

**BOROUGH OF PARK RIDGE
PLANNING BOARD
MAY 10, 2023 8:00PM
REGULAR MEETING MINUTES**

The Public Meeting of the Planning Board of the Borough of Park Ridge was held on the above date.

Chairman Von Bradsky stated that the meeting was being held in accordance with the Open Public Meetings Act, P.L. 1975, Chapter 231. He then asked everyone to stand and recite the Pledge of Allegiance.

Roll Call Board:

Mayor Keith Misciagna	Absent
Councilman Greg Hoffman	Present
Ms. Jessica Mazzaella	Present
Mr. Mark Bisanzo	Absent
Mr. Robert Metzdorf	Present
Mr. Ray Mital	Absent
Mr. Donald Schwamb	Present
Mr. Peter Von Bradsky	Present

Also Present:

Mr. Brian Giblin	Borough Attorney
Ms. Tonya Janeiro	Board Secretary
Mr. John Dunlea, Neglia Engineering	Board Engineer
Mr. Nicholas Dickerson	Board Planner

Approval of Minutes

The minutes of March 8, 2023 were approved on a motion from Mr. Metzdorf, seconded by Mr. Schwamb, and carried by the following roll call vote:

Councilman Greg Hoffman	Yes
Ms. Jessica Mazzaella	Yes
Mr. Robert Metzdorf	Yes
Mr. Donald Schwamb	Yes
Mr. Peter Von Bradsky	Yes

Open to the Public for Non-agenda Items

No questions / comments from any members of the public.

New Application

PB23-2

**George & Odette Bottinor / Borough of Park Ridge
160 Colony Avenue
Block 604 / Lot 41
Minor Sub-Division**

Borough Attorney, Mr. John Schettino and Borough Engineer, Mr. John Dunlea present this application on behalf of Mr. and Mrs. Bottinor. This application is considered a minor sub-division with no variances; therefore, no notice was required.

Mr. Dunlea was sworn in by Mr. Giblin.

Mr. Dunlea spoke about the proposed minor sub-division. The Bottinor's approached the governing body and asked if they were interested in purchasing one acre of their land. The governing body thought this was a good opportunity to preserve open space.

Mr. Dunlea gave a detailed description of all lots involved and pointed out the change in lot lines as shown on the submitted minor subdivision plans dated January 23, 2023 and revised January 26, 2023 from Neglia Engineering.

Mill Brook traverses through the heavily wooded area.

All lots will be conforming.

Mr. Metzdorf asked how residents will be able to get onto the property. Mr. Dunlea said there is a dirt road access only. Mr. Schettino replied, the property will be preserved for open space and passive recreation, not active recreation.

Chairman Von Bradsky asked if it was a throughway. Mr. Dunlea replied no.

Mr. Metzdorf asked what the purchase price of the land is. Mr. Schettino replied, it was purchased at way below market value.

Mr. Metzdorf asked if Green Acres funds were used for this project. Mr. Schettino replied that the Borough is applying, but for now they are using their own funds.

No public comments or questions.

A motion was made by Mr. Schwamb to approve the minor subdivision. The motion was seconded by Mr. Metzdorf, and carried by a roll call vote as follows.

Councilman Greg Hoffman	Yes
Ms. Jessica Mazzarella	Yes
Mr. Robert Metzdorf	Yes
Mr. Donald Schwamb	Yes
Mr. Peter Von Bradsky	Yes

Board Discussion

Referral Mayor & Council Ordinance #2023-008 – An Ordinance to amend chapter 101 entitled “Zoning” of the Borough Code of the Borough of Park Ridge, State of New Jersey.

Mr. Giblin explained that the Board needs to determine if the proposed ordinance is not inconsistent with the Master Plan.

A Board discussion took place regarding the proposed ordinance.

Mr. Metzdorf does not agree with this ordinance. He commented that he has never seen any court uphold paraphernalia accompanied with CDS.

Mr. Metzdorf said this ordinance is too broad and is opening the Borough up to third party lawsuits.

Mr. Metzdorf gave an example. Baggies sold at Aldi and found next to illegal marijuana will be considered drug paraphernalia.

Chairman Von Bradsky commented that he is surprised at the level of this ordinance as the Master Plan usually doesn't get into this type of detail.

Councilman Hoffman spoke about the zoning ordinance. He spoke about resident complaints and an incident that happened recently at the Krauszer's in town. Councilman Hoffman said the language from this ordinance was taken directly from the state statute.

Park Ridge prohibits the sale of marijuana in town.

Chairman Von Bradsky believes the proposed ordinance is overreaching, but the Board is here to determine if the ordinance is not inconsistent with the Master Plan.

A motion was made by Councilman Hoffman to recommend to the Mayor and Council that Ordinance #2023-008 is not inconsistent with the Master Plan. The motion was seconded by Chairman Von Bradsky and carried by a roll call vote as follows.

Councilman Greg Hoffman	Yes
Ms. Jessica Mazzearella	Yes
Mr. Robert Metzdorf	Abstained
Mr. Donald Schwamb	Abstained
Mr. Peter Von Bradsky	Yes

Mr. Giblin will send a letter to the Governing Body, that it was determined that Ordinance #2023-008 is not inconsistent with the Master Plan.

New Application

PB23-1

Park Terrace Apartments

155 Park Avenue

Block 1807 / Lot 5

Multi-Family Apartment Building

Attorney, Mr. Kevin Kelly from the law firm of Kelly, Kelly, Marotta & Tuchman, LLC was present as the attorney for the applicant. The applicant is Park Terrace Apartments, LLC.

The existing site is comprised of three two story garden apartments located in the GA1 Zone. This application is to construct a 16-unit additional building on site. It was initially believed to be variance free. However, there is some question regarding permitted parking in the buffer.

A discussion was had pertaining to the COAH obligation on-site. There was a question if the required 10% COAH obligation was required on just the new units, or the overall site. Mr. Giblin confirmed the COAH obligation is only to the new units, and not the entire site.

The applicants own Ridge Manor and Hawthorne Terrace. Both apartment buildings are located in the Borough of Park Ridge.

Mr. Kelly described the application and named the professionals that would be testifying.

Mr. Michael Scro, the applicant's Architect from Z+ Architects in Allendale, New Jersey, was sworn in by Mr. Giblin to offer testimony. Mr. Scro went over his qualifications and was accepted as an expert witness.

Plans dated January 20, 2023 from Z+ Architects was marked as Exhibit A-1.

Mr. Scro spoke in detail regarding the design of the proposed 16-unit apartment building and the site the building will be constructed on. The zoning information is as follows:

Minimum Lot Area:

Required - 87,120

Existing - 137,709 Sq. Ft.

Front Yard Set-Back:

Required - 50 Ft.

Existing - 51.Ft.

Proposed - 89.1 Ft.

Side Yard Set-Back:

Required - 25 Ft.

Existing - 225.6 Ft.

Proposed - 25 Ft. / 25.2 Ft. / 74.9 Ft.

Rear Yard Set-Back:
Required – 50 Ft.
Existing – 68.3 Ft.

Existing impervious coverage is 46,063 / 33.0%, proposed will be 69,848 / 50%.

Building height will be 22.0 ft. main roof / 31.67 ft. stair tower roof. Where 35 ft. is permitted.

Each floor will have four one-bedroom apartments and four two-bedroom apartments. The one-bedroom units will be 720 sq. ft. and the two-bedroom units will be 1,070 sq. ft.

There will be an elevator in the building sized for ambulance stretchers.

The building will be a fully sprinkled building.

A rendering dated January 20, 2023 from Z+ Architects, was marked as Exhibit A-2.

The proposed building will have a 720 sq. ft. community space on the roof. Residents will have access to the community space only, not the entire roof.

Mr. Scro described the design and building material of the outside of the building. The applicant is proposing to use high quality, low maintenance siding on all four sides.

Mr. Scro said the owners of Park Terrace keep and maintain their buildings. They do not construct and sell.

The outside of the buildings will have recessed lights, not forward facing and no brighter than a single-family porch light.

Condensers will be located on the roof.

Basement design is being determined. There will be no living quarters in the basement.

Mr. Metzdorf inquired about the lighting on the deck. Mr. Scro said the deck would be open during daylight hours only. Mr. Metzdorf commented that if lighting was to be installed, be sure there is no light bleed onto the street.

Mr. Schwamb asked if each unit would have individual thermostat controls. Mr. Scro replied yes.

Chairman Von Bradsky asked about the noise on the deck. Mr. Scro replied the deck will only be open from dawn to dusk. No grills and fire permits will be permitted.

Mr. Dickerson asked about the recreation space provided. Mr. Scro replied there is ample grass areas, more than the ordinance requires.

Mr. Dunlea asked if the roof mechanicals will be visible from the street. Mr. Scro replied no. Mr. Dunlea said this matter can be reviewed during construction.

Mr. Dunlea asked how this building will fit in with the larger overall site. Mr. Scro replied that the previous buildings are appropriate for the era in which they were built. The new building was created to be enticing to renters. There is also quite a bit of distance from the existing buildings to the new construction.

Chairman asked about the façade materials.

There is an incorrect calculation on page A-2 of the plans. The elevator overrun calculations are incorrect. The applicant will revise.

Public questions to be asked of Mr. Scro.

Sandra Bennett – Ms. Bennett is the owner of 129-135 Park Avenue. She asked to see the rendering of the building. Mr. Kelly gave her a copy of the rendering. Ms. Bennett had some drainage concerns. She was told she can ask the applicants Engineer these questions after she testifies.

An aerial view dated May 10, 2023 from Omland & Osterkorn, Inc., was marked as Exhibit A-3.

Ms. Kiersten Osterkorn, the applicant's Engineer from Omland & Osterkorn, Inc. in Wyckoff, New Jersey, was sworn in by Mr. Giblin to offer testimony. Ms. Osterkorn went over her qualification and was accepted as an expert witness.

Preliminary and final minor site plans dated January 11, 2023 from Omland & Osterkorn, Inc., was marked as Exhibit A-4.

Ms. Osterkorn described existing conditions and neighboring properties on Exhibit A-4.

Existing on the site are three buildings. There are no improvements proposed for the existing buildings.

The western unused portion of the lot is the area the proposed building will be constructed.

Ms. Osterkorn went over the grading on the site. The proposed construction will follow the existing drainage plan.

On-site there is 39 apartments. 34 one-bedrooms and five two-bedrooms.

Currently there is 63 existing spaces on site, where 71 spaces are required. Therefore, the sites parking is non-conforming. The applicant is proposing 37 spaces, where 6 of the spaces will be EV, equipped for electric charging. Each EV space counts as two parking spaces. Total amount of spaces will be 63 existing, 37 proposed, 6 EV credit – Totaling 106 parking spaces. For eight one-bedroom apartments and eight two-bedroom apartments, a total of 102 parking spaces is required. The additional parking will bring the parking into conformance.

Ms. Osterkorn spoke about the utility and erosion plans (Sheet 5 of Exhibit A-4). All utilities are able to connect to all existing utilities coming off of Chestnut Avenue.

As defined under the Stormwater Management Rule, this project is classified as a major development. Originally, the applicant was proposing an underground detention system. That system would not be sufficient for this project so the applicant is now looking into pervious pavement.

Ms. Osterkorn went over the proposed landscape plan. While referring to page 6 of Exhibit A-4, she said there are a number of evergreen trees on the proposed plan. Also, on the plan are several deciduous trees like maples, oaks and dogwoods as well as several different kinds of shrubs.

Ms. Osterkorn said the applicant was not originally proposing to change any fencing. Mr. Dunlea suggested removing the chain-link fence and installing a vinyl privacy fence. The applicant would prefer to match the existing wooden stockade fence already on site.

The applicant would like to install a wooden stockade fence around the garbage enclosure.

A discussion was had pertaining to the lighting details on site. The dark area in the back of the building was spoken about. Different solutions were discussed. Mr. Dunlea suggested the applicant be subject to a six-month review on the site lighting.

Regarding item 5.7 on Mr. Dunlea's letter (attached) regarding the milling, resurfacing and re-stripping of Chestnut Avenue, Ms. Osterkorn said the pavement is not in terrible condition. The applicant would re-stripe the parking lot, but is not looking to resurface any of the pavement at this time. Mr. Dulea agreed to a site inspection to discuss.

Ms. Osterkorn spoke about the buffer area in the GA1 Zone. A 25 ft. buffer is required and 5.9 is existing. All of the surrounding properties are not conforming. The applicant is also proposing a privacy fence.

Chairman Von Bradsky asked about current tree removal. Ms. Osterkorn replied that the tree plantings that are being proposed are more than what was taken down.

Managing member of the LLC, Thomas Didio was sworn in by Mr. Giblin.

Mr. Metzdorf asked if a tree removal permit was issued. Ms. Janeiro replied yes.

Chairman Von Bradsky spoke of ponding in a specific area on site. He asked Ms. Osterkorn to look into the ponding on-site.

A brief discussion was had pertaining to the storm system.

Chairman Von Bradsky asked Ms. Osterkorn to point out on the aerial map the surrounding residences on Exhibit A-3.

The dumpster enclosure will have a small two ft. retaining wall made of modular blocks to level out the enclosure.

Mr. Dunlea commented that an ADA EV charging space is required.

Mr. Dunlea asked about the site delivery, loading, and tenants moving in and out. Ms. Osterkorn replied they are working out solutions.

Mr. Dunlea asked about sidewalks and crosswalks. Ms. Osterkorn replied that they are looking to preserve green space, but will look into sidewalk and crosswalk possible locations.

Mr. Metzdorf asked if the EV charging stations will be fast or slow charge. Ms. Osterkorn replied that they have not made any decisions yet regarding this matter.

It was asked how the snow plowing would be dealt with. Ms. Osterkorn replied they currently have a private hauler for trash and snow removal. If the snowstorm is small they will work on where on-site the snow will be stored. If the storm is large, the snow will be trucked off-site.

Sandra Bennett – Ms. Bennett commented that she believes the edge of her driveway overlaps onto the subject property. Ms. Osterkorn to go over drainage. Ms. Bennett asked Mr. Didio when the property was purchased. Mr. Didio replied in April.

Councilman Hoffman asked Ms. Osterkorn some specific questions pertaining to the inlets on Sheet five of Exhibit A-4.

This application will be carried to the June 14, 2023 Planning Board meeting. Mr. Kelly agreed to consent to an extension of time. No further notice will be required.

The meeting was adjourned on a motion from Mr. Metzdorf, seconded by Ms. Mazzarella and carried by all.

Respectfully Submitted,



Tonya Janeiro

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2023-008**

**AN ORDINANCE TO AMEND CHAPTER 101 ENTITLED "ZONING"
OF THE BOROUGH CODE OF THE BOROUGH OF PARK RIDGE,
STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF PARK RIDGE IN THE COUNTY OF BERGEN AND
STATE OF NEW JERSEY, AS FOLLOWS:**

WHEREAS, Chapter 101, of the Code of the Borough of Park Ridge sets forth the Zoning within the Borough of Park Ridge; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Park Ridge, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.
Chapter 101-10. **General Regulations.**

G. Prohibition of sale of marijuana and related products in all zones.

(1) In every zoning district referred to in Sec. 101-10 of this chapter, no land or building shall be used or allowed to be used for the sale of drug paraphernalia nor the distribution of marijuana, which includes retail and wholesale marijuana stores, retail and wholesale marijuana cultivation facilities, retail and wholesale marijuana products manufacturing facilities, and retail and wholesale marijuana testing facilities, and the operation of retail and wholesale marijuana social clubs, and all classes of cannabis establishments or cannabis distributors or cannabis delivery services nor drug paraphernalia as said terms are defined in Section 3 of P.L. 201, c. 16¹ but not the delivery of cannabis items and related supplies by a delivery service.

Chapter 101-10.1. **Definitions: drug paraphernalia.**

(a) as used in this ordinance, "drug paraphernalia" means all equipment, products and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance, controlled substance analog or toxic chemical, other than marijuana or hashish, in violation of this ordinance. It shall include, but not be limited to:

(1) kits used or intended for use in planting, propagating, cultivating, growing or harvesting of any species of plant, other than the plant *Cannabis sativa* L., which is a controlled dangerous substance or from which a controlled dangerous substance can be derived;

(2) kits used or intended for use in manufacturing, compounding, converting, producing, processing, or preparing controlled dangerous substances or controlled substance analogs;

(3) isomerization devices used or intended for use in increasing the potency of any species of plant, other than the plant *Cannabis sativa* L., which is a controlled dangerous substance;

(4) testing equipment other than fentanyl test strips, used or intended for use identifying, or in analyzing the strength, effectiveness or purity of controlled dangerous substances or controlled substance analogs;

(5) scales and balances used or intended for use in weighing or measuring controlled dangerous substances or controlled substance analogs;

(6) dilutants and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used or intended for use in cutting controlled dangerous substances or controlled substance analogs;

(7) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled dangerous substances or controlled substance analogs;

(8) capsules, balloons, envelopes and other containers used or intended for use in packaging small quantities of controlled dangerous substances or controlled substance analogs;

(9) containers and other objects used or intended for use in storing or concealing controlled dangerous substances, controlled substance analogs or toxic chemicals;

(10) objects used or intended for use in ingesting, inhaling, or otherwise introducing cocaine, nitrous oxide or the fumes of a toxic chemical into the human body such as (a) metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens or punctured metal bowls; (b) water pipes; (c) carburetion tubes and devices; (d) smoking and carburetion masks; (e) roach clips, meaning objects used to hold burning material that has become too small or too short to be held in the hand; (f) miniature cocaine spoons and cocaine vials; (g) chamber pipes; (h) carburetor pipes; (i) electric pipes; (j) air-driven pipes; (k) chillums; (l) bongs; (m) ice pipes or chillers; (n) compressed gas containers, such as tanks, cartridges or canisters, that contain food grade or pharmaceutical grade nitrous oxide as a principal ingredient; (o) charges or charging bottles, meaning metal, ceramic or plastic devices that contain an interior pin that may be used to expel compressed gas from a cartridge or canister; and (p) tubes, balloons, bags, fabrics, bottles or other containers used to concentrate or hold in suspension a toxic chemical or the fumes of a toxic chemical.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

Adopted ___/___/___ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Cozzi						
Fenwick						
Ferguson						
Goldsmith						
Hoffman						

APPROVED:

WILLIAM FENWICK, COUNCIL PRESIDENT

Attest:

Magdalena Giandomenico
Borough Clerk



EXPERIENCED
DEDICATED
RESPONSIVE

negliagroup.com

Celebrating 75 Years

April 26, 2023

Via: E-Mail

Borough of Park Ridge
53 Park Avenue
Park Ridge, New Jersey 07656

Attn.: Ms. Tonya Janeiro, Secretary

**Re: Engineering Review
Preliminary and Final Site Plan Approval Application**
Applicant(s): Park Terrace Apartments, LLC
155 Park Avenue (Block 1807, Lot 5)
Borough of Park Ridge, Bergen County, New Jersey
Neglia File No.: PKRDSPL23.011

Dear Ms. Janeiro,

As requested, we have reviewed the recently submitted Preliminary and Final Site Plan Application documents. The submittal included the following documents:

- Borough of Park Ridge Site Plan Application dated January 20, 2023;
- Certification of Applicant, prepared by Lillian Ferreira, notarized and dated January 18, 2023;
- Owner's Affidavit/Authorization – Corporate, prepared by Lillian Ferreria, notarized and dated January 18, 2023;
- Zoning Information, not dated;
- Property owners listing within 200 feet, prepared by Jessica Mazzearella of the Borough of Park Ridge, dated November 7, 2022;
- Email correspondence, prepared by Kevin Kelly to Jessica Mazzearella of the Borough of Park Ridge, certification of payment of taxes, dated January 18, 2023;
- Email correspondence, prepared by Police Chief Madden of the Borough of Park Ridge Police, dated March 30, 2023;
- Letter, prepared by the Borough of Park Ridge Fire official and Fire Chief, dated March 24, 2023;
- Letter, prepared by the Borough of Park Ridge Water/Sewer Department, received via email on April 12, 2023;
- Certification of Payment of Taxes, prepared by Jessica Mazzearella of the Borough of Park Ridge, undated;
- Lighting details prepared by Kiersten Osterkorn P.E., P.L.S., P.P., of Omland & Osterkorn, dated January 11, 2023;
- Signed and sealed architectural plan set, consisting of four (4) sheets, entitled, "Park Terrace Apartments," prepared by Michael Scro, R.A., of Z+ Architects, dated January 20, 2023;
- Signed and sealed lighting details, entitled "Lighting Details for 155 Park Ridge, Block 1807, Lot 5, Borough of Park Ridge, Bergen County, New Jersey," prepared by Kiersten Osterkorn, P.E., P.L.S., P.P., of Omland & Osterkorn, dated January 11, 2023; Signed and sealed stormwater management report entitled, "Stormwater Management Report for 155 Park Ridge, Block 1807, Lot 5, Borough of Park Ridge, Bergen County, New Jersey," prepared by Kiersten Osterkorn, P.E., P.L.S., P.P., of Omland & Osterkorn, dated January 11, 2023; Signed and sealed drainage area maps entitled, "Drainage Area Maps For 155 Park Avenue, Tax Map Block 1807, Lot 5, Borough of Park Ridge, Bergen County, New Jersey," prepared by Kiersten Osterkorn P.E., P.L.S., P.P., of Omland & Osterkorn, dated January 11, 2023; and
- Signed and sealed site plan set consisting of nine (9) sheets entitled, "Preliminary And Final Minor Site Plans for 155 Park Avenue, Tax Map Block 1807, Lot 5, Borough of Park Ridge, Bergen County, New Jersey," prepared by Kiersten Osterkorn P.E., P.L.S., P.P., of Omland & Osterkorn, dated January 11, 2023.

LYNDHURST

34 Park Avenue
PO Box 426
Lyndhurst, NJ 07071
p. 201.939.8805 f. 201.939.0846

MOUNTAINSIDE

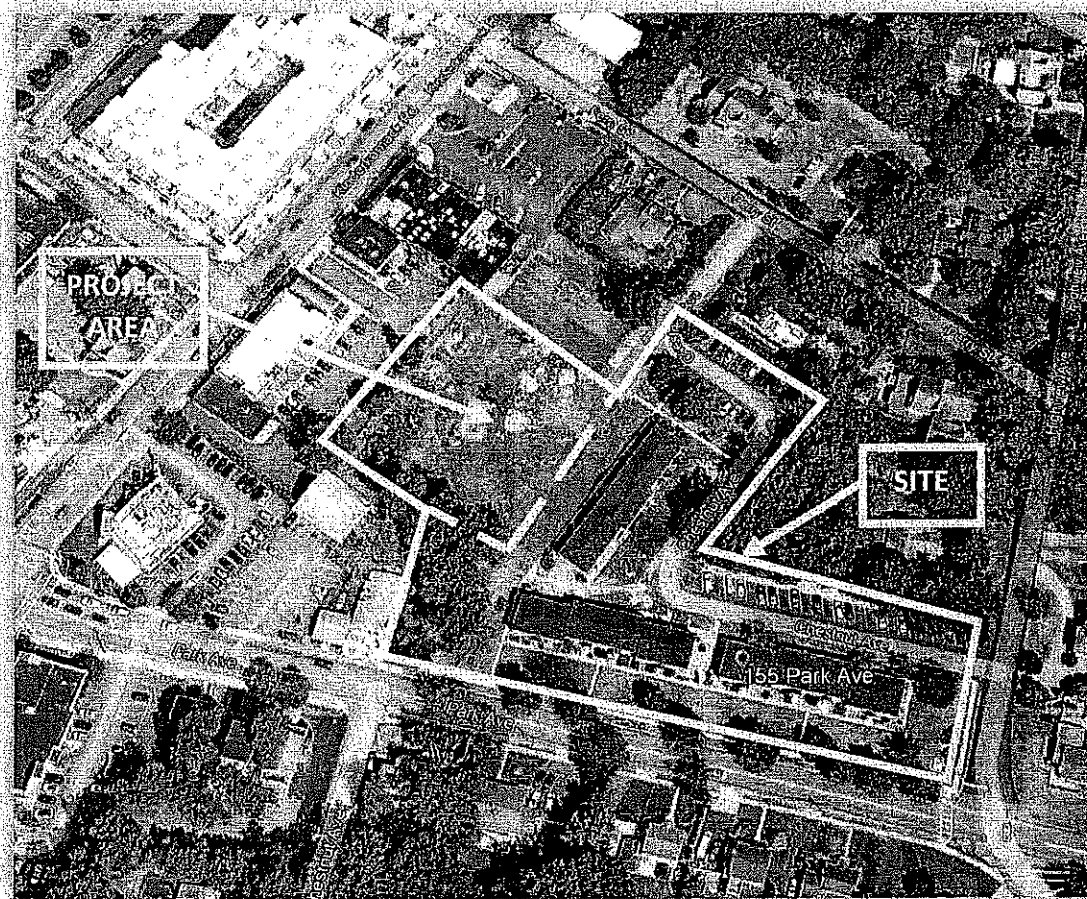
200 Central Avenue
Suite 102
Mountainside, NJ 07092
p. 201.939.8805 f. 732.943.7249

1. Property Description

The subject property is an irregular-shaped lot, which is identified as Block 1807, Lot 5, per the Borough of Park Ridge Tax Map Sheet No. 18. The property in question is commonly known as 155 Park Avenue and contains frontage along Park Avenue to the south, Highview Avenue to the east and Chestnut Avenue to the North. Additionally, the premises is bounded by residential properties to the south across Park Avenue, the east across Highway Avenue, and to the north along Chestnut Avenue. Furthermore, to the west of the property is a mixed-use building. The property is approximately 3.21 acres in size, and is located within the GA-1 Zone, per the Borough of Park Ridge Zoning Map.

The property is currently occupied by three (3) two-story brick dwellings which include associated landscaped areas, stormwater features, a garden area, and an associated parking lot(s).

At this time, the Applicant is seeking approval for the removal of the garden area and construction of a two-story residential development. The proposed development will consist of sixteen (16) apartments, consisting of a mix of one- and two-bedroom apartments. Site improvements will consist of additional parking for the new development, concrete walkways, lighting, landscaping, and signage improvements. In addition, the Applicant is proposing to construct a stormwater management system and connections to the existing utilities (i.e., gas, electric, water, fiber-optic, etc.) to accommodate the proposed development.



Source: Google Earth imagery. Accessed April 2023.

2. Completeness Review

Neglia previously issued a completeness review of the subject application and recommended that the application be deemed **complete**. Overall, we take no exception to this application being heard by the Borough of Park Ridge Planning Board.

3. Variances / Waivers

Neglia defers to the Board Planner with respect to variances, waivers, and other elements specifically requiring planning review as it relates to the Borough of Park Ridge Ordinances.

4. Parking and Loading Requirements

Regulation	Ordinance Section	Required	Required	Proposed	Status
Garden Apartments	§101-62 Table X-1	1.5 Spaces per Unit plus 1 for Each 6 Dwellings for Visitor Parking	$(1.5 \text{ spaces / unit}) \times 16 \text{ units} + 16 \text{ units} / 6 \text{ units} = 26.67 \text{ spaces} = 27 \text{ required spaces}$	37 spaces	Conforming ⁽¹⁾
Garden Apartments (RSIS)	Residential Site Improvements Standards (RSIS) NJAC §5:21-4.14(f) (Table 4.4)	One-bedroom: 1.5 spaces per unit	$8 \text{ units} \times (1.5 \text{ spaces / unit}) = 14.4 \text{ spaces} = 14 \text{ spaces}$	37 Spaces (40 Spaces with EV Credit)	Conforming ⁽¹⁾
		Two-bedroom: 2.0 spaces per unit	$8 \text{ units} \times (2.0 \text{ spaces / unit}) = 16 \text{ spaces}$		
		Total Spaces Required per RSIS	30 required spaces (30.4 spaces)		
EV Space Credit	MLUL 40:55D-66.20	2 Parking Spaces per Proposed EV Space Not to Exceed 10% of the Total Required Parking Spaces.	$10\% \times 30 \text{ Required Spaces} = 3 \text{ Required Parking Space Credit}$		
ADA Accessible Parking	ADA Standards for Accessible Design, Latest Revised	26 to 50 Parking Spaces Require 2 ADA Accessible Spaces	2 required ADA accessible spaces	2 ADA accessible spaces	Conforming ⁽¹⁾
EV Parking Spaces	MLUL 40:55D-66.20	15% of Required Parking Spaces	$30 \text{ required parking spaces} \times 15\% = 4.5 \text{ EV Spaces} = 5 \text{ EV Spaces}$	6 EV Spaces	Conforming ⁽¹⁾
Minimum ADA EV Parking Spaces	MLUL 40:55D-66.20	5% of Provided EV Spaces	1 ADA Compliant EV Space	0 ADA Compliant EV Spaces	Non-Conforming ⁽¹⁾⁽²⁾
Loading	§87-44 Table X-5	To Be Determined	To Be Determined	To Be Determined	To Be Determined ⁽³⁾

- (1) The Applicant shall provide the amount of existing parking spaces and residential units on the subject property.
- (2) The Applicant proposes 6 EV spaces. However, none are designated to be ADA compliant. The Applicant shall revise the site plan to provide an ADA accessible EV charging station.
- (3) In accordance with Section §87-44A of the Borough of Park Ridge Code, "In any district, in connection with every building or buildings group or part thereof, hereinafter erected, which is to be utilized by industrial and commercial uses or requires the distribution by vehicles of materials or merchandise and for any residential development containing 30 or more

dwelling units and for large-scale public and quasi-public uses, there shall be provided and maintained, on the same zone lot with such building, off-street loading spaces in accordance with the requirements of Table X-5". The Applicant shall provide the amount of existing dwelling units on the subject property and provide the total floor area of the proposed building. It appears the Applicant is proposing a floor area of approximately 22,867 square feet (8 (1 Bedroom Apartments) * 720 square feet (Floor Area) + 8 (2 Bedroom Apartments) * 1,070 square feet) + 8,547 square feet (Basement Area) which would require a first berth loading area per Table X-5. The Applicant shall provide testimony for any and all loading operations that will be required with the proposed residential building. Additionally, the Applicant shall note that any associated loading spaces at the proposed building shall measure no less than 12 feet in width and 35 feet in length as per Section §87-44B. of the Borough of Park Ridge Code.

5. Engineering Comments

- 5.1. At such time as a hearing is scheduled regarding this matter, a representative or owner of the project site shall be present to address questions from the Board.
- 5.2. Neglia recommends that the Applicant provide material boards and color renderings during the Board presentation to demonstrate that the proposed building will be aesthetically acceptable. The rendering shall include a view of all sides of the proposed canopy.
- 5.3. The Applicant shall provide testimony addressing the amount of existing parking spaces and residential units on the subject property.
- 5.4. The Applicant has acquired review letters from the Borough of Park Ridge Fire Department, Water/Sewer Department and Police Department. Testimony addressing the review letters shall be provided at the Board hearing.
- 5.5. The Applicant shall provide testimony addressing any proposed wayfinding signs. In addition, testimony shall be provided addressing both vehicular and pedestrian circulation throughout the site.
- 5.6. The Applicant shall provide testimony addressing the existing and proposed pedestrian access from Chestnut Avenue. Under existing conditions there is a sidewalk ramp that terminates onto the south easterly corner of the end of Chestnut Avenue. Under proposed conditions Chestnut Avenue will open into the proposed parking area and will no longer be a safe means of ingress and egress for pedestrians. As such, we strongly recommend that this sidewalk access area be relocated to provide an ADA accessible crossing between the existing two-story brick building and the proposed residential building to facilitate better and safer pedestrian access throughout the site.
- 5.7. We recommend the Applicant mill, resurface and re-stripe all of Chestnut Avenue, including the parking areas. The associated construction details shall be added to the plan set.
- 5.8. The Applicant shall provide testimony addressing maintenance of the overall site. This testimony shall specifically address snow removal and piling.
- 5.9. The Applicant shall revise the site plan set to illustrate the existing conditions when compared to proposed conditions as "half tone" or gray to improve plan readability.
- 5.10. Proposed sidewalks shall be situated on four (4) inches of ¾-inch crushed stone or granular subgrade. The sidewalk detail provided within the site plan set shall be revised accordingly.
- 5.11. The site plan set includes a detail for a stop sign but does not illustrate the proposed location(s). The location(s) of the sign(s) shall be clearly illustrated on the site plan set. The proposed stop sign(s) shall also be accompanied by a stop bar and detail.
- 5.12. We recommend that the Applicant removes the existing chain-link fence and replaces it with privacy fencing. The site plan set shall be revised to illustrate the locations of said fencing along with associated construction details.
- 5.13. The Applicant shall protect any perimeter fencing, curbs, walkways, plantings, and walls on adjacent properties during construction. The Applicant shall be responsible for any damage to neighboring or public properties during construction. Notation indicating the same shall be added to the plan.

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- 5.14. The proposed development will require plan approval / certification from the Bergen County Soil Conservation District. Proof of approval shall be provided to the Borough prior to any soil disturbance activities, if granted approval.
 - 5.15. The Applicant shall note that Park Avenue is a County road. The Applicant shall apply for and obtain road opening approval from Bergen County, if approved. Copies of the same shall be provided to the Borough for review.
 - 5.16. The Applicant shall note that any proposed tree removal depicted on the plan is subject to review and approval by the Borough's Shade Tree Commission. The Applicant shall provide testimony regarding any proposed tree removals.
 - 5.17. The Applicant shall note that any demolition and/or construction material disposal shall be disposed of in accordance with all applicable regulations. A note stating the same shall be provided on the site plan set.
 - 5.18. The Applicant is proposing to construct a trash enclosure on-site utilizing a six (6) foot high fence and gates. We recommend that these trash enclosures be constructed utilizing masonry blocks matching the architectural features of the proposed building.
 - 5.19. The Applicant shall provide testimony addressing trash / recycling collection operations associated with the proposed use. We recommend private hauling for this site. Additionally, the Applicant shall provide turning templates illustrating the vehicle maneuvering required for the trash / recycling collection operations.
 - 5.20. The Applicant shall ensure that all disturbed work areas are stabilized with topsoil, seed, hay, and straw mulch to ensure lawn growth. The Applicant shall revise the plans to include notation indicating the same.
 - 5.21. Any damages incurred to surrounding public or private property as a result of construction shall be repaired by the Applicant. Notation indicating the same shall be added to the site plan.
 - 5.22. The Applicant shall be responsible for ensuring that any and all soils imported to the site are certified clean soils in accordance with current NJDEP Standards, with a copy of said certification provided to the Borough of Wallington and Neglia prior to the import of any material by a professional. Recycled material or demolished materials are not permitted for the purposes of backfilling a vacated excavation area.
 - 5.23. The Applicant shall ensure that the operations of soil movement vehicles are not to be utilized in a way that would deposit soil on any street, sidewalk, public place, or within any other private property. A note stating the same shall be provided on the plans.

6. Grading, Drainage, and Utility Comments

- 6.1. The Applicant shall provide testimony that all ADA accessible routes, parking spaces, sidewalk ramps, etc. will conform to the ADA Standards for Accessible Design provided by the Department of Justice, latest revised.
 - 6.2. Proposed public sidewalks shall be constructed with cross-slopes that do not exceed 2.0%. Notation indicating the same shall be provided within the site plan set.
 - 6.3. The Applicant is proposing a retaining wall on the northeasterly property line. The Applicant shall provide construction details for the same and ensure that the wall drains tie into the proposed stormwater system.
 - 6.4. The Applicant's proposed trash enclosure appears to be located on a three-on-one slope. The Applicant shall reevaluate the proposed grading or provide a means to keep the enclosure at grade with the proposed parking area.
 - 6.5. The Applicant shall revise the plan set to provide additional surveying information with a ten (10) foot overlap to evaluate the runoff impact to adjacent properties.
 - 6.6. The Applicant shall ensure that stormwater runoff does not negatively affect neighboring properties, during and after construction. Any damages caused by an increase in runoff or improper drainage shall be repaired by the Applicant. The Applicant shall revise the plans to include notation indicating the same.
 - 6.7. The proposed improvements classify the project as a "Major Development" as defined under the Stormwater Management Adopted New Rule: N.J.A.C. 7:8, by increasing regulated impervious surface by more than a quarter acre.
-

- a. As per N.J.A.C. 7:8-5.4 (b)(1)(i), 100 percent of the sites average annual pre-developed recharge volume must be maintained after development. As per the State of New Jersey Smart Growth Area Plan, the Borough of Park Ridge is designated as a Metropolitan Planning Area. The project is exempt from groundwater recharge requirements as per N.J.A.C. 7:8 5.4 (a)(2)ii.
- b. As per N.J.A.C. 7:8-5.5 stormwater runoff quality measures are required for developments that increase regulated impervious coverage by one-quarter (1/4) acre or more. The Applicant has provided four (4) manufactured treatment devices all of which are rated for 80% TSS removal. Neglia takes no exception to the provided water quality treatment devices, however see applicable comments below.
- c. As per N.J.A.C. 7:8-5.6(b), stormwater runoff quantity impacts shall be controlled by one of four methods listed below.
 - 1) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events.
 - 2) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10-, and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area.
 - 3) Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10-, and 100-year storm events are 50, 75, and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed.
 - 4) In tidal flood hazard areas, stormwater runoff quantity analysis, in accordance with (b)1, 2, and 3 above, is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development.

The Applicant has selected to control stormwater runoff quantity impacts by method three. Upon review of the stormwater design and supporting calculations, the Applicant has met the 50, 75 and 80 percent proposed peak runoff rates when compared to pre-construction peak runoff rates, but the Applicant does not comply with NJAC 7:8-5.2(a)2. *"The minimum design and performance for groundwater recharge, stormwater runoff quality and stormwater runoff quantity at NJAC 7:8-5.4, 5.5, and 5.6 shall be met by incorporating green infrastructure in accordance with NJAC 7:8-5.3."* The Applicant indicates that the proposed stormwater basin cannot be considered a green infrastructure measure due to the high seasonal groundwater table and low permeability rates and is therefore designed as a closed system. The Applicant shall revise the stormwater design to incorporate one of the other required green infrastructure measures that are outlined in the NJBMP manual that do not rely on groundwater infiltration. Additionally, the Applicant shall provide the geotechnical investigation report mentioned in the stormwater management report for review.

- 6.8. As per NJAC 7:8-5.8, the Applicant shall provide a Stormwater Maintenance Manual. The manual shall include an enforcement mechanism.
- 6.9. Upon completion of the proposed development, if granted approval, the Stormwater Maintenance Manual shall be recorded with the property deed.
- 6.10. We offer the following comments with respect to the Stormwater Management Report:
 - a. The Applicant shall provide stormwater conveyance calculations for the water quality design storm to verify the inverts at the proposed MTDs.

- b. The Stormwater Management Report shall be revised to refer to NJBMP to demonstrate compliance with the NJAC 7:8-5.2(a)2.
 - c. The Applicant has calculated a time of concentration (Tc) for the existing and proposed watershed areas. However, per NJDEP BMP Manual Chapter 5, latest revised, a watershed's time of concentration shall be provided for each land coverage type. Tc calculations shall be provided and the stormwater management report shall be revised to demonstrate compliance with the same.
- 6.11. The site plan set shall be revised to indicate the proposed pipe slope and material for the connections to the proposed filter structures.
 - 6.12. The Applicant shall clean and televise the existing on-site stormwater conveyance system from the northeasterly inlet on Chestnut Avenue to the proposed connection point at the northern corner of the property to confirm that pipes are not damaged, displaced, or fractured. The televised information shall be forwarded to the Borough of Park Ridge, and our office in a video format, for review. Depending on the results of the televised sewer, corrective action may be required and will be evaluated upon receipt of the video.
 - 6.13. The Applicant shall provide water usage and sanitary sewer calculations signed and sealed by a Professional Engineer licensed in the State of New Jersey to ensure that the existing systems provide sufficient capacities for the proposed redevelopment. The applicant shall submit a set of plans to the Park Ridge Water and Sewer Department for review. The Applicant shall provide a thirty-day flow metering study to confirm the capacity of the existing sanitary sewers that will service the property. The Applicant shall provide testimony regarding NJDEP Treatment Works Approval which may be required as part of this application.
 - 6.14. The Applicant shall revise the proposed sanitary connection to include a new sanitary manhole structure. A corresponding detail shall be provided.
 - 6.15. The Applicant shall provide a sanitary sewer cleanout detail and provide the locations of proposed sanitary sewer cleanouts on the site plan set.
 - 6.16. The site plan set shall be revised to indicate the proposed pipe slope and material for the connections to the proposed filter structures.
 - 6.17. The Applicant shall revise the drainage plan to eliminate a utility conflict in the northerly corner of the proposed parking lot. As shown, the proposed HDPE pipe will conflict with the foundation of the proposed light pole.
 - 6.18. The Applicant shall provide testimony regarding the proposed electrical and water lateral connections for the proposed residential building. As shown, it is unclear where the tie in points will be.
 - 6.19. The site plan set shall be revised to include thrust block construction details.
 - 6.20. Any proposed A/C mechanical units, transformers and / or generators shall be situated on reinforced concrete pads. The site plan set shall be revised to include notation clearly indicating the same. The proposed transformer and generator pads shall be sufficiently screened and baffled to satisfy all applicable noise ordinances. Construction details associated with the same shall be provided, as required.
 - 6.21. The Applicant shall provide testimony as it relates to any rooftop mechanical equipment and proposed screening of the same. All equipment shall be sufficiently screened and baffled to satisfy all applicable noise ordinances.
 - 6.22. The Applicant shall submit plans to Park Ridge Electric for review. Testimony as it relates to the proposed electric loads and overall electric design shall be provided at the Board hearing.
 - 6.23. The Applicant shall provide the required fire hydrant locations and associated details as required by the Borough of Park Ridge Fire Department.
 - 6.24. Based upon the submitted site plan set, it is our understanding that the Applicant is proposing to install EV charging stations on-site. Construction details related to the same shall be provided for review. Testimony as it relates to the

proposed charging stations shall be provided at the Board hearing. The Applicant shall specifically address the type (i.e., Level 1, 2, 3, etc.) of charging stations that are to be provided.

- 6.25. The site plan set shall be revised to illustrate the approximate location of proposed telephone and fiber-optic utility lines. Proposed telephone and fiber-optic utility lines shall be installed underground. Notation indicating the same shall be provided within the site plan set.
- 6.26. The Applicant shall provide utility will-serve letters to all on-site utilities to ensure adequate capacity and service to the proposed development. It is the Applicant's responsibility to construct all on-site and off-site improvements as deemed necessary by said utilities.
- 6.27. The Applicant shall coordinate any and all proposed test pits and televising of sewer and drain lines with Neglia. Neglia shall be notified a minimum of 48 hours prior to the start of any activity.

7. Landscape and Lighting Comments

- 7.1. The Applicant shall provide testimony addressing the proposed landscaping.
- 7.2. The site plan set shall be revised to include a pole foundation construction detail.
- 7.3. The Applicant shall revise the site lighting plan to provide foot candle readings along the northwesterly portion of the proposed residential building.
- 7.4. The Applicant shall revise the site lighting plan to maintain one (1) foot candle within all proposed sidewalk and parking lot areas.
- 7.5. The Applicant shall add the following to the Planting Notes:
 - a. Following one year after planting, the landscape contractor is responsible for removing planting saucers and all staking materials from trees.
 - b. Provide a mulch layer of three (3) inches to be provided within the planting beds.
 - c. Specify a two (2) year plant guarantee period.
 - d. All plant beds shall receive a minimum of 18" of topsoil (settled) and all lawn areas shall receive a minimum of 6" of topsoil (settled).
 - e. The Applicant shall provide an automatic irrigation system to the proposed landscape. Notation for the irrigation system shall include the following:
 - f. All landscaped areas shall be irrigated. Irrigation contractor to provide a design for an irrigation system for both plant beds and lawn areas. Plant beds and individual trees shall be serviced by drip irrigation and lawn areas are to be serviced with spray heads. Rain sensors shall be incorporated into the service. Contractor to verify the maximum, on site dynamic water pressure available. Pressure reducing devices or booster pumps shall be provided to meet system pressure requirements. Irrigation design to shall depict all valves, piping, heads backflow prevention, meters, controllers, and sleeving within hardscape areas.
- 7.6. The Applicant shall propose a sodded lawn. The sod shall be comprised of a turf mix which shall include one or more top rated turf-type tall fescues which together shall comprise no less than 50% of the overall mix. Notation of the proposed turf mix of the sod shall be added to the Planting Notes or the plan.
- 7.7. The Applicant shall illustrate plant bed lines and label all proposed lawn areas on the plan.

8. Traffic Comments

- 8.1. The Applicant shall provide testimony addressing the vehicular circulation for deliveries, trash/recycling procedures, circulation, fire apparatus, and other operational issues as may be deemed relevant to the application.

- 8.2. The Applicant shall provide vehicle turning maneuvers showing vehicles traversing the site's internal drive aisles. The vehicles depicted shall include a fire truck, garbage truck, and delivery vehicle.
- 8.3. The Applicant shall provide testimony regarding the proposed traffic impact. Based upon the testimony provided, a traffic impact report may be required.

9. Final Comments

- 9.1. This approval is subject to all other applicable rules, regulations, ordinances and statutes of the Borough, Bergen County, State of New Jersey or any other governmental agency having jurisdiction over the same.
- 9.2. It is the Applicant's responsibility to determine what, if any, permits are required from outside agencies and internal municipal agencies and departments in order to construct the proposed development. These agencies include, but are not limited to Bergen County Planning/Engineering, Bergen County Soil Conservation District, municipal fire / police departments, Park Ridge Water, Park Ridge Electric, BCUA, NJDOT and NJDEP.
- 9.3. Should the Board look favorably upon this application, a performance bond, maintenance bond and inspection escrow will be required for on-site / off-site improvements, in accordance with the Municipal Land Use Law.
- 9.4. Neglia recommends that a response letter be submitted that addresses each of the comments noted above.
- 9.5. The above comments are based on a review of materials submitted and/or testimony provided to date. Neglia reserves the right to provide new or updated comments as additional information becomes available. Additionally, we reserve the right to provide additional comments based upon testimony and/or information provided at the Board hearing.

We trust you will find the above in order. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,
Neglia Group



John J. Dunlea, P.E.
For the Planning Board Engineer
Borough of Park Ridge

cc: Brian Giblin, Esq. – Board Attorney *via e-mail*
Park Terrace Apartments, LLC – Applicant *via e-mail to Attorney (kkelly@kkmtlegal.com)*
Kevin P. Kelly – Applicant's Attorney *via e-mail (kkelly@kkmtlegal.com)*
Kiersten Osterform, P.E., P.L.S. – Applicant's Engineer *via e-mail (kosterkorn@o-o-wc.com)*
Michael Scro, R.A., AIA, LEED AP – Applicants Architect *via e-mail (mike@zplusharchitects.com)*

April 21, 2023

Tonya Janeiro, Board Secretary
Land Use Office, Borough of Park Ridge
53 Park Avenue
Park Ridge, New Jersey 07656

Planning Review #1
Park Terrace Apartments LLC Site Plan
155 Park Avenue (Block 1807, Lot 5)
Application No. PB 23-1
Colliers Engineering & Design Project No. PRP-0002

Dear Ms. Janeiro:

As requested, our office has reviewed application PB 23-1, submitted by Park Terrace Apartments LLC (the Applicant), seeking Preliminary and Final Site Plan approval to expand an existing garden apartment development.

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

1. Site Plan Application, submitted January 20, 2023.
2. Property owners within 200 feet, dated November 7, 2022.
3. Certification of Payment of Taxes, unsigned.
4. Completeness review, prepared February 21, 2023, by John J. Dunlea, PE of Neglia Group.
5. Plans entitled, "Preliminary and Final Minor Site Plan For 155 Park Avenue," prepared by Kiersten Osterkorn, PE & PLS, of Omland & Osterkorn, Inc., dated January 11, 2023, consisting of 9 sheets.
6. Stormwater Management Report, prepared January 11, 2023, by Kiersten Osterkorn, PE & PLS, of Omland & Osterkorn, Inc.
7. Lighting details report, prepared January 11, 2023, by Kiersten Osterkorn, PE & PLS, of Omland & Osterkorn, Inc.
8. Plans entitled, "Exterior Renderings," prepared by Z+ Architects LLC, dated January 20, 2023, consisting of 1 sheet.
9. Plans entitled, "Floor Plans," prepared by Micahel Scro, RA, of Z+ Architects LLC, dated January 20, 2023, consisting of 3 sheets.

A. Existing Conditions

The subject property is known as 155 Park Avenue and located at Lot 5 of Block 1807. The property is an odd-shaped lot, with frontage along Park Avenue, Highview Avenue, and Chestnut Avenue (see figures below). The property has a total area of 139,709 square feet (approximately 3.2 acres), and contains three 2-story brick structures, currently used as garden apartments. Adjacent properties to the west include commercial retail and mixed commercial/residential uses. Properties to the north include a commercial parking lot, along with detached single family residential structures. Properties

to the east, opposite Highview Avenue, are detached single family residential in character, along with those opposite Park Avenue.

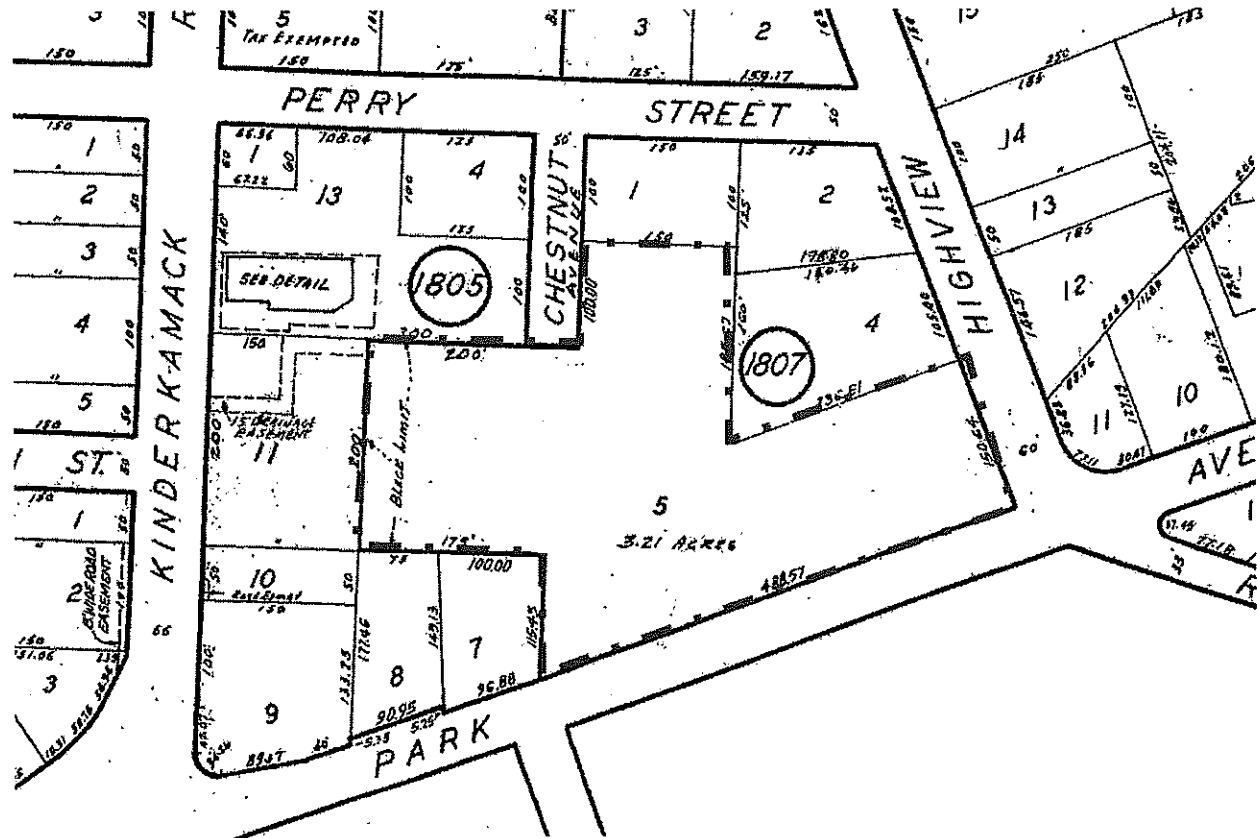


Figure 1: Tax Map of subject property, with boundaries approximated



Figure 2: Aerial image of subject property, with property boundaries approximated. Source: Bergen County GIS

B. Prior Approval(s)

No information concerning prior approvals for the existing development on the site were submitted as part of this Application.

C. Applicable Land Use Controls

The subject property is located within the Borough's GA-1 (Garden Apartments) zone. Garden apartments, along with other uses, are permitted in the zone subject to requirements of section 101-20E of the code, which regulate required densities, buffer areas, bulk and yard requirements, and the provision of recreation space. The ordinance provides density and building coverage bonuses for developments that set aside 10 percent of the total number of dwelling units for low- to moderate-income households.

D. Proposed Conditions

The Applicant is seeking to construct an additional two-story garden apartment building on an undeveloped section of the subject site. The proposed building appears to include 16 apartments, and would include a rooftop deck. Site improvements would include additional off-street parking, including the provision of EV charging spaces, landscaping and lighting, in addition to various stormwater improvements. An evaluation of the site's compliance with the bulk and area requirements of the GA-1 zone is detailed below:

BULK REQUIREMENTS – GA-1 Garden Apartments Zone		
	Required	Proposed
Minimum Lot Size (sq. ft.)	87,120	139,709
Minimum Lot Width (ft)	200	200
Minimum Street Frontage (ft)	225	200
Minimum Lot Depth (ft)	200	789.21
Minimum Front Yard (ft)	50	89.1 (proposed building) 51 (existing buildings on Park Ave)
Minimum Side Yard (ft)	25	25/ 25.2/74.9
Minimum Rear Yard (ft)	50	68.3 (existing building on Park Ave)
Maximum Dwelling Width	50% of lot width (100 feet)	99.8
Maximum Building Length (ft)	160	*
Maximum Building Height	35	22 roof 31.67 stair tower roof 35.75 elevator
Maximum Impervious Coverage	50%	50
Maximum Building Coverage	18% 20% (if 10% of the total dwelling units are set aside)	17.2
Open Space Requirement	25% total land area (34,927.25 sq. ft.)	*
Recreation Space	200 sq. ft. per dwelling unit	*
Buffer (feet)	25 from all external lot lines	10.9 (V)
Yards Between Buildings		
<i>Front to Front Units (ft)</i>	60	*
<i>Back to Back Units (ft)</i>	60	*
<i>Front to Back Units (ft)</i>	60	*
<i>Front to Side Units (ft)</i>	45	*
<i>Side to Side Units (ft)</i>	30	*
<i>Side to Back Units (ft)</i>	30	*
Maximum Residential Density	12 dwelling units/acre 18 dwelling units/acre (when 10% total dwelling units are set aside)	*
Parking Spaces	1.8 per 1 bedroom (14 spaces) 2 per 2 bedroom (16 spaces)	37*
*Not illustrated on plans. Applicant shall clarify. See section G for comments. V—Variance required		

E. Variances

The Applicant has not requested any variances at this time; however, as noted in the table above, additional information is needed from the Applicant to determine compliance with the other requirements of the GA-1 zone. As part of our review, we have noted that the applicant will require variance relief from the following:

1. **§101-20 E (2) Buffers.** The ordinance requires a minimum 25-foot buffer from all external lot lines (subsection a). Per subsection b, off-street parking is not permitted within the required buffer area. Based on the plans submitted, the proposed parking adjacent to Lot 13 is within 10.9 feet of the property line, which will require bulk variance relief.

“C” Variances

For bulk ‘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 of these 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 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.

Pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-70C), deviation from a bulk standard can be granted under either a “C(1)” hardship variance or a “C(2)” flexible variance.

- A “C(1)” hardship variance can be granted to relieve peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of a specific piece of property that is uniquely affected by (a) exceptional narrowness, shallowness or shape, (b) exceptional topographic conditions or physical features, or (c) other extraordinary and exceptional situation affecting the property or the lawfully existing structures. For a “C(1)” variance, the Applicant must demonstrate that there is some specific physical feature of the property that prevents compliance with the ordinance.
- A “C(2)” flexible variance requires the Applicant to demonstrate that the benefits of allowing the proposed deviation will substantially outweigh any detriments associated with the deviation. The Applicant must show that the requested “C(2)” variance will result in a better plan for the property.

For both “C(1)” and “C(2)” variances, the Applicant must also demonstrate to the Board that:

- The purposes of zoning (see N.J.S.A. 40:55d-2) would be advanced by the proposed deviation. Furthering one or more purposes of zoning would indicate that there is a benefit to granting the proposed variance.

- The variance can be granted without substantial detriment to the public good. The focus is on the impact of the proposed variance upon the adjacent properties and whether or not it will cause such damage to the character of the neighborhood as to constitute "substantial detriment to the public good".
- The variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The Applicant must demonstrate that the variance is not inconsistent with the intent and purpose of the ordinance requirements from which relief is sought.

F. Waivers/Exceptions

The Applicant has not requested any exceptions at this time.

G. Comments

General

1. The Applicant shall provide information concerning the number of residential units currently existing on the property to determine compliance with the density requirements of the GA-1 zone. The plans show that the proposed new structure will contain 16 dwelling units. Per 101-20 E (1) (a) and (b), a maximum density of 12 dwelling units per acre is permitted in the GA-1 zone, except where 10 percent of units are reserved for low-to-moderate income households, in which case the density may increase to 18 dwelling units per acre. Any increase beyond the permitted density would require a "d(5)" use variance.
2. As noted in section "D" of this letter, there are several areas marked with an asterisk where additional information is needed. The Applicant should provide this information in advance of the hearing for review by the Board and its professionals.
3. The Applicant shall provide testimony concerning snowplowing, and identify locations, if any, where snow will be stored.
4. The Applicant shall provide evidence of all outside approvals.
5. The Applicant shall comply with all applicable development fees.

Landscaping and Lighting

6. Illumination levels between the proposed building and Lot 11 are not illustrated in the plans. This shall be corrected.

Parking/Loading

7. In addition to the above, it is not clear how many off-street parking spaces are proposed as part of this development. The Applicant shall clarify.
8. We note Senate Bill 3223 that was signed into law by Governor Murphy on July 9, 2021, which requires, as a condition of preliminary site plan approval, any application involving a



Engineering
& Design

multiple dwelling with 5 or more units of dwelling space, prepare as Make Ready parking spaces at least 15 percent of the required off-street parking spaces, and install electric vehicle service equipment (EVSE) in at least one-third of the 15 percent of Make-Ready Parking Spaces, with the remainder of the Make Ready spaces installed with EVSE under a specified timeframe. A minimum of 5 percent of these spaces is required to be ADA accessible. The plans indicate that 6 EV spaces are proposed, which would appear to comply; however, none of these spaces appear to be ADA accessible. This should be corrected in the plans.

9. The Board should note that pursuant to the new state requirements, the required EV spaces shall have EV charging equipment installed within the time frames specified in the legislation.

Should you have any questions concerning 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.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

A handwritten signature in black ink, appearing to read "ND", with a long horizontal flourish extending to the right.

Nicholas Dickerson, PP, AICP, CFM
Board Planner

cc: John Dunlea, PE, Board Engineer (via email)
Brian Giblin, Esq. Board Attorney (via email)
Kevin P. Kelly, Esq., Applicant's Attorney (via email: kkelly@kkmtlegal.com)
Kiersten Osterkorn, PE, Applicant's Engineer (via email: kosterkorn@o-o-inc.com)
Z+ Architects, Applicant's Architect (via email: Mike@zplusarchitects.com)