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September 17, 2021

Town of Clinton
P.O. Box 5194
Clinton, New Jersey 08809

Attention: Allison Witt (via e-mail- awitt@clintonnj.gov)

Reference: Tejomaya, LLC - Block 3 Lot 2 – Courtyard Assisted Living
Site Plan/Use Variance –Prelim. Approval Compliance & Final Site App.
Town of Clinton, Hunterdon County, New Jersey

Dear Allison:

The Land Use Board granted the applicant, Tejomaya, LLC, D (3) conditional use variance, exceptions and **Amended Preliminary Site Plan** approval to convert an existing hotel into an assisted living facility including an Adult Day Care component. Conditions of that approval were memorialized in Resolution #2021-08. On April 16, 2021, the applicant filed updated plans (referenced as Conditional Use Plans) in order to address conditions of that Amended Preliminary Site Plan approval, which I reviewed in my Compliance Review Report #1 dated May 17, 2021. The applicant has now filed a **Final Site Plan** application and related documents. As part of their consideration of the Final Site Plan, the Board will also need to determine if the conditions of Preliminary Approval have been addressed.

The documents filed on August 19, 2021 as part of the Final Site Plan submission consist of the following:

1. Administrative Items:

- a. Submission Letter dated August 11, 2021 prepared by C. Richard Roseberry PE (Roseberry) from Colliers Engineering.
- b. Response Letter prepared by Roseberry dated August 11, 2021 addressing conditions Resolution #2021-08 and outlining the applicant's response to my May 17, 2021 Compliance Review Report #1.
- c. Final Site Plan Application (**not signed**) dated July 30, 2021 with Checklist, Fees & List of Professionals.
- d. Adjoining Property Owners – 200 ft. List dated November 3, 2020 (**Note: a current list should be provided**)
- e. Engineers Estimate of Probable Construction Cost for Site Improvements (**undated**) prepared by Caroline J Klein PE from Colliers Engineering.

2. **Final Site Plan** prepared by Colliers Engineering & Design (Roseberry) consisting of six (6) sheets dated November 2, 2020, last revised June 15, 2021. (**Note: these plans are entitled Final Site Plan but are further amendments to the previous submission where the plans were entitle Conditional Use Plan.**)

Please Reply To:

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3. **Floor Plan- Sheet A2.02** showing “Proposed 2nd Floor Plan” prepared by Horten Architecture & Design (Benjamin J Horten RA) revised June 30, 2021. (**Note:**
 - The plan was revised to show the details of the indoor garden area next to the pool.
 - Since updated plans of the 1st, 3rd, 4th and 5th floors were not provided I assume they depict the same information show as part of the Preliminary Site Plan)
4. **Truck Turning Plan** prepared by Colliers Engineering & Design (Roseberry) consisting of a single sheet dated November 2.2020 & revised June 15, 2021.
5. **Property Surveys**
 - a. **Land Title Survey** prepared by First Order LLC (Jack W. Shoemaker PLS) consisting of three sheets dated March 14, 2019 and revised August 23, 2021. (**Note this plan was submitted separately on 8/25/21**)
 - b. **Boundary & Topographic Survey** prepared by First Order LLC (Jack W. Shoemaker PLS) consisting of three sheets dated October 14, 2016 and revised February 7, 2020.
6. **Submission letters to service providers** including Clinton Rescue Squad, AT&T, Century Link, Comcast, ETG, Clinton Fire Dept., JCP&L, Clinton Sewer Dept., Clinton Water Dept. and HC Health Dept. (**Note all letters are dated November 5, 2020**)
7. **Correspondence**
 - a. **HCBP-** letter dated 2/24/21 stating that HCPB approval is not required
 - b. **HC Health Dept. Construction Permit Referral Form** approved 11/19/20
 - c. **Town of Clinton Water Dept.** - letter dated 11/17/20 listing balances due on accounts.
 - d. **Jack Daniels** –email dated 7/20/21stating that based upon his review of the revised plans all fire safety issues have been addressed. (**Note: Fire lane stripping and parking restrictions have been shown on the plan**)

In conjunction with the above, all of the additional documentation filed as part of the Preliminary Site Plan Application (refer to my 12/21/20 Engineering Comments Report #1 for listing) remain of record in support of this application

The first order of business would be for the Board to make a “completeness determination” for the Final Site Plan. Based upon my review I note the follow:

- **Checklist Item E** - there are still outstanding balances due (ref: 7c) on the Water and Sewer Accounts for this property. **A Temporary Waiver granted with the Preliminary Application would remain as an open item.**
- **Checklist Item H** – the Town Water and Sewer Dept. has still not issued “Will Serve” letters on this project. **A Temporary Waiver granted with the Preliminary Application would remain as an open item.**
- **Checklist Item I** – The email from Jack Daniels (ref: 7d) addresses the Will Serve response from the Fire Official however, there has been no response from the South Branch Emergency Services. **A Temporary Waiver granted with the Preliminary Application would remain as an open item.**

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- **Checklist Item J** –there has been no Will Server letters issued by JCP&L or ETG. **A Temporary Waiver granted with the Preliminary Application would remain as an open item.**
- **Checklist Item O2 & 31-** the Preliminary Site Plan application did not involve any site disturbance or require an application to the HCSCD however, the Final Site Plan does involve site disturbance in excess of 5000 sf and will require the filing of a SESC application with the HCSCD. **This item is incomplete until an application is filed or unless the Board grants a Temporary Waiver.**
- **Checklist Item P** – a copy of the Certification on payment of Taxes was not provided accordingly, the item is incomplete.
- **Checklist Item 3-** if the applicant is conducting a Noticed Public Hearing for the Final Site Plan then a more current (ref:1d) owners list should be provided. **I defer to Katie Razin to advise the Board on whether or not the item is incomplete.**
- **Checklist Item 5** – Owners Consent Certification was not provided on the plan. **A Temporary Waiver granted with the Preliminary Application would remain as an open item.**
- **Checklist Item 8** – A waiver was previously granted to allow for a Site Plan drawn at a scale less than 1"=30'. **That Permanent Waiver would carry over and still apply to the application for Final Site Plan**
- **Checklist Items- 11a, 11b, 11c, 18, 20, 22 & 36** – Various waivers were previously granted to avoid various plan details that are not being provided. **Those Permanent Waivers would carry over and still apply to the application for Final Site Plan.**
- **Checklist item 39g** – the plan does show the location of Fire Lanes or parking restrictions. **The Temporary Waiver granted with the Preliminary Application has been addressed.**
- **Checklist Item 46-** the current plan involves the construction of several modifications to the existing site improvements. **Accordingly, a Temporary Waiver will need to be granted at this time conditioned upon a requirement that As Built Plans are provided prior to the issuance of any CO for the intended use of the building.**

If the Board were in agreement with the above, they would take the following action at the meeting on Tuesday September 21, 2021.

- A. **Confirm that the Permanent Waivers** previously granted under the Preliminary Approval carry forward to the Final Site Plan application for **Checklist Items 8, 11a, 11b, 11c, 18, 20, 22 & 36**
- B. **Confirm that the Temporary Waivers** previously granted under the Preliminary Approval carry forward to the Final Site Plan application for **Checklist Items E, H, I, J & 5.**
- C. **Grant a Temporary Waiver for Checklist Item # 46**
- D. **Grant Temporary Waivers OR Deem the application to be incomplete** until the requirements under **Checklist Items # 3 (subject to input from Katie), P, O2 & 31** have been addressed

I have reviewed the above listed documents and the conditions *as memorialized in the Resolutions*, my comments are as follows:

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a. **Comments in the memo to the Board from Robert Clerico, PE, Town Engineer, dated December 31, 2020 to the site plans and related documents:**

D. Boundary and Topographic Survey

- The applicant shall submit an updated survey that will reference and reflect title documents contained in the new Title Report.

Item Addressed. The new survey (ref: 5a) reflects/references the new Title Report.

Temporary Waiver Requirements

- #5- Revise the plans to include the owner's consent signature on the Site Plan. **Open Item – signatures not included on plans provided to my office.**
- #39g- Note all parking restrictions and show Fire Lanes on the plans.

Item Addressed.

C. Miscellaneous

1. The Project Engineer is proposing the use of Detectable Warning Surfaces at the base of all HC ramps. These need to be removed since they are only permitted on ADA ramps for crosswalks of Public Streets.

Item addressed.

2. More specific existing/proposed dimensions & elevations shall be provided for all ADA ramps. In addition, additional grade information must also be provided to document ADA compliance with the walking surface between the ADA ramps (ref: B-1a-iv & B-1b-iv) and the entrance doors.

Item addressed.

3. The proposed ADA ramp for the lower entrance (ref: B1-b iv) shall move further to the west so that it lines up with cross-hatched opening between the HC spaces on the opposite side of drive aisle. The detail for the ramp shall specifically note that it is being constructed into an existing paver sidewalk and not a concrete sidewalk as currently depicted. Appropriate details for the transition shall be part of the design.

Item addressed – ADA ramp has been moved and sheet 6 shows ramp detail with paver sidewalk.

Additional Comment – A stripped crosswalk should be installed to line up with the new ADA ramp on both the lower and upper parking lots.

4. The existing drainage inlets on the property (15 units) do not meet the Town's current NJDEP-MS-4 Permit requirements. The existing surface grates castings need to be replaced and the Curb Piece modified to meet the restricted opening requirements.

Item addressed.

5. The existing Granite Block curb that is being removed and reset (ref: B-1a ii) must be replaced with GB curb and not Concrete curb as currently noted on the plan.

Item addressed.

6. Intentionally omitted.

7. Much of the existing pavement is showing its age with surface cracking and the parking space striping is worn and faded. Some effort shall be made as part of

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this project to address those issues. At a minimum the line striping shall be replaced and if possible the applicant should consider applying some type of surface treatment to the existing pavement if not for the entire parking lot then for at least the entrance driveway and parking aisle adjacent to building
Item Addressed.

b. Comments in the memos to the Board from Jim Kyle, PP, Board Planning Expert, dated January 3, 2021 to the plans and related documents:

Open items – require review and acceptance by Jim Kyle. Based upon the revised plans, I make the following observations:

1. *Revise the plans to show design details for the healing garden, which shall be located in the patio area. Redesign of the garden area shall include removal of certain bar areas on the periphery of the patio and the addition of plant material to be incorporated along the edges to soften the stark appearance of the walls. Further, the applicant shall incorporate tall narrow evergreens and maintain the water feature. Low plant material shall be added along its front edge to provide separation from seating areas. Incorporation of certain safety features shall also be considered. The applicant shall work with the Board planner as to the final design features of the garden area.*

Revised Plan has been provided. Jim Kyle to offer comments.

2. *The applicant shall provide design details for the indoor garden area space south of the pool.*

Revised Plan has been provided. Jim Kyle to offer comments.

3. *The site plan shall be revised to provide the required fire zones and signage as requested. The applicant shall address the other fire-safety related issues, including as to the adequacy of fire alarm system.*

Item addressed – Ref: submission item 7d.

4. *Intentionally omitted.*

5. *The area where the flush cub and required landing area for handicap accessibility is provided on the north on the side of the building and is in close proximity to stairs leading down to the healing garden area. This shall be relocated to better align with the striped areas between parking stalls. The applicant shall install some type of barrier / visual cue / identification to prevent residents or visitors with mobility issues from accidentally accessing the stairs leading down to the healing garden area.*

Revised Plan has been provided. Jim Kyle to offer comments.

6. *All site signage related to the Holiday Inn use shall be removed from the site and the building*

Applicant has agreed to this comment.

c. Comments in the memos to the Board from Jack Daniels (Fire Official) dated December 14, 2020 to the plans and related documents:

Ref: Jack Daniels has signed off on all items (ref: submission item 7d). Based upon the revised plans, I make the following observations:

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1. *The fire department connection shall be relocated in the event that other site design change cannot be made to accommodate Town Fire vehicles and apparatus to provide it with full and necessary firefighting access to the site. The applicant shall work with the Town Fire Official and Fire Chief to determine the Department needs in this regard and to determine a workable solution.*
2. *The FDC connection (presently a Siamese) needs to be the 5" Storz type fitting.*
Item addressed – note added to the plan to comply with this request.
3. *There have been past responses related to carbon monoxide issues. The carbon monoxide system and detection systems shall be updated/addressed if not already done so and notes added to the plans in this regard.*
4. *There will need to be "NO PARKING FIRE ZONE" signage installed along the access roadway as well as stripping of the curb in the areas that parking would be prohibited. Add a note to the plans or revise the plans to show location of such signage.*
Item Addressed - "NO PARKING FIRE ZONE" area signage and stripping added to the entrance driveway as well as along the front (north) and side (east) of the building.
5. *Intentionally omitted.*
6. *There is no indication where the grease storage container is to be relocated. The applicant shall look into this issue and provide a designated area for the container.*
Item addressed – note added to plans regarding relocation of grease containers.
7. *The fire alarm system is presently not capable of being expanded and has been having issues for a while now. The alarm contractor has indicated that the system is outdated and no longer manufactured and that parts for it are increasingly hard to locate. The applicant shall update the entire fire alarm system as needed and will coordinate with the Fire Official on this issue.*
8. *The existing Knox Box may need to be relocated or an additional box installed if there will be a new main entrance. The applicant shall coordinate with the Fire Official on any such issues.* **Item addressed – note added to the plans.**
9. *The existing ground level portico presently inhibits the fire apparatus from traveling around the building. The applicant shall revise the design of the circular driveway area surrounding the portico entrance to provide sufficient circulation and firefighting access for Town Fire vehicles, based on Town fire vehicle templates. These modifications will also require relocation of certain parking spaces, site regrading and modifications to other elements of the existing site improvements, all of which shall be shown on the revised plans. The applicant shall work with the Town Fire Official and Fire Chief in determining the adequacy of these revised design features and detail same on the revised plans. The applicant shall also review these site modifications with the Board Engineer and obtain approval from the Board Engineer of the design changes prior to submission for final site plan approval. (As noted above, if this redesign does not provide sufficient access, the applicant shall relocate the FDC or provide some other design modification that provides sufficient access and firefighting means for the Town vehicles).*

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Item Addressed. The driveway modifications have been incorporated into the revised plan and a copy of the truck turning plan (ref: submission item #4) shows Fire Truck turning template.

d. Comments Emanating from Comments of Board Members During the Hearing on the Application:

1. *Remove the angled parking spaces across from the existing ADA ramp. These spaces shall be replaced with parallel parking spaces for the ADA spaces. The two-way traffic circulation shall be maintained in this area of the parking lot.*

Item addressed.

2. *Design, Construction and Location of Improvements – Ongoing obligation.*
3. *Signage Compliance. Ongoing obligation.*
4. *Provision of Will Serve Letters.*

Open item – the applicant states that the “will serve” letters were submitted however, response from providers remain a condition of the Board’s approval.

5. *Payment of outstanding fees to the Town Water and Sewer Department.*

Open item – response letter from the Water Department states that there a still some open balances.

6. *Subject to Final Site Plan Review and Approval / Preconstruction Meeting Prior to Any Construction – Pending Application Before the Board.*

7. *Easements, Dedications and Conveyances – Ongoing obligation- currently there have been no request for dedications of any Easements or Conveyances.*

8. *Escrow Fees – Ongoing obligation.*

9. *Outside Agency Approvals and Permits – Ongoing obligation –*

- *HC Planning Board- Addressed (ref: submission item 7a)*
- *HC-SCD- a SESC application will need to be filed*

10. *Subject to Other Laws and Approvals – Ongoing obligation.*

Please feel free to call me if there are any questions.

Very truly yours,



Robert J. Clerico, P.E.

Board Engineer:

RJC/CC

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cc: Board Attorney -Kathryn Razin Esq (via email - krazin@sksdllaw.com)

Board Planner - Jim Kyle (via email- jkyle@kyleplanning.com)

Gulshan Chhabra – Applicant (via email – chhabrag@hisclinton.com)

Michael Selvaggi, Esq. -App. Attorney (via email –mselvaggi@lsaclaw.com)

C Richard Roseberry, PE - App. Engineer (via email –rrosberry@maserconsulting.com)