

November 5, 2021

Via Hand Delivery

Mr. Benjamin Kezmarsky  
Business Administrator  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ, 07430

**RE: Preliminary & Final Site Plan  
Proposed Multi-Level Senior Housing  
Facility  
8 Ramapo Avenue  
Block 82, Lots 1, 3-17, 26, 29, & 30  
Township of Mahwah  
Bergen County, New Jersey  
BENJ File No. J200513**

Dear Mr. Kezmarsky:

Enclosed please find the following items for your use with regard to the above referenced project. All other documents will be provided under separate cover by the architect.

- Fifteen (15) signed and sealed sets of *Preliminary / Final Land Development Plans*, prepared by our office, dated June 4, 2021, last revised October 4, 2021;
- Fifteen (15) copies of the Architectural Drawings prepared by JAL Architecture & Engineering, P.C., dated November 4, 2021; and
- Fifteen (15) signed copies of *Traffic Impact Study* prepared by Dynamic Traffic, dated July 23, 2020, last revised November 3, 2021.

Please note that the revised plans show a reduced density from what was previously proposed

**Our office is in receipt of the Colliers Engineering & Design letter, dated September 14, 2021, and we offer the following responses:**

#### **D. Variances & Waivers**

##### *D Variances:*

1. The variance for use in the MUD-1 Overlay Zone is requested and is listed on the Cover Sheet.
2. Acknowledged, a variance for density is requested and listed on the Cover Sheet.

##### *C Variances:*

1. A variance is requested for §24-1.1.b.1 to permit driveways that do not comply with §24-6.2d.3 and 22-6.2d.6(C) Table 4 and is listed on the Cover Sheet.
2. Loading is being provided in accordance with §24-4.1.1b.3 and will not require a variance.

3. A variance is requested for §24-4.1.1b.6 to permit retaining walls that do not comply with §24-6.11b and is listed on the Cover Sheet. It should be noted that grading has been revised to minimize the wall heights where possible.
4. A variance is requested for §24-4.1.1d.9 to permit a building of 4 stories and is listed on the Cover Sheet.
5. Off-street parking is being provided in accordance with §24-4.1.1f.1 and will not require a variance.
6. The number of parking spaces provided is in accordance with §24.4.1.1f.3 and will not require a variance.
7. The parking lot lighting provided is in accordance with §24.4.1.1f.4 and will not require a variance.
8. Building offsets along the western façade facing Siding Place are in accordance with §24-4.1.1g.2 and will not require a variance.
9. Foundation plantings are provided in accordance with §24-4.1.1h.3 and will not require a variance.
10. The trash enclosure meets the accessory structure setback in accordance with §24-6.8a.1(a) and will not require a variance.
11. A variance is requested for §24-6.11b.1 via §24-4.1.1b.6 to permit retaining walls that do not comply with §24-6.11b and is listed on the Cover Sheet. It should be noted that grading has been revised to minimize the wall heights where possible.
12. Screening is provided in accordance with §24-6.11b.5 via §24-5.3d.3 and will not require a variance.
13. The number of parking spaces provided is in accordance with §24-7.2 and will not require a variance.

*Waivers:*

1. Acknowledged, a waiver for driveway location is requested and listed on the cover sheet.
2. Acknowledged, a waiver for driveway dimensions is requested and listed on the cover sheet.
3. Loading is being provided in accordance with §22-6.3a and will not require a waiver.
4. Street intersection lighting is provided in accordance with §22-6.4a.10(b) and will not require a waiver.
5. Lighting at the property line complies with §22-6.4a.10(c) and will not require a waiver.
6. Street trees are provided in accordance with §22-6.5a.14 and will not require a waiver.
7. Slopes are proposed to comply with §28-2.4b.6 and will not require a waiver.

## E. Comments

1. Testimony will be provided regarding requested variances in accordance with the criteria requirements of the MLUL.
2. The Cover Sheet lists all requested variances and waivers.
3. Acknowledged, the Consistency Determination from the Highlands Council will be provided as a condition of final approval.
4. Acknowledged.
5. Acknowledged, this comment was addressed previously.
6. Acknowledged, this comment was addressed previously.
7. Acknowledged, prior testimony confirmed the levels of service to be provided within the proposed development and a use variance is being requested.
8. Acknowledged, no action required.
9. Acknowledged, this comment was addressed previously.
10. Testimony will be provided regarding if additional employees and/or non-employees will be required for the change in square-footage.
11. Testimony will be provided regarding schedule of deliveries and type and size of delivery trucks.
12. Medical waste will be stored inside the facility and picked up regularly by a licensed hauler for proper disposal.
13. Testimony will be provided regarding the proposed development's compliance with applicable state and federal regulations for assisted living facilities.
14. Acknowledged, testimony will be provided regarding the proposed development's compliance with applicable state and federal regulations for assisted living facilities.
15. The development will comply with applicable state and federal regulations regarding income distribution of the congregate care units/beds.
16. The conditions of approval listed are acknowledged and will be complied with.
17. Acknowledged.

## Site Plan

18. The location and sizes of existing trees to be removed are shown on the Demolition Plan.
19. The building height has been recalculated in accordance to the Board Engineer's direction and is shown on the Grading Plan.

20. Testimony has been provided regarding the development's compliance with required total number of parking spaces.
21. Testimony has been provided regarding snow storage.
22. A bench is proposed along the building side of the Franklin Turnpike sidewalk near the King Street intersection, as shown on the Site Layout & Signage Plan.
23. The door in question exits from a stairwell and is proposed to have a concrete pad and non-ADA compliant ramp to permit emergency exit from the stairwell.
24. Top and bottom of wall grades are provided for all retaining walls on the Grading Plan.
25. The landscape area label on the Site Layout & Signage Plan has been revised to indicate the correct area.
26. Four (4) loading spaces are proposed on the Site Layout & Signage Plan, one (1) in the porous concrete area and three (3) adjacent to the building. Appropriate labels and dimensions are provided on the plan.
27. Sidewalk is proposed along the King Street frontage, and therefore no waiver is needed nor requested.
28. Testimony has been previously given regarding the easements in question on-site.

## **Architecture**

29. Building elevations illustrating the height(s) of the parapet and screening of roof-mounted equipment are provided in this submission.
30. Testimony has been provided regarding screening of heating, air-conditioning, and other mechanical features.
31. There are no packaged terminal air conditioner units proposed within the façade. Testimony has been provided.
32. The minimum ceiling height within the garages is noted on the architectural plans.
33. Acknowledged, this comment was addressed previously.
34. Testimony has been provided regarding who will be permitted to use the retail parking garage.
35. Acknowledged, this comment was addressed previously.
36. Building elevations illustrating the delivery door are provided in this submission.
37. Abbreviations are shown on the architectural plans.
38. Testimony has been provided regarding who will be permitted to use the garage space.
39. The balconies in question are shown on the Site Layout & Signage Plan and do not encroach on the 15-foot setback from the bank property.

40. The architectural plans have been revised to label the roof hatch over the retail portion of the building.

## **Landscaping & Lighting**

41. The noted plantings have been removed from the King Street right-of-way.
42. The Landscape Schedule has been revised to match the Landscaping Plan.
43. Acknowledged, testimony will be provided regarding the suitability of the proposed light fixture model.
44. Acknowledged, testimony will be provided regarding the suitability of the proposed light fixture model.

## **Signage**

45. Signage details have been provided on Sheet C-905 of the *Preliminary / Final Land Development Plans*.
46. The proposed monument signage will be internally lit as shown on the detail on Sheet C-905.

## **Details**

47. The structural design of proposed retaining walls, fences, and fall protection will be designed by others and will be provided at a later date.
48. The structural design of proposed retaining walls, fences, and fall protection will be designed by others and will be provided at a later date.
49. A Loading Zone sign will be wall mounted for each loading space.
50. The plans have been revised as requested regarding the use of the Vinyl Fence around the dumpster enclosure.

**Our office is in receipt of the Boswell Engineering letter, dated September 16, 2021, and we offer the following responses:**

## **Variances/Waivers**

8. Variances:
  - a. A variance is requested for retaining walls that do not comply with Township requirements. It should be noted that grading has been revised to minimize the wall heights where possible.
  - b. The trash enclosure meets the accessory structure setback and will not require a variance.
  - c. The variance for use in the MUD-1 Overlay Zone is requested.

- d. A variance to permit a 4-story building is requested. The building height has been recalculated in accordance to the Board Engineer's direction and is shown on the Grading Plan.
  - e. The variance for density is requested.
  - f. Foundation plantings are provided and will not require a variance.
9. Waivers:
- a. Acknowledged, a waiver for 500-foot drainage map is requested.
  - b. Acknowledged, a waiver for driveway dimensions is requested.
  - c. Acknowledged, a waiver for driveway location is requested.
  - d. Acknowledged, a waiver for driveway dimensions is requested.
  - e. Four (4) loading spaces are provided and will not require a waiver.
  - f. The proposed loading spaces maintain a minimum of 10-feet from doors and will not require a waiver.
  - g. Lighting along the property line meets Township requirements and will not require a waiver.
  - h. Street trees are provided to meet Township requirements and will not require a waiver.
  - i. A sidewalk is proposed along the King Street frontage and a waiver will not be required.
  - j. Slopes meet Township requirements and will not require a waiver.
10. Additional Non-Conformities:
- a. Acknowledged, a waiver for driveway dimensions is requested.
  - b. The site is separated from the noted residential properties by the King Street and Franklin Turnpike right-of-ways and does not directly abut any residential properties. Therefore, residential buffer is required.
  - c. The building offsets along the western façade meet Township requirements and does not require a variance.

**Our office is in receipt of the Colliers Engineering & Design letter, dated July 1, 2021, and we offer the following responses:**

#### **D. Variances & Waivers**

- 7. Lighting plans have been revised to comply with Section 24-4.1.1f.4.
- 9. Section 24-4.1.1h.3. We have provided building foundation landscaping at all points along the building except for points of building ingress/egress doors.

12. Section 24-6.11b.5 via section 24-5.3d.3. We have provided additional evergreen trees and shrubs within ten feet (10') of the property line adjacent to the 10 off-street parking spaces along King Street.

The following waivers/exceptions are required:

4. Section 22-6.4a.10(b). The lighting plan has been revised and additional lights have been provided to illuminate the street intersections to an average of 3.28-3.58 footcandles.
5. Section 22-6.4a.10(c). The lighting plan has been revised. Maximum illumination at property lines is proposed at 0.8 footcandles.
6. Section 22-6.5a.14. Four (4) street trees have been proposed along East Ramapo Avenue between 50 and 75 feet on center. Seven (7) street trees have been proposed along Franklin Turnpike no greater than 75 feet on center. One existing tree along Franklin Turnpike is to remain.

## E. Comments

### Landscaping & Lighting

47. The Bar Harbor Creeping Juniper have been relocated out of the right-of-way.
48. The discrepancy with the Plant schedule has been eliminated.
49. Acknowledged.
54. Acknowledged.

Should you have any questions or comments concerning this or any other matter, please do not hesitate to contact our office.

Sincerely,

**BOHLER ENGINEERING NJ, LLC**



Bradford A. Bohler, P.E.



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Enclosure(s)

cc: Andy DelVecchio (via Federal Express)  
Michael Glynn, Erick Anderson (via email)