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DEPARTMENT OF TRANSPORTATION
Office of Planning

April 16, 2021

Mr. Scott Kunz
Senior Engineering Project Manager
North Brunswick Township Planning Board
710 Hermann Road
North Brunswick, NJ 08902

RE: Livingston Warehouse
Planning Board File # NO-SP-116

Dear Mr. Kunz:

On April 13, 2021, the Development Review Committee of the Middlesex County Planning Board reviewed and required conditions for the site plan application entitled, "Preliminary/Final Site Plan for Livingston Warehouse Township of North Brunswick Middlesex County, New Jersey Block 140.01, Lots 5.02 & 7.01" dated February 12, 2021 and revised March 2, 2021.

This Site Plan is subject to compliance by the Applicant with the procedures and requirements of the Middlesex County Site Plan Review Resolution and the following:

1. Section 11-7 Design Standards

.11 Drainage

The Middlesex County Mosquito Extermination Commission is concerned with the proposed stormwater management facility:

The Landscape Plan (pg. 7) indicates only one inlet ending at a proposed scour hole on the basin floor, and is inconsistent with The Grading and Utility Plan (pg.5), which indicates the proposed detention basin having three concrete low flow channels and no internal scour holes. The Commission requires the stormwater management facility be constructed as indicated on the Grading and Utility Plan.



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The Landscape Plan indicates trees are proposed to be planted on the basin floor. No trees should be planted on the basin floor. Leaves and fallen branches tend to block the outlet structure, causing standing water on the basin floor.

2. A Stormwater Maintenance Agreement shall be submitted, which will be filed at the Middlesex County Clerk's Office by this office, requiring the lot owners and/or lessee occupants to maintain any drainage system and any and all stormwater (drainage swales/detention/retention/recharge facilities) on the property. These agreements are to be prepared by the Applicant's attorney and are subject to review and approval by appropriate Counsel for Middlesex County. Enclosed in the Applicant's attorney's copy of this letter is language to be included in the Stormwater Maintenance Agreement. The Stormwater Maintenance Agreement, after receiving the Middlesex County Planning Board approval, will be filed at the Middlesex County Clerk's Office.

The following clause must also be placed on all revised site plans and/or final subdivision plats stating that a restriction has been filed, concerning the detention facility in favor of Middlesex County:

"A Stormwater Maintenance Agreement will be filed which sets forth documentation that any proposed drainage system and any and all stormwater (drainage swales/detention/retention/recharge facilities) will be adequately maintained in accordance with the standards of Middlesex County. Refer to the paragraph in the Stormwater Maintenance Agreement entitled 'Right of County of Middlesex to Maintain Drainage Basins'. Conditions that affect non-County facilities should be reviewed and approved by the appropriate jurisdictional agency."

3. Due to the presence of wetlands on the property, the applicant must provide proof of submission of this application to the New Jersey Department of Environmental Protection.

We respectfully request that the issuance of a Building Permit be withheld until written notification has been received from this office acknowledging the fulfillment of the above conditions.

In addition, the Committee notes the following:

1. The above approval does not in any way relieve the Applicant from constructing all improvements in accordance with all Federal, State and Local Government regulations and design specifications.

2. That pursuant to N.J.S.A. 40:27-1 et seq. (40:27-6.2 and 40:27-6.6), the Middlesex County Planning Board does not have the right to review and approve drainage that affects a non-County road or a drainageway, structure, pipe, culvert or facility for which the County is not responsible. Any responsibility for



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inadequate drainage conditions that affect non-County facilities should be reviewed and approved by the appropriate jurisdictional agency.

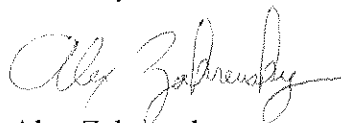
3. The Committee reserves the right, in the event of any future applications affecting all or any part of this site, to amend or to require additional amended or modified requirements or improvements or dedications, or to require new or amend any performance guarantees based on conditions at the time of said application or as a result of changed circumstances relevant at that time and to the then applicable County Resolutions.

4. That prior to any and all additional work being done within the County Right-of-Way and/or any specific area under the Middlesex County's jurisdiction other than that which has been approved, the Middlesex County Office of Public Works shall be contacted.

5. It has been determined that this application contributes material drainage to a downstream County Drainage Facility (Cozzens Lane (#4B003)). However, this facility is considered to be satisfactory, and does not require a contribution at this time. In addition, please note that the Committee reserves the right to require contributions from future subdivision and site plan applications within this drainage area.

It is requested that if the municipality requires any additional revised plans other than those which are approved above, then they shall be submitted to the County for reconsideration by this Board accompanied by a new application form, and fee following our formal submission process.

Sincerely,



Alex Zakrewsky
Principal Planner

A: nosp116.04z

cc: Douglas J. Greenfeld, AICP, PP, Planning Director, Office of Planning
Vijayant Rajvanshi, AICP, Deputy Director of Planning
Linda Weber, AICP, PP, Supervising Planner
Mrunali Shah, Assistant Engineer, County Office of Engineering
1460 Livingston Avenue, LLC, Applicant & Owner
Peter Lanfrit, Applicant's Attorney
Menlo Engineering, c/o Gregory S. Oman, P.E., Applicant's Engineer
File

