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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: *February 6, 2023*

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 #3
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 January 26, 2023.
- An Overall Phasing Plan (1 sheet) prepared by J. Michael Petry, PE, PP, RA and bearing a latest revision date of January 26, 2023.
- A set of Tree Removal Plans (2 sheets) prepared by J. Michael Petry, PE, PP, RA and bearing a latest revision date of January 26, 2023.
- A set of Landscape and Architectural Plans (13 sheets) prepared by David S. Fowles, RA with KDA Architects of Cherry Hill, New Jersey and bearing a latest revision date of January 30, 2023.
- A set of architectural exhibits (11 sheets) prepared by KDA Architects of Cherry Hill, New Jersey dated February 6, 2023.



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- 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.
- A Stormwater Management Report prepared by J. Michael Petry, PE and bearing a latest revision date of January 26, 2023. 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 (3 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 and bearing a latest revision date of January 26, 2023.
- An Environmental Impact Statement prepared by Petty Engineering, LLC and bearing a latest revision date of January 26, 2023.
- 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 January 27, 2023.
- A Parking Study prepared by J. Michael Petry, PE and bearing a latest revision date of January 16, 2023.
- A Solid Waste Management Statement prepared by the Daughters of Israel dated January 27, 2023.
- A Proposal bearing a latest revision date of January 30, 2023 which describes the proposed development at the site.
- A List of Variances Required which bears a latest revision date of January 30, 2023.
- A List of Plans & Exhibits which bears a latest revision date of January 30, 2023.
- A Verification of Taxes & Sewer Charges Paid from the Office of the Tax Collector dated January 27, 2023 which states that the taxes are paid until April 30, 2023 and there is no sewer billed for this property.
- A copy of a January 26, 2023 letter from J. Michael Petry, PE, PP, AIA to the Township Forester, Walter Kipp, which transmits revised Tree Removal Plans for this project.
- A January 26, 2023 letter from J. Michael Petry, PE, PP, AIA to our office which addresses the latest changes that have been made to the plans and addresses the comments in our November 15, 2022 review memorandum.



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- A copy of a January 27, 2023 letter from Howard D. Geneslaw, Esq. to the West Orange Zoning Board of Adjustment which addresses the Applicant's proposal to have a "club license" which permits the service of alcoholic beverages for on-premises consumption.
- A copy of a January 30, 2023 letter from Howard D. Geneslaw, Esq. to the West Orange Zoning Board of Adjustment which states that the plans have been modified to eliminate Phase 4 which allows for a faster buildout and reduces the parking demand which allows for certain parking spaces to be designated as future banked spaces.
- A February 1, 2023 e-mail from the Town Forester, Walt Kipp, to John Hess & Mike Petry which states that he has reviewed the tree removal and landscape plans and everything is good to go with the project.

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

- 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 Retaining Wall Calculations report prepared by Christopher J. Daly, PE with Petry Engineering, LLC dated May 20, 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.
- An Owner's Consent Affidavit dated October 27, 2021.
- A Corporate Disclosure Statement dated October 27, 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 Design Standard Exceptions Required which bears a latest revision date of May 20, 2022.



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- 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.

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

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 163 independent living units, 64 assisted living beds and 84 skilled nursing beds. The independent living units will consist of 76 1-bedroom apartments and 87 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 serving alcoholic beverages and a small store selling sundries to residents. On-site parking is proposed for 381 vehicles including 18 handicap accessible parking spaces and 64 electric vehicle spaces. We note that the Applicant proposes to bank 34 of the parking spaces for future installation if the need arises. 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 three (3) phases. The following is the anticipated phasing at this time:



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- **Phase One** will include 17,550 sf of common and community areas, the 64 assisted living beds and the 84 new skilled nursing beds. Additionally, 190 of the existing skilled nursing beds will remain until a subsequent phase.
- **Phase Two** will include 84 of the independent living units and an additional 25,746 sf of common and community areas (bringing the total to 43,296 sf). At the conclusion of this phase, 0 existing skilled nursing beds will remain.
- **Phase Three** will include the remaining 79 independent living units (bringing the total to 163).

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.
3. The Applicant has requested a de minimis exception from the Residential Site Improvement Standards to permit 381 parking spaces whereas 448 parking spaces are required. The Applicant proposes to install 64 electric vehicle parking spaces. N.J.S.A. 40:55D-66.20 provides that electric vehicle parking spaces count as two spaces towards the required parking up to 10% of the total parking requirement. Therefore, the Applicant is entitled to credit for 426 Parking spaces (381 + 45) whereas 448 parking spaces are required.
4. Sheet SP-3 of the site plan drawings states that the 20 electric vehicle stations in the garage will be installed within 6 years of C.O. However, it states on sheet A1.0 of the architectural plans that 8 of the electric vehicle stations in the garage will be installed within 3 years of C.O. and 12 of the electric vehicle stations will be installed within 6 years of C.O. This discrepancy must be resolved.
5. 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 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.



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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.

6. Our office has reviewed the Stormwater Maintenance Manual and finds it to be acceptable. 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.

C. LANDSCAPING COMMENTS

1. In accordance with Section 25-27.8g, the Applicant is to provide 110 major trees and 39 major or minor trees for a total of 149 replacement trees. Currently, the Applicant proposes 86 major trees and 143 minor trees, which leaves a deficit of 24 major trees, even though the total quantity of trees has been provided. This should be discussed with the Board.
2. The Tree Removal Plan (sheet TR-1) has been revised to include a note which states "Additional tree protection to be installed as per the Town Forester's recommendations". This note should be added to sheet SP-15.

D. LIGHTING COMMENTS

1. All of our prior engineering comments have been addressed.

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.