

# DORAN

## ENGINEERING, PA ENGINEERS • PLANNERS • SURVEYORS

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**MEMO TO:** City of Northfield Planning/Zoning Board

**FROM:** Matthew F. Doran, Board Engineer

**DATE:** November 24, 2021 (Revised 12/27/21)

**RE:** Big Land, LLC  
Doran #9696

**LOCATION:** BLOCK: 97 LOT: 8  
Corner of Zion Road and Tilton Road

**STATUS:** Preliminary & Final Site Plan

**BASIS FOR REVIEW:** Plans prepared by R.D. Green Engineering  
Sheet Z1, dated 10/8/21  
Sheet S1 of 5, dated 9/24/21; rev. 12/15/21  
Sheet S2 of 5, dated 9/24/21-  
Sheet S3 of 5, dated 9/24/21; rev. 12/17/21  
Sheet S4 of 5, dated 9/24/21; rev. 12/17/21  
(Sheet S5 of 5, dated 12/17/2)

Property and Land Survey, prepared by Gregory K. Schneider, dated 7/2/21  
Copy of Sales Agreement, dated 6/7/21  
Application and Checklist, undated  
(Architectural Plans prepared by Harry S. Harper, sheet undated)

**USE:** Mad Cow Creamery

(All revised comments will be enclosed in parentheses)

**ZONING REQUIREMENTS:** This property is located in the N-B Neighbor Business Zone which allows primarily for business uses. The following is a review of the bulk requirements for the proposed project:

ITEM	REQUIRED	PROPOSED	CONFORMITY
LOT AREA	10,000 SF	12,500 SF	C
LOT WIDTH	90'	100' minimum	C
SETBACKS:			
FRONT (Zion)	25'	20'	DNC
FRONT (Tilton)	25'	25'	C
SIDE	10'	25'	C
SIDE	15'	78'	C
REAR	25'	-	-

HEIGHT	2 STY/25'	1 STY/18' Bldg./28' to Cone	DNC
MIN. GROSS FLOOR AREA:			
ONE STORY	1,500 SF	1,250 SF	DNC
TWO STORY	1,500 SF	-	-
BLDG. COVERAGE	25%	10%	C
TOTAL COVERAGE	75%	75%	C
FLOOR AREA RATIO	.25	.10	C
BUFFER	15'	*7' (See Engineering Commit #3)	DNC

\*Buffer- 215-156 E- Buffer to Residential Area: 10' plus, 5' for each additional 10' of building height or part thereof over 15'.

**COMPLETENESS REVIEW:** The application was reviewed for completeness utilizing the Site Plan Checklist. The following information should be supplied, or a waiver granted by the Board, prior to the application being deemed complete.

(All items have been shown on the revised plan.)

**PLANNING REVIEW:**

Following is a list of Variances and Design Waivers associated with this application:

List of (d) (1) Variance:

- a) d (1)- for a use not permitted in the zone.

List of "C" Variance

- a) Buffer 15' is required; 7' is proposed.
- b) Front Yard Setback- 25' is required; 20' is proposed. (Zion Road)
- c) Rooftop Sign is not permitted.
- d) Freestanding Sign
  - (1) (Setack-15' is required, 4' is proposed)  
(Variance required.)

List of Design Waivers:

- a) Tilton Road
  - Curb cut width- 30' minimum is required; 27' is proposed.
  - Driveway width- 30' is required; 25' is proposed.
  - Distance of driveway from intersection; 100' minimum is required; 69'on Tilton Road is proposed.
  - No driveway shall be located in the side yard setback, 10' is required; 7' is proposed.  
(No parking is allowed closer than 20' to a street line, 10' is proposed.)

- b) Zion Road
- a) Driveway width- 30' minimum is required; 26' is proposed at the curb line driveway width at the property line, shall be a minimum of 30' for any one-way drives, 12' is proposed.)
- b) No part of any driveway shall be located in the side yard setback of 10'.  
(7' is proposed)
- c) Building perimeter landscaping, only a portion is proposed.
- d) No parking is permitted within 50' of a residential zone, 10' is proposed.
- e) Distance of driveway from intersection; 100' minimum is required; 75' is proposed.

### REVIEW COMMENTS:

- 1) Following is the permitted use (Section 215-156 A (2) that most closely resembles the proposed use.
  - a) The applicant should discuss with the Board if this proposed use, is permitted in the zone.  
“Eating and drinking “places in which any service of prepared goods is provided and not less than ten (10) seats available for the general public at counters or tables within a permanent enclosed structure and in which take-out service is not the principal function of the food service, but incidental to the service of food consumed on the premises. The definition shall not include fast food establishment.”  
  
(If the proposed application does not include ten (10) interior seats, a d (1) use variance will be needed.)
  - b) The applicant will also be required to obtain “C” Variance relief for the following items outlined in the Planning Board Review:
- 2) The applicant will be required to obtain a d (1) Use Variance for the application.

**A use variance falls under the jurisdiction of the Zoning Board as permitted in NJS 40:55D-60.a and 40:55D-70.d, the Board may “in particular cases and for special reasons grant a variance to allow departure from regulations pursuant to Article 8 of this act to permit; (1) a use or principal structure in a district restricted against such use or principal structure, (2) an expansion of a non-conforming use, (3) deviation from a specification or standard pursuant to Section C. 40:55D-67 pertaining solely to a conditional use, (4) an increase in the permitted floor area ratio as defined in Section 3.1 of P.L. 1975, C.291 (5) and increase in the permitted density as defined in Section 3.1 of P.L. 1975, C.291 (40:55D-4) excepts as applied to the required lot area for lot or lots detached one or two dwelling unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision or (6) a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.**

The applicant must also show “special reasons” for the Board to grant this variance. Special reasons have been defined as those reasons that carry out a purpose of zoning.

**The applicant needs to provide additional testimony as to how the d (1) variance can be granted in accordance with the criteria outlined above and within the M.L.U.L.**

The Municipal Land Use Law (N.J.S.A. 40:55d-2) enumerates the Purpose of Zoning as:

- a To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b To secure safety from fire, flood, panic and other natural and man-made disasters;
- c To provide adequate light, air and open space;
- d To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f To encourage the appropriate and efficient expenditure of public funds by the coordination or public development with land use policies;
- g To provide sufficient space in appropriate locations for variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l To encourage senior citizen community housing construction;
- m To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n To promote utilization of renewable energy resources;

- o To promote the maximum practicable recovery and recycling of recyclable materials from solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.
- 3) Since it is determined that “C” Variance relief is needed for the project, the applicant should supply testimony, as outlined in the following criteria, as appropriate.
- a. By reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or (c) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of the zoning regulations would result in the peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the development of the property. This is known as the C (1) Criteria.
  - b. Where the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment. This is known as the C (2) Variance.

It should be noted:

No variance may be granted without showing that such variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.

This is also known as Negative Criteria.

**Engineering Review:**

1. The application will be reviewed with compliance with Article VIII, Design Standards and Improvement Specification, of the ordinance.
2. Section 215-83 requires that architectural plans should be submitted for review. The applicant has supplied building views and floor plan for the Board to review. Additional information should be supplied on the floor plan, such as number of seats, if any, including approximate number of persons able to be seated at what appears to be an interior counter. Some type of color scheme for the building should be supplied. (No interior seats are proposed.)  
(No interior seats are proposed. A Use d (1) Variance is required.)
3. Buffers are required for the sides of this property. The buffer requirements for this property along the residential zoned property along Zion Road is as follows: “Ten feet in width plus five

additional for each 10-foot interval or fraction thereof the height of a building, which exceeds 15 feet in height along the side or rear lot line, except where the side or rear lot line is a street.”

The building is designed to be 18’ in height at the front of the building and tappers down to a 10’ height at the rear. If the Board accepts the rear height along the rear of the building, then the required buffer would be 10 feet. The applicant has provided a portion of the buffer at 7’ in width, which requires a variance.

The property line at the rear of the presently contains a fence, height unknown, and a double row of evergreens as required.

(The plan has been revised to show that the existing wood fence to remain, is 6’ high.)

4. The ordinance requires concrete curbs and sidewalks along the perimeter of the site on Zion Road and Tilton Road. The location, details, grading, etc., should be supplied on the plan.

(Curbs and sidewalks were shown along both frontages of the property.  
Location and details for the ADA sidewalk ramps, should be supplied.)

Both streets are County Roads, and all improvements will be required to be reviewed, and approved by the County.

5. The ordinance, Section 215-91, requires that concrete aprons 6” thick, be installed at each entrance to the site. The plan should be revised to show the aprons, 6” concrete sidewalk behind the apron, and ADA Compliant ramps, if necessary, at each driveway. Details for these improvements shall be shown, including all grades and slopes.

Both driveways are located on County Roads, so approval is required by the County.

6. a) The plan should show the dimensions of the driveway at the street line.  
The allowable curb line opening is 30’ min., 50’ max. The driveway width is 30’ min. to 36’ max. (As per attached Section 215-92 of the ordinance. A waiver is required.

(The driveway curb cut on Tilton Road has been revised to comply, Zion Road is 26’ curb cut, which does not comply. (A design waiver is required.)

b) No driveway from a parking area shall be located closer than 100’ to the nearest, intersection sixty-two (75’) is proposed on Zion Road, and sixty-eight (69’) is proposed on Tilton Road. A waiver is required.

(The driveway on Zion Road was revised to a distance of 75’);(Tilton Road is 69’)  
(A design waiver is required.)

- c) No part of any driveway from a non-residential use shall be located in the side yard setback; 7’ is proposed. A design waiver is required.

(The plan was revised to be 7')

I recommend that the curb cut on Zion Road be reduced so that the limit of the curb cut does not pass the property as extended.

(The plan has been revised.)

7. The Board has the authority to request an Environmental Impact Statement, if the Board determines there is a need. This site was previously a service station. The applicant should supply an approval from the NJDEP that the site has been remediated.
8. The site is presently fenced. The type of material and height of the fence should be provided on the plan.

(The plan was revised to show a 6' wood fence along the Zion Road side.)

9. The plan should be submitted to the Fire Chief for review prior to Final signing of the plan.
10. The applicant has supplied a landscaping plan with the application.

Following is a review of the Landscaping Plan:

- a) The plan provides over 15% of landscaped area, which complies.
- b) The applicant is required to provide a 4' landscape strip around the exterior of the building. Only a portion of the building complies. A waiver is required.
- c) The ordinance requires street trees at 30' on center. The plan should be revised.

(Special attention should be given to keep the trees out of the sight triangle.)

- d) The plan shows 18" high junipers along the road frontage of both streets. This should be discussed. There is only a 2' to 3' area between the edge of the sidewalks and the curbs.

(The shrubs in this area have been removed.)

- e) The applicant is required to plant two (2) shade trees onsite, one tree for each tend (10) parking spaces. These trees should be identified on the plan.

(The plan has been revised, and now complies.)

- f) The applicant should provide a planting schedule on the plan, showing the type of plantings, number, and species of the plantings.

(The plan has been revised, and now complies.)

11. The applicant has supplied a lighting plan with the application. The applicant has proposed three (3) freestanding light poles, 25' in height.

The plan has supplied iso foot candle lines on the plan. The lines should be clearly marked in order to show that ½ horizontal foot candle of lighting level as it relates to a parking lot areas shall be 75% of the average level.

This particular lot is located adjacent to a residential zone property. The light fixtures on the site should be noted to show the largest screen possible, in order to stop the light from affecting the adjacent property.

(Light standard details should be shown on the plan that shows the footings, poles, and maximum shielding.)

12. The applicant should discuss with the Board how loading will be attained at the site.

(The location of a loading zone has been provided at the rear of the site. The Board should discuss if the loading area operates as designed, as it blocks the driveway to Zion Road.)

13. The applicant has supplied sixteen (16) parking spaces on site. The applicant has proposed access to the site via a 2-way drive on Tilton Road, and a 1-way exit onto Zion Road

14. Access aisles for perpendicular parking shall be 25' in width, 25' is proposed.  
A design waiver was removed.

(The plan has been revised, and now complies.)

15. Parking areas shall not be located within 50' of any residential zone, 10' is proposed.  
A design waiver is required.

16. No parking shall be located closer than 20' to the street line, 10' is proposed.

(A design waiver is required.)

17. The applicant has proposed asphalt paving for the parking area. A detail of the paving should be supplied on the plan. A 6" thick gravel base and 2" of FAB-1 asphalt as required.

(The plan has been revised.)

18. The plan should clearly delineate the location of the proposed concrete curbing onsite. A detail of the curbing should be shown on the plan.

(The plan has been clarified. Parking bumpers have been utilized along the landscaped area, which is permitted by the ordinance.)



19. The plan shows a 5' wide concrete sidewalk along the parking area. A detail of the sidewalk should be placed on the plan.

(A detail has been provided on the plan.)

20. The plan shows an ADA space, as required. The first space is required to be Van Accessible. The van stall width should be 11' wide and the access aisle shall be 5', for a total of 16'. The plan should be revised.

(The plan has been revised. ADA compliant ramps with grading, should be provide in front of the ADA stall.)

A detail of surface parking and handclapped signs should be provided on the plan.

21. A note should be added that all parking spaces shall be delineated with a 4" painted line.

(The plan has been revises.)

22. The applicant has provided sixteen (16) parking spaces for the site. The floor plan does not show any tables inside the building. There appears to be a countertop along the exterior wall at the front of the building. The applicant should discuss how many seats, inside, outside, and the number of employees that can be onsite at one time.

Since the plan does not show the number of seats, it is difficult to determine if the site has the appropriate amount of parking.

(A total of 28 outside seats are proposed. This would require, 9 spaces; 16 spaces are proposed.)

Normally, one (1) parking space is required for each three (3) seats, in a restaurant.

23. A note should be added to the plan that all exterior mechanicals should be screened from Public View, as per Section 215-110.

24. The applicant should apply to the Northfield Sewer Department, in order to obtain a letter of availability of service.

25. The architectural plans show that one freestanding sign, and two or three façade signs, are proposed. Following is a review of the signage as per Section 215-113 of the ordinance.:

A) Following is a review of the Façade Sign Package:

1. The plan shows one façade sign on the Zion Roadside, 24 SF in size, and one façade sign on the Tilton Road face, 32 SF in size.

Permitted area- ½ SF in area for each one-foot in width of a building façade, with a max. size of 100 SF in area, is permitted, therefore.

Zion Roadside- 20' SF is permitted; 24 SF is proposed.

(20 SF is now proposed, no variance is needed.)

Tilton Road front- 12.5 SF is permitted; 32 SF is proposed.  
A detail of the façade signs shall be provided on the plan.

(12.5 SF is now proposed, no variance is needed.)

2. The applicant has also proposed an ice cream sign on top of the building. Rooftop signs are not permitted. A variance is required.
  
  3. Freestanding signs- Following is a review of the freestanding sign: (Tilton Road)
    - a) Height- 15' max is permitted; 17' is proposed.  
  
(15' is now proposed, no variance is needed.)
    - b) Size- 10 SF plus 1 SF in area for 10-foot intervals of street frontage is permitted. therefore, 22.5 SF is permitted, 25 SF is proposed.  
  
(22.5 SF is now proposed, no variance is needed.)
  
  4. The applicant should discuss with the Board the type of lighting that is proposed for all the signs.
  
  5. The address of the property should be placed on the top of the freestanding sign.
  
  6. The plan should be revised to show the sign location and setback for the sign. A 15' setback is required, (4' is proposed)  
  
(A variance is required.)
  
  7. A full detail of the sign should be placed on the plan.
26. The applicant will be required to obtain Soil Conservation District Approval, prior to start of work.
27. The applicant will be required to supply a drainage report and design for the site.

A determination needs to be made whether or not this development is a "Major Development" as defined by the New Jersey Best Practices Manual. Some type of drainage design system, etc., needs to be provided for review.

(The application is classified as a Major Development and will need to supply a drainage plan and calculations.)

28. The plan should be revised to show the required sight triangle, at both driveways. Approval is required by Atlantic County.

29. The plan should be revised to show STOP signs, and painted STOP bars at each driveway.

All onsite traffic directional arrows should be painted on the ground. A note to this should be shown on the plan.

(The plan has been revised.)

30. The applicant will be required to obtain the following approvals and other approvals as needed:

a) Cape Atlantic Soil Conservation Approval

b) Atlantic County Division of Planning

c) City of Northfield

1) Fire Department

2) Sewer Department

d) Letters of Availability of Service- as needed.

1) NJ American Water

2) Atlantic City Electric

3) South Jersey Gas

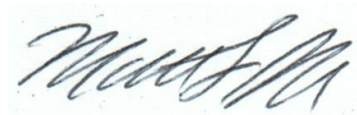
31. The applicant will be required to post a Performance Guarantee for all offsite improvements.

An Escrow Fee should be posted with the City Clerk, equal to 5% of the Engineer's Estimate for all improvements on the site.

32. This site was a former gas station. A copy of the "clean-up" approval from the NJDEP should be supplied for the file.

If you have any questions or require further information, please do not hesitate to contact me.

Very truly yours,



Matthew F. Doran, P.E., P.P., P.L.S.  
Doran Engineering