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Planner Report #1

Date: August 26, 2020

To: Rockaway Borough Land Use Board

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From: Golda Speyer, AICP/PP – Borough and Board Planner

Applicant: RPM Development, LLC

**SUBJECT: (LUB #067) WEST MAIN STREET & MT PLEASANT AVE – BLOCK 73, LOT 65
 PRELIMINARY AND FINAL MAJOR SITE PLAN WITH MINOR SUBDIVISION**

The purpose of this report is to provide the Board guidance in its review of Application #067, submitted by RPM Development, LLC/74 West Main Street Urban Renewal Associates, LLC (the "Applicant"). The Applicant requests Preliminary and Final Major Site Plan and Minor Subdivision approval to construct a 64-unit senior apartment building.

I. EXISTING CONDITIONS

- A. **The Site:** The Site is currently heavily wooded with trees and consists of 7.805 acres of land. The Site has frontage on West Main Street and Mount Pleasant Avenue, with a majority of its frontage along West Main Street (over 1,100'). The existing lot is a panhandle shape, and the Morris Canal runs through the Site along the eastern portion in the panhandle. The canal is listed as a Historic District in the NJ State Register (Designated November 26, 1973 via ID 1231073). Additionally, the Site contains significant upward sloping from West Main Street, where spot elevations range from 540' to 550' and increase towards Mount Pleasant Avenue, where spot elevations range up to 650'.
- B. **Zoning:** The Site is split-zoned with three different zoning districts: General Business District (G-B); Office Business District (O-B); and Residential District (R-1). An affordable housing overlay zone applies to the whole site, which was redesignated from its Affordable Housing-6 (AHO-6) overlay to its current Affordable Housing-Senior (AHO-S) in July 2020.
- C. **Traffic + Circulation:** The Site is located on West Main Street, which is a two-way County Road (CR 513), and Mount Pleasant Avenue, which is a municipal road. West Main Street currently does not have any existing curb cuts fronting the Site. The existing single-family dwelling has access to Mount Pleasant Avenue via a gravel driveway. Located within a quarter mile of the Site is the NJ Transit bus stop serving Route 880, and approximately half a mile from the Site is access to NJ State Route 46.
- D. **Neighborhood Context:** Along West Main Street, the Site is directly across from Donatoni Park, where Foxs Brook flows into the Rockaway River. The Site is approximately a quarter

mile south from downtown Rockaway Borough. The Site is surrounded by a diverse range of land uses, including residential to the north and west; retail, office, and automotive to the south and east; and a public park across West Main Street.

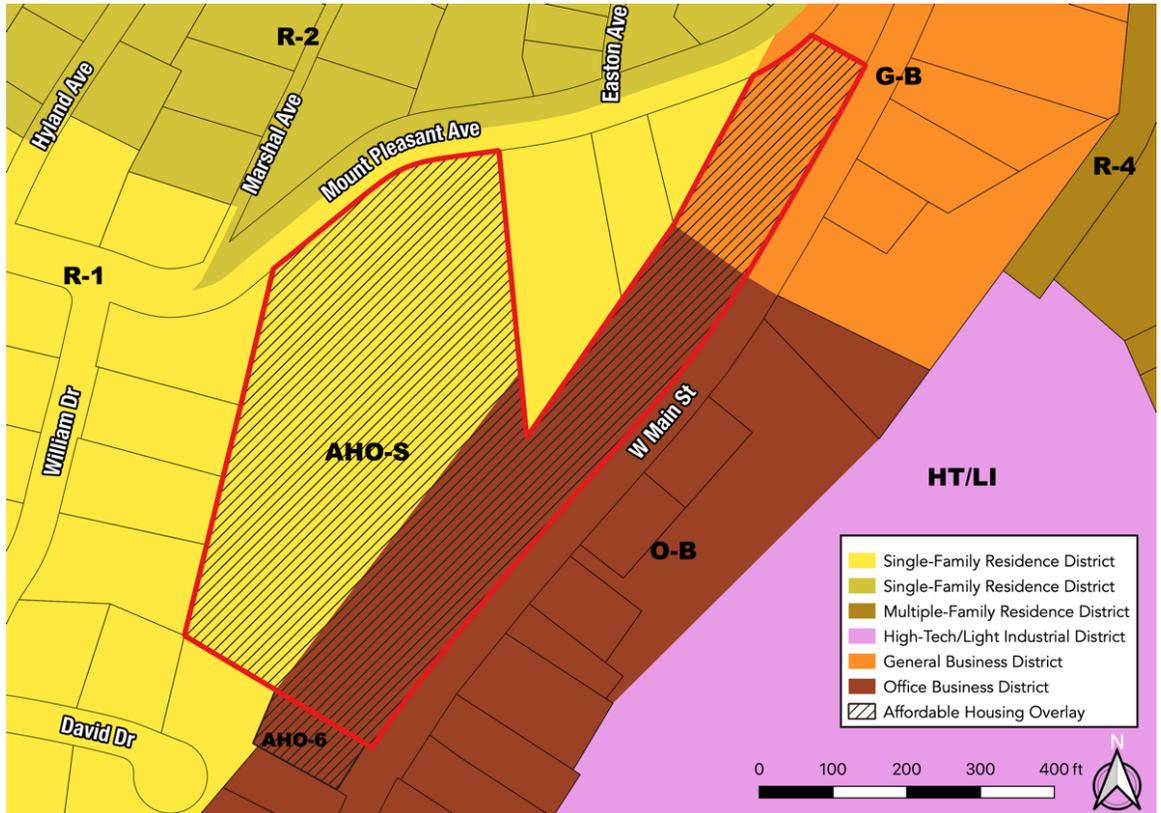
Figure 1: Site Photo (See [Appendix "A"](#) for Additional Site Photos)



Figure 2: Aerial Context Map



Figure 3: Zoning Map



II. PROPOSED PROJECT

- A. **Subdivision Proposed:** The Applicant proposes to subdivide the Site into two (2) new lots:
 1. **Proposed Lot 65.02:** Lot 65.02 will contain 0.604 acres and have frontage along Mount Pleasant Avenue. It will contain the existing single-family dwelling and its driveway access to Mount Pleasant Avenue.
 2. **Proposed Lot 65.01:** Lot 65.01 will contain 7.03 acres and have primary frontage on West Main Street, with portions fronting Mount Pleasant Avenue. It will contain a new senior apartment development described further below.

The Applicant proposes to dedicate a total of 12,341 SF along West Main Street (*within Lot 65.01*) and 1,411 SF along Mount Pleasant Avenue (*within Lots 65.01 and 65.02*) to the Borough to maintain a 33' centerline right-of-way on each street.

- B. **Site Improvements Proposed:**
 1. **Proposed Lot 65.02:** Improvements would be limited to removing a gravel driveway in the rear yard as well as a concrete pad in the front yard of the existing house. Below is a bulk table of the proposed Lot 65.02:

Table 1: Existing Single-Family Dwelling

R-1 Standard	Required	Existing	Proposed Lot 65.02
Lot Area (Min.)	-	7.805 acres	26,313 SF
Lot Area within 150 of ROW (Min.)	15,000 SF	25,503 SF	25,503 SF
Lot Width at Street (Min.)	75'	346.4	187'

R-1 Standard	Required	Existing	Proposed Lot 65.02
Lot Width at Setback Line (Min.)	100'	Not Provided	191'
Front Setback (Min.)	35'	82.9'	103'
Side Setback (Min.)	10'	97.1'	20'
Rear Setback (Min.)	50'	368.9'	52'
Impervious Coverage (Max.)	25%	4.7%	24.7%
Building Height (Max.)	35'/2.5 stories	<35'/2.5 stories	No Change

2. **Proposed Lot 65.01:** The Applicant proposes to remove a gravel and concrete driveway that is connected to the existing dwelling on Lot 65.01, as well as removal of 285 trees with diameters of 8" or greater. Along the West Main Street frontage, the Applicant proposes a 3-story, 64-unit senior apartment building that will contain the following:
- i. First Floor:
 - Thirteen 1-bedroom units
 - Five 1-bedroom with den units
 - 1,985 SF community room
 - 700 SF community office
 - 225 SF fitness room
 - Lobby with mail and packaging rooms
 - Shared amenities and utilities, including two bathrooms, a trash & utilities room, a laundry room, and two separate stairwells and elevators.
 - ii. Second Floor:
 - Fourteen 1-bedroom units
 - Nine 1-bedroom with den units
 - Shared amenities and utilities, including a laundry room, a janitor closet, a trash room with trash chute, and two separate stairwells and elevators.
 - iii. Third Floor:
 - Fourteen 1-bedroom units
 - Nine 1-bedroom with den units
 - Shared amenities and utilities, including a laundry room, a janitor closet, a trash room with trash chute, and two separate stairwells and elevators.
 - iv. Other Improvements:
 - 3,200 SF outdoor courtyard
 - 78 surface parking spaces, including 4 handicap spaces
 - Three retaining walls totaling 30' tall in rear
 - Walking path and other landscape amenities
 - A crosswalk across West Main Street to Donatoni Park

Below are bulk/design tables of the proposed Lot 65.01. Parameters listed in red indicate variance and/or design waiver relief required:

Table 2: AHO-S Senior Housing Bulk + Parking Standards

AHO-S Standards	Required	Proposed Lot 65.01
Lot Area (Min.)	7 acres	7.03 acres
Lot Width (Min.)	300'	>300'
Lot Depth (Min.)	100'	>100'
Front Setback (Min.)	50'	66.1'

AHO-S Standards	Required	Proposed Lot 65.01
Side Setback – Lot 62 (Min.)	50'	149.8'
Side Setback – Lot 59.01 (Min.)	50'	111.8'
Side Setback – Lot 66 (Min.)	50'	94.1'
Rear Setback – Lot 65.02 (Min.)	50'	151.2'
Building Coverage (Max.)	10%	7.4%
Lot Coverage (Max.)	30%	26.9%
Principal Height (Max.)	3 Stories / 37' ^(Note 1)	3 Stories / 36.98'
Lot Density (Max.)	9.5 units/acre	9.1 units/acre
Parking Spaces (Min.) ▪ (1 space per unit) + (1 space per maximum # of employees per shift) + (1 space per every 5 units for visitor parking)	78 Spaces (64 units) + (1 max. employee per shift) + (12.8 visitor parking)	78 spaces
Parking Setback (Min.)	10'	▪ >30' to Lot 59.01 ▪ Applicant Must Confirm to W Main Street ^(Note 2)
Handicapped Parking Spaces (Min.)	4 spaces	4 spaces
Loading Space (Min.)	1 space (8' x 40')	2 spaces (10' x 60')
Accessory Structure Setback (Refuse) (Min.)	10'	> 50'
Front Yard Parking (Max.)	30% of required spaces	Applicant Must Confirm
Retaining Wall Height (Max.)	6'	Three walls at 10' each (V)
Façade Transparency (Min.)	30%	▪ Front Façade: 19% (V) ▪ North & South Façade: 14% (V) ▪ Rear Façade: 18% (V)
Rooftop Equipment Area (Max.)	15%	Applicant Must Confirm
Rooftop Equipment Front/Side Building Perimeter Setback (Min.)	20'	Applicant Must Confirm
Rooftop Equipment Rear Building Perimeter Setback (Min.)	10'	Applicant Must Confirm
Rooftop Equipment Height (Max.)	10'	Applicant Must Confirm
Outdoor Amenity Shaded Seating (Min.)	50%	Applicant Must Confirm
One active outdoor recreation area	Required	Applicant Must Confirm
Lighting Footcandles (Max.)	▪ Side/rear property line: 0.5fc ▪ Front property line: 1fc ▪ Sidewalk frontage: 3fc ▪ Parking and driveway: 1fc – 3fc ▪ Residential entrance: 3fc – 5fc ▪ Building façade: 3fc	Applicant Must Confirm
Wiring	Laid underground	Applicant Must Confirm
Note 1: Height shall be measured from the average elevation of the proposed finished grade at each corner of the building next to the foundation to the mean height of a gable roof.		
Note 2: Front yard parking setback on site plan calculation is obstructed and difficult to read. Applicant must relocate number and confirm front parking setback is at least 10'.		

Table 3: Borough Land Use Design and Site Plan / Subdivision Standards

Standard	Required	Proposed
Steep Slope Disturbance (Max.)	<ul style="list-style-type: none"> ▪ 15-19.9% grade: 33.33% ▪ 20-29.9% grade: 25% ▪ >30% grade: 15% 	<ul style="list-style-type: none"> ▪ 15-19.9% grade: 62.5% (V) ▪ 20-29.9% grade: 61.7% (V) ▪ >30% grade: 47.5% (V)
Driveway Grade (Max.)	2%	5% (W)
Walkway Grade (Max.)	4%	5% (W)
Loading Location	Not Permitted in Front Yard	Front Yard (W)
Tree Replacement	200 Trees (285 Removed x 70%)	53 (W)
Variance (V) Design Waiver (W)		

III. VARIANCE DISCUSSION

A. **Variances / Design Waivers:** The Applicant will require "C" variances / design waiver from the Land Use Board:

1. Section 172-15: Retaining Walls
 - a. Permitted: 6' in height maximum from the lowest elevation of the finished grade to the top of the fence or retaining wall
 - b. Proposed: 3 walls at 10' in height each
2. Section 172-105.P.6: AHO-S Transparency
 - a. Required: Building facades shall have a minimum transparency requirement of 30%.
 - b. Proposed:
 - Front Facade: 19%
 - North & South Facade: 14%
 - Rear Facade: 18%
3. Section 170-5: Steep Slopes Disturbance
 - a. Permitted Disturbance:
 - 15-19.9% grade: 33.33%
 - 20-29.9% grade: 25%
 - >30% grade: 15%
 - b. Proposed Disturbance:
 - 15-19.9% grade: 62.5%
 - 20-29.9% grade: 61.7%
 - >30%: grade: 47.5%
4. Section 171-19: Driveway Grade
 - a. Permitted: 2% maximum
 - b. Proposed: 5%
5. Section 171-19: Walkway Grade
 - a. Permitted: 4% maximum
 - b. Proposed: 5%
 - Note: Applicant must confirm compliance with ADA requirements, as well as the N.J. Barrier Free Subcode. The Board cannot grant relief from these federal and state requirements.
6. Section 171-18: Off-Street Loading

- a. Required: A loading space shall only be permitted in a side or rear yard.
 - b. Proposed: Front yard
 - *Note: AHO-S ordinance permits "oversized parking space" of 8' x 40' for bus, shuttles, and deliveries, where underlying ordinance requires 12' x 60' loading space. Applicant proposes two (10' x 60') and complies under AHO-S.*
7. Section 170-45.c: Tree Replacement Plan
- a. Required: 200 Trees (285 Removed x 70% replacement rate)
 - b. Proposed: 53
- B. **Applicant Must Confirm:** The Applicant must confirm the following standards are met, or request "C" variance / design waiver from the Land Use Board:
- 1. Section 172-105.L: Parking Setback
 - a. Required: 10' minimum
 - b. Proposed: Applicant must confirm setback along West Main Street, which is obstructed on the site plan
 - 2. Section 172-105.N: Front Yard Parking
 - a. Required: 30% of required parking spaces
 - b. Proposed: Applicant must confirm
 - 3. Section 172-105.B.1: Rooftop Equipment Area
 - a. Permitted: 15% maximum
 - b. Proposed: Applicant must confirm area of rooftop mechanical equipment
 - 4. Section 172-105.B.2: Rooftop Equipment Front/Side Building Perimeter Setback
 - a. Required: 20' minimum
 - b. Proposed: Applicant must confirm setback of rooftop equipment from front and side perimeter
 - 5. Section 172-105.B.2: Rooftop Equipment Rear Building Perimeter Setback
 - a. Required: 10' minimum
 - b. Proposed: Applicant must confirm setback of rooftop equipment from rear perimeter
 - 6. Section 172-105.B.3: Rooftop Equipment Height
 - a. Permitted: 10' maximum
 - b. Proposed: Applicant must confirm height of rooftop equipment
 - 7. Section 172-105.R.4.a: Outdoor Amenity Shaded Seating (Min.)
 - a. Required: 50%
 - b. Proposed: Applicant must confirm percentage of outdoor seats are in shade
 - 8. Section 172-105.R.4.b: Active Recreational Use
 - a. Required: One active recreation amenity, such as exercise equipment, a swimming pool, or a bocce court.
 - b. Proposed: Applicant must confirm if outdoor active recreational amenity is proposed
 - 9. Section 172-105.V.6: Footcandle Levels
 - a. Permitted:

- Side/rear property line: 0.5fc maximum
 - Sidewalk frontage: 3fc maximum
 - Front property line: 1fc maximum
 - Parking and driveway: 1fc – 3fc
 - Residential entrance: 3fc – 5fc
 - Building façade: 3fc maximum
- b. Proposed: Applicant must confirm footcandle levels at these points
10. Section 172-105.V.1: Wiring
- a. Permitted: Laid underground
 - b. Proposed: Applicant must confirm all wires from utilities, transformers, etc. are underground
- C. **Required Proofs for "C" Variance Relief Under N.J.S.A 40:55D-70:** Testimony should be provided regarding the necessity for the requested variance, and all efforts to mitigate any potential negative impacts if the relief is granted. The Applicant must prove and the Board must find that the necessary criteria for "c(1)" and/or "c(2)" variances, identified by the Municipal Land Use Law at section 40:55D-70, have been satisfied.

For a c(1) variance, the Applicant must prove hardship under N.J.S.A. 40:55(D)-70(c)(1):

- 1) By reason of exceptional narrowness, shallowness or shape of a specific piece of property, or
- 2) By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
- 3) By reason of an extraordinary situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of 40:55D-62 et seq. would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such a property, grant, upon an application or an appeal relating to such a property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship;
- 4) AND that such relief from the zoning ordinance will not be substantially detrimental to the public good, and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

For a c(2) flexible variance, the Applicant must prove under N.J.S.A. 40:55D-70(c)(2):

- 1) That the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirement; and
- 2) That the variance can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning ordinance (negative criteria).

IV. SUBDIVISION COMMENTS

1. The Applicant should provide an overview of the proposed subdivision including subdividing lines, conveyance of land to the Borough / County right-of-way, and compliance with the Ordinance. We defer to the Board Attorney and Board Engineer on all required deed executions.

2. Per N.J.S.A 40:27-6.2 (Review and approval of all subdivisions of land; procedures; engineering and planning standards) and N.J.S.A 40:27-6.3 (Submission of subdivision application to board for review and approval; report to municipal authority), the Applicant shall provide all required permits and approvals with the Morris County Planning Board as a condition of approval.
3. Prior to construction, the Applicant must place a limit-of-disturbance fence around that area of the tract to be disturbed during construction in accordance with Section 171-13 of the Borough ordinance. Any trees to be preserved shown on approved subdivision plans shall be replaced if accidentally destroyed during construction. The location of the fence shall be reviewed and approved prior to construction and monitored during construction by the Borough Engineer, pursuant to Borough ordinance.
4. The Applicant must confirm all easements, including drainage or right-of-way easements required as part of its subdivision. We defer condition of approval to the Board Attorney and Board Engineer.

V. PLANNING COMMENTS

Except as otherwise noted, comments regarding improvements shall pertain to the proposed senior apartment building on the proposed lot. For clarity, this report is broken into the following sections:

- | | |
|-----------------------------------|---|
| A. General + Operational Comments | F. Parking, Circulation, + Loading Comments |
| B. Site Plan Comments | G. Lighting Comments |
| C. Architecture Comments | H. Signage Comments |
| D. Amenities Comments | I. Lighting Comments |
| E. Landscape + Grading Comments | J. Morris Canal Comments |

A. General + Operational Comments:

1. The Applicant should provide an overview of the proposed project, including site design, building design, and requested variances / waivers.
2. The Applicant should confirm all departments and inter-agencies coordination, including but not limited to: Borough Engineering, Borough Environmental Commission, Borough Shade Tree Commission, Borough Fire Department, JCP&L, NJDEP, and Morris County Planning and Engineer Departments.
3. We note that the Borough may require performance guarantees and/or maintenance bonds for the purpose of assuring the installation and maintenance of on-tract improvements, pursuant to N.J.S.A. 40:55D-53. Due to the extensive scope of this application, the Board should discuss this as a condition of approval.
4. As a condition of approval, the Applicant must provide deed restrictions of all affordable units at no less than 30 years in accordance with N.J.A.C 5:93.
5. The Applicant shall testify of what special services, assisted living services, and any other services that are proposed to be provided on-site, and nature of such services.

6. The Applicant shall provide testimony to clarify whether a caretaker unit will be provided on-site and, if so, which unit will serve as such.
7. The Applicant must confirm the anticipated number of employees, and the maximum number of employees on-site during a normal shift.
8. The Applicant shall provide testimony regarding logistics and how waste management will occur. We note the architect floor plans show no access from the first-floor trash room to the Trash & Utilities room that has outside access (see "Architect Comments" of this report for further clarification).
9. The Applicant shall discuss the logistics and hours of operation of the interior amenity rooms, such as the community room, office space, fitness room, etc.
10. The Applicant must testify and confirm all required construction easements to the project as off-site improvements to West Main Street are proposed. We note that the Land Use Board does not have jurisdiction to approve improvements within the right-of-way, and we defer to the Borough Council and Borough Attorney for any condition of approval.
11. The Applicant should have a pre-construction meeting with relevant Borough professionals to discuss construction sequencing of all on- and off-site improvements, prior to building permit. Efforts to mitigate off-site impacts before, during, and after the construction of improvements should be discussed during the pre-construction meeting. Sequencing should be specified for relocation of fire hydrants, utility poles, and tree removal plan.

B. Site Plan Comments

1. The Applicant's cover page states that there are no floodplains, no floodways, and no freshwater wetlands on the Site. The Applicant must testify and confirm all known environmental constraints to the Site for the Board's consideration. All items must be shown/noted on the survey/existing conditions plan.
2. The Applicant must confirm if there are any known covenants, easements, or other restrictions. All environmental features should be shown on the plan, and notes updated, as applicable. We note that the boundary and topographic survey depicts two areas with "possible deed overlap," one at 4,134 SF and the other at 2,346 SF along the panhandle of the Site. The implications of this should be discussed.
3. The Applicant shall provide all required permits pertaining to any required State permits for critical habitats / wildlife or other required environmental approval. These shall be a condition of approval.
4. The Applicant should consider including illuminated pedestrian safety measures at the proposed crosswalks inside the Site and off-site crossing West Main Street, such as flashing crosswalk signs, or a HAWK beacon crossing.
5. The Applicant shows a 10' x 18' trash enclosure to be "screened" toward the rear / side of the building. We note that the site plan construction sheets show a board-on-board fence, but it is unclear if this is the fence for the trash enclosure, which should be clarified.

The Applicant should confirm if an alternative location is feasible for the refuse since it may be visible from public right-of-way, although the proposed retaining walls may impact this. If alternative location is not feasible, we recommend a masonry structure around the refuse, or, if the fence is proposed, the Applicant should include additional landscaping around its perimeter for visual screening.

6. There are three "concrete blocks" on the site plan, near the proposed ingress to Lot 65.01. The Applicant should confirm whether these blocks are proposed, what they are for, or remove them from the plans accordingly.
7. The Applicant should confirm dimensions of the proposed walking path on the plans. We recommend at least 6' wide for easier passing.
8. The Applicant should provide testimony to relocation of all fire hydrants, which must be provided in adequate numbers and at locations recommended by the Borough Engineer and/or Borough Fire Marshall.
9. Plans should be expanded to provide trash receptacles, particularly in the front of the building and courtyard.
10. The bulk chart on cover page should be revised to reflect all additional variance / design waivers identified, and if granted by the Board, as identified in Section III of this report.
11. We defer to Board Engineer on Applicant's Treatment Works Approval (TWA).

C. Architectural Comments:

Below is a chart depicting required architectural standards for the proposed senior apartment, in addition to those in Section II of the report:

Table 4: AHO-S Architectural Standards

Standard	Required	Proposed
Roof Pitch (Min.)	5:12 and gable or sloped	8:12 gable
Floor-to-Floor Height (Min.)	9'	9'
Unit Size (Min.)	One-BR (700 SF); One-BR with den (775 SF)	One-BR: 700 SF One-BR with den: 785 SF
Den Unit Requirements (Min.)	20%	35%

1. The Applicant shall provide testimony regarding all proposed exterior. The Applicant shall revise the architectural plans to specify the colors of the asphalt shingles, stucco, brick veneer, fiber cement siding, cast stone sill, decorative bracket, and window trim. Due to potential virtual hearings, in lieu of sample materials, we strongly encourage colored renderings be presented to the Board.
2. The elevation plans do not conform to the required façade 30% transparency levels per Section 172-105.P.6. We recommend that the Applicant make revisions to comply with this requirement. While we believe this will improve the aesthetics of the large building, we are cognizant of the benefits of ample light and air, especially for senior residents. The Applicant should discuss any opportunity to bring transparency levels into conformance, including expanding windows and doors.
3. We recommend a stronger more durable window material than the proposed vinyl,

such as fiberglass. The Board should also discuss if an alternative material to stucco is preferred.

4. The rear elevation shows a single panel door from the community room accessing the outside courtyard. To better comply with the required transparency levels and to increase exposure to light and air, this area should be improved to include much larger/wider windows and multiple transparent doors.
5. Similarly, to above, we recommend much larger/wider and multiple panel transparent doors at the entrance of the building than the proposed two-panel door.
6. There is no interior access shown from the first-floor trash room into the larger Trash & Utilities room. This should be revised on the plans.
7. The architectural plans appear to comply with the front building façade elements, particularly ordinance requirements related to façade articulation (i.e. massing step backs). However, we recommend greater attention be given on the ground floor of the front façade facing left, particularly where the brick veneer expands approximately half of the building without relief.
8. We recommend any new plans contain a matrix table per floor to show unit type breakdown.
9. The Applicant proposes communal laundry rooms on each level. We recommend that each unit has its own washer and dryer.
10. Testimony should be provided regarding compliance with AHO-S sustainable building requirements. We note that the Applicant must incorporate at least one of the following, and are encouraged to incorporate more:
 - a. Electric vehicle charging stations or electric conduits to facilitate future electric vehicle charging stations.
 - b. Energy efficient windows and appliances.
 - c. Rainwater harvesting such as rain gardens and bioswales.
 - d. Green walls or green roofs.
 - e. Solar panels on building roof.
 - f. Efficient LED lighting.

D. Amenities

Below is a chart depicting required amenities for the proposed senior apartment, in addition to those in Section II of the report:

Table 6: AHO-S Amenity Standards

Standard	Required	Proposed
Total Amenity Area (Min.) 150 SF/bedroom	9,600 SF (64 bedrooms x 150 SF)	9,710 SF
Indoor Amenity Area (Min.)	2,880 SF (30% of amenity space)	2,910 SF
Indoor Amenity Rooms (Min.)	<ul style="list-style-type: none"> ▪ One "Flex Community Room" with communal kitchen appliances / seating 	<ul style="list-style-type: none"> ▪ Community Room ▪ Fitness Center

Standard	Required	Proposed
	<ul style="list-style-type: none"> One fitness center/gym, business center, or dedicated health room 	
Outdoor Amenity Area Seating <ul style="list-style-type: none"> 0.25 seats/bedroom or 0.5 LF of bench/bedroom (Min.) 	32 LF (64 bedrooms x 0.5 LF/bedroom)	36 LF of benches
Passive Recreation Area	Required	Provided (Walkway)
Outdoor Amenity Area (Min.) 30% of amenity space	2,880 SF	6,800 SF
Outdoor Amenity Setback (Min.) Excluding walkways	30'	>30'

1. The Applicant should provide an overview of the proposed amenities. The intent of this ordinance, which was specifically designed for senior apartments, emphasizes both indoor and outdoor spaces for both communal and individual enjoyment.
 - a. In addition to outdoor seating, the Applicant must provide at least one active recreation area which may include outdoor exercise equipment, swimming pool, and/or bocce court. None have been shown on the plans.
 - b. The Applicant must also provide one passive recreation area, which may include walking path, gardening areas, chess/checker tables, gazebos, library, butterfly garden, and/or outdoor living rooms/firepits.
 A courtyard is shown, but only contains seating.
 A walking path is shown, but it's a dead-end with no designation, lighting, or landscape features.
 The Applicant should improve these areas to be more consistent with the intent of the Ordinance and to enhance quality of life of the residents.
2. The proposed courtyard has several chairs, tables, and landscaping. Applicant should provide some tables that are designed to include wheelchairs. Details should be provided for all fixtures, as well as the patio treatment. The Applicant should quantify compliance with number of seats/benches and seat shading.
3. The Applicant should provide testimony of the use of the proposed community room, and if required seating and communal kitchen appliances will be provided as required in the AHO-S ordinance. Plans should be labeled accordingly.

E. Landscape and Grading Comments

1. The Applicant shall provide testimony regarding the existing and proposed grading, how drainage will be addressed, and all stormwater management measures.
2. The Applicant will require relief from Borough ordinance for disturbance to steep slopes. The Applicant must confirm the extent of disturbance to all steep slopes and how these slopes will be stabilized appropriately during construction and restored to avoid future erosion/degradation of the soil.

3. The Applicant requires significant variance relief to construct three tiers of retaining walls, each 10' tall, where a maximum of 6' tall is permitted by Section 172-15. This wall will be as tall as the 3-story building. Every effort should be made to reduce the visual impact of this wall, which will appear as one solid 30' tall wall for approximately 400' linear feet along the rear of site.
 - a. Additional tiers could be provided in some areas to reduce height of walls. 4 tiers of 6' tall walls would be compliant, where 3 tiers of 10' tall walls are not.
 - b. The Applicant should confirm that the finish will match the building exterior, or that colors of the wall will be earth tone. Construction details should be revised accordingly. Since the wall will be as approximately as tall and wide as the building, massing and articulation should be discussed. We recommend a rendering be provided to show the building with the wall for scale and complementary design.
 - c. The Applicant must confirm height, colors and materials of safety fencing at top of wall. Chain link is not acceptable, as this area will be eye-level with the third-floor bedrooms.
 - d. Detail/section should be provided to show relationship of fence, wall, and landscaping.
 - e. We defer to the Board Engineer on all other comments pertaining to the footings, geogrid fabric, drainage, and structural loads of the retaining walls.
4. According to 4:24-41.7 of the Soil Erosion and Sediment Control Act, the proposal meets the criteria of a "project" (i.e. exceeds 5,000 SF surface area disturbance). As such, the Applicant shall provide approved permit from the Morris County Soil Conservation District, once received as a condition of approval.
5. We defer to the Board Engineer on all other comments regarding grading, soil erosion, steep slopes and drainage.
6. The Applicant shall provide testimony on the maintenance and operations plan for proposed landscaping and site amenities.
7. The Applicant proposes to remove 285 of the existing 548 trees, and would be required to replace 70% of trees (200 trees) under Section 170-45 of the Ordinance. The Applicant proposes to replace 53 trees, which requires substantial relief. We note the following:
 - i. The Applicant shall provide testimony if replacement trees will be consistent with the species removed from the Site;
 - ii. The Applicant must confirm and revise plan notes in accordance with the tree replacement plan ordinance that all replacement trees shall be of nursery-grade quality, balled and burlapped, and not less than 2 1/2 inches to 3 inches DPM;
 - iii. The Applicant must confirm the number of Douglas Fir trees to be included as site drawings indicate the presence of nine (9) whereas the planting schedule cites eight (8).

- iv. The Board and Applicant must discuss all required performance bonds and tree replacement requirements in connection with the subdivision and site plan. Per Section 170-45, the Applicant shall:
 - a. *Be required to post a cash bond or letter of credit in a form approved by the Borough Attorney and in an amount which shall be 120% of the replacement cost of the trees (including installation), as determined by the Borough Engineer. The bond shall require the tree replacement to be accomplished within a fixed period of time established by the Borough Engineer and authorize the Borough to take any of the money and make the replacement should the applicant fail to make the replacement within the time specified. The bond shall continue in effect for at least two years after the replacement to assure that the replacement tree(s) shall survive the initial growing season; and*
 - b. *If, in the opinion of the Borough Engineer, sufficient space is not available on the subject property, the Applicant, under the direction of the Borough Engineer, shall be required to plant replacement trees on other lands owned by the applicant within the Borough, on Borough park lands, within public street rights-of-way, or any combination thereof. If said locations cannot be identified, the applicant shall make a cash contribution to the Borough for the purpose of planting or other beautification projects on public property within the Borough at such locations as the Borough Engineer or the Mayor and Council deems appropriate. Such cash contribution shall be based upon a replacement cost (including all installation-related costs) estimate prepared by the Borough Engineer but shall in no event be less than \$200 per tree to be planted.*
8. The Applicant shall provide testimony on the materials to be used for the proposed walking path. Accommodations should be made to provide a reliably smooth and stable surface for seniors residing within the proposed apartment building.
9. Landscaping plans should be revised to include existing trees to allow for a proper assessment of how much shade will be provided on site, particularly along amenities such as the proposed walking path. The Applicant is required to provided 50% of their outdoor seating accommodation in shade per the AHO-S Ordinance. Applicant must confirm compliance.
10. The Applicant shall provide testimony to the steep grade along portions of the proposed walking path, and any proposed measures to improve accessibility for resident seniors and comply with grading and sloping requirements.
11. The Applicant depicts landscaping of at least 4' in height around the perimeter of the parking lot in the front yard. Applicant must confirm opacity level of at least 50% after 5 years of growth in compliance with the ordinance.
12. The design and materials of the proposed surface detention basins should be included on the site plans.

13. Landscaping should be added to the base of the free-standing sign at the entrance of the driveway. At minimum, this should include perennial plantings, shrubs or ornamental grasses at the narrow edges of the sign that face West Main Street and the proposed principal structure.
14. Landscape material should be used to break up the retaining wall tiers, which will appear to as a 30' tall solid block wall. At minimum, this should consist of several groupings of vegetation, including a mix of evergreen and deciduous plants and should have trees/shrubs that are as tall as the walls in the highest locations.

Particular attention should be given to the second and third tier walls, which will be eye level with the second and third stories of the building.

15. Landscape plans should show clear delineations between areas that will be mulched, grass lawns. Bedlines should be shown for all landscaped areas.

F. Parking, Circulation + Loading Comments

1. The Applicant proposes several improvements to CR 513 (West Main Street) public right-of-way, which include: two new curb cuts, ADA accessible curb ramp, concrete walk to interior site, and new crosswalk. The Applicant should discuss these off-site improvements and status of all permits pertaining to county approval, which must be a condition of approval. The Board should discuss any required performance bond.
2. The Applicant shall provide testimony to vehicle parking on the Site, and if residents, guests and employee spaces will be striped and/or assigned. Compliance with ADA and NJ Barrier Free Subcode requirements must be confirmed.
3. The amount of parking provided on the site plan implies that there will be only one employee maximum per shift. The Applicant shall provide testimony to confirm same.
4. The Board and the Applicant should discuss opportunities to improve the West Main Street frontage, which has overgrown curb edges and does not have any existing sidewalks. Creating a new sidewalk and re-edging the curbs can vastly enhance the pedestrian experience, particularly in proximately towards Borough downtown and near the Donatoni Park.
5. The Applicant must confirm if the existing guardrails on the property line along West Main Street are to be removed, replaced, or extended. We note these appear in poor condition.
6. The Applicant shall provide testimony regarding fire access to the Site to ensure that there will be sufficient operating space and access points for Fire Department personnel, vehicles, and equipment.
7. The Applicant shows two 10' x 60' loading spaces in front of the senior apartment building, which do not appear to be stripped, have curbing, or contain signage. The plans should be revised to reflect any proposed striping, an access aisle, ramp and/or sidewalk curbing, and any signage proposed.
8. The Applicant has provided a truck maneuvering plan for a 30' box truck and 36.66' fire truck. The Applicant must provide testimony to:
 - a. Logistics and frequency of truck deliveries;

- b. Emergency ambulance vehicle access to and within the Site; and
- c. If bus access is anticipated to the Site.

Plans should be expanded to depict truck access to the refuse area, to confirm feasibility and maneuverability of truck access.

9. The Applicant shall provide further details for the proposed ADA accessible crosswalk across West Main Street, including dimensions and any proposed pedestrian safety enhancements, such as signage, lighting, and traffic calming devices. ADA compliant curb cuts should be made available on both sides of the crosswalk.
10. The Applicant shall provide testimony and confirm if any parking waivers are required from RSIS, and if so, provide standards for relief for a de minimis exception under N.J.A.C. 5:21-3.1(g).
11. The Applicant should confirm if there is any proposed bicycle parking on the plans.

G. Lighting Comments

1. The Applicant should confirm lighting levels are in compliance per Section 172-105.V.6 of the AHO-S ordinance, or seek variance for lighting levels that do not comply. We recommend a matrix table is provided to the lighting plan to show FC compliance at the property line, parking and driveway area, entrances, and façade which must be:
 - a. Side/rear property line: 0.5fc maximum
 - b. Sidewalk frontage: 3fc maximum
 - c. Front property line: 1fc maximum
 - d. Parking and driveway: 1fc – 3fc
 - e. Residential entrance: 3fc – 5fc
 - f. Building façade: 3fc maximum
2. The Applicant should discuss lighting associated with the proposed project and confirm that all lights will be full-cutoff, downward facing, and will not spill into adjacent properties.
3. Lighting fixture details were provided separately on the "Gardco" plan, which show a cobra style commercial light fixture in the parking lots and near the front / courtyard of the building. We recommend more residential style light fixtures, particularly where the courtyard and building entrances are located. All lighting fixtures and details must be depicted on the lighting plans for any future submissions.
4. Lighting Type "D," which is located in the pedestrian courtyard, depicts footcandles up to 14.5fc. We recommend a lower wattage / lighting level, especially considering proximity to residential bedrooms at that mounting height.
5. The elevation and lighting plans do not appear to show any wall mounted façade lights. The Applicant must confirm if any are proposed and revised plans accordingly.
6. The Applicant should confirm if any streetlight poles and fixtures are proposed, as none appear on the lighting plan. The Board should discuss opportunity for upgrades to any streetlights where existing utility poles with outdated cobra lights are being removed.
7. The Board and the Applicant should discuss whether in-ground pathway lights or short (3' maximum) lights should be installed along the walking path, where no lights are

proposed.

8. The lighting plan must be expanded to show color temperatures on all lighting fixtures. We recommend no building façade fixtures exceed 3500°K and any potential installation of streetlights be done so at the recommendation of the Borough Engineer.
9. The Applicant should confirm compliance with the ordinance that height of all lighting fixtures is no more than 12’ in front yard, no more than 15’ in the side and rear yard, and those poles 15’ tall are not within 30’ of the building.
10. We recommend that no outdoor light fixture shall be operated by a “dusk to dawn” timer or sensor, unless it is motion sensor activated controlled to shut off after 10 minutes, in order to reduce light pollution.

H. **Signage**

Below is a chart depicting proposed signage for the proposed senior apartment:

Table 5: AHO-S Signage Standards

Standard	Requirement	Proposed
<i>Ground Sign (Max.)</i> <ul style="list-style-type: none"> ▪ 2-post-wood-freestanding, ▪ Monument style, or ▪ Post and arm 	<ul style="list-style-type: none"> ▪ 2 signs ▪ 20 SF per sign ▪ 6’ height including base 	<ul style="list-style-type: none"> ▪ 1 monument sign ▪ 15 SF ▪ 4’-4” tall including base
<i>Ground Sign Setback (Min.)</i>	<ul style="list-style-type: none"> ▪ 1’ from front property line ▪ 10’ from curb line/side/rear property lines 	<ul style="list-style-type: none"> ▪ 15’ from front property line ▪ 30’ from curb line
<i>Façade Sign (Max.)</i>	<ul style="list-style-type: none"> ▪ 1 building name sign ▪ 20 SF 	<ul style="list-style-type: none"> ▪ 1 building name sign ▪ 6.42 SF
<i>Sign Illumination</i>	External illumination or backlit channel letters only	Backlit

1. The location of the façade sign that says “West Main Street Residencies” on Sheet A-210 must be shown on the elevation plans.
2. The Signage Plan indicates all material colors are “TBD” (to be determined). Material colors must be finalized as a condition of approval.
3. The monument sign is depicted as 15’ back from the front property line, where it is allowed to come within 1’ of the front property line under the AHO-S ordinance. We defer to the Borough Engineer for any sight line issues, but we recommend that the sign is brought closer to the street for better visibility from West Main Street.
4. The Applicant should confirm and show on elevation plans and signage plans if any building number is proposed, particularly to help with wayfinding.
5. Exact proposed signage square footage should be reflected on the site plan bulk chart.
6. There are two pre-existing non-conforming billboards on the Site. The applicant should confirm that these will be removed and reflect this on the plans.

I. **Utility Comments**

1. The Applicant should provide testimony and show on the plans all ground-mounted utilities such as transformers, HVAC, and generators, which are not currently depicted.

These utilities shall be located in the interior of the building if feasible or to the rear / side of the building where such locations inside are infeasible.

2. We note that all utilities shall be screened so as to not be visible from the public right-of-way, and all new electric and telecommunications wiring must be underground.
3. The Applicant should show where utility meters are proposed on the architecture elevations and site plans, and show proposed screening.
4. The Applicant shall update the rooftop plan to label / identify the proposed rooftop mechanical equipment and specify heights, dimensions, and setbacks to building perimeter in order to confirm that rooftop will adequately screen the equipment, as required.
5. The Applicant must testify to how many utility poles will be removed, replaced, and coordination with the utility company for the proposed removal of utility poles.
6. We defer to the Board Engineer on all other comments regarding utility lines, waterlines, connection to sanitary sewer and stormwater drainage system.

J. **Morris Canal Comments**

1. The Applicant shall provide testimony regarding the preservation and incorporation of the Morris Canal into the proposed project, including its relationship to the proposed walking path.
2. The Applicant should consider coordinating with the Morris Canal Greenway working group to ensure that proposed site features would not preclude future restoration efforts of the Morris Canal.
3. All required DEP regulations and buffers shall be maintained as part of the site plan. The Applicant must confirm if this implicates their outdoor proposed amenity of a walking path, benches, or if any other outdoor landscaping and fixtures must be considered.

VI. **DOCUMENTS REVIEWED**

- A. **Land Use Board Application**, filed July 17, 2020 and refiled August 11, 2020.
- B. **Preliminary and Final Site Plan and Subdivision**, consisting of twenty-four (24) sheets (including survey) prepared by Kenneth D. Dykstra of Dykstra Walker Design, dated July 14, 2020.
- C. **Site Survey**, consisting of one (1) sheet signed and sealed by Kenneth Dykstra, PLS on March 30, 2018.
- D. **Architectural Plans**, consisting of eight (8) sheets prepared by Inglese Architecture and Engineering, dated July 15, 2020 and revised on August 6, 2020.
- E. **Environmental Impact Statement**, dated July 15, 2020, prepared by Mark Gimigliano, P.E. of Dykstra Walker Design Group.
- A. **Stormwater Management Calculations**, prepared by Kevin Robine, P.E. of Dykstra Walker Design, dated July 14, 2020.
- B. **Preliminary Soils and Foundation Investigation**, prepared by Dykstra Walker Design and Melick-Tully & Associates, dated August 6, 2020.

- C. **Traffic Impact Letter Report**, consisting of 24 pages prepared by Stonefield Engineering & Design, dated July 9, 2020.
- D. **Land Use Board Schedule "A" Preliminary Site Plan Checklist**, consisting of 5 pages prepared by RPM Development, LLC, undated.
- E. **Land Use Board Schedule "A" Preliminary Minor/Major Subdivision Checklist**, consisting of 5 pages prepared by RPM Development, LLC, undated.
- F. **Land Use Board Schedule "A" Final Subdivision/Final Site Plan Checklist**, consisting of 2 pages prepared by 74 West Main Street Urban Renewal Associates LP, undated.
- G. **Cover Letter**, prepared by Alyse Hubbard, Esq. of Law Offices of Larry I. Wiener, dated August 11, 2020.

If the Board approves this application, revised plans should be submitted to address the comments of the Board Professional reports and contain a list of all conditions of approval. This must be submitted for review and approval prior to submission for building permit.

Sincerely,



Golda Speyer, AICP, PP
Land Use Board Planner

ATTACHMENT "A" – DRONE SITE PHOTOS (AUGUST 9, 2020)

