



**Roberts**  
ENGINEERING GROUP LLC  
*Women Business Enterprise Certified*

1670 Whitehorse-Hamilton Square Rd.  
Hamilton, New Jersey 08690  
609-586-1141 fax 609-586-1143  
www.RobertsEngineeringGroup.com

May 16, 2022

Jane Davis  
Planning Board Secretary  
Borough of Hightstown  
156 Bank Street  
Hightstown, New Jersey 8520

Re: Amended Site Plan Review No. 2  
Applicant: Americana Hospitality Group  
Development: Americana Center  
359 US Route 130 North  
Block 7, Lots 40.02 and 41  
Borough of Hightstown, Mercer County, New Jersey  
Our File No.: HPB202102

Dear Ms. Davis:

This application requests Amended Site Plan approval for Block 7, Lots 40.02 and 41. The site, known as Americana Center, is in both the Borough of Hightstown and the Township of East Windsor. The property fronts on Route 130 in East Windsor. Currently on site within the Borough on Lot 40.02 is a parking lot servicing the Americana Kitchen & Bar, formerly the Americana Diner. The Americana Kitchen & Bar itself is located on Block 57, Lot 11 in East Windsor Township.

The Applicant has previously entered into a lease agreement with the Borough to occupy a 35,650 square foot portion of Lot 41, Block 7 in Hightstown Borough. The existing ten-year lease per Council Resolution 2014-108 and was set to expire on February 5, 2022.

The applicant was previously approved per Planning Board Resolution 2011-16 to construct a parking lot and driveways on the leased land and connect to an existing parking area located on the adjoining Lot 40.02, Block 7, which is owned by the Applicant.

A parking lot with driveways and associated improvements were recently constructed on the leased lot and Lot 40.02 with modifications to the approved plans of Planning Board Resolution 2011-16. The applicant is seeking approval for the modified version of the approved plans.

Health and safety issues had been found within the new parking lot and were needed to be corrected immediately for the public welfare and to satisfy the lease agreement and renewal with the Borough of Hightstown. The construction official was addressing the safety issues.

We have reviewed the following documents submitted in support of the above referenced application:

1. Borough of Hightstown Planning Board Application dated April 8, 2022, as Application #2021.02 Resubmission.
2. Copy of a plan set entitled, "Americana Center Americana Dinner, Parking Lot Improvements, Block 57, Lots 9, 10 & 11 - Township of East Windsor; Block 7, Lots 40.02 & 41 - Borough of Hightstown", 10 Sheets, prepared by Menlo Engineering Associates, Inc, signed and sealed by Gregory S. Oman, PE, dated of issue February 11, 2022, no revision date.

Two (2) plans in the set are entitled "Previously Approved Overall Site Plan" and "Previously Approved Grading and Drainage Plan" with a last revision date of April 29, 2019. Apparently, these two (2) plans represent what East Windsor Planning Board approved in 2019.

We offer the following comments and recommendations for the Planning Board's consideration:

**I. ZONING**

1. Block 7, Lots 40.02 and 41 are located in the R-3 Residential Zone.
2. In accordance with Ordinance Section 28-3-7(a), a Use Variance is required for Lot 41, (the Lease Area) as parking is not a permitted use in the R-3 District.
3. Planning Board Resolution 2011-16 granted parking in Lot 40.02 of the R-3 Residential Zone. We defer to the Board Planner for additional comments related to a Use Variance.

**II. CHECKLIST ITEMS**

A Checklist for Site Plans was not provided with the application. Checklist items have been listed for review and requests.

**Item No. 7** – List of waivers requested.

*It is requested that the Applicant provide a list of waivers.*

**Item No. 8** – List of all variances requested from the Planning Board by Section of Ordinance.

*It is requested that the Applicant provide a list of variances.*

**Item No. 12** – A submitted boundary and topographic survey must be signed and sealed by a New Jersey Licensed Land Surveyor in accordance with N.J.A.C. 13:40-5.

A signed and sealed boundary and topographic survey must be submitted.

**Item No. 16A** –The outside dimensions of existing and/or proposed principal building(s) and all accessory structures.

*Item incomplete.*

*No objection to approving this waiver.*

**Item No. 18** –Significant existing physical features including streams, water courses, rock outcrops, swampy soil, etc.

*Item incomplete.*

*No objection to approving this waiver.*

**Items No. 19** - All driveways, streets, buildings, and lot lines within two hundred (200) feet of site.

*The Applicant must provide all required items within 200 (200) feet.*

**Items No. 21** - All existing and proposed utility lines within and adjacent to the subject property and full explanation of source of water supply and means of sewage disposal.

*Item incomplete.*

*No objection to approving this waiver.*

**Items No. 24-25** -Related to profiles and cross sections for roadways.

*Item incomplete.*

*No objection to approving this waiver.*

**Items No. 27-29** – Drainage plans and Stormwater Management Submission.

*The Applicant must submit an updated Drainage Plan and Stormwater Management Report.*

**Items No. 30-31**– Location, dimensions, and details of all signs & construction details.

*The plans must provide locations and details for handicapped parking signs and stop signs.*

**Items No. 32-** A landscaping plan

*The Landscaping Plan has not been provided however we defer to the Borough Planner for determination of completeness.*

### **III. DESIGN WAIVERS**

A design waiver was granted in 2011 from Subsection 28-10-11F which requires parking spaces to be 9 feet by 20 feet. The proposed parking spaces were approved to be 10 feet by 18 feet. The plans appear to have varying parking space widths. The Applicant is asked to provide additional information.

A design waiver may be required for different parking space widths and lengths.

### **IV. COMPLETENESS**

The applicant must provide a signed and sealed boundary survey as well as drainage calculations and stormwater report as well as all other Incomplete items noted above.

Additionally, we have recently been informed and observed that the Applicant intends to construct a concrete pad and install two large compactors within the area of several existing parking spaces located in the rear parking area of Lot 40.02. The compactors will be serviced every three weeks. In order to install the compactors, parking spaces will be reduced for the facility.

The compactors will be located along the rear property line of the residential lots situated on Oak Lane and may adversely affect these lots.

The applicant must provide revised plans of the parking area to address the proposed concrete pad, introduction of two compactors, reduction of parking spaces and the impact to the residential lots.

I recommend this application be deemed Incomplete.

**V. GENERAL COMMENTS**

**BACKGROUND**

1. In May 2011, Americana Diner expressed their desire to enter into a long-term lease agreement. To review the request, the Borough asked that an application for preliminary and final site plan be submitted to the Planning Board for the proposed improvements in the lease area as a portion of Lot 41, Block 7.
2. The applicant was approved per Planning Board Resolution 2011-16 to construct a parking lot and driveways on the leased land and connect them to an existing parking area located on the adjoining Lot 40.02, Block 7, which is owned by the Applicant.
3. On March 5, 2012, a ten (10) year lease agreement was entered into between the Katsifis Family, LLC, and the Borough in accordance with Council Resolution No. 2012-60, commencing on February 6, 2012, and ending on February 5, 2022, for a portion of Lot 41, Block 7.
4. In accordance with Council Resolution 2014-108, which was adopted on May 5, 2014, the lease agreement between the Borough of Hightstown and Katsifis Family, LLC was amended to allow the tenant the right to exercise a renewal option of the lease agreement for two (2) additional terms of ten (10) years each for a portion of Lot 41, Block 7.
5. The newly constructed parking area and site improvements are similar to changes presented in 2019. On December 9, 2019, the applicant presented a revised layout to the approved plans to the Planning Board. The December 2019 plan set was entitled, "Americana Center Amended Preliminary and Final Site Plan, Township of East Windsor and Borough of Hightstown, Mercer County, New Jersey," consisting of 18 sheets, prepared by Menlo Engineering Associates, Inc., issued October 9, 2017, as revised through April 25, 2019. The application was tabled and never approved.
6. On September 19, 2021, health and safety issues were found by Mr. Chin, Borough Construction Official, within the new parking lot. The Applicant was requested to immediately correct the issues for the public welfare and to satisfy the lease agreement and lease renewal with the Borough of Hightstown. The status of these issues is deferred to Mr. Chin.
7. On November 5, 2021, the Planning Board received an application for a Revised-Amended Site Plan with several documents and plans. The application package included the following plans:
  - a. Copy of a plan entitled "As built for Americana Center for Block 57 Portion of Lot 9.01, Township of East Windsor, Mercer County, New Jersey", 1 sheet, prepared by Control Layouts, Inc., signed and sealed by Gregg A. Gaffney, PLS, dated October 12, 2021.
  - b. Copy of a plan entitled, "Americana Center Overall Plan, Block 57, Lots 9, 10 & 11 – East Windsor; Block 7, Lots 40.02 & 41 – Hightstown", Sheet #4, prepared by Menlo Engineering Associates, Inc, signed and sealed by Julius T. Szalay, PE and LS, dated November 24, 2010, and last revised March 23, 2012.

## **VI. PARKING AND DRIVEWAY COMMENTS**

1. The site was previously approved for a two-way entrance and exit onto Route 130 near the leased area. The submitted plans indicate a one-way driveway out and no entrance on Route 130. This entrance/exit change impacted the layout of parking spaces and aisles, and the location of the handicap parking spaces. The applicant is to provide a detailed explanation of the driveway change and the subsequent parking layout changes.
2. Parking spaces in the leased area were approved to be 10 feet by 18 feet per the approved 2011 plans.  
  
Parking spaces of 9 feet by 18 feet are provided in the leased area. A design waiver is required for these spaces.
3. The 2011 Plan indicates six (6) handicapped parking spaces in East Windsor at the rear of the building and no handicap parking spaces in the leased area. The 2022 plan submitted indicates four (4) handicap spaces and a ramp in the leased area. Please explain this change.
4. Provide handicapped parking signs and details. These are not shown on the as built drawing.
5. Painted stop bars are shown on the plans. The as built plans do not indicate stop signs. Please provide proper signage and details.
6. Provide the current impervious coverage and confirm it remains less than the 2011 approved 76.4% maximum impervious coverage for which a variance was granted.
7. A concrete pad with a dumpster/bins/compactor were found during a site visit by Mr. George Chin. The as-built plan does not indicate any location for dumpsters/bins/compactors. Please provide the location of the units. This change would appear to require Site Plan approval as this area is part of the main parking lot, is located within the Borough and was part of the original approval for this site.

As discussed in Section IV. Completeness, modifications to the rear parking area of Lot 40.02 have decreased the number of parking spaces. Please provide an explanation.

## **VII. GRADING AND STORMWATER MANAGEMENT COMMENTS**

The stormwater system shown on the as built drawings appears to be different from what was approved for the 2011 plans. This seems to be as a result of the parking space and aisle modification subsequent to the Route 130 driveway change. The Applicant is to provide testimony and an explanation of the differences.

The submitted Plans propose modifications to the existing stormwater management system. Several pipes are proposed to be abandoned and inlets converted to manholes. New pipes and inlets are also proposed for the site. This does not appear to be as built information but rather a proposal to provide appropriate stormwater management for the revised parking space and aisle layout.

1. Proposed inlets, placed in landscaped islands, and new pipes are to convey stormwater to an existing 24" RCP and then offsite to an existing 12" CIP.

Provide information regarding the ability of the proposed island inlets to convey stormwater bypassed by the converted inlets.

Provide information that the existing offsite 12" CIP can sufficiently convey flow from the existing 24" RCP.

2. Stormwater is proposed to be directed to an inlet located at a curb cut area adjacent to a handicapped space and access. Please provide information that the inlet can sufficiently manage the flow without ponding at the handicapped space and access.
3. Provide an updated stormwater management report.
4. Confirm that proposed grading and elevations of structures are appropriate for positive drainage.

#### **VIII. APPROVALS**

Approval of this application will be conditioned upon the Applicant obtaining or providing approved documents for the following:

1. Mercer County Soil Conservation District
2. Mercer County Planning Board
3. Borough of Hightstown Fire Department
4. Borough of Hightstown Construction Official

#### **IX. FEES**

<u>DESCRIPTION</u>	<u>APPLICATION FEES</u>	<u>ESCROW FEES</u>
Preliminary Site Plan	\$750.00	\$3,565.00
Final Site Plan	\$500.00	\$1,782.50
<b>Total:</b>	<b>\$2,000.00</b>	<b>\$5,347.50</b>

We will continue our review based upon submission of revised plans.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Carmela Roberts, P.E., C.M.E.  
Borough Engineer

cc: Scott Miccio, Associate, Parker McCay, Planning Board Attorney  
Brian Slauch, PP, AICP, Clark, Caton, Hintz, Planning Board Planner  
George Chin, Borough Construction Official  
Mark S. Shane, Esq., Shane and White, LLC, Applicant's Attorney  
Gregory Oman, P.E., Menlo Engineering Associates, LLC, Applicant's Engineer  
Georgianna Spiers-Bachman, E.I.T., Roberts Engineering Group, LLC