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March 13, 2020

**VIA EMAIL**

Lorraine Hutter, Planning Board Secretary  
Borough of Montvale  
12 Mercedes Drive, 2<sup>nd</sup> Floor  
Montvale, NJ 07645

Re: **Engineering Review No. 7**  
Ridgecrest Realty Associates  
The Manor at Montvale  
Block 3201, Lot 4  
Borough of Montvale, Bergen County, New Jersey  
MC Project No: MVP-576

Dear Ms. Hutter:

Our office is in receipt of documents relative to the above-referenced application summarized in Exhibit 1. ***This letter has been updated to include comments to the most recent submittal dated March 5, 2020 with Engineering plans dated March 4, 2020, and Architectural plans dated March 3, 2020.***

Our updated comments and revisions are provided in ***bold and italics***.

**General Application Information**

The Owner/Applicant for the project in question is:

Ridgecrest Realty Associates, Inc.  
1800 S. Brand Boulevard, Suite 203  
Glendale, California 91240

The Owner must notify the Borough and this office as to any changes to the above information.

1. The Applicant has noted that they are applying for Preliminary and Final Major Site Plan Approval, Soil Movement Approval and Variance Relief.
2. This application consists of one existing block and lot, Block 3201, Lot 4. The site is located in the OR-4 Zone.



3. The 3.0-acre site is located on the south side of Philips Parkway approximately 600 feet west of Grand Avenue. The property is trapezoidal in shape with approximately 236.5 feet of frontage on Philips Parkway, 389.67 feet deep on the west property line, 449.5 feet deep on the east property line and 416.95 wide on the south property line, which borders Park Ridge. The property slopes from west to east from an elevation of 323 feet at the southwest corner of the property to a low of 287 feet at the southeast corner of the property. The elevation along Philips Parkway is at an average elevation of 300 feet. Steep slopes greater than 15 percent are noted along the western and southern property lines, as well as a portion of the property on the east side of the building.
4. There is a twenty foot (20') wide easement noted on the plans that runs along the southern property line. This is noted as a drainage easement on the plans but is listed as a sewer easement on the tax maps, and the Applicant shall provide testimony. *This has been corrected by the Applicant and we no longer take exception.*
5. The site is surrounded by office buildings in the OR-4 Zone to the north, east, and west. South of the property is the Bears Nest Townhouse development, which is in the Park Ridge R-T – Residential Townhouse Zone.
6. The Applicant notes that there are no wetland areas nor wetland buffers on the subject property and further that there are no "...watercourses, rock outcrops, depressions, or ponds... identified..." and shall provide testimony.
7. The site is currently developed as a one-story 18,300 square foot office building housing medical offices. There are two separate buildings on the property connected by a ten foot (10') long by seven foot (7') wide enclosed walkway.
8. The Applicant notes in their application that "the site currently consists of a one-story medical office building and associated parking spaces. There is manicured lawn and landscaped areas lining the perimeter. Mature perimeter trees and wooded areas buffer the site from view. A majority of the mature trees and wooded areas are outside of the proposed area of construction and will remain undisturbed by the proposed development."
9. The Applicant is proposing to demolish the existing building and site improvements, and construct a **55,541** square foot, three-story Assisted Living Facility with a total of 70-dwelling units with 98 beds, including the following:
  - a. **38** assisted living units;
  - b. 28 memory care units;
  - c. **4** affordable units (**7-affordable beds/credits**);
  - d. **48-market rate** one-bedroom units **and 1 affordable**; **18** two-bedroom units and **3** two-bedroom affordable units; and
  - e. 41 parking spaces.

***The Applicant shall confirm the revised bed count and breakdown by unit and bedrooms.***



The Applicant seeks the following:

Site Plan and Variance Application

The Applicant has provided a Site Plan Review and Variance Application to the Board in support of this application. Relief from the following Ordinances is requested ***in accordance with the most recent submission:***

- a) Section 128.5.4F(3)(b) – Minimum Lot Area for Conditional Use: Assisted Living Facility where 10 acres is the minimum lot area required and 3.0 acres are proposed;
- b) Section 128.4F(3)(h) – Maximum Floor Area Ratio where 0.35 is permitted and ***0.41*** is proposed;
- c) 128-7.5B (2) - Except as provided for in § 128-7.5.1C (2) no front yard parking areas or access drives shall be located closer than 75 feet to the front property line. *The perimeter access aisle in front of the building is located approximately forty-five (45) feet from the front property line and the Applicant shall provide testimony regarding compliance with the Ordinance; and*
- d) 128-5.4F(3)(a) – Primary access shall be achieved from a road under the jurisdiction of Bergen County. *The primary access is from Philips Parkway a municipal roadway.*

Major Soil Movement Application

The Applicant has filed an application for Major Soil Movement permit for 1,240 cubic yards of cut, and 1,000 cubic yards of “new” fill for a total soil movement of 2,240 cubic yards of soil movement. ***The Applicant has revised the plans and Sheet C-11 notes 4,361 cubic yards of cut-fill. The Applicant shall testify to the source of any imported soil and note that analytical testing will be required to verify that the soil is acceptable to the satisfaction of the Borough Engineer. A Bergen County Soil Conservation permit may be required as well. Unless already submitted, an updated Soil Movement Permit Application shall be filed.***

Variances/Waivers

The Board should request comments from the Board Attorney and Planner regarding the requirements of variances/waivers.

Landscape Comments

*The Applicant has modified the landscaping alongside the building (Sheet C-07) due to the decreased building footprint. Based on our review, there are little if any changes proposed to the perimeter landscaping, and the Applicant shall provide testimony. Our office recommends that due to an existing blight with boxwoods, that the Applicant substitute a similar species such as Ilex Crenata or Japanese Holly.*



### **General Comments**

The following comments are from our *May 20, 2019* Engineering Review, with comments/revisions noted in ***bold and italics***. ***The Board should request that the Applicant provide detailed information in testimony as to the changes proposed with the most recent revision as they are not called out on the plans. We note the following:***

- a. ***Front yard setback increased from 88.5-feet to 89.03-feet;***
  - b. ***Side yard setback increased from 52.56-feet to 53.2-feet;***
  - c. ***Combined side yard setback increased from 126.16-feet to 127.54-feet;***
  - d. ***Rear yard setback increased from 86.41-feet to 86.9-feet;***
  - e. ***Lot coverage increased from 47.94-percent to 47.95-percent;***
  - f. ***Floor area ratio decreased from 0.42 to 0.41;***
  - g. ***Building height remained the same at 45.72-feet; and***
  - h. ***The number of parking spaces proposed remains the same at 41 spaces.***
1. The Applicant is proposing a Limit of Disturbance of 2.54 acres (110,835 square feet) of the 3.0-acre site.
  2. The Applicant has indicated that there will be a total of 70 units including 7-affordable beds/credits. The Applicant has not provided information regarding the total number of beds and maximum number of residents projected at this facility and shall provide testimony. The Applicant shall also provide testimony if they will permit aides to live in the two-bedroom units and any parking accommodations for aides. The total number of beds is 91, as shown on Note 2 under the Bulk Requirements Table on Sheet C-04. The Applicant has provided testimony regarding the projected number of residents and aides.  
***The Applicant shall provide testimony regarding the revised plans.***
  3. The Applicant shall provide testimony if the Assisted Living component will allow residents to park their vehicles on site.  
***The Applicant provided testimony that the residents of the Assisted Living component will be allowed to have vehicles.***
  4. The Applicant has indicated that there will be an “Anticipated Number of Employees on Maximum Shift = 21”, and shall provide testimony regarding the regular staff needs/shift during the week and weekend including, but not limited to, administration, doctors, physician assistants, medical technicians, nurses, pharmacists, dietary staff, aides, social workers, café workers, fitness center/activity personnel, salon personnel, maintenance personnel, etc. See our comments below regarding Adverse Environmental Effects as well.



*The maximum number of employees on any shift as noted in testimony and on revised plans is 21 employees. Testimony has been provided that shift changes will be staggered in order to avoid parking issues, and that all employees will park on-site.*

5. The Applicant shall address parking needs during holidays and special events, potential locations for off-site parking, and maintenance of the required fire access lane around the building during these peak periods.

*The site plans have been revised to include fire lane striping along the access road with No Parking Fire Lane signage. The Applicant has provided the necessary testimony.*

6. The Applicant has proposed retaining walls surrounding the generator, which is proposed to be 14 feet from the property line, and the transformer, proposed to be 12.3 feet from the property line. The retaining wall surround would measure 14.5 feet deep and 31.0 feet wide parallel to the property line, and approximately 3 feet high. The Applicant shall provide testimony regarding the need for an enclosure of this size, compliance with the required buffer, screening and noise Ordinances, and provide a detail of the wall. The Applicant shall also address the hours that the generator will be run for regular testing.

*The Applicant has moved the generator/transformer out of the buffer area, removed the retaining walls surrounding the generator/transformer and added landscaping. The Applicant's Engineer states in their September 27, 2018 letter that testimony will be provided regarding location, size, maintenance and testing hours of the generator. Bollards should be added to protect the generator/transformer given the revised location near the trash enclosure and delivery area. The Applicant has revised the plans and we no longer take exception.*

7. As noted in the Completeness comments, the Applicant shall provide testimony regarding the location of the dumpster enclosure within the setback, eighteen feet (18') from the property line and confirm that a depressed curb is proposed in front of the dumpster enclosure. The dumpster enclosure is proposed to be wooden vertical plank fencing, six (6) feet high, and measuring 12 feet deep by 20 feet wide. Access will be through two sets of gates also constructed of wood. (See our comments below).

*The Applicant has moved the dumpster enclosure to the west side of the building and outside of the required buffer area. The Applicant has indicated that the enclosure is 20 feet wide by 12 feet deep. The Detail provided on Sheet C-13 notes that there will be a 7.5-foot wide opening with gates, and that the enclosure will be constructed with six (6) feet high wood vertical planking. Concrete bollards should be added outside the enclosure area to protect the fencing. The Applicant has revised the plans and we no longer take exception.*

8. The Applicant has proposed a clockwise one-way directional flow around the building. This will make it impossible for waste vehicles to back into the dumpster area for pick-up, and the Applicant shall provide testimony. The Applicant also shall present testimony regarding access to the dumpster with vehicles parked adjacent to the dumpster enclosure.



*The clockwise one-way directional flow is still part of the proposed site design, and the Applicant has relocated the trash enclosure and shall provide testimony. This comment has been addressed in testimony and we no longer take exception.*

9. The Applicant shall provide a height for the entrance canopy and the ability of emergency vehicles to pass underneath.  
*The Applicant's Engineer states in their September 27, 2018 letter that the height of the porte-cochere is 11 feet 9 inches, and states that the height allows ambulances to pass under but not fire vehicles. Our office defers to the Montvale Fire Department regarding access requirements in the front of the building. The Applicant shall also provide testimony regarding the comments provided in the Fire Department's July 31, 2018 memorandum. These comments were addressed in testimony; however, the no revised Architectural Plans have been submitted and height signage shall be added to the porte-cochere detail.*
10. As noted below, the Applicant shall provide the location on the plans and an aerial of the office building to the west and townhomes located to the south of the subject property. The Applicant shall also provide the distance to these buildings from the property line.  
*The plans have been revised to include an aerial image on Sheet C-02 showing nearby buildings. Sheet C-03 has been revised to include distances to the adjacent buildings, however it should be noted that these distances are not to scale. Our office no longer takes exception.*
11. The Applicant shall provide testimony regarding the effects of vehicle headlights from the perimeter access road and the rear parking lot onto the residential properties in Park Ridge. The Applicant shall shield the lights and the need for additional screening in testimony.  
*The Applicant's Engineer states in their September 27, 2018 letter that landscaping and additional shielding have been included to reduce the light spillage from headlights and the proposed post lights. The Applicant has also provided testimony that they will comply with "dark sky" light level requirements so that lighting is lower at night while providing the required site security. The details on Sheet C-06 indicate that the post mounted lighting fixtures are "dark sky compliant". We also note that the bollard lighting and lighting mounted under the entrance canopy are dimmable. The Applicant shall confirm in testimony that all site lighting will be soft/warm spectrum lighting. The Applicant has provided testimony and we no longer take exception.*
12. The Applicant is proposing to remove **45** trees and shall provide testimony regarding compliance with the Ordinance and submission of an application for a Tree Removal Permit. *Sheet C-03 has been revised indicating that they are proposing to remove 23 trees in the Tree Preservation Zone and install 249 trees. The Applicant references Section 119A of the Ordinance (Trees and Plants). Sheet C-03 also notes in the Legend "Existing tree to be removed within Preservation Zone" which are identified on the plans with a blue "X". However, an additional 21 trees are also shown to be removed and are noted as "Remove Individual Item" with a black "X" for a total of **45** trees to be removed and the Applicant shall provide testimony. **The Applicant shall provide updated testimony.***





13. The photometrics provided on Sheet C-06 provide different light levels at the same distance from the proposed bollard lights and the proposed post lighting and the Applicant shall revise the plans and provide testimony. Additional shielding on the post mounted lights shall also be installed along the border with Park Ridge.

*Sheet C-06 has been revised to correct the photometrics discrepancy. The revised plans indicate that the highest level is 0.0 fc (footcandle) along the Park Ridge border, 0.0 fc along the western property line, 0.9 fc along the northern property line at the site entrance, and 0.0 fc along the eastern property line and the Applicant shall provide testimony regarding compliance with the Ordinance. **The Applicant revised the plans and shall provide testimony.***

14. The Applicant shall also provide lighting information for the proposed monument sign at the entrance, and if any building mounted lighting is proposed other than under the canopy. The Applicant indicated in the Notes on Sheet C-06 that “all exterior lighting shall be illuminated by photovoltaic control from dusk to dawn, and as inclement weather may dictate.” Further that “all LED lighting shall be warm spectrum (3,000K or less).” Due to the proximity with residential housing to the south, the Applicant shall present testimony regarding limiting lighting hours, alternative lighting in this area, and the potential for glare due to the change in grade.

*The sign lighting has been revised to two (2) accent lights, with one (1) light per side of the sign (this lighting shall also comply with the soft/warm LED light spectrum). Additional testimony regarding lighting design shall be provided. The Applicant’s Engineer has stated that an exhibit will be provided during testimony showing the revised design of the monument sign. The Architectural plans show building-mounted lighting on all sides of the building and which are not included on the Lighting Plan (Sheet C-06) and the Applicant shall provide testimony. **The Applicant has provided a detail of the proposed entrance sign on Sheet A-1 and shall provide testimony regarding compliance with the Ordinance.***

15. Sheet A-1 lists as one of the proposed Amenities “Illuminated outdoor walking paths” and the Applicant shall provide testimony and note these on the plans.

*The Applicant’s Engineer states in their September 27, 2018 letter that the “illuminated walking paths” refers to the lighted sidewalks provided throughout the site. However, this reference was removed from the Architectural plans and the Applicant shall provide testimony. The Applicant has revised the plans and shall provide testimony.*

16. The Applicant shall provide a sidewalk that connects the front/main entrance to Philips Parkway along the west side of the parking lot and entrance that provides safe pedestrian access to the building.

*Sheet C-04 has been revised to include a sidewalk from the front entrance to Philips Parkway. Crosswalk striping and accessible ramps have also been provided and we no longer take exception.*



17. The Amenities also lists a Family Dining Room/Event Space, and the Applicant shall provide testimony regarding the proposed maximum capacity of this room, and the required parking for holidays and events. (See our note above regarding parking).  
*The Applicant's Engineer states in their September 27, 2018 letter that testimony will be provided regarding maximum capacity and parking requirements. The Applicant has provided testimony.*
18. The Applicant has provided a Signage Table on Sheet C-04 and an Entrance Sign detail on Architectural Sheet A-1. The proposed entrance sign measures 5.33 feet high by 12 feet wide, with a total area of 64.00 square feet. The Applicant has proposed one accent light on each side of the sign (two lights total). The Applicant shall provide testimony regarding this sign and whether any other corporate signage is proposed.  
*The sign design has been revised to measure 4.33 feet high by 7.33 feet wide or 31.74 square feet and include two (2) accent lights with one (1) light per side of the sign. (Note that the size of the sign does not include the 2.33-foot square brick columns on either side of the sign). The Applicant has provided testimony.*
19. The Applicant shall provide hairpin striping throughout the proposed development.  
*Sheet C-04 has been revised to show hairpin striping. A detail for the hairpin striping has been included on Sheet C-16, and we no longer take exception.*
20. The Architectural Plans indicate that there will be a basement level beneath the south wing of the proposed building. Sheet C-11 of the Engineering Plans provides a soil movement plan and calculations, and the Applicant shall provide testimony that the excavation for the basement is included in their calculations and also confirm the soil movement quantities in testimony. An amended Soil Movement application is required.  
*The Applicant's Engineer states in their September 27, 2018 letter that the building foundation has been accounted for in the soil movement calculations. Revised plans and calculations have been provided, and an updated Soil Movement Application shall be provided for the revised quantities. (4,161 CY cut, 3,240 CY fill, and 121 CY imported with a total of 7,522 cubic yards). **The Applicant has revised the plans and shall provide testimony regarding the total amount of soil to be moved. Sheet C-11 notes 4,361 cubic yards of cut/fill proposed to be moved.***
21. The Applicant has provided Building Height Calculations on Sheet C-04 but does not indicate on the plans where the average ground elevations were obtained. The Applicant notes an Average Ground Elevation of 300.79 feet and a Building Height of 45.72 feet.  
*The Applicant shall provide testimony regarding the changed building height.*





### **Additional Comments**

The following comments remain from our completeness letter of August 1, 2018.

22. 128-8.9D(3)(b) - Location and width of any existing watercourse, existing rock outcrops, depressions, ponds, wooded areas and any other significant features as may be determined by survey.  
*The Applicant's Engineer states in their September 27, 2018 letter that Sheet C-02 of the plans have been revised to include dimensioning for the existing wooded area. Our office notes that the dimensions have been provided on Sheet C-03, and we no longer take exception.*
23. 128-8.9D(3)(h)- All electric and telephone lines must be underground. The Applicant shall confirm all such utilities are underground. It appears that there are overhead utilities that supply the building from the utility pole on Philips Parkway to the proposed transformer and generator.  
*The Applicant's Engineer states in their September 27, 2018 letter that all proposed utilities are underground, and we no longer take exception.*
24. 128-8.9D(3)(i)- An outline of any proposed deed restrictions or covenants.  
*The Applicant's Engineer states in their September 27, 2018 letter that there are no known deed restrictions of covenants. Should the Applicant discover any deed restrictions or covenants, applicable documentation shall be provided to the Borough, and the plans shall be revised accordingly. Comment remains.*
25. 128-8.9D(3)(j)- Any contemplated public improvements on or adjoining the property as indicated by the Borough Engineer.  
*The Applicant's Engineer states in their September 27, 2018 letter that the only public improvements proposed on site are the proposed driveway access and handicap ramps. Our office notes these improvements should also include the additional sidewalk proposed along Philips Parkway. The Applicant shall confirm that no other contemplated improvements are proposed at this time. The Applicant has indicated that there are no other public improvements proposed at this time.*
26. 128-8.9D(4)(a) – The location and uses and outline of structures drawn to scale on and within 100 feet of the property. All structures including walls, fences, culverts, bridges, roadways, that are existing and proposed to remain shall be indicated with spot elevations. Structures to be removed shall be indicated by dashed lines.  
*Sheet C-02 includes an aerial plan showing adjacent structures. Sheet C-03 has been revised to show the location of improvements proposed to be demolished/removed. The site plan on Sheet C-04 has been revised to include the location of the adjacent commercial building on Lot 5, and we no longer take exception.*



27. 128-8.9D(4)©- Location, dimensions, grades and flow direction of existing streets, culverts and waterlines, as well as other underground and aboveground utilities within and adjacent to the property.

*The direction of flow of the 36-inch sewer in the easement has not been provided. The Applicant has revised the plans and we no longer take exception.*

28. The Applicant shall confirm that the drainage easement at the rear of the property is a sewer easement and provide information on the 15-inch RCP outfall noted in the northwest corner of the lot. We also note that in addition to a slight incursion within this easement for the dumpster pad, the Applicant is also proposing to place additional fill within the easement as part of the proposed site grading. As a minimum, the Applicant will need to clean and video the pipe within this easement to verify the condition both prior to and subsequent to any work performed. The Applicant shall discuss precautions to be implemented should filling be approved within the easement limits.

*While the Applicant's Engineer states in their September 27, 2018 letter that a 20-foot-wide sanitary sewer easement has been identified along the southern property line, the direction of flow of the 36-inch sewer in the easement has not been provided. The Applicant's Engineer states the 15-inch RCP outfall in the northwest corner is to remain, and that the Applicant will clean and video the sanitary pipe prior to construction. The Applicant shall provide evidence of the sanitary video to our office. The Applicant has revised Sheet C-05 to include Note #1 under Utility Notes that they shall video and clean the pipe and provide a report to the Borough Engineer prior to construction, and we no longer take exception.*

29. 128-8.9D(4)(d)-Any existing buildings, structures and walls that are of historic importance or are of important archaeological, cultural, scenic or architectural significance on the subject property or within 200 feet of the property shall be so noted on the plans. The Applicant shall confirm there are no such structures of importance on or near the property.

*The Applicant's Engineer states in their September 27, 2018 letter that based on field observations and a search of the NJDEP GeoWeb, there are no historic structures within 200 feet of the property, and we no longer take exception.*

30. 104-4A(1)(b) - The name and address of the developer or excavator.

*The Applicant's Engineer states in their September 27, 2018 letter that the Applicant, Ridgecrest Realty Associates, is the developer, and we no longer take exception.*

31. 104-4A(4) - The kind and quantity in cubic yards of soil to be moved.

*Sheet C-08 has been revised to indicate the soil on site is the Wethersfield-urban complex. Soil investigation was performed by the Applicant's Engineer and the results have been shown on Sheet C-03. Sheet C-11 has been revised to include the soil movement calculations. See Comment No. 20 regarding revised soil movement quantities.*



32. 104-4A(7)-A certification that he has placed or caused to be placed stakes at each corner of the lands from which soil is to be removed, and further that he has placed or caused to be placed grade stakes at the existing elevation points designated on the topographical map pursuant to the provisions of § 104-4 hereof, clearly marked to indicate soil cuts or fill.

*The Applicant's Engineer states in their September 27, 2018 letter that certification shall be provided prior to the start of construction. This item shall remain a condition of approval.*

33. 104-4C (4)- All existing surface and/or subsurface water drainage conditions and provisions therefor.

*The Applicant's Engineer states in their September 27, 2018 letter that no surface or subsurface water drainage conditions were observed. A note has been added to Sheet C-03 under Natural Features (a) and we no longer take exception.*

34. 104-4C(5)-All wooded areas and all trees having a diameter of six inches or more at the base, which are separate and apart from any wooded areas.

*Sheet C-03 has been revised to include all trees with a diameter greater than 4-inches located outside of the wooded area, and we no longer take exception.*

35. Applicant includes "all trees exhibiting a diameter of four inches or more measured 12 inches above the ground" pursuant to 128-8.9D(3). Applicant shall confirm these also include trees having a diameter of six inches or more at the base.

*The Applicant's Engineer states in their September 27, 2018 letter that all trees with a diameter greater than 4-inches have been identified on Sheet C-03, and we no longer take exception.*

36. 128-17.5B(1) - Pre-Development Environmental Inventory – Topography - revise the first sentence to read "...sloping downward in an easterly direction towards Grand Avenue..."

*The sentence has been revised accordingly and we no longer take exception.*

37. 128-17.5B(15) - Pre-Development Environmental Inventory – History – revise the last sentence to read "...was converted to corporate and speculative office uses."

*The sentence has been revised accordingly and we no longer take exception.*

38. 128-17.5F(3) - Probable Adverse Environmental Effects Which Cannot be Avoided – Noise –

*The Applicant shall address increased noise from delivery vehicles and the location of the solid waste/recycling dumpsters near the residential development in Park Ridge. The existing dumpster is 65 feet from the property line, and the Applicant is proposing a dumpster 18 feet from the property line adjacent to a residential development.*

*The Applicant has relocated the dumpster and the delivery area to the west side of the building away from the residential development, and the Applicant shall provide testimony. The Applicant shall confirm in testimony that deliveries, such as food service will not be in vehicles larger than the "box-trucks" noted in prior testimony and that no tractor trailers will be*



*accessing the facility. Sheet C-09 has been revised to include a delivery truck and we no longer take exception.*

39. 128-17.5F(14) - Probable Adverse Environmental Effects Which Cannot be Avoided – *The Applicant will need to address the comments from the Montvale Fire Department and address overflow parking during holidays, special, and “seasonal” events as noted in the Report. The Applicant notes that there will be 19 employees. During shift changes, every on-site parking space would be needed to accommodate employees. This does not include visitors, medical professionals visiting the facility, etc. The Applicant shall address this issue in testimony.*

*Fire lane striping and signage has been provided indicating no parking outside of designated parking spaces. Additional testimony is still required related to accommodations for seasonal events, employee parking and associated increased demand for parking. Note that per prior testimony: all deliveries shall be on the west side of the building, employees will utilize the parking at the rear of the building, and the “jitney-bus” will be parking in the seven (7) space parking area at the rear of the building. The Applicant has eliminated the designated jitney bus parking space and shall provide testimony.*

40. 128-17.5L(1) - Particular Data as to - Sewage Facilities (a) – correct the first sentence to read “...within the sewer ~~and drainage~~ easement...”  
*The sentence has been revised accordingly and we no longer take exception.*

41. 128-17.5L(4) - Particular Data as to - Solid Waste Disposal – *note that the Borough will provide one weekly pick-up at an Assisted Living facility but will not provide more frequent pick-ups or the pick-up of medical or special wastes. The Applicant will also need to address recycling as a component of any waste management plan, as well as any special wastes (dietary, medical, etc.) managed at the proposed facility. Testimony has been provided related to solid waste management, recycling and handling of special wastes.*

42. 128-17.5L(6) - Particular Data as to - Critical Impact Areas - Slopes in excess of 12% in grade over a horizontal distance of 50 feet – revise the first sentence to read “...50 feet are located on the west, south and east sides of the site.”  
*The sentence has been revised accordingly and we no longer take exception.*

43. 128-17.5L(6) - Data as to – Critical Impact Areas – Areas of high water table – *the Applicant shall discuss the results of Test Pit 3 (TP-3) where “water seepage above restricted layer @ 24-inches” was discovered. Testimony has been provided related to the water seepage above the restricted layer.*

44. The Applicant shall revise the note on Sheet C-01 under Surrounding Zones, which should read Borough of Montvale.  
*The note has been revised accordingly and we no longer take exception.*



45. The Applicant has provided a Coverage Table on Sheet C-04, that separates coverage as Building Coverage, Concrete Area, Asphalt Area and Pervious Coverage. The Applicant notes a decrease in Pervious Coverage of **10,595**-square feet. However, the Applicant has not provided a detailed breakdown for a thorough evaluation and shall provide testimony. The Applicant shall discuss these numbers in testimony. ***The Applicant shall provide testimony regarding the revision to Sheet C-04 relating to the pervious and impervious coverages.***
46. The Applicant has included pervious (porous) pavement in the most recent plan revision for eleven (11) of the 43 proposed parking spaces. The Applicant shall provide testimony how this area was factored into their calculations for Lot Coverage. ***The Applicant removed porous pavement in an earlier revision and is not included in the latest plans, and we take no exception.***
47. The Applicant has included a “Gravel Walking Trail” along the west side of the building. The Applicant shall discuss the accessibility of a gravel walking trail given the mobility of the residents of the proposed development. The Applicant shall also present testimony how this area was factored into the lot coverage calculations. ***The Applicant shall provide testimony regarding the revision to Sheet C-04 relating to the pervious and impervious coverages.***
48. The Applicant shall also present testimony if the proposed gravel around the generator and transformer comply with the Building Code, how this area was factored into the lot coverage calculations and provide details of the “Metal Edging Around Gravel”. ***Sheet C-15 has been revised to include a gravel detail and the Applicant shall provide testimony.***
49. The Applicant shall confirm in testimony if the area beneath the pergolas in front of the building is proposed to be concrete/pavers or grass. The Architectural Plans indicate that there are pavers and seating areas beneath the pergolas and the Applicant shall provide testimony. ***The Applicant has provided testimony.***
50. The Applicant shall relocate the proposed stockpile location away from the residential development to the south. ***The Applicant has relocated the proposed temporary soil stockpile shown on Sheet C-08 to a location adjacent to Philips Parkway and we no longer take exception.***
51. The Applicant will be required to install fencing on top of retaining walls in excess of three (3) feet. No detail for fencing has been provided other than a Post and Rail Fence detail on Sheet C-13. ***The Applicant has revised the plans on Sheets C-04 and C-13 for a 4-foot high Post & Rail fence and shall provide testimony.***
52. The Applicant shall discuss the proposed locations for snow storage, and the potential runoff from locations that are proposed up-gradient along the south and east property lines. Note that there is a conflict with several of these snow storage areas and proposed landscaping and the





Applicant shall provide testimony and revise the plans accordingly. *The Applicant has revised Sheet C-10 of the plans and shall provide testimony.*

53. The Applicant indicated in prior testimony that the facility will provide transportation for residents, that this vehicle will be parked on-site, and that a reserved space will be included on the plans. The Applicant has not revised the plans to show this space and shall provide testimony. *The Applicant has removed the seven (7) space parking area in the rear of the building which included the designated "jitney-bus" location and shall provide testimony.*
54. The Applicant shall provide testimony if any reserved spaces are to be provided (general manager, physicians, etc.) and note their locations on the plans. *The Applicant has provided testimony.*
55. The Applicant indicated in prior testimony that they would contract with a private ambulance service and our office recommends that if approved by the Board, that this be made a Condition of Approval. *Comment remains. The Applicant shall discuss private ambulance services in testimony.*
56. The Applicant has indicated that this facility will be limited to Assisted and Memory Care units, and that no Independent Living units are proposed. Our office recommends that if approved by the Board, that this be made a Condition of Approval. *Comment remains.*
57. The Applicant has indicated that linen and food services will be done on-site. The Applicant has indicated in their Environmental Impact Statement that they will file for a TWA permit. They have also indicated that based on existing flow metering data and the estimated projected flow from the proposed development, that the existing 36-inch sanitary sewer main in the rear of the subject property has sufficient capacity for the proposed improvements. The Applicant has provided calculations in the Statement, but they do not address either the linen or food service requirements. The Applicant shall provide testimony and provide updated calculations for review and approval by this office. *The Applicant has provided testimony and has stated that they will provide these calculations as a condition of approval.*
58. The Applicant has noted that they Suez has provided a "Willingness to Serve" letter for the proposed development. The Applicant shall provide calculations for the proposed domestic and fire demands for our review and approval. *The Applicant has provided testimony and has stated that they will provide these calculations as a condition of approval.*
59. The Applicant shall provide testimony regarding outdoor amenities such as barbeques, fire pits, outdoor dining, outdoor activities, gardening tables, etc. The Applicant only notes proposed covered and open terraces in the southwest corner of the building, but no other areas (patios, etc.) are shown on the plans. *The Applicant has provided testimony and indicated that revised Architectural Plans will be submitted separately. The most recently revised Architectural Plans do not have this information.*





60. On the Engineering Plans, the Applicant has indicated that there are second floor terraces above the entrance and along the rear (southwest) of the building, and the Applicant shall discuss the proposed activities and use for these areas. ***These have been removed in the latest plan revision and the Applicant shall provide testimony.***
61. The Applicant has provided turning radius information on the plans that addresses fire truck and refuse truck access. However, there is no information provided on delivery vehicles and the Applicant shall provide testimony. *The Applicant has provided testimony that all deliveries will be in the rear of the building and provided revised traffic circulation to include a delivery vehicle on Sheet C-09 and shall confirm in testimony.*
62. The Applicant provides a Milling and Overlaying detail on Sheet C-14, and as no milling or overlaying is proposed, this detail should be eliminated. *The Applicant has revised the plans and we no longer take exception.*
63. The Applicant has provided testimony that the kitchen exhaust will most likely be vented in a side wall. Note that any exhaust needs to be located away from residential properties and be equipped with state-of-the-art smoke and odor controls. *The Applicant has provided testimony and stated that Architectural plans will be provided separately; however, this information has not been added to the Architectural Plans.*
64. The Applicant shall confirm that the Architectural Plans provide the final floor plans, which is a requirement for Final Site Plan approval. *The Applicant shall confirm in testimony.*
65. The Applicant shall present testimony regarding night-time employee parking in the front parking area to reduce any potential impacts of noise and vehicle lights on the adjacent residential development. *The Applicant has provided testimony.*
66. The Applicant shall provide testimony regarding the proposed stormwater improvements, compliance with the Ordinance and NJDEP requirements. The Applicant has provided a Stormwater Management Report that notes the following:
  - a. For the 2 to 100-year storm event, runoff to the south and east is reduced to between 43% and 45% of the existing runoff;
  - b. For the 2 to 100-year storm event, runoff from the remainder of the site where the impervious coverage is proposed is reduced to between 45% and 73% of the existing runoff;
  - c. A proposed above-ground detention basin designed to accommodate 19,329 cubic feet of stormwater discharge prior to treatment;
  - d. Installation of a StormFilter manufactured water treatment device (MTD) designed to remove 80 percent of the Total Suspended Solids (TSS) from the stormwater prior to discharge to the Borough stormwater system on Philips Parkway. The Applicant notes



that the StormFilter system will be 8-feet wide by 14-feet long and a minimum of 5-feet 3-inches deep. The Applicant has stated in their Report that 19 twenty-seven-inch cartridges will be provided (Contech – Design Summary). Sheet C-15 provides a standard Contech StormFilter detail; and

- e. The provided Stormwater Management Maintenance Manual notes that there will be bi-annual evaluation of the Maintenance Manual procedures, inspected by a “qualified individual” four (4) times a year and following a storm event exceeding one (1) inch of rainfall, clean the Mechanical Treatment Device (MTD) as a minimum bi-annually, and replace the StormFilter Cartridges on an as-needed basis. The Applicant shall provide the name of the individual and their qualifications to the Borough prior to issuance of a Certificate of Occupancy.

*The Applicant has stated that the proposed improvements are in compliance with the Ordinance and DEP requirements. As noted above, the Applicant shall provide the responsible party for maintenance of the system prior to the issuance of a Certificate of Occupancy, which is listed on Page 1 of the Maintenance Manual as the Applicant.*

67. The Applicant shall re-route the emergency spillway to direct detention basin overflow toward the Applicant’s property, and not toward the Right-of-Way. *The Applicant has revised the plans to show the emergency spillway rerouted on-site. As proposed, in the event that the stormwater basin reaches capacity, stormwater overflow will be directed onto the entrance road which then would drain onto Philips Parkway where a Borough stormwater inlet is located approximately 5-feet northeast of the entrance road. The Applicant shall provide testimony.*
68. A complete set of revised Engineering Plans shall be submitted for review prior to final approval. ***The Applicant has provided a full set of revised plans with a revision date of March 4, 2020, and we no longer take exception.***
69. *The Applicant shall provide Title 39 Motor Vehicle Consent to the Montvale Police Department to become effective upon issuance of a Certificate of Occupancy. The Applicant shall also make any site security camera recordings available to the Police Department on an as requested basis.*
70. *The Applicant shall be aware that if stormwater runoff drainage problems occur on their property and/or neighboring properties as a result of the construction of the proposed improvements, it is the Applicant’s responsibility to remedy that drainage issue.*
71. *The Applicant shall be aware of their responsibility to repair any damage to improvements within the Borough Right-of-Way including, but not limited to, sidewalk, curb and asphalt caused by construction activities associated with the installation of the improvements on the subject lot.*



72. *The Applicant is responsible for coordinating with the Montvale Fire Department regarding fire protection requirements and shall discuss any comments in testimony.*
73. *The Applicant shall address the concerns detailed in this report, and any concerns of the Board or the Board Professionals that may arise during testimony.*
74. *The Applicant shall provide this office with forty-eight (48) hours' notice prior to the start of work to schedule any necessary inspection services.*
75. *Upon completion of the work, the Applicant shall provide an As-Built topographic Survey showing all site improvements installed as part of this Application prepared by a surveyor licensed in the State of New Jersey and submitted to the Borough Engineer for review and approval.*
76. *The Applicant is responsible for all permitting required by other jurisdictions, including, but not limited to:*
- a. NJDEP;*
  - b. Bergen County;*
  - c. Bergen County Soil Conservation District; and*
  - d. Montvale Building Department.*

Thank you for your kind attention in this matter. Please do not hesitate to contact me, should you have any questions.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'A. Hipolit', is written over the printed name.

Andrew R. Hipolit, P.E., P.P., C.M.E.  
Borough Engineer

ARH/cd/ljb

cc: Doreen Rowland, Deputy Registrar/Receptionist ([drowland@montvaleboro.org](mailto:drowland@montvaleboro.org))  
Darlene Green, Borough Planner ([dgreen@maserconsulting.com](mailto:dgreen@maserconsulting.com))  
Robert T. Regan, Esq., Planning Board Attorney ([rtregan@rtreganlaw.com](mailto:rtregan@rtreganlaw.com))



## ***EXHIBIT 1***

# **SUMMARY OF DOCUMENTS SUBMITTED FOR 21 PHILIPS PARKWAY**

**MARCH 2020**



The following is a summary of the documents and information submitted in the matter of the review of the 21 Philips Parkway Application:

- a. Plan entitled, "Preliminary & Final Major Site Plan, The Manor at Montvale, 21 Philips Parkway, Borough of Montvale, Bergen County, New Jersey, Block: 3201, Lot: 4, Tax Map: 32, Zone: OR-4 / Assisted Living Residences (Conditional Use)", consisting of 16-sheets, prepared by Michael E. Dipple, P.E. of L2A Land Design, LLC, dated 6/18/18, revised through 3/4/20;
- b. Plan entitled, "The Manor at Montvale, Architectural Design Package", consisting of nine (9) sheets, prepared by Minno Wasko Architects and Planners, dated June 13, 2018, last revised March 3, 2020;
- c. Planning Report entitled, "In Support of a Variance Application for Block 3201, Lot 4," prepared by Phillips Preiss Grygiel Leheny Hughes LLC, dated February 20, 2019, consisting of twenty-five (25) pages;
- d. Plan Sheet entitled, The Manor at Montvale 21 Philips Parkway Borough of Montvale Bergen County, New Jersey Block 3201, Lot 4 Site Plan, prepared by L2A Land Design, LLC, dated 06/18/18, revised through 1/3/19;
- e. Plan entitled, "The Manor at Montvale Architectural Design Package", prepared by Minno Wasko Architects and Planners, consisting of nine (9) sheets, dated June 13, 2018, revised January 2, 2019;
- f. Report entitled, "Stormwater Management Report, The Manor at Montvale, 21 Philips Parkway, Borough of Montvale, Bergen County, NJ", prepared by Michael E. Dipple, PE of L2A Land Design, LLC, dated June 18, 2018, revised through May 10, 2019;
- g. Report entitled, "Stormwater Management Maintenance Manual, The Manor at Montvale, 21 Philips Parkway, Borough of Montvale, Bergen County, NJ", prepared by Michael E. Dipple, PE of L2A Land Design, LLC, dated September 21, 2018, revised through May 10, 2019;
- h. Report entitled, "Environmental Impact Statement, The Manor at Montvale, 21 Philips Parkway, Borough of Montvale, Bergen County, NJ", prepared by Michael E. Dipple, PE of L2A Land Design, LLC, dated June 18, 2018, last revised September 21, 2018; and
- i. Plan entitled "Topographic Survey of Property Tax Lot 4 – Block 3201 21 Philips Parkway, Borough of Montvale, Bergen County, New Jersey", consisting of one (1) sheet, prepared by Lakeland Surveying, dated 01/18/18.