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July 6, 2020

**VIA EMAIL**

Lorraine Hutter, Planning Board Secretary  
Borough of Montvale  
12 Mercedes Drive, 2<sup>nd</sup> Floor  
Montvale, NJ 07645

Re: **Application for Variance Relief, Preliminary and Final Site Plan and Major Soil Movement Approvals – Engineering Comments**  
Waypoint Residential  
Del Ben South – Summit Ave  
Block 1002, Lot 7  
Borough of Montvale, Bergen County, NJ  
MC Project No. MVP-037

Dear Ms. Hutter:

Our office is in receipt of copies of documents relative to the above-referenced application summarized in Exhibit 1.

Based on our review of these documents, we offer the following comments in this matter, with new comments provided in ***bold and italics***:

**General**

The Owner in this matter is:

In the Application:  
Randy Brosseau  
469 Buffalo Court  
West New York, New Jersey 07093

Borough Tax Records list:  
Summit Avenue Holdings, LLC.  
469 Buffalo Court  
West New York, New Jersey 07093

Bargain and Sale Agreement provided notes:  
Summit Avenue Holdings, LLC.  
190 West 24<sup>th</sup> Street  
Bayonne, New Jersey 07002



The Applicant/Contract Purchaser in this matter is:

Waypoint Residential  
9 West Broad Street, Suite 800  
Stamford, CT 06902

The Applicant shall clarify the above ownership information and notify the Board of any changes to the above information.

1. The property, in question, consists of one (1) lot designated as Block 1002, lot 7 on the Borough of Montvale Tax Assessment Map, 127 Summit Avenue, Montvale, New Jersey.
2. The lot is located on the north side of Summit Avenue to the northwest of the intersection with Paragon Drive.
3. Lot 7 is located in the AH-6 Affordable Housing District. The lot is surrounded by residential development to the north (The K. Hovnanian Reserve development on Upper Saddle River Road), to the east the Morgan Court single-family residential sub-division, to the west the Summit Ridge townhouse development and the Garden State Parkway, and to the south Summit Avenue, a commercial building at 136 Summit Avenue and the former A&P headquarters which has been approved for an 80-unit Toll Brothers townhouse development at 2 Paragon Drive.
4. The 28.404-acre lot is currently wooded and vacant.
5. The property generally slopes from north to south with an elevation of 419-feet at the northwest corner of the property at the Garden State Parkway, a high of 426-feet along the north property line, an elevation of 403-feet at the southwest corner of the property along Summit Avenue, and 388-feet at the southeast corner along Summit Avenue.
6. The Applicant seeks Variance Relief with Waivers for the construction of a **287,800**-square foot (**85,935**-square foot footprint), **156**-unit, 3-story residential apartment building over parking (4-stories total), with **186**-covered parking spaces and **43**-at grade parking spaces. The proposal includes **97** one-bedroom units, 60 two-bedroom units, including **24**-affordable units. The proposed building will have an open-air interior courtyard on the level above the garage (first residential floor) with amenities including a swimming pool as further described in comment No. 53 below.
7. In addition, the Applicant has proposed the installation of a gravel parking area with **7**-surface parking spaces in the southeast corner of the property along Summit Avenue and 4,600-linear feet of **shredded woodchip** walking trails proposed to be located throughout the development with access for both residents and the public.
8. The application notes that “the subject property contains substantial environmental constraints, including flood hazard areas, freshwater wetlands, riparian buffers, and wetlands transition areas. There are existing drainage and conservation easements encumbering the subject property. There



are significant steep slopes constraining the subject property.” The Applicant notes that they will provide testimony at the public hearing.

9. The Applicant has also filed a Major Soil Movement Permit for the movement of **42,546**-cubic yards with “approximately 1,800-trucks”. See comment No. 11 below.

***Please refer to the Planners Report for required variances and waivers. Note that our comments on the proposed Landscape Plans are being provided under separate cover.***

The Board should request comments from the Board Attorney and Planner regarding additional requirements of variances/waivers.

### **Engineering Comments**

Based on our review of the documents noted in Exhibit 1, we offer the following comments:

10. **Easements** - The Applicant shall show all road widening easements on Sheet C-03 and on their base map along Summit Avenue for both Lots 7 and Lot 6, as well as identifying the Suez and Bergen County culvert maintenance easements. The Applicant shall address installation of the required improvements associated with the road widening easements as part of this application as they may affect the site entrance and grading. ***The Applicant has revised the plans to show the easements and shall provide testimony.***
11. **Soil Movement Permit** - The Applicant has provided Sheet C-32, Earthwork Plan that provides a cut and fill analysis for the proposed site improvements. The plan incorrectly lists cut, fill and net which does not reflect the Borough Ordinance which requires cut + fill = total soil movement. The Applicant shall also include any “material adjustments” quantities into their calculations and revise their plans and application accordingly. ***The Applicant has revised Sheet C-32 to reflect an updated soil movement as follows:***
  - a. ***“Primary Site” soil movement of 29,943-cubic yards cut + 8,590-cubic yards “additional cut, material adjustment) + 3,818-cubic yards fill = 42,351-cubic yards total soil movement. We note that Sheet C-32 lists the total as 42,228-cubic yards.***
  - b. ***“Gravel Parking Area Only” – 127-cubic yards cut + 148-cubic yards (additional cut, material adjustment) + 43 cubic yards fill + 318-cubic yards total soil movement.***
12. **Limit of Disturbance** - On Sheet C-15, the Applicant notes that their proposed Limit of Disturbance is ***5.94-Acres (5.63-acres on the Primary Site, and 0.31-acres on the parking area to the southeast)***. We also note that the increase in impervious coverage is ***12.1***-percent, or ***3.44***-Acres. The project is therefore classified as a Major Development with required stormwater improvements pursuant to the State requirements and the Ordinance.
13. The Applicant has included a portion of adjacent Lot 6 and the right-of-way along Summit Avenue within their Limit of Disturbance as well as an area for proposed soil compaction (Sheet C-15), which is also noted as areas where tree protection is required. See comment No. 30 below. We note



that the Limit of Disturbance runs for approximately 400-feet along the property line adjoining Lot 6. ***The Applicant shall provide testimony regarding any proposed improvements which encroach on adjacent Lot 6. We note that Sheet C-15 does not include the Riparian Buffer limit as noted by the Applicant, but this Sheet only refers to the Limit of Disturbance, silt fence and tree protection locations.***

14. **Steep Slopes** - On Sheet C-01, the Applicant provides a Slope Disturbance table and identifies the steep slopes on Sheet C-03 the Existing Conditions Site Plan that proposes the following steep slope disturbances, all of which require a variance:
  - a. 15 to 19.99-percent – 7,968-square feet of the existing 89,334-square feet steep slopes, or 8.9-percent.
  - b. 20 to 24.99-percent – 3,312-square feet of the existing 46,350-square feet steep slopes, or 7.1-percent.
  - c. 25(+) - percent – 4,132-square feet of the existing 70,415-square feet steep slopes, or 5.9-percent of this steep slope range.
15. The Applicant shall provide a separate post-development Steep Slopes Plan to include the proposed site contours similar to what has been provided on Sheet C-03. ***The Applicant has provided Sheet C-08A, which indicates the post-development slopes, and shall provide testimony:***
  - a. ***0.0 to 15.0-percent – 53,663.5-square feet;***
  - b. ***15.0 to 20.0-percent – 1,411.4-square feet;***
  - c. ***20.0 to 25.0-percent – 659.7-square feet; and***
  - d. ***25(+)-percent – 7,705.2-square feet.***
16. The Applicant shall revise the Zoning Schedule on Sheet C-01 to read “Proposed” versus “Provided”. ***The Applicant has revised the plans and we take no exception.***
17. The Applicant has indicated that they are proposing to increase the Building Coverage to 7.7-percent from 0.0-percent, where the Zone maximum is 20-percent. ***The Applicant has noted that with the reduced building footprint, that the Building Coverage is now proposed to be 7.0-percent and shall provide testimony.***
18. The Applicant is proposing to increase the Lot Coverage to 13.2-percent from 0.0-percent, where the Zone maximum is 60-percent. ***The Applicant has noted that with the reduced building footprint, that the Lot Coverage is now proposed to be 12.1-percent and shall provide testimony.***
19. The Applicant shall provide Building and Lot Coverage information on the Zoning Schedule on Sheet C-01 in both percentages, acreage and square feet. ***The Applicant has revised the plans and we take no exception.***
20. The Site Plan (Sheet C-04 and C-06) indicates right-in/right-out site access controls with a mountable curb island. No ADA ramps at the site entrance are noted. The Applicant shall confirm



this design and add complaint ADA ramps and walkways as required. ***The Applicant has noted that site access is under review by the County and shall provide testimony.***

21. The sidewalk along the east building elevation (Sheet C-05) which extends north from the main entrance, ends at the building wall to the left of the garage doors, although no man-door is shown on Architectural Plan Sheet AEX-01 or AEX-06. The Plan shall be revised to extend the sidewalk in front of the east facade north to connect to the walkway at the northeast corner of the building, and not direct pedestrians towards the garage vehicle entrance. ADA ramps shall be installed as required. ***The Applicant has revised the plans. The Applicant shall also discuss comments from the Fire and Police departments regarding access between the proposed walkway in the northeast corner and the emergency access path.***
22. The Site Plan Sheet C-05 notes two landings along the east building elevation although only one door is shown on the Architectural Plan Sheet AEX-01 or AEX-06. The plan also notes the installation of an R7-1 sign in the curb ramp. Additional detail will be required, and the Applicant shall provide testimony. ***The Applicant has revised the plans and we take no exception.***
23. On Sheet C-05 and Detail Sheet C-21, the Applicant is proposing to install a 26-foot wide Tuff Track Grass Road Paver “Emergency Access Path” along the south and west sides of the building, and about 100-feet along the north side of the building with a turn around. The Applicant shall revise the detail to eliminate references to the installation of sod on top of these pavers, with reference limited to grass seed only or provide testimony. The Applicant shall provide testimony regarding the connection of the underdrain for this Access Path to the proposed stormwater system. ***In response to comments by the Montvale Fire Department, the Emergency Access Path has been revised to be bituminous pavement. Detail for on site paving is shown on Sheet C-20, and the Applicant shall confirm in testimony.***
24. Approximately 300-feet along the north facade and the northeast corner of the building would not have paved fire access. The Montvale Fire Department has provided a memo dated February 13, 2020 with comments provided on the Site Plan. The Applicant shall provide point by point testimony to the referenced memorandum. ***The Applicant shall provide testimony regarding the Fire Department comments and approvals of the revised configuration.***
25. The Applicant shall provide point by point responses in testimony regarding to the February 25, 2020 memorandum from the Montvale Police Department. ***The Applicant shall provide testimony regarding the request for a camera system as detailed by the Police Department, the extension of the emergency path at the rear of the building, and the Police Department comment regarding access to the development from Summit Avenue eastbound.***
26. The Applicant has not shown any provisions for snow storage on site and shall provide this information on a separate sheet with the plan set. ***The Applicant has provided a separate “Snow Location Exhibit” Sheet SNOW-1 that proposes to stockpile snow on either side of the Emergency Access Path along the west and north sides of the building, and has noted that they “...will remove excess snow from the site, as needed”, and the Applicant shall provide testimony.***



***We note that the Emergency Access Path needs to be maintained during winter storm events for Fire Department access.***

27. The Applicant shall include provisions for a concrete sidewalk from the building to Summit Avenue for pedestrian access. The current plan requires pedestrians to walk in the driveway which is not acceptable. ***The Applicant has noted that due to wetlands encroachment limitations, the walkway cannot be added along the proposed access driveway and has requested a waiver. They have noted that a shuttle bus will be available and that "...residents can utilize the walking trail within the woods..." and shall provide testimony.***
28. The Applicant has not provided ADA parking in the proposed gravel parking area (Sheet C-06) and shall discuss full site compliance with ADA requirements. ***The Applicant has revised the plans and we take no exception.***
29. Only 2-ADA spaces are noted in the parking garage on Architectural Sheet AEX-01 where a minimum of 6-spaces including one van-accessible space is required. The Applicant has provided 4 exterior ADA spaces on the site plan with 2 of these spaces designated for van accessibility (Sheets C-04 & C-05). Separate parking areas are required to meet the ADA requirements, and the Applicant shall provide testimony. ***The Applicant has revised the plans and we take no exception.***
30. Due to the site topography (Sheets C-04 and C-05), the Applicant is proposing to install a series of retaining walls as follows:
  - a. A modular block retaining wall along the eastern edge of the building (Retaining Wall "D") with an approximate length of 500-feet ranging in height to 13.5-feet, with a proposed 4-foot ornamental fence installed for fall protection on top of the wall. (Total height to 17.5-feet).
  - b. Retaining walls "A" and "B" (noted as "Big Block") are proposed along the Summit Avenue entrance with a maximum height of 10.7-feet that extend approximately 240-feet from the site entrance into the site. A 4-foot ornamental fence is also proposed.
  - c. As you approach the building along the west side of the entrance road, Retaining Walls C1 (modular block) and C2 (big block) extend approximately 450-feet along the entrance road to the southern "Emergency Access Path" with a maximum height of 5-feet. A 4-foot high ornamental fence is also noted on top of these walls (total height 9-feet).
  - d. The Applicant notes on Sheet C-05 "the approximate limit of temporary disturbance for safe wall construction" and "provide temporary sheeting as necessary" and shall provide testimony and further information to the Board; ***The Applicant has indicated that "due to the proximity of the retaining wall to the property line as well as the riparian buffer limits, the contractor may need to install sheeting in some areas to minimize the disturbance." The Applicant shall provide testimony.***
  - e. Sheet C-05 also includes a call out for the "approximate limit of retaining wall reinforcement" but provides no details regarding proposed reinforcement; ***The proposed modular block walls require geogrid reinforcement, with the exact design to be provided at the time of the building permit submission and the Applicant shall provide testimony.***





- f. Note that all drainage piping behind the walls shall be directed to the on-site stormwater system. ***The Applicant has indicated that they will direct the piping from behind the walls to the on-site stormwater system where feasible, but along the east side of the site will daylight to grade. The Applicant shall confirm in testimony.***
31. The retaining wall along Summit Avenue is shown on Sheet C-06 to extend approximately 90-feet to the west beyond the property boundary and along the property line with Lot 6 to a height of 6.5-feet (10.5-feet with the 4-foot fence) and within the Right-of-Way. The Applicant shall provide testimony. As noted, the Applicant shall also discuss the 18.5-foot road widening easement along the Summit Avenue property frontage. The Applicant has indicated in their February 7, 2020 letter that "...the proposed wall was shifted north to provide the required 10-foot front yard setback..." but this does not appear on the plans. ***The Applicant notes that the retaining wall "...is located within the right-of-way and installation of this wall (is proposed) within the County slope easement. This design is currently under review by Bergen County Planning." The Applicant shall provide testimony.***
32. The Applicant shall provide a colorized architectural rendering of the site entrance elevation on Summit Avenue with the proposed "big block" retaining walls, as well as provide dimensions for the blocks on detail Sheet C-22. ***The Applicant has provided photographs of similar installations and provided a detail of the blocks on Sheet C-22. The blocks as proposed would be 18-inches high by 46.125-inches long and between 28 and 60-inches wide. The Applicant shall provide testimony.***
33. The Applicant shall provide all proposed contours on the Plan along the retaining wall alignments. We note that grading will be required behind the wall onto the adjacent Lot 6 which is not shown on the Grading Plans, Sheets C-07 and C-08. The Applicant shall provide testimony. ***The Applicant has indicated that the proposed Limit of Disturbance is along the proposed tree line noted on Sheets C-07 and C-08 and shall provide testimony.***
34. The Applicant is proposing timber guide rails (with NJDOT "W-Beam" steel guide rails as an "alternate for on-site guide rail") along the east edge of the perimeter parking areas (Sheets C-05 and detail Sheet C-23). In this area, the parking lot is as much as 13.5-feet higher than the elevation at the base of the retaining wall. The Applicant shall provide testimony. ***The Applicant has indicated that they are looking at a proposed alternate guiderail and shall provide testimony.***
35. The Applicant notes on Sheet C-10 that they are proposing the installation of an 18-feet long by 8-feet wide by 6-feet 4-inch high "Multi-Use" hot-box for the required fire and domestic water supply to the building (Suez detail on Sheet C-26). The hot-box is proposed to be located along the west side of the entrance driveway, approximately 260-feet north of the site entrance, and 350-feet south of the building. The Applicant shall discuss additional requirements should the available water pressure be inadequate for the proposed development. ***The Applicant has indicated that they are "in the process of coordinating the water service requirements with Suez" and are proposing booster pumps in the building for both domestic and fire water services and shall provide testimony. The Applicant shall also discuss the need to a back-up generator for these pumps.***



36. Our comments to the proposed Landscaping Plans on Sheets C-11 & C-12, and landscaping details as well as certain aspects of lighting will be provided under separate cover. However, for ease of reference, the Applicant shall provide the Plant Schedule on Sheet C-12 as well as Sheet C-11. ***Note our comments on the proposed landscape plan will be provided under separate cover.***
37. Although the Applicant has requested a waiver from “showing isolated trees on the plans”, we recommend that the Applicant provide information on the number, size, and species of trees to be removed on the plans and shall provide a summary table as well as address compensatory plantings pursuant to the Ordinance and shall submit their plans to the Board for review and approval. ***The Applicant has deferred to the Board regarding the requested waiver and the submission of a “representative area tree survey” and shall provide testimony.***
38. The Applicant has provided a Lighting Plan on Sheets C-13 and C-14 that indicates that light levels will be 0.0 footcandles at all property lines with the exception of the entrance area and shall provide testimony. Sheet C-13 provides no lighting information on the entire west half of the building, and the Applicant shall confirm that there are no lights proposed on the individual unit balconies/patios or the noted egress door. ***The Applicant has indicated that all balconies will have ceiling mounted lighting and that the light levels along the west property line will be 0.0 fc and shall provide testimony.***
39. The Applicant has included a typical Light Fixture Detail on Sheet C-21 and notes that the fixture will be 3,000 K. We note that any additional lighting shall have an equivalent light color but, in any event, shall not exceed 3,500K, shall be dark sky compliant and shielded towards neighboring properties. This includes any proposed courtyard lighting.
40. Sheet C-15 notes the following:
- A proposed 1.25-acres for “soil compaction mitigation” throughout the site “...in controlled fill areas subject to loading under post-construction conditions.” We note that some of these areas extend into the right-of-way, adjacent Lot 6, and in areas designated for tree protection. These areas are noted along the perimeter of the Limit of Disturbance.
  - A minimum of 4 soil compaction test locations.
  - Installation of super-silt fence along the Limit of Disturbance where there are steep slopes.
  - Installation of tree protection measures where necessary.
- The Applicant shall provide testimony and provide additional information to the Board. ***The Applicant has indicated that the above are requirements of the Bergen County Soil Conservation District and shall confirm in testimony.***
41. We note that the Applicant specifies on Sheet C-06 that the proposed 4-foot wide mulch trails are to have their “...location...determined in (the) field to avoid tree removal and grading within regulated areas”, with a “6” x 3/16” steel edge by Ryerson or approved equal with 18” metal stake flush with grade”. The trails call for “3-inches of mulch.” (Details on Sheet C-22). We recommend that the Applicant use a minimum of 4-inches of shredded wood chips and not mulch, and due to permitting, installation and the potential for frost heave, eliminate the proposed edging along the





path. The Applicant shall also discuss who will be responsible for the required maintenance of these paths and the gravel parking lot. A Maintenance Plan shall be prepared and submitted for review and approval as part of the application to the Board. ***The Applicant has revised the plans and we take no exception. Maintenance will be the responsibility of the Applicant which shall be confirmed in testimony.***

42. The Applicant has indicated on Architectural Sheet AEX-01 that 18-compact car spaces measuring 8.5-feet by 16-feet are proposed and shall discuss the use of these spaces given the current trend in vehicle sizes. The Applicant shall also provide a detail and dimensions for both standard and compact spaces. ***The Applicant has revised the plans to remove the compact car spaces and we take no exception.***
43. The Applicant shall discuss the availability of indoor parking to residents of the COAH units as well as their access to site amenities. ***The Applicant has indicated that the “residents of the COAH units will have access to all site amenities, including indoor parking.” The Applicant shall confirm in testimony and indicate if additional fees/charges will be imposed for these amenities.***
44. The Applicant has indicated on Sheet AEX-01 of the Architectural Plans that they are not proposing to have parking beneath the pool area, and we take no exception. The Applicant shall provide testimony regarding how the development will direct the periodic discharge of water from the pool. ***The Applicant has indicated that if required, pool water would be tested, neutralized and then pumped to the sanitary sewer system, and the Applicant shall provide testimony.***
45. The Applicant has provided floor plans on Sheets AEX-01 through AEX-04 and has proposed 3-elevators to service the entire building, with 2-elevators proposed near the main building entrance, and 1 additional elevator which appears to be a service elevator in the west side of the building. The Applicant shall discuss the adequacy of the proposed number of elevators for 170-residential units. ***The Applicant has stated that the number of elevators proposed is “standard and compliant with Code” and shall confirm in testimony.***
46. On Sheets AEX-01 through AEX-04, stairways are only shown in the northeast, southeast and southwest corners of the building with no stairwells noted in the northwest corner of the building. Of these stairwells, only the stairs in the northeast and southwest corners extend to the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors. We defer to the Borough Construction office and Fire Departments for required length of travel for emergency egress from the building. ***The Applicant shall provide testimony.***
47. The Applicant has noted on the exterior elevation Sheets AEX-05 and AEX-06 of the Architectural Plans that the HVAC units will be located in the individual residential units. We assume that HVAC for the common areas will be located on the roof, and that they will be screened behind parapet walls, and the Applicant shall provide a roof detail and artists renderings to confirm adequate screening from neighboring properties. All HVAC units shall be low-noise and designed to meet or exceed the Ordinance. ***The Applicant has indicated that roof-mounted units will be screened and shall provide testimony and a rendering of the screening.***



48. The Applicant shall provide testimony if a generator is proposed and if so, it shall be shown on the plans. The Board may place a condition on the hours and days for required maintenance operation of the generator. ***The Applicant has indicated that no generator is proposed as part of this project. However, as noted it is assumed that a generator will be required for the booster pumps and shall confirm in testimony.***
49. The Applicant has not noted the location of the Affordable units on the plans. ***The Applicant has revised the plans and shall provide testimony. We defer to the Borough Planner for affordable unit requirements.***
50. The Applicant shall provide testimony regarding the use of amenities and indoor parking for the affordable units. ***The Applicant shall provide testimony.***
51. The Applicant shall note any provisions for electric car charging stations. ***The Applicant has indicated that they will provide 2-car charging stations and shall provide testimony.***
52. The Applicant shall identify employee, service personnel and delivery parking areas on the site plan. ***The Applicant has indicated that there will be a maximum of 7-employees who will use the outdoor surface lot and shall provide testimony.***
53. The Applicant is proposing a Trash Room on the first floor on Sheet AEX-01. There is no information provided on how trash and recyclables will be handled by residents, if an outside dumpster location is proposed, or where trash/recyclables will be picked up. The Applicant shall provide testimony.
54. The Applicant has proposed the following:  
On the main entrance/garage level (Sheet AEX-01):
  - a. Parking for 202 vehicles including 18-compact vehicles and 2-ADA spaces;
  - b. Parking lobby area;
  - c. Storage areas for pool equipment and related supplies;
  - d. Maintenance rooms;
  - e. Fire/Water utility room;
  - f. Bike lockers, bike racks, and bike storage;
  - g. Trash room;
  - h. Storage lockers;
  - i. An unlabeled area in the northwest corner that also appears to be storage lockers;
  - j. An “MDF” room (Main Distribution Frame room?) that we assume is for voice, data, and video building feed cables into the building. The Applicant shall provide testimony; and
  - k. The Land development Narrative provided by Meyer Design notes a “Parking Security Desk”, which is not noted on the plans.



In the Courtyard and on the 1st-residential floor (labeled First Floor Plan – Sheet AEX-02):

- a. One and two-bedroom residential units, no total and type of units noted (COAH);
- b. Swimming Pool;
- c. Seating areas and unlabeled amenities;
- a. Leasing and Management office;
- b. Mail and Package Room;
- c. Fitness studio;
- b. Fitness center;
- c. Game room;
- d. Great room;
- e. Private dining, butler's pantry and demo kitchen;
- f. Kitchenette;
- g. Meeting room;
- h. Cork dining; and
- i. Reel room.

On the 2<sup>nd</sup>-residential floor (designated as the “Overall Second Floor Plan” on the Architectural Plans (Sheet AEX-03):

- a. One and two-bedroom residential units, no total and type of units noted (COAH);
- b. A lounge in the southeast corner of the floor; and
- c. An “art room” located on the west side of the floor.

On the 3<sup>rd</sup>-residential floor (designated as the “Overall Third Floor Plan” on the Architectural Plans (Sheet AEX-04):

- a. One and two-bedroom residential units, no total and type of units noted (COAH); and
- b. Library on the west side of the floor.

***The Applicant has indicated that as a result of the reduction in the building footprint, the plans have been revised, and the Applicant shall provide testimony regarding changes to the noted amenities.***

55. On Sheet C-06, the Applicant has proposed two 8-foot wide by 5-foot high monument signs affixed to the retaining walls at the site entrance. The Applicant has proposed up-lighting the signs (Sheet C-14); however, we recommend that compliant goose neck style down lighting be installed for both lighting color and dark sky compliance. The Applicant shall provide a sign detail as well. ***The***



***Applicant has indicated that the proposed signs will be part of a future application to the Board and the Applicant shall provide testimony.***

56. The Applicant shall provide warning lights to alert pedestrians when the garage door/gate is opening and closing. This may be a flashing light over the garage access and/or ground mounted LED warning strips. A detail shall be provided on the plans. Alternatively, the Applicant may install garage alert light bollards with a light that would only flash during garage openings. As an added option, the bollards may be equipped with or an audible alert feature to warn pedestrians. ***The Applicant has indicted that they will provide warning lights and shall provide a detail and confirm in testimony.***
57. **Stormwater Management** - As noted, more detailed comments to the Stormwater Management Plan (Plan) and recently submitted “Addendum #1 to the Stormwater Management Plan” (Addendum #1) will be more fully addressed under separate cover. However, we note that the Applicant has proposed compliance with the NJDEP Stormwater Management Rules for stormwater quantity reduction, stormwater quality controls, groundwater recharge, soil erosion and sediment control, and low-impact development. The Applicant has included Grading and Drainage information on the Engineering Plan set (Sheets C-07 & C-08, and detail Sheets C-24 to C- 28), and we have the following comments:
- The Applicant has stated on page 7 of Addendum #1 that “...all proposed stormwater conveyance pipe has been sized for the 100-year storm in accordance with NJ Residential Site Improvement Standards (RSIS)’ and we take no exception to this design goal for the proposed development.
  - The Applicant also notes on page 16 of the Plan that “stormwater runoff from a majority of the developed site...is treated to 96% TSS (Total Suspended Solids) removal through a Best Management Practices (BMP) treatment train approach.” The Applicant also notes that the remainder (acreage not provided) of the developed site “...will be collected by on-site storm inlets and discharge directly to existing Bergen County stormwater infrastructure located in Summit Ave that ultimately discharges into the riparian zone.” The Applicant projects an 80% TSS removal prior to discharge. Note that the stormwater system on Summit Avenue is a Borough system. The Applicant shall provide testimony regarding discharge to the riparian zone.
  - Installation of an “subsurface recharge system” ***6-feet wide by 62-feet long, with one 62-feet long, 30-inch diameter HDPE perforated pipe surrounded by gravel*** designed to accept building generated stormwater with a noted capacity of ***65,988-cubic feet of annual recharge*** (Plan, page 19, Table 9). A bypass is provided for overflow to discharge to the proposed downstream subsurface detention system. ***The Applicant has provided a partial detail on Sheet C-26 and shall provide testimony regarding the proposed change in the design.***
  - Installation of an 8-foot by 18-foot by 6-foot deep Stormfilter Peak Diversion Water Quality Device (Sheet C-25) designed to treat stormwater from the parking lots and driveways with a noted 100-year storm peak flow.



- e. Installation of a 10-foot high “Double-Trap Detention System” designed for 72,310-cubic feet of storage. We note that neither Sheet C-07 or C-08 clearly shows the inlet to this system and where this system is located on the Plans with the location partially on Sheet C-07 and Sheet C-08, although some callouts are provided. We would recommend that these systems be **bolded** on the plans for ease of reference and a separate plan provided showing the entire system. We note that the detail for this system appears on Sheets C-27 & C-28.
  - f. The “Double-Trap” system then discharges to an 8-foot by 18-foot by 6-foot deep “Stormfilter” Water Quality Device with 25-cartidges proposed for this project. This discharges through a 184-foot long, 30-inch diameter HDPE pipe to a scour hole proposed along the east edge of the Limit of Disturbance with a projected 100-year storm peak flow of 29.77 cfs (Plan, Appendix F sheet 1);
  - g. ***Two Filterra Bioscape Biofiltration Devices in a 4-foot by 6-foot vault with a 4-inch underdrain and a 6-foot by 12-foot Stormfilter device are*** proposed at the site entrance in the Summit Avenue right-of-way designed to accept stormwater from the entrance road with discharge to the Borough system.
  - h. Sheet C-08 does not show any pipe connection between DI-116 and DI-115 along the proposed entrance road to the site entrance. The Applicant shall provide testimony and revise the plans accordingly; ***The Applicant has revised the plans and we take no exception.***
  - i. The Stormwater Management Plan and Addendum #1 will require updating based on the most recent revision to the plans (February 6, 2020). ***The Applicant has indicated that the design was modified to address NJDEP and County comments and the revised building design. We note that the Applicant is now proposing three “bioretention rain gardens” including one located along the northeast of the building, east of the terminus of the Emergency Access Path (which will preclude access along this portion of the building), near the main entrance, and southeast of the at grade parking lot. The Applicant shall provide testimony regarding all proposed changes to the Stormwater Plans and Report and compliance with comments from the Borough Police and Fire Departments.***
58. On Page 16 of the Stormwater Management Plan as well as Page 8 of the “Addendum”, the Applicant notes that “stormwater runoff to the adjacent Summit Ridge residential development is significantly reduced.” However, we note that the existing prevailing grade is to the east away from the Summit Ridge development and the Applicant shall revise this comment and/or provide testimony. ***The Applicant shall provide testimony regarding the proposed drainage improvements along the property line with the Summit Ridge development.***
59. The Applicant shall revise the reference on Page 6, first paragraph that states “...and the front property line adjacent to Route 287.” ***The Applicant has revised the plans and we no longer take exception.***





### **Traffic Impact Study**

60. The Traffic Impact Study was prepared in accordance with accepted industry standards and methodology.
61. Justification for the parking variance shall be provided. The Applicant notes on Sheet C-01 that **295**-parking spaces are required by RSIS requirements and the site plan proposes **229**-spaces. That is a **22**-percent deviation from the requirement, which in our opinion, is more than a de minimis exception. Should the Board decide to grant the parking variance, it is strongly recommended a parking management plan be provided by the Applicant outlining how the parking spaces will be assigned to each of the tenants. ***The Applicant shall provide testimony.***
62. Testimony should be provided regarding trash pickup (how often, time of day, etc.). ***The Applicant has provided testimony and we no longer take exception.***
63. An autoturn circulation plan should be provided for the largest design vehicle anticipated to utilize the site. We note that Sheets C-33 and C-34 provide templates for Fire Trucks, but no other vehicle templates are provided. The Applicant shall provide testimony and revise the plans accordingly. ***The Applicant has indicated that no trucks larger than a fire truck are expected to utilize the site and shall confirm in testimony.***
64. A loading area should be provided for any SU style moving vehicles that will be used to move residents in or out of the building, as well as information relating to trash and recycling vehicles, etc. ***The Applicant shall provide testimony.***

### **Environmental Impact Statement**

65. The Applicant shall clarify the statement in Section 3.0, Page 3-1, Paragraph 3 that “These previously identified properties are highly unlikely to be within the viewshed of the proposed project given that it will not be constructed higher than the surrounding existing buildings, and the mature tree growth buffers present.” We note that the proposed building will be constructed higher than the adjacent residential developments, and much of the “mature tree growth buffer” will be eliminated between the proposed development and the adjacent Summit Ridge development. Based on the information provided, the proposed building will have a ridge elevation of approximately 460-feet, while the adjacent Summit Ridge grade at the closest building is 422-feet. The Applicant shall provide a Site Elevation Plan that provides the Board with a cross-sectional view of the proposed development and the neighboring Summit Ridge development. ***The Applicant has prepared cross section/perspective exhibits for presentation to the Board and shall provide testimony regarding proposed buffering.***
66. Section 4.0, Page 4-1 references the Letter of Interpretation prepared by Houser Engineering on their “Wetlands LOI Verification Plan” dated July 26, 2017, last revised October 18, 2017. This Plan shall be provided to the Borough. ***The Applicant has provided this information, and we no longer take exception.***



67. Section 5.3, Page 5-2, the Applicant refers to an increase in Impervious surfaces of 3.714-acres, where the Zoning Schedule notes a proposed Lot Coverage of 13.2-percent, or 3.75-acres. The Applicant shall provide the Building and Lot Coverages in acreage and square feet along with percentages. ***We note the reduction in the building footprint and the lot coverages. The Applicant has revised the Zoning Schedule and notes a revised Lot Coverage of 12.1-percent and shall provide testimony.***
68. Section 5.9, Page 5-4 notes that “the landscape and tree planting plan is provided to mitigate the effects of the loss of vegetative cover and tree removal.” However, the Applicant has not provided any information on the number and species of trees proposed to be removed as noted in Comment No. 37, so this statement cannot be confirmed. The Applicant notes that they are requesting a waiver from providing this information, and we recommend that the Board not grant this waiver as this information is necessary to determine the required compensatory plantings per Section 119A of the Ordinance. ***The Applicant has deferred to the Board regarding the requested waiver and the submission of a “representative area tree survey” and shall provide testimony.***
69. Section 5.10, Page 5-5, the Applicant shall explain the statement that “...no direct take of wildlife species during site construction is expected.” ***The Applicant has stated that they are proposing their construction activity “windows” to avoid nesting or colonizing birds and mammal activities, which are not anticipated to take (cause the death of) individual animals. The Applicant shall provide testimony.***
70. Section 5.10, Page 5-5, notes certain seasonal restrictions exist for land clearing during certain time periods pursuant to the US Fish and Wildlife Service. The Applicant shall provide testimony. The Applicant shall provide details of these restrictions to the Board and we recommend that these restrictions be made a Condition of approval should the Board grant approval of this application. ***The Applicant shall provide testimony.***
71. Section 5.15, Page 5-7 states that “the project has also been designed so that wooded buffers remain between the adjacent residential developments and the Garden State Parkway.” As noted, the Applicant has proposed a Limit of Disturbance that borders the adjacent Lot 6 Summit Ridge development for much of the property, eliminating the majority of the wooded buffer along the adjoining property lines. ***The Applicant shall provide testimony regarding the extent of the wooded area that is proposed to remain.***
72. Section 7.0, Page 7-1 notes that “the project design locates activities in the northern and central area of the site...” when in fact the majority of the development (with the exception of the gravel parking area) is located in the western third of the site. ***The Applicant has indicated that they plan to “...locate construction activities in site areas that avoid steep slopes, wetlands, wetland transition areas, streams and riparian zones...” and shall provide testimony.***
73. Section 11.4, Page 11-2, regarding trash removal requires clarification, and the Applicant shall provide testimony regarding how trash and recycling are proposed to be handled from the origin at the individual apartments to eventual pick up by the haulers. ***The Applicant has provided testimony and we no longer take exception.***



### **General Comments**

74. The Applicant shall address the concerns detailed in this report, and any concerns of the Board or the Board Professionals that may arise during testimony.
75. The Applicant shall remove and properly dispose of all excess soil from the site resulting from the construction of the proposed improvements.
76. The Applicant shall maintain the silt fences and tracking pads throughout the construction period.
77. The Applicant shall be aware that if stormwater runoff drainage problems occur on their property and/or neighboring properties as a result of the construction of the proposed improvements, it is the Applicant's responsibility to remedy that drainage issue.
78. The Applicant shall be aware of their responsibility to repair any damage to improvements within the Borough and County Rights-of-Way including, but not limited to, sidewalk, curb, and asphalt caused by construction activities associated with the installation of the improvements on the subject lot.
79. The Applicant is responsible for coordinating with the Montvale Fire Department regarding fire protection requirements.
80. The Applicant shall provide this office with forty-eight (48) hours' notice prior to the start of work to schedule any necessary inspection services.
81. Upon completion of the work, the Applicant shall provide an As-Built Topographic Survey showing the improvements installed as part of this Application *including building height* prepared by a surveyor licensed in the State of New Jersey and submitted to the Borough Engineer for review and approval.
82. The Applicant is responsible for all permitting required by other jurisdictions, including, but not limited to:
  - a. NJDEP;
  - b. USACE;
  - c. U.S. Fish and Wildlife Service;
  - d. Bergen County;
  - e. Bergen County Soil Conservation District; and
  - f. Montvale Building Department.



Lorraine Hutter, Planning Board Secretary  
MC Project No. MVP-037  
July 6, 2020  
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Thank you for your kind attention in this matter. Please do not hesitate to contact me should you have any questions.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'Andrew R. Hipolit'.

Andrew R. Hipolit, P.E., P.P., C.M.E.  
Borough Engineer

ARH/cd/ljb

cc: Montvale Planning Board ([lhutter@montvaleboro.org](mailto:lhutter@montvaleboro.org))  
Doreen Rowland, Deputy Registrar ([drowland@montvaleboro.org](mailto:drowland@montvaleboro.org))  
Robert T. Regan, Esq. ([rtregan@rtreganlaw.com](mailto:rtregan@rtreganlaw.com))  
Darlene Green, P.P., AICP, Board Planner ([dgreen@maserconsulting.com](mailto:dgreen@maserconsulting.com))

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## ***EXHIBIT 1***

# **SUMMARY OF DOCUMENTS SUBMITTED FOR THE WAYPOINT RESIDENTIAL APPLICATION FOR VARIANCE RELIEF, PRELIMINARY AND FINAL SITE PLAN AND MAJOR SOIL MOVEMENT APPROVALS**

**JULY 2020**





The following is a summary of the documents and information submitted in the matter of the review of the Waypoint Residential Application:

- a. Plan sheet FA-3, "Fire Access Exhibit 3", prepared by Paulus, Sokolowski and Sartor, LLC, unsigned, dated 4/22/2020;
- b. Plan sheet SNOW-1, "Snow Location Exhibit", prepared by Paulus, Sokolowski and Sartor, LLC, signed and dated 6/26/2020;
- c. Plan sheet C-32, "Earthwork Plan", prepared by Paulus, Sokolowski and Sartor, LLC, signed and dated 12/27/2019, last revised 2/6/2020;
- d. Plan sheet C-03, "Existing Conditions Site Plan", prepared by Paulus, Sokolowski and Sartor, LLC, dated 12/27/2019, signed 12/31/19;
- e. Plan sheet C-07, "Grading and Drainage Plan A", prepared by Paulus, Sokolowski and Sartor, LLC, signed and dated 12/27/2019, last revised 2/6/2020;
- f. Plan sheet C-08, "Grading and Drainage Plan B", prepared by Paulus, Sokolowski and Sartor, LLC, signed and dated 12/27/2019, last revised 2/6/2020;
- g. Planning Board Soil Movement Application, signed, undated;
- h. Photos 4- Stone Retaining Wall;
- i. Plan entitled, "Preliminary and Final Site Plan Application for Waypoint Residential Active Adult Community at Summit Avenue, Block 1002, Lot 7, Borough of Montvale, Bergen County, New Jersey", consisting of 35-sheets, prepared by Paulus, Sokolowski and Sartor, LLC, signed and dated 12/27/2019, last revised 6/25/2020;
- j. Plan entitled, "Wetlands LOI Verification Plan, Summit Holdings LLC, 139 Summit Avenue, Borough of Montvale, Block 1002, Lot 7", consisting of one (1) sheet, prepared by Houser Engineering, LLC, unsigned, dated 7/26/2017, last revised 10/18/2017;
- k. Plan entitled, "Concept Plan, Waypoint Residential Active Adult Community, Del Ben South, Summit Ave., Block 1002, Lot 7, Borough of Montvale, Bergen County, New Jersey", consisting of one (1) sheet, prepared by Paulus, Sokolowski and Sartor, LLC, unsigned, dated 5/14/2019;
- l. Architectural Plan Set entitled, "Waypoint Residential, Active Adult Apartments, Summit Avenue, Montvale, NJ", consisting of 20-sheets, prepared by Meyer Architecture + Interiors, unsigned, dated 06/26/2020;
- m. Draft Ordinance entitled, "Waypoint Residential: Adult Living, Proposed Addition to Montvale Zoning Code", prepared by Richard M. Preiss, P.P., Revised Draft August 14, 2019", consisting of four (4) pages;



- n. Response Letter to Peter J. Wolfson, Esq., prepared by Robert T. Regan, Montvale Borough Counsel, signed and dated October 15, 2019;
- o. Report entitled, "Traffic Impact Study for Waypoint Residential Active Adult Community, property located at: Summit Avenue, Block 1002 – Lot 7, Borough of Montvale, Bergen County, NJ", consisting of 28-pages, prepared by Dynamic Traffic, signed and dated February 5, 2020;
- p. Report entitled, "Stormwater Management Plan, prepared for: Waypoint Residential Active Adult Community at Summit Ave, Block 1002, Lot 7, Borough of Montvale, Bergen County, New Jersey", consisting of 545-pages, prepared by Paulus, Sokolowski & Sartor, LLC, signed and dated December 2019, last revised June 2020;
- q. Report entitled, "Addendum #1 to the Stormwater Management Plan, prepared for: Waypoint Residential Active Adult Community at Summit Ave, Block 1002, Lot 7, Borough of Montvale, Bergen County, New Jersey", consisting of 130-pages, prepared by Paulus, Sokolowski & Sartor, LLC, signed and dated January 2020;
- r. Report entitled, "Report for Flood Hazard Area Permit, prepared for: Waypoint Residential Active Adult Community at Summit Avenue, Block 1002, Lot 7, Borough of Montvale, Bergen County, New Jersey", consisting of 169-pages, prepared by Paulus, Sokolowski and Sartor, LLC, signed and dated 12/31/19;
- s. Report entitled, "Environmental Impact Statement, for: Waypoint Residential Active Adult Community, Block 1002, Lot 7, Borough of Montvale, Bergen County, New Jersey", consisting of 77-pages, prepared by Paulus, Sokolowski and Sartor, LLC, unsigned, dated December 2019;
- t. Engineering Response Letter, signed and dated June 26, 2020;
- u. Engineering Response Letter, signed and dated February 7, 2020;
- v. Architects Land Development Narrative, signed and dated February 6, 2020;
- w. Montvale Fire Department Review Memo, dated 2/13/20;
- x. Applicant Checklist Waiver Requests Document;
- y. Applicant Application Addendum Document;
- z. Applicant Project Overview, PowerPoint Document, dated June 2019;
- aa. Bergen County Official Deed Recordings Document, consisting of 35-pages, recorded 06/11/2018; and
- bb. Planning Board, Site Plan Review & Variance Application, signed and dated January 3, 2020.