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February 23, 2022

Marlboro Township Environmental Commission
1979 Township Drive
Marlboro, NJ 07746

Re: CSH Marlboro, LLC (ZB# 21-6762)
Use Variance & Preliminary and Final Major Site Plan
Engineering and Planning Review #2
Block 213, Lots 3 & 4
Location: 108 & 110 North Main Street (Route 79)
Zone: C-2 (Neighborhood Commercial District)
CME File No.: HMRZ0213.09

Dear Chairman Gupta and Commission Members:

Our office received the following information in support of the above-referenced application for Preliminary and Final Major Site Plan and Use Variance approval:

- Preliminary and Final Site Plan (20 sheets), prepared by Dynamic Engineering, dated September 23, 2021, last revised, December 10, 2021;
- Architectural Floor Plans and Elevation (6 sheets) prepared by Meyer Architecture and Interiors, dated December 10, 2021, unrevised;
- Landscape and Tree Removal Plan (3 sheets) prepared by Longstone Gardens, dated September 15, 2021, last revised, December 10, 2021;
- Stormwater Management Report, prepared by Dynamic Engineering, dated September 2021, last revised, December 2021;

In accordance with the Township's authorization, we have reviewed this application for Preliminary and Final Major Site Plan with Use Variance approval from an environmental perspective and offer the comments listed below. Please note that part of this letter was taken from our Completeness Review #2 letter to the Zoning Board.

1. Property Description

The subject 3.86-acre properties are located within a C-2 (Neighborhood Commercial District) Zone and contains 400 feet of frontage along North Main Street (State Route 79), approximately 200 feet south of Newman Springs Road (County Route 520). Currently, the site contains a one-story dwelling and a detached garage on each lot, near the frontage of Route 79. A majority of the site consists of grass and trees. Access to each existing dwelling is provided by an asphalt and gravel driveway from Route 79.

The Applicant is seeking Use Variance and Preliminary and Final Major Site Plan approval to construct an assisted living/memory care facility. The proposed 3-story building will consist of



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80,261 sf gross building area including a 2,922-sf courtyard and sunroom within the middle of the building. The project also includes a new full movement driveway along Route 79, as well as sixty (60) parking spaces to serve the building. The building contains 83 proposed assisted living bedroom units with varying square footage, and there will be a maximum of 100 beds. Three (3) aboveground stormwater basins are proposed to address stormwater management. Additional improvements include belgian curb block, landscaping and lighting throughout the site. New public utilities from Route 79 are proposed to service the building. All existing improvements including the two dwellings and garages are indicated on the plan to be removed.

The proposed assisted living/memory care facility is not a permitted use within the C-2 Zone District, thereby requiring the subject Use Variance approval. Additionally, a D4 Use Variance is also required as the proposed building exceeds the permitted floor area ratio (FAR).

2. Surrounding Uses

The properties surrounding the subject site to the north are similarly zoned C-2 and contains a Raceway gas station and a residential dwelling. The properties opposite Route 79 to the west are also zoned C-2 and contain the Bear Brook Commons. The St. Gabriel Roman Catholic Church is located to the south and east within the R30/20 Zone. The Garden State Community Bank is also located to the east across Meglio Drive and is located within the OPT2 Zone.

3. Zoning Compliance

The subject property is situated within the C-2 Zone District. The table below summarizes the zone requirements and bulk measures for the property:

DESCRIPTION	REQUIRED	PROPOSED
Minimum Lot Area	3 acres	3.86 acres
Minimum Lot Frontage	300 feet	399.9 feet
Minimum Lot Width	300 feet	399.9 feet
Minimum Lot Depth	200 feet	420.9 feet
Minimum Front Yard Setback	75 feet	101.6 feet
Minimum Side Yard Setback	50 feet	51.0 feet
Minimum Rear Yard Setback	50 feet	117.1 feet



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DESCRIPTION	REQUIRED	PROPOSED
Minimum Front Yard Setback (Accessory)	75 feet	N/A
Minimum Side Yard Setback (Accessory)	40 feet	N/A
Minimum Rear Yard Setback (Accessory)	40 feet	N/A
Maximum Building Height	35 feet	38.5 feet (V)
Maximum Building Height (Accessory)	15 feet	N/A
Maximum Percentage of Lot Coverage by Buildings and Structures	30%	23.3%
Maximum Percentage Impervious Lot Coverage	60%	46.3%
Floor Area Ratio	0.30	0.48 (V)

(V) – Variance Required (EC) – Existing Condition

As part of the Use Variance approval, the Applicant must demonstrate that the following deviations from the Zone District requirements would be subsidiary to the granting of the Use Variance and therefore subsumed within said Use Variance, if approved:

- a. **Section 220-Attachment 9** – The maximum permitted principal building height is 35 feet; whereas the proposed principal building height is 38.5 feet.
- b. **Section 220-Attachment 9** – The maximum permitted floor area ratio is 0.30; whereas the proposed floor area ratio is 0.48.
- c. **Section 220-35D(24)(e)** - The maximum grade for lawns within five feet of a building shall be 10%, and for lawns more than five feet from a building, 25%; whereas the proposed grades exceed 10% within five feet of the building and are as high as 33% beyond 5 feet of the building.
- d. **Section 220-85I(3)** – Where the property line of a proposed commercial lot abuts a residential zone or use, a buffer area shall be established, which shall include an area of land 30 feet in width as measured from said property line. For the purpose of establishing a



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building setback line along the buffer area, all side and rear yard lines shall be increased by a depth of 30 feet. The buffer screen shall meet the standards set forth in Section 220-100. The project abuts a residential use to the north and a 30-foot-wide buffer has not been provided.

- e. **Section 220-95A(1)** – Fences shall be open fences not to exceed three (3) feet in height above ground level when located in a front yard area. The height of the fence above the retaining wall in the front of the property is four (4) feet tall in order to provide a safety barrier at the top of the retaining wall.
- f. **Section 220-97D** – Sidewalks with a minimum width of four feet shall be provided in all parking areas for five or more vehicles; whereas sidewalks are not provided adjacent to all parking areas.

The Applicant has not requested any design waivers with the application; however, the following appear necessary:

- a. **Section 220-159** – Environmental Impact Report.
 - b. **Section 220-159.1** – Site Investigation Report and Soil Sampling Report.
4. The Applicant has not requested any waivers from the required checklist submission items; however, the following would appear necessary:
- a. Completed Use Variance Checklist.
 - b. **Checklist IV, Item g** – Signature of the Owner and Applicant.
 - c. **Checklist IV, Item j** – Topographical information and survey of existing utilities within 200 feet.
 - d. **Checklist IV, Item l** – The location of existing and proposed structures and uses within 200 feet showing the ground area covered by said structures, including all setback dimensions.
5. The Applicant should be prepared to discuss the following issues with the Board:
- a. Overall operations associated with the proposed assisted living facility, including but not limited to: hours of operation; number of employees and employees per shift; loading/unloading, delivery and overall site circulation; refuse management, including mandatory recyclables; buffering/screening and overall site aesthetics; etc.
 - b. If the two lots will be consolidated as a condition of approval.



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- c. Anticipated hours for the trash pickup and deliveries as the box truck and garbage truck are indicated to utilize both sides of the drive aisle to navigate to the rear loading zone and trash enclosure. Also whether any delivery trucks that are larger than a box truck are anticipated to visit that site.
 - d. Whether any signage is proposed with this application beyond the monument sign. Information and details for all proposed signs shall be provided for our review.
 - e. It appears an easement may be required to install electric service within adjacent Lot 10 to the rear of the property. The Applicant shall verify same.
 - f. The proposed stormwater management of the property, including compliance with NJDEP regulations regarding quantity, quality, groundwater recharge, and green infrastructure.
 - g. Compliance with Ordinance Section 220-37, Performance Standards, including but not limited to: noise; glare; pollutants; solid/liquid waste; refuse management; flammable/hazardous materials; etc.
 - h. The need for any improvements (curb, sidewalk, widening, right-of-way dedication, etc.) along the roadway frontage. Our office defers all comment regarding any improvements within the Route 79 right-of-way to the NJDOT.
6. This application may be subject to the following outside agency approvals:
- a. Monmouth County Planning Board
 - b. Monmouth County Board of Health
 - c. Freehold Soil Conservation District
 - d. NJDOT
 - e. Marlboro Township Environmental Commission
 - f. Marlboro Township Fire Bureau
 - g. Marlboro Township Police Department
 - h. Western Monmouth Utilities Authority
 - i. Marlboro Township Municipal Utilities Authority
 - j. All other outside agency approvals as may be required. The Applicant shall address the Board regarding the status of all outside agency approvals for the project. In addition, copies of all outside agency approvals shall be forwarded to our office.



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7. Environmental Review Considerations

- a. Our office previously reviewed a Phase II Environmental Assessment that was submitted to the Zoning Board for the proposed Wawa retail store application for this subject property. The Phase II report addressed an underground storage tank, but did not address the past agricultural usage of the property, as is required under Section 220-159.1, as a review of historic aerials shows the property has been farmed. As such, soil sampling and analysis needs to be completed and submitted to this office to meet the ordinance requirements

8. General

- i. Our office previously requested that the Applicant revise their plans to include a note that states any imported fill must meet the definition of Clean Fill, pursuant to the NJDEP's Technical Requirements for Site Remediation, per NJAC 7:26E-1.8. The applicant has satisfied this comment.

If you have any questions with regard to the above matter, please do not hesitate to contact the undersigned.

Very truly yours,

CME ASSOCIATES

Allyson M. Rooke
Consultant to the Environmental Commission

JAG

cc: CSH Marlboro, LLC – Applicant
Dynamic Engineering – Applicant's Engineer
Salvatore Alfieri, Esq. – Applicant's Attorney