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June 1, 2021

PLANNING REPORT

Land Use Planning Board
Township of East Hanover
411 Ridgedale Avenue
East Hanover, NJ 07936

RE: KRE Acquisition Corp.

100 Deforest Avenue
Block 42, Lots 37, 37.02, 38, and 41
Review Letter #5¹
Project No. EHB-087

Dear Board Members,

The Applicant, KRE Acquisition Corp., is requesting the following approvals to construct a 548-unit residential development on 74.462 acres:

- Minor Subdivision approval to merge Lots 38 and 41 with existing Lot 37, to annex 2.324 acres of adjacent Lot 37.02 to Lot 37, and to annex 2.199 acres of Lot 37 to adjacent Lot 37.02. The proposed area of Lot 37 is 74.462 acres (70.999 acres existing) and the proposed area of Lot 37.02 is 46.118 acres (46.243 acres existing).
- Preliminary and Final Major Subdivision approval to subdivide the proposed 74.462-acre Lot 37 into 268 individual parcels, including parcels for the individual townhouse units, common areas, and internal streets. The smallest parcel is 1,646 square feet or 0.038 acres (Proposed Lot 37.002) and the largest parcel is 27.778 acres (Proposed Lot 37.001).
- Preliminary and Final Site Plan approval to develop the 548-unit residential development, common amenities, and site improvements.

According to the Site Plan, the proposed 548-unit development contains 247 townhouse units in 48 buildings, 62 stacked townhouse units in four buildings, and 239 multi-family apartment units in five buildings. According to the plans, a total of 96 affordable units are proposed. This includes 62 stacked townhouses and 34 apartments. Other proposed site improvements include a clubhouse, pool, and amenity area between Apartment Buildings #2 and #3 (hereinafter "apartment clubhouse"), a clubhouse and pool off Road D (hereinafter "townhouse clubhouse"), a community garden, a dog park, parking areas, retaining walls and fencing, lighting, landscaping, grading, and stormwater management facilities. The Application requires "C" variances, which are detailed in Section B.

The Board should note that the Township entered into a Settlement Agreement with the Applicant on July 29, 2019 to permit the construction of an inclusionary development with a maximum of 548 units. Of the total, 96 units must be affordable, with at least 50 being rental units.

Maser Consulting is now Colliers Engineering & Design

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

1. Plans entitled "Preliminary & Final Major Subdivision & Site Plan & Minor Subdivision for KRE Acquisition Corp.", prepared by Ahmad Tamous, PE of Bohler, dated October 1, 2020, revised through March 24, 2021, consisting of 71 sheets. It should be noted that Sheets C-701 through C-709 were prepared by M. F. Dwyer, LLA of Bohler.
2. Plan entitled "Overall Site Layout & Phasing Plan", prepared by Ahmed Tamous, PE of Bohler, dated April 2, 2021, consisting of 1 sheet. (Colorized Site Plan.)
3. Plans entitled "Conceptual Plan", prepared by Ahmed Tamous, PE of Bohler, dated May 11, 2021, consisting of 8 sheets. (Comparison Plans.)
4. Plans entitled "Hanover Green, Block: 42, Lots: 37, 37.02, 38, & 41", prepared by Holliday Architects, dated October 1, 2020, revised through March 15, 2021, consisting of 32 sheets. (Townhouse Architectural Plans.)
5. Plans entitled "Hanover Green – Multifamily Building Architecture", prepared by Marc Kushner, RA of Major Architecture, DPC, dated October 15, 2020, revised through January 8, 2021, consisting of 15 sheets. It should be noted that these Plans were received on March 23, 2021. (Apartment Architectural Plans.)
6. Plan entitled "Hanover Green, Building #2", prepared by Major, no date, consisting of 2 sheets.
7. Plans entitled "Preliminary Major Subdivision Plat Block 42, Lot 37", prepared by James D. Sens, PLS of Control Point Associates, Inc., dated January 8, 2021, revised through March 19, 2021, consisting of 10 sheets.
8. Plans entitled "Minor Subdivision Plat Block 42, Lots 37, 37.02, 38 & 41", prepared by James D. Sens, PLS of Control Point Associates, Inc., dated January 7, 2021, revised through March 19, 2021, consisting of 3 sheets.
9. Plan entitled "Fire Truck Turning Plan", prepared by Ahmad Tamous, PE of Bohler, dated July 25, 2020, consisting of 1 sheet.
10. Plan entitled "Trash Truck Turning Plan", prepared by Ahmad Tamous, PE of Bohler, dated July 25, 2020, consisting of 1 sheet.
11. Plans entitled "Existing Drainage Areas Map", "Proposed Drainage Areas Map", and "Inlet Drainage Area Map", prepared by Ahmad Tamous, PE of Bohler, dated July 31, 2020, revised through March 19, 2021, consisting of 3 sheets.
12. Plan entitled "Earth Moving Exhibit", prepared by Ahmad Tamous, PE of Bohler, dated January 7, 2021, consisting of 1 sheet.

13. Plan entitled "Open Space Exhibit", prepared by Ahmad Tamous, PE of Bohler, dated January 7, 2021, revised through March 19, 2021, consisting of 1 sheet.
14. Plan entitled "Snow Storage Exhibit", prepared by Ahmad Tamous, PE of Bohler, dated January 7, 2021, revised through March 17, 2021, consisting of 1 sheet.
15. Boundary & Partial Topographic Survey Block 42, Lots 37, 38 & 41", prepared by James D. Sens, PLS of Control Point Associates, Inc., dated October 1, 2020, consisting of 5 sheets.
16. East Hanover Land Use Planning Board Application, dated October 15, 2020.
17. Tree Removal Application, no date.
18. Application Filing Checklist, no date.
19. Site Plan/Variance Application Checklist, no date.
20. Subdivision Application Checklist (Preliminary Plat), no date.
21. Subdivision Application Checklist (Final Plat), no date.
22. Major Soil Moving Permit Application, dated January 12, 2021.
23. Environmental Impact Statement, prepared by Bohler, dated October 2020, revised through March 2021.
24. Traffic Impact Analysis, prepared by John R. Harter, PE and Jerrid M. Dinnen, PE of Atlantic Traffic + Design, dated October 8, 2020.
25. Stormwater Management Area Evaluation, prepared by Mudar Khantamar, PE and Laurence W. Keller, PE of Whitestone Associates, Inc., dated July 29, 2020.
26. Stormwater Management Report, prepared by Ahmad Tamous, PE of Bohler, dated October 2020, revised through March 2021.
27. Stormwater Management Facilities Operations & Maintenance Manual, prepared by Ahmad Tamous, PE of Bohler, dated October 5, 2020, revised through March 2021.
28. Sewer and Water Engineer Report, prepared by Ahmad Tamous, PE of Bohler, dated July 2020, revised through September 2020.
29. Soil Moving Report, prepared by Ahmad Tamous, PE of Bohler, dated March 2021.
30. Document entitled "East Hanover Performance Standards Compliance Report", prepared by Ahmad Tamous, PE of Bohler, dated January 2021, consisting of 12 pages.
31. Document entitled "Residential Site Improvement Standards Compliance Report", prepared by Ahmad Tamous, PE of Bohler, dated January 2021, consisting of 7 pages.

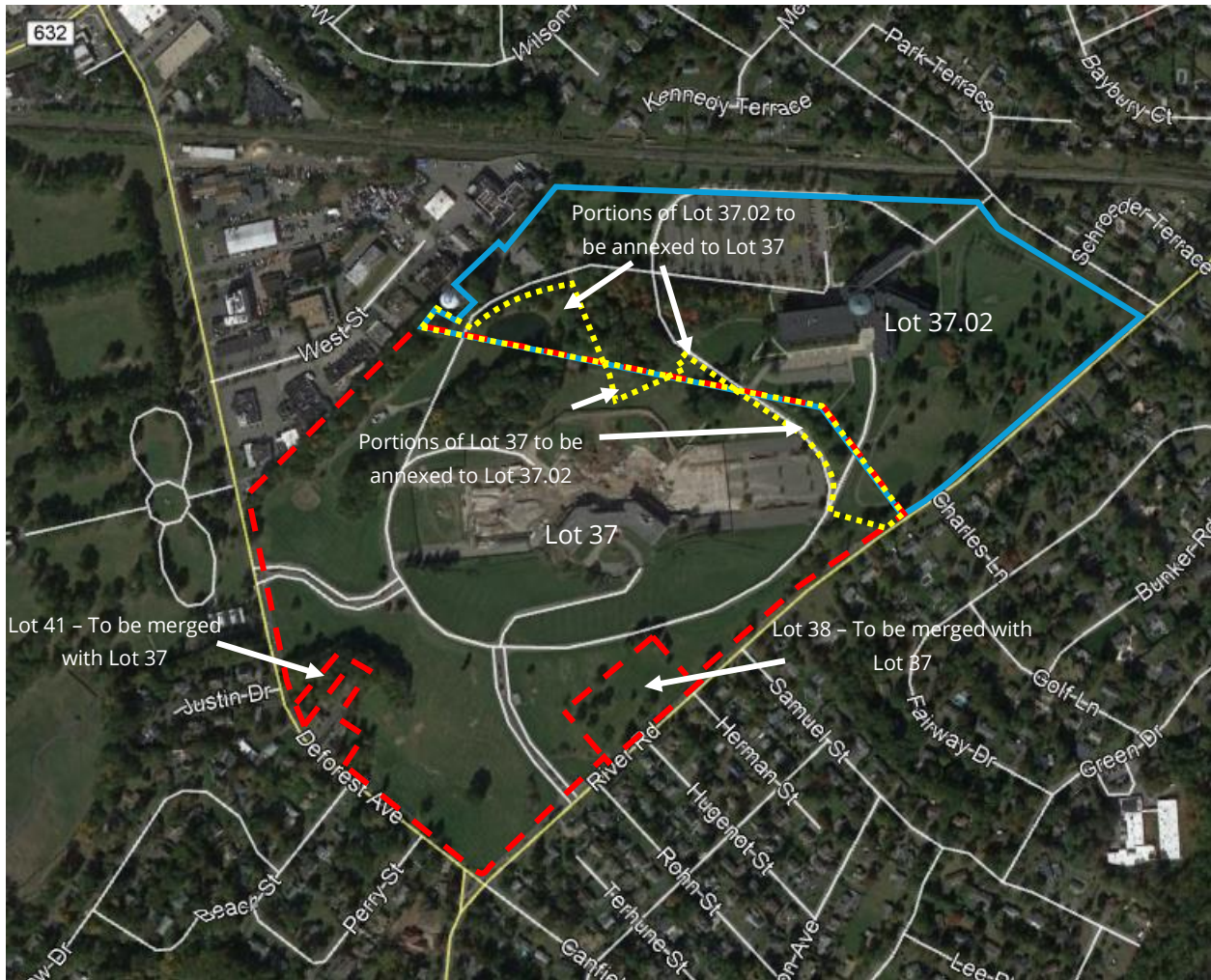
32. Letter entitled "100/200 Deforest Avenue", prepared by David J. McSherry of Verizon New Jersey, Inc., dated November 30, 2017, consisting of 1 page.
33. Letter entitled "Sanitary Sewer Service Confirmation Request", prepared by Kristen Harding of Langan Engineering and Environmental Services, Inc., dated November 30, 2017, consisting of 4 pages.
34. Letter entitled "Block 42, Lots 37 & 37.02", prepared by Joseph Beckmeyer, PE, Superintendent/ Engineering Consultant of the Township of Parsippany-Troy Hills, dated December 1, 2017, consisting of 1 page.
35. Letter entitled "Proposed Redevelopment", prepared by PSE&G Construction Inquiry Department, dated December 5, 2017, consisting of 1 page.
36. Email from Edward Schimminger, Superintendent of Public Utilities, Township of East Hanover, dated December 6, 2017.
37. Letter entitled "Block 42, Lots 37 & 37.02", prepared by Joseph Beckmeyer, PE, Superintendent/ Engineering Consultant of the Township of Parsippany-Troy Hills, dated April 9, 2019, consisting of 1 page.
38. Letter entitled "Proposed Residential Development", prepared by Ahmad Tamous, PE and Bradford A. Bohler, PE of Bohler, dated March 22, 2021, consisting of 19 pages.

Additionally, the Applicant has submitted the following Exhibits for the May 25, 2021 special hearing:

1. Plans entitled "Preliminary & Final Major Subdivision & Site Plan", prepared by Ahmad Tamous, PE of Bohler, dated April 2, 2021, consisting of 19 sheets. (Note that these sheets are marked Exhibits A-1 through A-19).
2. Plans entitled "Multifamily Architectural Exhibits", prepared by Major Architecture DPC, dated April 13, 2021, consisting of 33 sheets. (Note that Sheets 3 through 17 are marked Exhibits A.15 through A.22, inclusive, Sheets 19 through 26 are marked Exhibits A.23 through A.26, inclusive, and Sheets 28 through 32 are marked Exhibits A.27.1 through A.27.5, inclusive.)
3. Plans entitled "Hanover Green", prepared by Holliday Architects, dated November 9, 2020, revised through March 15, 2020, consisting of 32 sheets. (Note that these sheets are marked as Exhibits A.28 through A.33, inclusive.)

A. Existing Zoning and Surrounding Land Use

Most of the property is in the RMF, Residential Multi-Family Zone. A small portion of the site would be in the R-L Research Laboratory and Office Zone if the subdivision is granted. The site is adjacent to office and industrial uses to the northwest, the Mondelez International, Inc. "Technology Building" to the northeast, and single-family dwellings to the east, across River Road, and south and southwest, across Deforest Avenue. A cemetery is also located to the southwest across Deforest Avenue. See the image on the following page for the general location of the site.²



Note that the existing property lines of Lots 37, 38, and 41 are shown in red, the existing property lines of Lot 37.02 are shown in blue, and the proposed minor subdivision line between the two existing lots is shown in yellow.

Yard and bulk requirements of the RMF Zone are as follows:

Minimum Tract Area - 70 acres

Minimum Parcel Area - 5 acres for public parks and open space, 12 acres for residential development parcels

Minimum Building Tract Setback:

Public Streets - 50 feet

Interior North Lot Line - 40 feet

Interior Northwest Lot Line - 85 feet

Minimum Distance Between Buildings:

Front-to-Front - 75 feet

Side-to-Side – 25 feet
Rear-to-Rear – 50 feet
Other Configuration – 30 feet

Dimensional Requirements:

Maximum Townhome and Stacked Townhome Length – 200 feet
Maximum Multi-Family Building Length – 230 feet
Maximum Number of Units Before Vertical Break – 2 units
Minimum Front of Townhouse Building to Inside (house side) of Sidewalk Along Public or Private Street – 18 feet
Minimum Side and Rear of Building to Public or Private Street – 10 feet
Minimum Building to Off-Street Parking Spaces – 10 feet.

Maximum Building Coverage – 45%
Maximum Impervious Coverage – 60%
Maximum Density – 7.4 units per acre, up to a maximum of 548 units
Maximum Building Height
Duplex, Townhome, and Stacked Townhome Dwellings – 40 feet
Multi-Family Dwellings – 55 feet

Additionally, the yard and bulk requirements in the R-L Zone are:

Minimum Lot Area – 871,000 square feet
Minimum Lot Frontage – 400 feet
Maximum Principal Building Coverage – 25%
Maximum Total Building Coverage – 25%
Minimum Front Yard Setback – 150 feet
Minimum Side Yard Setback (one) – 100 feet
Minimum Side Yard Setback (both) – 200 feet
Minimum Rear Yard Setback – 100 feet

B. Variances

The Application requires the following “C” variances:

1. Section 95-53.4N.(2)(a) – Variance for street trees. The Ordinance requires street trees to be provided along all contiguous public streets at an average of 50 feet on center and along all internal roads, whether public or private, at an average of 60 feet on center. Additionally, the Ordinance permits Regent Scholar, Chinese Elm, October Glory Maple, Katsure Tree, Maidenhair Tree, Greenspire Linden, Village Green Zelkova, and Red Sunset Maple trees to be used as the required street trees. The Compliance Chart on Sheet C-707 indicates there is 11,922 linear feet of internal roads, which requires 398 street trees (198.7 trees per side).

The Applicant proposes 236 street trees along internal roads.

2. Section 95-53.4N.(4)(a) – Variance for tract buffer. The Ordinance requires a 20-foot landscaped tract buffer to be provided along the entire tract, except for along the R-L Zone where a 10-foot landscaped tract buffer is required.

The Applicant does not propose landscaping along the entire tract edge. For example, at the corner of River Road and Deforest Avenue the 20-foot buffer is not located at the tract edge. There are also some sections along the property line shared with Lot 37.02 that do not provide a 10-foot-wide tract buffer.

3. Section 95-53.4N.(4)(c)[1] – Variance for shade trees. The Ordinance requires one shade tree for every 50 linear feet of buffer area. The perimeter of the portion of the property within the RMF Zone subject to the tract buffer requirements is 7,318.46 feet, including 3,134.64 feet subject to the ten-foot R-L Zone buffer (based on the March 12, 2021 Site Plans). Based on this information, 146.37 shade trees, rounded down to 146, are required in the tract buffer.

The Applicant proposes 82 shade trees within the required tract buffer. However, the Board should note that 64 additional shade trees are proposed between the edge of the required tract buffer and the development, which totals 146 shade trees.

4. Section 95-53.4N.(4)(c)[2] – Variance for evergreens trees. The Ordinance requires one evergreen tree for every 25 feet of linear buffer. The 7,318.46 feet of linear buffer area requires 292.7 evergreen trees, rounded up to 293, in the tract buffer.

The Applicant proposes 197 evergreen trees within the required tract buffer. However, the Board should note that 224 additional evergreen trees are proposed between the edge of the required tract buffer and the development, which totals 421 evergreen trees.

5. Section 95-53.4N.(4)(c)[3] – Variance for shrubs. The Ordinance requires ten shrubs for every 50 linear feet of buffer. The 7,318.46 feet of linear buffer area requires 1,463.7 shrubs, rounded up to 1,464, in the tract buffer.

The Applicant proposes 429 shrubs within the required tract buffer. However, the Board should note that 483 additional shrubs are proposed between the edge of the required tract buffer and the development, which totals 912 shrubs.

6. Section 95-53.4O.(3)(c) – Variance for wayfinding sign height. The Ordinance permits the maximum sign height to be five feet.

The Applicant proposes the wayfinding signs to be five feet, nine inches according to Exhibit A-4.

7. Section 95-53.4R.(3) – Variance for building wall offset distance. The Ordinance does not permit building wall offsets to be spaced greater than 30 feet.

The proposed apartment buildings and clubhouses do not comply with this requirement in the following locations:

- The Front Elevation of Apartment Buildings #1, #3, and #5 where 34-foot, ten-inch offsets are provided at the far ends of the buildings.
 - The Rear Elevation of Apartment Buildings #1, #3, and #5 where 35-foot, six-inch offsets are provided at the far ends of the buildings.
 - The Front Elevation of Apartment Buildings #2 and #4 where 35-foot, six-inch offsets are provided at the far ends of the buildings.
 - The Rear Elevation of Apartment Buildings #2 and #4 where 35-foot, six-inch offsets are provided at the far ends of the buildings.
 - The front of the apartment clubhouse, which has an uninterrupted wall of 52 feet.
 - The rear of the apartment clubhouse, which has two uninterrupted walls of 52 feet (from the corner to the stairs and along the wall with the fireplace).
 - The south side of the apartment clubhouse, which has a 58-foot uninterrupted wall.
 - The north side of the apartment clubhouse, which has a 36-foot uninterrupted wall.
8. Section 95-53.4R.(5) – Variance for roof offsets. The Ordinance requires roof offsets to be provided for architectural interest, variety, and to relieve the effect of a single, long roof. Roof offsets are not to be spaced more than 40 feet.

The proposed apartment clubhouse has a 58-foot long uninterrupted roof on the south side, and a 69-foot long uninterrupted roof on the north side.

C. Variance Proofs

“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 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 criteria 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.

D. Waivers/Exceptions

The Application does not require any waivers/exceptions.

E. Comments

Based on our review of the above-referenced materials, we offer the following comments. Note that the current status of existing comments and new comments are provided in italics.

General

1. Testimony shall be provided to support the grant of the “C” variances. Testimony must address both the negative and positive criteria requirements of the MLUL.
2. *The Board should note that the Application initially required 24 “C” variances, but the Applicant has revised the plans during the DRC process to reduce the number of “C” variances to eight.*
3. The Applicant has submitted plans illustrating the following:
 - A Minor Subdivision Plat detailing the merger of Lots 38 and 41 into Lot 37. Additionally, the Plat illustrates 2.324 acres of Lot 37.02 to be annexed to Lot 37 and 2.199 acres of Lot 37 to be annexed to Lot 37.02 along the northern property line.
 - A Preliminary Major Subdivision Plan detailing the subdivision of Lot 37 (74.462 acres) into 268 lots. The proposed lots vary in size from 0.038 acres (Proposed Lot 37.002) to 27.778 acres (Proposed Lot 37.001). The proposed lots place each individual townhouse unit on its own lot. The stacked townhouse buildings would also be placed on individual lots. Proposed Lot 37.001 would contain the apartment buildings, the apartment clubhouse and amenities, the community garden and dog run area, path to the lookout pavilion, and Road G.
 - A Site Plan detailing the proposed improvements on the property. The Applicant proposes 548 residential units, including 247 townhouse units, 62 stacked townhouse units, and 239 family apartment units. The Applicant proposes all 62 stacked townhouse units and 34 apartment units to be affordable units for a total of 96 affordable units. Sheet C-301 of the Site Plans provides an overall site layout and the phasing for the project. The phasing of the project will be as follows:
 - Phase 1: Construction of the five apartment buildings, one Type 1 townhouse building (Building 49), five Type 2 townhouse building (Buildings 45, 46, 48, 51 and 52), one Type 3 townhouse building (Building 50), two stacked townhouse buildings (Buildings 44 and 47), the apartment clubhouse and amenity area, the community garden and dog run area, the walking path to the lookout pavilion, and associated off-street parking. The Phasing Legend indicates Phase 1 will commence in the Spring of 2021 and end in the Fall of 2022.
 - Phase 1A: Construction of a portion of the Ring Road and associated improvements and utilities as well as the Deforest Avenue access. The Phasing Legend indicates Phase 1A will commence in the Spring of 2021 and end in the Winter of 2021.

- Phase 1B: Construction of a portion of the Ring Road and associated improvements and utilities as well as the River Road access. The Phasing Legend indicates Phase 1B will commence in the Spring of 2022 and end in the Fall of 2022.
 - Phase 2: Construction of the townhouse units along Roads C and D, Roads C and D, and associated off-street parking. The Phasing Legend indicates Phase 2 will commence in the Fall of 2021 and end in the Fall of 2022.
 - Phase 2A: Construction of the townhouse clubhouse and amenity area, off-street parking, and associated utilities and improvements. The Phasing Legend indicates Phase 2A will commence in the Fall of 2021 and end in the Winter of 2021.
 - Phase 3: Construction of the remaining townhouse and stacked townhouse buildings along Roads A and B, Roads A and B, and associated off-street parking. The Phasing Legend indicates Phase 3 will commence in the Fall of 2022 and end in the Fall of 2023.
4. Section 95-53.4C of the RMF Zone concerns off-site improvements. Testimony shall be provided on any off-site improvements, which include, but are not limited to water, sewer, drainage, and/or street improvements.
 5. The Applicant shall provide testimony regarding compliance with the Performance Standards in Section 95-39.2, which is required pursuant to Section 95-43.4T.(2). These topics include, but are not limited to, traffic, lighting, storm drainage, glare, and waste disposal.

Use

6. The Applicant shall provide testimony on the site's operations including the anticipated number of residents and all employees to be located on-site. It should be noted that the apartment clubhouse contains a reception desk, two offices, and two fitness rooms.
7. Testimony shall be provided regarding the on-site amenities. The plans illustrate two club houses and associated amenities. One clubhouse appears to be for the apartments, while the other appears to be for the townhouse residents. Testimony confirming this shall be provided. Testimony shall also be provided indicating if the affordable residents are permitted to use these amenities.

Affordable Housing

8. The Board should note that the Settlement Agreement requires a minimum of 50 affordable units to be rentals. Sheet C-301 of the Site Plan indicates 34 affordable rental units are in the Apartment Buildings. Sheet D-1 of the Townhouse Architectural Plans indicates Building 47 will contain 17 rental units. Therefore, 51 rentals will be provided.
9. Sheet C-301 indicates there are 21 two-bedroom affordable units within the Apartment Buildings. However, when we total the two-bedroom affordable labels, we count 22 two-

bedroom units. If this is a labeling error, we take no issue with it being resolved as a condition of any potential approval.

10. Sheet D-1 of the Townhouse Architectural Plans provides a COAH Unit Income Distribution table indicating the stacked townhouse units will have 31 moderate-income units (50%), 22 low-income units (35.48%), and nine very-low income units (14.52%). However, no information regarding the income distribution of the apartment units was submitted. So long as the Applicant agrees to comply with the income distribution of at least 13% of the affordable units being very-low income and no more than 50% being moderate-income this can be determined during resolution compliance with the site's Administrative Agent. This can be a condition of any potential approval.
11. The March 19, 2021 Response Letter indicates no fees will be charged for the parking or storage for the stacked townhouse affordable housing units. However, it is unclear if there is an amenity fee. Additionally, it is unclear if any fees will be charged for parking, storage spaces, and/or on-site amenities for the apartment units. Testimony shall be provided. Depending on the answer, the allowable rent and/or sale price of an affordable unit may be impacted.
12. If the Board is inclined to approve the Application, the affordable housing requirements of Section 95-53.4G shall be conditions of approval:
 - The Residential Multi-Family Zone shall have an obligation to deed-restrict 96 total units as affordable units. The deed restriction shall specify the unit or apartment number, number of bedrooms, and income level.
 - The affordable units shall have a minimum thirty-year deed restriction. Any such affordable units shall comply with UHAC, applicable COAH affordable housing regulations, the Fair Housing Act, any applicable order of the Court, and other applicable laws.
 - The developer/owner shall be responsible for retaining no more than two qualified administrative agents, subject to the reasonable approval of the Township Council to oversee the sales and rentals of the affordable housing units, at the developer's sole cost and expense.
 - All necessary steps shall be taken to make the affordable units provided creditworthy pursuant to applicable law for purposes of addressing the Township's affordable housing obligation.
13. The submission of draft deed restrictions, master deed(s), and public offering statement (as applicable) shall be submitted to the Township's Municipal Housing Liaison at least 160 days prior to the issuance of any Certificate of Occupancy for the review and approval of said documents by the Township professionals. This shall be a condition of any potential approval.

14. Affirmative marketing for the affordable units shall commence at least 120 days before a Certificate of Occupancy is issued. This shall be a condition of any approval.

Minor Subdivision Plat

15. The Minor Subdivision Plat has been revised to modify the subdivision line around the existing pond, which has increased the side yard setback of the maintenance building to approximately 102 feet and the combined side yard setback to approximately 205 feet, which complies with the Ordinance. However, the Zoning Requirements table for Lot 37.02 (Technology Building) on Sheet 1 of the Minor Subdivision Plat has not been revised to reflect the modified subdivision line and still indicates variances are required for a side yard setback and a combined side yard setback. The Zoning Requirements table shall be updated. It should be noted that Sheet C-301 of the Site Plans notes the existing maintenance building was approved via Resolution 17-1986.
16. The Key Map on Sheet 3 has not been revised to reflect the modified subdivision line. This discrepancy shall be eliminated.

Preliminary Major Subdivision Plat

17. The Preliminary Major Subdivision Plat illustrates proposed lot numbers ranging from Lot 37.001 to 37.266. The Applicant shall verify the proposed lot numbers with the Township Tax Assessor.
18. The Board should note that the Plat indicates the grey shaded areas are road easements and are labeled Roads A through G. Note 9 on Sheet 2 of the Plat indicates "Interior roads are to remain private. This Plat is not an offer of dedication".
19. This residential development is the only means of access for the Technology Building located on Lot 37.02. Are the road easements in favor of the Technology Building? The Township should be provided a copy of the easements once they are drafted. This could be a condition of any potential approval.
20. Block 42, Lot 37.01 is owned by the Township of East Hanover and contains a water tower. The site is surrounded on three sides by the subject Application and has no public street frontage. Easements should be provided as part of any potential Board approval to ensure the Township has access to their property.

Site Plan

21. The Zoning Table indicates the proposed building coverage is 15.2% (494,230 square feet) and the proposed impervious coverage is 43.4% (1,406,552 square feet). However, the Open Space Exhibit indicates building coverage is 504,389 square feet and impervious coverage totals 1,125,568 square feet. Testimony shall be provided on the correct number for both types of coverage.

It should be noted that the Zoning Table now indicates the proposed impervious coverage is 43.6% (1,414,581 square feet), which is a 0.2% increase since the last submission.

22. The Zoning Table indicates the proposed height of duplex, townhome, and stacked townhome buildings is 40 feet and the height of the multi-family buildings is 55 feet. The Building Height Calculations table on Sheet A-00 of the Apartment Architectural Plans indicates the height of the five apartment buildings is 49.59 feet, measured from the average grade to the highest mean roof height. However, the Building Elevations do not label the highest mean roof height. Testimony shall be provided on the highest roof height to confirm the height of the buildings.
23. A detail for the retaining wall behind the cabanas was provided on Sheet C-709, which illustrates a 2.5 foot retaining wall except for behind the cabana area where a seven-foot-tall wall is shown. Additionally, a four-foot-tall ornamental aluminum picket fence is provided where the wall is 2.5 feet tall. However, it is unclear if this is the same wall proposed behind the bocce courts and playground area. Testimony shall be provided to confirm the height of the proposed walls behind the bocce courts and playground area.
24. The retaining wall behind the cabanas on the Site Amenity Plan on Sheet C-708 illustrates an ornamental fence along the entire wall length. However, the detail on Sheet C-709 only illustrates the fence along the 2.5-foot-tall wall sections, which doesn't include the seven-foot-tall wall behind the cabanas. Testimony shall be provided on this discrepancy.
25. The Board should note that the Ordinance requires the submission of a plan illustrating the storage location(s) of a six-inch snow event, which is commonly referred to as a snow storage plan. The Applicant has submitted a Snow Storage Exhibit and we offer the following comments:
 - Some of the proposed snow storage areas are quite large. For example, the storage area to the rear of the townhome clubhouse is approximately 180 feet deep from the Ring Road. How will snow be transported to areas that are over 100 feet from the curb edge? Will vehicles mount the curbs and drive over the grass to relocate the snow? Testimony shall be provided.
 - The snow storage area adjacent to Building 32 conflicts with the proposed sidewalk from the parking area to Road C. This conflict shall be eliminated.
 - The snow storage areas along the internal roads are located behind the proposed street trees. The Applicant shall provide testimony regarding how these trees will be protected, particularly during their early growing stages, to ensure the trees will not be damaged.
 - The Board may want to consider as a condition of any potential approval, the requirement to replace any trees and/or shrubs that are damaged or killed due to snow plowing to ensure that the site continues to comply with the various Ordinance landscaping requirements.

26. Sheet C-304 illustrates a “prop. relocated irrigation well” to the rear of Buildings #2 and #3. Testimony shall be provided on the purpose of this well.
27. *The Applicant has provided a Comparison Plan illustrating the changes to the site layout, grading, drainage, and utilities as a result of the relocated affordable stacked townhouse buildings. The following changes have been made:*
- *The location of Buildings 14 and 23 (stacked townhouse) have been switched.*
 - *The location of Buildings 44 (stacked townhouse) and 46 have been switched.*
 - *The 30-space parking area between Buildings 23 and 32 has been reduced to 16 spaces. A 16-space parking area is proposed to the rear of the new location of Building 23.*
 - *The 36-space parking area between Buildings 44 and 47 has been reduced to 16 spaces. A 14-space parking area is proposed to the rear of the new location of Building 44.*
 - *The location of the Geoweb basin access drive and basin shape have been amended to accommodate the access drive to the 14-space parking area behind Building 44.*

Circulation & Parking

28. Based on a review of the Plans, the parking requirement for the proposed development is as follows:

Parking Requirements

Unit Type	Number of Units	Spaces per Unit	Spaces Required	Proposed Spaces
Townhouses (3 BR)	247	2.4	593	988 (2 garage spaces + 2 driveway spaces per unit)
Stacked Townhouses (1 BR)	10	1.8	18	104 (62 off-street + 42 driveway spaces)
Stacked Townhouses (2 BR)	39	2.3	90	
Stacked Townhouses (3 BR)	13	2.4	32	
Apartments (1 BR)	93	1.8	168	435 (357 off-street + 78 garage spaces)
Apartments (2 BR)	138	2.0	276	
Apartments (3 BR)	8	1.8	15	
Townhome Clubhouse	-	-	-	25
Apartment Clubhouse	-	-	-	10
Street Parking	-	-	-	130
Total	-	-	1,192	1,692

As indicated in the table above, the Applicant provides parking that complies with the Ordinance.

Note that five additional parking spaces have been provided since our 4th Review Letter, three off-street parking spaces in the apartment area and two off-street parking spaces near Buildings 23 and 32. Therefore, the total number of proposed parking spaces is 1,692.

29. To meet the Ordinance's parking requirement of 2.4 spaces per townhouse unit, each unit is relying on at least one garage space to meet that requirement. Additionally, garage parking spaces in the apartment buildings are counted towards meeting the 1.8 spaces per apartment unit requirement. The Board should consider requiring a deed restriction to ensure at least one garage space in the townhouse units and all garage spaces in the apartment buildings remain available to store a vehicle. Otherwise, if garage space is converted to storage or living spaces, the site may experience a parking shortage.
30. It is unclear from the plans if the tandem parking space behind the apartment garages will be identified as reserved either by pavement numberings or signage. Testimony shall be provided.
31. Testimony shall be provided if any parking spaces will be assigned. Additionally, testimony shall be provided regarding the stacked affordable units where two single-car driveways are illustrated for three units.
32. We defer to the Board Engineer regarding the circulation of the trash and fire trucks provided in the Turning Plans.
33. The Board should note that the Police Chief has requested Title 39 on the Ring Road. During the December 7, 2020 DRC meeting the Applicant did not have an objection to this request.
34. The Board should note that the Police Chief requested speed tables and flashing speed signs (at the December 7, 2020 DRC meeting and again at the March 3, 2021 meeting) along the Ring Road to decrease driving speed within the development. We can only locate a speed hump on Sheet C-302 south of Building #42 (detail on Sheet C-903). We cannot locate a detail for any flashing speed signs on the revised plans. We defer to the Police Chief regarding this item.
35. During a DRC meeting it was indicated by the Applicant that electric vehicle charging stations would be added to the site. We cannot find any charging stations illustrated on the plans. Testimony shall be provided.
36. *The Board should note that in order to disperse the affordable stacked townhouse buildings throughout the proposed development, the Applicant has swapped the location of Buildings 14 and 23 (stacked townhouse) and Buildings 44 (stacked townhouse) and 46. Therefore, the affordable stacked buildings are no longer adjacent to each other.*

General Architecture

37. Some measurements on the accessory structure details on Sheet C-709 do not match what is illustrated on Sheet C-708. For example, the overhead structure above the apartment outdoor kitchen/bar/dining area measures approximately 31.1 feet by 38 feet (using the

scale provided on the sheet), while the detail notes the structure measures 36 feet, four inches (36.33 feet), by 30 feet, seven inches (30.58 feet). Additionally, the lookout shade structure is 25 feet by 25 feet on the Site Plan (Sheet C-303), while the detail illustrates a 12-foot by 12-foot shade structure. Testimony shall be provided regarding these discrepancies.

Townhouse Architectural Plans

38. The Holliday Architects plans do not indicate the professional who prepared the plans. Nor are the plans signed or sealed. Testimony shall be provided that the author of the plans is licensed in the State of New Jersey. As a potential condition of any Board approval, signed and sealed plans shall be submitted which clearly indicate the professional.
39. The Walk-Out Basement Plans of the 32-foot-wide townhomes (Type 3) and 28-foot-wide townhomes (Type 1) illustrate a "Rough-in for future bath", with a toilet, sink, and tub/shower (see Sheets A-2.2, and B-2). It is unclear why a fourth bathroom (third full bathroom) is necessary in the basement of these townhouses. Will an additional bedroom be permitted in these basements? Section 95-53.4F. limits the number of four-bedroom units in the townhomes and stacked townhomes. Testimony shall be provided.
40. The Site Plan (Sheets C-302, C-304, and C-305) indicates the 24-foot-wide townhomes (Type 2) are 40.5 feet long, while the Unit Type table and floor plans indicates 40 feet. This discrepancy shall be eliminated.
41. There are lofts illustrated in the 28-foot and 32-foot townhouse models. Will there be any restriction in the condo documents preventing owners from converting these spaces to bedrooms? We raise this point as the Ordinance limits the number of four-bedroom units. Testimony shall be provided.

Apartment Architectural Plans

42. Testimony shall be provided regarding the garage parking spaces and how they will be allocated.
43. The garage floor plan illustrates storage areas. It is presumed this is an optional amenity. Testimony shall be provided.
44. Sheet A-07 offers four exterior color variations. Testimony shall be provided on these color options.
45. The Applicant is encouraged to share exterior material samples during the hearing, so Board members can visualize the proposed facades.
46. Sheet A-03 and A-06 illustrate a loft area above the fourth floor. The loft area is over eight feet in height on all sheets. The "Typical Floor" Plans on Sheets A-01A and A-04B depict the third and fourth floors of the apartment buildings. However, since a loft is proposed above the fourth floor, the third and fourth floors cannot match. Additionally, the Building Sections illustrate stairs within the fourth-floor units that lead to the loft areas. The Applicant shall

provide separate third and fourth floor plans, as well as a floor plan of the loft areas. The Board also needs information on what the use is of the loft. If it is an additional bedroom, it may impact the required number of parking spaces.

47. It is unclear what portion of the building the Building Sections are cutting through. The sections do not illustrate a hallway, which suggest the section was taken from the side through the end units. However, the roof does not appear to match the roof of the end units shown on the building elevations. The Applicant shall provide testimony to clarify what portion of the structure the sections are illustrating.

Exhibits

48. *The Board should note that the Exhibits referenced in this letter correspond to the Pre-Marked Exhibits and not the Exhibits entered into the public record at the May 25, 2021 hearing.*
49. *Except for Exhibit A-1 and A-2, all other Site Plan Exhibits do not illustrate the relocated stacked townhouse units. The Applicant shall ensure the Exhibits presented at the hearing reflect the most recent version of the Site Plan.*
50. *Exhibit A-3 (Subdivision Exhibit) illustrates Proposed Lots A, B, C, and D. However, the Preliminary Major Subdivision Plan and the Minor Subdivision Plan do not illustrate these four proposed lots. The Applicant shall provide testimony to clarify what Exhibit A-3 is illustrating.*
51. *Exhibit A-4 (Circulation Exhibit) provides a detail for a wayfinding sign. However, no wayfinding signs are called out on the Exhibit. The Applicant shall provide testimony regarding the location(s) of the wayfinding sign(s) and confirm that number of signs will comply with the Ordinance. The Board should also note that the newly provided detail has generated a new variance for sign height.*
52. *Exhibit A-12 (Amenity Exhibit) includes "A", "B", "C", and "D" labels. However, the legend on the right side of the Exhibit does not include any letters. Testimony shall be provided to clarify what the letter labels are illustrating.*
53. *The Cross Section Exhibits (Exhibits A-13, A-14, and A-15) illustrate the proposed buildings with flat roofs. However, according to the Architectural Plans, none of the buildings have flat roofs.*

Lighting

54. The Applicant shall provide testimony regarding the hours of illumination of the proposed lights. If any security lighting, or dimming of certain lights, is proposed, the Applicant shall identify said lighting.
55. The Site Amenity Plan on Sheet C-708 contains a note stating "landscape lighting within the amenity spaces has not been depicted on these plans. Landscape lighting will be installed to provide adequate illumination within the amenity spaces". We have no issue with this so long as any future lighting complies with Section 95-53.4H.

56. The Lighting Plan contains notes near the buildings stating, "Any proposed architectural building mounted lights have not been modeled for this design". We defer to the Board Engineer to determine if building mounted lights should be included in the footcandle calculations.
57. We defer to the Board Engineer regarding the type of lighting, lumens, etc.

Open Space

58. The Board should note that Section 95-53.4M. requires a minimum of 5% of the tract, excluding any public parks, to be open space for the use of the residents. The Ordinance includes linear walking paths, passive spaces, active recreation areas or similar amenities. The tract is 74.462 acres; therefore, 3.72 acres are required.
59. The Open Space Exhibit indicates 1.12 acres are active open space, which includes the dog park, community garden, and walking paths to the lookout pavilion and near Apartment Building #4. There are 2.33 acres of passive open space, which includes the area around the existing pond and the proposed basin. Finally, 8.41 acres of "other open space" are proposed, which includes lawn areas. Therefore, a total of 11.86 acres of open space is proposed, which satisfies the Ordinance requirement.
60. Note that Sheet C-301 indicates 12.11 acres of open space is provided. This should be revised to match the Open Space Exhibit acreage.

Signage

61. A note has been added to Sheet C-308 that states "Prior to installation of way-finding signs, the applicant is to conduct a field walk with the Township Engineer to determine the location and quantity of way-finding signs on-site". We defer to the Board Engineer regarding the number and location of the way-finding signage.

Trash & Recycling

62. No trash chutes or garbage storage area is illustrated inside the Apartment Buildings. The March 19, 2021 Response Letter indicates that valet trash pickup will be provided by the operator/owner. Testimony shall be provided on how this works and if there is an additional fee for this service.
63. It is our understanding that the townhouses and stacked townhomes will store their trash in the garage or designated storage area. Testimony shall be provided confirming this.
64. Sheet C-303 illustrates a trash area near Apartment Building #1. This area is 38 feet by 36.5 feet and is labeled as "prop. trash compactor enclosure". Sheet C-906 provides details of a trash compactor and recycling compactor. These units total 20 feet by 30 feet in area and are just over eight feet in height. However, the detail for the enclosure on Sheet C-903 refers to the grading plans for the height, but we don't see a height on the grading plan. Testimony shall be provided on the height of the enclosure.

Details

65. There is a welded wire fence around the garden and pet area, but no detail has been provided. The March 19, 2021 Response Letter indicates the detail for this fence is the same as the ornamental picket fence on Sheet C-709. If the welded wire fence is, in fact, the same as the ornamental picket fence, the label shall be revised.
66. Sheet C-902 contains a detail for a six-foot-tall vinyl fence. The March 19, 2021 Response Letter indicates the vinyl fences will be located at the rear of the townhouses between each unit. However, it is unclear where these vinyl fences will be located since they are not illustrated on the Site Plans. Testimony shall be provided.

Major Soil Movement Permit

67. Section 95-74A provides the procedure for applying for and issuing a Major Soil Movement Permit. The Applicant is to provide the following information:
- A detailed statement of the method or process to be employed for the excavation and the proposed time period for removal.
 - The kind and quantity in cubic yards of the soil to be removed.
 - In case of removal or replacement of soil, the place to which the soil is to be removed and the place from which and quantity of soil to be removed, in fill and excavation, and the transportation route to be used within the Township.
 - The proposed date of the completion of the work, including hours and days of operation.
 - The name and address of the excavator, contractor or the person having express charge, supervision and control of the proposed excavation work.
 - The number, capacity, type and description of each piece of equipment to be used in the operation and the number of truckloads to be removed.
 - The routes over which the material will be transported and the method of traffic control.
 - The method of abating noise in the operation.
 - The number of trees to be removed and a statement as to how the moving of soil will affect trees with a diameter of six inches or more.
 - The means of assuring lateral support and preventing erosion, floods and washing of silt into streams.
 - The submission of an integral soil and sedimentation control plan.
 - The means of protecting downstream properties from the effects of the operation.

- A certificate that the Applicant has placed or caused to be placed stakes at each corner of the lot or lots from which soil is to be removed, and further, that the Applicant has placed or caused to be placed grade stakes at the existing elevation points designated on the topographical map pursuant to the provisions of this article, clearly marked to indicate the soil cuts or fill.
- In the event that the removal of said soil is in connection with development or subdivision, all of the information required under the terms of the applicable Subdivision Ordinance of the Township of East Hanover.

The Applicant has submitted a Major Soil Movement Permit. We defer to the Board Engineer regarding the submission and its compliance with the Ordinance.

68. The Board should note that Section 95-74F describes the factors to be considered in determining a major soil movement application. In considering the Application, the Board is to be guided by the general purpose of municipal planning and shall take into consideration the following factors:

- Soil erosion by water and wind.
- Surface and subsurface water drainage.
- Soil fertility and soil-bearing capacity.
- Lateral support of abutting streets and lands.
- Public health and safety.
- Land values and uses.
- The general welfare of the municipality and of the citizens of the Township of East Hanover.
- The unsightliness of the premises after excavation.
- The effect of flooding upon the premises in question and other property within and without the Township.
- Whether the proposed work will create a nuisance.
- Whether the proposed work is necessary in connection with the development of residential property.
- The effect that the proposed removal of soil would have on individual sanitary sewage disposal systems.
- The preservation of existing watercourses.
- The creation of sharp declivities, pits or depressions.

- Whether the proposed removal of soil constitutes a commercial activity.
- Proposed complete site plan or preliminary subdivision plan.
- Such other factors as may bear upon or relate to the coordinated, adjusted and harmonious physical development of the Township.
- Proposed soil and sedimentation control plan.

Should you have any questions with regard to 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



Darlene A. Green, PP, AICP
Township Planner

cc: Lisa Kiss, Board Secretary (via email ehlupb@easthanovertownship.com)
William Salemme, Board Chair (via email wsalemme@maxsubro.com)
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¹ Please note that Letters #1 - #3 were issued to the DRC.

² Image courtesy of Google Earth Pro, captured on October 13, 2020.