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March 9, 2020

Zoning Board of Adjustment
Township of Washington
Municipal Building
350 Hudson Avenue
Township of Washington, New Jersey 07676

Re: Application for: Use Variance/ Preliminary & Final Major Site Plan Approval / Preliminary Major Subdivision Approval for Golden Orchards Associates, LLP (The Reserve at Arden Place) Block 2101, Lots 3 and 7
Our File No.: WT-2381

Dear Board Members:

We are in receipt of and have reviewed the following items:

- Correspondence dated November 5, 2019, as prepared by Siobhan Spillane Bailey, of Huntington Bailey, L.L.P.:
- Township of Washington, Bergen County, New Jersey, Zoning Board of Adjustment, Petition of Appeal dated November 4, 2019 with the following attachments thereto:
 - Application For Variance and
 - Explanatory Narrative Document,
- A set of drawings entitled “Major Subdivision and, Site Plan for The Reserve at Arden Place, An Active Adult Community Project,(AKA Phase 2 of The Golden Orchards Development), And a Single Family Lot, Block 2101, Lots 3 & 7, Township of Washington, Bergen County, New Jersey”, containing the following sheets:

<u>Sheet No.</u>	<u>Title</u>	<u>Dated</u>	<u>Revised</u>
1 of 10	Cover Sheet	02/04/19	09/09/19
2 of 10	Boundary & Topographic Survey	10/03/17	none
3 of 10	Preliminary Major Subdivision Map	04/13/18	09/09/19
4 of 10	Utility and Grading Plan	02/04/19	09/09/19
5 of 10	Utility and Grading Plan	02/04/19	09/09/19
6 of 10	Landscape Plan	02/04/19	09/09/19
7 of 10	Tree Location Map	06/03/02	02/05/19
8 of 10	Soil Erosion & Sediment Control Plan	02/04/19	09/09/19
9 of 10	Soil Erosion & Sediment Control Plan	02/04/19	09/09/19
10 of 10	Details	02/04/19	09/09/19

as jointly prepared by Engineering & Technical Resources Inc., (ENTEC) of Haledon, New Jersey and Lapatka Associates, Inc., of Paramus, New Jersey;

- A set of Preliminary Architectural Drawing entitled “The Reserve at Arden Place, The Martin Architectural Group, Philadelphia, Pennsylvania, 05-13-2019”, dated 05/13/2019, as prepared by The Martin Architectural Group, of Philadelphia, Pennsylvania;
- Correspondence dated September 16, 2019 as prepared by James M. Riviello, AIA of The Martin Architectural Group PC, with plan view sketches identified and dated as follows:

<u>Location</u>	<u>Unit Type</u>	<u>Dated</u>	<u>Revised</u>
# 3 Arden Place	Ar	8/30/19	
#5 Arden Place	Br	8/30/19	
#7 Arden Place	Br	8/30/19	
#9 Arden Place	Br	8/30/19	9/16/19
#11 Arden Place	Br	8/30/19	9/16/19
#31 Arden Place	Ar	8/30/19	

- A drawing entitled “Landscape Plan, Golden Orchards, An Active Adult Community, Lot 1, Block 506, Borough of Hillsdale, (Lot 3 & 7, Block 2101, Township Of Washington Not Shown, Bergen County, New Jersey” dated 8/10/07 and revised through 6/1/16; as prepared by ENTEC,
- A drawing entitled “Key Map For Reference Only”;
- A Color Brochure for “The Reserve At Arden Place”;
- Township of Washington Planning Board Resolution adopted July 6, 2005;
- Borough of Hillsdale Memorialization Resolution , PZ-7-02, adopted December 16, 2003;
- Borough of Hillsdale Planning Board Resolution (Appeal No. PZ-21-06), adopted December, 2006;
- Borough of Hillsdale Planning Board Resolution (Appeal No. PZ-17-076), adopted January 29, 2008 and
- Borough of Hillsdale Planning Board Resolution adopted June 9, 2016 and
- Second Planning Review dated November 1, 2019, as prepared by Stanley C. Slachetka, P.P., AICP, of T&M Associates, the Board’s Planning Consultant.

Pursuant to our review of these items and inspection of the subject site, we offer the following comments at this time:

I. Background Information

1. The subject Application for Development is filed with respect to the second phase of a two-phase project known as "The Reserve at Arden Place" and is located primarily within the Borough of Hillsdale (occupying +/- 9.79 acres on a single lot) with a smaller portion of the Development being located within the Township of Washington (occupying +/- 4.22 acres on two lots). The subject Development encompasses the construction of a 37 (thirty seven) unit, age restricted (adult) community, with 31 detached units being wholly situated within the Borough of Hillsdale, with the 6 (six) remaining detached units being located either wholly (i.e. #5 Arden Place) or partially (all other units) within the Township of Washington.

A single building lot wholly situated within the Township of Washington is also proposed hereunder. This parcel shall be created pursuant to an Application For Preliminary Major Subdivision Approval and shall contain 1 (one) non-age restricted, single family dwelling with street frontage and driveway access along Pascack Road. This lot and the dwelling to be constructed thereon shall not become part of the Condominium Association.

2. As evidenced by the Resolution of the Planning Board of the Borough of Hillsdale, dated June 9, 2016, the Applicant has received Final Site Plan Approval of the entire Phase One and Two Plan that depicts the proposed construction within both municipalities, with the understanding that all improvements situated within the limits of the Township remain under the jurisdiction of the appropriate land use Board(s) of the Township.
3. The applicant has commenced construction of the Phase One improvements which are noted to include 31 (thirty one) dwelling units and site improvements consisting of stormwater management systems, drainage facilities, sanitary sewers, underground utilities, curbs, sidewalks and pavements servicing the entire development, including the units that are the subject matter of this application as well as the units that are wholly located within the Borough of Hillsdale.
4. Given the long history of this project, we direct the Board's attention to the June 9, 2016 Resolution of the Hillsdale Planning Board, which contains Finding of Fact No. 4., which reads as follows:

Northgate Condominium Association, Inc. ("Northgate") and Kim and Janice Hogrefe, each of which were represented by separate counsel, appeared at the initial hearings to principally object to the grant of final site plan approval to Caliber Builders over the issue of stormwater management. Northgate entered into a settlement agreement dated March 2, 2016 with Caliber Builders, Inc., which settlement agreement was marked as Exhibit A-28, at the hearing of May 9, 2016. In addition thereto, the Hogrefes, as represented to the Board by counsel for the Hogrefes, entered into a settlement with Caliber Builders, though no written settlement agreement was presented to, nor marked as an exhibit by the Board.

5. Accordingly, the applicant's professionals are asked to provide the Board with expert testimony summarizing the content of the respective agreements as well as the applicant's history of compliance or non-compliance with the stated terms and conditions of the respective agreements.

II. Location/Description of Tract

1. The subject properties are identified on the current Tax Assessment Map as Lot Nos. 3 and 7 in Block 2101 and are located within the Class AA Residential District. Lot 3 occupies an area of 106,056 s.f. +/- (2.43 acres), with 161.75 feet of frontage along Pascack Road. Lot 7 is a "landlocked" parcel located at the southwest corner of the site, adjacent to Lincoln Park and occupies an area of approximately 77,619 s.f. (1.78 acres).
2. As depicted on the "Key Map For Reference Only", the entire tract encompassing lands located in both the Borough of Hillsdale (Phase 1) and Township of Washington (Phase 2) is transected by the municipal boundary line running in an east to west direction across the site from Pascack Road.
3. Lot 3 is triangular in-shape, bounded by Pascack Road to the east, a single family dwelling (Hogrefe Property) and the Northgate Townhouse Development to the south and Lot 1 Block 506 in the Borough of Hillsdale to the north. Lot 7 is also triangular in-shape and is bounded by Lincoln Park along its southerly limits; the Musquapsink Brook along its westerly limits and Lot 1 Block 506 in the Borough of Hillsdale to the north.
4. Both properties are now vacant and are generally characterized as moderately wooded.
5. As depicted on the above referenced Site Plan drawings, Proposed Lots 3.02 and Existing Lot 7 are encumbered by portions of Environmental Easement Nos. 1, 2 and 3, which portions of the site are subject to certain Conservation Restrictions in accordance with the terms and conditions set forth in the various NJDEP approvals previously issued for this site which are as follows:
 - Stream Encroachment and Freshwater Wetlands General Permit 10A dated December 27, 2007,
 - Stream Encroachment Wetlands Permit Condition Modification dated January 30, 2008,
 - Freshwater Wetlands Transition Area Waiver Averaging Plan and Transition Area Waiver for Redevelopment dated June 9, 2008,
 - Freshwater Wetlands Transition Area Waiver Averaging Plan and Transition Area Waiver for Redevelopment – Permit Modification dated July 22, 2008,
 - Authorization for Extension of a Freshwater Wetlands Statewide General Permit No. 10A dated April 1, 2013,
 - Modification to a Freshwater Wetlands Statewide General Permit No. 10A and Stream Encroachment Permit dated February 21, 2014,
 - Modification to a Stream Encroachment Permit File No. 0200-03-0003.2, FHA 150001 and No. 10A and Modification and Update to a Freshwater Wetlands General Permit No. 10A, Transition Area Waiver Averaging Plan and Special Activity Transition Area Waiver for Redevelopment dated June 18, 2015,
 - Modification to a Stream Encroachment Permit File No. 0200-03-0003.2, FHA 160001 and No. 10A and Modification and Update to a Freshwater Wetlands General Permit No. 10A,

Transition Area Waiver Averaging Plan and Special Activity Transition Area Waiver for Redevelopment dated March 3, 2016,

- Correction Letter Regarding Modification to a Stream Encroachment and Freshwater Wetlands Permit dated March 9, 2016,
- Flood Hazard Area Applicability Determination dated July 7, 2016 and
- Authorization for Extension of a Freshwater Wetlands Transition Area Waiver - Averaging Plan and Transition Area Waiver for Redevelopment dated July 25, 2016.

III. Applicant's Proposal

1. In accordance with the requirements of NJSA 40:55D-72.b, the applicant in this matter, Golden Orchards Associates, LP, has filed with this Board, the subject Application for Development whereby the following land use approvals are sought at this time:

- A "d-1" Use Variance to permit the proposed construction of a Planned Single Family Age Restricted Development within the Class "AA" zoning district;
- Preliminary Major Subdivision approval of existing Block 2101 Lot 3, creating 2 (two) new lots identified as Proposed Lot 3.01 and 3.02, as more fully described hereinafter;
- Preliminary and Final Major Site Plan Approval with Bulk Variance relief for the proposed principal structures situated on Proposed Lot 3.02, as more fully described hereinafter and
- A "d-6" Height Variance allowing the height of the principal structure to be constructed on Proposed Lot 3.01 to exceed by more than 10%, the maximum height permitted in the district for a principal structure,'

all as required in connection with the proposed construction of 6 (six), age restricted, detached single family dwellings, each being separately owned under the condominium form of ownership and one conventional single family dwelling that will not become part of the condominium development.

2. As depicted on the above referenced Preliminary Major Subdivision Map, Proposed Lot 3.01 shall be of semi-rectangular configuration with 123.09 linear feet of frontage along the Pascack Road and a minimum depth of 210 feet along its northerly limits. This lot occupies an area of 24,773 s.f. (0.569 acres) and shall contain a single family dwelling not part of the "Golden Orchards" active adult community development site.

As depicted on the above referenced Site Plan drawings, the dwelling to be constructed on this lot shall be a modified "Ar" type unit, which is noted to be a 2 ½ Story structure containing approximately 2,417 s.f. of living space including 3 Bedrooms and 2 ½ Baths and an attached 2 car garage, as depicted on the above referenced Architectural Drawings.

3. As depicted on the above referenced Preliminary Major Subdivision Map, Proposed Lot 3.02 shall become irregularly shaped with 38.66 feet of frontage along Pascack Road and maintain its depth of 1,316.50 feet along its northerly limits. This lot occupies an area of 81,283 square feet (1.87 acres) and together with Lot 7 (1.78 acres) will become part of "The Reserve At Arden Place".
4. As accurately stated under General Note 3 of the Utility and Grading Plan, the combined area of these parcels is equal to 3.65 acres and shall contain 6 single family dwelling units identified on the plan as follows:

Address (Unit #)	Unit Type	Living Area	Garage Area
• #3 Arden Place (33)	Ar	2,417 s.f.	432 s.f.
• #5 Arden Place (32)	Br	2,387 s.f.	423 s.f.
• #7 Arden Place (31)	Br	2,387 s.f.	423 s.f.
• #9 Arden Place (30)	Br	2,387 s.f.	423 s.f.
• #11 Arden Place (29)	Br	2,387 s.f.	423 s.f.
• #31 Arden Place (20)	Ar	2,417 s.f.	432 s.f.

5. Each of these Units is noted to be 2½ Stories high with 3 Bedrooms, 2½ Baths and an attached 2 Car Garage. Site amenities at each home site shall include a paver patio or wood frame deck as dictated by the surrounding grade, roof drains and 6 (six) chamber infiltrator system with piped overflow connection to Detention System "B" at Unit Nos. 29 – 33.
6. Five (5) of the Units which are to become part of "The Reserve At Arden Place" are partially situated within both the Township of Washington and the Borough of Hillsdale; whereas Unit #32 (#5 Arden Place) is wholly situated within the Township of Washington.
7. It is our understanding that the now constructed extension of Arden Place is a private roadway to be owned and maintained by a homeowner's association (HOA) as created by the applicant, as opposed to a public right-of-way to be owned and maintained by the Borough of Hillsdale and/or the Township of Washington. The applicant is therefore asked to provide specific testimony as to the current status as to the formation of any such HOA as well as present an overview of the specific responsibilities of that organization.
6. As depicted on the "Preliminary Major Subdivision Map", Proposed Lots 3.01 and 3.02 shall be encumbered by a "19.5' Wide Easement For Road Purposes To Be Dedicated To the County".
7. In this regard our files contain a set of drawings consisting of two sheets dated 9/16/03 and revised through 11/0/07 (Sheet 1) and 7/27/16 (Sheet 2) as prepared by ENTEC which drawings depict certain improvements within and along Pascack Road, as required by the County of Bergen, including, but not limited to: a 9.5 feet widening of the cartway from its existing edge of pavement and new concrete curbs and sidewalks extending in a southerly direction from Ell Road in the Borough of Hillsdale to a point located approximately 15 (fifteen) feet south of the southerly boundary of Lot 4.01 (Hogrefe property) in the Township of Washington.

IV. Subdivision and Site Plan Classification

1. The proposed subdivision and site plan applications are filed with respect to site that is greater than two acres in area and involves a “planned unit residential development”. As such, in accordance with the requirements of Township Code Section 540-3, the respective Applications for Development are rightfully classified as applications for Preliminary Major Subdivision and Preliminary / Final Major Site Plan approval.

V. Zoning

A. Proposed Lot 3.01 (#760 Pascack Road)

1. The proposed subdivision and site designs, as presented in the above Architectural and Civil/Site for Proposed Lot 3.01 are found to comply with the applicable use and bulk standards of the Class AA District with the exception of the following items, for which departures from the literal requirements of the zoning ordinance, the applicant is requesting Bulk Variance relief as follows:

i. Building Height

Permitted: 2 ½ Story / 30 feet (Sect. 580-34)
Proposed: 2 ½ Story / 34.55 feet

Notes:

- The calculation of the proposed building height has been revised to accurately utilize the proposed average ground elevation as the reference plan to which the highest roof elevation is compared.
 - However, as is noted hereinbefore, the magnitude of the relief sought in this regard shall require the granting of a “d-6” Height Variance, whereby the height of the proposed dwelling shall exceed by more than 10% (approximately 15% in this instance), the maximum height permitted in the district for a principal structure.
 - The applicant shall provide the requisite expert testimony providing specific reason(s) for the relief requested in this regard.
 - We note that a variance under this subsection of N.J.S.A. 40:55D-1, et. seq. (Municipal Land Use Law) shall be granted only by affirmative vote of at least five members of the Board.
2. Notwithstanding the correction of the proposed Building Height as depicted under General Note No. 5 on both the Preliminary Major Subdivision Map (Drawing No. 3 of 10) and Utility And Grading Plan (Drawing No. 4 of 10), these same drawings require further revision so as to accurately indicate the applicable required minimum side and rear yard setback dimensions given the 4.17 feet correction of the proposed building height.

3. We note that Drawing Nos. 3 and 4 of 10 depict a seemingly code compliant minimum garage floor area of 500 for the "Ar" type of unit to be constructed on this lot. In this regard we note that the dimensioning provided on Sheet 4 of 10 are consistent with the stated floor area but are not in agreement with the dimensioning indicated on the above referenced Architectural Drawings for the "typical" "Ar" type unit.

The Architectural Drawings must therefore be revised accordingly or conversely the appropriate Variance relief shall be requested.

B. Proposed Lot 3.02 and Existing Lot 7 (#3, #5, #7, #9, #11 & #31 Arden Place)

1. As is noted hereinabove, the subject property is located within the "Class AA" Residential Zoning District and as such, the applicant's proposed use of the property to construct 6 (six), age-restricted, detached condominium units is not among the specified purposes set forth at Township Code Section 580-13, as cross-referenced under Township Code Section 580-32. The application therefore requires a "d-1" Use Variance.

With respect to the relief requested in this regard, we defer to the findings of the Board's Planning Consultant as presented in his Report to the Board dated November 1, 2019.

2. Within this same Report the Board's Planning Consultant has also identified 6 (six) possible Variance conditions related to the proposed side yard setback dimension of 0 feet at Unit Nos. 29, 30, 31, 33 and 20 and 1 foot at unit #32, which offsets are referenced to the northerly boundary of the respective lots which is noted to be coincident with the municipal boundary.
3. Similarly, with respect to the requirements of Township Code Section 580-84 entitled Garages, we note that the above referenced Architectural drawings indicate gross floor areas of 432 s.f. for "Ar" units and 423 s.f. for "Br" units, which areas are noted be less than the required minimum of 500 s.f., as set forth under Section 580-84.D of the Township Code. Accordingly, unless recognized as being subsumed under the requested Use Variance, it appears that additional Variance relief related to the square footage contained within the garage portion of the dwellings located at #3, #5, #7, #9 and #31 Arden Place shall be required (to varying degrees on each of these lots), unless otherwise modified to comply with the required minimum floor area.
4. As per our review of the zoning data presented on Sheet 5 of 11 of the approved Phase 1 Minor Subdivision and Site Plan drawings for this project, we note that the subject development is recognized as a Conditional Use (i.e. as an Age-Restricted Development) in the R-2 Zone, and moreover is noted to comply with all applicable bulk standards as set forth under Ordinance #07-01 amending Chapter 310 of the Code of the Borough of Hillsdale.
5. With respect to any required bulk variance conditions that may be realized due to the proposed subdivision and site designs, we direct the Board's attention to General Note No. 4 of the Utility and Grading Plan (Drawing No. 4 of 10) which reads as follows:

The Planned Residential portion of this project (sic) are units partially located in Proposed Lot 3.02 and Lot 7 and partially in Borough of Hillsdale. Due to the unique nature of this application, it is not possible or useful to list the proposed bulk standards as they compare to the AA Zoning, as depicted on the plan. Use Variance is requested.

6. This statement would appear to indicate that the applicant is taking the position that any required bulk variance relief may in-fact be reasonably subsumed within the grant of the requested d. (1) Use Variance. The applicant is, however, asked to provide specific testimony as to their stated position in this matter.

In accordance with the provisions of NJSA 40:55D-70.b, the Board is therefore asked to hear and decide this "special question".

7. Given the fact that the entire tract of land is located in two municipalities and has been re-zoned in Hillsdale to allow the development as currently presented, it is our understanding that the applicant is rightfully seeking from the Board the requisite Use Variance relief and to the extent required (i.e. if not subsumed under the Use Variance), Bulk Variance relief as set forth hereinabove at Section V-B.2 and V-B.5.

However, given the applicant's strict conformance with the zoning requirements established by the adjoining municipality, it is our understanding of the Law that this Board in exercising its own zoning responsibilities is obligated to give significant weight to the zoning ordinance and plan of the adjoining municipality.

8. Given the fact that the relief requested in this regard pertains primarily to issues involving Municipal Planning and Law, we defer to the findings of the Board's Planning Consultant and Attorney as to the specific variance relief required in connection with the subject Application for Development.

VI. Major Subdivision /Site Plan Review

1. We have reviewed the applications for Major Subdivision and Site Plan approvals for compliance with the requirements of the Chapter 465 (Trees), Chapter 540 (Land Development) and Chapter 580 (Zoning) of the Township Code, as well as the applicable requirements of the Residential Site Improvement Standards (RSIS).
2. We find the same to be substantially complete as presented, but do, however, note that certain minor plan revisions/supplements are required at this time. These items are enumerated in the Listing attached hereto as Appendix "A."
3. In addition to the comments offered hereinabove under Section V. - Zoning, we also offer the following comments with respect to certain critical aspects of the proposed architectural and engineering designs as presented:

a. Heights of Buildings

- i. As depicted in the Plan View sketches attached to the above referenced Martin Architectural Group, P.C. correspondence dated September 16, 2019, the proposed Finished First Floor at Unit Nos. 20, 29, 30, 31, 32 and 33 have been lowered by approximately 1 to 2 feet in order to attain a conforming height of building at each unit, as determined from the proposed average ground elevation in substantial accordance with the requirements of the Township of Washington Code.
- ii. In this same regard, we note a Schedule entitled "Building Height Calculations" has been added Drawing No. 4 of 10, to reflect the revised Finished First Floor (FFF) elevations but that the Plan View text labels of the corresponding Units **have not** been revised accordingly.
- iii. Consequently, Utility and Grading Plan Drawing Nos. 4 and 5 of 10) shall be revised as necessary to reconcile these differences along with any associated revision of the proposed basement and/or garage floor elevations which may be necessitated by the revision of the originally proposed FFF elevation.
- iv. Similarly, we note that grading of the front yard and driveway areas at the respective units may require further revision to effectuate any such further revision of the proposed FFF and Garage Floor elevations.

b. Tree Preservation and Landscaping

- i. In accordance with the comments contained within our Completeness Determination Memorandum dated March 8, 2017, the "Tree Location Map" (Drawing No. 7 of 10) has been revised to include all trees located on Lot 7 Block 2101.
- ii. As stated under Note No. 3 of the Landscape Plan (Drawing No. 6 of 10), this project will require the removal of 121 trees.
- iii. Such tree removals are recognized as a permitted activity in connection with any approval issued by this Board subject to the provision of replacement trees or the granting of waiver relief in this regard, either wholly or in-part. In this regard we note that the plans incorrectly indicate that the required quantity of replacements trees is equal to 779. This quantity, however, is calculated in accordance with the requirements set forth at Code Section 465-7.B, which is applicable situations where an applicant has cut, destroyed or removed trees in excess of the specified number of trees approved for removal by this Board or the Planning Board.
- iv. Accordingly, we note that the applicant is required to plant at total of 242 (two hundred forty two) trees as opposed to the proposed replacement quantity of 108 trees and 200 shrubs, stated under Note No. 3 of the Landscape Plan.
- v. In addition to the 108 trees which are to be planted on the site, the Landscape Plan also depicts the planting of 200 (two hundred) shrubs or ornamental grass plantings.
- vi. There are minor discrepancies between the proposed quantities of trees and shrubs as noted in the Plant List and as depicted in Plan view on the Landscape Plan. The Plant List is assumed to govern and as such the plan view depiction of the proposed plantings shall be revised accordingly.

- vii. It appears that waiver relief is required with respect to the quantity of replacement trees with the understanding that other landscape improvements are proposed with the Hillsdale portion of the site.
- viii. With respect to the ownership and maintenance of these landscape areas, the applicant is once again asked to provide testimony as regards the party or parties who shall actually own and maintain these landscape improvements.

c. Stormwater Management

- i. The application as presented involves the disturbance of one or more acres of land and is therefore classified as a "Major Development" in accordance with RSIS requirements. As is noted hereinabove the major components of the Stormwater Management systems for this project are now constructed and are wholly situated in the Borough of Hillsdale.
- ii. Pursuant to our review of the approved Phase 1 drawings we note that the proposed Stormwater Management system was to consist in-part of subsurface Detention Systems identified as Detention System "DS B", "DS C" and "DS D" comprised of 48" and 60" Perforated HDPE storage pipes with outlet control devices, as well a Bio-Retention Basin located in the westerly portion of the Hillsdale tract. These systems have been designed to satisfy the stormwater quantity and groundwater recharge requirements in accordance with the design standards set forth under Subchapter 7 (Stormwater Management) of the RSIS.
- iii. The Stormwater Management System shall also include "StormFilter" Manufactured Treatment Devices (MTD) as required to satisfy the Water Quality standards of that same Subchapter.
- iv. Runoff from the each of 38 proposed rooftop area is controlled by individual StormTech Sc-740 underground infiltrator chamber systems comprised of 6 (six) units contained within an crushed stone infiltration bed, the dimensions of which are indicated on the plans as 11.5' x 23.3' x 4'.
- v. With respect to the construction of any such improvements that are situated within the Borough of Hillsdale, as requested by this office the applicant has provided this office with the attached correspondence dated August 28, 2019 (copy attached), as prepared by Christopher Statile, P.E., Hillsdale Borough Engineer, wherein it is stated that:

The system located within the roadway have been completed according to the approved plans, and as-builts of each submitted to our office. Each was also photographed by our inspection staff for record keeping.

As for the individual building systems, these have been constructed according to the site plans and approved during the tenure of each's (sic) construction. Certificates of Occupancy have been issued only after all stormwater management systems were completed and the properties stabilized with the required landscaping.

- vi. With respect to the proposed stormwater management design presented for Proposed Lot 3.01 (#760 Pascack Road), we note the calculations indicate that the system has been conservatively designed to provide for the collection of all runoff from all impervious

- surfaces, utilizing a 100 Year design storm and neglecting infiltration effects.
- vii. We note this methodology is consistent with the methodology utilized throughout the site and offer no objection to the same.
 - viii. In summary, we find the proposed stormwater management design presented for all units either wholly or partially situated within the township to be satisfactory.

d. Retaining Wall Construction

- i. The plans depict a proposed Stone retaining wall with a maximum height of 8.5 feet at Proposed Lot 3.01 and a Segmented Block retaining wall structure at Unit No. 20.
- ii. With respect to the Stone retaining wall we note that Drawing No. 4 of 10 contains a note which states "Wall Design to be performed prior to construction". This note, however, shall be revised to read: "Wall design as prepared by a New Jersey licensed Professional Engineer, to be submitted to Township of Washington Municipal Engineer for review and approval prior to construction. This same note shall likewise be added to Drawing No. 5 of 10 for Unit No. 20.
- iii. The plans shall be revised to include preliminary construction details for the proposed Stone retaining walls as well as any barriers (i.e. 3' high wood guide rail or other barrier to be placed along the limits of the same.

e. Taxing Authority and Municipal Services

- i. The Township Tax Assessor has provided this office with the attached correspondence dated July 11, 2019, wherein he states that #3, #5, #7 and #9 Arden Place shall be assessed by the Township of Washington and #11 and #31 Arden Place shall be assessed by the Borough of Hillsdale.
- ii. Issues related to the provision of emergency services are not addressed in the application documents. However, given the fact that the majority of the project is wholly situated in the Borough of Hillsdale, it is assumed that said municipality shall be responsible for the provision of Police, Fire, Ambulance and any other municipal services that may be required for the Reserve at Arden Place. The provision of emergency services for the Pascaek Road site, will, however, assumedly become the Township's obligation.
- iii. The applicant's Legal Counsel is asked to apprise the Board as to any Agreements currently in-place or otherwise required in order to effectuate any such Interlocal Agreement between the respective municipalities.

f. Environmental Easement No. 1, 2 and 3

- i. Lot 3 and Lot 7 are noted to contain portions of Environmental Easement No. 1, 2 and 3 as depicted on a certain map entitled "Proposed Environmental Easement Map, For Caliber Builders.." as set forth under Reference No. 2 of the above referenced Preliminary Major Subdivision Map.

- ii. The applicant's professionals are asked to provide specific testimony as to the filing status (with the County Clerk's Office) of any such Map or other Instrument as may be required to memorialize the existence and limits of the same.

g. Soil Movement Permit Application

- i. The proposed Construction on Proposed Lots 3.01 (i.e. 760 Pascack Road) and on the combined Proposed Lot 3.02 and Lot 7 (i.e. "The Reserve at Arden Place"), shall require that in excess of 400 cubic yards of soil be moved on each site.
- ii. Consequently, a Major Soil Moving Permit shall be required for each site.
- iii. In accordance with the requirements of the Township Code, the applicant is hereby informed that pending this Board's favorable action on the subject Application(s) for Development, a subsequent application must be filed with the Township of Washington Planning Board for the necessary review and approval of the respective soil moving permit applications.
- iv. In this regard we recommend that any such future application consist of individual applications for earthmoving operations as required at the respective sites (i.e. Proposed Lot 3.01 only and Proposed Lot 3.02 only).

VII. Hearing Requirements

1. Given its classification as a Major Subdivision and Major Site Plan with associated applications for Variance relief, a public hearing shall be required in connection with the same.
2. The subject Hearing is to be held on Tuesday, March 17, 2020.

VIII. Builders Agreement and Performance Guaranty Requirements

1. Pending the Board's granting of the necessary approvals, the applicant shall be required to execute with the Township of Washington a Builders Agreement, as prepared by the Township Attorney and to furnish performance guarantees as may be required in connection therewith.

IX. Applications to Other Agencies

1. Approvals or waivers therefrom, must be obtained from the following governmental or quasi-governmental agencies:

March 9, 2020

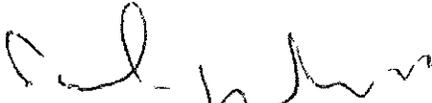
➤ Township of Washington

- Planning Board (Major Soil Moving Permit(s))
 - Mayor & Council (Builders Agreement)
 - Construction Code Official
 - Tax Assessor (Numbering of Lots)
 - Zoning Board Engineer
2. The Board may also wish to solicit Site Plan review comments from the following Departments with respect to any other matters related to public safety involving the subject properties.
- Police Department
 - Volunteer Fire Department
 - Volunteer Ambulance Corps.

If there are any questions, please feel free to call.

Very truly yours,

**AZZOLINA AND FEURY
ENGINEERING INC.**



Paul Azzolina, PE, CME.
Zoning Board Engineer

DOC: WT-2381-GoldenOrchards-MajSub-SPR1-03-09-20.doc

cc: Gary H. Giannantonio, Zoning Board Attorney (*via e-mail*)
John Scialla, Construction Code Official (*via e-mail*)
Stanley Slachetka, P.P., AICP, T & M Associates (*via e-mail*)
Golden Orchards, LLP c/o Siobhan Spillane Bailey, Huntington Bailey, L.L.P. (*via e-mail*)
Alex Zeponi, P.E., ENTECH (*via e-mail*)
Jeffrey H. Kleine, PLS, Lapatka Associates (*via e-mail*)
James M. Riviello, AIA, Principal, the Martin Architectural Group, P.C. (*via e-mail*)

APPENDIX "A"

Listing of Required Revisions / Supplements
For
Preliminary Major Subdivision and Preliminary/Final Major Site Plan
For
Golden Orchards Associates, LLP
Block 2101, Lot 3 and 7
Township of Washington, New Jersey

1. Revise the Plan as noted hereinabove and/or as directed by the Board.
2. The Zoning Schedule on sheet 3 of 10 shall be revised to match the Zoning Schedule on sheet 4 of 10.
3. The lot frontage for proposed lot 3.02 has discrepancies from sheet to sheet. The applicant's experts are asked to state whether it is 36.66' or 38.66' of frontage along Pascack Road.
4. Indicate location(s) of proposed split rail fence along common boundary of Northgate Townhouse Development as subject property as per terms and condition of Settlement Agreement entered into by the respective parties.
5. The Start and End Location of the Proposed Retaining Wall in Lot 7 shall be denoted, the total Length of wall and the setback distance from property line.
6. The "Number of Proposed Trees to be planted" indicates a total of 108 (one hundred eight) trees. Reconcile total quantity as depicted in plan view as indicated in the "Landscape Plan".
7. The "Number of proposed Shrubs to be planted" indicates a total of 200 (two hundred) shrubs. Reconcile total quantity as depicted in plan view as indicated in the "Landscape Plan".
8. The "Tree Location Map" shall be revised to indicate which trees shall be removed and which shall remain.
9. Include as part of the Notes, any Waivers or de minimis exceptions sought in connection with the subject Application for Development.
10. Provide revised Architectural drawings for the proposed dwelling on lot 3.01, as it is noted to have been made larger than the typical "Ar" unit in order to comply with the required minimum garage floor area.
11. Provide Framing Detail for construction of first floor framing within concrete foundation stem wall as described in the Martin Architectural Group letter dated September 16, 2019.

WT-2381

July 11, 2019

To: Paul Azzolina

Paul,

Re: Golden Orchards Development

One property, 760 Pascack Road (known as 30-D) is entirely in Washington Township and will be assessed in Township.

Six properties straddle between Washington Township and Hillsdale and will be assessed as follows:

The following four (4) properties will be assessed in Washington Twp.:

- 3 Arden Place (known as 33-AR)
- 5 Arden Place (known as 32-B)
- 7 Arden Place (known as 31-B)
- 9 Arden Place (known as 30-B)

Below are two (2) properties that will be assessed in Hillsdale:

- 11 Arden Place (known as 29B)
- 31 Arden Place (known as 20AR)

This is for your information.

Murty Arisetty



CHRISTOPHER P. STATILE, P.A.

PROFESSIONAL ENGINEERS AND PLANNERS
DESIGN CONSULTANTS

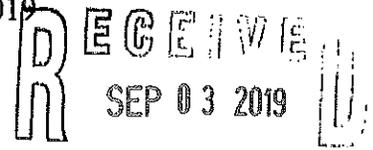
CPSTATILE@AOL.COM

3 FIR COURT
OAKLAND, NJ 07436
(201) 337-7470
FAX: (201) 337-7599

NEW YORK, NY

WT 1381

August 28, 2019



AZZOLINA & FEURY ENGINEERING, INC.

Paul Azzolina, P.E.
AFR Engineering & Land Surveying, P.C.
30 Madison Ave
Paramus, NJ 07652

Regarding: **Block 506, Lot 1, Borough of Hillsdale
Golden Orchard Associates LP (aka Caliber Builders, Inc.)
Major Site Plan/Minor Subdivision Approval**

Dear Mr. Azzolina:

This is to inform you that the above applicant/builder received Major Site Plan and Subdivision Approval by the Hillsdale Planning/Zoning Board via Memorialized Resolution adopted on June 9, 2016 to permit the construction of 37 age-restricted single-family dwellings in two phases, as depicted in the two sets of plans prepared by Entec Engineering and Technical Resources, each containing 11 sheets. There are six proposed dwellings that are either partially or fully within the Township of Washington, which dwellings were identified as units 20, 29, 30, 31, 32 and 33, and the Board approval as to the construction of these units must be obtained from the applicable land use board of the Township of Washington by the Developer; as more fully described in the Planning Board's June 9, 2016 Resolution.

One set of site plans was entitled "Minor Subdivision and Site Plans for Golden Orchards...", dated August 10, 2007; and the second set of plans was entitled "Site Plans - Phase 1 for Golden Orchards...", dated December 31, 2014. These plans were revised a number of times during the course of the public hearings, bearing a final revision date at the time of the decision being January 29, 2016.

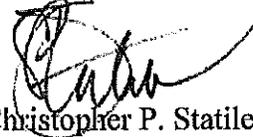
The plans depicted stormwater management devices to be located with the common roadway, Arden Place, as well as individual unit detention systems for each of the new dwellings. The systems located within the roadway have been completed according to the approved plans, and as-builts of each submitted to our office. Each was also photographed by our inspection staff for record keeping.

As for the individual building systems, these have been constructed according to the site plans and approved during the tenure of each's construction. Certificates of Occupancy have been issued only after all stormwater management systems were completed and the properties stabilized with required landscaping.

We trust this will assist you in the evaluation of the land use application for Washington Township. Feel free to call me with any questions or records.

Very truly yours,

CHRISTOPHER. P. STATILE, P.A.



Christopher P. Statile, P.E.
Borough Engineer

CPS/mr
c: Stuart Weinberger, Caliber Builders
Michelle Wood, Construction Official
1120.052