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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: *June 4, 2021*

Re: *Application No. ZB-21-04
CSH Development, LLC
Preliminary & Final Major Site Plan with 'C'
and 'D' Variances - Review #2
Proposed Assisted Living Facility
609 Eagle Rock Avenue
Block 152.22, Lot 1412.01
Our File: VWRZ0152.03*

CC: *Paul Grygiel, AICP, PP - Township Planning Director
Leonard Lepore, PE - Township Engineer
Alice Beirne, Esq. - Zoning Board Attorney
CSH Development, LLC - Applicant
Robert L. Podvey, Esq. - Applicant's Attorney
Daniel T. Sehnal, PE - Applicant's Engineer
Dan King, RA - Applicant's Architect
Ed Snieckus, Jr., PP - Applicant's Planner
Dave Shropshire, PE - Applicant's Traffic Engineer
James Langenstein, LLA - Applicant's Landscape Architect*

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

- A set of Preliminary and Final Site Plan drawings (17 sheets) prepared by Daniel T. Sehnal, PE with Dynamic Engineering Consultants, PC of Chester, New Jersey and bearing a latest revision date of May 5, 2021, unsigned & unsealed.
- A set of landscape plans (2 sheets) prepared by James J. Langenstein, LLA with Longstone Gardens of Lancaster, Pennsylvania and bearing a latest revision date of May 12, 2021, unsigned and unsealed.
- A set of architectural plans (6 sheets) prepared by Daniel E. King, RA with Meyer Design, Inc. dated April 28, 2021.



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- A color rendering of the proposed building prepared by Meyer Design, Inc. dated April 29, 2021.
- A Stormwater Management Report prepared by Daniel T. Sehnal, PE dated January 2021 and last revised May 2021. Included in the Stormwater Management Report is a Low Impact Development Checklist dated May 25, 2021 and a set of Drainage Area Maps (3 sheets) prepared by Daniel T. Sehnal, PE and bearing a latest revision date of May 5, 2021.
- A completed Sustainability Checklist Form.
- A copy of a May 27, 2021 letter from Daniel T. Sehnal, PE and Danielle R. Lescrinier with Dynamic Engineering Consultants, PC to the West Orange Zoning Board which addresses the comments in our May 10, 2021 review memorandum.
- A May 27, 2021 Traffic Engineering Response Letter from David R. Shropshire, PE, PP with Shropshire Associates, LLC of Atco, New Jersey which addresses the traffic comments in our May 10, 2021 review memorandum.

In addition to the above, our office previously received the following documents as part of the original submission for this application:

- A print of an Alta/NSPS Land Title Survey prepared by Joseph J. Wright, PLS with Blue March Associates Inc. of Toms River, New Jersey dated December 8, 2020, unsigned and unsealed.
- A Traffic Engineering Assessment prepared by David R. Shropshire, PE, PP with Shropshire Associates LLC dated January 29, 2021.
- A Planning Report prepared by Edward J. Snieckus, PP, LLA with Burgis Associates, Inc. of Westwood, New Jersey dated March 10, 2021.
- A completed Application Package.
- A completed Site Plan / Subdivision Checklist.
- A copy of a January 26, 2021 statement from the Office of the Tax Collector which states that the taxes on lot 1412.01, block 152.22 are paid through the 2nd quarter of 2021.
- A copy of a January 27, 2021 letter from Robert L. Podvey, Esq. with Connell Foley LLP of Roseland, New Jersey to the West Orange Board of Adjustment which addresses the case law applicable to the grant of a Use Variance for an assisted living facility.

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 question is an irregularly shaped tract located on the northerly side of Eagle Rock Avenue opposite the intersection with Mann Avenue. It is located in the B-2 Zoning District and has an area of 2.53 acres. The site is presently occupied by a vacant 1 story masonry building as well as various site improvements such as a shed, parking lots, driveways, sidewalks, fences, lights, landscape islands and a paver patio area. We note that the building was previously used as a catering and banquet facility.

The Applicant is seeking Preliminary & Final Major Site Plan approval with 'C' and 'D' Variance relief to demolish the existing improvements and to construct an assisted living facility at the site. The assisted living facility will consist of a three (3) story building having a footprint of 29,565 sf. The building will contain 85 assisted living units consisting of 39 studio units, 37 1-bedroom units and 9 2-bedroom units. A lobby, dining facilities, lounge area, kitchen area, staff area, laundry facilities, wellness area and business offices are proposed on the first floor. In addition, a library, lounge, wellness facility and salon are proposed on the second floor while a sports lounge, theater, multi-purpose room, living area and lounge are proposed on the third floor.

Access will be provided to the site via a full movement 2-way driveway from Eagle Rock Avenue. The driveway will be located opposite the intersection with Mann Avenue. A total of 51 parking spaces are proposed at the site including 4 handicap accessible spaces. In addition, an emergency access drive is proposed at the rear of the site which will connect to the adjoining residential development to the north. A loading area is also proposed at the rear of the building.

B. DESIGN COMMENTS

1. Based on our review, we find that the following items from the Township's the Site Plan / Subdivision Checklist must be addressed:

- a) Item #2 – *Name, signature, license number, seal and/or address of engineer, land surveyor, architect and landscape architect.*

We note that the architectural plans are missing the address of the architect.

- b) Item #46 – *Solid Waste Management Plan.*

In their May 27, 2021 letter, Mr. Sehnal and Ms. Lescrinier state that the Solid Waste Management Plan will be submitted under separate cover and detailed testimony will be provided at the public hearing.

- c) Item #52 – *Plans and legal documents for compliance with West Orange COAH Ordinance.*

In their May 27, 2021 letter, Mr. Sehnal and Ms. Lescrinier state that the Applicant is aware of the New Jersey statutory requirement that 10% of the beds must be set aside for Medicaid eligible residents and request that this be a condition of approval.



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2. The Applicant has requested the following waivers:
 - a) Item #22 – *Development stages or staging plans.*
 - b) Item #23 – *List of required regulatory approvals or permits.*
 - c) Item #28 – *All existing street, water courses, flood plains, wetlands or other environmentally sensitive areas on and within 200' of site.*
 - d) Item #31 – *Contours to extend at least 200' beyond subject property.*
 - e) Item #41 – *Road and paving cross-sections and profiles.*
 - f) Item #42 – *Proposed street names.*
 - g) From Section 25-13 of the Ordinance, which requires the submission of an environmental impact statement.
 - h) A temporary waiver from the requirement to submit a stormwater maintenance plan.
3. As stipulated in Section 25-27 of the Ordinance, the Applicant must submit an application for a tree removal permit. In their May 27, 2021 letter, Mr. Sehna and Ms. Lescrinier state that the Applicant intends to submit a Tree Removal Permit application following approval of the proposed improvements and prior to the issuance of building permits.
4. The Applicant should provide testimony to the Board to demonstrate that the proposed trash enclosure has adequate capacity to accommodate the trash and recyclables that will be generated at the site.
5. The Drawing Index on sheet 1 must be revised to reference the Landscape Plans since some of the required details are included on the Landscape Plans.
6. The Landscape Plan must be revised to clarify the limits of the proposed 4' ornamental aluminum fence on either side of the entrance drive along the site frontage.
7. It shows on sheet 4 that a generator is proposed along the easterly side of the site adjacent to the trash enclosure. The generator will be setback approximately 7 ft from the side property line. The Applicant should provide testimony to the Board to demonstrate that the generator has been designed to comply with all applicable state and local noise regulations.
8. Sheet 4 includes a callout for 3 bollards at the southerly end of the loading area adjacent to the courtyard. However, no bollards are shown. Therefore, it remains for the proposed bollards to be added to the plan.
9. Sheet 4 must be revised to identify the rectangular structure that is proposed on the westerly side of the courtyard. We note that this structure must also be identified on the Landscape Plan.



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10. It remains for the proposed light symbols to be labeled on sheet 4.
11. It shows on sheet 6 that the proposed drainage system will connect to an existing inlet on adjoining lot 1412.04, block 142.22 to the west. We note that the existing site currently drains to this existing inlet.
12. It shows on sheet 6 that a 30" pipe is proposed from Inlet #101 to the existing inlet. The 30" pipe will have an invert elevation of 382.67 at the existing inlet. The ALTA/NSPS Land Title Survey prepared by Blue Marsh Associates, Inc. shows that the existing pipe connecting to this inlet is 24" and has an invert elevation of 384.05. Therefore, it remains for the plans to be revised to include a detail showing the modifications that are required to allow the 30" pipe to be connected to this inlet.
13. It remains for sheet 6 to be revised to show the pipe diameter, length, slope and type of pipe from Inlet #112 to Inlet #111.
14. It remains for the Sidewalk Detail on sheet 10 to be revised to note that in areas of vehicular traffic, the sidewalks shall be 6" thick and shall be reinforced with welded wire reinforcement.
15. The Typical Modular Block Wall Detail on sheet 11 includes a note which state that the contractor shall provide signed and sealed drawings and calculations for review and approval by the Engineer and Township Building Department. The Applicant is advised that the Municipal Engineer does not review and approve retaining wall designs. Therefore, the note should be revised to state that the contractor shall provide signed and sealed drawings and calculations.
16. Sheet 13 includes a Flag Pole Detail. Therefore, it remains for sheet 4 to be revised to show the proposed flag pole location.
17. The proposed development will result in the disturbance of more than one acre. As a result, it is classified as a Major Development and is subject to the stormwater management requirements set forth in Section 25-29.4 of the Ordinance.
18. The Stormwater Management Report must be revised to correct the following discrepancies:
 - a) The second sentence at the top of page 3 must be revised to state that a minimum time of concentration of 6.0 minutes was used for this analysis.
 - b) The Existing Average Curve Number (CN) Calculations must be revised to show that a minimum TC of 6 minutes was used.
 - c) The Proposed Average Curve Number (CN) Calculations must be revised to show that a minimum TC of 6 minutes was used.



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19. The Stormwater Collection System Calculations table in the Stormwater Management Report must be revised to address the following discrepancies:

- a) The table shows a 12" pipe from RD1 to Inlet #102; however, this pipe is not shown on sheet 6.
- b) The table shows a 12" pipe from RD2 to Inlet #112; however, this pipe is not shown on sheet 6.

In their May 27, 2021 letter, Mr. Sehna and Ms. Lescrinier state that the roof leader locations are assumed and not yet shown on the Drainage and Utility Plan. The Site Plans will be revised to show the final roof leader locations prior to the issuance of resolution compliance.

20. As stipulated in Section 25-29.10(b)(1) of the Ordinance, the design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development. It further stipulates in Section 25-29.10(b)(4) of the Ordinance that the maintenance plan and any future revisions shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken. Prior to recording, the form of the deed must be approved by the Zoning Board Attorney and our office.

In their May 27, 2021 letter, Mr. Sehna and Ms. Lescrinier state that an Operation and Maintenance Manual will be submitted when and if the proposed improvements are approved.

21. In accordance with Section 25-14.3, a minimum of 0.90 footcandles shall be provided for pedestrian walkways and a minimum of 2.0 footcandles shall be provided for parking lots; whereas both the proposed walkways and parking lots are provided with a minimum of 0.1 footcandles.

In their May 27, 2021 letter, Mr. Sehna and Ms. Lescrinier state that the Applicant is willing to revise the plans as required; however, they would like the opportunity to discuss the proposed lighting levels with the Board to determine adequate proposed levels for the intended use.

22. In accordance with Section 25-14.1(e), the Board shall review and determine the duration of lighting proposed; whereas hours of operation have not been provided. The Applicant should also discuss whether the proposed lighting will be reduced during the overnight hours.

23. The Applicant has not proposed any lighting for the courtyard area. This should be discussed with the Board to determine if lighting should be proposed.



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24. It remains for the plans to be revised to provide the manufacturer's catalog cut and ordering information for the proposed light pole, to prevent confusion during construction. Also, provide isolux pattern details for all proposed fixtures.
25. It appears that the proposed landscaping along Eagle Rock Avenue is located within the County right-of-way. This should be discussed with the Board.
26. It remains for the Landscape Plans to be revised to graphically depict the mulch bed lines, to prevent confusion during construction. It appears some of the planting bed lines are missing.
27. 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.