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APPENDIX "A" TO CONSISTENCY REVIEW MEMORANDUM #2

Planning Report #1

Date: May 14, 2021

To: Caldwell Borough Planning Board

Copy: Alan Trembulak, Esq. – Board Attorney
Glenn Beckmeyer, P.E. – Board Engineer
Brittany Heun – Board Secretary

From: Phil Abramson, AICP/PP and Golda Speyer, AICP/PP

Applicant: S & S Caldwell Village, LLC
c/o Thomas P. Scivo, Esq.

**SUBJECT: (PB-21-001) 4, 12, 14, AND 18 LANE AVENUE
BLOCK 41, LOTS 2, 3, 3.01, AND 4**

The purpose of this report is to provide the Caldwell Borough Planning Board guidance in its review of Application PB-21-001, submitted by Thomas P. Scivo, Esq. on behalf of S & S Caldwell Village, LLC (the "Applicant"). The Applicant is seeking Preliminary and Final Major Site Plan approval to merge four tax lots; demolish two 2-family buildings; retain an existing 12-unit apartment building; retrofit an existing apartment building into 4 units; and construct a four-story, 98-unit apartment building for a collective development program of 114 units.

EXISTING CONDITIONS

- A. **The Site:** The Site currently consists of four lots:
 1. **4 Lane Avenue (Lot 2):** This lot consists of a twelve (12) unit, two-story building on a 24,850 SF lot (26,487 SF to centerline).
 2. **12 Lane Avenue (Lot 3.01):** This lot consists of a two (2) unit, two-story building on a 20,969 SF lot (22,344 SF to centerline).
 3. **14 Lane Avenue (Lot 3):** This lot consists of a two (2) unit, two-story building on a 43,692 SF lot (46,612 SF to centerline).
 4. **18 Lane Avenue (Lot 4):** This lot consists of a two (2) unit, two-story building on a 36,449 SF lot (38,705 SF to centerline).
- B. **Zoning:** Caldwell Redevelopment Plan, Subdistrict V – Residential
- C. **Neighborhood Context:** The Site is located on the western border of Caldwell Borough on the municipal boundary with West Caldwell. North of the Site (across Lane Avenue) is a variety of residential uses. Along the Lane Avenue corridor are several apartment structures and residential houses. South of the Site (to the rear) are single-family residential buildings.
- D. **Traffic + Circulation:** The Site is located along Lane Avenue, which serves as County

Road (CR) 633. Lane Avenue connects to Bloomfield Avenue (CR 506) and Westville Avenue (CR 632). The Site has four existing curb cuts: one shared driveway access between Lot 2 and 3.01, one driveway access on Lot 3, and a "U-Shaped" circular driveway access on Lot 4.



Figure 1: Site Photo



Figure 2: Aerial Image (Courtesy of Google)

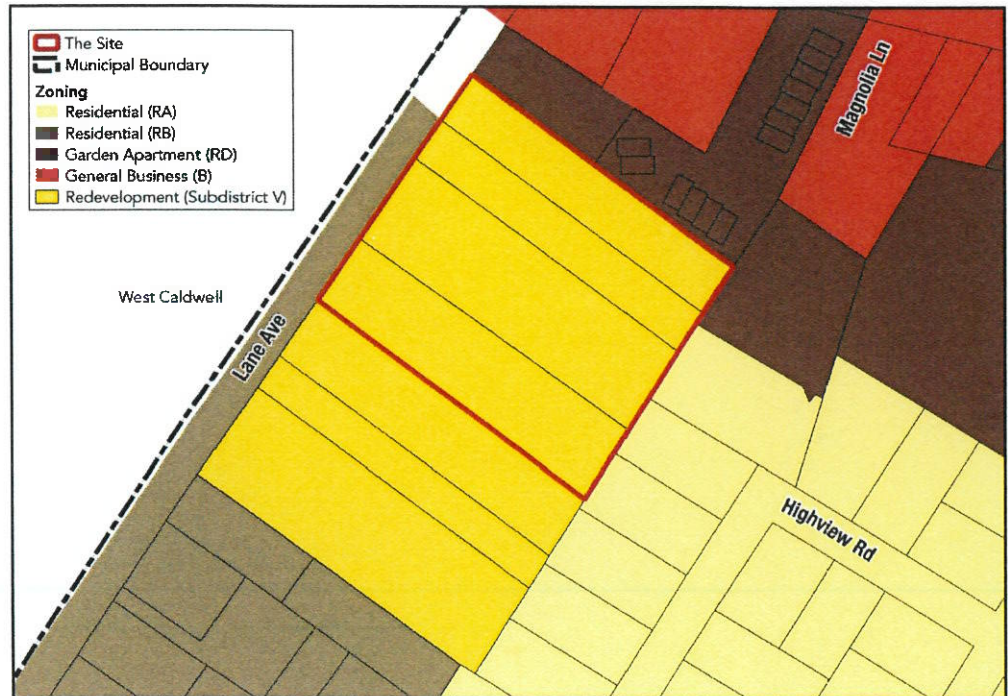


Figure 3: Zoning Map

II. PROPOSED PROJECT

A. Proposed Project: The Applicant proposes a new 98-unit apartment building with 241 "new" parking spaces. The project specifically entails the following:

1. Retain an existing 12-unit apartment building on Lot 2.
2. Reconfigure an existing 2-unit apartment building on Lot 3.01 into a 4-unit apartment building.
3. Demolish the existing two-family structures on Lots 3 and 4.
4. Construct a new 98-unit apartment with the following:
 - i. First Floor:
 - 111 parking spaces
 - ii. Second Floor (26 units)
 - 33 parking spaces accessed via two-way ramp
 - Twenty 1-bedroom units
 - Six 2-bedroom units
 - iii. Third Floor (36 units)
 - Twenty-two 1-bedroom units
 - Twelve 2-bedroom units
 - Two 3-bedroom units
 - A fitness center and 22' x 37' community room
 - iv. Fourth Floor (36 units)
 - Twenty-two 1-bedroom units

- Thirteen 2-bedroom units
 - One 3-bedroom unit
 - A fitness center and 22' x 37' community room
- v. Other site improvements include:
- 95 surface parking spaces and 2 driveway parking spaces.
 - Three block retaining walls at the rear yard and adjacent Lot 5 side yard proposed at three tiers with heights up to 6' for a total of 18'.
 - One proposed block retaining wall at the adjacent Lot 12.04 side yard (height unknown).

B. Bulk and Design Requirements: The Downtown Caldwell Redevelopment Plan supersedes any conflicting standards in the Borough's zoning code as would be applied to any development proposal that requires site plan approval (*pursuant to Borough Code Sec. §210-13*). Any standard, definition, or regulation in the Borough of Caldwell Municipal Code that is not specifically addressed by a standard definition or regulation in this Plan shall be incorporated into the plan. The following bulk and design tables are, therefore, reflective of standards specifically addressed in the Redevelopment Plan and, if not specifically addressed, reference the underlying zoning standards.

Table 1: Bulk and District Standards (Subdistrict V Multifamily)

Standard	Permitted	Existing	Proposed
Lot Area (Minimum)	15,000 SF	Lot 2: 24,850 SF Lot 3.01: 20,969 SF Lot 3: 43,692 SF Lot 4: 36,449 SF	125,960 SF (2.89 acres)
Lot Width (Minimum)	50'	Lot 2: 65.5' Lot 3.01: 55' Lot 3: 116.62' Lot 4: 90.39'	327.4'
Lot Depth (Minimum)	300'	Lot 2: 379.65' Lot 3.01: 381.03' Lot 3: 382.56' Lot 4: 386.31'	382.56'
Front Setback (Prevailing Setback)	TBD See Section III.B of this Report	Lot 2: 29.9' Lot 3.01: 33.4' Lot 3: 67.2' Lot 4: 67.6'	17.5'
Side Setback – Lot 1 (Minimum)	10'	15.2' (From Lot 2)	15.2'
Side Setback – Lot 5 (Minimum)	10'	19' (From Lot 4)	11.5'
Rear Setback (Minimum)	30'	Lot 2: 159.8' Lot 3.01: 258.1' Lot 3: 270.6' Lot 4: 295.3'	91.98'

Standard	Permitted	Existing	Proposed
Building Coverage (Maximum)	60%	Lot 2: 26.4% Lot 3.01: 13.9% Lot 3: 3.9% Lot 4: 15.4%	39.3%
Impervious Coverage (Maximum)	70%	Lot 2: 71.3% Lot 3.01: 51.8% Lot 3: 12.4% Lot 4: 19.7%	TBD See Section III.B of this Report
Building Height (Maximum)	4 stories / 50'	~3 stories	Applicant to Clarify*
Density (Maximum)	40 DU/AC	Lot 2: 21 DU/AC Lot 3.01: 4 DU/AC Lot 3: 2 DU/AC Lot 4: 2.4 DU/AC	39.4 DU/AC
Accessory Side Setback (Min.) (Parking Lot)	10'**	N/A	TBD See Section III.B of this Report

*Per the Borough ordinance, height shall mean "the vertical distance measured from the mean elevation of the finished grade adjacent to the building foundation to the mean level of the slope of the roof." According to the bulk chart, the building is proposed at 32.79' tall. The Applicant has calculated this height by providing eight corners of the building (i.e., spot elevations); However, it is unclear where these elevation points are located. While our calculation (as shown below) would not amend the building's height to require variance relief, this should be clarified to determine final height:

Grading Plan Elevation Corners	Applicant's Height Calculation
283.02	282
283.18	283
282.73	288
285.5	284
288.35	285.5
288.35	308
286.3	310
311.12	311

**Subdistrict V cross-references accessory structure to the Borough Code §250-8.D, which states "In any residence zone, no private detached garage or other accessory building or parking area shall be within a required front yard nor within a required side yard."

Table 2: Parking and Loading Requirements (Chapter 6.8-9)

Standard	Permitted	Proposed
Parking Spaces ▪ 2 min. / 3 max. per unit	114 Units = 228 to 342 Spaces	241*
Loading	See §250-20 of Borough Code**	One 19' x 54' Space*
Electric Vehicle Charging Spaces ▪ 10% of new spaces minimum	239 Proposed = 24 EV Spaces	See Section III.B of this Report
Bicycle Parking Spaces ▪ 1/unit with max. of 50 spaces	50 Spaces	
*The Applicant proposes an 8AM to 6PM loading space to occupy 6 of the proposed parking spaces, which will result in 235 available parking spaces when utilized.		
**Minimum required number of loading/unloading berths shall be provided as determined by the Planning Board on a case-by-case basis.		

Table 3: Design Requirements District-Wide (Chapter 6.12)

Design Requirement	Permitted	Proposed
Stepback 4 th Story (Minimum)	8'	< 8' (DW)
Floor-to-Floor Height Ground (Minimum)	13'	13'
Floor-to-Floor Height Other (Minimum)	9'	10'
Open / Outdoor Amenity Space ▪ Minimum of 75 SF per Unit	114 Units = 8,550 SF	8,890 SF
Lighting Requirement	<ul style="list-style-type: none"> ▪ Property Line: 0.5fc (Max.) ▪ Sidewalks: 1 – 3fc ▪ Parking/Driveway: 1 – 3fc ▪ Building Entrance: 5-7.5fc ▪ Building Façade: 5fc (Max.) 	TBD See Section III.B of this Report
Sidewalk Width – Lane Ave (Minimum)	6'	6'
Sidewalk to Bloomfield Ave	Required	Connects
Street Lights	60' minimum intervals with 20' maximum height	None (DW)
Street Trees (Minimum) ▪ Intervals of 1 tree per 25'	327.4' lot width ÷ 25' = 13 trees	11 trees (DW)
Fences and Walls	Shall not exceed 6' in side and rear yards	Three 6' block retaining walls appearing 18' tall
(DW) Design Waiver from Redevelopment Plan		
*As measured with Engineer Scale. Applicant should provide dimensions on the plan.		

III. DEVIATION (I.E "VARIANCE") DISCUSSION

A. The Applicant will require deviation / design waiver relief from the Redevelopment Plan:

1. Section 6.12.A.4: Stepback at 4th Story
 - i. Required: 8'

- ii. Proposed: None
 - 2. Section 6.12.E.3: Street Light Requirement:
 - i. Required: Minimum of 60' intervals along and no taller than 20' tall.
 - ii. Proposed: No streetlights proposed
 - 3. Section 6.12.G: Street Trees
 - i. Required: Shade trees at regular intervals of 25 feet on center (13 trees required)
 - ii. Proposed: 11 trees
- B. Additional Information Required:**
- 1. Section 6.7.6.D: Front Setback
 - i. Required: Prevailing Setback
 - *Prevailing setback shall mean "the average (mean) setback of all properties that are both within 200 feet of the subject property and on the same street, as measured along the center line of the right-of-way which the property fronts. The 200 feet will be measured from any point on the center line of the right-of-way, where a line extended at a perpendicular angle would meet the subject property at the edge of the public right-of-way. The 200-foot distance shall be limited to the zoning district of the subject property"*
 - ii. Proposed: Upon review of the property surveys for Block 41 Lot 2 and 3.01 and Google imagery analysis of the additional Subdistrict V properties (Block 41, Lots 5-7), it appears the prevailing setback calculation is higher than the proposed 17.5' by the Applicant. The Applicant must clarify their determination of the prevailing setback, and if a deviation is proposed, request relief from the Planning Board.
 - 2. Section 6.7.6.I: Impervious Coverage
 - i. Permitted: 70%
 - ii. Proposed: The Applicant's bulk chart reflects the impervious coverage as 68.5%; However, the Applicant's impervious coverage calculation does not include the proposed block retaining walls. We defer to the Board Engineer if such structure must be incorporated into the calculation.
 - 3. Section 6.7.6.L: Accessory Structure (Parking Area)
 - i. Permitted: 10' (Min.)
 - ii. Proposed: The Applicant must show on the plan the proposed parking area setback.
 - 4. Section 6.8.A.1.iv: Electric Vehicle Charging Spaces
 - i. Required: 10% of new spaces (24 spaces)
 - ii. Proposed: The Applicant must show on the plan the potential location of EV parking conduits / future hookup. If a deviation is proposed, the Applicant must request relief from the Planning Board.
 - 5. Section 6.8.B.1: Bicycle Parking Spaces
 - i. Required: 50 Spaces
 - ii. Proposed: The Applicant must show on the plan the capacity to accommodate 50 bicycle spaces in dedicated bicycle parking areas. If a deviation is proposed, the Applicant must request relief from the Planning Board.

- C. **"Deviation" Proof of Standard:** In accordance with Section 7.6 of the Redevelopment Plan, *"The Planning Board may grant deviations from the regulations contained within this Plan where, by reason for exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Plan. An application for a deviation from the requirements of this Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in NJSA 40:55D-12. a. and b."*

M. PLANNING COMMENTS

A. Site + General Comments:

1. The Applicant should provide an overview of the proposed project, including site design, building design, and clarify any known variances / waivers which have been identified in this report.
2. The Applicant must confirm if there are any proposed drainage easements, utility easement access, sidewalk construction easements or any other known proposed easements which should be noted on the site plan.
3. The Applicant shall provide testimony on their anticipated construction timeline and phasing plan, which may be subject to a Redeveloper's Agreement.
4. The construction details pages must be expanded to show the following information:
 - i. The Lane Avenue concrete sidewalk, which measures 6' wide on the site plan. If this detail is the same as the 4' wide pathway sidewalk which such detail has been provided, the Applicant shall confirm as a note to clarify.
 - ii. The refuse enclosure area with dimensions and required screening details.
 - iii. The proposed crosswalk details with dimensions.
 - iv. The ADA compliant tactical pavers with dimensions.
 - v. The proposed benches.
5. The site plan must show all door access points to the proposed project. The Applicant must clarify and/or revise plans to resolve any conflicts of door access points shown on the architectural plans. Several access door points appear infeasible in some elevations. For example, the elevation plan shows an "entrance door from parking" on the rear of the building and an "exit door" on the side elevations, where the floor plan / site plan depicts these doors opening into a parking space.
6. The Applicant must provide testimony, and ultimately revise the plans as necessary, of all proposed recycling and refuse for the apartment building. Currently, only one refuse

area of unknown size is shown by the existing 12-unit apartment building. This area is not feasibly located to serve the new 98-unit apartment building.

7. Per the Redevelopment Plan, all outdoor refuse areas shall be visually screened within a durable, non-combustible enclosure, so as not to be visible from neighboring properties or the street. This must be shown on the plans.
8. The Applicant shall provide testimony regarding all waste management removal, the frequency of waste removal, and the method of waste removal. The floorplans do not reflect any interior garbage chutes or trash rooms. This must be clarified on how residents and/or building management will remove and transfer refuse to an outside dumpster.
9. The Zoning / Bulk tables shall be revised to reflect all deviations and design waivers identified and to confirm the correct proposed count of units. The unit count is also needed to establish the appropriate required number of parking spaces and the minimum area of outdoor/open space to be provided.

B. Architectural Comments:

1. The Applicant shall provide testimony regarding all proposed interior and exterior improvements, building elements, materials and colors, fenestration, and transparency levels of the project. We recommend that building material samples are provided to the Board and Professionals at the time of Hearing, or that a material "look book" and renderings with all facades and materials be virtually provided.
2. The Applicant shall revise the architect plans to describe exterior building materials and specifications to the greatest extent possible with the make, model, and color. The Board and Applicant should discuss whether alternative architectural design elements or materials are preferred:
 - Brick veneer (colors and make/model unknown)
 - Stucco (colors unknown)
 - Aluminum doors (colors unknown)
 - Fiberglass shingles (colors unknown)
 - Overhead doors (colors and material unknown)
 - Double hung windows with stucco lintels/sills (trim colors unknown)
 - Aluminum gutters (colors unknown)
3. Due to the width and massing of the building, the Applicant is strongly encouraged to provide an enhanced elevation plan for the front façade. This may include architectural features to break up the base of the building with the upper floors, higher quality façade materials, use of bay windows and other design elements.
4. The Applicant must provide both "as-built" plans for the existing 12-unit apartment and proposed floorplans for the two-unit multifamily structure converting into four-units to confirm overall density.
5. The Applicant must provide testimony in support of any required deviation and/or design waiver relief for the 4th story stepback requirement. A minimum stepback of 8' is required and none is proposed.

6. A roof plan must be provided, which shall include dimensions and details of all roof-mounted equipment with adequate screening.
7. The Applicant should discuss all sustainable design features. Efforts to conform with LEED standards is highly encouraged.
8. The Applicant should revise the floor plans to show a bedroom typology count matrix table. Specifically, detailing a breakdown of how many one-to-three-bedroom units are proposed per each floor.
9. The bicycle storage should be labeled on the architect floorplans.

C. Parking, Loading, + Circulation Comments:

1. The Applicant shall provide an overview of the parking plan, specifically where visitors and building management staff of the Site will park, and if residents of the building will have assigned parking.
2. The Applicant should provide a complete overview of their Traffic Impact Analysis, and provide testimony to all proposed vehicle circulation on the Site. The Traffic Impact Analysis should be revised as it refers to proposed volumes and trip generation of 112 units on the Site, where 114 units are proposed.
3. The Applicant proposes an 8AM to 6PM loading space to occupy 6 of the proposed parking spaces, which is located significantly away from the front entrance and may not be easily navigated by truck delivery drivers to the Site. This must be discussed and all alternatives for a more visible loading space should be considered.
4. We offer concern on safe pedestrian access both inside and outside the parking area and surface lot. The Applicant must depict, and ultimately revise the plans, all pedestrian crossing striping and pathways.
5. The Applicant shall provide testimony, and revise the plans accordingly, on the following items pertaining to ADA compliance:
 - i. Compliance with ADA and NJ Barrier Free Subcode requirements should be discussed and noted on the plans. This shall include confirmation that all parking / walking grading meets ADA standards, and that the 8 accessible spaces meet the minimum number of accessible and van spaces.
 - ii. The Applicant should relocate the 4 handicap spaces located outside of the garage in the rear parking lot, which should be located closest to the building entrance.
 - iii. The construction details must show the handicap signage specifications.
6. Testimony shall be provided on the 2 parking spaces in front of the building (i.e., inside the "U" shaped building). Specifically, if these spaces are assigned and how vehicles access and exit these spaces.
7. The Applicant shall provide testimony regarding expected frequency of truck deliveries and move-in / move-out for the proposed building.
8. The Applicant should provide turning movement templates for all anticipated trucks for both loading and waste management removal to confirm moving feasibility.
9. For construction of 10 or more parking spaces, the Redevelopment Plan requires at least

10% of spaces to accommodate EV charging stations. The Applicant shall provide testimony regarding compliance with this requirement supported by details on the plans (i.e., notes depicting conduits and charging stations).

10. The Applicant should provide a sight triangle near the parking lot entrance in conformance with AASHTO.
11. The Applicant has provided a double "U" shaped bicycle rack detail and two proposed bicycle parking locations inside the garage of unknown size. The Applicant shall provide testimony and revise the plans to show capacity and the number of bicycle racks to confirm that these areas will adequately accommodate the required 50 parking spaces.
12. The Applicant should provide testimony regarding accommodations for ride share (i.e., Uber, Lyft) pick-up/drop-offs.
13. The Applicant must provide all required permits with the County for closing /and reconfiguring the curb cuts along Bloomfield Avenue.
14. The Applicant shall provide testimony regarding emergency vehicle access, specifically fire trucks around the perimeter of the building and if "No Parking" striping is required.
15. We defer to the Board Engineer on all other comments regarding traffic, circulation, and parking.

D. Landscaping Comments:

1. Based on a site visit, the Site contains several existing matured and ornamental trees where the apartment building and surface parking area are proposed. However, neither the Applicant's demolition plan nor landscaping plan depicts the number and species existing trees that will be removed. The plans must be revised accordingly to show all trees that are proposed to be removed.

All tree removal must be in compliance with Borough ordinance Chapter 227 (Tree Removal and Protection), specifically: *"No person shall cut down or remove any ornamental tree of a diameter of three inches or more measured at a height of four feet above the ground, nor any other tree of a diameter of six inches or more measured at a height of 4 1/2 feet above the ground without a tree removal permit granted 10 business days in advance."*

2. The Applicant shall provide testimony if replacement trees will be consistent with the species removed from the Site.
3. The Applicant shall provide testimony on feasibility to increase the street tree quantity from 11 to 13 to better comply with the Redevelopment Plan. Additionally, testimony must be provided that these proposed trees are pollution resistant street shade trees.
4. The landscaping plan shall be revised to reflect details and compliance with the following provisions of the Redevelopment Plan:
 - i. Street trees shall have cast iron tree grates which are supported by the adjacent sidewalk structure.
 - ii. Brick or Belgian block pavers at the perimeter of tree pits shall be permitted where the architecture requires special treatment.

- iii. Raingardens and/or bioswales in tree pits are encouraged.
 - iv. Trees shall be a minimum of 3.5 inches caliper measured at eight (8) inches above the grade.
 - v. Tree irrigation bags must be installed and maintained for at least six (6) months after planting.
5. The Applicant proposes 3 Japanese Zelkova (*Zelkova Serrata*) shade trees and "TBD" Burning Bush shrubs (*Euonymus Alatus*) on the Landscaping Plan. These species are identified on the New Jersey [Invasive Species Strike Team](#) "Do Not Plant" list of emerging/widespread invasive species. The Applicant must revise the plans to include alternative non-invasive species.
 6. The Applicant proposes several shrub plants with an unknown quantity (i.e., "TBD") on the landscaping plant schedule. The Applicant must confirm proposed quantity of plants and revise the plans accordingly.
 7. The plans depict landscape screening with a combination of Norway Spruce and Green Giant behind the proposed retaining walls in the rear of the property. A note on the plan states "*Required spacing and quantity subject to density of remaining existing vegetation. To be determined by Municipal Forester.*" The Applicant shall revise the plant schedule to include these proposed plants with size and roots, and provide testimony if such plantings will conflict with the retaining wall.
 8. The Landscape Plan should show clear delineations between areas that will be mulched, grass lawns. Bedlines should be shown for all landscaped areas.
 9. The Applicant should consider planting additional shade trees over a portion of the proposed benches, or provide an alternative shaded outdoor amenity such as a gazebo.
 10. The Applicant shall provide testimony, and ultimately revise the plans, to confirm compliance with the Redevelopment Plan that all driveways have at least three (3) feet wide of buffering and all parking areas have at least four (4) feet wide of buffering or a solid fence.
 11. The Applicant should consider providing an enhanced outdoor / amenity space plan for the existing 12-unit and retrofitted 4-unit building, as outdoor space appears limited for these buildings.
 12. The Applicant has provided two different Open / Outdoor Amenity Space calculations on their plans. The cover page states that 8,890 SF is proposed, whereas the site plan dimension plan states that 8,850 SF is proposed. While either complies, this inconsistency must be revised, and the plans shall be updated to reflect the outdoor/amenity space requirement for 114 units where 112 units has been calculated.

E. Lighting Comments:

1. The Applicant shall testify to the level of illumination generated by all site and building lighting. A matrix tables should be noted on the lighting plan to confirm compliance with the Redevelopment Plan, which requires footcandles to comply with the following:
 - a. Property Line: 0.5fc (Max.)
 - b. Sidewalks: 1 – 3fc

- c. Parking/Driveway: 1 – 3fc
 - d. Building Entrance: 5-7.5fc
 - e. Building Façade: 5fc (Max.)
2. The Applicant should discuss proposed lighting and confirm that all lights will be full-cutoff, downward facing, and Dark Sky compliant.
 3. The Applicant depicts a note that states “lighting levels on Lots 2 and 3.01 shall be calculated and provided prior to construction.” As such, several pole-mounted light fixtures in the parking lot and exterior building light fixtures show an illumination of 0.0fc at these points. This must be clarified by the Applicant and plans shall be revised to confirm compliance with the Redevelopment Plan.
 1. The lighting plan depicts 16 wall mounted light fixtures (Type C and D), but does not provide a detail of these fixtures. This must be provided on the plans.
 2. The elevation plans shall be revised to depict all façade mounted lighting fixtures consistent with the lighting plan.
 3. The lighting plan must be expanded to show color temperatures on all lighting fixtures. We recommend that no building mounted façade fixtures exceed 3000°K and any potential installation of streetlights be done so at the recommendation of the Borough Engineer.
 4. The Applicant shall revise the light fixture post detail to confirm proposed height, which is recommended to be no more than 12’.

F. Grading + Drainage 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 shall confirm the extent of disturbance to all steep slopes. The Applicant should confirm these slopes are stabilized appropriately during construction and restored to avoid future erosion/degradation of the soil.
3. The grading plan depicts a proposed block retaining wall by the Lot 12.04 side yard without top or bottom of wall elevation points. This information must be provided.
4. The Applicant shall provide testimony on architectural treatment of the retaining wall tiers, which will appear as tall as 18’ (i.e., three 6’ tiers).
5. 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 the approved permit from the Essex County Soil Conservation District, once received, as a condition of approval.
6. We defer to the Board Engineer on all other comments regarding grading, soil erosion, and drainage.

G. Utility Comments:

1. The Applicant should provide testimony if a generator or transformer is proposed. If such utilities are proposed, this must be shown on the plans with screening.
2. The Applicant should confirm if any ground mounted HVAC units are proposed, and if

so, revise the plans accordingly.

3. The Applicant shall confirm all new utility wires will be underground.
4. We note that the Applicant shows an interior mechanical room, which may require further approval from the utility company to locate meters inside. The Applicant shall provide testimony on all coordination with the utility company, and depict on the site / architectural plans any exterior utility / gas meters should the utility company not permit such utilities inside. All utilities must be adequately screened and out of sight of the public right-of-way.
5. We defer to the Board Engineer on all other comments regarding utilities and sewer/water connection.

H. Procedural Comments:

1. The Applicant is required to provide a 20% set-aside of affordable housing units for the new construction of units (i.e. 20 affordable units). Affordable units for the project must comply with the following unit breakdown per the Uniform Housing Affordability Controls (UHAC):
 - No more than 20% of LMI units are 1-bedroom (no more than 4 units).
 - At least 30% of LMI units are 2-bedroom (at least 6 units); and
 - At least 20% of LMI units are 3-bedroom (at least 4 units).

The Applicant has not provided a floor plan demonstrating compliance with UHAC bedroom distribution, which requires at least four 3-bedroom units. This must be addressed. 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.

2. The Applicant shall confirm if a NJ DEP Treatment Works Application (TWA) is required for exceeding 8,000 gallons per day. If such permit is required, this must be provided as a condition of approval.
3. If the Board approves this application, we recommend a pre-construction meeting with the Board Engineer. 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.

V. DOCUMENTS REVIEWED

- A. **Planning Board Application Form**, filed February 23, 2021.
- B. **Property Survey**, prepared by Joseph Barbieri, Jr., P.L.S. of Joseph F. Barbieri & Associated, Inc. on February 19, 2021.
- C. **Preliminary and Final Major Site Plan**, consisting of 9 sheets prepared by Patrick D. McClellan, P.E. of MCB Engineering Associates and revised on March 31, 2021.
- D. **Architectural Plans**, consisting of 3 sheets prepared by Steven Corso, R.A. of Steven Corso, Architect LLC.
- E. **Stormwater Management Statement**, prepared by MCB Engineering Associates, dated February 22, 2021.
- F. **Traffic Impact Study**, prepared by of Dynamic Traffic, dated March 11, 2021.