

April 11, 2024

Borough of Midland Park
Planning Board
280 Godwin Ave
Midland Park, NJ 07432

Attn.: Jessica Harmon

Via e-mail: jharmon@midlandparknj.org

Subject: Engineering Review
Ridgewood Water
Proposed PFAS Treatment Project
3 Birch Street
Block 32, Lot 4

Dear Ms. Harmon:

We are in receipt of the following documents, which for the basis of this review:

1. Cover Letter from Law Offices of Matthew S. Rogers, LLC, dated 3/1/24
2. Cover Letter from Mott Macdonald, Dated 3/7/24
3. Borough of Midland Park Application for Development, undated
4. Borough of Midland Park Soil Movement Application, signed 11/04/22
5. Engineering Response Letter from Mott Macdonald, Dated 3/7/24
6. Site Plan & Architectural Plan Set (13 pages) by Mott Macdonald, dated March 2024
7. Premanufactured Chemical Storage Architectural Plan by Mott Macdonald, Dated 3/28/22
8. NJDEP Flood Hazard Area Permit dated 2/20/24
9. Stormwater Runoff Calculations
10. Wall-mounted light specifications (WDGE2 LED)
11. NJDEP Notice of Non-Compliance dated 11/30/21
12. MPPB Minutes from June 19, 2017 Meeting
13. Email from DPW dated 12/8/22
14. Memo from Police Chief dated 12/5/22
15. Memo from Fire Prevention dated 12/9/22
16. Memo from Construction Official dated 12/5/22
17. LAN Review Letter dated 12/7/22

The applicant has submitted a revised application package for the proposed PFAS Treatment Project. Since their last application, the applicant has significantly revised the design and has obtained a Flood Hazard Area Individual Permit from the NJDEP that permits their proposed work that encroaches into the Flood Hazard Area, Floodway, and Riparian Zone. The currently proposed building is significantly smaller than the originally proposed building (2,304 sf), and it is shifted to the east (away from the drainage swale). In order to accommodate this shift, the existing generator is proposed to be relocated from its current location to a new location in the north-east portion of the site. The proposed building would have insulated vertical metal panel siding, and a metal roof. Because the building is located within the regulated Flood Hazard Area, the building has been provided with flood vents, which will allow floodwater to enter/exit the building during a flood event. The previously proposed paved driveway extension has been eliminated from the plans. The proposed chemical storage building, intermediate pump station, and PSE&G transformer pad remain in what appears to be the same locations as originally proposed. A new sanitary sewer connection is proposed from the proposed PFAS Treatment Facility to an existing sanitary manhole in Birch St, along with the previously proposed new water line connection to the existing water line in Birch St.

Zone Designation: I-2, Industrial

Site Plan Drawing Scale: 1" = 20'

Below are the comments from our original review, along with any updates pertaining to the revised submission show in blue.

1. We've interpreted that the frontage on West Street and Birch Street should meet the requirements for building front yard setback, the required side yard would be the yard opposite Birch Street, and the required rear yard would be the yard opposite West Street. The two existing well houses both violate some of the yard requirements. These are existing non-conformities. The proposed buildings are shown to respect the required building setbacks.

The revised site plan has been revised to show the correct front, side, and rear yard requirements.

2. The building coverage and improved lot coverage calculations shown on the zoning table appear to have been calculated incorrectly. By scaling the drawing, we calculate that the proposed conditions building coverage will be approximately 16.1% and the proposed conditions improved lot coverage will be approximately 34.7%. Both are significantly below the allowable thresholds.

The revised site plan shows updated coverage numbers which appear to be consistent with the plans.

3. Ordinance section §34-16.2 indicates that parking in a required front yard is not permitted. Though there are no striped parking spaces, it appears as if the existing parking areas do not encroach into the required front yard. A portion of the new driveway in front of the new treatment facility encroaches into the required front yard. If the encroaching portion of this driveway is to be a parking area, this would be a variance condition.

The applicant explains that the driveway is not meant for continuous parking, but only for periodic inspections. Furthermore, the previously proposed driveway/parking expansion has been eliminated from the plans. As such, the driveway/parking on the site is an existing condition. Testimony should be provided regarding the parking needs of the proposed facility.

4. Will any staff regularly work or park at the new facility?

The applicant explains that this will be an unmanned facility, with periodic (daily) inspections.

5. Are the requirements for ADA-accessible parking and accessible routes to the buildings met?

The applicant explains that because this facility is not open to the public and does not have 15 or more parking spaces, it is not required to provide handicap-accessible parking. Based upon the requirements of ordinance section § 8-1.1, the writer concurs with this interpretation.

6. Ordinance section § 34-16.3 outlines the requirements for off-street loading. It states " *In all districts, for every building or use requiring the receipt or distribution in vehicles of materials or merchandise, and for large scale public and quasi-public uses, there shall be maintained on the same lot with such building or use off-street loading spaces in accordance with Schedule III, Off-Street Loading Space Requirements...*" Does the new facility meet the requirements of this ordinance section?

The facility does appear to be a "large scale public or quasi-public use", however it does seem to meet the requirement of "requiring the receipt or distribution in vehicles of materials or merchandise". The applicant should provide testimony regarding the deliveries to the site so that the board may consider whether an off-street loading space is appropriate.

7. Ordinance section §21-1.3 requires "*Stormwater management measures for any increase in regulated impervious surface greater than 300 square feet, but not classified as a major development, shall be designed to control the increase in the stormwater runoff volume and shall be designed for a 10-year storm with at least 60 minute duration and calculated in accordance with Section 5.A...*" How does the applicant plan to mitigate stormwater flow? Ordinance section § 32-6.10 also provides requirements for stormwater drainage design.

The revised site plan shows a stormwater swale along the northern property line that would direct on-site stormwater towards the existing on-site swale. The applicant indicates that this swale provides stormwater storage of 17.63 CY, which exceeds their calculated required stormwater storage of 8.4 CY of storage, based upon their stormwater calculations. It is not clear, however, how this swale stores/infiltrates that volume of stormwater storage, as the swale does not appear to have a control structure, weir, or other method of impounding stormwater to provide the required stormwater storage. Furthermore, grass swales designed for conveyance of stormwater are typically designed to a minimum slope of 2% to allow for positive drainage out of the swale without low spots within the swale. Based upon our scaling of the swale, it appears to be significantly flatter than 2%. Also, the grading just north of the proposed new generator location appears to leave a low spot between the two 246 contours, where there does not appear to be positive drainage towards either the existing swale or towards the existing driveway. Testimony should be provided regarding how the stormwater is to be stored or infiltrated on site, and to explain how the proposed topography provides positive drainage of stormwater from the north-eastern portion of the site. More spot grades could clarify the grading in this area, including any proposed high or low spots in the proposed swale. Construction details of the proposed stormwater swale should be included in the site plan set.

8. Because the disturbed area will exceed 5,000 square feet, the project will also be subject to review by Bergen County Soil Conservation District. Adherence with BCSCD stormwater standards will be required.

The applicant indicates that this permit will be submitted as required. Compliance with BCSCD should be a condition of approval.

9. Ordinance section §32-6.5 outlines the requirements for site lighting. Building-mounted lighting is proposed around the new building. It should be demonstrated that the proposed site lighting complies with the maximum of 1.0 footcandles at the property line and with any other relevant site lighting ordinance requirements.

The applicant indicates that photometric diagrams are included, however the writer was unable to locate these diagrams within the submitted documents. Testimony should be provided regarding the proposed lighting levels at the property lines.

10. What would be the hours of operation of the proposed site lighting?

The applicant indicates that the lights at the site will be motion activated and will dim to 35% when not in use. Testimony should be provided describing the proposed site lighting.

11. There is a drainage swale/watercourse traversing the property. Drainage from this water feature crosses Birch Street and continues in the southerly direction. The applicant should provide verification that this water feature is not regulated by the NJDEP, and that no NJDEP permitting is required in order to fill in this watercourse to construct the new building and other proposed site improvements.

This comment is no longer applicable, as the applicant has revised the plans to accommodate the existing swale, and has obtained the required permitting from NJDEP.

12. Is there a drainage easement to protect the drainage swale? If so, does the easement language allow the construction of the new building by displacing the drainage swale?

The site plans have been revised to eliminate the proposed disturbance of the existing drainage swale. The applicant should provide testimony indicating whether there is a drainage easement protecting this swale.

13. There is at least one stormwater drainage pipe that drains into the northern (up-stream) end of the drainage swale. Re-routing of the existing pipes is not shown on the plans. Any new piping should be designed in accordance with ordinance section § 32-6.10.

The revised site layout no longer necessitates the re-routing of any of the aforementioned stormwater drainage piping.

14. Does the applicant propose any new landscaping at the site?

The applicant indicates that no new landscaping is proposed. The board should consider whether any new landscaping may be appropriate.

15. Will the proposed chemical storage building be storing any chemicals for which there may be safety concerns?

The applicant should provide testimony regarding the chemicals that would be stored on site.

16. Will the new treatment facility produce any odors or any noise?

The applicant indicates that testimony will be provided regarding noise at the site, and that no additional odors are anticipated.

17. Will there be any regular trash or recycling pickup from the site?

The applicant indicates that there is no existing or proposed trash or recycling pickup at the site. Testimony should be provided confirming such.

18. Will any staff regularly work or park at the new facility?

The applicant indicates that the facility is unmanned, and that staff will only visit the facility periodically (daily) for inspections. Testimony should be provided describing the anticipated activity at the facility.

19. What type of vehicles will regularly visit the site?

The applicant indicates that chemical delivery trucks will be on site twice a month and that trucks for backwashing carbon will visit the site once a year. Testimony should be provided describing the nature of these visits.

20. A Knox-Box for Fire Department key access should be provided on the new facility.

The applicant indicates that no Knox-Box will be provided. Testimony should be provided describing how fire department response to the facility would be handled.

21. Ordinance section §34-14.6 indicates that *“no fence, wall...or other structure over 30” in height shall be permitted on any corner lot within 25’ of the intersection formed by the projections of the street side*

lines at the corner." The existing chain link fence is taller than 30" and closer to the intersection than 25'. This is an existing condition.

The applicant proposes to replace the existing non-conforming fencing with new fencing. It is presumed that this fencing would be installed at the same location & height as the existing fencing. Testimony should be provided confirming such. The board should consider whether this fencing replacement constitutes a variance condition.

22. Some of the existing chain link fencing surrounding the site is damaged or in disrepair. Have any repairs or replacement of the existing fence been considered as part of this project?

The applicant indicates (and the site plan shows) that all existing chain link fencing on site will be replaced in kind. Testimony should be provided confirming such.

23. Ordinance section §32-6.2.h.3 sets forth the requirements for planted buffer strips around off-street parking. The existing parking does not have planted buffer strips. This is an existing condition. No landscaping is shown around the new expansion of the driveway/parking area.

The site plan has been revised to eliminate the proposed expansion of the driveway. No modifications are proposed to the existing paved driveway/parking area. No new landscaping is proposed.

24. Ordinance section §32-6.9.c requires that not less than 15% of the total lot area shall be devoted to landscaping. These area calculations are not provided, however based upon the improved lot coverage, it is assumed that this requirement will be met.

Testimony should be provided regarding existing/proposed landscaping on site.

25. Is any new signage proposed?

The revised site plans include several fence-mounted signs prohibiting tampering or trespassing (detailed on sheet C501, with locations shown on sheet C102). These types of signs appear to meet the exemption requirements of ordinance section §34-17.10.e. Testimony should be provided describing the proposed signage.

26. What would be the construction type/materials/color of the smaller buildings (the intermediate pump station and a chemical storage building)?

The applicant indicates that the chemical storage building would be a pre-fabricated steel building, and the intermediate pump station is a buried concrete chamber.

27. Section "D" of the Borough of Midland Park Application for Development indicates that the property is not located in a flood hazard area or flood plain. This is inaccurate based upon the revised site plan and NJDEP permits. This should be corrected.

28. The Borough of Midland Park Soil Movement Application is missing information, such as the quantity of soil to be moved, purpose of soil movement, etc. This application should be completed.

29. The 2017 Planning Board minutes included discussions regarding the placement of the emergency generator. The proposed sound levels from the generator appear to have been discussed at length. The proposed location of the emergency generator should be discussed, including the anticipated sound levels from the generator at the neighboring property lines.

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

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

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Erik Boe', written in a cursive style with a long horizontal tail.

Erik Boe, PE, LEED AP

cc: Darryl Siss, Esq. (via email: darryl@trslawfirm.com)
Richard Calibi, Jr. (via email: rcalibi@ridgewoodnj.net)
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