

BOROUGH OF MIDLAND PARK

FOR OFFICE USE:

Dated Filed: _____ Completeness Review Date: _____

Notified Incomplete: _____ Deemed Complete: _____

Jurisdiction: Planning Board _____ Board of Adjustment _____

APPLICATION FOR DEVELOPMENT

SECTION I TYPE OF APPLICATION

- | | | | |
|-------------------------------------|---------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Preliminary Site Plan | _____ | Appeal from Administrative Determination |
| <input checked="" type="checkbox"/> | Final Site Plan | _____ | Interpretation of Map or Ordinance |
| _____ | Preliminary Major Subdivision | <input checked="" type="checkbox"/> | Bulk Variance |
| _____ | Final Major Subdivision | <input checked="" type="checkbox"/> | Use Variance |
| _____ | Amendment to Site Plan Approval | _____ | Conditional Use Approval |
| _____ | Waiver | _____ | Exception |

SECTION II APPLICANT INFORMATION

see Addendum A to comply with N.J.S.A. 40:55D-48.1

NAME OF APPLICANT ABDD - V. LLC
 ADDRESS 245 Amity Road, Suite 200, Woodbridge CT 06525
 PHONE # (203) 430-6037 EMAIL ewishnow@abddcapital.com

NAME OF OWNER 195 Godwin MP LLC C/O S Kaloffras
 ADDRESS 826 Carter Lane, Paramus, NJ 07652
 IF OWNER IS A CORPORATION:
 PRESIDENT _____ SECRETARY _____

(UNLESS OTHERWISE NOTED, ALL CORRESPONDENCE WILL BE ADDRESSED TO APPLICANT)

INTEREST OF APPLICANT IN PROPERTY (IF NOT OWNER) Developer

AUTHORIZED REPRESENTATIVE OF APPLICANT
 NAME Dynamic Engineering Consultants, PC
 ADDRESS 1904 Main Street, Lake Como, NJ 07719
 PHONE NO. (732) 974-0198 EMAIL jsewald@dynamicec.com

ATTORNEY FOR APPLICANT
 NAME Craig H. Feldman
 ADDRESS 103 Eisenhower Parkway, Roseland, NJ 07068
 PHONE NO. (973) 747-3224 EMAIL cfeldman@parisackerman.com

ENGINEER FOR APPLICANT
 NAME Dynamic Engineering Consultants, PC
 ADDRESS 1904 Main Street, Lake Como, NJ 07719
 PHONE NO. (732) 974-0198 EMAIL jsewald@dynamicec.com

ARCHITECT FOR APPLICANT
 NAME Gary Kliesch and Associate Architects
 ADDRESS 36 Ames Avenue, Rutherford, NJ 07070
 PHONE NO. (201) 896-0333 EMAIL gkliesch@gkanda.biz

SECTION III PROPERTY INFORMATION

ADDRESS 195 Godwin Avenue

BLOCK 20.10 LOT 5.01 ZONE DISTRICT B-1 (Business Retail) Zone

SIZE OF PROPERTY

SQ. FT. 21,968 WIDTH 115 FT DEPTH 149.6 FT

EXISTING CONDITIONS

USE OF PROPERTY Friendly's Restaurant

BUILDINGS

SQ. FT.: TOTAL: 2,534 BY FLOOR: 1. 2,534 2. N/A 3. N/A

SETBACKS: FRONT: 19.6 FT REAR: 85.7 FT
SIDE 1 5 FT SIDE 2 74.7 FT

HEIGHT: # of Feet 20 FT # of Stories 1

PROPOSED CONDITIONS

USE OF PROPERTY Dunkin' Drive-Thru Restaurant

NEW BUILDING 2,119 ADDITION TO EXISTING N/A
SQ. FT.: TOTAL 2,119 BY FLOOR: 1. 2,119 2. N/A 3. N/A

SETBACKS: FRONT: 26 FT REAR: 60.4 FT
SIDE 1 49.2 FT SIDE 2 26.7 FT

HEIGHT: # of Feet 21.83 FT # of Stories 1

SECTION IV GENERAL

- A. EXPLAIN IN DETAIL THE EXACT NATURE OF THE APPLICATION AND THE CHANGES TO BE MADE TO THE PROPERTY (ATTACH ADDITIONAL PAGES IF NECESSARY).
The proposed project includes the demolition of the existing Friendly's Restaurant and the construction of a Dunkin' Drive-thru, along with associated site improvements including driveways, parking areas, landscaping, lighting and other related site amenities as shown on the enclosed Site Plans.
- B. DOES THE APPLICANT OR OWNER OWN ANY CONTINGENT PROPERTY? No
IF YES: ADDRESS _____ BLOCK _____ LOT _____
DESCRIBE USE: _____
- C. ARE THERE ANY EXISTING COVENANTS, DEED RESTRICTIONS, EASEMENTS, OR EXCEPTIONS THAT ARE IN EFFECT? N/A
DESCRIBE: _____
IF YES, PROVIDE A COPY OF EACH _____
- D. IS PROPERTY LOCATED IN FLOOD HAZZARD OR FLOOD PLAIN? No
- E. DO PREMISES FRONT ON APPROVED STREET? Yes NAME: Godwin Avenue
- F. DO PREMISES REQUIRE EXTENSION OF MUNICIPAL FACILITIES? No
IF YES, DESCRIBE _____
- G. HAS THEIR BEEN A PREVIOUS APPLICATION INVOLVING THIS PROPERTY? Unknown
IF YES, SET FORTH DATE, DESCRIPTION AND RESOLUTION _____
- H. ARE ANY OFF-TRACT IMPROVEMENTS REQUIRED OR PROPOSED? Yes
- I. ARE ANY LOW-INCOME HOUSING UNITS PROPOSED? _____ YES NO
- J. IS A DEVELOPMENT FEE REQUIRED? _____ YES TBD NO

SECTION V VARIANCES, WAIVERS OR EXCEPTIONS

A. ARE ANY VARIANCES REQUESTED AS PART OF THIS APPLICATION? Yes
 IF YES, LIST SECTION NO. OF ZONING ORDINANCE AND DESCRIPTION:

<u>SECTION</u>	<u>DESCRIPTION</u>
	See attached Variance & Waiver Summary.

USE ADDITIONAL SHEETS IF NECESSARY

B. ARE THERE ANY WAIVERS FROM THE SUBMISSION REQUIREMENTS REQUESTED? No
 IF YES, LIST SECTION NO. OF ORDINANCE AND DESCRIPTION:

<u>SECTION</u>	<u>DESCRIPTION</u>

(THE PLANNING BOARD MUST APPROVE SUCH WAIVERS AS A CONDITION TO THE APPLICATION BEING DEEMED COMPLETE)

C. ARE THERE ANY EXCEPTIONS FROM THE DESIGN STANDARDS REQUESTED? Yes
 IF YES, LIST SECTION AND DESCRIPTION:

<u>SECTION</u>	<u>DESCRIPTION</u>
	See attached Variance & Waiver Summary.

SECTION VI PLANS / DRAWINGS/REPORTS

LIST ALL PLANS SUBMITTED WITH THIS APPLICATION

TITLE	PREPARED BY	DATE
Preliminary and Final Site Plan	Dynamic Engineering Consultants, PC	November 12, 2020
ALTA/NSPS Land Title Survey	Dynamic Survey, LLC	August 10, 2020, revised November 12, 2020
Architectural Drawings Proposed Plan	Gary Kliesch and Associate Architects	November 12, 2020

LIST ALL REPORTS SUBMITTED WITH THIS APPLICATION

TITLE	PREPARED BY	DATE
Stormwater Management Report	Dynamic Engineering Consultants, PC	November 2020
Sanitary Sewer & Potable Water Engineer's Report	Dynamic Engineering Consultants, PC	November 2020
Traffic Impact Analysis	Dynamic Traffic, LLC	November 2, 2020

BOROUGH OF MIDLAND PARK

DISCLOSURE STATEMENT- APPENDIX A

NAME OF APPLICANT: ABDO V LLC.

APPLICANT IS A CORPORATION PARTNERSHIP LIMITED LIABILITY COMPANY

PURSUANT TO N.J.S.A. 40:55D-48.1, THE NAMES AND ADDRESSES OF ALL PERSONS OWNING 10% OF THE STOCK IN A CORPORATE APPLICANT, PARTNERSHIP APPLICANT, OR LIMITED LIABILITY COMPANY APPLICANT MUST BE DISCLOSED. LIST NAMES, ADDRESSES AND INTEREST HERE.

NAME: BLS Revocable Trust, Wendy Karasin INTEREST % 14.98
ADDRESS: 130 Edgemill Road
CITY: New Haven, CT 06511 STATE: CT

NAME: PETER J. WERTH, JR. INTEREST % 14.11
ADDRESS: 7060 LIONS HEAD LANE
CITY: BOCA RATON, FL 33496 STATE: FL

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

PURSUANT TO N.J.S.A. 40:55D-48.2, IN THE EVENT THAT ANY OF THE ABOVE IS/ARE A CORPORATION, PARTNERSHIP OF LIMITED LIABILITY COMPANY, THE NAMES AND ADDRESSES OF PERSONS OWNING MORE THAN 10% OF THAT ENTITY MUST BE LISTED BELOW.

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

NAME: _____ INTEREST % _____
ADDRESS: _____
CITY: _____ STATE: _____

I HEREBY DEPOSE AND SAY THAT ALL THE FOREGOING STATEMENTS AND INFORMATION CONTAINED IN ANY PAPERS SUBMITTED HERewith ARE TRUE AND CORRECT.

Applicant

DATE: 10/26/20



SWORN AND SUBSCRIBE ON THIS 26 DAY OF October, 2020

ABarajas - H. BARAJAS
NOTARY

AFFIDAVIT OF OWNERSHIP
(TO BE COMPLETED IF APPLICANT IS NOT OWNER)

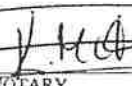
STATE OF NEW JERSEY)
COUNTY OF BERGEN) Essex County

STELIOS N. KALOGERAS of full age, having been sworn according to law on 3/22/21
deposes and says that 826 CARTER LN
in the City of PARAMUS, in the County of BERGEN and the State of
NEW JERSEY, that is the owner-in-fee of all that certain lot, piece or parcel of land situated, lying and being in
the Borough of Midland Park aforesaid, and known and designated as Number 195 and Street GOODWIN AVE
hereby authorizes ABDO V. LLC to make the within application in
behalf, and that the statements contained herein are true and correct.


OWNER'S SIGNATURE

Dated: 3/22/21

SWORN & SUBSCRIBE ON THIS 22
DAY OF March, 2021


NOTARY

KENELIA K. McINTOSH
NOTARY PUBLIC OF NEW JERSEY
Commission # 50104873
My Commission Expires 05/14/2024



SOIL MOVEMENT FEES & ESCROWS

Volume of Soil to be Moved* (Cubic Yards)	Filing Fee	Engineering Escrow
50 or more	\$15.00	\$ 500.00
Over 200	\$15.00	\$500.00
Over 500	\$25.00	\$750.00
Over 1,000	\$35.00	\$950.00
Over 5,000	\$100.00	\$1,500.00
Over 10,000	\$150.00	\$2,500.00

For Soil Disturbance/Removal/Importation equal to or greater than 100 cubic yards, a performance bond determined at the rate of \$4.00/cubic yard is also required.

(*Cubic Yards are computed on soil in place and includes export & import volumes)

Soil excavation or removal in connection with swimming pool installation----\$250.00 combined fee & escrow.

An application resubmission fee of \$150.00 is required when the application is deemed incomplete and requires additional review by the Borough Engineer.

All soil movement-related fees, escrows and bonds are to be paid at the Borough Collector's office.

All applications must be accompanied with two topographical drawings showing topography before and after the proposed work is completed. Topographical drawings should display 2-foot contour resolution.

CHECK LIST

- Completed Soil Disturbance Application forms for engineering

- Two scaled topographical maps

- Soil Permit Fee Paid

Soil Permit, Escrow, and Performance Bond Fees Summary

("Displaced" means being excavated or moved from one location on the property to another.)

(1) Total amount of soil to be displaced: 1,356.372 Cu. Yd.

(2) Amount of soil to be imported to the property: 0.00 Cu. Yd.

(3) Amount of soil to be exported from the property: 1,349.508 Cu. Yd.

Truck route plan required for exported soil: NO YES

The amount of soil being displaced & imported = (1) + (2) = 1,356.372 Cu. Yd.

Soil Permit Application Fee is: \$35.00 (Payable at the Building Dept)

Engineering Escrow Amount is: \$950.00 (Payable at the Collector's Office)

Performance Bond Amount is: \$5,425.49 (Payable at the Collectors Office)

These fees must be paid before any Engineering evaluation of the plans can be started.

The plans to be submitted for Engineering Evaluation must include:

1. A statement concisely describing the proposed work to be done—use other side.
2. Two copies of a certified topographical map showing terrain contours before and after the proposed project. This map must also indicate any wetlands delineations.

Address where proposed work will be done: 195 Godwin Avenue

Property Block 20.10 Lot 5.01 Zone B-1

Property Owner's Name: 195 Godwin MP LLC C/O S Kaloffras Phone: _____

Contractor: TBD

Contractor Address: _____

Contractor Phone: _____ Fax: _____

BOROUGH OF MIDLAND PARK

SOIL MOVEMENT APPLICATION

Worksite: 195 Godwin Avenue Block 20.01 Lot 5.01

Applicant Name ABDD V. LLC

Address 245 Amity Road, Suite 200 Telephone No. (203) 430-6037
Woodbridge, CT 06525 Fax No. _____

Property Owner: Name 195 Godwin MP LLC C/O S Kaloffras

Address 826 Carter Lane, Paramus, NJ 07652 Telephone No. _____
Fax No. _____

Contractor or Person(s) Moving Soil

Name TBD

Address _____ 24-Hr Tel. No. _____

Quantity of Soil to be Moved in Cubic Yards 1,356.372 Cu. Yd.

Purpose of Soil Movement Proposed grading

Exact location where soil is to be removed from Entire site

Total number of days soil movement activities will occur TBD

Provide truck route for projects transporting 200 cubic yards of soil or more TBD

The undersigned has read and understands ordinance #13-06 of the Borough of Midland Park regarding soil movement activities, and agrees to abide by those provisions, and is responsible for the action and work of contractors or those employed to undertake soil movement activities.

[Signature] 3/25/21
Property owners signature & date

[Signature] 3-25-2021
Applicant's signature & date
ABDD, VP OF DISCRETION

Schedule for filing fee and deposit for costs on back of application.

For Borough Use Only:
Date Application Received: _____
Filing Fee: _____ Check # _____
Escrow Fee: _____ Check # _____

Brief Description of Work to be Done--

Proposed Dunkin Donuts with Drive-thru, along with associated site improvements including driveways, parking areas, landscaping, lighting and other related site amenities as shown on the enclosed Site Plans.

March 25, 2021
Via FedEx Overnight

Borough of Midland Park
Zoning Board of Adjustments
280 Godwin Avenue
Midland Park, NJ 07432

Attn: Jessica Harmon
Zoning Board Secretary

**RE: ABDD V. LLC
Proposed Dunkin' Drive-Thru Restaurant
Block 20.10, Lot 5.01
195 Godwin Avenue
Borough of Midland Park
Bergen County, NJ
DEC #3486-99-001**

Dear Ms. Harmon,

On behalf of our client, ABDD V. LLC, enclosed please find the following plans and documents constituting this resubmission for Borough Completeness towards Preliminary & Final Site Plan Approval for the above referenced project:

- Twenty (20) copies of the Bergen County SCD Certification Letter, dated December 18, 2020;
- Twenty (20) copies of the Will Serve letter prepared by PSE&G, dated July 23, 2020;
- Twenty (20) copies of the Will Serve letter prepared by North Bergen County Utilities Authority, dated July 27, 2020;
- Twenty (20) copies of the Will Serve letter prepared by Ridgewood Water, dated March 10, 2021;
- Twenty (20) completed and endorsed copies of the Soil Movement Application;
- Twenty (20) completed & endorsed copies of the Application for Development including the Affidavit of Ownership and Corporate Ownership Disclosure.

A copy of the above referenced documents has been sent directly Richard Wostbrock, PE at Richard Wostbrock & Associates for review. The enclosed plans have been revised to satisfy the outstanding administrative review comments identified in the following document:

- Midland Park Borough Engineer, Richard Wostbrock, PE of Richard Wostbrock & Associates, review letter, dated January 29, 2021

In order to facilitate the review of the revised drawings and reports, we have provided the following itemized response:

Borough Engineer, Richard Wostbrock, PE of Richard Wostbrock & Associates, review letter, dated January 29, 2021

Administrative Review (numbering following the review checklist):

2. Our office has confirmed with the Zoning Board Secretary that formal confirmation that taxes have been paid will be performed after the application is deemed complete and prior to scheduling a hearing date. It is our understanding that this is the procedure such that the results reflect the most current tax collection records. The required fee for the Tax Search was submitted as part of the initial submission.
24. A waiver of full compliance is requested at this time. The enclosed Boundary and Topographic Survey, prepared by Dynamic Survey, LLC, and the site plans have been updated to include the Godwin Avenue corridor within 100' of either property line.
27. Please see the enclosed Soil Movement Application.
29. Our office has confirmed with the Zoning Board Secretary that the required escrow payments have been posted.
30. Acknowledged.
38. Please see the enclosed Will Serve letters from the required utility providers and the enclosed Bergen County Soil Conservation District approval, granted on 12/18/2020. Application approval from the Bergen County Planning Board is currently pending.

Application:

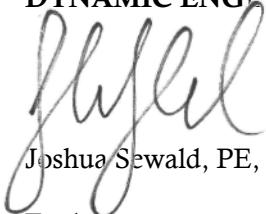
Section II- Please see the enclosed updated Application for Development for the applicant attorney information.

Section VI- Please see the enclosed Affidavit of Ownership and Corporate Ownership Disclosure.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

DYNAMIC ENGINEERING CONSULTANTS, PC


Joshua Sewald, PE, PP


Kyle C. Kavinski, PE

Enclosures

cc: Dave Panella (via email)
Craig Feldman (via email)

Borough of Midland Park Planning Board/Board of Adjustment Review Checklist

No application for site plan review and approval shall be deemed complete unless the following items, information and documentation, where applicable, are submitted to the **Planning Board Secretary**:

Drawing Scale 1" = 10' ; 20' ; 30' ; 40' ; 50'

Plan Legibility: - () Satisfactory
() Unsatisfactory

Property Location - 195 Godwin Avenue Zone - B-1
Lot(s) # - 5.01 Block # - 20.10

Checklist Prepared By - Dynamic Engineering Consultants, PC
Joshua M. Sewald, PE, PP

Date Received - _____ (office use only)

Date Deemed Complete/Incomplete - _____ (office use only)

Item	Yes	No	N/A		Ord.
<u>General Requirements</u>					
1	(✓)	()		20 copies of plat and application.	32-3.2
2	()	(✓)		Certificate that taxes are paid, (Tax Assessor's Office)	31-3.10 32-5.2(w)
3	(✓)	()		Name, title, address, telephone number of applicant, owner(s).	32-5.2(c) 32-5.2(e)
4	(✓)	()		Completed Checklist	M.L.U.L. 25-2.1

A check in the amount of \$10.00 has been provided to satisfy the tax search fee. Certification of Taxes paid will be provided, upon application by the Tax Collector/Assessor.

Plat or Plan Specifications

5	(✓)	()		The name, address, telephone number, seal and license number of the preparer of the plan.	32-5.1(c)
6	(✓)	()		Place for signatures of Chairman and Secretary of the Planning Board	32-5.2(a-1)
7	(✓)	()		Place for signature of Borough Planning Board Engineer.	32-5.2
8	(✓)	()		Current tax map lot and block numbers of premises affected.	32-5.2(b)

Item	Yes	No	N/A	Ord.
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Map information: scale; North arrow; key map; date and revision notations. 32-5.2(a) 32-5.4(a) 32-5.4(c)
10	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Description of current/proposed use(s) for the site. 32-5.2(f) 32-5.2(g)
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Zone district of premises and the zone districts of all immediately adjoining properties. Distance to the nearest residential zoning district. 32-5.2(n) 32-5.2(o)
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bulk and Yard Requirements as required per the zoning district. Shown written (Bulk Table) and dimension graphically, setback - building envelope; lot dimensions - lot width, depth, frontage; principal & accessory building height/stories; percent building coverage; percent improved coverage. 32-5.4(b)
13	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Location, names, and widths of all existing and proposed streets within or abutting the property, and any additional road width dedications offered. 32-5.4(d-2)
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Total number of square feet of planted areas as well as percentage of site devoted to planted areas (both inclusive and exclusive of buffer areas.) 32-5.2(t)
15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location, existing and proposed exterior lighting, including size, height, area, direction of illumination, lumen power, including building security plan, isolux drawing, where required, (not to exceed .5 foot candles in Residential zones). 32-5.4(h) 32-6.5
16	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing and proposed principal building, accessory structures, with dimensions, present/finished grade elevations, floor plans, area measurements. 32-5.2(i)
17	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Complete exterior building and elevation drawings of proposed structure(s). 32-5.4(i)
18	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The location, type, size of existing/proposed catch basins, manholes, and all utilities (gas, water, electric, telephone, cable, sanitary, storm), above and below ground. 32-5.4(j)

Item	Yes	No	N/A		Ord.
19	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The location, type, size of all existing/proposed curbs, sidewalks, walkways, patios, decks, pools, driveways, driveway aprons, fences, retaining walls, parking areas & aisles, and utilities.	32-5.4(d-1)
20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All off-street parking and loading area dimensions and schedules. Provide calculations of the number of spaces proposed and required per the zoning ordinance.	32-5.2(s) 32-6.2
21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location, size, type of existing/proposed rights of way, easements, other encumbrances which may affect premises, location, size, description of lands contemplated for dedication to the Borough.	32-5.4(d-3) 32-5.4(d-4)
22	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Location, size, nature of property, and contiguous property owned by the applicant or in which the applicant has direct or indirect interest.	32-5.2(h)
23	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Location, size, widths of all existing streets abutting premises and structures, property lines of all abutting properties with names and addresses of owners per tax map rolls.	32-5.4(d-2)
24	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing/proposed topography of site, contour interval not less than 2 feet. Contours to extend 30 feet around the perimeter of the subject property. Elevations referenced to USGS Datum or New Jersey Geodetic Control Survey Datum.	32-5.4(e)
25	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Storm water management plan, consistent with Residential Site Improvement Standards (RSIS) and Borough Stormwater Management requirements.	Ord. #07-05 32-6.10
26	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Soil Erosion & Sediment Control Plan.	32-5.5
27	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Soil Removal Application, where applicable.	32-5.2(k) 34-13.7
28	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Traffic Signage and Safety Plan, in accordance with borough ordinance.	32-6.1(b)
29	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Escrow Agreement and Performance Guarantees, where required.	32-5.6 32-8

Item	Yes	No	N/A		Ord.
30	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any/all other information/data necessary to meet any requirement of this ordinance/zoning/subdivision ordinances not listed above. Additional information may include: Traffic or Environmental Impact Studies, where required by the Board. For Commercial/Business or Industrial Establishments - Provide Knox-Box for Fire Department key access.	32-5.2(x)
31	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name, signature, license number, seal and address of engineer, architect, land surveyor, professional planner and/or landscape architect, as applicable, involved in preparing the plat. Submission of a Property or Boundary survey, with metes and bounds description	32-4.5(f-7) 32-5.2(g-1) M.L.U.L. 15-11 M.L.U.L. 16-9
32	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Calculation of planted areas and total buffer area in square feet and percentages as required by ordinance.	32-5.4(b-9) 32-5.4(b-10)
33	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Driveway/parking layout showing driveway widths, curb opening lengths, parking areas. Where required show parking aisles, parking stall dimensions, loading areas, non-passenger vehicle parking area dimensions, firelanes and sight distance triangles.	32-6.2
34	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Boundary designation of the Flood Hazard Area, as shown on the Flood Hazard Boundary Map or Flood Insurance Rate Map, with the datum adjusted topography/elevations shown on the plan and referenced to USGS Datum or New Jersey Geodetic Control Survey Datum.	32-5.4(f-5)
35	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An illustration must be submitted containing cross sections complete with dimensions and specifications of proposed construction of curbs, parking areas, sidewalks, sanitary sewer work, drainage facilities, and retaining walls/fences.	32-5.4(j)

Item	Yes	No	N/A		Ord.
36	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Provisions made for the safe and adequate drainage of surface runoff waters in and from the site in a manner which prevents flooding and erosion, approved by borough engineer.	32-6.10(a) 32-6.10(b)
37	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All drainage and sanitary sewer easements, except for brook drainage easements, must be a min. of 15 feet wide and provide in writing, the right for borough officials to repair, inspect, or provide maintenance at the borough's option.	32-6.10(f) 32-6.11(b)
38	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Certifications, permits or approvals required by other agencies or governing bodies. (Attach or submit approvals or permits.)	
				Bergen County Soil Erosion Permit () No <input checked="" type="checkbox"/> Yes, if yes, include status or permit number <u>Pending</u>	32-5.5
				Bergen County Planning and Economic Development approval required () No <input checked="" type="checkbox"/> Yes, if yes, include status or permit number <u>Pending</u>	32-5.2(u)
				NJDEP Permits (LOI-Wetlands, Stream Encroachment, etc.) <input checked="" type="checkbox"/> No () Yes, if yes, include status or permit number _____	32-5.2(v)

DEVELOPMENT NARRATIVE

Existing:

The subject site consists of 0.50 acres (21,968 SF) and is located at 195 Godwin Avenue (CR 84) and is presently developed with a 2,534 SF Friendly's Restaurant. The site is bordered to the north by the Borough of Midland Park Post Office, to the east by Godwin Avenue with commercial uses beyond, to the south by the Midland Park Christian Reformed Church and to the west by residential uses with Van Blarcom Avenue beyond.

Proposed:

The proposed site improvements consist of demolishing the existing building for the construction of a 2,119 SF Dunkin' Drive-Thru Restaurant. Associated improvements include parking and access, lighting, landscaping and associated site features as shown on the enclosed Engineering Drawings.

Summary of Variances & Design Waiver Requests

“D” Variance Summary:

Quick Service Restaurant Conditional Use Requirements:

1. §34-12.3.A For all quick-service restaurants the lot or parcel of land so to be used shall have a minimum street frontage of at least one hundred twenty-five (125) feet and an average lot depth of at least one hundred fifty (150) feet.

Whereas, the existing lot frontage is 115 feet and the existing lot depth of the site is 149.6 feet – Variance Required

2. §34-12.3.B For all quick-service restaurants the ground floor area of the building shall be at least two thousand four hundred (2,400) gross square feet in area.

Whereas, the proposed Dunkin’ Drive-Thru has a ground floor area of 2,119 SF – Variance Required

3. §34-12.3.C For all quick-service restaurants the walls of the building shall be located at least fifty (50) feet from an adjoining street right-of way, twenty-five (25) feet from a side of property line and fifty (50) feet from a rear property line.

Whereas, the quick-service restaurant is setback 29.4 feet from the existing street right-of-way line – Variance Required

4. §34-12.3.F All off-street parking and loading requirements set forth in §34-16 herein, and in chapter 32, site plan review, shall be complied with.

Whereas the proposed project does not comply.

5. §34-12.3.G All buffer zone and landscaping requirements as provided in §34-15 herein, and in chapter 32, site plan review, shall be complied with.

Whereas the proposed project does not comply.

“C” Variance Summary:

Parking Requirements

6. §34-16.2 – Schedule II Quick service restaurants shall require two (2) parking spaces per service station, one (1) parking space for every two (2) seats, and one (1) parking space per two-hundred fifty (250) square feet.

Whereas thirteen (13) parking spaces are proposed while twenty (20) parking spaces are required – Variance Required

Buffer Requirements

7. §34-15.1 All nonresidential uses which abut a residential zone with a lot width between seventy-five (75) and one hundred fifty (150) feet shall be required to install, plant and maintain a buffer zone of ten (10) ft for side and rear yards.

Whereas, the subject site proposes a buffer less than 10 FT (4.9 FT) – Variance Required

8. §34-15.2.A Buffer Zones shall consists of a strip of land equal to ten (10%) percent of the average width and depth of the property but not less than five (5) feet along the rear and side property lines; and not less than five (5) feet between streets and parking and loading areas.

Whereas, the required buffer is not provided – Variance Required

9. §34-15.2.C Except as provided in Note E below no structure, activity, parking of vehicles, access driveways, loading areas, outdoor storage nor any principal or accessory structures shall be permitted within the buffer zone.

Whereas, the subject site provides parking and vehicular access aisles within the required buffer alongside property lines – Variance Required

Design Waiver Summary:

Parking/Loading Requirements

1. §34-16.2 Off-street parking shall not be located in a required front yard. No off-street parking area shall be located closer than six (6) feet to a side or rear lot line.

Whereas, parking stalls are provided within the required front yard setback, and within the required side property line buffer area– Waiver Required

2. §32-6.2 B.3 No parking spaces shall be located in any required buffer zone and all spaces shall be set back at least one (1) foot from buffer zones to prevent any part of a vehicle from overhanging the buffer zone.

Whereas, parking stalls are proposed within the required side property line buffer area – Waiver Required

3. §32-6.2 H.3 Off-street parking areas shall have planting buffer strips at least five (5) feet in width around the perimeter of the parking area. Such buffer strips shall be interrupted only at points of ingress and egress and where the parking area or access drive abuts a building on the same lot.

Whereas, the proposed parking stalls do not have the required perimeter buffering – Waiver Required

Driveway Requirements

4. §32-6.2.E(4) No part of any driveway shall be located closer than twenty (20) feet to any other driveway on an adjoining parcel, or shall more than one (1) driveway be located closer than fifty (50) feet to another driveway on the same site.

Whereas, the subject site proposed two (2) driveways 35.75 FT apart - Waiver Required

Temporary Submission Waiver:

1. Planning Board/Board of Adjustment Review Checklist Item 2, Certificate that Taxes are Paid.

The check enclosed with this submission includes \$10.00 to satisfy the tax search fee.



**NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY**

30 Wyckoff Avenue
at Authority Drive
P.O. Box 255
Waldwick, NJ 07463

Tel: 201.447.2660
Fax: 201.447.0247
www.nbcua.org

July 27, 2020

Mr. Alexander Cilento
Dynamic Engineering
1904 Main Street
Lake Como, New Jersey 07719

RE: Will Serve – Sanitary Sewer Service
195 Godwin Avenue
Midland Park, New Jersey

Dear Mr. Cilento:

In response to your email dated July 23, 2020 regarding sewer capacity for the above mentioned project, Northwest Bergen County Utilities Authority is designed to treat 16.8 MGD and is presently treating 8.5 MGD. NBCUA does have the capacity to service the above listed project.

There is a municipal sewer line in Godwin Avenue (see attached map).

NBCUA has no direct knowledge of any moratoriums on Godwin Avenue, though it is recommended to check with the Bergen County Road Department and local municipality.

NBCUA requires a Connection Fee Application (see attached) be filled out and any required payment be paid in full.

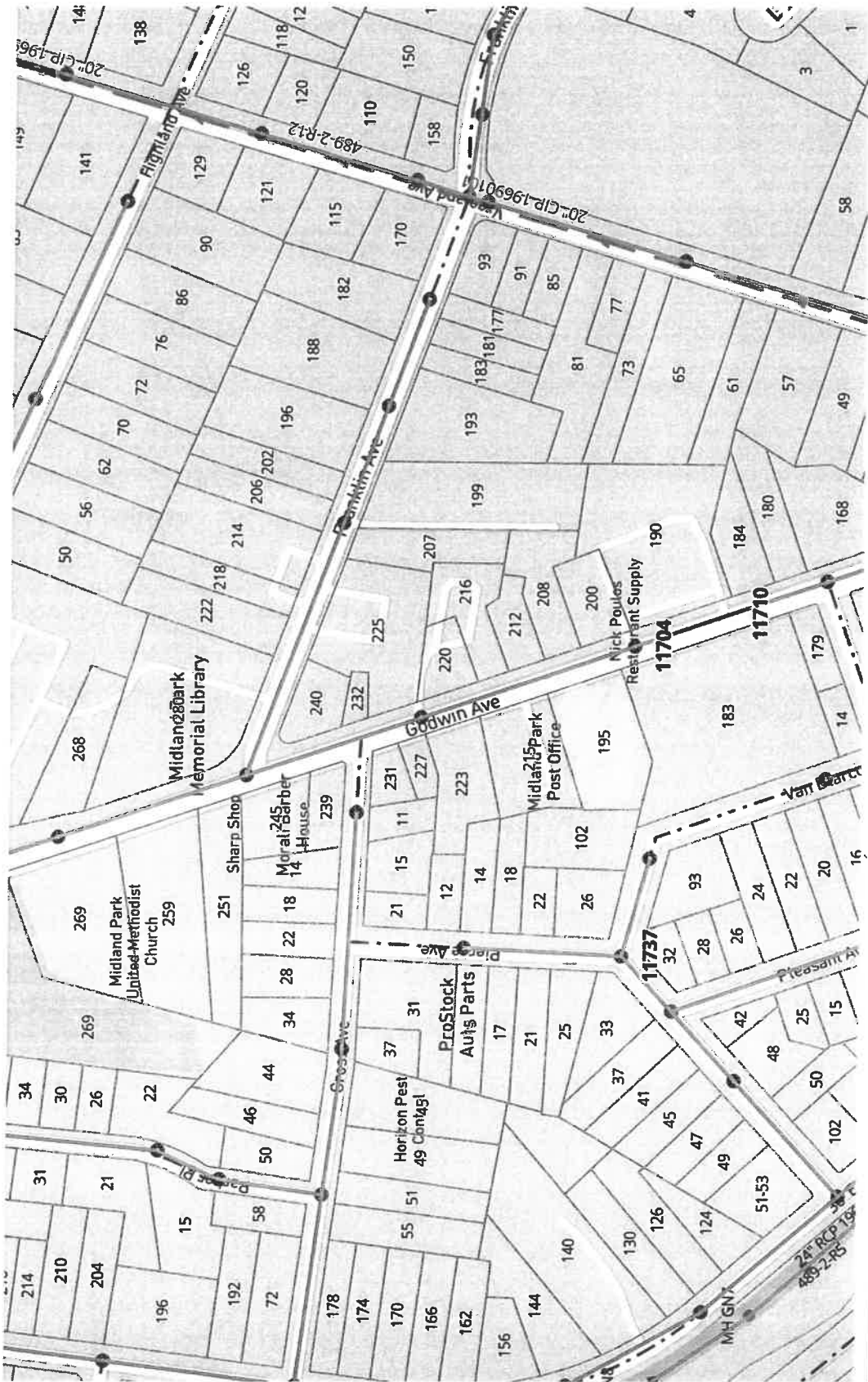
If you need anything else please do not hesitate to contact me at 201-447-2660 ext. 4515


Sincerely,
NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY

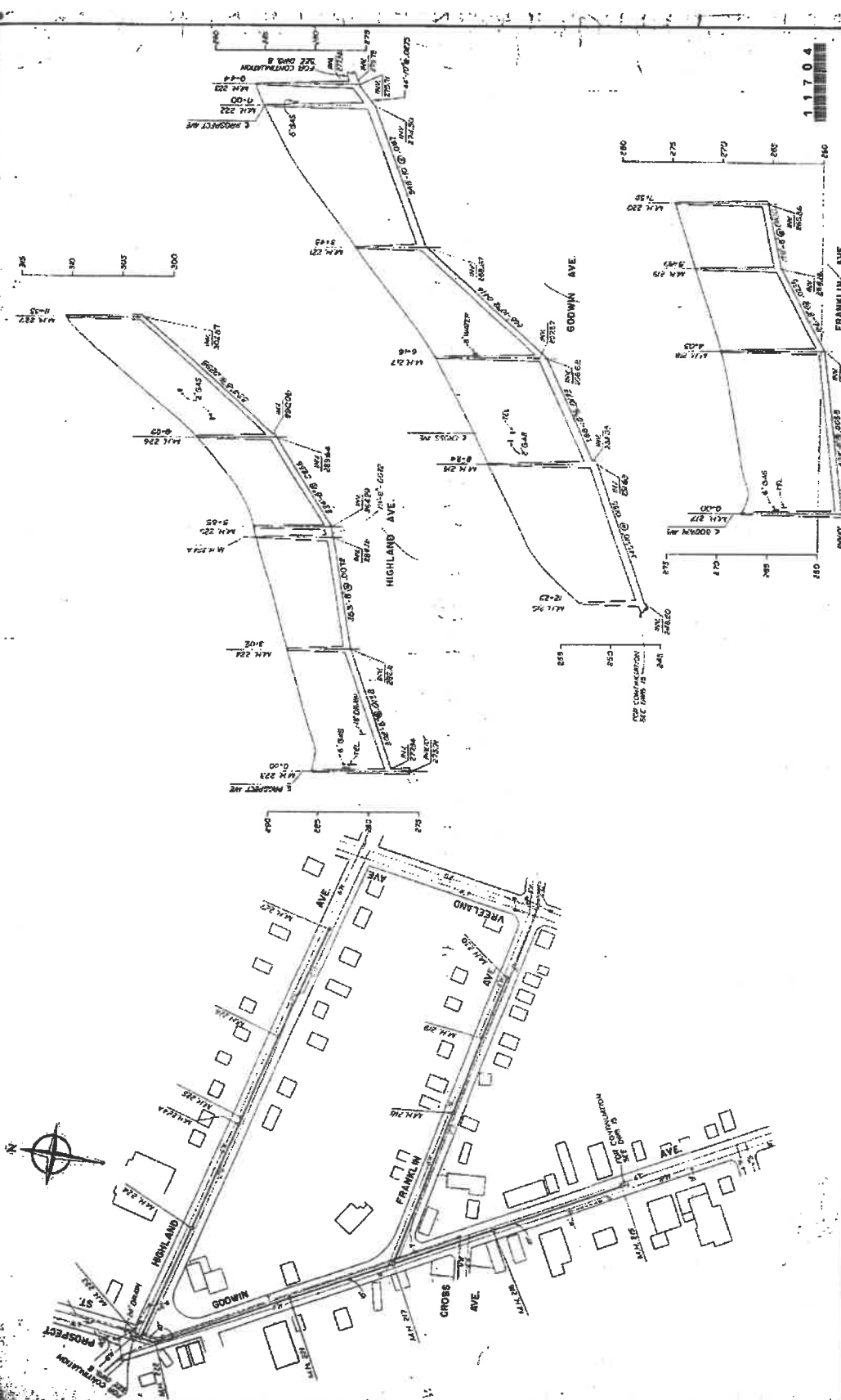


Robert M. Genetelli
Superintendent / IPP Coordinator / QPA

195 Godwin Ave, Midland Park NJ



	<p>07/27/2020</p>	<p>1" = 263 ft</p>
<p>This map may represent a visual display of related geographic information. Data provided here on is not guarantee of actual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up-to-date information.</p>		



DATE: 11/11/20
 DESIGNED BY: [Signature]
 CHECKED BY: [Signature]

WILLIAM H. SCHWABE
 PROFESSIONAL ENGINEER - CIVIL
 1011 N. 10TH ST. SUITE 200
 PHILADELPHIA, PA 19107
 P.E. NO. 100 0351

CLINTON ROBERT ASSOCIATES
 CONSULTANTS - CIVIL, E.C.
 1111 N. 10TH ST. SUITE 200
 PHILADELPHIA, PA 19107
 P.E. NO. 100 0351

BOROUGH OF
MIDLAND PARK
 NEW JERSEY

SANITARY SEWER SYSTEM

PLAN AND PROFILES

RECORD DRAWING

SCALE: AS SHOWN
 SHEET NO. 1 OF 2
 DATE: 11/11/20

CONTRACT NO. 2
 DWG. NO. 2 OF 20

11704



July 23, 2020

Dynamic Engineering
Attn: Alexander Cilento
1904 Main St
Lake Como, NJ 07719

Re: 195 Godwin Ave
Block 20.10, Lot 5.01
Borough of Midland Park
Bergen County, NJ

To Whom It May Concern:

Gas and Electric service can be made available for the above project consistent with service requirements and the PSE&G tariffs for gas and electric services.

Please feel free to give this office a call at 1-800-832-0076 if you need additional information.

Sincerely,
PSE&G Construction Inquiry Department



March 10, 2021

SENT VIA EMAIL TO: jmaier@dynamiccec.com

Mr. Jake Maier
Dynamic Engineering
40 Main Street
Toms River, NJ 08753

Re: Will Serve Letter
195 Godwin Avenue
Midland Park, NJ

Dear Mr. Maier,

I am writing in response to your email request, to substantiate water service at the proposed project site.

Ridgewood currently has the available allocation/capacity to allow this connection.

Please contact the Distribution Department, at 201-670-5524, for the permit requirements, fees and details for any new connections and appurtenances. A portion of the new connection fees are based on the new water demand. Prior to making the application, you will be required to submit a calculation of the proposed demand based on the unit estimates listed in Table 1 of NJAC 7:10-12.6 and Table 5.1 of NJAC 5:21. Please include credits for any active units that may exist on the property today.

Additionally, if the new development has an irrigation system, it should be operated with a SMART controller that is labeled as being compliant under the United States Environmental Protection Agency (EPA) Water Sense program. Such a controller is capable of estimating or measuring depletion of available plant soil moisture and operating the irrigation system as needed while minimizing excess water use. The SMART controller shall be installed and programmed by a contractor who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to N.J.S.A. 45:5AA-3.

Should you have any questions or require further information please don't hesitate to contact me at 201-670-5521.

Respectfully Submitted,

RDC

Richard Calbi Jr. P.E., P.P.
Director of Operations
Ridgewood Water



BERGEN COUNTY SOIL CONSERVATION DISTRICT

700 Kinderkamack Road, Suite 106
Oradell, New Jersey 07649
Telephone: 201-261-4407
Fax: 201-261-7573

December 18, 2020

ABDD Capital
245 Amity Road, Suite 200
Woodbridge, CT 06525

RE: Dunkin Donuts w/Drive-Thru
195 Godwin Avenue
Block 20.10, Lot 5.01
Midland Park, NJ
Our File #20-2800

Dear Owners:

Pursuant to N.J.S.A. 4:24-39 et seq., the N.J. Soil Erosion and Sediment Control Act, the Bergen County Soil Conservation District hereby certifies the Soil Erosion and Sediment Control Plan for the above referenced project, subject to the following:

1. That the applicant carries out all land disturbance activities in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey as promulgated by the State Soil Conservation Committee.
2. The applicant must notify the District office, by mail, at least 48 hours prior to initial land disturbance.
3. The owner/applicant must obtain a District-issued Report of Compliance prior to issuance of any Certificate of Occupancy by the municipality. The District requires advance notice of at least one week for the issuance of a Report of Compliance.
4. Changes in the certified plan relating to, or that will effect land disturbance on the site, must be submitted to the District office for reevaluation and approval.
5. A copy of the certified plan and a copy of these provisions must be kept on the job site at all times.

Failure to comply with any of the above conditions may result in the issuance of a Stop Work Order.

This approval is limited to the soil erosion, sedimentation and related stormwater management controls specified in the plan. It is not authorization to engage in the proposed land use unless such has been previously approved by the municipality or other controlling agency.

Sincerely yours,

A handwritten signature in cursive script that reads "Geraldine Byrne".

Geraldine Byrne
District Supervisor

Richard Wostbrock & Associates

44 Garret Place Midland Park, NJ 07432
(201)978-4519 WostbrockEngr@gmail.com

May 5, 2021

Sent via Email: JHarmon@MidlandParkNJ.org

Midland Park Zoning Board of Adjustment
280 Godwin Avenue
Midland Park, NJ 07432

Attn: Ms. Jessica Harmon, Secretary

Subject: ABDD Capital (Dunkin')
Preliminary & Final Site Plan
195 Godwin Ave
Block 20.10, Lot 5.01

Dear Ms. Harmon,

Overview:

The applicant, ABDD Capital, requests preliminary and final site plan approval with C & D variances for the construction of a Dunkin' quick serve restaurant with seating for 15 and a drive-thru. The site is the former Friendly's restaurant located between the Post Office to the north and MP Christian Reformed Church to the south.



The property is located in the B-1 business retail zone. Quick service restaurant is a conditional use in the zone.

Richard Wostbrock & Associates

The following documents form the basis of our initial review:

1. Set of drawings titled "Preliminary & Final Site Plan for ABDD Capital Proposed Dunkin' Drive-thru Restaurant" consisting of 17 sheets prepared by Dynamic Engineering dated 11/12/20, last revised 3/15/21.
2. Set of drawings titled "Proposed Dunkin' Baskin Robbins" consisting of 6 sheets prepared by Gary Kliesch and Associate Architects dated 11/24/20.
3. Drawing titled "Boundary and Topographic Survey" prepared by Dynamic Surveying dated 8/10/20, last revised 2/9/21.
4. Report titled "Sanitary Sewer & Potable Water Engineer's Report" prepared by Dynamic Engineering, dated November 2020.
5. Report titled "Traffic Impact Study for Dunkin'" prepared by Dynamic Traffic, dated November 2, 2020.
6. Report titled "Drainage Statement for ABDD Capital, LLC prepared by Dynamic Engineering dated November 2020.
7. Certified property owners list dated 9/22/20.
8. Application for Development dated 10/26/20
9. Disclosure Statement – Appendix A
10. Escrow Agreement dated 10/26/20.
11. W-9 for ABDD V LLC
12. Board Review Checklist
13. Summary of Variances & Design Waiver Requests prepared by Dynamic, undated.
14. Development Narrative prepared by Dynamic, undated
15. Bergen County Soil Conservation District approval dated 12/18/20.
16. PSE&G "will serve" letter dated 7/23/20
17. Northwest Bergen County Utilities Authority "will serve" letter dated 7/27/20.
18. Ridgewood Water "will serve" letter dated 3/10/21.
19. Soil Movement application dated 3/25/21.

Administrative Completeness Review

As directed, I have reviewed the subject application and documents for completeness in accordance with the applicable Borough of Midland Park land use regulations.

The following items should be submitted to create a complete application (following Board Review Checklist numbering):

2. Certification that the payment of taxes must be provided to the Board Secretary prior to any public hearing.
24. Topography of the subject property is included; however limited topography is provided for the neighboring lots. RWA would support a waiver of full compliance of this administrative requirement provided sufficient information is provided to adequately review the proposed improvements.
29. Board Secretary to verify the applicant has established and maintained escrows.
30. The Board should reserve the right to request additional information as needed to provide a clear understanding of the proposed development.
38. Application and approval from the Bergen County Soil Conservation District, the Bergen County Planning Board, and local utilities will be required for this project.
Bergen County Soil Conservation District approval granted on 12/18/20.

Richard Wostbrock & Associates

The Traffic Impact Study and site plans should be updated to address the review letters prepared by this office and HyeCraft LLC.

A Planning Report should be provided to support the application and use variances requested. It is recommended that the reports be provided in advance of the public hearing to facilitate the review process.

Notwithstanding the above, I recommend the Board consider this application **Administratively Complete**.

Technical Review:

Variances:

Review of the application documents indicates the Applicant is seeking and/or will require the following variances:

1. No bulk variances are requested from the B-1 zone requirements

The application seeks “D” variance from the Quick Service Restaurant conditional use requirements (§34-12.3.A-I):

	Required	Existing	Proposed	Variance
Minimum Street Frontage (ft) (B)	125	115	115	Yes
Minimum Average Lot Depth (ft) (C)	150	149.6	149.6	Yes
Minimum Ground Floor Area (sf) (D)	2,400	-	2,119	Yes
Minimum Front Yard Setback (ft) (E)	50	-	29.4	Yes
Minimum Side Yard Setback (ft) (E)	25		25.8	
Parking and Loading (F)		-	Not Compliant	Yes
Buffer Zones and Landscaping (G)	5' parking / 10' residential zone	-	2.7' / 4.4'	Yes
Signage (H)			Not Compliant	Yes
Outdoor Service Counter (I)	Not Permitted	-	None Proposed	

The application seeks “C” variance from other portions of the land development regulations.

1. Off-street parking in the required front yard is proposed where prohibited (§34-16.2). Part of three stalls encroach upon the front yard.
2. Off-street parking within 6' of the side and/or rear yard where prohibited (§34-16.2). Six stalls are proposed withing 2.6' of the northern side yard. The parking access aisle is within 2.7' of the southern side yard.
3. Twelve (12) parking spaces proposed where twenty (20) required. This is based on two (2) serving stations in the calculation. Based on the architectural and site plans there

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appears to be five (5) serving areas which would increase the required parking to twenty six (26).

4. All non-residential uses which abut a residential zone ... shall install 10' planted buffer zone along the side and rear yard (§34-15.1). This potentially impacts the dwellings to the west and rear of the church lot which are in the R-1 zone. The proposed buffer along the side yard adjacent to the R-1 zone (church) varies from 4.4'. The buffer along the rear yard (residence) varies from 10.3' which is conforming.
5. Buffer zones shall consist of a strip of land equal to 10% of the average width and depth of the property but not less than 5' along the side and rear yard (§34-15.2) This section of the ordinance has not been applied in recent years as it is difficult to apply on many sites. It is on the list of recommendations to Mayor and Council to be eliminated.
6. No parking or access aisle shall be located in buffer zones (§34-15.2.C)

Design Waivers:

Review of the application documents indicates the Applicant is seeking and/or will require the following design waivers:

1. Parking proposed in the buffer zones (§32-6.2.B.3).
2. Off-street parking shall have a planted buffer at least 5' in width around the perimeter of the parking area (§32-6.2.H.3).
3. Driveway closer than 50' to another driveway on the same site (§ 32-6.2.E.4). Two driveway 35.75' apart are proposed.

General:

1. Police, Fire Prevention Bureau, Fire Department, Construction Official, DPW, and EMS comments should be requested for all applications.
2. The Board has retained a planner and traffic engineer for this application.
3. Godwin Avenue is a County road (CR84). This application shall be subject to Bergen County Planning Board approval.
4. Bergen County Soil Conservation District issued a certification of approval dated 12/18/20.
5. The posted speed limit is 30 MPH with on street parking near the Post Office and store fronts.
6. Testimony should be provided regarding the number of employees per shift and hours of operation.

Demolition Plan:

1. Former Friendly's structure is to be demolished in total. Pre-demolition abatement of hazardous materials should be performed to the satisfaction of the building department.
2. The stockade fence to remain at the rear of the property should be repaired.
3. Tree to remain should be protected. The plans should be updated to depict the protection requirements.

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Site Plan:

1. Drive thru queue measure line should be depicted on the plan. The plan dimension reads 4792'. This should be corrected. Based on scaling the plan, the distance from the menu board to the parking is approximately 85'. Parking should not be impeded by the queue.
2. A loading space is required for a restaurant having a floor area greater than 2,000 sf. Vehicle turning templates have been provided to demonstrate access to and from the loading zone. The Board's traffic engineer should review them.
3. One-way circulation is proposed in a counterclockwise direction. The ingress and egress driveways are 18' wide and have 10' radii flares. . To promote traffic calming and reduce the crossing distance for pedestrians, the Board should consider requiring the driveway widths reduced to 15' to support one-way commercial traffic with 5' flares in accordance with Bergen County apron style driveway standards.
4. Two (2) parking spaces are locating in or partially in the required front yard setback and should be eliminated to promote the aesthetic envisioned in the ordinance and reduce the impact of conflicts with vehicles in the entering the site.
5. A landscape wall with a fence is proposed between the site parking and Post Office parking. A cast in place wall with a fence is proposed between the site drive aisle and the existing stone wall on the church property. Both property line walls appear to need temporary construction access on the neighboring properties which should be a condition of approval.
6. The drive thru, mobile order, and by-pass lane widths are proposed to be 9'. Turning templates should be provided to support the layout. A wider aisle may be needed for the layout.
7. Refuse and recycling collection should be by private hauler. Testimony should be provided regarding the size of the trash enclosure and its ability to contain both refuse and recycling.

Grading and Drainage:

1. The existing parking area has an unconventional slope for a retail parking area. The application proposes to regrade the site to create a flatter area for the proposed use. This will result in cuts of 2'-3' along the north and south sides of the property. Calculations to support the quantities listed on the application should be provided.
2. Parking area shall be regraded to have a minimum pitch of 1% to facilitate drainage (§32-6.2.G)

Utilities:

1. The location of the nearest fire hydrant is in front of this site. The application proposes to relocate the existing hydrant south of the exit driveway. A new hydrant should be installed.
2. It should be verified that the proposed structure shall be sprinklered.
3. If approved, the location of the Knock Box and Storz connection should be coordinated with the fire department.
4. All utility services shall be installed underground.

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5. No alternative power source (ie. solar or generator) is proposed.
6. Storm drainage piping within the Godwin Avenue right of way should be in accordance with the County requirements. Typically, RCP is required.
7. The proposed inlet in the loading area should be fitted with a sediment/debris filter.
8. A new underground electric service is proposed from the existing utility pole on site. Reuse of the existing water and gas services is proposed from the existing curb stops.
9. A new 4" sanitary lateral is proposed. Based on the elevations shown, there is a potential to reuse the existing service lateral. This is encouraged to avoid unnecessary disruption and trench excavation of the street.

If a new service lateral is construction, the cleanout should be located at the property line and all pipe within the right of way should be ductile iron.

10. The plan notes that a detailed utility investigation has not been performed. Notwithstanding the proposed restaurant is replacing a restaurant, a utility investigation to verify the capacity of the existing public infrastructure and/or will serve letters from the respective utility authorities should be provided.

Landscape & Plans:

- 1.
2. The landscaping plan should be updated to reflect the elimination of the parking stall near the exist driveway.
3. Three trees are proposed to be removed. A variety of evergreen buffer trees area proposed. No shade trees are proposed.
4. Testimony should be provided regarding the landscape buffering proposed.
5. Deer resistant varieties of plants should be proposed.
6. Testimony should be provided regarding irrigation provision for the new planting.
7. Testimony should be provided regarding compliance with the streetscape ordinance. It is noted that existing streetscape light shall be relocated approximately 20' north to facilitate the exit driveway. The pavers will need to be supplemented and reset.
8. Testimony should be provided regarding the lighting controls and hours of operation.
9. As proposed, light levels appear to have exceedances from the borough standards of 1 fc and 0.5 fc at the property lines adjacent to commercial and residential properties, respectively. Testimony should be provided to justify the exceedances.
10. Light color should be limited to a maximum of 3000K.
11. While they appear to meet industry standards, the proposed light levels are higher the typically installed in the commercial areas of the borough. Site lighting should be provided with dimmer controls.
12. As a condition of approval, the Board should reserve the right to review the lighting post construction for a period of at least six months after the issuance of a certificate of occupancy during which the developer shall be responsible to modify the system if the Board or Borough determine it appropriate.
13. Site lighting mounting heights are limited to 14' which minimize the potential for glare

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Survey:

1. No comments

Details:

1. The retaining wall detail as proposed is not acceptable. No part of the wall including the footing or geogrid reinforcement shall encroach upon the neighboring property.
2. The wall details should be revised to demonstrate that the proposed construction is feasible.
3. The combined height of the wall with fence should be provided.

Architectural Plans:

1. One-story slab on grade construction is proposed.
2. Testimony should be provided regarding the proposed façade finishes including the walking freezer.
3. HVAC equipment locations should be identified. Testimony regarding the screening of roof top units should be provided.
4. Building height is shown from the finish floor slab. The building height should be provided in accordance with the zoning code definition. Architectural drawing and site plan bulk table should be updated.
5. The architectural elevation drawings call for lighting contradictory to the site lighting plan. These should be coordinated and revised.
6. The location of the electric meter and C/T cabinet potentially block the free passage along the sidewalk. This should be reviewed.
7. Testimony should be provided regarding the signage to confirm it will meet ordinance requirements. No variances have been requested. Signage includes:
 - a. Freestanding pylon sign
 - b. Directional signs with logo
 - c. Menu board sign with logo
 - d. Vehicle clearance bar signs with logo
 - e. Building mounted signs

Details for a variety of sign are shown, but not located on the site plan. The plans should be coordinated.

The plans should be updated to provide the illumination of each sign.

Sign Requirements (§34-17.8) – number of signs

	Permitted	Existing	Proposed	Variance
Number of Signs per Location	1	-		Yes
Wall Fronting Street	1	-	2	Yes
Entrance Wall (north side)	1	-	3	Yes
Freestanding sign	0		5	Yes

Richard Wostbrock & Associates

Sign Area Permitted:

- a) Maximum area of building mounted signs = 1.5 sf / linear foot of building wall or section
- b) Maximum area of freestanding sign = 12 sf

	Permitted	Existing	Proposed	Variance
Maximum Area of Signs				
Dunkin' (fronting street)			22	
Baskin Robbins (fronting street)			14	
Fronting Street Combined	48	-	36	
Midland Park Dunkin (south)	0	-	18	Yes
DD (north)		-	12	
Baskin Robbins (north)		-	22.5	
Something Fresh (north)			26	
North Side Combined	103	-	60.5	
Dunkin' Baskin Robbins (Pylon)	12	-	75	Yes
DD (enter sign)	12	-	5.5	
DD (exit sign)	12	-	5.5	
DD Vehicle Clearance Sign	12	-	34±	Yes
Menu Sign	12	-	23	Yes
Menu Preview Sign	12	-	12	

8. The order canopy is an accessory structure which appears to comply with §34-13.1

Sanitary Sewer & Potable Water Engineer's Report:

- 1. The design engineer should document that the existing and/or new sanitary sewer lateral meets the requirements of the National Standard Plumbing Code 2018.
- 2. The design engineer should document that the existing water service lateral meets the requirements of the National Standard Plumbing Code 2018.

Drainage Statement:

- 1. The proposed development is not a "major development" under current regulations.
- 2. The project will result in a net reduction in impervious coverage by 1,206 sf.
- 3. The site will be regraded to reduce the relatively steep slopes of the existing parking lot.
- 4. Inasmuch as the site discharges to a County storm sewer system, we defer to the County for additional comments.

Richard Wostbrock & Associates

Planning Evaluation Report

1. RWA defers to Burgis for a detailed review.
2. No planning report was received.

Traffic Impact Study:

1. RWA defers to HyeCraft for a detailed review.

Additional Comments:

The applicant shall obtain any and all approvals required by outside agencies and internal municipal departments, including but not limited to, NJDOT, NJDEP, Soil Conservation District. It is the applicant's responsibility to determine what outside agency permits are required. Copies of said approvals shall be provided upon receipt.

The above comments are based on the review of material submitted to date. I reserve the right to provide new or updated comments as additional information becomes available.

I recommend that the Applicant address the above comments to the satisfaction of the Board. To facilitate the review a response letter should be provided identifying plan changes and how each of the review comments were addressed.

Should you have any questions regarding the above comment do not hesitate to contact me.

Respectfully submitted,
Richard Wostbrock & Associates



Richard Wostbrock, PE

cc: Robert Landel, Esq. (rlandel@lbklaw.com)

May 26, 2021
Via FedEx 2-Day

Borough of Midland Park
Zoning Board of Adjustments
280 Godwin Avenue
Midland Park, NJ 07432

Attn: Jessica Harmon
Zoning Board Secretary

**RE: ABDD V. LLC
Proposed Dunkin' Drive-Thru
Restaurant
Block 20.10, Lot 5.01
195 Godwin Avenue
Borough of Midland Park
Bergen County, NJ
DEC #3486-99-001**

Dear Ms. Harmon,

On behalf of our client, ABDD V. LLC, enclosed please find the following plans and documents constituting this resubmission to the Borough of Midland Park Zoning Board towards Preliminary & Final Site Plan Approval for the above referenced project:

- Twenty (20) signed and sealed copies of the Traffic Impact Study, prepared by Dynamic Traffic, LLC, dated November 2, 2020, last revised April 5, 2021;
- Twenty (20) copies of the Cut/Fill Report, prepared by Dynamic Engineering Consultants, PC, dated March 03, 2021;
- Twenty (20) signed & sealed copies of the Preliminary & Final Site Plans, prepared by Dynamic Engineering Consultants, PC, dated November 12, 2020, last revised May 24, 2021 (Rev 4); and
- One (1) CD containing digital copies of all plans, reports and submission documents.

A copy of the above referenced documents has been sent directly Richard Wostbrock, PE at Richard Wostbrock & Associates for review. The enclosed plans have been revised to satisfy the outstanding review comments identified in the following documents:

- Midland Park Borough Engineer, Richard Wostbrock, PE of Richard Wostbrock & Associates, review letter, dated May 5, 2021

- Borough Traffic Engineer, Berge V. Tombalakian, PE of HyeCraft, LLC, review letter, dated January 31, 2021
- Borough Planner, David Novak, PP, AICP of Burgis Associates, Inc., review letter, dated February 2, 2021

In order to facilitate the review of the revised drawings and reports, we have provided the following itemized response:

Borough Engineer, Richard Wostbrock, PE of Richard Wostbrock & Associates, review letter, dated May 5, 2021

General:

1. The applicant formally requests comments from the Police, Fire Prevention Bureau, Fire Department, Construction Official, DPW, and EMS on this application.
2. Informational. No response required.
3. Informational. No response required.
4. Informational. Bergen County SCD certification was submitted on March 25, 2021 as part of our completeness resubmission.
5. Informational. No response required.
6. Testimony to be provided.

Demolition Plan:

1. The General Notes (Sheet 3) has been revised to provide Note 19.
2. The Demolition Plan (Sheet 4) has been revised to indicate that the stockade fence at the rear of the property will be repaired/replaced as necessary.
3. The Demolition Plan (Sheet 4) has been revised to show a tree protection fence around the trees to remain.

Site Plan:

1. The Site Plan (Sheet 5) has been revised to show a drive thru queue of 200 feet in length, which does not impede parking.
2. Informational. No response required.
3. The Site Plan (Sheet 5) has been revised to provide 5' flares on the ingress and egress driveways in accordance with the Bergen County apron style driveway standards.
4. Testimony to be provided.
5. The Construction Details (Sheet 13) has been revised to provide a typical modular block wall detail as walls are less than 4' high. Therefore, need for temporary construction access is not anticipated.

6. The Vehicle Circulation Plan (Car Turning Template - Sheet 17) has been added to the plan set to provide turning templates for the proposed drive thru, mobile order and by-pass lanes.
7. Testimony to be provided.

Grading and Drainage:

1. Please see the enclosed Cut/Fill Report.
2. The Grading Plan (Sheet 6) has been revised to provide a minimum slope of 1% within the parking areas.

Utilities:

1. A note has been added to Demolition Plan (Sheet 4) to indicate that the existing fire hydrant on the property frontage is to be relocated and replaced. The Construction Details (Sheet 14) has been revised to provide a fire hydrant detail.
2. The Architectural Drawings will be submitted under separate cover.
3. The Utility Notes on the General Notes (Sheet 3) has been revised to provide a note indicating the location of Knox Box and Storz connections are to be coordinated with the fire department.
4. Utility Note 14 has been added to the General Notes (Sheet 3) to indicate that all proposed utilities are to be installed underground.
5. Informational. No response required.
6. The Utility Plan (Sheet 7) has been revised to provide RCP within the Godwin Avenue right of way.
7. The Utility Plan (Sheet 7) has been revised to provide a sediment filter for the inlet within the loading area.
8. The Existing Utility Notes on the General Notes (Sheet 3) has been revised to provide a note indicating that existing utility connections are to be utilized wherever possible.
9. The Existing Utility Notes on the General Notes (Sheet 3) has been revised to provide a note indicating that existing utility connections are to be utilized wherever possible.
10. Please refer to the will-serve letters submitted on March 25, 2021, as part of our office's completeness resubmission.

Landscape & Plans:

2. The Landscaping Plan (Sheet 8) has been revised to reflect the elimination of the parking stall near the egress driveway.
3. Informational. No response required.
4. Testimony to be provided.

5. The Landscape Plan (Sheet 8) has been revised to provide deer tolerant varieties of plants, as requested.
6. Testimony to be provided.
7. The Site Plan (Sheet 5) has been revised to provide brick paver along the property frontage, in accordance with the streetscape ordinance.
8. Testimony to be provided.
9. Testimony to be provided.
10. The Lighting Plan (Sheet 9) has been revised to provide a note indicating that all light fixtures are to be 3000K color temperature.
11. Informational. No response required.
12. Informational. No response required.
13. Informational. No response required.

Survey:

Informational. No response required.

Details:

1. The Construction Details (Sheet 13) has been revised to provide a typical modular block wall detail as walls are less than 4' high. Therefore, need for temporary construction access is not anticipated.
2. The Construction Details (Sheet 13) has been revised to provide a typical modular block wall detail.
3. The maximum height on the combined height of the wall and fence will be 7.9'

Architectural Plans:

1. The Architectural Drawings will be submitted under separate cover.

Sanitary Sewer & Potable Water Engineer's Report:

1. Utility Note 20. has been added to the General Notes (Sheet 3) to document that the proposed sanitary sewer lateral shall meet the requirements of the National Standard Plumbing Code 2018.
2. Utility Note 21. has been added to the General Notes (Sheet 3) to document that the proposed water service lateral shall meet the requirements of the National Standard Plumbing Code 2018.

Drainage Statement:

1. Informational. No response required.
2. Informational. No response required.
3. Informational. No response required.

4. Informational. No response required.

Planning Evaluation Report

1. Informational. No response required.
2. Informational. No response required.

Traffic Impact Study

1. Informational. No response required.

Additional Comments:

The Bergen County SCD Certification letter was submitted on March 25, 2021, as part of our office's completeness resubmission. Other outside agency approvals will be provided as a condition of approval.

Traffic Engineer, Berge V. Tombalakian, PE of HyeCraft, LLC, review letter, dated January 31, 2021

1. Enclosed please find the revised Traffic Impact Study.
2. Testimony to be provided.
3. Enclosed please find the revised Traffic Impact Study.
4. Enclosed please find the revised Traffic Impact Study.
5. Enclosed please find the revised Traffic Impact Study.
6. Enclosed please find the revised Traffic Impact Study.
7. Testimony to be provided.
8. Testimony to be provided.
9. Testimony to be provided.
10. Testimony to be provided.
11. Testimony to be provided.
12. The locations of the adjacent driveways have been provided 100 feet in each direction on Godwin Avenue.
13. Testimony to be provided.
14. Informational. No response required.

Borough Planner, David Novak, PP, AICP of Burgis Associates, Inc., review letter, dated February 2, 2021:

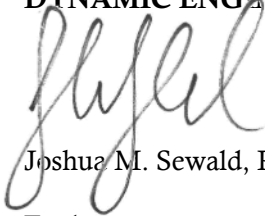
1. Testimony to be provided.

2. Testimony to be provided.
3. Testimony to be provided.
4. Testimony to be provided.
5. The proposed freestanding pylon sign has been removed.
6. Testimony to be provided.
7. Testimony to be provided.
8. Testimony to be provided.
9. Testimony to be provided.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

DYNAMIC ENGINEERING CONSULTANTS, PC



Joshua M. Sewald, PE, PP

Enclosures



Kyle C. Kavinski, PE

cc: Dave Panella (via Email)
Berge V. Tombalakian, PE (w/ Enc.)
David Novak, PP, AICP (w/ Enc.)
Richard Wostbrock, PE (w/ Enc.)
Craig Feldman (w/ Enc.)



Gary Kliesch and Associate Architects

Gary Kliesch, AIA
CID, NCARB
Principal

Oliver Young, AIA
LEED AP, NCARB
Principal

Cynthia Falls, AIA
LEED AP, NCARB
Associate

May 26, 2021

Richard Wostbrock, PE
Richard Wostbrock & Associates
44 Garret Place
Midland Park, NJ 07432

Re: Dunkin' Donuts @ 195 Godwin Ave, Midland Park, NJ
gk+a Job #20-205

Dear Mr. Wostbrock,

We are in receipt of the plan review comments for the above-mentioned project dated 05/05/2021. Please find below an itemized list of responses to all items in your review:

1. One-story slab on grade construction is proposed.

Acknowledged.

2. Testimony should be provided regarding the proposed façade finishes including the walking freezer.

The walk-in freezer will be painted grey to blend in with the building.

3. HVAC equipment locations should be identified. Testimony regarding the screening of roof top units should be provided.

Roof top units will be shielded partly by the parapet and monolith. They will be located further to the rear of the building and are noted in the elevations.

4. Building height is shown from the finish floor slab. The building height should be provided in accordance with the zoning code definition. Architectural drawing and site plan bulk table should be updated.

Building height has been adjusted to grade on the elevations.

5. The architectural elevation drawings call for lighting contradictory to the site lighting plan. These should be coordinated and revised.

Acknowledged.

6. The location of the electric meter and C/T cabinet potentially block the free passage along the sidewalk. This should be coordinated and revised.

The utilities will be along the building and the sidewalk was be adjusted to bypass this area.

7. Testimony should be provided regarding the signage to confirm it will meet ordinance requirements. No variances have been requested. Signage includes:

- a. **Freestanding pylon sign** *This has been eliminated.*
- b. **Directional signs with logo** *The logo was eliminated.*
- c. **Menu board sign with logo** *There is no logo on the menuboard.*
- d. **Vehicle clearance bar signs with logo** *The logo was eliminated.*
- e. **Building mounted signs** *Two building signs were eliminated. See bulk table.*



Gary Kliesch and Associate Architects

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Principal

Oliver Young, AIA
LEED AP, NCARB
Principal

Cynthia Falls, AIA
LEED AP, NCARB
Associate

Details for a variety of sign are shown, but not located on the site plan. The plans should be coordinated.

The plans should be updated to provide the illumination of each sign.
Illumination of the internal LEDs is 7100K.

Sign requirements (§34-17.8) – number of signs

	Permitted	Existing	Proposed	Variance
Number of signs per location	1	-		Yes
Wall Fronting Street	1	-	2	Yes
Entrance Wall (north side)	1	-	3	Yes
Freestanding sign	0		5	Yes

Sign are permitted:

- a. **Maximum area of building mounted signs = 1.5 sf / linear foot of building wall or section**
- b. **Maximum area of freestanding sign = 12 sf**

The bulk table was revised on the drawings.

8. The order canopy is an accessory structure which appears to comply with §34-13.1.
Acknowledged

Revised drawings are included with this mailing as required. If you have any questions or comments in relation to the revised drawings please do not hesitate to contact this office. Thank you for your time.

Very truly yours,

Cynthia Fall, AIA, LEED AP, NCARB
Associate
gk+a Architects, PC

Enc: 20 signed and sealed sets



Gary Kliesch and Associate Architects

Gary Kliesch, AIA
CID, NCARB
Principal

Cc: *Craig Feldman, Dave Panella (electronic only)*

Oliver Young, AIA
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BOROUGH OF MIDLAND PARK

CERTIFICATION OF TAXES

This is to certify that the status of taxes on the following property is as follows:

Block 20.10 Lot 5.01

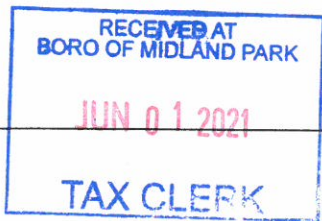
Property Location: 195 Godwin Ave

Property Owner: 195 Godwin M PLLC c/o Skaloffras

Amount of Delinquency 0

Plus interest computed to date of payment

Date: _____



Anna Kalain

Tax Office

Fee: \$10. ck# 3395 # or cash
Code: 21