

COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
ASSOCIATES, INC.

Principals:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

MEMORANDUM

To: West Windsor Planning Board
West Windsor Division of Land Use

From: David Novak PP, AICP

Subject: Verizon – Penns Neck Emergency Generator
Minor Site Plan and Bulk Variance Relief
Block 6 Lot 72
138 Washington Road

Date: May 24, 2022

BA#: 3908.02

WWT#: PB 21-12

Introduction

The applicant, Verizon New Jersey, Inc., has submitted an application seeking minor site plan approval as well as "c" variance relief for the construction of an emergency generator to serve existing on-site telecommunications equipment. The site, which is identified by municipal tax records as Block 6 Lot 72, is located at 138 Washington Road in the R-20 Low-/Medium-Density Residential District.

The following has been submitted for review:

1. Minor site plan prepared by the Reynolds Group, Inc., dated November 2021 (last revised April 15, 2022).
2. Survey prepared by the Reynolds Group, Inc., dated July 9, 2020 (last revised March 8, 2022).
3. Stormwater Summary prepared by the Reynolds Group, Inc., dated November 9, 2021 (last revised April 2022).
4. Stormwater Maintenance Plan prepared by the Reynolds Group, Inc. dated March 2022.
5. Acoustical Evaluation of Proposed Emergency Generator prepared by Lewis S. Goodfriend & Associates, dated June 29, 2020.

Property Description

The site is located in the northerly portion of the Township, near the intersection of Washington Road and Manor Avenue. The site has an area of 80,744 square feet (1.854 acres) and is rectangular in shape. It fronts along Washington Road for 200.58 feet and has a depth of approximately 376.50 feet.

The site is presently developed with a one-story block building which presently contains a Verizon central office and telephone switching station. Fourteen (14) parking spaces are located to the rear of the building. Access to these spaces are provided by a driveway which extends along the westerly side of the building. The remainder of the site is undeveloped and consists of lawn areas and trees.

Surrounding land uses consist predominantly of single-family dwellings to the north, south, east, and west. Please see the aerial at the end of this memorandum for an overview of the subject site and its surrounding environs.

Proposed Improvements

The applicant proposes to construct an emergency generator on a concrete pad to the rear of the existing parking area. As noted by the application materials, the purpose of the generator is to support existing on-site telecommunications equipment.

The concrete pad will have a width of width of 27 feet, a length of 69 feet, and a total area of approximately 1,863 square feet. The emergency generator enclosure will have a width of 12 feet, a length of 49 feet, and an area of approximately 588 square feet. The enclosure will have a height of approximately 14' 10" feet as measured from grade, not including a 3-foot tall rooftop vent nor two (2) two-foot tall vents. The color of the enclosure will be black. It will be surrounded by a 15-foot tall chain link fence with green perma-hedge inserts which will be located entirely on the concrete pad. Landscaping is also proposed to the south of the generator as well as along the westerly extent of the driveway.

Land Use Plan

As per the 2020 Land Use Plan, the site is located in the Medium Density Residential (R-20, R-20A, and R-20B) land use category which is primarily located in the central and northerly portions of the Township. Smaller portions are also located to the south of Old Trenton Road.

The 2020 Plan notes that this land use category comprises a number of established neighborhoods which are, for the most part, entirely developed with single-family dwellings with typical lot sizes of 20,000 square feet. The main intent of this land use category is to recognize and preserve the established character of these neighborhoods and to reinforce the prevailing minimum lot size of 20,000 square feet. The 2020 Plan also recommends examining those portions of the district in close proximity to the Princeton Junction Redevelopment Area, as they may be appropriate for transitional uses.

Zoning

The site is located in the R-20 Residence District which permits the same conditional uses as those located in the R-24 District. In turn, the R-24 District identifies substations, electrical and gas facilities and all other public utilities as conditional uses. The following zoning table summarizes the bulk standards for the R-20 District.

Table 1: R-20 Bulk Standards

Regulations	Required	Existing	Proposed	Section
Min. Lot Area (sf)	20,000	80,744	80,744.00	200-173A.
Min. Lot Width (ft)	100	200.58	200.58	200-173B.
Min. Yards (ft)				200-173C.
Front Yard	40	50.10	50.10	200-173C.(1)
Rear Yard	15	153.00	76.80	200-173C.(2)
Side Yard	30	30.90	30.90	200-173C.(3)
Max. FAR (sf)	13	(ex) 21.50	(ex) 21.50	200-173D.
Max. Imp. Cov. (%)	20	(ex) 35.00	(V) 37.30	200-173E.
Max. Building Height (st/ft)	2.5/35	1/<35	1/<35	200-173F.

The applicant requires variance relief pursuant to NJSA 40:55D-70.c(1) or (2) for exceeding the maximum improvement coverage. The R-20 District establishes a maximum improvement coverage of twenty percent (20%) which equates to an allowable coverage of 16,148 square feet. The applicant proposes an improvement coverage of 37.30% which equates to approximately 30,118 square feet. For reference, the site presently has an improvement coverage of 35% which equates to approximately 28,260 square feet.

Planning Review

We offer the following comments on the proposed development:

1. Purpose of the Application

It is our understanding that the purpose of this application is intended to improve the resiliency of the Verizon switching equipment located on the site, which is for both mainline and 911 telecommunications. It is also our understanding that the existing generator is presently under capacity, which necessitates the need for a new outdoor generator for emergency circumstances. This should be confirmed through testimony.

2. Landscaping and Screening

As previously noted, the R-20 District permits those conditional uses identified in the R-24 District which, in turn, identifies public utilities as conditional uses. The following conditions are established for these uses:

- a. The project is designed to be in keeping with the architectural character of the neighborhood in which it is to be located.
- b. The project is in keeping with the Master Plan of the Township.
- c. The project conforms with yard setbacks for the district in which it is to be located.
- d. Adequate landscaping is provided in conformance with the standards established in Article XXXI.

In consideration of the above, the following is noted:

- a. Architectural Character. The one-story block building is not in keeping with the architectural character of the surrounding neighborhood. However, this building is pre-existing and is not proposed to be expanded with this application. Thus, the focus of this condition should be placed on the proposed generator and, more specifically, it's landscaping and screening treatment.
- b. Master Plan. The Township adopted its most recent Utilities Plan Element on December 15, 2021. Goal A of the 2021 Utilities Plan Element is to "ensure that the provision of existing and future utility service throughout the Township improves the quality of life for the community while also avoiding negative environmental and economic impacts." Thus, the applicant should discuss the purpose of the proposed generator in relationship to this Master Plan goal.
- c. Setbacks. The existing and proposed improvements pertaining to the generator comply with setback requirements.
- d. Adequate Landscaping. The applicant should discuss the proposed landscaping. While we defer to the Township Landscape Architect regarding this matter, we note the following:
 - a. Fence Slats. The applicant has provided a detail of the perma-hedge fence slats on Sheet SP-4. A note on Sheet SP-5 indicates that fence inserts are to be maintained as necessary to retain a complete visual barrier, and that any degenerated or missing inserts will be replaced as quickly as possible.
 - b. Existing Trees. A note on Sheet SP-1 indicates that all existing living trees are to remain.

3. Proposed Enclosure

The following is noted regarding the proposed enclosure:

- a. Description of Enclosure. The applicant should provide testimony regarding the visual appearance of the enclosure.
- b. Noise Generation. A noise study has been provided. As per that study, the noise regulations established by the New Jersey Department of Environmental Protection (NJDEP) exempt sound emissions associated with emergency generators when operated to restore electricity during an outage; however, the planned periodic testing of emergency equipment is not exempt.

The noise study find that with the designed enclosure, the sound emissions from the proposed generator are expected to meet the limits of the applicable noise regulations at the nearest residential property lines. This should be discussed through testimony.

- c. Hours of Operation. Testimony should be provided regarding the proposed hours of operation, as well as the anticipated testing schedule. It is our understanding that testing will be as follows:
 - i. Once a month for one hour;
 - ii. Once a year for five hours;
 - iii. Typically between Monday through Friday, and not on a holiday.
- d. Additional Staff/Traffic. Testimony should be provided as to whether the proposed generator will generate any additional staffing needs as well as traffic, including from both employees and deliveries.
- e. Lighting. Two emergency-mounted lighting fixtures will be mounted above each door in the generator enclosure. It appears that these fixtures will feature a sharp cut-off. This should be confirmed through testimony. A third light is to be located on the main building above a transfer switch. The lighting will be switch operated. Testimony should be provided as to their anticipated hours of operation. Testimony should also ensure that all lighting fixtures will be facing downward.

4. Improvement Coverage

As previously noted, the applicant requires variance relief for the proposed improvement coverage. Testimony should be provided as to whether the applicant considered reducing and/or mitigating the impacts of this coverage. We note that a drywell is proposed to the east of the proposed parking area.

Statutory Criteria

The applicant is seeking variance relief pursuant to NJSA 40:55D-70(c)(1) and/or (2). The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test. These are identified as follows:

1. Physical Features Text

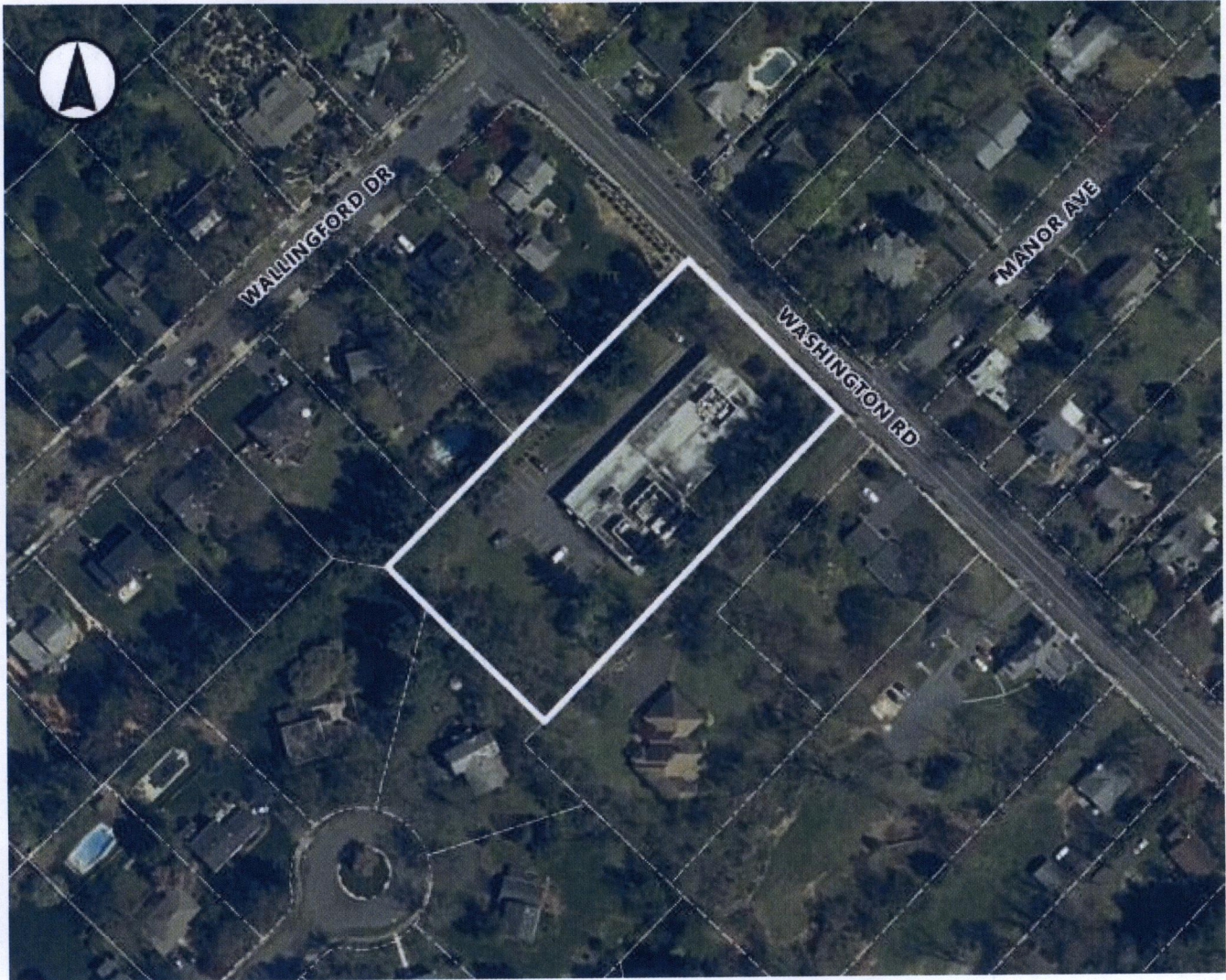
An applicant may be granted c(1) variance relief when it is demonstrated that the noncompliant condition is caused by: 1) an exceptional narrowness, shallowness, or shape of the property; 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or; 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

2. Public Benefits Test

An applicant may be granted c(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the Municipal Land Use Law; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition to the above, the applicant must address the Negative Criteria of the statute. To meet the negative criteria, an applicant must demonstrate the variance can be granted without substantial detriment to the public good and that it will not substantially impair the intent and purpose of the master plan and zoning ordinance.


Map 1: Subject Site (scale: 1" = 150')



[https://burgis.sharepoint.com/sites/BurgisData/Shared Documents/W-DOCS/PUBLIC/Pb-3900series/Pb-3908.02/Planning Board/3908.02 Verizon Penns Neck Emergency Generator - Planning Review 01 \(PB 21-12\).docx](https://burgis.sharepoint.com/sites/BurgisData/Shared Documents/W-DOCS/PUBLIC/Pb-3900series/Pb-3908.02/Planning Board/3908.02 Verizon Penns Neck Emergency Generator - Planning Review 01 (PB 21-12).docx)

MEMORANDUM

TO: Planning Board
West Windsor Township

FROM: Christopher B. Jepson, P.E. 
Environmental Consultant

DATE: May 24, 2022

SUBJECT: Verizon-Penns Neck Emergency Generator (PB 21-12)
Minor Site Plan, Conditional Use & Bulk Variance
Block 6 Lot 7
VCEA Project No. 22-02-WW

As West Windsor Township's environmental consultant, Van Cleef Engineering Associates (VCEA) has reviewed the most recent submittal of site plans and accompanying information for the above referenced application for a minor site plan and conditional use and bulk variance and offers the following comments for the Board's consideration:

I. Overview

The applicant is seeking a review of the minor site plan for construction/placement of an emergency generator on a concrete pad at its switching station. This generator will support the existing on-site telecommunication equipment. The site is located at 138 Washington Road and is approximately 1.85 acres in size. The concrete pad will be 27 feet wide and 69 feet wide with a chain link fence for security. There is no residential or other development proposed for this site. It is located in the R20, R20A and R20B zones. No additional parking is proposed.

II. Comments/Recommendations on Pertinent Issues

A. Wetlands

OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ
908-735-9500

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
214-345-1876

Leesport, PA
610-670-6630

Wetlands are not present on the subject site.

B. Greenbelt

There are no areas of proposed Greenbelt on this site. Very few trees are located on this site. None will be removed. The current site has very little landscaping. The applicant has indicated that 109 evergreen trees and 11 ornamental trees will be planted. These plantings will also help in alleviating some potential noise from the emergency generator. We defer further comment to the Landscape Architect on this issue.

C. Water Quality

This site drains to the Little Bear Brook which is located about 400 feet away. No DRCC permitting is necessary due to the size of the concrete pad. The stormwater plan has the required calculations that show the proposed system will work. A new drywell system is shown that ties into the existing roof leader drainage system that conveys the flow to Washington Road stormwater drainage system. We defer further comment to the Township Engineer.

D. Environmentally Sensitive Areas

The proposed project site is underlain by the Stockton Sandstone geological formation. Overall the site has moderate recharge potential with permeable soils. There is a small area of steeper slopes on the site that is not being developed. There are no areas of flood hazard on this site. This site has a low to moderate erosion hazard.

E. Historic Resources

124 Washington Road was built in 1890.

F. Other Environmental Concerns/Comments

The applicant has not completed the West Windsor Green Development Practices Checklist. Due to the fact that this is a minor development with no issues that could be more environmentally friendly or sustainable we feel a full checklist in this specific case is not required. The applicant has presented a noise report on the proposed

generator. The noise issue in the residential area is the biggest environmental factor with this proposal. The noise report shows the expected noise level generated would be between 56-57 dB(A). The DEP and West Windsor limit at the property line is 65 dB(A). This is a residential neighborhood and any excessive noise levels will cause issues.

Another potential environmental issue is any spilling of fuel when filling the supply tank of the emergency generator. Please describe efforts to alleviate any spill potential.

III. ITEMS PROVIDED FOR REVIEW

- Minor Site Plan (6 sheets), prepared by The Reynolds Group, Inc., dated November 2021, March 15, 2022 and April 15, 2022.
- Comment Review Letter, prepared by the Reynolds Group, dated March 16, 2022 and revised May 22, 2022.
- Acoustical Evaluation of Proposed Emergency Generator (7 pages), prepared by Lewis S. Goodfriend & Associates, dated June 20, 2020.
- Boundary and Topographic Survey (1 sheet), prepared by The Reynolds Group, Inc., dated July 9, 2020, October 27, 2021 and March 8, 2022.
- Development Application and Project Narrative, Request for Bulk Variance and Request for Conditional Use Approval, prepared by The Reynolds Group, dated October 13, 2021.
- Cover Letter, prepared by Cooper Levenson, dated January 25, 2022.
- Stormwater Maintenance Plan, prepared by the Reynolds Group, dated March 2022 and revised April 2022.
- Stormwater Summary (52 pages), prepared by The Reynolds Group, dated November 9, 2021, March 2022 and April, 2022.
- Environmental Impact Statement, prepared by The Reynolds Group, undated/revised.

If you should have any questions or concerns regarding these comments please contact me at this office.

cc: Applicant	Planning Board
S. Surtees, WWT CD	Gerald Muller Esq., Gerald Muller Law
D. Novak, Burgis Associates	J. L'Amoreaux, Traffic Consultant
D. Dobromilsky, Landscape Architect	F. Guzik, Township Engineer




WEST WINDSOR TOWNSHIP

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF ENGINEERING

MEMORANDUM

Date: May 24, 2022

To: West Windsor Township Planning Board

From: Dan Dobromilsky, LLA/PP/LTE
Township Landscape Architect 

Subject: **VERIZON – Penn’s Neck Emergency Generator – PB 21-12**
Minor Site Plan, Conditional Use & Bulk Variance
Landscape Architectural Review
(B-6 L-7) 138 Washington Road

The submitted plans (dated last revised 4-15-2022) have been analyzed and the following questions and comments are offered for consideration as this application is reviewed:

1. The proposed screen fencing and planting of over 100 evergreen trees at 6'-7' height will address Township code requirements for buffering between different land uses. No particular concerns or comments are offered regarding the planting or fencing.
2. It would be helpful to provide a color image of the proposed fence / perm-a-hedge screening for review during the public hearing, in addition to the image on sheet SP-4.
3. The applicant should confirm that all exterior lighting, existing and proposed, shall be shielded and focused downward to avoid production of glare toward adjacent properties.

Upon request, additional comments may be offered based upon updated or modified submissions.

Cc: Township Professionals
Applicant



WEST WINDSOR TOWNSHIP

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF ENGINEERING

MEMORANDUM

TO: West Windsor Township Planning Board

FROM: Francis A. Guzik, PE, CME
Township Engineer/ Director of Community Development

DATE: May 24, 2022

SUBJECT: **Verizon - Penn's Neck Emergency Generator**
Minor Site Plan, Conditional Use and Bulk Variance
Block 6, Lot 72
138 Washington Road (CR 571)
PB21-12

Documents Received/Reviewed:

The following documentation has been submitted for review:

- A. Set of plans entitled "Minor Site Plan for Verizon New Jersey, Inc. – Penns Neck Central Office – Proposed Emergency Generator – Block 6, Lot 72 – 138 Washington Road, Township of West Windsor, Mercer County, New Jersey" prepared by The Reynolds Group, Inc. (F. Mitchel Ardman, PE), consisting of five (5) sheets dated November 2021, revised through April 15, 2022;
- B. Report entitled "Stormwater Summary for Verizon New Jersey, Inc. – Penns Neck Central Office – Proposed Emergency Generator – Block 6, Lot 72 – 138 Washington Road, Township of West Windsor, Mercer County, New Jersey" prepared by The Reynolds Group, Inc. (Adonis E. Crispo, PE), dated November 9, 2021, revised through April 2022;
- C. Document entitled "Stormwater Maintenance Plan for Verizon New Jersey, Inc. – Penns Neck Central Office – Proposed Emergency Generator – Block 6, Lot 72 – 138 Washington Road, Township of West Windsor, Mercer County, New Jersey" prepared by The Reynolds Group, Inc. (Adonis Crispo, PE), dated March 2022, revised through April 2022;
- D. Document referenced "Acoustical Evaluation of Proposed Emergency Generator – Verizon Penns Neck Central Office – 138 Washington Road, West Windsor, New Jersey" prepared as a letter report from Lewis S. Goodfriend & Associates (Matthew T. Murello, PE) to Kristi M. Somma PE of M&E Engineers dated June 29, 2020;
- E. Survey entitled "Boundary and Topographic Survey of Block 6, Lot 72 – Township of West Windsor, Mercer County, New Jersey" prepared by The Reynolds Group, Inc. (Howard C. Lopshire, PLS), unsigned, consisting of one (1) sheet dated July 9, 2020, revised through March 8, 2022;

Narrative:

The subject property is 80,774 square feet in size (1.854 acres) and fronts on Washington Road (County Route 571) between Wallingford Drive and Manor Ave. The site is currently developed with a one-story block building and appurtenant improvements, including concrete sidewalk, paved driveway with fourteen (14) parking spaces and landscaping. Adjacent and facing properties are all residential in nature.

The property is located within the R-20 zoning district and the proposed development consists of a 1,863 square-foot (27' x 69') 1/4" stone and concrete pad on which a 588 square-foot diesel-powered emergency generator enclosure will be installed. Additional site improvements proposed include a subsurface drywell system that will manage increased runoff due to the additional impervious surfaces, a 15'-high chain link fence, 6" concrete curb and 6" diameter bollards that will be installed around the footprint of the construction pad, and landscape plantings to buffer the adjoining residential properties.

In addition to the Minor Site Plan application, the applicant is requesting Conditional Use approval as well as a bulk variance for exceeding the maximum improvement coverage (MIC) in the R-20 district. Comments on the Planning and Zoning aspects of the application are deferred to the Board Planner.

I have reviewed the documentation and offer the following comments for the Board's consideration.

1.0 Minor Site Plan

- 1.01 The property fronts on a County roadway and discharges stormwater to the County drainage system located therein. Therefore, Mercer County Planning Board approval will likely be required. The Boundary and Topographic survey submitted indicates an additional 23.5'-wide right-of-way easement to be dedicated to Mercer County. This easement, in lieu of fee dedication, will not have any impact on the calculated lot area for the property and therefore would not affect the MIC variance being requested. The applicant shall provide testimony to the Board on any action taken by the County at their meeting on May 11, 2022.
- 1.02 The site does not have any provision for barrier free parking spaces. Based on the proposed thirteen parking spaces, one accessible space would normally be required and it would need to be van-accessible as well. However, the applicant has indicated that the facility does not require an accessible space and none are proposed. The applicant shall provide testimony to the Board in support of a request for a waiver from §200-27A of the Township Code.
- 1.03 The proposed diesel generator enclosure is 14'-10" in height with an additional 36"-high stainless steel exhaust rain cap projection, surrounded by 15'-high chain-link fence. The applicant shall provide testimony regarding visual and acoustic impact to neighboring properties and the mitigation provided by the proposed landscaping and the acoustic enclosure.
- 1.04 The applicant shall discuss the operation, maintenance and testing of the proposed generator as well as spill prevention and containment measures. Further testimony on why the fuel source cannot be natural gas rather than diesel fuel since deliveries proved to be problematic during disasters such as Irene and Sandy shall also be provided.
- 1.05 The proposed drywells will be managing surface runoff from paved surfaces, which is typically not permitted. However, since the development (since 2/2/2004) will not result in an acre of disturbance nor ¼-acre of new regulated motor vehicle surfaces, it is not subject to the requirements of the current Township Stormwater Control Ordinance (SCO). As such, we recognize that the current proposal is best

able to mitigate increases in runoff to the adjacent residential property. The existing collection system that collects the water and conveys it to the drywells is proposed to include a manhole with an oil-water separator and a sump below the outlet invert to prolong the functionality of the system. An operation and maintenance manual for the on-site drainage measures, including the roof drain system to the street, has been provided and is acceptable. I have no objections to the proposed stormwater management design for the project.

- 1.06 The stormwater management system ultimately connects into the existing County infrastructure with County Route 571. As such, approval by the County is required and should be made a condition of any Board action on this application.

FG:IH

cc: Applicant (NTALVACCHIA@cooperlevenson.com)
I. Hill, VCEA