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**Memo To:** Ms. Cheryl Chrusz, Planning Board Secretary  
Montgomery Township Planning Board  
100 Community Drive  
Skillman, NJ 08558

**Date:** March 7, 2024, *revised March 8, 2024*  
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**From:** Rakesh R. Darji, PE, PP, CME  
Environmental Resolutions, Inc.  
Planning Board Engineer

**RE:** RPM Development, LLC  
**Amended Preliminary and Final Site Plan**  
**Application #PB-02-23**  
Block 20001, Lot 10.05  
Orchard Road and Community Drive  
Township of Montgomery, Somerset County

Our office has reviewed the documents submitted by the Applicant for Amended Preliminary and Final Site Plan. The submitted documents have been reviewed for conformance to the Resolution for the Final Major Subdivision and Site Plan approval. The Applicant appeared before the Montgomery Township Planning Board on April 10, 2023 where testimony was presented and the project received Final Major Subdivision and Site Plan with waivers approval for Application #PB-02-23. The Resolution of Approval was memorialized on July 10, 2023. Preliminary approval had been granted by the Resolution for Application #PB-01-21.

The Applicant is now seeking Amended Site Plan Approval. Changes to the approved plans include maintaining the existing basin to (servicing the subject property and surrounding parcels) in its current (as designed) condition rather than providing a bio-retention basin as proposed in the approved plan. Other changes are summaries below.

The subject tract consists of Block 20001, Lot 10.05, comprising approximately 45.06 acres. The Applicant, RPM Development, LLC, proposes to construct an affordable, age-restricted housing development on a portion of the referenced Block and Lot number. The property is located within the Municipal Complex Redevelopment Zone (MCRZ).

The parcel is owned by the Somerset County Improvement Authority (SCIA). The Township currently leases the property with an option to purchase the parcel. The parcel was once occupied by 2 office buildings which were demolished in 2018. The remaining improvements include a parking lot, curbing, associated direction signs, misc. site amenities (basketball hoops) along with stormwater improvements, including a drainage basin. Much of the existing stormwater facilities are inaccessible due to silt or damage to the structure.

Pursuant to a redevelopment agreement between the Township and the Applicant, the Township will purchase the property from the Improvement Authority. The Applicant proposes to subdivide the property into two new parcels. Should this subdivision be approved, the newly created lot (proposed to be Lot 10.07) will contain 4.21 acres and be conveyed to the Applicant upon which the proposed age-restricted housing development will be constructed. The

remainder (which is proposed as Lot 10.06) will contain 40.85 acres. The new Municipal Complex is currently under construction on this parcel.

The project consists of the construction of one, three-story building containing approximately 78,848 SF. This building will contain 71 residential units. Other proposed improvements include common amenity space, surface parking lots, stormwater management, utilities, landscaping, lighting, sidewalks, and other related site improvements. The units are proposed to be one-bedroom. One, two-bedroom unit is proposed for the site superintendent. The units are proposed to be set aside for very low-, low- and moderate-income households.

Access to the site is proposed from Community Drive. Two signs will identify the project, one located along Orchard Road and one at the entrance from Community Drive.

The parcel is encumbered by a Montgomery Township Stream Corridor buffer along with various areas of steep slope according to the Montgomery Critical Areas maps. It appears that both critical areas are located on the lot proposed for the affordable housing units.

The following information, submitted by the Applicant in support of Resolution Compliance, has been reviewed by our office:

1. Land Development Application, dated February 21, 2024.
2. Resolution, for application #PB-02-23, Montgomery Township Planning Board, April 10, 2023.
3. *Response Letter, prepared by Shore Point Engineering, dated February 21, 2024.*
4. Preliminary Major Site Plan, prepared by Shore Point Engineering, dated February 21, 2023, *revised to February 13, 2024*, consisting of the following:
  - a. Title Sheet, sheet 1 of 16.
  - b. Existing Conditions Plan, sheet 2 of 16.
  - c. Demolition Plan, sheet 3 of 16.
  - d. Major Subdivision Plan, sheet 4 of 16.
  - e. Layout Plan, sheet 5 of 16.
  - f. Grading Plan, sheet 6 of 16.
  - g. Utility Plans, sheet 7 of 16.
  - h. Profiles, sheet 8 of 16.
  - i. Landscape Plan, sheet 9 of 16.
  - j. Lighting Plan, sheet 10 of 16.
  - k. Landscape and Lighting Details, sheet 11 of 16.
  - l. Basin Planting Details, sheet 11A of 16.
  - m. Soil Erosion and Sediment Control Plan, sheet 12 of 16.
  - n. Soil Erosion and Sediment Control Details, sheet 13 of 16, no sheet revision.
  - o. Construction Details, sheet 14 of 16.
  - p. Construction Details, sheet 15 of 16.
  - q. Basin Cross-Section, sheet 16 of 16.
5. Stormwater Management Report, prepared by Shore Point Engineering, dated May 31, 2021, last revised to November 13, 2023.
6. *Stormwater Management Addendum, Existing Detention Basin, dated February 13, 2024.*
7. Stormwater Management Operations and Maintenance Manual, prepared by Shore Point Engineering, dated December 23, 2022, *last revised to February 13, 2024.*
8. Truck Turning Plan, prepared by Shore Point Engineering, dated August 25, 2023, revised to December 21, 2023, consisting of the following:
  - a. Fire Truck Turning Plan, sheet 1 of 4.
  - b. Fire Truck Turning Plan, sheet 2 of 4.
  - c. Garbage Truck Turning Plan, sheet 3 of 4.
  - d. SU-30 (Box) Truck Turning Plan, sheet 4 of 4.
9. Tier B MS4 NJPDES Attachment D – Major Development Stormwater Summary, dated December 21, 2023.
10. NJDEP Temporary Authorization to Discharge, dated December 21, 2023.

11. Architectural Building Plans, prepared by Inglese Architecture & Engineering, dated May 31, 2021, last revised December 1, 2022.

### **General Information**

**Applicant:** RPM Development LLC  
77 Park Street  
Montclair, NJ 07042

**Owner:** Somerset County Improvement Authority  
20 Grove Street  
Somerville, NJ 08876

**Engineer:** Kevin E. Shelly, PE  
Shore Point Engineering  
PO Box 257  
Manasquan, NJ 08736

**Architect:** Inglese Architecture  
632 Pompton Avenue  
Cedar Grove, NJ 07009

**Attorney:** Craig M. Gianetti, Esq.  
Day Pitney LLP  
1 Jefferson Road  
Parsippany, NJ 07054

### **Zoning**

1. The zoning district of this parcel is the Municipal Center Redevelopment Zone (MCRZ). The underlying district is REO-1. One goal of this redevelopment plan is to provide for affordable housing to meet the needs of eligible families through the implementation of the Township's affordable housing policies, plans, and goals. This project meets this objective with the proposed construction of the senior affordable housing apartment building. Phase I of the project is a 70-unit, municipally sponsored, 100% affordable, age-restricted, rental development.
2. A multifamily apartment dwelling with one supervisor unit is a permitted principal use per §16-4.16.B.3. Permitted accessory uses in accordance with §16-4.16.C include off-street parking, lighting, signs, landscaping, stormwater management, among others provided in the Redevelopment Plan.
3. Area, yard, and coverage requirements shall be substantially consistent with a conceptual plan developed in accordance with an affordable housing agreement with the township in terms of location, arrangement, area, setbacks, and coverages (§16-4.16.F). The dimensions provided below are scaled to the proposed subdivision lot lines.

	<b>Proposed</b>
Lot Area	4.21 Acres
Front Yard	~132 FT
Rear Yard	~ 52 FT
Side Yard	26 FT
Side Yard, both	66 FT
Building Height (§16-4.16.E.1)	50 FT, 3 stories

4. The off-street parking requirements shall be provided pursuant to NJ RSIS. For a 1-bedroom apartment, RSIS requires 1.8 spaces per unit. A 2-bedroom apartment will require 2 spaces per unit.  
70 1-bedroom units proposed at 1.8 spaces per unit = 126 spaces  
1, 2-bedroom unit proposed at 2 spaces per unit = 2 spaces

Total spaces required per RSIS = 128; total spaces proposed 129 spaces.

Amended Site Plan Review

*Our office has reviewed the recently submitted amended site plan. In addition to the comments listed below, the Applicant should address any outstanding and partially satisfied comments from the Final Major Site Plan and Subdivision review as well as the conditions of Resolution Compliance.*

**(NEW) Relief Requested from Resolution of Approval for Application #PB-01-21 (7/19/2021) and #PB-02-23 (4/10/2023)**

*The applicant is seeking the following relief from the Resolution of Approval for the Preliminary Major Site Plan and Amended Preliminary and Final Major Site Plan:*

1. *From Condition of Resolution (9) from the preliminary approval and (7) from the amended preliminary and final major site plan, which states the following:*
  - a. *The development of the property shall be implemented with the approved plans and the revisions described herein. In the event that the applicant shall make or proposed any changes to the project and structures on the property from those shown on the approved plans and exhibits approved for this application, as well as the required revisions described in this Resolution, whether such changes are voluntarily undertaken or required by any regulatory agency, the applicant shall remit such changes to the Township Planning Department, for review and determination as to whether the extent of such changes will require formal review and approval by the Board.*
    - i. *The applicant is seeking relief from the approved plans where it was agreed that the existing on-site basin would be retrofitted to a Bioretention basin. The applicant no longer proposes to retrofit this basin.*
    - ii. *The applicant is seeking relief from the responsibility of the operation and maintenance of the existing basin.*
    - iii. *Per the testimony of the Applicant's Engineer at the July 19, 2021 hearing, RPM will be responsible for the construction and maintenance of all basins. Testimony at both hearings indicated that the existing basin was to be retrofitted as a bioretention basin.*
2. *From Condition of Resolution (13) from the preliminary approval and (17) of the amended preliminary and final major site plan, which states the following:*
  - a. *....Applicant shall be responsible for stormwater facility maintenance.*
    - i. *The applicant is seeking relief from the responsibility of the operation and maintenance of the existing basin.*

**General Comments**

1. *It is recommended that any additional information/changes the approved site plan be clearly identified on the amended site plan with notations and revision bubbles.*
2. *It is recommended that any variances or waivers previously granted be listed on the cover sheet.*
3. *The hotbox should be dimensioned to the property line and curb.*
4. *The secondary residential sign should be dimensioned to the property line.*
5. *An easement should be provided for access to the existing basin.*
6. *The drinking water fountain is identified along the walking patch. The other proposed improvement along the walking path (square) should be identified.*
7. *The note identifying the "Municipal Complex under construction" should be removed.*

8. *In addition to Note #13 on sheet 6 of 16, a note should be provided stating that any damage to Community Drive as a result of construction activities shall be repaired and/or replaced at the direction of the Township Engineer. Any pavement repairs to Community Drive should provide DGA subgrade for full excavation depth below the base course. Ensure the detail provides the proper depth of DGA.*
9. *The proposed striping should be labeled on the site plan. Include width of stripe and color.*
10. *Parking space size should be consistent. This includes areas in the parking lot where restriping is to occur. Provide a dimension for any spaces not proposed to be 9 FT in width or 20 FT in length.*
  - a. *The northwest corner space should have an additional line to identify the width of the space.*
11. *Our office defers to the Fire Marshal for further comment regarding site safety and fire vehicle circulation. The Fire Marshal should also provide input regarding the suitability of the proposed emergency access road grass paver.*
12. *Title 39 enforcement request should be made to the Township Committee. The Applicant shall as a minimum shall provide information for the review and approval by the Township Committee:*
  - a. *The mid-block crosswalk must be established by Ordinance.*
  - b. *The limits of Community Drive should be depicted.*
  - c. *The design engineer must establish and justify a proposed speed limit.*
13. *The location of the Electric Vehicle Charging station is depicted, along with a detail for the proposed charging station. A detail for the striping should be provided. The Applicant should provide testimony regarding whether the proposed EV spaces are to be installed or if they will be make-ready.*
14. *Sight triangles should be provided on the site plan and landscaping plan to demonstrate that sight distance will be satisfactorily addressed.*
15. *No reference to Community Drive is depicted on the plans. As a minimum, Community Drive and its width should be provided.*
16. *The southernmost 5FTx5FT block on the asphalt path should be shifted so that it is entirely on the Applicant's property.*

#### **Minor Subdivision Plan**

1. *Numerous easements are depicted on the subdivision plans. Legal descriptions for all easements, temporary and permanent, should be provided to the Board Professionals for review.*
2. *The design of easements should be as uniform as possible in width and length of each. All easements should be depicted on the site plan. The temporary construction/grading easement should also be shown on the Soil Erosion and Sediment Control Plan. Further comment regarding grading activities may be provided once easements are depicted on the other plan sheets. The easements should provide enough clearance to perform the proposed grading and construction.*
  - a. *The temporary construction and grading easement should be expanded to include CB-2 and CB-3 inlets.*
3. *The subdivision plan shows an easement for the proposed monument sign on Orchard Road. The sign location is subject to review and approval by the Township Engineer, Zoning Officer and Township Attorney.*
4. *The proposed access easement for the benefit of the Township and County to access the parking area to the north is dependent upon the Applicant maintaining the parking area. For example, this location is not accessible should the Applicant fail to flow their parking area. Access easement language should be provided to address this type of issue.*



5. *Further information regarding the responsible party for maintenance of sanitary sewer should be provided. Language as to whether the developer is intending to perpetually maintain the sanitary sewer should be provided in the easement description and noted on the plan. There should not be any conflicts within the easement area with other on-site improvements such as lighting.*

### **Grading/Drainage**

1. *A cleanout should be provided at all changes of direction for the roof drains.*
2. *All utility crossings should be identified on the Utility plan. It is noted that the profile plan shows where encasement is required.*
3. *Inlet CB-13 is to be reset. There is an existing 18" RCP pipe entering from the north and a proposed 15" RCP also from the north. The Applicant should review the plans to determine if this configuration will allow both pipes to function as designed.*
4. *Doghouse MH#16 is proposed to connect to an existing 24" RCP in addition to the proposed 15" HDPE. The size of the MH should be provided. It does not appear that a standard 4 FT diameter manhole can function as designed, specifically with the angle 15" HDPE and 24" RCP form for entering the structure. The Applicant shall ensure that the proposed easement is of sufficient width to perform any future repairs that may be required.*
5. *A note should be added to the grading plan stating that connections to existing stormwater structures may require reconstruction and/or replacement rather than just non-shrink grout as is typically utilized with these types of construction.*
6. *The callout for the proposed fire hydrant is located over the information for the sanitary line (between MH1 and MH2). This should be moved for legibility.*
7. *Show the sanitary cleanout connection on the utility plan.*
8. *As-built plans should be provided at the conclusion of construction activities. This should be a condition of approval.*
9. *The profile for OS-9 to EX FES should be updated. The revised plans no longer show MH-10.*

### **Stormwater Management**

1. *The project proposes to disturb more than one half (1/2) acre of land, creates an additional 5,000 SF of regulated impervious surface, and creates an additional 5,000 SF of regulated motor vehicle surface and thus is classified as a "major development" for the purposes of stormwater management and must comply with the requirements of NJAC 7:8 and the Township of Montgomery Ordinance §16-5.2. The project must, therefore, meet the following requirements:*
  - a. *Address the rate and volume of runoff from the project site. This may be done in one of three ways as outlined in NJAC 7:8:*
    - i. *Reduce the peak rate of runoff from the project area by 50%, 25%, and 20% for the 2-year, 10-year, and 100-year storms, respectively; or*
    - ii. *Demonstrate that the rate of runoff for the project is not increased from the pre-developed condition at any point along the post-developed condition hydrograph; or*
    - iii. *Demonstrate that the peak rate of runoff is not increased and that the increase in volume and variation in timing will not have an adverse downstream impact.*

- ***The Applicant proposes to attenuate the majority of the runoff such that the peak rates of runoff from the area of disturbance are reduced in accordance with the first method outlined above by proposing one bioretention basin and one sub-surface infiltration basin.***
- b. *Reduce the Total Suspended Solids (TSS) loading in stormwater by 80% for new impervious.*
  - ***The proposed bioretention basin is designed to store and infiltrate the entire water quality storm, thus meeting the requirements of §16-6.5, Table 1, which state that the bioretention basins are approved as having an 80% total TSS removal rate.***
- c. *Demonstrate that the amount of groundwater recharge in the post-developed condition is equal to or greater than the pre-developed.*
  - ***The stormwater report contains the soils report which shows permeability rates less than 1" per hour, and in some cases, 0" per hour, thus recharge is not possible.***
- d. *Incorporate low impact development techniques to the maximum extent possible.*
  - ***The LID checklist has been provided and summarized in the Drainage Report.***
- e. *Green Infrastructure.*
  - ***The Applicant meets requirements for green infrastructure by proposing the bioretention basin.***
- 2. *The Operations and Maintenance manual states that the Township is responsible for the maintenance on the remaining portion of Lot 10.05 (owned by the Somerset County Improvement Authority). The existing basin on Lot 10.05 contains runoff from the parking lot repurposed for this project. The responsible party should be discussed. This is an existing basin and is currently maintained by an entity other than the Township.*
- 3. *The deed restriction is mentioned under I.C. of the O&M Manual. In addition, the deed language should be provided to the Board Professionals for review and approval.*
- 4. *For the Bio-Retention Basin, the proposed outlet control structure should be reviewed. What is depicted on the site plan and details and within the stormwater report are not consistent. Further information is required. All structures, including grates, orifices, weirs, outlet pipes, underdrains, etc. should be routed.*
  - a. *The label for the spillway should be more clearly defined. It is not clear from the label exactly where the spillway is located. The elevation provided does not "fit" in with the proposed elevations in that area.*
- 5. *OS-9:*
  - b. *The underdrain inverts should be provided.*
  - c. *The detail for the trash rack and the trash rack for OS-9 are not consistent. It is also noted that bar spacing for the trash racks is wide. Proposed trash racks should be provided in accordance with Township code and N.J.A.C. 7:8.*
  - d. *The plans show the underdrain and the outlet pipe at a 90° angle, where the details show these pipes are opposite each other.*
  - e. *There is a proposed 4" gate valve within the structure. A note should be provided to state if this is to remain open during normal operations.*
  - f. *Note that the trash racks should be hinged.*
- 6. *Underground detention basin:*
  - g. *The weir shown on the detail should be provided on the callout for OS-13.*
  - h. *The detail should not require the backfill to be designed by the Township Engineer. The note should be revised to indicate the design engineer should specify backfill requirements.*

- i. *Filter fabric callout should clearly define if the fabric is to be placed on sides only or on the bottom as well. The filter fabric material should be indicated.*
- j. *It is unclear why filter fabric is to be provided around the pipe as the pipe is not perforated.*

### **Landscaping/Lighting**

1. *The sanitary and sewer pipes should be shown on the landscaping plan to determine if the proposed piping will be impacted by the proposed landscaping.*
2. *The basin landscaping detail shows planting within the basin bottom; however, the landscaping plan indicates only a basin seed mix is intended in this area. Provide further clarification regarding the number and types of plantings proposed.*
3. *A note should be provided stating the all on-site lighting is the responsibility of the owner.*
4. *Testimony should be provided regarding lighting on the proposed asphalt path. It is recommended that low-level lighting be provided.*

### **Soil Conservation and Sediment Control**

1. *The construction entrance should be located on the Applicant's parcel. As it is depicted, a portion of the access is located on Township property.*

### **Details**

1. *A detail of the proposed 20 FT construction barriers should be provided. It is noted that these are intended to be permanent barrier until such a time the Applicant returns for with a future application.*
2. *A detail for how the grass paver access road and the asphalt walking path connect at the crossing should be provided.*
3. *A note on the sanitary and storm sewer cleanouts should be provided. The Township requires that sanitary cleanouts shall have round castings labeled "sewer" and that the stormsewer cleanouts are square castings.*
4. *A note to the manhole detail should be provided stating that stormwater manholes should be labeled "storm sewer" to differentiate from sanitary sewer manholes.*
5. *The "sewer" reference on the sanitary sewer details should be changed to "sanitary sewer" or "Montgomery Township Sanitary Sewer."*
6. *Ladder rungs should be depicted for the full depth of the structure.*
7. *Flared end sections shall have cut-off walls installed underneath the apron in accordance with Township Standard Details.*
8. *The design of the sanitary sewer cleanout does not permit flow testing from the cleanout cap. A T-wye fitting should be provided rather than bends.*
9. *The sanitary sewer detail provides minimum slope for 4" and 6" lateral connection, which differ from the minimum slope on the Utility plan.*

### **Outside Agency Approvals**

1. *The Applicant shall secure any, and all other approvals, licenses, and permits required by any other Board, agency, or entity having jurisdiction over the subject application or over the subject property, including but not limited to the following:*



- a. *Delaware and Raritan Canal Commission. Once County approval has been completed, the final certificate of approval will be provided.*
- b. *Somerset County Planning Board, pending.*
- c. *Somerset County Soil Conservation District, December 21, 2024.*
- d. *New Jersey Department of Environmental Protection BSDW, Not required.*
- e. *New Jersey Department of Environmental Protection TWA, Not required.*
- f. *Montgomery Township approvals are pending.*
- g. *Any and all others necessary*

#### **Administrative**

- *The Applicant shall pay all taxes, fees and required escrow deposit which may be due and owing.*
- *We reserve the opportunity to make further comments if additional information is presented.*
- *All future resubmissions of the plans shall clearly indicate a revision date and be accompanied by a point-by-point response letter to the comments of the Board's professional staff.*

*Should you or the Applicant have any questions, please do not hesitate to contact this office.*

RRD/mb

Cc: Craig M. Gianetti, Esq., Applicant's Attorney ([cgianetti@daypitney.com](mailto:cgianetti@daypitney.com))  
Kevin E. Shelly, PE, Applicant's Engineer ([kshelly@shorepointengineering.com](mailto:kshelly@shorepointengineering.com))  
Inglese Architecture, Applicant's Architect ([info@inglese-ae.com](mailto:info@inglese-ae.com))  
Karen L. Cacyi, Esq., Board Attorney ([kcacyi@cacyilaw.com](mailto:kcacyi@cacyilaw.com))  
Joseph Fishinger, PE, PP, PTOE, Board Traffic Engineer ([jfishinger@bvengr.com](mailto:jfishinger@bvengr.com))  
Richard Bartolone, LLA, Board Landscape Architect ([rbartolone@optonline.com](mailto:rbartolone@optonline.com))  
Michael Sullivan, PP, Board Planner ([msullivan@echnj.com](mailto:msullivan@echnj.com))