



Colleen Reardon  
Land Use Board Secretary  
Borough of Rockaway  
1 East Main Street  
Rockaway, NJ 07866

**LUB #072**  
**202 Route 46**  
**Block 33, Lot 6.02**  
**Borough of Rockaway, Morris County**  
**Applicant/Owner: SGD Fuel 2020 LLC**

412 Mount Kemble Avenue  
Suite G22  
Morristown NJ 07960  
United States of America

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T +1 (908) 730 6000  
F +1 (973) 267 2890  
www.mottmac.com

Dear Ms. Reardon:

On behalf of the Borough of Rockaway Land Use Board, Mott MacDonald has reviewed the following documents received in connection with the above referenced application:

- Completed Borough of Rockaway Application for the Land Use Board filed February 25, 2021, signed by Michael S. Selvaggi, Esq including Addendum to Variance Relief Statement
- Site Inspection Authorization Form, signed and dated February 22, 2021;
- Affidavit of Ownership, signed and dated February 22, 2021;
- Certificate of Paid Taxes, signed and dated February 10, 2021;
- Ownership Disclosure Statement
- Administrative Checklist;
- Schedule "A" Checklist for Preliminary Site Plan;
- Schedule "A" Checklist for Final Subdivision/Final Site Plan;
- Letter regarding "Wetlands Investigation, Block 33, Lot 6.02, US Route 46 West/Franklin Avenue Rockaway Borough, NJ" prepared by Matthew Popin, Project Scientist of Engineering & Land Planning Associates, Inc., dated August 26, 2020
- Letter regarding "NJDOT Letter of No Interest, Convenience Market with Gas Pumps, Route: 46 EB MP: 40.92, Block: 33, Lots: 6.02 Rockaway Borough, Morris County" prepared by Kenneth Spiegle, Project Engineer, New Jersey Department of Transportation, Office of Major Access Permits dated December 15, 2020.
- Engineering plan set entitled "Preliminary & Final Major Site Plan Shell Service Station & EVO Market, 2020 US Route 46, Block 33, Lot 6.02, Borough of Rockaway, Morris County, NJ" prepared by John E. Hansen, PE of Engineering & Land Planning Associates, Inc. dated February 8, 2021 with revisions dated June 22, 2021 consisting of ten (10) sheets.

- Architectural plan set entitled "Proposed Convenience Store, 202 Route 46, Rockaway, NJ" prepared by William P. Byrne, Architect of Byrne Design Associates, LLC dated April 9, 2021 with revisions dated June 6, 2021 and consisting of four (4) sheets.
- Variance Application Statement regarding "Variance Application, Completeness Review Resubmission, 202 Route 46 West, Block 33, Lot 6.02, Rockaway Borough, Morris County" from John Hansen, PE of Engineering & Land Planning Associates, Inc. dated April 14, 2021
- Letter regarding "LUB #72, 202 Route 46, Block 33 Lot 6.02" prepared by William P. Byrne, Architect of Byrne Design Associates, LLC dated June 22, 2021.

### PROJECT DESCRIPTION

The subject property is located at 202 Route 46 West (Lot 6.02 in Block 33) within the Highway Commercial (H-C) Zone of the Borough of Rockaway. The subject property is a corner lot located at the corner of Route 46 and Franklin Avenue. The subject property is currently developed with gasoline service station and associated improvements. The subject property to the South is developed with a single-family residential dwelling, and the subject property to the East is developed with a 7-Eleven convenience store.

The Applicant proposes to raze the existing gasoline service station and construct a new gasoline service station with a 1,995 square foot convenience store. The applicant is not proposing any changes to the ingress or egress to the gasoline service station from Route 46 or Franklin Avenue. The applicant is also proposing to remove the existing underground storage tanks and install two new 15,000 gallon underground storage tanks.

The Applicant is seeking preliminary and major final site plan approval with bulk variance relief and d(3) conditional use variance.

### COMPLETENESS REVIEW

Based on our review, and in consultation with the Borough Planner, Mott MacDonald offers the following comments related to the completeness of the application:

#### A. Administrative Checklist:

- i. Checklist Item 12 for compliance with legal Notice Requirements – *This checklist item must be submitted prior to the Public Hearing and we defer completeness to the Board Secretary/Board Attorney for this item.*
- ii. Checklist Item 13 for the Affidavit of Applicant – *This checklist item must be submitted prior to the Public Hearing and we defer completeness to the Board Secretary/Board Attorney for this item.*

#### B. Schedule "A" Checklist Preliminary Site Plan

- i. Checklist Item 26 for plans and design calculations for any stormwater management systems of facilities in accordance with the ordinance or RSIS, as applicable– *The applicant has requested a waiver for this item. While the Board may waive this item for completeness, additional information may be required based on a technical review.*

- ii. Checklist Item 28 for the Location of existing and proposed utilities onsite and within 100 feet of the site – *The applicant has requested a waiver for this item.*
- iii. Checklist Item 33 for construction plans for all public improvements to existing streets – *The applicant has requested a waiver for this item.*
- iv. Checklist Item 34 for all construction details for proposed improvements– *The applicant must provide:*
  - a. *Construction details and architectural treatment/colors for the proposed concrete modular unit to replace the existing railroad tie retaining wall.*  
The applicant has requested a waiver for this item for completeness.
  - b. *Construction details, elevations and direction of exhaust for all proposed exhaust vents shown on the site plan.*  
The applicant has requested a waiver for this item for completeness.
- v. Checklist Item 35 for plans and profiles of existing and proposed stormwater management systems, sanitary sewers, and water mains – *The applicant has requested a partial waiver for this item.*
- vi. Checklist Item 42 for an Environmental Impact Assessment – *The applicant has requested a waiver for this item. While the Board may waive this item for completeness, additional information may be required based on a technical review. Furthermore, it is recommended that the applicant provide a short assessment regarding the environmental impact improvements that are achieved by the proposed project. The assessment should also include how the proposed project minimizes environmental impacts to the adjacent residential house on Lot 8. Finally, the assessment should discuss the traffic impacts related to the proposed convenience store, including proposed trip generation and impacts to the existing controlled intersection.*

C. Schedule "A" Checklist Final Subdivision/Final Site Plan

- i. Checklist Item 3 for an affidavit from the applicant indicating that the final plan is identical to the preliminary plan. – *The applicant has requested a waiver for this item as the preliminary and final site plans are being submitted simultaneously.*

Based on the above, the application may be deemed **complete** and can be scheduled for a public hearing.

TECHNICAL REVIEW

Based on our review, Mott MacDonald offers the following comments:

1. As noted above, it is recommended that the applicant provide a short assessment regarding the environmental impact improvements that are achieved by the proposed project. The assessment should also include how the proposed project minimizes environmental impacts to the adjacent residential house on Lot 8. Finally, the assessment should discuss the traffic impacts related to the proposed convenience store, including proposed trip generation and impacts to the existing controlled intersection.
2. The Applicant should describe the operations and how the building will be used for the proposed use (number of employees, expected number of patrons, hours of operation, location and timing of deliveries, etc.).
3. Due to the proximity to Morris Knolls Regional High School, and the utilization of the roadway by students to access Route 46, strong consideration should be given to providing a sidewalk along the property's frontage on Franklin Avenue. This will enhance safety and fill in a gap in the existing sidewalk system.
4. The Applicant's professionals must address the need for a grease trap, giving the proposed "deli" within the building. If required, details and sizing calculations for the proposed grease trap must be provided.
5. It should be confirmed if the proposed vinyl fencing along the top of the retaining wall is proposed along the common property line with Lot 8.
6. It is recommended that the limit of disturbance along the common property line with Lot 8 be extended to the property line to allow room for the retaining wall replacement.
7. The Applicant's Engineer should verify that all proposed landscaping is low-profile and will have no impacts on site distance.
8. Testimony must be provided in support of the existing stormwater management on the subject property. A review should be conducted by the Applicant's Engineer to verify the existing capacity of the system (which will not be modified as part of this application) and whether it is sized to adequately manage stormwater on the property.
9. The existing and proposed sanitary sewer flow should be provided. The applicant's Engineer must verify that the existing lateral (which is to be reused) is sized appropriate for the additional flow anticipated.
10. The existing and proposed water demand should be provided. The applicant's Engineer must verify that the existing service (which is to be reused) is sized appropriate for the additional water need anticipated.
11. Consideration should be given to marking the four (4) spaces adjacent to the proposed building for customers only, and marking select parking spaces along the westerly or easterly property line for employee parking only.

12. Applicant's professionals must verify that the proposed dumpster location is appropriate, and fully accessible by the appropriate type vehicle which will be entering the site. Testimony should be provided regarding the time and duration of dumpster pick-ups, as it will temporarily block the ADA parking space.
13. Should the Board review this application favorably, approval must be conditioned upon obtaining the following outside agency approval, or a letter of exemption, prior to the issuance of building permits:
  - a. Morris County Planning Board
  - b. Morris County Soil Conservation District Approval
  - c. New Jersey Department of Transportation
14. Should the Board review this application favorably, approval must be conditioned upon submission of an As-Built Plan prior to issuance of a final certificate of occupancy (CO).

If you have any questions concerning this review letter, please do not hesitate to contact my office.

Very truly yours,

Mott MacDonald



Samantha J. Anello, PE, CME, CFM  
Borough Engineer  
[samantha.anello@mottmac.com](mailto:samantha.anello@mottmac.com)  
T 908.238.5032 F 973.267.2890

Cc: Rockaway Borough Land Use Board Members  
John Mills, III, Esq.  
Golda Speyer, PP  
SDG Fuel 202 LLC  
Michael S. Selvaggi, Esq.  
John E. Hansen, PE