October 29, 2026

NTLYT26206

Mark Arcuti, Chairperson
Township of Nutley
Planning Board
1 Kennedy Drive
Nutley, NJ 07110

RE: Engineering Review #1
437 Franklin Avenue Site Plan
Block 4402, Lots 1, 2, 3
Block 4501, Lots 21, 22, 23, 24, 25
Block 4602, Lots 15, 16, 17, 18
Township of Nutley, Essex County, NJ
Application Number: PB – 26-00001

Dear Board Members:

Pennoni Associates (Pennoni) is in receipt of the following documents concerning the above-mentioned application:

- "Preliminary & Final Site Plan," site plan drawings, prepared by David E. Fantina, PE, signed and sealed by David E. Fantina, PE, Sheets 1-4, last revised 07/23/2026.
- Architectural Plan, "Proposed Liquor Store Proposed Floor Plan and Exterior Elevations", prepared by debarbieri Architects LLC, signed and sealed by James E. DeBarbieri, RA, Sheet 1 of 1, Drawing A101, last revised May 28, 2026.
- Application for Land Use Action, dated August 20, 2026.

INTRODUCTION

The 5.2 acre (225,422 SF) subject site is located on the west side of Franklin Avenue, south of Vreland Avenue. The site is currently fully developed and consists of a ShopRite supermarket and associated parking and accessory land improvements. The proposed two story 64' x 83' (5,312 SF footprint) building addition is located on the north side of the existing building. The architectural plan notes the addition is independent of the existing building.

The current site contains 324 parking spaces with a parking zoning requirement of 232.4 spaces. The proposed application will add a building addition that will increase parking demand and decrease available parking. As per the calculations shown on Sheet 1, under proposed conditions the site will provide 303 parking spaces and requires 257.15 spaces. It appears the project will exceed the parking required by zoning. We note there is an existing parking lot that supports the existing development and is owned by the applicant directly across Franklin Avenue.

The application does not meet the threshold requirement for post construction stormwater mitigation as per Nutley and State codes. The project will reduce impervious area from 184,532 SF to 183,796 SF. Stormwater

runoff flows east towards Franklin Avenue; the proposed grading plan maintains this drainage pattern. No post construction stormwater management basins are required and none are proposed.

The project proposes a single new building mounted sign for the Liquor which meets the requirements of the Zoning Code; no new pole mounted signage is proposed.

We offer the following comments with respect to the Site Plan application:

PLANNING AND ZONING

The applicant has indicated that no Planning Board waivers or variances are required for the project. We have no comment with respect to waivers or variances.

The plans show a two story building addition with dimensions of 64' x 83' and a building footprint floor area of 5,312 SF and a total building area of approximately 10,624 SF. The parking calculations show an addition of 4,950 SF to derive the proposed conditions parking requirements. Calculations to support the use of 4,950 SF addition for the basis of determining the required parking should be provided.

GENERAL COMMENTS

1) The survey is referenced on Sheet 1 as dated November 5, 2025 and prepared by John J. Galiano, PLS. An original signed and sealed copy of the survey should be provided for the file.
2) The applicant should provide testimony with respect to garbage and recycling facilities for the proposed addition. Applicant's professionals should discuss if the existing garbage and recycling areas are suitable for the proposed addition or if additional facilities are required. Results of the testimony should be documented via map note and/or plan revisions on future submissions.
3) Applicant should provide testimony regarding hours of operation and anticipated number of employees for the addition and document the results of testimony via map note on the site plan.
4) Add a title sheet to the drawing set that lists all drawings that are part of the site plan submission and last revised dates.
5) Add a vicinity map to the site plan.

PRELIMINARY AND FINAL SITE PLAN COMMENTS (SHEET 1)

1) It appears the existing driveway curb cuts will be utilized for the proposed redevelopment. Applicant should provide testimony with respect to existing and proposed sight distances and add map notes for future submission.
2) The applicant shall coordinate with the Township of Nutley and County of Essex for road restoration centerline/full width along the road for the proposed development.
3) The applicant shall specify the number of proposed EV charging spaces, if any, and indicate any associated parking credits. The total number of proposed EV and make ready spaces shall be listed on the zoning table. If none are proposed, this should be indicated.
4) The applicant should provide testimony if new HVAC equipment is required for the proposed addition.
5) The applicant should provide testimony regarding the need for new utility house connections servicing the building addition and any potential road openings in Franklin Avenue.
6) The application utilizes an existing parking area on the south side of Franklin Avenue, across the street from the existing structure. The reduction in provided parking and increase in parking demand will result in increased utilization of this lot. The applicant shall provide testimony with respect to pedestrian crossing of Franklin Avenue from the parking area to the building and if any enhancements with respect to pedestrian safety are required.

PRELIMINARY & FINAL SITE PLAN SITE, LIGHTING, AND LANDSCAPING PLAN COMMENTS (SHEET 2)

1) Provide a legend to distinguish between existing and proposed features.
2) The applicant should provide testimony with respect to adding a drop curb at the proposed loading zone parking space.
3) The applicant should consider landscaping enhancements and/or shade trees in the concrete area at the northeast side of the proposed building addition.
4) The Township Forrester should review the proposed plantings in the two new islands northeast of the building addition. Dimensions of 5.1 feet and 5.5 feet (curb to curb) are provided for these two islands with creeping fox and junipers proposed. The applicant should work with the Township to investigate planting of deciduous trees in these islands.
5) The applicant shall provide cut and fill calculations for the proposed development and if any soil is anticipated being removed from the site.

PRELIMINARY AND FINAL SITE PLAN GRADING, UTILITY AND SOIL EROSION & SEDIMENT CONTROL PLAN (SHEET 3)

1) The applicant should review the proposed grading in the northwest portion of the sidewalk in front of the proposed addition; it appears the sidewalk is backpitched to the new building.
2) The Utility Plan should show the location and connection point of the outlet pipe for Proposed B Inlet#3.
3) The applicant shall investigate providing post construction stormwater management features to further reduce stormwater runoff from the site, i.e. use of drywells in lieu of the proposed catch basin inlets to promote stormwater reduction and groundwater recharge.
4) The plans show a stabilized construction access pad located at the existing north egress/ingress curb cut on Franklin Avenue. The applicant should provide testimony with respect to site circulation during construction. If the northern parking area is limited to construction only operations, the site plans should show how the area will be secured to separate construction traffic from consumer traffic.
5) The applicant should provide testimony with respect to facility operations during construction. Reference locations for contractor parking and material storage.
6) The applicant should demonstrate the new parking configuration will not impact the ability for sanitation vehicles to access garbage and recycling dumpsters.
7) Applicant should provide testimony regarding hours of operation of the lighting and should provide results of testimony as a note on the Site Plan.
8) It appears that no new street lighting or improvements in the right-of-way are proposed; this should be confirmed via applicant testimony at the Planning Board and the results of testimony should be added as map notes for future submissions.

PRELIMINARY AND FINAL SITE PLAN GRADING, UTILITY AND SOIL EROSION & SEDIMENT CONTROL PLAN (SHEET 4)

1) Change the title of this drawing to Construction Details.
2) Add a pipe bedding detail.
3) Add filter fabric below the stone on the Stabilized Construction Detail.

The Applicant shall respond to this letter with a point-by-point response addressing the comments listed above. We reserve the right to make additional comments pertaining to this application during the review process.

Please contact this office if any of the above items requires clarification.

Sincerely,
PENNONI ASSOCIATES, INC.

cc: David Berry – Zoning Official
Salvatore Ferraro – Engineering Coordinator
Barry A. Kozyra- Board Attorney