ft. – canopy (gas) N/A - canopy (diesel)	22.7 ft. – canopy (gas) 52.2 ft. - canopy (diesel)	C C
215-35.C(14)(1)[3]	Max. Convenience Store Setback	85 ft.	N/A	N/A	N/A
Off-Street Parking					
215-36.H	1 space/200 (2,380SF) sf(retail) and plus 1 for each employee (2) (automobile and gasoline service)	14	N/A	12 spaces	V

C - Conforming.  
 N/A – Not applicable.  
 P - Pre-existing, nonconforming condition.  
 V - Variance required.

### III. PERFORMANCE STANDARDS

From our review of the submitted application documents, we offer the following comments for consideration by the Board.

#### A. Parking/ Circulation

1. Per Section 215-36.H, gas stations require 1 space/200 sf plus 1 for each service vehicle and plus 1 for each employee. Based on the information on the plans 14 parking spaces are required and 12 parking spaces are proposed. A variance will be required.
2. Per Section 215-36.C(4), the drive aisle width should be 24 feet wide. The drive aisle width between the Parkway Avenue building façade and the fueling position will be less than 24 feet width when a vehicle is parked at the fueling position. This is an existing condition. The applicant’s engineer should provide testimony regarding the circulation in this area.
3. A loading space is not required. However, testimony should be provided as to where deliveries will occur at this site.
4. The plans should be revised to indicate the vehicle path through the site to ensure that emergency vehicles, waste haulers and delivery trucks can properly circulate through the site without conflict. Fire marshal approval will be necessary.

5. The Parkway Avenue driveways appear to accommodate right-turn in/out movements. The plans should be revised to propose signage alerting drivers to the proper movements at these driveways. Based on the configuration of the driveways along Parkway Avenue, left-turn egress movements should be prohibited.
6. The plans should be revised to indicate where the fuel delivery truck will park during refilling of the underground tanks.
7. The plans should be revised to indicate a site lighting chart to confirm the proposed lighting design confirms Section 215-56, *Lighting*.

**B. Stormwater Management**

1. The applicant's engineer is proposing an infiltration basin to reduce the peak run-off rates for the 2-, 10- & 25-year storm events to less than the existing peak runoff rates.
2. The applicant's engineer should perform soil tests to confirm the proposed infiltration basin will operate as designed.

Additionally, the applicant's engineer should confirm that the proposed infiltration basin is appropriate based upon the soil contamination at this site.

**C. Landscape and Buffer Design**

We defer the review of the proposed landscaping to the Board Planner and Ewing Township Environmental Commission.

**D. Signage**

1. Per Section 215-37.Q(3)(c), not more than one facade sign shall be permitted for each commercial use on any property unless the property fronts on more than one street, in which event not more than one facade sign may be erected for each commercial use on each street frontage. The applicant has proposed four (4) facade signs. A variance will be required.
2. Per Section 215-37.Q(3)(d), a facade sign shall not exceed an area equal to either 20% of the front wall area. The applicant has proposed a facade sign with an area of 23.30 sf whereas only 16.8 sq is permitted. A variance will be required.
3. Per Section 215-37.Q(3)(e), a ground sign of the same area and lighting but not exceeding six feet in height, may be permitted. The applicant has proposed a ground sign with a height of 6.7 feet. A variance will be required.
4. Per Section 215-37.Q(3)(e), the area of a ground sign shall not exceed 32 square feet. The applicant has proposed a ground sign with an area of 40 square feet. A variance will be required.

5. Per Section 215-37.Q(3)(e), a ground sign may only be illuminated by shield external lighting. The applicant has proposed a ground sign with internal lighting. A variance will be required.
6. Color details should be provided for the proposed signage.

E. **General Comments**

1. Based on N.J.D.E.P. GeoWeb information, there appears to be open case numbers at this site. The applicant should provide testimony regarding the status of the environmental remediation being completed at this site.
2. Per Section 215-35.C(14)(j)[1], when placed in front of the convenience retail, such canopy must be buffered from the street frontage by 30 feet not including streetscape requirements. The applicant has proposed a canopy 8.8 feet from the street. The applicant has requested a variance.
3. The plans appear to indicate an ‘emergency generator’ is proposed in conjunction with this project. The plans should be revised to indicate all the appropriate construction details including the type of generator enclosure proposed. The noise associated with the generator must comply with all Local and State Noise regulations.
4. The site is subject to the requirements of the Americans with Disabilities Act Accessibility Guidelines. It is the responsibility of the applicant to ensure that these guidelines are met.
5. A note should be added to the plans stating that the site will conform with the most recent version of Chapter 14 (Fire Safety During Construction and Demolition) of the International Fire Code, New Jersey edition.
6. The applicant and owner are reminded that site safety is their responsibility. The plan should note that “The owner, or his representative, is to designate an individual responsible for construction site safety during the course of site improvements pursuant to N.J.A.C. 5:23-2.21(e) of the N.J. Uniform Construction Code and CFR 1926.32(f) (OSHA Competent Person)”.

IV. **APPROVAL PROCESS**

If the Planning Board should grant final approval to this project, the following is applicable:

1. The applicant’s engineer must make appropriate revisions to the engineering plan pursuant to the Planning Board action.
2. One (1) copy of the revised, final site plan should be submitted to the Board office, the Board Planner, and our office for resolution compliance review. If the plans are found to be in order, then eight (8) sets of the drawings will be required for signature.

3. The applicant is notified that an inspection escrow and performance bond is required for this application and an estimate for all on/off site improvements (excluding structures) must be provided to the Township Engineer, who will determine an estimate for bonding and escrow purposes. The inspection escrow and bonds must be posted prior to the start of any work or the issuance of any building permits.
4. The applicant must contact the Planning Board office to settle any outstanding review escrow accounts prior to the issuance of building permits.
5. A performance bond will be required prior to the signature of any plans.
6. No work is to start until a preconstruction conference is held. The preconstruction conference shall be scheduled with the Township Engineer's office, (856) 795-9595, extension 1029, a minimum of three (3) working days prior to the start of work.

#### **V. OUTSIDE AGENCY APPROVALS**

This plan may be subject to the review and approval of the following outside agencies, if not already received. Evidence of these approvals must be submitted to the Township Planning Department and this office prior to the final signature of plans:

1. Mercer County Planning Board.
2. Mercer County Soil Conservation District.
3. Delaware & Raritan Canal Commission.
4. Ewing Lawrence Sewerage Authority.
5. Trenton Water Authority.
6. Fire Department

When plans are resubmitted, they are to be accompanied with a point-by-point response to all underlined items.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,

**REMINGTON & VERNICK ENGINEERS**



Michael Angelastro, Ph.D., P.E., C.M.E., PTOE  
Planning Board Engineer

cc: James McManimon, Business Administrator  
James Megna, Construction Code Official  
Charles Latini, P.P., AICP, Board Planner  
Michael W. Herbert, Esq., Board Attorney  
Investor Management, LLC, Applicant /Owner  
Eric M. Hough, P.E., Applicant's Engineer  
Brian J. Shortino, P.E., L.L.A., Landscape Architect  
Jasvinder Arjani, R.A., Applicant's Architect