

TO: Borough of Fair Haven Planning Board

FROM: Elena Gable, PP, AICP, CFM
Susan Gruel, PP

RE: M&M Realty Partners at Fair Haven, LLC
626 River Road
Block 31 Lot 1
Preliminary and Final Major Site Plan- Revised Materials

DATE: December 20, 2021

As requested, we have reviewed the following revised application materials in preparation of this report. This memo is intended to supplement our previous report dated October 27, 2021. Please note that our previous comments remain valid unless noted otherwise. For a list of previously submitted documentation, please refer to our previous memo.

Revised/new materials received as part of the application package:

- Stormwater Management Report, prepared by EP Design Services, LLC, dated July 16, 2021, revised through December 7, 2021
- 5-sheet set of architectural plans entitled, "Proposed Mixed Use Building at Fair Haven," prepared by EP Design Services, dated July 15, 2021, revised through December 9, 2021
- 3-pages of color renderings of building elevations revised to include gooseneck lighting and additional architectural details, no preparer, no date
- 17-sheet of Site Plans entitled, "Preliminary and Final Major Site Plan M&M Realty at Fair Haven, Block 31 Lot 1," prepared by EP Design Services, dated July 15, 2021, revised through December 7, 2021
- Sheet 1 of Site Plans, entitled "Preliminary and Final Major Site Plan M&M Realty at Fair Haven, Block 31 Lot 1- Title Sheet", dated July 15, 2021, revised through December 7, 2021
- 6-page response memorandum to Borough Engineering Review & HGA Planning Review, prepared by Paul Latham, PE of EP Design Services, LLC, dated December 9, 2021
- Memorandum from David Schmetterer, PP, AICP, on behalf of the Monmouth County Planning Board Development Review Committee, dated August 9, 2021
- Letter from Stephen Grosch of Freehold Soil Conservation District, dated September 1, 2021
- Memorandum from David Schmetterer, PP, AICP, on behalf of the Monmouth County Planning Board Development Review Committee, dated December 13, 2021

Summary of Changes between Initial Materials and Revised Materials

The applicant has incorporated changes to the initially submitted Site Plans and Architectural Plans. The following is a summary of those changes:

Site Plan Changes

- The applicant has confirmed the exact dimension of the side yard setback. The building is proposed to be setback 52.7 feet from the side lot line, complying with the ordinance requirements.
- The applicant has submitted a response indicating that the building height conforms to the ordinance requirements. As noted by the applicant, "The average elevation of the existing curb at the corners of the lot is 20.12 feet. The finished floor elevation of the proposed building is 20.75 feet (0.63 feet difference). Therefore, the maximum building height proposed is 37'-4" (37.33') making the max building height 37.96-feet." See Planning Comment below.
- The applicant has indicated that the handicap parking stall, located closest to Cedar Avenue, has been set back further from proposed right-of-way (ROW) to comply with the provision that "parking may be permitted within the front yard along Cedar Avenue, provided it is set back a minimum of 4.9 feet from the front lot line along Cedar Avenue..."
 - A label has been added to the Plans which shows a setback of 5 feet from the proposed Cedar Avenue ROW. However, a portion of this parking stall appears to be located closer to the proposed ROW than 4.9 feet. The applicant shall provide testimony to address this condition.
- The applicant recalculated the building coverage to include the overhang along Cedar Avenue. The revised building coverage is represented as 11,630 sq. ft., or 41.31%, where the ordinance permits 45%.
- The applicant has confirmed that the larger sized trash enclosure (14 feet by 20 feet) will be utilized for the project.
- Further, the applicant has relocated the proposed trash enclosure to be setback 4 feet from the rear lot line and 5 feet from the side lot line, complying with the setback requirements for accessory structures and the minimum 4-foot buffer area around the side and rear lot lines.
- Between the rear lot line and the trash enclosure, the applicant is proposing 8 emerald green arborvitae. Between the side lot line and the trash enclosure, the applicant is proposing 1 leylandi cypress and 5 emerald green arborvitae.

- The number of arborvitae along the side property line do not match the labels shown on the plans. The applicant shall provide testimony to address this inconsistency and revise the plans accordingly.
- The applicant has numbered the parking stalls on the Site Plan for the residential units and indicates that each tandem parking group will be assigned to a unit.
- The applicant has added notes to the plan pertaining to the intersection improvements as it relates to the Borough’s Active Transportation Plan.
- The applicant’s submission indicates that the existing light poles will be retrofitted with LED lights per the Board Engineer’s request.
- The applicant has added the height of the proposed retaining wall to the site plans. The retaining wall is proposed to be 3 feet, which is the maximum height permitted by ordinance.
- The applicant has reduced the height of the light poles from 16 feet to 14 feet in order to comply with the ordinance. The applicant indicates that testimony will be provided to address the remaining lighting standards (§30-5.5.i.5.(b) through (h).)

Architectural Plan Changes

- The applicant revised the habitable floor calculations for the building. The following chart compares the habitable floor area calculations between the Concept Plan, attached as Exhibit A to the Settlement Agreement, the Initial Application, and the Revised Application materials:

	Concept Plan	Initial Application	Revised Application	Difference Initial application & Revised Application
Ground Floor Area (gross)	6,025 sq. ft.	5,812 sq. ft.	5,810 sq. ft.	-2 sq. ft.
Retail Area	4,250 sq. ft.	4,250 sq. ft.	4,250 sq. ft.	0 sq. ft.
Second Floor (gross)	10,319 sq. ft.	10,065 sq. ft.	10,054 sq. ft.	-11 sq. ft.
Residential Area	9,015 sq. ft.	8,709 sq. ft.	8,709 sq. ft.	0 sq. ft.
Third Floor (gross)	10,319 sq. ft.	10,065 sq. ft.	10,054 sq. ft.	-11 sq. ft.
Residential Area	9,015 sq. ft.	8,709 sq. ft.	8,709 sq. ft.	0 sq. ft.
Total Area (gross)	26,663 sq. ft.	25,942 sq. ft.	25,918 sq. ft.	-24 sq. ft.
Retail	4,250 sq. ft.	4,250 sq. ft.	4,250 sq. ft.	0 sq. ft.
Residential Area	18,030 sq. ft.	17,418 sq. ft.	17,418 sq. ft.	0 sq. ft.

As shown in the above chart, the overall gross size of the building is reduced by 24 sq. ft. from the initially submitted application materials and the revised application materials.

- The applicant revised the habitable floor area square footage and habitable floor area ratio in the bulk chart, resulting in a total habitable floor area of 25,918 sq. ft., and a HFAR of 0.92. The ordinance permits an HFAR of 0.95, which the revised plans comply with.
- No changes are proposed to the size of the individual residential units from the initial Planning Board submission.
- The applicant has incorporated gooseneck lighting onto the elevations of the architectural drawings. A detail has been added to the Sheet A4 of the architectural plans. However, the make/model is not provided.
- The applicant indicates that the freestanding sign will not be internally lit, but has not indicated whether there will be a light source, or if the sign will be illuminated from the ground.
- The applicant has added notes pertaining to the materials of the architectural elevations. Materials include modular brick siding, cast stone, hardy shingle siding, hardy board cornice, painted metal balcony and awnings, single hung vinyl windows, polished block base, hardy board trim, and glazed storefront.
- The applicant indicated that the proposed metal awnings will not have skirts.
- The applicant has submitted calculations pertaining to the glazing requirements of the ground floor front façade and the upper-story front façade. In accordance with the applicant's calculations, the applicant meets the glazing requirement of both the ground floor and upper floors along River Road. 69% of the ground floor façade facing River Road will be glazed and 33% of the upper-story front facing River Road will be glazed, exceeding the ordinance requirements of 60% and 20%, respectively.
 - However, details and calculations have not been submitted for the Cedar Avenue façade, which is also a front façade.
- As required by ordinance, the glazing is required to be a minimum of 70% transparent, where the applicant states that the glazing will be 100% transparent, exceeding the minimum requirement.
- The applicant indicates that the windows facing River Road terminate at the ground on the first floor facing River Road, complying with this requirement. However, there is a window on the Cedar Avenue façade that does not terminate at the ground floor. See planning comment below.

- The applicant has incorporated a horizontal feature between the first floor and the upper floors along the Cedar Avenue frontage.
- The applicant has indicated that testimony will be provided to address the balcony requirements of the ordinance.
- The applicant states that the location of the meters will be provided on the plan within the mechanical room on the first floor of the building. Further, a generator room has been added to the plans on the first floor.

Affordable Housing Requirements

- The applicant has indicated that they will comply with the affordable housing provisions within the Ordinance and required by the Settlement Agreement. Specifically, the applicant will provide 2 rental family affordable units on the site, with one of the affordable units being a 2-bedroom low-income unit, and the other unit being a 2-bedroom moderate-income unit. Further, the applicant has stated they will comply with a Payment in Lieu for the construction of a third unit in an amount no less than \$175,000.
- The applicant has also indicated that they will comply with the provision that states, “each affordable restricted unit shall remain restricted for a minimum of 30 years and that restriction may be unilaterally extended by the Borough at its sole discretion, thereafter.”

Planning Comments

Site Plan

1. The applicant shall confirm that all calculations included in the bulk chart are calculated in accordance with Borough definitions, including habitable floor area, building coverage, impervious coverage, and building height.
 - a. We are still unsure whether the building height is calculated correctly, as the applicant has not provided the individual elevations of the corners of the lot, nor have they provided the anticipated total elevation of the building to the highest point once constructed. The applicant shall submit details to the calculation of the building height to confirm compliance.
2. The applicant shall provide testimony, and if necessary, details such as a diagram, of the parking lot in the vicinity of the handicap space located closest to Cedar Avenue to confirm the parking lot setback complies with the required 4.9 feet setback from the proposed Cedar Avenue right-of-way.

3. The applicant shall provide testimony and revise the plans accordingly to provide electric vehicle charging parking spaces and make-ready parking spaces in accordance with P.L. 2021, c. 171, which was signed into law on July 9, 2021, and the DCA Model Electric Vehicle Ordinance, released on September 8, 2021.

Pursuant to the law and the model ordinance, the applicant is required to provide a minimum of 7 electric vehicle/make-ready charging stations (at least 15% of the required off-street parking spaces). One of the EV stations shall be accessible for people with disabilities (at least 5%).

The applicant shall also provide testimony indicating whether or not the installation of EV/make-ready charging spaces will be phased as permitted by the law.

4. The applicant is proposing to use a galvanized chain link gate with PVC slats for the gates of the trash enclosure. We recommend the applicant use a more decorative gate for the trash enclosure that doesn't utilize chain link.
5. The applicant shall provide the specifications pertaining to the gooseneck light fixtures shown on the architectural plans, which shall include the make/model and lumens.
6. The applicant shall provide testimony with respect to whether or not the free-standing sign will be externally illuminated. If the sign is proposed to be externally illuminated, details shall be provided.
7. The applicant shall provide testimony confirming compliance with Borough's window sign ordinance in accordance with Section 30-7.24 of the Borough's code.
8. The applicant shall provide testimony to address the lighting standards pursuant to §30-5.5.i.5.
9. The applicant shall provide testimony pertaining to potential future interconnections to adjacent sites.
10. The applicant shall provide testimony pertaining to how snow removal will be handled.
11. We defer to the Board Engineer regarding stormwater management, utilities, and satisfaction with the requirements of Borough's Active Transportation Plan.

Architectural

12. The applicant shall provide testimony confirming the materials and provide testimony clarifying the colors proposed for the structure. Is it anticipated that the colors and materials will match the colorized renderings of the structure?

13. It is unclear where the Cedar Avenue front façade meets the glazing provisions required by the ordinance. 60% of the ground floor of this façade is required to be glazed, and 20% of the upper-story front façade is required to be glazed. The applicant shall submit these calculations to determine whether or not waiver relief is required.
14. The applicant is proposing a window on the Cedar Avenue first floor façade that is approximately 2.5 feet above grade. The applicant shall provide testimony and details to confirm whether or not this window complies with §30-5.5.i.1.(h), which states, “the maximum sill height above sidewalk grade shall be 30 inches.”
15. The applicant shall provide testimony pertaining to whether or not the Cedar Avenue façade is designed as a front façade.
 - a. We note the applicant added a horizontal feature between the first floor and the upper floors of the façade facing Cedar Avenue. The applicant shall provide testimony specifying the material and color of this feature and shall add a note to the architectural plans indicating same.
 - b. Has the applicant considered adding additional architectural features to this façade, similar to what appears on the River Road façade?
 - c. We note that a portion of this façade, in the vicinity of the elevator shaft and stairwell, do not incorporate windows or architectural elements. Has the applicant considered incorporating windows, or other architectural features?
 - d. We recommend the applicant revise the roofline along Cedar Avenue. The roofline as proposed appears mismatched and includes a portion of the hardy broad cornice, which wraps around from River Road, no enhancement along the roofline where the elevator/stairwell is located, and hardy board trim which wraps around to the rear elevation.
16. The applicant shall provide testimony pertaining to §30-5.5.i.2 Balconies and §30-5.5.i.3 Utilities, to confirm compliance.
 - a. We recommend the applicant submit a roof plan, showing the location of the mechanical equipment if the equipment is proposed to be located on the roof. Further, the applicant shall also provide a testimony, and if necessary, a plan showing the location of any rooftop amenities.

17. The architectural renderings indicate that three (3) storefronts are proposed on the ground floor of the building, where the floorplans do not show walls separating the uses. The applicant shall provide testimony pertaining to this condition and shall specify the number of storefronts proposed within this space.
18. The architectural renderings show signs indicating a farm to table restaurant, coffee shop, and another business.
 - a. Does the applicant have tenants for each of the proposed storefronts? If so, the applicant shall provide testimony addressing the number of employees, hours of operation, trash/recycling pick up, number of deliveries per week and the time-of-day deliveries are proposed to occur, etc.
 - b. The applicant shall also provide testimony pertaining to whether there will be employees/managers on site for the residential units, and shall provide testimony pertaining to the hours of operation, number of employees, etc.