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## **MEMORANDUM**

**To:** *Chairman and Members of the  
West Orange Zoning Board*

**From:** *John J. Hess, PE, PP, CME  
Zoning Board Engineer*

**Date:** *November 15, 2022*

**Re:** *Application No. ZB-21-21  
Daughters of Israel, Inc.  
Preliminary & Final Major Site Plan  
with 'C' and 'D' Variances and Tree  
Removal Permit - Review #2  
1155 Pleasant Valley Way  
Block 171, Lot 12  
Our File: VWRZ0171.01*

**CC:** *Paul Grygiel, PP, AICP - Township Planning Director  
Leonard Lepore, PE - Township Engineer  
Alice Beirne, Esq. - Zoning Board Attorney  
Daughters of Israel, LLC - Applicant  
Howard D. Geneslaw, Esq. - Applicant's Attorney  
J. Michael Petry, PE, PP, RA - Applicant's Engineer  
David S. Fowles, RA - Applicant's Architect  
Francis J. Banisch III, PP, AICP - Applicant's Planner  
Joseph J. Staigar, PE, PP - Applicant's Traffic Engineer*

Our office has received for review the following documents which were submitted in support of the above referenced application for Preliminary & Final Major Site Plan approval with 'C' and 'D' Variances and Tree Removal Permit:

- A set of Preliminary & Final Major Site Plan drawings (22 sheets) prepared J. Michael Petry, PE, PP, RA with Petry Engineering, LLC of Fairfield, New Jersey and bearing a latest revision date of November 3, 2022.
- A set of architectural exhibits (29 sheets) prepared by KDA Architects of Cherry Hill, New Jersey dated November 2, 2022.
- An Overall Phasing Plan (1 sheet) prepared by J. Michael Petry, PE, PP, RA and bearing a latest revision date of November 3, 2022.
- A set of Tree Removal Plans (2 sheets) prepared by J. Michael Petry, PE, PP, RA and bearing a latest revision date of November 3, 2022.
- An Environmental Impact Statement prepared by J. Michael Petry, PE and bearing a latest revision date of November 3, 2022.



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- A Stormwater Management Report prepared by J. Michael Petry, PE and bearing a latest revision date of November 3, 2022. Included with the Stormwater Management Report are the following documents:
  - A set of undated Drainage Area Maps (3 sheets) prepared by Petty Engineering, LLC.
  - A set of undated Motor Vehicle Surface drawings (2 sheets) prepared by Petty Engineering, LLC.
  - A NRCS Soil Report for the property in question.
- A Stormwater Maintenance Manual prepared by J. Michael Petry, PE, PP, AIA dated October 28, 2022.
- An updated Exhibit List dated November 3, 2022.
- A November 3, 2022 letter from J. Michael Petry, PE, PP, AIA to our office which addresses the comments in our June 20, 2022 review letter.

In addition to the above, our office previously received the following information as part of the prior submissions for this application:

- A set of Landscape and Architectural Plans (13 sheets) prepared by David S. Fowles, RA with KDA Architects and bearing a latest revision date of May 20, 2022.
- A Boundary and Topographic Survey (1 sheet) prepared by Michael P. Ferschman, PLS with MPF Land Surveying, LLC of Montville, New Jersey dated April 22, 2020.
- A Traffic Impact Study prepared by Craig W. Peregoy, PE and Connor Hughes, PE with Dynamic Traffic of Chester, New Jersey and bearing a latest revision date of May 6, 2022.
- A Parking Study prepared by J. Michael Petry, PE and bearing a latest revision date of May 20, 2022.
- A Retaining Wall Calculations report prepared by Christopher J. Daly, PE with Petty Engineering, LLC dated May 20, 2022.
- A Solid Waste Management Statement prepared by the Daughters of Israel dated May 26, 2022.
- A Planning Report prepared by Francis J. Banisch III, PP, AICP with Banisch Associates, Inc. of Flemington, New Jersey dated May 31, 2022.
- A completed Application Form.
- A completed Application for Tree Removal and Replacement Permit dated October 29, 2021.



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- An Owner's Consent Affidavit dated October 27, 2021.
- A Corporate Disclosure Statement dated October 27, 2021.
- A Proposal bearing a latest revision date of May 20, 2022 which describes the proposed development and addresses the comments that were received at the SPRAB meeting on December 7, 2021.
- A document entitled "Reasons for Relief" bearing a latest revision date of May 20, 2022 which lists the variance that are requested by the Applicant and sets for the reasons why the requested variances should be granted.
- A completed Site Plan/Subdivision Checklist.
- A completed Sustainability Checklist Form bearing a latest revision date of May 10, 2022.
- A List of Submission Waivers Requested which bears a latest revision date of May 20, 2022.
- A List of Variances Required which bears a latest revision date of May 20, 2022.
- A List of Design Standard Exceptions Required which bears a latest revision date of May 20, 2022.
- A Request for De Minimis Exception from Residential Site Improvement Standards (RSIS) dated May 20, 2022.
- A list of Application Fees & Escrow Deposit which bears a latest revision date of May 20, 2022.
- A list of Existing or Proposed Deed Restrictions, Covenants, Easements and Land Reserved for or Dedicated to Public Use, undated.
- A list of Previous Planning Board and Zoning Board of Adjustment Decisions, undated.
- A certified list of property owners within 200 ft of the site prepared by the Tax Assessor, Kevin J. Dillon, CTA, dated May 16, 2022.
- A Verification of Taxes & Sewer Charges Paid from the Office of the Tax Collector dated May 17, 2022 which states that the taxes are paid until July 31, 2022 and the sewer charges are paid in full for 2022.
- A copy of a May 26, 2022 letter from J. Michael Petry, PE, PP, AIA to Paul Grygiel, AICP, PP which addresses the comments that were discussed at the December 7, 2021 SPRAB meeting.

We have reviewed the information submitted in support of this application and offer the following comments:



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## A. PROJECT DESCRIPTION

The property in questions is an irregularly shaped tract located on the westerly side of Pleasant Valley Way approximately 94 ft south of the intersection with Parson Drive. It has an area of approximately 784,099 sf or approximately 18 acres and is located in the R-2 Zoning District. The property is currently occupied by an existing 2-story building which is used as a nursing home having a total of 303 beds. In addition, on-site parking for 236 vehicles currently exists at the site. Access is provided to the site via two existing 2-way driveways from Pleasant Valley Way.

The Applicant is seeking Preliminary & Final Major Site Plan approval with 'C' and 'D' Variances to redevelop the site into a facility which includes independent living, assisted living and skilled nursing care. The proposed facility will include a 5-story building (4 stories over parking) which will include 182 independent living units, 64 assisted living beds and 80 skilled nursing beds. The independent living units will consist of 85 1-bedroom apartments and 97 2-bedroom apartments. In addition, the building will include a community center which will serve the independent living and assisted living residents. The Community Center will include a fitness center with pool, auditorium, library/reading lounge, game room, art studio, salon and meditation center. The facility will also include a full kitchen for meal service to assisted living and skilled nursing residents, a formal dining room, a café, a pub and a small store. On-site parking is proposed for 381 vehicles including 18 handicap accessible parking spaces and 58 electric vehicle spaces. Stormwater management is proposed by the construction of 4 detention basins of which 2 will be subsurface basins and 2 will be surface basins.

The Applicant proposes to construct the project in phases. The following is the anticipated phasing at this time:

- **Phase One** will include 17,550 sf of common and community areas, the 64 assisted living beds and the 80 new skilled nursing beds. Additionally, 244 of the existing skilled nursing beds will remain until a subsequent phase.
- **Phase Two** will include 87 of the independent living units and an additional 25,746 sf of common and community areas (bringing the total to 43,296 sf). During this phase, 106 existing skilled nursing beds will remain.
- **Phase Three** will include 79 independent living units (bringing the total to 166). All of the remaining existing skilled nursing beds will be removed in this phase.
- **Phase Four** will include 16 independent living units (bringing the total to 182).

## B. DESIGN COMMENTS

1. The Applicant has not requested any submission waivers in support of this application.
2. The Applicant has requested a waiver from the requirement to incorporate green infrastructure into the design of the project. The Applicant states that the soils from the site that were tested did not have adequate permeability for infiltration.



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3. The Applicant has requested a de minimis exception from the Residential Site Improvement Standards to permit 381 parking spaces whereas 479 parking spaces are required.
4. Sheet SP-3 of the site plan drawings states that 8 electric vehicle stations in the garage will be installed within 3 years of C.O. and an additional 12 electric vehicle stations in the garage will be installed within 6 years of C.O. Sheet A1.0 of the architectural plans must be revised to identify the electric vehicle stations that will be installed within 3 years and the electric vehicle stations that will be installed within 6 years.
5. Sheet SP-3 must be revised to dimension the width of the sidewalks in the interior courtyard area.
6. It shows on sheet SP-3 that the southerly handicap parking space in the parking lot at the northeast corner of the site will not be electric vehicle ready. However, this parking space includes a callout which indicates that the electric vehicle station will be installed within 6 years of C.O. This discrepancy must be resolved.
7. The Basin #2 callout on sheet SP-4 states that the rim elevation will be at elevation 419.00 whereas the callout for OS #5-6A shows a rim elevation of 418.00. This discrepancy must be resolved.
8. The Basin #3 callout on sheet SP-4 states that the rim elevation will be at elevation 421.00 whereas the callout for OS #1-9 shows a rim elevation of 420.00. This discrepancy must be resolved.
9. MH #8-1 must be shown on the profile on sheet SP-10.
10. The Basin #1B – OS #8-5 detail on sheet SP-21 shows that it will be installed within a paved area whereas sheet SP-6 shows no pavement in the area. This discrepancy must be resolved.
11. Section A-A on the Basin #1A – OS #5-7 detail on sheet SP-21 shows that the grate will be at elevation 423.30 whereas Section B-B it shows that the grate will be at elevation 423.32. This discrepancy must be resolved.
12. Section A-A on the Basin #2 – OS #5-6A detail on sheet SP-21 shows that the orifices are to be installed in the exterior wall of the structure which is incorrect. Therefore, the detail must be revised to show the correct installation of the orifices.
13. Section A-A on the Basin #3 – OS #1-9 detail on sheet SP-21 shows that the orifices are to be installed in the exterior wall of the structure which is incorrect. Therefore, the detail must be revised to show the correct installation of the orifices.
14. As required by §25-29.3a of the Land Use Regulations, the minimum standards for groundwater recharge, stormwater quality and stormwater runoff quantity shall be met by incorporating green infrastructure. Since the property in question is located in the



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Metropolitan Planning Area, the Applicant is not required to address groundwater recharge. In addition, it states in §25-29.4q that stormwater runoff quality standards are only applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface which this project does not. Therefore, the Applicant must demonstrate that the project meets the minimum standards for stormwater runoff quantity set forth in §25-29.4o and r. As stipulated in §25-29.4o3, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with §25-29.4g.

The Applicant has requested a waiver from the requirement to incorporate green infrastructure into the design of the project. The Applicant states that the soils from the site that were tested did not have adequate permeability for infiltration. The Applicant should provide testimony to the Board setting forth the reasons why the requested waiver should be granted.

15. Our office has reviewed the Stormwater Maintenance Manual and finds that Section I must be revised to include the telephone number of the responsible party.
16. The Stormwater Maintenance Manual and any future revisions must be recorded upon the deed of record for the property. Prior to recording, the form of the deed must be approved by the Board Attorney and our office.
17. It remains for the plans to be revised to include the following details:
  - a) Fence.
  - b) Screening fence.
  - c) EV charging station.
  - d) 'Wet tap.
  - e) Grease trap.
  - f) Emergency generator.

#### **C. LANDSCAPING COMMENTS**

1. In accordance with Section 25-27.8g, the Applicant is to provide 149 major trees and 43 major or minor trees for a total of 192 replacement trees. Currently, the Applicant has provided 86 major trees and 110 minor trees, which leaves a deficit of 63 major trees, even though the total quantity of trees has been provided. This should be discussed with the Board.
2. Revise the plans to graphically depict and specifically label the location for tree protection fencing in accordance with Section 25-27.9. We note that sheet SP-15 has been revised to show that the shade trees along Pleasant Valley Way are to be protected.
3. Our office has concerns regarding the accuracy of the provided tree inventory as some of the listed trees are vines; however, the size indicates a semi-mature tree and not a size a vine would be.



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4. Our office has concerns regarding the close proximity of proposed oak trees near the proposed retaining wall along the southeast side of the property. The Applicant might provide an alternative species in this spatially constrained location.
5. Revise the plans to provide native plant materials and seed mix for the proposed detention basins, in accordance with the updated stormwater management regulations, for further review.
6. Revise the plans to provide an alternative for proposed PS (White Pine) due to the species' mature habit of losing its lower limbs, which does not provide for an adequate buffer.
7. Revise the plans to provide building foundation shrubs, perennials and grasses, to enhance aesthetics. Currently, plant material has not been provided.
8. Revise the plans to indicate the Township Engineer within the 'Landscape Specifications' on sheet L2.0 for plant relocations and substitutions, prior to install.
9. Revise the plans to provide rigid, plastic, open mesh trunk guards for all deciduous trees, to protect from the irreparable damage from buck rub.
10. Revise the plans to indicate the proposed disposition for all open areas, such as lawn, stone, mulch, etc., to prevent confusion during construction.

#### **D. LIGHTING COMMENTS**

1. Revise the plans to provide the concrete strength for proposed light pole foundation details on sheet SP-17. Staff recommends a strength of 4,500 PSI.
2. Revise the plans to indicate proposed timers and hours of operation. Also, indicate proposed color and finish for all fixtures and poles.
3. Revise the plans to provide isolux pattern details with a scale and graph for each of the proposed fixtures. Also, provide the manufacturer's catalog cuts and ordering information for the proposed light poles, for further review.

The Applicant is hereby advised that any revised plans or other documents submitted to the Board should be accompanied by a cover letter which addresses each of the comments in this review letter and also details any other changes that have been made to the plans as these may not be readily apparent.