

Planning & Real Estate Consultants

March 18, 2021

Dennis Sandow, Chair
Long Hill Township Planning Board
915 Valley Road
Gillette, New Jersey 07933

**RE: Applicant: Elite Properties at Long Hill, LLC
Address: 621 Valley Road (C.R. 512)
Block: 10801/ Lot: 3
R-MF-4 Multi Family Residential Zone 4
Preliminary and Final Major Site Plan
REVISED PLANNING REPORT**

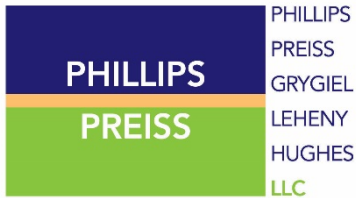
Dear Chairperson Sandow and Members of the Board:

Elite Properties at Long Hill, LLC (the "Applicant") is seeking Preliminary and Major Site Plan approval to develop 62-unit multifamily residential building on Block 10801, Lot 3 in Gillette. The property has a street address of 621 Valley Road. The following is a review letter of the application.

Documents Reviewed

The following documents have been reviewed in preparation of this letter:

- Cover letter dated February 5, 2021 signed by Derek W. Orth, Esq.
- Application for Development dated August 13, 2020.
- Boundary and Topography Survey Block 10801, Lot 3 prepared by Control Point Associates, Inc. dated April 6, 2020.
- Preliminary and Final Major Site Plans for Elite Properties Proposed Residential Development consisting of 21 sheets, signed and sealed by Joseph G. Jaworski, P.E. of Dynamic Engineering, dated August 7, 202 with revisions through February 5, 2021.
- Response memorandum prepared by Dynamic Engineering dated February 5, 2021.
- Architectural Plans and Elevations for Gillette Crossing consisting of 7 sheets, prepared by John Saracco Architect LLC, dated August 6, 2020 with revisions through February 5, 2021
- Response memorandum regarding fire department access around buildings, signed by John Saracco Architect, LLC dated February 5, 2021.
- Freshwater Wetlands Letter of Interpretation: Live Verification from New Jersey Department of Environmental Protection, Division of Land Use Regulations stamped May 4, 2017.
- Environmental Impact Statement prepared by Dynamic Engineering dated August 2020.



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Site Description

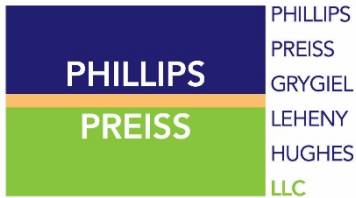
The proposed project involves one tax lot: Block 10801, Lot 3 with a street address of 621 Valley Road. The property is ± 5 acres and is located on the south side of Valley Road to the east of Mountain Avenue. The rear of the lot backs on New Jersey American Water Company land which itself backs on the Passaic River. To the west of the site along Valley Road are commercial uses including restaurants, a Valero gas station, insurance offices, and doctors' offices. Directly across the street is a strip mall which includes both commercial uses and a branch of the U.S. Post Office. To the east of the site along Valley Road are single-family residential uses. The lot is characterized by environmental constraints including wetlands and floodway areas and has some existing improvements on it. According to Sheet 4 of the Site Plan drawings, approximately $\pm 140,500$ square feet (or 3.2 acres) of the lot is shown as critical areas (the Long Hill Code defines "Critical Area" as "the combined area of any portion of a site having an average slope of 15% or greater measured across 10 vertical feet of contour; and/or an area of special flood hazard; and/or any wetlands area.").¹

Proposed Project

The Applicant proposes to remove any improvements on the site and develop a multifamily residential building consisting of 62 units, 9 of which are proposed to be reserved for low- and moderate-income households. The development will include 14 one-bedroom units, 41 two-bedroom units, and 7 three-bedroom units. Of these units there will be 1 one-bedroom unit, 6 two-bedroom units, and 2 three-bedroom units set aside as low- and moderate-income units. This bedroom distribution of the affordable units meets the standards set forth in N.J.A.C. 5:80-26.3 (i.e., the Uniform Housing Affordability Controls or "UHAC").

The building is proposed to be four stories with three stories of residential uses above 77-spaces of ground floor structured parking. There will also be 28 surface parking spaces. The garage spaces measure 19 feet in length and 9 feet in width. However, one bank of 18 garage spaces will measure 18 feet in length and 9 feet in width. These spaces will not have an overhang curbed area. Per Section 151.1b, each off-street parking space, excluding those intended for use as accessible parking spaces, shall measure nine feet in width and 19 feet in length (or 18 feet in length where vehicles overhang a curbed area). The surface parking spaces will also be 18 feet in length and 9 feet in width but with an overhang. The garage parking spaces measuring 18 feet in length will require a design waiver.

¹ The Critical Area Calculations on Sheet 4 show the following critical areas on the site: 337.19 SF of steep slopes; 34,449.96 SF of flood hazard area; and 64,173.06 square feet of wetlands areas. These square footages total 98,960.21 square feet. However, the table indicates the total equals 140,565.39 SF or 3.2 acres. The table footnote indicates that the total of 140,565.39 SF does not count overlapping critical areas twice. The table also lists the total non-critical areas of the site as 155,653.11 SF or 3.6 acres. The 3.2 acres of critical area plus the 3.6 acres of non-critical area totals 6.8 acres. The site is only 5.07 acres. The Applicant should clarify the figures listed in this table.



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The ground floor will include the 77 parking spaces, a space for bicycle storage, the building lobby, and two areas for mechanicals in addition to a trash area. The first residential floor will have a lounge, business center and storage areas and 20 residential units including 2 two-bedroom and 2 three-bedroom affordable units. The second residential floor will have a gym and storage areas and 20 residential units including 2 two-bedroom affordable units. The third residential floor will have storage areas and 22 residential units including 1 one-bedroom and 2 two-bedroom affordable units. All but one of the market rate units include a balcony. However, the affordable one and two-bedroom units do not have balconies. The affordable three-bedroom units do have balconies.

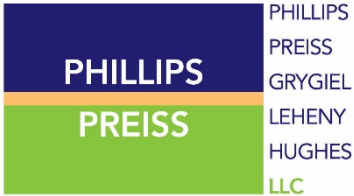
The building will be roughly “U” shaped and will have a pitched roof. The exterior building materials include hardie-plank siding and hardie-panel board and batten siding, as well as stone and brick veneer. The roofline of the north elevation facing Valley Road will be broken up into three bays delineated by cross gables. The floorplan for the roof indicates that there will also be smaller cross gables along this northern façade facing toward the drop-off area. The location of these smaller cross-gables is not apparent on the façade drawings and should be clarified in testimony. The Applicant proposes a generator and air conditioning condenser unit adjacent to the east façade.

The exterior area of the site will include an entry drive from Valley Road leading to a turn-around at the building entrance. A rain garden is proposed at the center of the turn-around. A sidewalk is proposed along the Valley Road frontage heading westward. There will also be a detention basin in the front yard adjacent to Valley Road with an accompanying split rail wire fence setback 10 feet from the front lot line. A water utility hot box is proposed in the northwest corner of the site. The hot box will be 12 feet in length, 7 feet in depth and 6.5 feet in height. A transformer on concrete pad is proposed along the western side of the driveway. There is also a water meter shown on the site plan along Valley Road to the south of the property line.

A project ground sign is proposed on the western side of the driveway near the entrance from Valley Road. The sign would say “Gillette Crossing 621” in five inch black aluminum lettering on a white background. The sign board would be 2 feet 3 inches tall by 4 feet wide. The sign would rest on a stone veneer base approximately one foot in height and 5 feet in width.

Relationship to Settlement Agreement with Fair Share Housing Center

The Township filed a declaratory judgment action on July 6, 2015 seeking a declaration of compliance with the Mount Laure doctrine and Fair Housing Act of 1985. Subsequently, the Township reached a settlement agreement with Fair Share Housing Center (FSHC), a Supreme Court-designated interested party in the matter in accordance with In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015). The terms of the



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Settlement Agreement were memorialized in an agreement dated September 27, 2017 and included the requirement that the Township address its Fair Share obligation, in part, by rezoning Block 10801, Lot 3 indicated as “Gillette Office” in the agreement. The terms of the agreement indicated that the site could accommodate 62 housing units with a set aside of 9 affordable units for a rental project and 12 affordable units for an ownership project. By Ordinance #413-18, the Township adopted zoning regulations necessary to implement the Settlement Agreement including creating a new zone, the R-MF-4 Multifamily Residential Zone 4, on Block 10801, Lot 3. The Township Committee adopted Ordinance #460-20 in July 2020 which amended some of the zone standards for the R-MF-4.

Zoning Compliance

The R-MF-4 Multifamily Residential Zone 4 permits multifamily dwelling units for the provision of inclusionary affordable housing. The purpose of the R-MF-4 Zone district is to provide zoning for affordable housing which allows a realistic opportunity for the construction of very low, low and moderate income housing.

The zoning standards specify that development in the zone “shall be used for inclusionary affordable housing multi-family dwelling units.” Further, not less than 9 units (15 percent of the total number of units) shall be affordable to very low-, low- and moderate-income households for rental projects or 12 units (20 percent of the total number of units) for sale units. Any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of more than or equal to 0.5 shall be rounded up. The affordable units must meet the relevant income and bedroom distribution requirements of the Fair Housing Act (i.e., N.J.S.A. 52:27D-329.1) and Uniform Housing Affordability Controls (i.e. N.J.A.C. 5:80-26.3).

A zoning table indicating the zone requirements and proposed development compliance is provided below.

R-MF-4 Multifamily Residential Zone 4 Compliance Table

Bulk Requirements	Required/ Permitted	Existing	Proposed	Relief Needed
Min. Lot Area (acres)	5	5.07	5.07	—
Max. Residential Density (dwelling units/acre)¹	12	N/A	12.23	—
Min. Lot Width (ft.)	250	283.02	283.02	—
Min. Affordable Housing Set Aside (%)	15/20	N/A	15 (9 of 62 units)	—
Maximum building height for pitched roof structures.²	3 residential stories over parking/50 feet whichever is less	N/A	3/49.94	—
Min. Front Yard (ft.)	50	86.3 ³	331.8	—
Min. Side Yard (ft.)	20	59.6	20	—
Min. Rear Yard (ft.)	50	293.8	233	—
Max. Building Coverage (%)	20	0	13.3 (29,445 SF) ⁴	—
Max. Lot Coverage (%)	40	0	25.4 (56,060 SF) ⁵	—
Floor Area Ratio (FAR)	0.5	0.015	0.4 ⁶	—
Buffer	10	N/A	10	—
Parking (1.5 spaces/unit)⁷	93	N/A	105	DE

V= Variance Required

DE= De Minimis Exception

¹ The maximum density for residential development shall not exceed twelve (12) dwelling units per acre, unless a higher number is set forth in the Township's September 27, 2017 Settlement Agreement with the Fair Share Housing Center. The Settlement Agreement indicated 62 units on Block 10801, Lot 3 which equates to 12.3 dwelling units per acre on a 5.07 acre site. As such, no relief is needed.

² "Height" shall mean the vertical distance from a plane representing the average ground elevation around the foundation to a point 1/2 the distance between the top of the uppermost plate and the highest point of a pitched roof.

³ The Applicant should indicate what this existing setback is measured to as the Topographic Survey does not show any structures at this location.

⁴ This number should be confirmed. The architectural plans indicate a ground floor square footage of 29,262.55 square feet. The difference of the 182.45 square feet should be explained.

⁵ This number should be confirmed. Sheet 4 indicates that the proposed non-critical area impervious coverage is 54,477.14 square feet. The difference of 1,582 square feet should be explained. Also, the Applicant should indicate compliance with Section 142.1c: In addition to the maximum lot coverage requirements established by the Schedule of Bulk Requirements, no development in the Township shall provide more than 70% impervious surface coverage of the noncritical area of the lot.

⁶ Please note that calculations for FAR do not include areas reserved for basements. The gross building area on Sheet PB-100 of the architectural plans indicate a total gross building area of 117,821 square feet. However, for calculations of FAR, the 29,262 square foot garage ground level would not be included. As such, the FAR is 0.4 (i.e., 88,559 square feet of floor area/221,038.43 square feet of lot area).

⁷ The Applicant requires a de minimis exception from the Residential Site Improvement Standards (RSIS). While the ordinance requires 1.5 spaces/unit which the Applicant meets, RSIS requires 122 spaces which the Applicant does not meet.

Development in Critical Areas

The Applicant should provide testimony specifying the proposed development in relation to the site’s critical areas and whether the Applicant will need to request a variance from the following provision of the ordinance:

- Section LU-142.1.a: No principal building, accessory building, parking area, pool, tennis court, patio or deck shall be located in whole or in part within a critical area.

The Site Plan shows a water utility hot box with a footprint of 84 square feet and a height of 6.5 feet and a transformer on concrete pad in the front yard. The Board should evaluate whether the hot box and transformer are accessory structures requiring relief from Section LU-134 Accessory Structures:

- Section LU-134.4: No accessory structure shall be located in a front yard nor within 10 feet of any side or rear lot line.
- Section LU-134.5: No accessory structure shall be erected in that portion of the lot forward of the front line of the principal building, or the minimum front yard setback, whichever is greater.

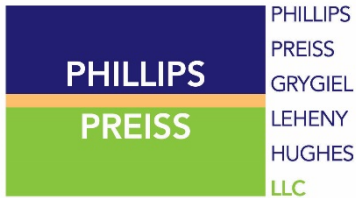
Design Waivers

In addition to the above, the applicant seeks the following design waivers:

- Section LU-151.1.2c which prohibit off-street parking or loading in any front yard.
- Section LU 151.b to permit parking spaces of 18 feet in length with no overhang.
- Section 154.1 to permit a retaining wall in the front yard that exceeds 4 feet in height.

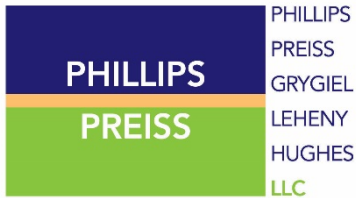
Planning Comments

1. If it is determined that the Applicant requires “c” bulk variances, then the Applicant shall provide testimony justifying the request for such variances. In the case of “c” variances, the MLUL at N.J.S.A. 40:55D-70c allows for two basis of proof: 1) that by reason of exceptional physical, topographic, or other extraordinary condition uniquely affecting the property, the strict application of the regulations would result in practical difficulties or exceptional and undue hardship; or 2) that the purposes of the MLUL would be advanced and the benefits of granting the variance outweigh the detriments. In either case, the Applicant must also address the negative criteria, that the variance(s) can be granted “without substantial detriment to the public good” and “without substantial impairment to the intent and purpose of the zone plan and zoning ordinance” of the municipality.
2. The Applicant shall provide testimony on the requested design waivers. The Planning Board may grant these waivers if they find that granting the waivers is reasonable and within the general purpose and intent of the site plan review, if the literal enforcement of one or more provisions of the ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.



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3. The Applicant should provide testimony on any screening of the hot box and transformer. Otherwise, the Applicant should seek a design waiver from Section LU 152.3h which states that exterior mounted mechanical and electrical equipment shall be architecturally screened.
4. The architectural floor plans indicate that the one- and two-bedroom affordable units will not have balconies. The Applicant is in excess of 21,000 square feet below its FAR cap. The Applicant should indicate why these affordable units will not have balconies and whether balconies could be added.
5. The Applicant should confirm that the affordable units will meet the income and bedroom distribution requirements of NJSA 52:27D-329.1 and NJAC 5:80-26.3.
6. The Applicant should indicate how residents will dispose of trash and how residents' trash will be delivered to the ground floor level trash room.
7. The Applicant shows a bicycle storage room in the garage. We note that this storage room is located a distance from the entry/exit to the garage. To reduce the potential for any vehicle/bicycle conflict within the garage, the Applicant should provide testimony as to whether bicycle storage could be moved closer to the entry/exit.
8. The Applicant should provide testimony as to whether there will be provisions on site for electric car charging.
9. The Applicant should provide testimony regarding site operations, including trash removal, specifically how a trash removal vehicle will collect the trash and maneuver within the parking garage. Additionally, the Applicant should provide testimony regarding loading/deliveries, specifically where moving vans are anticipated to park and which entrance movers would use, i.e., will they go through the lobby or one of the other entrances on the east and west facades?
10. The Applicant should provide testimony as to how many residents will have designated parking spaces and how the surface/garage spaces will be assigned if at all.
11. The Applicant should provide testimony as to where any guest parking spots would be located.
12. The Applicant should provide testimony regarding any outdoor amenities that could be provided for residents in terms of seating areas, barbeque areas, etc. particularly for residents of units without a balcony.
13. Per LU-152.3.h exterior mounted mechanical and electrical equipment shall be architecturally screened. Details regarding screening of mechanical equipment should be provided. Specifically, how the generator and HVAC system will be screened.



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- 14. The Applicant should provide testimony as to compliance of the proposed generator with the noise standards listed in Section LU 134.8a (i.e., that the generators shall meet industry standards for noise emissions and are subject to Chapter 3-15.1, entitled "Unnecessary Noise", of the Township Code.) Additionally, the Applicant should provide testimony as to days, times, and duration of any routine testing of the generator.

- 15. The floorplan for the roof indicates that there will be smaller cross gables along this northern façade facing toward the drop-off area. The location of these smaller cross-gables is not apparent on the façade drawings and should be clarified in testimony.

- 16. The Applicant should clarify the following noted in the zoning compliance table:
 - Footnote 4: The Applicant should indicate what this existing setback is measured to as the Topographic Survey does not show any structures at this location.
 - Footnote 5: The building coverage number should be confirmed. Sheet 3 indicates a building coverage of 29,445 square feet. The architectural plans indicate a ground floor square footage of 29,262.55 square feet. The difference of 182.45 square feet should be explained. Also, the Applicant should indicate compliance with Section LU 142.1c: "In addition to the maximum lot coverage requirements established by the Schedule of Bulk Requirements, no development in the Township shall provide more than 70% impervious surface coverage of the noncritical area of the lot."
 - Footnote 6: The lot coverage number should be confirmed. Sheet 3 indicates an impervious coverage of 56,060 square feet. Sheet 4 indicates that the proposed non-critical area impervious coverage is 54,477.14 square feet. The difference of 1,582 square feet should be explained.

- 17. The Applicant should provide testimony as to how the proposed building will meet the National and International requirements for fire truck access.

- 18. The Applicant should provide testimony as to how an emergency vehicle such as an ambulance would reach transport patients from units on floors 2-4 to the ambulance.

- 19. We defer to the Board engineer regarding comments regarding landscaping, lighting and stormwater management.

We trust that the above information is responsive to your needs.

Respectfully submitted,

Elizabeth Leheny, AICP, PP



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**cc: Debra Coonce
Paul W. Ferriero PE, PP, CME, LEED AP, CFM
Jolanta Maziarz, Esq.**