

# East Hanover Performance Standards Compliance Report

*Prepared for:*

## **KRE Acquisition Corp**

Block 42, Lots 37, 37.02, 38, & 41  
100 Deforest Avenue

Township of East Hanover  
Morris County, New Jersey

*Prepared by:*

**BOHLER //**

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# 1. Introduction

This report has been prepared to document the proposed residential development with the East Hanover Performance Standards for All Uses outlined in Section 95-39.2.

## 2. Performance Standards for All Uses

### 2.1 Traffic

Pedestrian and vehicular traffic movement within and adjacent to the site, with particular emphasis on the provision and layout of parking areas, off-street loading and unloading and movement of people, goods, and vehicles from access roads within site, between buildings and between buildings and vehicles, should be carefully reviewed. The approving authority shall ensure that all parking spaces are usable and are safe and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.

*Compliance: All on-site parking meets the requirements of the Township Code with regard to size and location. Drop off lanes have been provided at Apartment Buildings #1, 2 & 4 as they are located directly adjacent to the Ring Road. As the entire site is proposed for residential uses, loading/unloading areas have not been provided. In regard to rapid and safe ingress and egress from the site, the existing accesses along DeForest Avenue and River Road are being maintained and refurbished with new signage and striping to ensure clear direction for vehicles.*

### 2.2 Design & Layout

The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection, impact on surrounding development, and contiguous and adjacent buildings and lands.

*Compliance: The proposed development has been designed to utilize the existing Ring Road, and access drives to the maximum extent feasible, and maintain some of the existing natural features such as the wooded knoll to the northwest of the site. The design intends to preserve open space, wooded areas and enhance the existing knoll by adding a lookout pavilion and benches along the pathway to the top of the knoll. In regard to site safety, "Stop" signage, stop bars, pedestrian crosswalks, and pedestrian crossing signs have been provided throughout the site where necessary. Each building is accessible by fire trucks, and the apartment buildings, in particular, are designed to be accessible by fire trucks on all sides.*

### 2.3 Lighting

Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be of a type approved by the approving authority. Directional lights shall be arranged so as to minimize glare and reflection on adjacent properties.

*Compliance: The proposed lighting within the development complies with all Township lighting requirements. In particular, the plan complies with the maximum illumination along the property line to minimize glare and reflection off-site.*

## **2.4 Buffers**

Buffering shall be located around the perimeter of the site and/or in groupings at strategic locations in order to minimize the glare of headlights of vehicles, lights from structures, noise, and the movement of people and vehicles and to shield activities from adjacent properties, etc. Buffering may consist of fencing, evergreens, shrubs, bushes, deciduous trees, etc., or combinations thereof to achieve the stated objectives.

*Compliance: Landscape buffers are provided along the majority of the property line, including the DeForest Avenue and River Road Frontages and the northwest property line. A portion of the wooded areas along the property line has been preserved and enhanced with the addition of additional planting were feasible.*

## **2.5 Landscaping**

Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking, and buffering requirements. Landscaping shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art, and the use of building and paving in an imaginative manner.

*Compliance: Landscaping and site amenities plans have been prepared for the site. The intent is to [reserve much of the wooded areas, open spaces and provide a continuous green corridor throughout the apartment community. The proposed landscaping plan meets the Township requirements to the maximum extent practical.*

## **2.6 Signs**

Signs shall be designed so as to be aesthetically pleasing, harmonious with other signs on the site, and located so as to achieve their purpose without constituting a hazard to vehicles and pedestrians.

*Compliance: Site identification signage is located at both site entrances at the required Township setback, height, and area and will be externally lit. The signs are intended to be subtle and serve the purpose of identifying the site to the residents and visitors. Additional regulatory signs and wayfinding signs that comply with MUTCD regulations are also proposed.*

## **2.7 Storm Drainage, Sanitary Waste Disposal, and Water Supply**

Storm drainage, sanitary waste disposal, and water supply shall be reviewed and considered. Particular emphasis shall be given to the adequacy of the existing system and the need for improvements, both on-site and off-site, to adequately carry run-off and sewage and to maintain an adequate supply of water at sufficient pressure.

*Compliance: The site has been designed to direct most of the run-off to the proposed wet basin. Some of the run-off is directed to the existing irrigation pond. The proposed sanitary*

sewer system is designed to tie in into three locations to distribute the flow better and minimize the impact on the existing sanitary sewer system. The proposed water system is connected to the township water tank adjacent to the site.

Will-serve letters have been sent to the East Hanover Department of Water and Sewer to ensure that there is adequate sewer and water services capacity.

## **2.8 Garbage Disposal**

Garbage disposal should be adequate to ensure freedom from vermin and rodent infestation.

*Compliance: Trash disposal will be handled for all five apartment buildings via a trash compactor located adjacent to Apartment Building #1. The presence of a trash compactor lowers the chances of trash overflowing from the trash enclosure, which is more likely to happen with a traditional dumpster. The intent for Townhouse owners is to keep trash bins in their garages.*

## **2.9 Environmental Elements**

Environmental elements relating to soil erosion, preservation of trees, protection of watercourses and resources, emission of glare, noise, odor, air and water pollution, aesthetic conditions, topography, soil and animal life shall be reviewed, and the design of the plan shall minimize any adverse impact on these elements.

*Compliance: The residential development proposed maximum slopes of 3:1 and rip rap pads in areas prone to higher drainage flows and erosion. Portions of the existing wooded areas have been preserved where possible to maintain a buffer between the proposed development and adjacent properties. Additionally, the proposed development does not have watercourses, additional glare, noise, odor, or water pollution. The site's general topography will be maintained; however, walls are being proposed where the site cannot be graded at a 3:1 slope. The site is not known or mapped to contain suitable habitat for any threatened or endangered species. Therefore, harmful effects on wildlife are not anticipated as a result of the proposed development.*

## **2.10 Support Facilities**

Support facilities, including the proximity and capacity of community facilities necessary to sustain the needs and demands of the proposed development, should be carefully considered so as to maintain and promote balanced community environments. These support facilities may include phone booths, benches, bike racks, trash receptacles, bus shelters, tot lots, game fields, open space, and land dedication for educational facilities, firehouses, etc.

*Compliance: The proposed development provides two clubhouses, one for the apartment residents and one for the townhouse residents, each providing multiple amenities. Benches will be provided along the scenic walkways, and a community garden and dog park are also proposed. Additionally, the open space provided for the site exceeds the Township requirement by a significant amount, providing plenty of area for recreational activities.*

## **2.11 Electrical and/or Electronic Devices**

All electrical or electronic devices shall be subject to the provisions of Public Law 90-602, 90th Congress, HR 10790, dated October 18, 1968, entitled "An Act for the Protection of Public Health and Safety from the Dangers of Electronic Production Radiation." Radiation products, as defined in Department of Health, Education and Welfare Publication No. (FDA) 78-8003, shall be so limited and controlled that no measurable energy can be recorded at any point beyond the property boundaries. The applicant, upon request, shall produce certified data wherein measurements made in accordance with the procedures and standards set forth in the Department of Health, Education and Welfare Publication No. (FDA) 75-8003 adequately demonstrate compliance with the minimum standards established by the Act. All other forms of electromagnetic radiation lying between 100 kilohertz and 10 megahertz shall be restricted to the technical limits established in the Federal Communication Commission's Rules and Regulations. Additionally, electric or electronic equipment shall be shielded so that there is no interference with any radio or television reception at the lot line (or beyond the operator's dwelling unit in the case of multifamily dwellings) as the result of the operation of such equipment.

*Compliance: The proposed development will adhere to the Township requirements regarding electronic devices. The nature of the proposed use does not require equipment that would not adhere to the Township requirements.*

## **2.12 Glare**

No use shall produce a strong, dazzling light or a reflection of a strong dazzling light or glare beyond its lot lines. Exterior lighting shall be shielded, buffered, and directed so that glare, direct light, or reflection will not become a nuisance to adjoining properties, adjoining dwelling units, adjoining districts, or streets.

*Compliance: The proposed lighting plan complies with the maximum illumination along the property line to minimize glare and reflection off-site. Additionally, landscape buffers are provided along the majority of the property line, including the DeForest Avenue and River Road Frontages and the northwest property line. Additionally, existing woods were preserved where feasible, which serve as a buffer in various locations.*

## **2.13 Heat**

No use shall produce heat perceptible beyond its lot lines. Further, no use shall be permitted, which would cause the temperature to rise or fall in any body of water.

*Compliance: The nature of the proposed development does not pose any risks of producing heat perceptible beyond the property lines, nor will the development cause the temperature to rise or fall in any body of water.*

## **2.14 Noise**

Noise levels shall be designed and operated in accordance with local regulations and those rules established by the New Jersey State Department of Environmental Protection, as they are adopted and amended.

*Compliance: During the construction phase, the noise levels will be slightly elevated as a result of construction activities, such as the operation of construction equipment. No blasting will occur. These disturbances will be limited to the Site construction time period and normal working hours. After completion of the Project, the noise level will be reduced to normal residential levels.*

*Noise generating sources that will occur onsite include vehicular traffic, pedestrian activities, mechanical equipment (air conditioners, etc.), and delivery activities. Noise levels are anticipated to be at levels far below than those allowed by state regulations. The noise levels of the proposed development are anticipated to have a negligible impact on the Site and the surrounding vicinity, given the nature of the proposed use and its location near other residential areas, DeForest Avenue, River Road, and N.J. State Highway Route 10 is already impacted by moderate vehicular traffic. Landscape buffers are proposed to mitigate potential noise impacts to other adjacent residential properties.*

## **2.15 Odor**

Odors due to nonagricultural operations shall not be discernable at the lot line or beyond.

*Compliance: No manufacturing will be conducted onsite; therefore, far-reaching unpleasant odors and/or harmful emissions will not be released from the site.*

## **2.16 Storage and Waste Disposal**

No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall any substance be deposited which can contaminate an underground aquifer or otherwise render such underground aquifer undesirable as a source of water supply or recreation, or which will destroy aquatic life. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored indoors and enclosed in appropriate containers adequate to eliminate such hazards. With respect to solid wastes, each business and industry shall:

1. Assume full responsibility for adequate and regular collection and removal of all refuse.
2. Comply with all applicable provisions of the Air Pollution Code, including prohibition of open burning on dumps and regulations applicable to sanitary landfill and incineration.
3. Comply with all provisions of the State Sanitary Code, Chapter VIII, Refuse Disposal, Public Health Council of the State Department of Health.
4. Permit no accumulation on the property of any solid waste, junk or other objectional materials.

*Compliance: During construction, construction wastes and materials will be collected, transported, and disposed of offsite by a private contractor. All wastes will be exported offsite to appropriate collection facilities based on the type and quantity of materials. Burning or dumping of onsite debris will not be permitted. Trash collection will be handled by a private hauler for proper disposal and/or recycling. Solid waste disposal will be performed in accordance with all applicable local, county, and State standards and regulations.*



## 2.17 Ventilation

No use shall obstruct the natural ventilation of adjacent uses nor contaminate the air with excessive heat or odor. Further, no air conditioners or exhaust fans shall be permitted to discharge exhausted air unless set back from all property lines 10 feet or equipped with baffles to deflect the discharged air away from the adjacent use.

*Compliance: The proposed development will not obstruct the natural ventilation of adjacent uses in any way, nor will the development produce excessive heat or odor. All air conditioning units are setback greater than 10 feet from all property lines.*

## 2.18 Vibration

There shall be no vibration which is discernible to the human sense of feeling beyond the immediate site on which such use is conducted.

*Compliance: During the construction phase, the vibration levels may be slightly elevated as a result of construction activities, such as the operation of construction equipment. No blasting will occur. These disturbances will be limited to the Site construction time period and normal working hours. After completion of the Project, there will be no vibrations discernible to the human sense of feeling beyond the immediate site.*

## 2.19 Air Pollution

As per Air Pollution Control Code of the Township of East Hanover. (See Chapter 170.)

*Compliance: Currently, air quality at the site is anticipated to be primarily impacted by vehicular traffic along nearby N.J. State Highway Route 10, DeForest Avenue, and River Road. During construction, all possible measures to reduce air pollution from construction equipment emissions and control of dust will be taken. During operations, the use is anticipated to result in negligible increases in emissions resultant of vehicular traffic. The proposed use will not be manufacturing any products; therefore, no direct emission sources are associated with the project. Unpleasant odors can also be considered an adverse impact to air quality. No manufacturing will be conducted onsite; therefore, far-reaching unpleasant odors and/or harmful emissions will not be released from the site. Overall, the proposed development is not anticipated to result in any significant impacts to air quality.*

## 2.20 Liquid Wastes

No operations shall discharge waste of any kind into any reservoir, pond, or lake. The discharge of untreated waste into a stream is prohibited. All methods of sewage and waste treatment and disposal shall be approved by the Township and State Department of Health. Effluent from a treatment plant shall at all times comply with the following standards:

1. Maximum five-day biochemical oxygen demand: five parts per million.
2. Maximum quantity of effluent: 10% of minimum daily stream flow.

3. Maximum five-day biochemical oxygen demand after dilution (BOD of effluent multiplied by quantity of effluent divided by quantity of stream flow): 0.25 parts per million.
4. Maximum total solids: 5,000 parts per million.
5. Maximum phenol: 0.01 parts per million.

No effluent shall contain any other acids, oils, dust, toxic metals, corrosives, or other toxic substances in solution or suspension, which would create odors, discolor, poison, or otherwise pollute the stream in any way.

*Compliance: The proposed development will not discharge liquid waste of any kind into any of the nearby water bodies. Sanitary sewer effluent will be handled by a proposed 8" PVC sewer main that will ultimately be conveyed to the Hanover Sewerage Authority. All necessary agency approvals will be obtained prior to construction.*

## 2.21 Radiation

All use of materials, equipment or facilities which are or may be sources of radiation shall comply with all controls, standards, and requirements of the Radiation Protection Act, Chapter 116, P.L. 1958, as amended December 4, 1961, and any codes, rules or regulations promulgated under such act. No radioactive materials shall be buried on the premises.

*Compliance: Due to the nature of the proposed use, products, and materials that are sources of radiation will not be kept or buried on-site.*

## 2.22 Noise and Vibration Noise

- (1) When measured at any point along the lot line, the sound-pressure level radiated continuously from a facility between the hours of 10:00 p.m. and 7:00 a.m. shall not exceed the following in any octave band of frequency:

Frequency Band Cycles Per Second	Sound Pressure Levels in Decibels Re. 0.0002 Microbar
20 - 75	69
75 - 150	54
150 - 300	47
300 - 600	41
600 - 1200	37
1200 - 2400	34
2400 - 4800	31
4800 - 9600	28

- (2) If the noise is not smooth and continuous and is not radiated at nighttime, one or more of the following corrections shall be added to or subtracted from each of the decibel levels given below:

Type of Operation or Character of Noise	Correction in Decibels
Daytime operation only	+5

Type of Operation or Character of Noise	Correction in Decibels
Noise source operates less than 20% of the time	+5*
Noise source operates less than 5% of the time	+10*
Noise source operates less than 1% of the time	+15*
Noise impulsive character (hammering, etc.)	-5
Noise of periodic character (hum, screech, etc.)	-5

\*NOTE: Apply one of these corrections only.

- (3) The sound pressure shall be measured with a sound-level meter conforming to American Standard Specification for General-Purpose Sound-Level Meters, S 1.4-1961, rev. of Z 24.3-1944, and to an octave band analyzer conforming to the American Standard Specification for an Octave-Band Filter Set for the Analysis of Noise and Other Sounds, Z 24.10-1953, Vibration. No manufacturing, fabricating, research, testing or other processes requiring the use of blasting shall be permitted. Any necessary occasional, emergency or construction blasting shall conform to the limits of the Table of Frequency Amplitude Relations and all other requirements of the Rules and Regulations Governing Blasting on the Construction and Related Operations, Bureau of Engineering and Safety, State Department of Labor and Industry. No machinery, process or other use will be permitted that causes any mechanical or earth vibration that is detectable beyond the lot line. When operations involve the use of heavy machinery, testing or other facilities likely to produce mechanical vibration, the building shall be constructed and the machinery and equipment shall be installed in such manner as to eliminate the possibility of mechanical vibration or earth vibration of such extent that it is detectable beyond the lot line. For the purpose of measuring compliance, no mechanical vibration or earth vibration shall be permitted that exceeds 10% of the limits of the aforementioned Table of Frequency - Amplitude Relations

*Compliance: During the construction phase, the noise and vibration levels will be slightly elevated as a result of construction activities, such as the operation of construction equipment. No blasting will occur. These disturbances will be limited to the Site construction time period and normal working hours. After completion of the Project, the noise and vibration level will be reduced to normal residential levels. Noise generating sources that will occur onsite include vehicular traffic, pedestrian activities, mechanical equipment (air conditioners, etc.), and delivery activities.*

*Noise levels are anticipated to be at levels far below those allowed by State regulations, and vibrations are anticipated to be at a level not discernible to the human senses beyond the immediate property line. The noise levels of the proposed development are anticipated to have a negligible impact on the Site and the surrounding vicinity, given the nature of the proposed use and its location near other residential areas, DeForest Avenue, River Road, and N.J. State Highway Route 10 is already impacted by moderate vehicular traffic. Landscape buffers are proposed to mitigate potential noise impacts to other adjacent residential properties.*

## 2.23 Fire and Explosion Hazards

As a condition to approval, the approving authority shall require proof that the applicant for a proposed industry has registered such industry with the Commissioner of Labor and Industry. If, in the judgment of the approving authority, a proposed building, use, structure, process, product

or material appears to involve a fire or explosion hazard, the approving authority may require the applicant to supply:

(1) A copy of the approved plans from the State Department of Labor and Industry showing that adequate safeguards against the origin and spread of fire have been or shall be taken in regard to such things as the construction and materials of the building or structure, the installation of safety and warning devices and the adoption of fire prevention procedures in operations.

(2) Statement from the appropriate Township fire company officials that the applicant has complied with all applicable Township fire prevention regulations.

(3) Also see § 95-56C(6)(a).

*Compliance: The applicant will obtain all required approvals for the proposed use. However, due to the nature of the proposed use, products, and materials appearing to involve a fire or explosion hazard will not be kept on site.*

### **3. Conclusions**

As demonstrated in the above sections, the proposed development meets the East Hanover Performance Standards for All Uses outlined in Section 95-39.2. As a result, our office believes the proposed development is consistent with similar developments throughout the Township and promotes both the safety of the residents and the surrounding community.