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June 14, 2022

Via Email

Mr. John J. Sullivan, Jr., Esq.
Vastola & Sullivan, Counsellors at Law
495 Union Avenue
Middlesex, NJ 08846
jsullivan@vfesqs.com

Re: Application No.: PB 2022-13
Minor Subdivision Approval with Bulk Variance Relief
Applicant: TODD West Urban Renewal LLC
Block 247 Lots 1, 2.01, 7, 8, 9, 10, 11
Location: 101-127 Central Avenue; 301-305 West Front Street; 327 West Front Street;
126-136 Madison Avenue; 308-316 West 2nd Street
Zone – TODD West Redevelopment Plan (amended May 2022)
Our File: HPFP0247.01 / Task 60002
Completeness Review Letter # 1

Status: Complete / TRC Recommended

Dear Mr. Sullivan,

This completeness review letter is in reference to above mentioned application. The Applicant, TODD West Urban Renewal, LLC, is currently seeking minor subdivision approval to consolidate and subdivide the subject properties, identified as Block 247, Lots 1, 2.01, 7, 8, 9, 10 and 11. These properties were the subject of a previous application, PB 2020-15. That application was approved by the Planning Board for the following actions:

1. Subdivide Block 247, Lot 8 into a 1,585 square foot lot and a larger 11,296 square foot lot. The larger lot (Lot 8.01) will continue in its present condition and is not part of the remainder of the proposal.
2. Consolidate Block 247, Lots 1, 2.01, 7, 9, 10, 11 and the 1,585 SF subdivided portion of Block 247, Lot 8 into a single lot containing 83,662 SF (Lot 7.01).
3. Develop three (3) new buildings on Lot 7.01 as follows:
 - a. Building 1 consisting of an 11-story mixed-use new structure containing 277 residential apartment units, 122 parking spaces, 16,905 of retail space, a 4,743 SF restaurant and residential amenities;
 - b. Building 2 consisting of 5-story mixed-use structure containing 28 residential apartments, a gym, 3,773 SF of retail space and residential amenities; and
 - c. Building 4 consisting of renovated structure containing 12 residential apartments, 4,689 SF of retail space and tenant storage space.



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4. Construct on Block 245 Lot 1 Building 3 consisting of an 11-story mixed-use building containing 40 residential apartments, 232 parking spaces, a rooftop café, and 3,850 SF of rooftop deck.

The Applicant intends to continue the development of the site as noted above. The only changes are to how the lots on Block 247 will be consolidated and subdivided (Block 245 Lot 1 is not part of the present application). Specifically, the Applicant seeks approval for the following actions:

1. Consolidate existing Lots 1 and 2.01 into a single lot designated proposed Lot 7.03, consisting of 11,152 square feet.
2. Consolidate Lots 7, 9, 10 and 11 with the portion of Lot 8 noted under item 1 of the previous approval to create proposed Lot 7.01.
3. Subdivide the proposed Lot 7.01 into a larger lot (still designated Lot 7.01) of 56,893 square feet that fronts on Madison Avenue, West Second Street, and Central Avenue; and a smaller lot, designated Lot 7.02, consisting of 15,617 square feet fronting on West Front Street.

It is unclear from the submitted materials whether the Applicant intends to perfect the subdivision and consolidations by deed or by plat. ***This shall be clarified by the Applicant. Any instruments used to record the changes will need to be reviewed by the Board Engineer and Board Attorney.***

With these proposed consolidations and subdivisions, each of the proposed three buildings on Block 247 would have its own lot, as follows:

1. Building 1 (mixed use 11 story building) will be located on proposed Lot 7.01.
2. Building 2 (mixed use 5 story building) will be located on proposed Lot 7.02.
3. Building 4 (mixed use renovated building) will be located on proposed Lot 7.03.

While no changes are proposed to the overall site layout (so no new site plan approval is required), the proposed consolidation/subdivision changes will require new bulk variances to permit the subdivision to proceed. Due to the fact that this application proposes modifications to the property boundaries of a major site plan, a Technical Review Committee (TRC) meeting is recommended. The Board Secretary, Mr. Daniel White, will be in contact with you to arrange the meeting.

We are in receipt of the following items in relation to this application:

- Transmittal letter prepared by Vastola & Sullivan, Counsellors at Law, dated May 2, 2022;
- Application form received by City on May 13, 2022;



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- Project description;
- Official tax records prepared by the Plainfield Tax Department for Lots 1, 2.01, 8, 9, 10, and 11; and
- Three (3) sheets of subdivision plan entitled "Subdivision TODD West Redevelopment Lots 1, 2.01, 7, 9, 10 & 11, Block 247 in the City of Plainfield Union County, New Jersey" prepared by Titus Surveying & Engineering, P.C. dated January 8, 2022 and last revised April 22, 2022.

1. Completeness

The Applicant has not requested any submission requirement waivers. As such, per §17:8-2 of the Land Use Ordinance, the following items are missing or incomplete.

- a. **§17:8-2.C.2:** Location of all structures and curb cuts on adjacent tracts fronting the same right-of-way as the subject property. ***Structures on adjacent properties are shown on the subdivision plan; however, no existing curb cuts on adjacent properties are indicated on the plans. Applicant shall clarify whether any curb cuts on adjacent properties exist.***

Pursuant to §17:8-2 of the Land Use Ordinance, the applicant's submission is capable of being deemed complete.

2. Application Fees Calculation

Pursuant to Article XIII of the Land Use Ordinance, the initial **application fee** is:

1. Variances from N.J.S.A 40:55D-70C	8 @ \$200.00 each	\$1,600.00
2. Preliminary Minor Subdivision		\$300.00
3. Public hearing fee		\$100.00
Total Application Fee		\$2,000.00

We reserve the right to amend this fee calculation pending the identification of additional variances during our full technical planning review.

3. Deposit and Escrow

1. Bulk Variances	\$1,000.00
2. Minor Subdivision	\$1,000.00
Total Escrow Due	\$2,000.00

We reserve the right to amend this fee calculation pending the identification of additional variances during our full technical planning review.



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4. Variances

- a. Proposed Lot 7.01: The table below indicates the compliance of the previously approved Building 1 and the proposed Lot 7.01 with the regulations of the TODD West Redevelopment Plan. The new subdivision requires variances for maximum impervious coverage, maximum front yard setback from Madison Avenue, and maximum front yard setback from Central Avenue.

Bulk Regulations TODD West Redevelopment Plan		
	Required	Proposed
Minimum Lot Area (sq. ft.)	5,000	56,893
Maximum Building Coverage	90%	81.7%
Maximum Impervious Coverage	95%	95.1% (V)
Density (du/acre)	215	212
Floor Area Ratio	7.2	6.21
Minimum Restaurant Use	15% of nonresidential	21.9%
Minimum Front Yard Setback (feet)		
West 2 nd Street	0	0
Madison Avenue	0	3.4
Central Avenue	0	3.4
Maximum Front Yard Setback (feet)		
West 2 nd Street	0	0
Madison Avenue	0	8.0 (V)
Central Avenue	0	6.8 (V)
Minimum Side Yard Setback (feet)	0	0.1
Minimum Rear Yard Setback from Property Line (feet)	10	12.5
Maximum Building Height (feet)	135	122
Maximum Number of Stories	11	11
Minimum First Floor Height (feet)	12	19.5
(V) Variance	<i>(e) Existing Non-Conformity</i>	

- b. Proposed Lot 7.02: The table below indicates the compliance of the previously approved Building 2 and the proposed Lot 7.02 with the regulations of the TODD West Redevelopment Plan. The new subdivision requires variances for maximum front yard setback, and proportion of nonresidential space devoted to restaurant use.



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Bulk Regulations TODD West Redevelopment Plan		
	Required	Proposed
Minimum Lot Area (sq. ft.)	5,000	15,617
Maximum Building Coverage	90%	50.1%
Maximum Impervious Coverage	95%	70%
Density (du/acre)	80	78.1
Floor Area Ratio	7.2	2.52
Minimum Restaurant Use	15% of nonresidential	0% (V)
Minimum Front Yard Setback (feet) West Front Street	0	7.6
Maximum Front Yard Setback (feet) West Front Street	0	7.6 (V)
Minimum Side Yard Setback (feet)	0	6.8
Minimum Rear Yard Setback from Property Line (feet)	10	16.5
Maximum Building Height (feet)	105	72.4
Maximum Number of Stories	10	5
Minimum First Floor Height (feet)	12	19.5
(V) Variance	<i>(e) Existing Non-Conformity</i>	

- c. Proposed Lot 7.03: The table below indicates the compliance of the previously approved Building 4 and the proposed Lot 7.03 with the regulations of the TODD West Redevelopment Plan. The new subdivision requires variances for maximum front yard setback along West Front Street and Central Avenue, and for minimum restaurant use.

Bulk Regulations TODD West Redevelopment Plan		
	Required	Proposed
Minimum Lot Area (sq. ft.)	5,000	11,152
Maximum Building Coverage	90%	53.4%
Maximum Impervious Coverage	95%	68%
Density (du/acre)	50	47
Floor Area Ratio	7.2	2.12
Minimum Restaurant Use	15% of nonresidential	0% (V)
Minimum Front Yard Setback (feet) West Front Street	0	3.52
Central Avenue	0	0.97



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Bulk Regulations TODD West Redevelopment Plan		
	Required	Proposed
Maximum Front Yard Setback (feet)		
West Front Street	0	3.52 (V)
Central Avenue	0	0.97 (V)
Minimum Side Yard Setback (feet)	0	0
Minimum Rear Yard Setback from Property Line (feet)	10	N/A
Maximum Building Height (feet)	105	62
Maximum Number of Stories	10	11
Minimum First Floor Height (feet)	12	19.5
<i>(V) Variance</i>	<i>(e) Existing Non-Conformity</i>	

We reserve the right to amend the list of variances pending the identification of additional variances during our full technical planning review.

5. Recommendation

Pursuant to §17:8-2 of the Land Use Ordinance, the application has been determined to be capable of being deemed complete.

Please be advised that while the application is capable of being deemed complete, a TRC meeting is recommended. The Board Secretary, Mr. Daniel White, will be in contact with you to arrange the scheduling of the meeting.

6. Submission of Plans

Applicant should submit to the Planning Division **pdf or electronic copies**, as well as eighteen (18) folded paper copies sets of the subdivision plan to the Board Secretary (Daniel.white@plainfieldnj.gov) within seven days of the determination of completeness. Electronic copies should also be provided to the Consulting Board Planner (mapte@cmeusa1.com). Only two (2) of the paper copies are required to be original signed and sealed; the other sixteen (16) may be **full-size** copies. **Please be advised delayed submittal of the noted items may affect the tentative scheduled hearing noted below.**



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7. Scheduled Tentative Hearing Date: Thursday, July 21, 2022

To confirm, this application is capable of **being deemed complete** and is **tentatively** placed on the Planning Board Agenda for **Thursday July 21, 2022**. The Board meets at 7:00 pm.

Please be advised this is a tentative public hearing date due to the current global pandemic. This date is subject to change depending on the evolving circumstances and the applicant will be notified in case of date change. Additionally, please note this will be a virtual meeting which would require a special language in the notice. Please discuss with the Board Attorney Mr. Peter Vignuolo, Esq. (pvignuolo@verizon.net) regarding the procedure and language.

Under new Open Public Meetings Act regulations for virtual meetings, **any exhibit which you anticipate relying on at the time of the hearing needs to be supplied to the Secretary of the Planning Board at least two days prior to the hearing. In order to ensure they get uploaded in sufficient time, please supply the documents five days before.**

The application is scheduled for the July 21, 2022 Planning Board Meeting Agenda. You are required to perform all legal notice requirements. You are responsible for publishing the legal notice in the official newspaper (the Courier-News) at least 10 days prior to the hearing date. You must provide a copy of the notice to the Board Secretary and to the Board Attorney at least 5 days prior to the hearing date. The Courier News Legal Notice Division has requested that the legal notice be emailed as a PDF or Microsoft Word document attachment to cnlegals@gannett.com. If you should have any questions please contact the Courier News Legal Notice Division at 888-516-9220.

You shall notify the surrounding property owners within two hundred feet (200 feet) of the subject property, municipal clerks of surrounding municipality if applicable, and all utility companies within the City. Notice must be mailed via certified mail at least 10 days prior to the hearing date. You are also required to provide affidavit of service of notice and a copy of the completed affidavit along with copies of the list of property owners, the notice, and the proof of service (certified mail receipts) to the Board Attorney as well as Board Secretary at least 5 days prior to the hearing date.

Before placing your notices please confirm with the Board Attorney, Mr. Peter Vignuolo, Esq., (pvignuolo@verizon.net) regarding the procedure for and language of all required public notices.

Please do not hesitate to contact me for any planning related questions at mapte@cmeusa1.com.



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Sincerely,
CME Associates

Malvika Apte, PP, AICP
Consulting Board Planner

MA:nf

cc: Daniel White, Planning Board Secretary
Peter Vignuolo, Esq., Board Attorney
Drew M. DiSessa, PE, PP, CME, Board Engineer
Valerie Jackson, Director, Department of Economic Development
W. Leland Titus, PE, Applicant's Engineer