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April 27, 2022

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**Via Email**

Ms. Marsha M. Moore, Esq.  
425 Eagle Rock Avenue  
Suite 200  
Roseland, NJ 07068  
mmoore@postpolak.com

**Re:    Application No.: ZB 2019-19**  
**Applicant: F&C Professional Aluminum Railing Corp**  
**Preliminary/Final Site Plan and Use Variance**  
**Location: 1147-1149 West Front Street, Block 227, Lots 13 and 14**  
**Zone – NC Neighborhood Commercial District**  
**Our File: HPFZ0227.02**  
**Completeness Review Letter # 4**

**Status: Complete / TRC Requested**

Dear Ms. Moore,

This is the fourth completeness review letter for the aforementioned application. The application was filed with the City of Plainfield on September 25, 2019, and deemed incomplete on October 28, 2019. The Applicant resubmitted the items on August 13, 2020, after which the application was again deemed incomplete in our letter dated September 10, 2020. Applicant then submitted additional items on March 16, 2021, after which a Technical Review Committee meeting was held. Another determination of incompleteness was made on April 26, 2021.

In addition to the documents and materials previously submitted for this application, we are in receipt of the following:

- Response letter prepared by Marsha Moore, Esq. dated March 23, 2022;
- Legal Use Verification letter prepared by City of Plainfield Zoning Officer N'Dela Costley dated November 3, 2021;
- Revised Application for Waiver Request dated March 23, 2022;
- Ten (10) sheets of engineering site plans entitled "Proposed Building Expansion F & C Professional Aluminum Railing Corp. 1143-1147 West Front Street, Block 227, Lot 13 and 14 City of Plainfield, Union County, New Jersey" dated April 9, 2018 and last revised November 10, 2021.

Previously, there were four (4) parking spaces that were to be located on adjacent Lot 15, utilizing a legal agreement (but not an easement) between the owners of the subject property and the owner of Lot 15. This arrangement is no longer proposed and no parking spaces are being provided on Lot 15.

***Due to the nature of this development and on-going concerns with the proposal, we are recommending an additional Technical Review Committee meeting be held with the Applicant's***



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***team. The Board Secretary will contact you to schedule the meeting and provide additional details.***

### 1. Completeness

Per §17:8-2 of the Land Use Ordinance, the following items were noted as missing or incomplete in the review letter dated September 10, 2020. The status of the missing item is noted in bold and italics:

- a. §17:8-2B9q: A specific submission waiver request for each required site plan requirement of the ordinance. ***This has been provided. This item is complete.***
- b. §17:8-2B97: Location of off-street parking and loading areas, vehicular and pedestrian ingress and egress with directional traffic flow indicators, truck movement, wheel base templates, sight triangle easements, fire lanes, stall dimensions, and pavement surface type have not been provided. ***A truck turning template has been provided for a commercial vehicle. No garbage truck template has been provided. This item is partially complete.***

### 2. Application Fees Calculation

***This has been submitted.***

### 3. Deposit and Escrow

***This has been submitted. We defer to the Board Secretary to ensure the escrow account remains funded by the Applicant.***

### 4. Variances and Waivers

The variances from our September 10, 2020 letter remain. ***The following additional variances and waivers are also noted.***

- a. **Use:** Manufacturing facilities are not permitted within the NC: Neighborhood Commercial Zone, whereas the applicant the proposing an expansion of a nonconforming use. ***A use variance is required. A Legal Use Verification Letter issued by the City of Plainfield Zoning Officer notes the existing use as a "Legal Non-conforming Warehouse being utilized as an Aluminum Railing Manufacturing Warehouse." The proposed application is therefore an expansion of a non-conforming use, which requires a d(2) variance.***
- b. **§17.9-12 Schedule B:** A required minimum lot width is 50 feet, where 46 feet is provided. ***This is noted as an existing nonconformity.***
- c. **§17.9-12 Schedule B:** A required minimum lot frontage is 50 feet, where 46 feet is provided. ***This is noted as existing nonconformity.***



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- d. **Parking:** Based on the floor areas provided in the site plans the following table shows the parking requirements for the existing and proposed development. A total of 22 parking spaces is required, but only nine (9) spaces are provided. **A variance for off-street parking is required.**

Type	Requirement	Proposed
Light Manufacturing/Assembly		
Manufacturing & Assembly	1 space/1,000 sq. ft. = 12,235/ 1,000 = 12.2 spaces	
Office	1 space/400 square feet = 1,629/400 = 4.1 spaces	
Showroom (Retail)	1 space/300 square feet = 1,629/300 = 5.4	
Total Parking	21.7	<b>9 (V)</b>

- e. **EV Spaces:** Per the State-mandated “Ordinance Authorizing and Encouraging Electric Vehicle Supply/Service Equipment (EVSE) & Make-Ready Parking Spaces”, for non-residential parking lots providing 50 or fewer off-street parking spaces at least one (1) Make-Ready parking space shall be provided. **We recommend Applicant provide at least 1 Make-Ready space.**
- f. **§17:9-24B:** The existing and proposed shop and storage are considered light industrial uses. A buffering width of 25 feet is required from single and two-family residential uses. Per site plans, only 10 feet of buffering width is provided from the residential properties to the northwest of the site. **A variance is required.**
- g. **§17:11-13.B:** The existing (2,600 square feet) and proposed (9,635 square feet) shop and storage building require two loading spaces. Only one is provided. **A waiver is required.**
- h. **§17:11-13.C:** Standard institutional and light industrial/warehouse loading spaces are required to be 15 feet wide by 60 feet long. According to the site plans the loading space is 10 feet by 45 feet. **A waiver is required for these dimensions.**
- i. **§17:9-42.A:** No residential driveway is to be located within ten (10) feet of an existing residential property. The existing driveway on the subject property has zero (0) feet



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of setback from the neighboring two-family residential property. ***While this is noted as an existing non-conformity, the Applicant should still provide fencing as a screen to mitigate the effects of the non-residential driveway being located so close to the residential use.***

- j. **§17:9-42.D:** Buildings shall be setback at least five (5) feet from driveways. The existing driveway has zero (0) feet of setback from the existing office/showroom. ***This is noted as an existing non-conformity.***
- k. **§17:11-12.H:** The effects of lighting fixtures on adjacent properties (off-premises effects) should be minimized. The proposed building-mounted lighting along the driveway would have spill-over effects on the neighboring two-family property. Lighting along the driveway should be reconsidered and/or a fencing screen provided along the property boundary.

***We reserve the right to identify additional variances or waivers during our full technical planning review.***

#### **5. Recommendation**

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

***While the application is capable of being deemed complete and is tentatively scheduled for a Board hearing as noted below, we recommend an additional Technical Review Committee meeting be held with the Applicant's team prior to the Board hearing to discuss on-going concerns with the proposal. The Board Secretary, Mr. Daniel White, will be in contact to schedule the TRC and provide additional details.***

#### **6. Submission of Plans**

Applicant should submit to the Planning Division ([daniel.white@plainfieldnj.gov](mailto:daniel.white@plainfieldnj.gov) and [mapte@cmeusa1.com](mailto:mapte@cmeusa1.com)) **electronic copies**, as well as eighteen (18) full size paper copies of the plans (site/architectural plans) and five (5) copies of supporting documents **to the Board Secretary within seven days of the determination of completeness**. Only two of the plan copies need to be signed and sealed. Failure to provide copies may affect the scheduled hearing date noted below.

#### **7. Scheduled Tentative Hearing Date: July 6, 2022**

To confirm, this application is capable of **being deemed complete** and is **tentatively** placed on the Zoning Board Agenda for **Wednesday, July 6, 2022**. The Board meets at 7:00 pm.



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**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](mailto: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 Zoning Board of Adjustment at least two days prior to the hearing. Please provide the exhibits at least five (5) days prior to the scheduled hearing to allow time for these documents to be uploaded.**

**The application is scheduled for the July 6, 2022 Zoning Board Agenda Meeting. 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](mailto: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) be sent to Board Attorney as well as Board Secretary at least 5 days prior to the hearing date.

Per §17:13-10 of the Plainfield LUO, an applicant requiring any use variance (or 'd' variance) is required to obtain and pay for the services of a court reporter for each hearing. **As this application includes a 'd'-variance to permit the use, the Applicant must obtain the services of a court reporter.** Please contract for these services as soon as possible.

Please do not hesitate to contact me for any planning related questions at [mapte@cmeusa1.com](mailto:mapte@cmeusa1.com).

Sincerely,  
**CME Associates**

Malvika Apte, PP, AICP  
Consulting Board Planner



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MA:nf

cc: Daniel White, Zoning Board Secretary  
Peter Vignuolo, Zoning Board Attorney  
Carlos Fuentes, PE, CME, Board Engineer  
Valerie Jackson, Director, Department of Economic Development  
Maurice A. Brown, PE, Applicant's Engineer