



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

Shelbourne at Hunterdon
53 Frontage Road, Suite 110
Hampton, NJ 08827
T: 908.238.0900
F: 908.238.0901
www.maserconsulting.com

July 7, 2020

PLANNING REPORT

Planning Board
Borough of Montvale
12 Mercedes Drive
Montvale, NJ 07645

Re: Waypoint Residential Services, LLC
Block 1002, Lot 7
127 Summit Avenue
Review Letter #2
MC Project No. MPP-126

Dear Board Members:

Waypoint Residential Services, LLC (hereinafter “the Applicant”) has filed an application for Preliminary and Final Site Plan approval to construct a multi-family active adult community. The proposed development includes three residential stories over a 186-space parking garage on the ground level. A total of 157 units are proposed, which consist of 97 one-bedroom units and 60 two-bedroom units. Site improvements include surface parking, bioretention rain gardens, grading, drainage, and utility work, signage, lighting, and landscaping. Within the courtyard there is a pool, putting green, bocce court, chess tables, multiple sitting areas, outdoor grills, and a firepit. There is also a wood chip trail in the northern and eastern portions of the property, including two footbridges across the stream, and a seven-space gravel public parking area off Summit Avenue.

The Board should note that the subject property is a Prior Round inclusionary site, rezoned in 1993. The site continues to be allocated to the Prior Round Obligation in the Borough’s 2017 Settlement Agreement with Fair Share Housing Center. The subject property is identified as an appropriate location for affordable housing that is approvable, available, developable, and suitable in the Borough’s 2018 Housing Element and Fair Share Plan, which was adopted on May 1, 2018. The Plan anticipates at least 13 affordable units from the subject site. The Applicant proposes to provide 24 affordable rental units, which is a 15.28% set-aside.

The Application requires several “C” bulk variances and waivers/exceptions, which are outlined in Sections B and D.

The following documents, which were submitted in support of the Application, have been reviewed:

1. Plans entitled “Preliminary and Final Site Plan Application for Waypoint Residential Active Adult Community at Summit Avenue”, prepared by Patricia A. Ruskan, P.E. of



PS&S, dated December 31, 2019, revised though June 25, 2020, consisting of 35 sheets. It should be noted that Sheet C-08A is a new sheet.

2. Plans entitled “Waypoint Residential Active Adult Apartments”, prepared by George Wilson, RS of Meyer Architects, Inc., dated June 26, 2020, consisting of 20 sheets.
3. Plans entitled “Waypoint Residential Active Adult Community”, prepared by George Wilson, R.A. of Meyer Architects, Inc., dated February 6, 2020, consisting of 6 sheets.
4. Plan entitled “Snow Location Exhibit”, prepared by Patricia A. Ruskan, P.E. of PS&S, dated June 25, 2020, consisting of 1 sheet.
5. Plan entitled “Wetlands LOI Verification Plan”, prepared by J.R. Houser, P.E. and T.C. Vandervalk, P.E., dated July 26, 2017 and revised through October 18, 2017, consisting of 1 sheet.
6. Plan entitled “Apartment Buildings Concept Plan”, prepared by PS&S, dated December 4, 2019, consisting of 1 sheet.
7. Plan entitled “Townhouses Concept Plan”, prepared by PS&S, dated October 22, 2019, consisting of 1 sheet.
8. Site Plan Review and Variance Application, dated January 3, 2020.
9. Document entitled “Application Addendum”, author unknown, no date, consisting of 2 pages.
10. Document entitled “Checklist Waiver Requests”, author unknown, no date, consisting of 1 page.
11. Letter entitled “Waypoint Residential Active Adult Community at Summit Ave”, prepared by Jon McDermott, P.E. of PS&S, dated February 7, 2020, consisting of 3 pages.
12. Letter entitled “Land Development Narrative: Architecture”, prepared by Meyer Architects, Inc., dated February 6, 2020, consisting of 1 page.
13. Letter entitled “Application for Variance Relief, Preliminary and Final Site Plan and Major Soil Movement Approvals Waypoint Residential”, prepared by Patricia A. Ruskan, P.E. of PS&S, dated June 26, 2020, consisting of 49 pages.
14. Letter entitled “WayPoint”, prepared by Captain Doug McDowell of the Montvale Police Department, dated July 1, 2020, consisting of 1 page.

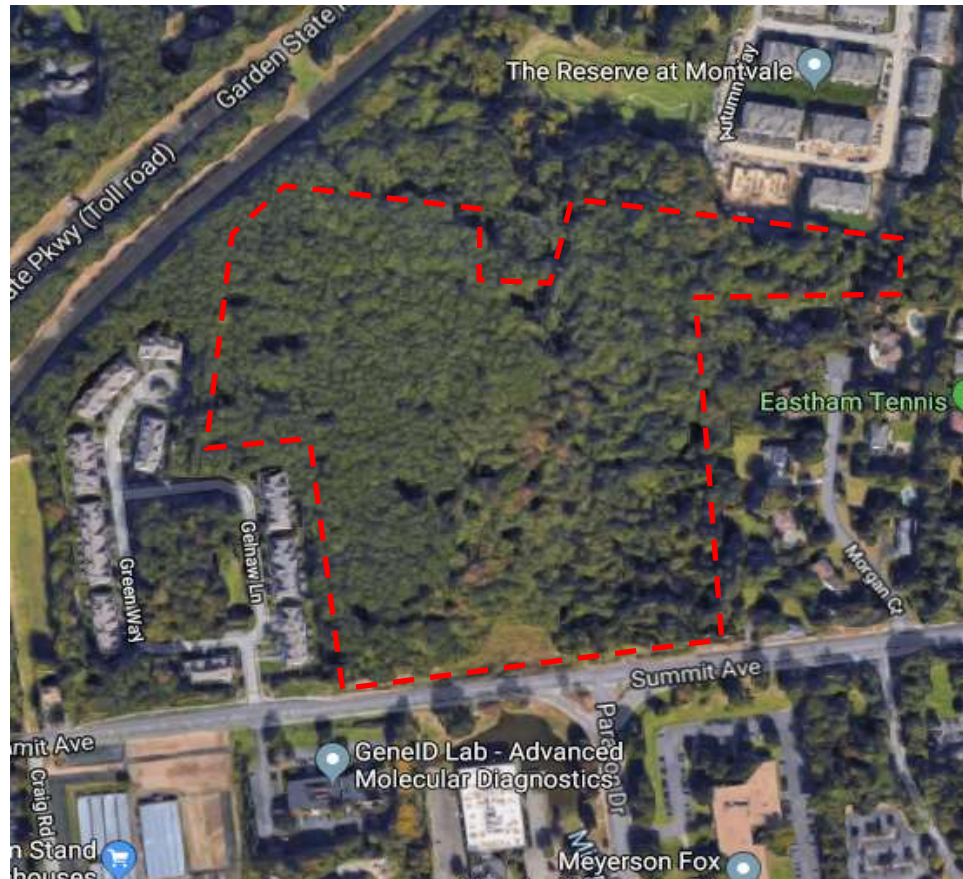


15. Letter entitled “Applicant: Waypoint Residential Services LLC”, prepared by Mark Schneider, Esq. of the New Jersey Turnpike Authority, dated July 3, 2020, consisting of 2 pages.
16. Deed, recorded June 11, 2018, between Reno A. Del Ben and Summit Avenue Holding, LLC.
17. Deed of Easement for Roadway Purposes, recorded March 10, 2015, between Reno A. Del Ben and the County of Bergen.
18. Deed of Easement for Culvert Maintenance, recorded March 10, 2015, between Reno A. Del Ben and the County of Bergen.
19. Utility Easement, recorded April 23, 2015, between United Water New Jersey, Inc. and Reno A. Del Ben.
20. Traffic Impact Study, prepared by Corey Chase, P.E. and Nick Verderese, P.E. of Dynamic Traffic, dated September 20, 2019.
21. Traffic Impact Study, prepared by Corey Chase, P.E. and Nick Verderese, P.E. of Dynamic Traffic, dated February 5, 2020.
22. Environmental Impact Statement, prepared by PS&S, dated December 2019.
23. Report for Flood Hazard Area Permit, prepared by Patricia A. Ruskan, P.E. of PS&S, dated December 31, 2019.
24. Stormwater Management Plan, prepared by Patricia A. Ruskan, P.E. of PS&S, dated December 27, 2019, revised through June 2020.
25. Addendum #1 to the Stormwater Management Plan, prepared by Patricia A. Ruskan, P.E. of PS&S, dated January 2020.
26. Packet of images, unknown author, no date, consisting of 3 sheets of retaining wall photographs.

A. Existing Zoning and Surrounding Land Use

The subject property is located in the AH-6 Affordable Housing District. The 28+-acre site is surrounded by the Garden State Parkway to the north, the Reserve at Montvale inclusionary housing development to the northeast, single-family dwellings to the east, the future inclusionary development at 2 Paragon to the south, office uses to the southeast and southwest, and the Summit

Ridge inclusionary housing development to the west. See the image below, which illustrates the location of the subject property.¹



Yard and bulk requirements in the AH-6 District are as follows²:

- Minimum Lot Area – 5 acres
- Minimum Lot Width – 200 feet
- Minimum Front Yard Setback³ – 60 feet
- Minimum Front Yard Setback (from internal streets and roadways) – 30 feet
- Minimum Side and Rear Yard Setback – 50 feet⁴
- Minimum Side Yard Setback (aggregate) – 100 feet
- Minimum Side and Rear Yard Setback from Internal Driveways – 10 feet
- Minimum Distance Between Buildings:
 - Front to Front – 75 feet
 - Front to Side – 30 feet

¹ Image from Google.

² These standards are sourced from 128-5.7D. and Section 128, Attachment 1.

³ Front yard setback measured from all external streets and from all public streets within the planned residential development.

⁴ Where a mandatory buffer is required, the combined side or rear yard setback shall be 75 feet.



Front to Rear – 75 feet
Side to Side – 25 feet
Side to Rear – 30 feet
Rear to Rear – 75 feet
Maximum Density – 6 units per acre
Maximum Building Coverage – 20%
Maximum Lot Coverage – 60%
Maximum Building Height – 35 feet/2 stories⁵
Maximum Building Length of Apartments and Apartment Flats – 160 feet
Maximum Number of Units per Building – 12 units
Minimum Open Space Requirement – 35%

B. Variances

The Board should note that Sheet C-01 of the Site Plans lists 10 required variances. However, two variances are called out separately that are from the same code section. Therefore, there are nine variances according to the Site Plans. Our review of the plans indicates these nine variances are required along with Variance #2 below.

1. Section 128-5.7C.(2) – Variance for minimum structure setback. The Ordinance requires a 60-foot setback from any external street right-of-way line.

The Applicant proposes two retaining walls on either side of the entrance and one retaining wall on the east side of the driveway to the gravel parking area within 60 feet of the Summit Avenue right-of-way.

2. Section 128-5.7D.(2)(a)[2] – Variance for internal streets and roadways front yard setback. The Ordinance requires a 30-foot front yard setback to the street right-of-way or edge of pavement.

The proposed porte-cochere is located over Road B.⁶

3. Section 128-5.7D.(2)(b) – Variance for buffer area. The Ordinance requires a combined side yard setback and buffer of 75 feet, where there is a mandatory buffer required. The subject property abuts the R-40 District to the east, which requires a buffer. Therefore a 75-foot buffer is required from the eastern property line.

The Applicant proposes to reduce the existing tree line within the 75-foot buffer area to 72 feet. Additionally, grading will occur within the mandatory buffer area.

⁵ Exclusive of basement and cellar areas only used for parking, storage, utilities, and the placement of mechanical equipment to serve the principal building.

⁶ The Board needs to discuss whether it was the Ordinance's intention to apply this standard to internal site driveways. Depending on the decision, this variance may be eliminated.



4. Section 128-5.7D.(2)(c) – Variance for minimum driveway setback. The Ordinance requires a ten-foot side or rear yard building setback to internal driveways, other than a public or private street or roadway.

The Applicant proposes a zero-foot side yard setback along Road A at the garage entrance.

5. Section 128-5.7D.(2)(g) – Variance for building height. The Ordinance limits building height to 35 feet and two stories, exclusive of basement and cellar areas that may only be used for parking, storage, utilities, and the placement of mechanical equipment to serve the principal building.

The Applicant proposes a 35-foot, three-story building according to the Architectural Plans and Zoning Schedule on the Site Plan. However, the exact building height is unclear. See Comment #5 for a discussion of the proposed building height.

6. Section 128-5.7D.(2)(h)[3] – Variance for building length and number of units. The Ordinance limits apartment building length to 160 feet and 12 dwelling units.

The Applicant proposes the building to be 338.15 feet long according to the Zoning Schedule and contain 157 units.

7. Section 128-6.3.1 – Variance for slope disturbance. The Ordinance does not permit construction of any nature on any portion of a property with a predisturbance topographic slope of 15% or greater.

The Applicant proposes to disturb 15,412 square feet of slopes greater than 15%. This includes 7,968 square feet (8.9%) of slopes between 15% and 19.99%, 3,312 square feet (7.2%) of slopes between 20% and 24.99%, and 4,132 square feet (5.9%) of slopes greater than 25%.

8. Section 128-7.1I. via Section 128-7.3B. – Variance for sidewalk setback. The Ordinance requires sidewalks to be setback at least five feet from buildings, unless landscaping is provided at a minimum depth of five feet along 50% of the building to which the sidewalk is adjacent.

The Applicant proposes a sidewalk adjacent to the southeast side of the building, which does not have five-foot deep landscaping along 50% of the building. Additionally, a sidewalk is proposed along the building in the northeast corner with no landscaping in the area between the sidewalk and building.

9. Section 128-9.9A. – Variance for number of parking spaces. The Ordinance requires a minimum of 2.25 parking spaces per dwelling unit. However, RSIS requires 1.8 parking spaces for every one-bedroom apartment and two parking spaces for every two-bedroom apartment. (Note these standards are reflected on the Site Plan.)



The Applicant proposes 157 dwelling units, which requires 353.25 parking spaces according to the Borough's Ordinance. The Applicant proposes 97 one-bedroom apartments, which requires 175 parking spaces (per RSIS), and 60 two-bedroom apartments, which requires 120 parking spaces (per RSIS). Therefore, 295 parking spaces are required for the proposed development according to RSIS. The Applicant proposes 229 parking spaces, which does not comply with either requirement. The Board should note that the Environmental Impact Statement, which indicates 111 one-bedroom units and 58 two-bedroom units are proposed, has not been updated to reflect the revised documents.

10. Section 128-9.9B.(5)(e) – Variance for slope disturbance. The Ordinance does not permit any structures to be constructed in an area having a topographic slope of 15% or greater in any planned residential development.

The Applicant proposes the building within areas that have a topographic slope of 15% or greater.

C. Variance Proofs

“C” Variances

NJSA 40:55D-70(c) sets forth the criteria by which a variance can be granted from the bulk requirements of a zoning ordinance. The first criteria is the C(1) or hardship reasons including exceptional narrowness, shallowness or shape of a specific piece of property, or exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or extraordinary and exceptional situation uniquely affecting a specific piece of property.

The second criteria involves the C(2) or flexible “C” variance where the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

D. Waivers/Exceptions

Our review of the submitted materials found the Application requires the following waivers/exceptions:

1. Section 39-3D. – Waiver/exception for fence location. The Ordinance requires all fences (whose definition includes walls) to be installed within property lines and to not encroach upon a street.

The Applicant proposes a portion of Retaining Wall A with an ornamental fence mounted on top to be installed outside the property lines within the Summit Avenue right-of-way.

2. Section 39-3G. – Waiver/exception for fence location. The Ordinance prohibits fences closer than ten feet to the front yard property line or within 20 feet of the edge of pavement.

The Applicant proposes a portion of Retaining Wall A with an ornamental fence mounted on top to be installed within the Summit Avenue right-of-way. The wall is less than 20 feet



from the edge of pavement. The Applicant also proposes Retaining Wall E less than 20 feet from the edge of pavement.

3. Section 39-4 – Waiver/exception for fence height. The Ordinance limits fence height to four feet.

The Applicant proposes four retaining walls with a four-foot-tall ornamental fence, which exceed the four-foot height limit. The following maximum combined fence and wall heights were identified along each retaining wall:

- Retaining Wall A (west side of Road A along the entrance driveway) – 14.7 feet
 - Retaining Wall B (east side of Road A along the entrance driveway) – 11 feet
 - Retaining Wall C1 (west side of Road B and south of the building) – 8.5 feet
 - Retaining Wall C2 (west side of Road B and south of the building) – 9 feet
 - Retaining Wall D (east side of Road A, adjacent to the parking area – 17.5 feet
4. Section 119A-2E. – Waiver/exception from a tree removal survey to delineate trees proposed to be removed from the Tree Preservation Zone and general tree removal limits.

The Applicant has requested a waiver from this requirement.

E. Comments

Based on our review of the above-referenced materials, we offer the following comments. It should be noted that the current status of existing comments, as well as new comments, is provided in italics.

General

1. The Applicant's professionals must provide testimony to support the grant of the variances and waivers/exceptions required. Testimony must address both the negative and positive criteria requirements of the MLUL.
2. Page 2 of the Board Application indicates the site is in the AH-A6 Affordable Housing Zone. This is incorrect, it is the AH-6 Zone. This discrepancy shall be eliminated.
3. The Variance list on Sheet C-01 of the Site Plans indicates a variance is required for the fence/wall front yard setback, fence/wall setback from any street, and maximum fence/wall height, which is incorrect. These are waivers/exceptions, not variances, as the standards are in Chapter 39 not 128. The Applicant should eliminate this error.

The Applicant has separated these waivers/exceptions from the Variance list into a new "Design Waivers Required" category. This comment has been satisfied.

4. The number of one- and two-bedroom units listed in the Environmental Impact Statement does not match the other submitted materials. The Environmental Impact Statement



indicates the development contains 169 units, including 111 one-bedroom units and 58 two-bedroom units. However, the other documents and Plans indicate there are 110 one-bedroom units and 60 two-bedroom units. The Applicant shall revise the Environmental Impact Statement to be consistent with the other submitted materials.

The proposed number of units has been revised to include 97 one-bedroom units and 60 two-bedroom units, totaling 157 units. However, a revised Environmental Impact Statement has not been submitted reflecting this change.

5. The definition of “Building Height” states:

“The vertical distance between the average ground elevation around the foundation of the building and... in the case of sloping roofs, to a point 1/2 the distance between the rafter plate and the uppermost point of the roof, inclusive of any parapet, structure, apparatus or equipment included on top of the roof, except as permitted per Section 128-6.3.3. For purposes hereof, “ground elevation” shall mean the elevation of the property in its undeveloped state...”

Additionally, Section 128-5.7D.(2)(g) excludes basement and cellar areas which may only be used for parking, storage, utilities, and the placement of mechanical equipment to serve the principal building from the calculation of building height.

The proposed building height in the Zoning Schedule indicates the building is three stories and 38 feet, four inches tall, which excludes the garage level. According to the Architectural Plans this height is derived from the measurement from the Bottom of Framing to the Roof Midpoint. The height calculation does not appear to account for the average grade around the building. Additionally, the Roof Midpoint appears to be lower than where the midpoint of the copper-colored roof at the southeastern corner of the building would be. Testimony shall be provided to clarify how building height was calculated and whether those calculations comply with the ordinance. The Board and Applicant should note that if the building height is determined to be 38.5 feet or greater, the variance becomes a D(6) height variance, not a C bulk variance.

The Site Plans and Architectural Plans indicate the building height has been revised to 35 feet and three stories, measured from the “01 Level” on the Architectural Plans to the Roof Midpoint. However, it is unclear if the “01” Level elevation was calculated pursuant to the definition above. Additionally, the Roof Midpoint still appears to be lower than the midpoint of the copper-colored roof at the southeastern corner of the building. The Applicant shall provide additional information to clarify how the “01 Level” elevation was calculated and the elevation to the midpoint of the copper-colored roof should be provided.



6. A portion of Retaining Wall A with a four-foot ornamental fence is located within the Summit Avenue right-of-way. Has the Applicant received approval from Bergen County to construct the walls and fence? Testimony shall be provided.

Ms. Ruskan's June 26, 2020 response letter indicates Bergen County is currently reviewing the project.

7. The Application Addendum and Sheet C-01 of the Site Plans indicate 11 variances are being requested. Our office has determined that 11 "C" variances and four waivers/exceptions are required. However, Maser's 11 variances do not match the Applicant's list. The Applicant shall revise the Site Plans to state each variance and waiver/exception required.

The revised Plans have eliminated two "C" variances and one waiver/exception and triggered one "C" variance and one waiver/exception. Therefore, ten "C" variances and four waivers/exceptions are required. Sheet C-1 identifies nine of the ten "C" variances and three waivers/exceptions.

8. The Application Addendum indicates a variance from Section 128-5.7D.(2)(a)[2] is required for a zero-foot front yard setback from internal streets and roadways where 30 feet is required. It is unclear if Road A and/or Road B will be public or private streets. The Applicant shall provide testimony. Until this information is provided, we cannot determine if this variance is applicable to the Application.

Ms. Ruskan's response letter indicates Roads A and B will be private roadways, which has triggered a variance from Section 128-5.7D.(2)(a)[2]. However, as noted on page 5, the Board should discuss whether it was the Ordinance's intention to apply this standard to internal site driveways. Depending on the Board's decision, this variance may be eliminated.

Use

9. The Application uses the phrase "active adult community". It is unclear what age range the Applicant intends to serve. Testimony shall be provided.

Jim Driscoll, Senior Vice President of Waypoint Residential Services, LLC, testified at the March 3, 2020 hearing that the proposed active adult community will be available to persons 55 years and older, and will primarily be occupied by persons 65 to 80 years old. This comment has been addressed.

10. The Applicant shall provide testimony on the site's operations including the anticipated number of residents, on-site amenities, and the various rooms and areas identified on the Architectural Plans including the garage level parking lobby and storage locker room.



11. The Applicant shall provide testimony on the number of anticipated employees on site at any given time, which should be broken down by category (i.e. office, amenities, cleaning, etc.). This office is concerned about the number of employees because of the proposed parking shortage.

Mr. Driscoll testified at the March 2020 hearing that there will be a maximum of seven employees as well as some third-party service providers. Employees on site include a property manager, assistant property manager, activities director, leasing consultant, maintenance supervisor, maintenance technician, and a concierge. This comment has been addressed.

12. The Architectural Plans illustrate a trash room in the garage. Testimony shall be provided on trash removal, whether or not there is a compactor, and if the bins roll-out.

Patricia Ruskan, the Applicant's Engineer, testified at the March 2020 hearing that the maintenance employee will bring the garbage out of the garage. However, it is unclear where the garbage containers will be placed to be picked up by a garbage truck. Additional testimony shall be provided.

13. It is unclear how trash and/or recyclable materials will be collected and brought to the trash room in the garage. Will there be a trash room with chutes on each floor that connect to the trash room in the garage? Testimony shall be provided.

Site Plan

14. The Site Plans are extremely difficult to read as several layers are illustrated on each sheet. For example, grading and drainage are illustrated on the same page and are difficult to read. If the Applicant could separate some of this information into individual sheets, it would make the plans easier to read and review.

Ms. Ruskan's response letter indicates that the plans have been revised to be clearer and easier to read. The Plans are clearer. This comment has been addressed.

15. Section 128-9.9B.(5)(e) does not permit any structure of a planned residential development within an area with a topographic slope of 15% or greater. It appears that a small portion of the northeast corner of the structure and the entrance area are in a 15% or greater slope area. The Applicant shall provide testimony on the specific square footage of the building in 15% or greater slope areas.

Ms. Ruskan's response letter indicates that 1,426 square feet of the proposed building is within areas with a topographic slope greater than 15%.

16. No drop curb is illustrated at the entrance to the emergency access path (Sheet C-05). The Applicant should provide a drop curb at this location to allow fire truck access.



A depressed concrete curb is now illustrated at the entrance to the asphalt emergency access path. This comment has been satisfied.

17. The Applicant shall provide testimony on how snow storage will be handled. Snow storage areas shall be illustrated on the Site Plans and shall not interfere with proposed landscaping.

The Applicant has provided a Snow Location Exhibit Plan. The locations identified on this Plan do not interfere with the proposed landscaping. Additionally, Ms. Ruskan's response letter indicates excess snow will be removed from the site as needed. We defer to the Board Engineer regarding the size and capacity of the proposed snow storage areas.

18. Due to the topography of the site, it is difficult to understand what the site will look like from Summit Avenue and from the Summit Ridge Development. Sections, or renderings should be prepared to assist the Board and public in understanding the proposed development. Specifically, a section from one of the adjacent homes at Summit Ridge compared to the proposed building should be provided.

The Architectural Plans have been revised to include six photographs demonstrating the existing view from Summit Ridge toward the subject site and three photographs demonstrating the proposed conditions with the multi-family building superimposed. Additionally, a site section has been provided on Sheet AEX-20 of the Architectural Plans, which illustrates the proposed conditions and existing vegetation. However, Image 6 is illustrated on Sheet AEX-07 to be taken on the property line. Image 6 is then superimposed with the proposed building on Sheet AEX-16. This image shows a wide area with trees between the photographer and the proposed building. However, the Site Plan only illustrate five feet of woods between the property line and the emergency access path. Testimony shall be provided regarding this discrepancy.

19. Block Walls A and B along the entrance will be upwards of seven and ten feet tall (not including the fence). The wall will be a major feature of the entrance. The Applicant shall bring photos or spec sheets of the proposed block material and color to the hearing.

Sample images of block retaining walls have been provided in the latest submission. Testimony regarding the specific color and material shall be provided.

20. Wall A is illustrated approximately one foot from the front property line of the Summit Ridge Development and Retaining Wall C2 is illustrated approximately four feet from the property line of the Summit Ridge Development. Can these walls be constructed without encroaching onto the Summit Ridge property? If not, has the Applicant received approval from the Summit Ridge HOA to construct the proposed walls? Testimony shall be provided.

Ms. Ruskan's response letter indicates Wall A is within the County's slope easement along Summit Avenue and since the County has requested road widening, she indicates the wall



will be installed within the slope easement. However, the response letter does not mention if the construction of Retaining Wall C2 will encroach onto the Summit Ridge property. Testimony shall be provided.

21. *The Applicant has indicated that all parking spaces are now nine feet wide and 18 feet long. However, there are no dimensions provided for the parking garage spaces. Testimony shall be provided confirming all spaces conform to this RSIS standard.*

Architecture

22. The Application indicates the site will provide 26 affordable housing units. However, the Architectural Plans do not indicate the location of the affordable units or the type of affordable units proposed. The Plans shall be revised to identify each affordable housing unit within the apartment building to ensure 26 affordable units are being provided.

Labels have been added to the floor plans to indicate the locations of the affordable units. According to the plans, 24 one-bedroom affordable units are proposed. This comment has been addressed.

23. The Architectural Plans label each unit with a unique residential unit type, for example “JR 1BR – (A1)” and “2BR/2B – (C1)”. A table shall be provided with a description and count of each unit type by floor. Also, the size range (in square feet) should be provided for each unit type.

The Architectural Plans have been revised to include a Unit Matrix table detailing the number and floor area of each unit type. However, a description column of what each unit contains, i.e. one-bedroom, one-bedroom and den, etc., has not been provided. Descriptions of each unit type should be added to the Unit Matrix.

24. The Board should note that the Applicant has revised the Architectural Plans to decrease the number of units from 170 to 157. Below is a summary of the unit types in the February submission and the current submission:

February 6, 2020 Architectural Plans:

- 1BR/1B – 45 units
- Jr 1BR/B – 26 units
- 1BR/1B/DEN – 39 units
- 2BR/2B – 33 units
- 2BR/2B/DEN – 27 units
- Total – 170 units

June 26, 2020 Architectural Plans:

- 1BR/1B – 39 units
- Jr 1BR/1B – 24 units
- 1BR/1B/DEN – 34 units



- 2BR/2B – 33 units
- 2BR/2B/DEN – 27 units
- Total – 157 units

25. The three elevator shafts are not illustrated on the Building Elevations. Will the elevator shafts extend beyond the sloped roof of the building? Testimony shall be provided.

26. The units appear to have individual HVAC systems, but it is unclear where the mechanical equipment is located for the building's common areas. Testimony shall be provided.

Ms. Ruskan's response letter indicates each unit has an individual HVAC system located in a closet, while the HVAC systems for the corridors and common areas are located in the ceiling plenum. This comment has been addressed.

27. Testimony shall be provided regarding the storage locker room and bike storage room. Will each unit be provided with a storage locker/bike space or is it first come, first served?

28. The Garage Plan labels two rooms as "Area Way" and one room as "MDF RM". Testimony shall be provided on what these areas are.

Ms. Ruskan's response letter indicates the "Area Way" is for an outdoor well for exhaust of the garage and the "MDF RM" is the telecommunications/data room for the building. This comment has been addressed.

29. The Overall First Floor Plan illustrates multiple features in the courtyard area. The Applicant shall label these features and provide details.

Sheet AEX-18 of the Architectural Plans provides a detailed layout of the courtyard area, which includes a pool and pool deck, putting green, bocce court, chess tables, multiple seating areas, grills, a fire pit, and landscaping. This comment has been addressed.

30. The room identifications for what appear to be Rooms 226 and 326 are missing from the Architectural Plans. These labels shall be added to the Plan.

The revised Floor Plans do not include room number labels. Therefore, this comment is no longer applicable.

31. The Applicant should bring samples of the materials and colors identified on the Building Elevations to provide the Board with a better understanding of the proposed façade.

Sheet AEX-17 of the Architectural Plans provides a colored rendering of the southeast corner of the building and a legend with color and material samples of the building materials.



32. Montvale prides itself on the Borough's attractive single- and multi-family residential developments. The Board should review the colored elevations and opine on the suitability of the selected materials and colors.

33. The Architectural Plans do not provide the clearance height for the porte cochere or the garage. This information shall be provided.

Ms. Ruskan's response letter indicates the clearance height of the porte cochere is 13 feet, six inches. However, the garage clearance height has not been noted on any plan.

34. The Applicant proposes the building to be 338.15 feet long according to the Zoning Schedule – however, there are no dimensions on the Architectural Plans to verify said measurement.

35. Sheet C-05 states “proposed trellis – see architectural plans”. It is unclear if there is a detail that is missing from the Architectural Plans or if they are referring to the elevations. Testimony shall be provided.

Parking and Circulation

36. According to Sheet C-01 of the Site Plans, the development is required 318 parking spaces (under RSIS) and providing 244, which is 74 parking spaces short. This site is unique as it offers amenities in addition to the residential units, such as a fitness studio, dining and breakfast area, and offices for what appear to be an on-site staff. Testimony shall be provided regarding the sufficiency of parking for both residents and employees of the building.

The revised Plan proposes a total of 157 units, which require 295 parking spaces (as per RSIS). The Applicant proposes 229 parking spaces, which is 66 spaces deficient. Testimony shall be provided regarding the adequacy of the revised number of parking spaces for both residents and employees of the building. (Note that seven employees are projected per the March 2020 testimony.)

37. The Applicant shall provide testimony on how the garage parking spaces will be allocated. Will the units be assigned parking spaces or will the parking spaces be on a first come, first served basis?

38. It is unclear how the compact parking spaces will be identified. No signage is illustrated on the Overall Garage Floor Plan. Testimony shall be provided.

The revised Plans do not include compact parking spaces. Therefore, this comment is no longer applicable.

39. The Applicant should provide a turning template for a garbage truck to ensure proper circulation is provided.



The Engineer's response letter indicates a garbage truck will be able to navigate the site since the hammerhead areas can accommodate a k-turn of a fire truck. We defer to the Board Engineer regarding this comment.

40. We defer to the Fire Department and Board Engineer regarding the turning templates provided on C-33 and C-34.
41. *As the site is deficient 66 spaces, we would recommend that the Applicant consider the following to increase the number of parking spaces:*
- *Moving the bike storage and pool storage to another location within the garage and instead replace those areas with parking spaces.*
 - *Add a space beside space 146.*
 - *Consider creating tandem spaces behind spaces 164 through 168.*

Lighting and Landscaping

42. The Applicant shall provide testimony on the hours of illumination for the proposed lights. If security lighting is proposed, the Applicant shall identify the lighting that will be illuminated.

Ms. Ruskan's response letter indicates lighting will be illuminated from "dusk till dawn via photo cells". A note on the Light Fixture Detail on Sheet C-21 confirms this statement. This comment has been addressed.

43. Chapter 119A, Trees and Plants, provides the requirements for tree removal and replacement. The Applicant has not provided any information regarding tree removal. The Applicant shall submit the number of trees to be removed in accordance with this Chapter to ensure trees falling within the Tree Preservation Zone are replaced in accordance with the Ordinance.

Ms. Ruskan's response letter indicates "a waiver has been requested from providing a tree survey for this wooded site. If this waiver is not granted by the Planning Board, the applicant is proposing that a representative area (1-acre) tree survey be provided for this project site and be utilized to project the number of trees to be removed within the proposed Limit of Disturbance." It is unclear how the Board and/or its professionals will be able to determine if any compensatory plantings are required without some type of survey. We defer to the Board on this request.

44. The Applicant has not provided information regarding the installation of shade trees within the Summit Avenue right-of-way pursuant to Section 128-7.1J (via Section 128-7.3B.). There appears to be sufficient existing vegetation, but the Applicant shall provide testimony. Depending on the testimony provided, an additional variance may be triggered.



Ms. Ruskan's response letter indicates that no shade trees are proposed along the Summit Avenue right-of-way due the presence of existing vegetation, slopes that lead to wetlands, and overhead utility wires, which reduces the area where shade trees are able to be planted. We defer to the Board if any additional shade trees should be planted along Summit Avenue.

45. It is unclear if the Applicant meets the parking lot landscaping requirements of Section 128-7.1K (via Section 128-7.3B). Additional information shall be provided demonstrating compliance or a variance shall be sought.

The Applicant has provided five shade trees within five feet of the curb of the parking area, where four trees are required, which complies with a portion of Section 128-7.1K. However, the Applicant has not provided information to prove compliance with the requirement of landscape islands constituting at least 5% of the total parking area. This information shall be submitted.

46. It is unclear if any landscaping is proposed in the courtyard. Testimony shall be provided.

Sheet AEX-18 illustrates landscaping in the courtyard. This comment has been addressed.

47. The Plant Schedule indicates there are ten October Glory Red Maple trees proposed, while only five are illustrated on the Landscape Plan. This discrepancy shall be eliminated.

The Plant Schedule has been revised to indicate there are five October Glory Red Maple trees, which matches what is illustrated on the Landscape Plan. This comment has been addressed.

48. The Plant Schedule indicates there are two Duraheat River Birch trees proposed, while zero Duraheat River Birch trees are illustrated on the Landscape Plan. This discrepancy shall be eliminated.

The Duraheat River Birch trees have been removed from the Plant Schedule. This comment has been addressed.

49. The Plant Schedule indicates there are 16 Inkberry Holly shrubs proposed, while 26 are illustrated on the Landscape Plan. This discrepancy shall be eliminated.

The Plant Schedule has been revised to remove the Inkberry Holly shrubs. Therefore, this comment is no longer applicable.

50. The Plant Schedule indicates there are 27 Compact Inkberry shrubs proposed, while only 26 are illustrated on the Landscape Plan. However, this appears to be an error in labeling. The group of Compact Inkberry shrubs south of the porte-cochere is indicated to have ten shrubs, while only nine are illustrated. The label shall be revised.



The Plant Schedule has been revised to indicate there are 32 Compact Inkberry Shrubs, which matches what is illustrated on the Landscape Plan. This comment has been addressed.

51. The Plant Schedule indicates there are 84 May Night Salvia perennials proposed, while 85 are illustrated on the Landscape Plan. This discrepancy shall be eliminated.

The Plant Schedule has been revised to indicate there are 15 May Night Salvia perennials, which matches what is illustrated on the Landscape Plan. This comment has been addressed.

52. The Plant Schedule indicates there are 18 Hummingbird Summersweet shrubs, while there are only 14 illustrated on the Landscape Plan. This discrepancy shall be eliminated.

53. The Plant Schedule indicates there are 41 Indian Grass proposed, while 42 are illustrated on the Landscape Plan. This appears to be caused by a group of five grasses at the southwest corner of the building labeled as four grasses. This discrepancy shall be eliminated.

54. The Plant Schedule indicates there are 88 Blues Little Bluestem grasses, while 83 are illustrated on the Landscape Plan. This appears to be caused by a group of 23 grasses along the south side of the building labeled as 28 grasses. This discrepancy shall be eliminated.

55. The Plant Schedule indicates there are 132 Blue Chip Juniper groundcovers, while the Landscape Plan labels 140 groundcovers. This discrepancy shall be eliminated.

56. The Landscape Plan illustrates a group of eight Indian Grass and/or Blues Little Bluestem grasses to the east of the proposed trellis, which are not labeled. A label shall be added to these plantings.

Affordable Housing

57. The Applicant has not submitted information on the number of one- and two-bedroom units to be affordable units. Only the Application Addendum indicates 26 affordable units will be provided. No other details have been provided. Furthermore, the Applicant shall provide the income split of the affordable units. This information shall be submitted.

According to the revised Architectural Plans the Applicant proposes 24 one-bedroom affordable units. This comment has been addressed.

58. Testimony shall be provided regarding compliance with the distribution of very-low, low-, and moderate-income units pursuant to Section 2B-10 of the Code.



Ms. Ruskan's response letter indicates there will be four very-low income units, eight low income units, and 12 moderate income units, which complies with the requirements of Section 2B-10. This comment has been addressed.

59. It is unclear if the affordable units will have access to all amenities available to the market rate units? This includes the parking garage, pool and courtyard amenities, the storage facilities, fitness rooms, dining area, and reel room? Testimony shall be provided.

Ms. Ruskan's response letter indicates all residents will have access to all amenities provided on the site. This comment has been addressed.

60. The Applicant shall provide testimony if there will be any fees for parking or amenities for the affordable units. If so, the maximum rent will be affected.

61. If the Board is inclined to approve the Application, the following should be conditions of approval:

- The Applicant shall deed restrict the 24 affordable housing units for at least 30 years. The deed restriction shall indicate the unit or apartment number of the affordable unit, the number of bedrooms, and the income level.
- The below documentation shall be submitted to the Borough's Municipal Housing Liaison at least 160 days prior to the issuance of any Certificate of Occupancy for the building:

(1) Deed restriction approved by the Board Attorney and Planner.

(2) An affirmative marketing plan based on the Borough's general Affirmative Marketing Plan.

(3) Draft Master Deed and Public Offering Statement (if applicable).

- Affirmative marketing for the affordable units shall commence 120 days before any Certificate of Occupancy is issued.
- The phasing of the affordable units shall comply with Section 2B-10 of the Code.

Signage

62. Sheet C-06 of the Site Plans indicates two 40 square foot signs will be affixed to the retaining walls at the development entrance. However, no detail of the proposed signs has been provided. The Applicant shall submit a detail of the proposed signs.

Ms. Ruskan's response letter indicates the signage details will be submitted in a future application to the Planning Board.



Details

63. A four-foot-wide sidewalk and a five-foot-wide walkway are identified on Sheet C-05 of the Site Plans. However, only a sidewalk detail is provided. Will the walkway be constructed the same as the sidewalk? Testimony shall be provided.

The five-foot-wide walkway label has been revised to state it will be a five-foot-wide sidewalk. This comment has been addressed.

64. Details for the parking lot striping, pavement markings, five-foot-wide walkway along the east side of the building, right turn lane striping, and uplights for the proposed signs have not been provided. This information shall be submitted.

Ms. Ruskan's response letter indicates details have been provided in the revised submission. The five-foot-wide walkway is now labeled as a sidewalk and a detail is no longer required. Additionally, Ms. Ruskan's response letter indicates the uplights for the proposed signs will be submitted in a future application to the Planning Board.

65. Sheet C-21 of the Site Plans provides a detail for a 20 mile per hour speed limit sign (Sign R2-1). However, this sign is not identified on the Site Plans. The Applicant shall illustrate the sign on the Plans or remove the detail.

Sheet C-21 has removed the detail for Sign R2-1. Therefore, this comment is no longer applicable.

66. Sheet C-23 provides details for a Tangent Guide Rail and a Beam Guide Rail. However, neither of these guide rails are labeled on the Site Plans. The Applicant shall revise the Plans to label the guide rails or remove the details.

The revised Site Plan has labeled a "timber guide rail" to the east of the parking lot and along Wall D. This comment has been addressed.

Should you have any questions with regard to the above comments, please do not hesitate to contact my office. We reserve the right to make additional comments based upon further review or submission of revised plans or new information.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink that reads 'Darlene A. Green'.

Darlene A. Green, P.P., AICP
Borough Planner



DAG:hk

cc: Lorraine Hutter, Board Secretary (via email lhutter@montvaleboro.org)
Andy Hipolit, Borough Engineer (via email AHipolit@maserconsulting.com)
John DePinto, Board Chair (via email jdepinto@montvaleboro.org)
Bob Regan, Board Attorney (via email rtregan@rtreganlaw.com)

R:\Projects\MPP\MPP-126\Correspondence\OUT\200707dag_Waypoint_Residential_review2.docx