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February 10, 2020

VIA E-MAIL TO mriviera@elizabethnj.org

Zoning Board of Adjustment

City of Elizabeth

50 Winfield Scott Plaza - Room 403

Elizabeth, NJ 07201

Attention: Marta Rivera

Re: Spring Street Development Corp.
Z-05-19
703 & R 703-727 Spring Street and 729-763 Meadow Street, Elizabeth, NJ
Block: 8, Lot: 1299.A, 1699.D
Our File: 03840326.000009

Dear Ms. Rivera:

As you are aware, this office represents Spring Street Development Corp. (the "Applicant") in connection with the above referenced property and pending application before the Zoning Board of Adjustment (the "Board").

Since the November 18, 2019 meeting, Applicant has taken the following actions with respect to responding to the Board Engineers' comments and feedback:

- On November 20, 2019, the Applicant conferred with the responsible parties of the ongoing environmental cleanup at the site to discuss addressing the Board engineer's comments
- On November 22, 2019, the Applicant's engineer drafted and circulated an alternate plan for the site
- On or about November 26, 2019, the Applicant vetted proposals to conduct additional survey and Jet Vac work
- On or about December 4, 2019, following the Thanksgiving holiday, the Applicant executed proposals for additional survey and Jet Vac work

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- The surveyor and Jet Vac contractor were on site on December 6, 2019
- A draft survey was circulated on December 12, 2019 and comments were offered by the Applicant's professionals requiring additional survey data
- On December 19, 2019, the Jet Vac contractor provided a revised proposal for additional work that was required
- On December 26, 2019, an updated survey was circulated and additional comments were offered by the Applicant's professionals requiring (even more) additional survey data
- On December 30, 2019, the surveyor returned to the site
- On January 2, 2020, a completed survey was circulated while additional Jet Vac work was performed at the site
- On January 7, 2020, the Applicant, the party responsible for the cleanup, and the Applicant's professionals discussed the need for additional survey and stormwater information
- On January 10, 2020, the Jet Vac contractor provided another proposal for additional work
- On January 14, 2020, our request for access to an offsite portion of the stormwater system to perform additional survey work, or, in the alternative, to obtain a high resolution survey from the owner of such property, was denied
- On January 16, 2020, after obtaining additional information from the Jet Vac contractor, it was determined that further investigation would be required
- On January 20, 2020, additional Jet Vac work was performed
- On January 22, 2020, a revised survey was circulated
- On January 23, 2020, it was determined that the survey still had "remaining gaps"
- On January 28, 2020, an updated survey and updated information on the stormwater system was circulated
- On January 30, 2020, it was determined that, based on these results, the stormwater calculations would need to be re-run and that additional stormwater storage capacity may be required

As demonstrated above, the Applicant and its consultants and contractors have worked expeditiously through the holidays and into the New Year to obtain the information necessary to address the Board Engineers' comments including obtaining survey data and information regarding the existing stormwater system. The stormwater system subject to the investigation extends beyond the

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boundaries of the Applicant's property and onto neighboring sites that the Applicant could not access, requiring additional work, which resulted in delays.

The Applicant is requesting that the Board carry the application, which was previously scheduled to be continued at the February 13, 2010 Board meeting, to the **March 12, 2020** Board meeting without further notice to the public and consents to an equivalent extension of the Board's statutory time period to act on the matter if such request is granted. The Applicant further respectfully requests an additional meeting with the Board's professionals to discuss addressing the comments previously provided in light of additional information obtained by the Applicant.

Please be advised that the Applicant has completed a draft of a revised site plan, which we will be sending separately to the Board Engineers. The Applicant has requested a meeting with the Board engineers as soon as possible to review the draft revised site plan as soon as possible to obtain direction on (1) design determination that will dictate stormwater calculations and (2) revisions to the drainage system plans necessitated by such direction. We expect that, following a timely meeting with the Board engineers, the Applicant will submit a completed revised site plan to the Board for review well in advance of the March 12, 2020 meeting.

Thank you for your time and attention in this regard.

Respectfully,

Corey Klein

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Enclosures

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