



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

**LUB #084  
328 U.S. Route 46  
Block 84, Lot 21  
Borough of Rockaway, Morris County  
Applicant/Owner: Terravet Rockaway LLC**

July 29, 2022

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

Dear Ms. Reardon:

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

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 June 1, 2022, signed by Daniel Eisenstadt, Applicant including:
  - List of Variances, Design Waivers, Checklist Waivers
  - Narrative and Legal Argument
  - Minutes of May 21, 1970 Planning Board Meeting for PB-63 Dover Animal Hospital
  - Resolution of the Board of Adjustment, Borough of Rockaway, for Block 84, Lot 21 & 22, dated December 7, 1976
    - Site Plan Excerpt
  - Resolution of the Rockaway Borough Planning Board, for P.B. 25-88, Crestec, Inc. Application (328 Rt 46) dated February 16, 1989.
  - Historical Deeds for Block 84, Lot 21
- Site Inspection Authorization Form, signed and dated March 29, 2022
- Affidavit of Ownership, signed and dated March 29, 2022
- Administrative Checklist
- Corporation or Partnership Form
- Certificate of Paid Taxes
- Certified list of property owners within 200 feet of Block 84, Lot 21 dated March 2, 2022.
- Schedule "A" Checklist for Preliminary Site Plan
- Schedule "A" Checklist for Final Site Plan
- Schedule "A" Checklist for "C" and "D" Variances
- Survey entitled "Topographic Survey of Property, Tax Lot 21 – Block 84, 328 Route 46, Borough of Rockaway, Morris County, New Jersey" prepared by Marc J. Cifone, PLS of Lakeland Surveying dated July 5, 2017.
- Engineering plan set entitled "Preliminary and Final Site Plan 328 U.S. Route 46, Borough of Rockaway, Block 84, Lot 21, Morris County, New

Jersey” prepared by T.C. Vandervalk, PE of Houser Engineering, LLC dated May 16, 2022 with revisions dated July 6, 2022 consisting of seven (7) sheets.

- Architectural plan set entitled “Rockaway Animal Hospital, 328 Route 46; Borough of Rockaway, NJ” prepared by PZS Architects, dated May 23, 2022 and consisting of two (2) sheets)
- Stormwater Management Report for Terravet Rockaway, LLC, Block 84, Lot 21, Borough of Rockaway, Morris County, New Jersey” prepared by T.C. Vandervalk, PE of Houser Engineering, LLC dated March 22, 2022
- Cover letter regarding Terravet Rockaway LLC, 328 Route 46, Rockaway, Block 84, Lot 21 from Alyse Landano Hubbard, Esq. of Maraziti Falcon, LLP dated July 8, 2022.
- Cover letter regarding Land Use Board #084, Terravet Rockaway LLC, 328 Route 46, Rockaway, Block: 84, Lot: 21 Borough of Rockaway, Morris County, New Jersey, Houser Job No.: 3658.21 from Tyler C. Vandervalk, PE of Houser Engineering dated July 6, 2022
- “Refuse Truck Tuning Exhibit“ for Preliminary and Final Site Plan 328 U.S. Route 46, Borough of Rockaway, Block 84, Lot 21, Morris County, New Jersey” prepared by T.C. Vandervalk, PE of Houser Engineering, LLC dated July 6, 2022 consisting of one (1) sheet.
- Traffic Impact Statement, prepared by Dolan & Dean Consulting Engineers, dated July 7, 2022.

## PROJECT DESCRIPTION

The subject property is a 1.14-acre parcel located at 328 Route 46 (Block 84 – Lot 21), which is a corner lot at the intersection of Route 46 and Woodland Avenue. The subject property is located partially in the G-B (General Business) and HT/LI (High-Tech/Light Industrial) Zones of the Borough of Rockaway. The subject property is developed with a one-story masonry building (Rockaway Animal Hospital) fronting on Route 46, a one-story frame dwelling and a one-story masonry dwelling, both with frontage on Woodland Avenue. The subject property contains associated improvements to the uses on site such as asphalt driveways, asphalt parking lots, and walkways.

The site is bound to the north and west by commercial properties, to the east by Woodland Avenue and a commercial property beyond; and to the south by Route 46 with additional commercial uses beyond. The lot has ingress/egress driveways to Woodland Avenue only.

The Applicant proposes to redevelop the subject property. The Applicant intends to raze the existing improvements on the subject property and construct an 11,862 square foot one-story animal hospital. Additional improvements include a partially asphalt and partially porous pavement parking lot with 35 parking spaces (including lighting, landscaping), new sidewalks fronting Route 46 and Woodland Avenue, as well as a subsurface stormwater management basin. A fenced area is proposed next to the Animal Hospital as well.

The existing/proposed use (Animal Hospital) is permitted within the Highway Commercial (H-C) Zone but is not permitted within the HT/LI (High-Tech/Light Industrial) Zone, therefore a Use Variance is required.

The Applicant is seeking Preliminary and Final Site Plan Approval, together with Use Variance relief, Bulk Variance relief, design waivers, deviations and/or exceptions.

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 11 for Copies of Approvals from other Government Agencies as may be required or an affidavit indicating that Application has been made to such agencies – *This item has not been provided and the Applicant has requested that this be a condition of any future approval. This office takes no exception to the request, however, a list of all required outside agency approvals anticipated for the project and note the current status of the application (approved, pending, or to be submitted contingent upon board approval), should be provided.*
- ii. 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.*

B. Schedule “A” Checklist Preliminary Site Plan

- i. Checklist Item 13 for existing and proposed streets, both public and private, showing the right-of-way width and the width of the traveled way within 200 feet. - *The Applicant has requested a waiver for this item to the extent that the information is not shown on the provided key map. This office takes no exception to this request for completeness however, this information may be requested upon technical review.*
- ii. Checklist Item 15 for existing and proposed sidewalks and driveways within 100 feet for Minor Site Plans and 200 feet for Major Site Plans– *The Applicant has requested a partial waiver for this item. Information on the nearby sidewalk and driveway on Lot 23 has been provided. As such, this office takes no exception to this request for completeness however, this information may be requested upon technical review.*
- iii. Checklist Item 17 for existing and proposed stormwater management sewer, sanitary lines or septic system design and water mains within 100 feet for Minor Site Plans and 200 feet for Major Site Plans– *The Applicant has requested a partial waiver for this item for off-site items. This office takes no exception to this request for completeness however, this information may be requested upon technical review.*
- iv. Checklist Item 18 for existing and proposed physical features within 100 feet of the tract – *The Applicant has requested a partial waiver for this item for off-site items. This office takes no exception to this request for completeness however, this information may be requested upon technical review.*
- v. Checklist Item 19 for 2’ contours onsite and 100 feet beyond the property lines– *The Applicant has requested a partial waiver for this item for off-site items. This office takes no exception to this request for completeness however, this information may be requested upon technical review.*
- vi. Checklist Item 22 for a current Letter of interpretation and associated plan showing wetland areas and transition areas

delineated– *The Applicant has requested a waiver for this item for off-site items. This office takes no exception to this request for completeness however, this information may be requested upon technical review, if necessary.*

- vii. Checklist Item 28 for existing and proposed utilities onsite and within 100 feet of the site– *The Applicant has requested a partial waiver for this item for off-site items. This office takes no exception to this request for completeness however, this information may be requested upon technical review.*
- viii. Checklist Item 35 for plans and profiles for existing and proposed stormwater management systems, sanitary sewers, water mains – *The Applicant has requested a waiver for providing profiles. This office takes no exception to this request for completeness however, this information may be requested upon technical review.*
- ix. Checklist Item 42 for an Environmental Assessment – *The Applicant has requested a partial waiver for this item but has provided a traffic report. This office takes no exception to this request for completeness however, this information may be requested upon technical review.*

C. Schedule “A” Checklist Final Site Plan

- i. Checklist Item 2 for Maintenance Agreements – *The Applicant has requested a waiver for this item for a Stormwater Operations and Maintenance Manual. It has been indicated that this would be provided as a condition of any future approval. This office takes no*

Based on our review of the documents submitted, this office supports the waivers requested from the Applicant. The application has been deemed **complete** for public hearing.

TECHNICAL REVIEW

Based on our review, Mott MacDonald offers the following technical review comments regarding the subject application:

**Operational:**

1. 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.). The Applicant should clarify if the location includes 24-hour hospital services and/or overnight boarding.
2. The intended route for loading/unloading of vehicles within the loading zone should be described.

**Site Plans/General:**

3. The survey reference provided on the site plan should note that the topography provided is on an assumed datum, as noted on the referenced topographic survey.
4. The width of the existing and proposed traveled way of Woodland Avenue should be provided on the plans.

5. A project phasing plan should be provided which details the various phases of demolition and construction. Testimony should be provided to support the project phasing.
6. Earthwork calculations including the total amount of soil to be removed from the site shall be provided. If the total amount of soil exceeds 500 cubic yards, a soil disturbance permit must be obtained from Borough Council as per Sections 169-66 and 170-6-12.
7. The applicant and professionals should provide testimony on whether the proposed 15'x12' dumpster enclosure is adequate in size for the intensity of the use proposed. Furthermore, information on the collection of hazardous waste should be provided including the frequency of collection.
8. The location of the fire department building connection, as required by the Fire Official, should be noted on the plans.
9. Per Borough Code Section 171-20, Driveways shall be so constructed that there be a grade of 2% starting at the curblin and running for a distance of not less than 20 feet. Compliance should be demonstrated.
10. It is recommended that the proposed 6' high chain link fence include the bottom bar for protection against potential animal digging.
11. A gate is not proposed within the 6' high chain link fence area. Consideration should be given to providing a gate for emergency use only.
12. Signed and sealed structural stability calculations are to be provided for all walls four feet or greater in height, or those supporting structures.
13. As-built site plans should be provided prior to the issuance of any Certificate of Occupancy.
14. A cost estimate is required to determine the cost of any bonded items as well as to establish the amount of the site inspection escrow.

**Architectural Plans:**

15. The height and location of the roof top equipment should be provided.
16. We defer additional comments relative to the building components to the Board Planner.

**Signage:**

17. A detail for the proposed building mounted sign should be provided which includes sign dimensions.

**Lighting & Landscaping:**

18. Directional lights shall be arranged so as to minimize glare and reflection on adjacent properties and roadways. The engineer should confirm that all fixtures are full cutoff fixtures.
19. The proposed hours of site lighting should be provided.
20. Light fixtures along the common lot line with Lot 23 should include shields to limit spillage over the property line, if applicable.
21. Should the board view this application favorably, the approval should be conditioned upon the applicant submitting a lighting “as-built” plan prior to final occupancy.
22. We defer additional comments relative to the proposed landscaping to the Board Planner.

**Stormwater Management Report:**

23. Porous pavement cannot be construction until all contributory drainage areas are stabilized, as such a temporary sediment basin is needed during construction to manage stormwater runoff from roof areas during construction.
24. The following additional information is required to verify that the design of the proposed pervious pavement system is NJDEP’s Stormwater Best Management Practices (BMP) Manual, per N.J.A.C. 7:8:
  - a. Per Chapter 12 of the BMP Manual, a 2<sup>nd</sup> soil profile pit must be conducted within the footprint of the proposed porous pavement area. The profile pit must include a hydraulic conductivity test of the soil sampled from an elevation below the bottom of the proposed elevation of infiltration to verify exfiltration rate utilized in the routing calculations provided.
  - b. A routing of runoff generated by the water quality design storm through the proposed pervious pavement system should be provided for confirmation of the water quality storm water surface elevation within the system storage bed noted on the plans.
  - c. Following completion of additional subsurface investigation and hydraulic conductivity testing, calculations should be provided to verify that the system will drain fully within 72 hours when applying a factor of safety to the resulting rate of infiltration from the testing in accordance with Chapter 9.6 of the BMP Manual.
  - d. A groundwater mounding analysis must be provided per N.J.A.C. 7:8-5.2(h), as noted in Chapter 9.6 of the BMP Manual.
  - e. Additional information should be provided to verify that there will be no impacts from tailwater on the proposed system. Existing pipe locations/sizes/invert elevations in the inlet on the southwest side of Woodland Avenue proposed for downstream connection should be provided on the plans.
25. The pervious pavement system does not appear to be designed in accordance with Chapter 9.6 of the BMP Manual, in that perforated piping is provided at the water quality storm water surface elevation and appears

to be designed for the purpose of collection/discharge to the outlet structure rather than for discharge of overflow catchments to the storage bed. Per the BMP manual guidelines, structures for access to the proposed 15-inch perforated collection pipe provided at the WQDS elevation for conveyance to the outlet structure should be designed with watertight manhole covers. A minimum of two overflow catchment inlets (separate from 15-inch piping) should be provided (one in each porous pavement area). The overflow catchment grates should be located more toward the center of the system to force as much runoff from surrounding impervious areas through the porous pavement as possible to achieve the required runoff treatment.

Piping between overflow catchment grates should not be connected to the outlet structure, and should disperse flows to the storage bed through perforations at the bottom of the piping at an elevation near the top of the storage bed, as shown in Chapter 9.6. Since the proposed 15-inch pipe appears to be designed for collection, we would not object to it being perforated on all sides to promote collection and conveyance to the proposed outlet structure.

26. As noted in the calculations provided, TSS removal of 68.6% over all proposed onsite motor vehicle surface area (MVSA) is required for compliance to water quality requirements. The compliance calculations should be revised to indicate that no additional treatment for is provided by a subsurface infiltration BMP (unless separate pretreatment with 80% TSS removal is provided for runoff from impervious pavement areas prior to discharge to the storage bed), as the infiltration provided in the current design is considered to be part of the pervious pavement system. Contributory impervious areas should only be considered as treated by the pervious pavement system if they drain across the porous pavement areas in a sheet flow manner; concentrated runoff along the curblin from upstream impervious pavement area should not be considered as treated by the pervious pavement system. The proposed grading, contributory drainage areas, and calculations/report should be checked and revised per the above to provide an accurate record of water quality treatment onsite, and to demonstrate compliance with the 80% TSS removal requirement.
27. A comparison of the pre-development and post-development hydrographs during the peak hour (12 – 1 PM) should be provided at a maximum time interval of six minutes for verification of compliance to the runoff quantity requirements for the eastern drainage area.
28. At least one inspection port should be provided for each porous pavement area in accordance with Chapter 9.6 of the BMP Manual.
29. The required infiltration rate, porosity and binder specifications for proposed porous asphalt should be noted on the plans in accordance with Chapter 9.6 of the BMP Manual. Proposed material for choker course should also be specified.
30. Required post-construction testing of the porous pavement areas should be provided on the plans in accordance with Chapter 9.6 of the BMP Manual.
31. An Operations and Maintenance Manual should be provided for the pervious pavement system in accordance with Chapter 9.6 of the BMP Manual. Porous pavement areas should be deeded as required.

### **Traffic Impact Study & Parking**

32. The Applicant is requesting a parking variance where 57 spaces are required per Borough Code, and 56 spaces are provided (51 actual stalls with allowable reductions). Testimony should be provided on the adequacy of the proposed number of parking spaces based upon the number of employees and patrons in support of the variance request.
33. Mott MacDonald take no exception to the Applicant's evaluation of the number of trips estimated to be generated by the proposed development during the peak hours.
34. Testimony on firetruck/emergency vehicle access should be provided. An exhibit should be provided, if not in general compliance with the truck turning exhibit provided.

### **Environmental Impact:**

35. The Applicant should be prepared to address the following environmental concerns in testimony:
  - a. Odors and odor control, particularly of animal waste
  - b. Noise and noise control
  - c. Hazardous waste control (See comment see note 7 above).

### **Outside Agency Approvals:**

36. Any approval shall require a pre-construction meeting with the Borough Engineer prior to any land/site disturbance.
37. All required Health Department approvals and permits must be obtained prior to the issuance of building permits.
  - a. If the facility engages in boarding operations, the new animal hospital will need to conform to the NJ DOH Kennel Code (NJAC 8:23A -1 ets eq).
38. A Soil Erosion and Sediment Control (SESC) certification must be obtained from the Morris County Soil Conservation District. Construction must adhere to all conditions of the SESC certification.
39. A Borough sanitary sewer connection permit in accordance with Chapter 213 is required.
40. Rockaway Valley Regional Sewer Authority (RVRSA) approval is required.
41. A Letter of No Interest Determination from the New Jersey Department of transportation (NJDOT) must be provided prior to the issuance of building permits.
42. A soil disturbance permit must be obtained from Borough Council, is required (see note 6 above).





Any revised plans, or other documents related to this application, should be accompanied by a cover letter responding individually to each of the comments presented in this review letter.

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

Very truly yours,

Mott MacDonald

A handwritten signature in blue ink, appearing to read 'Samantha Anello'.

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  
T.C. Vandervalk, PE, Houser Engineering  
Alyse Hubbard, Esq.  
Terravet Rockaway LLC, Applicant