

Date of Filing \_\_\_\_\_

Escrow deposit: \_\_\_\_\_

(Do not write above this line.)

**APPLICATION FOR SITE PLAN APPROVAL**

To: The Township of Berkeley Heights Planning Board

Application is made for  X\*  (Preliminary)  and/or   X\*  (Final) approval of a SITE PLAN hereinafter more particularly described as follows: \*Amended

1. Applicant's Name:  Lone Pine Drive Urban Renewal, LLC

Address:  One Evertrust Plaza, Suite 804, Jersey City, NJ 07302

Phone: ( 908 )  234-1382  Email Address:  RMurphy@mcrtrust.com

Cell: ( ) \_\_\_\_\_

2. Name and address of present owner(s) -- if other than #1 above

Name:  See Attachment A

Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Email Address: \_\_\_\_\_

3. Location of Site:  Lone Pine Drive

<u> Block 703 </u>	<u> (Street Address) </u> <u> Lots 3, 4, and 8* </u>	<u> DH-24 Zone </u> <u> Redevelopment Area </u>
<u> (Tax Map Block No.) </u>	<u> (Lot Numbers) </u>	<u> (Zone) </u>

\*An emergency access lane is proposed on adjacent Block 703, Lot 6

4. Proposed Use of Site:  Multi-family residential apartment building with structured and and surface parking, and other related amenities and site improvements

5. List of maps and other documents accompanying application and number of each:

<u>Item</u>	<u>Number</u>
<u> See Application Transmittal Letter </u>	_____
_____	_____
_____	_____

6. List variances requested:  None

7. Name, address, and profession of person designing SITE PLAN:

Name:  Eric L. Keller, P.E. - Bowman Consulting  Profession:  Professional Engineer

Address:  54 Horsehill Road, Suite 100   
 Cedar Knolls, New Jersey 07297

Phone: ( 973 )  359-8400  Email Address:  ekeller@bowmanconsulting.com

SIGNATURE OF APPLICANT:

NAME (PRINTED):

Richard G. Murphy   
Richard G. Murphy

Name: Andy S. Norin, Esq. - Faegre Drinker Biddle & Reath LLP  
Address: 600 Campus Drive, Florham Park, New Jersey 07932  
Phone: ( 973 ) 549-7000 Email Address: andy.norin@faegredrinker.com

9. Applicant's Witnesses:

Name: Eric L. Keller, P.E. - Bowman Consulting Profession: Professional Engineer  
Address: 54 Horsehill Road, Suite 100  
Cedar Knolls, New Jersey 07927  
Phone: ( 973 ) 359-8400 Email Address: ekeller@bowmanconsulting.com

Name: Minno Wasko Architects and Planners Profession: Licensed Architect  
Address: 80 Lambert Lane, Suite 105  
Lambertville, New Jersey 08530  
Phone: ( 609 ) 397-9009 Email Address: \_\_\_\_\_

\*Applicant reserves the right to present

Name: additional witnesses at the hearing Profession: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Email Address: \_\_\_\_\_

Name: \_\_\_\_\_ Profession: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Email Address: \_\_\_\_\_

10. Owner's Letter of Consent:

Township of Berkeley Heights  
Planning Board  
29 Park Avenue  
Berkeley Heights, NJ 07922

RE: Application # \_\_\_\_\_  
Block 703 Lot 3,4 and 8  
Location: Lone Pine Drive, Berkeley Heights, New Jersey  
Applicant: Lone Pine Drive Urban Renewal, LLC

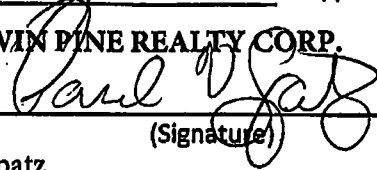
I certify that I am the Owner or duly authorized representative of the Owner of Record of the site described herein and that I concur with the application and plans presented to the Planning Board of the Township of Berkeley Heights.

Permission is hereby granted to proposed development.

Lone Pine Drive Urban Renewal, LLC as applicant for the

8/10/20  
(Date)

BY: TWIN PINE REALTY CORP.



(Signature)

Paul Spatz

(Printed Name)

President

(Title)

(If title is applicable, please indicate. If joint ownership, both owners must sign and give address and phone number.)

**ATTACHMENT A**

**2. Name and Address of Present Owners:**

**Block 703, Lots 3 and 4:**

Twin Pine Realty Corp.  
91 Lone Pine Drive  
Berkeley Heights, NJ 07922

**Block 703, Lot 8:**

Township of Berkeley Heights  
29 Park Avenue  
Berkeley Heights, NJ 07922

**OWNERSHIP DISCLOSURE STATEMENT**

**for**

**Lone Pine Drive Urban Renewal, LLC (“Applicant”)**

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning at least 10% of the stock in a corporate applicant or at least 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55D-48.2, that disclosure requirement applies to any corporation or partnership which owns a 10% or greater interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% or greater ownership criterion have been disclosed. The following entities own a 10% or greater interest in the Applicant:

<b>Name</b>	<b>Address</b>	<b>Interest</b>
MCRT Investments LLC	One Evertrust Plaza, Suite 804 Jersey City, NJ 07302	100% Interest in Applicant

\*No entity or individual has a 10% or greater interest in MCRT Investments LLC

# Bowman

August 10, 2020

Ms. Connie Valenti, Secretary  
Township of Berkeley Heights Planning Board  
Berkeley Heights Municipal Building  
29 Park Avenue  
Berkeley Heights, NJ 07922

**Re: RSIS *de minimus* exception  
Lone Pine Drive Urban Renewal LLC  
Amended Preliminary and Final Site Plan Application  
DH-24 Redevelopment Area  
Block 703, Lots 3, 4 and 8  
Township of Berkeley Heights  
Union County New Jersey  
BCG File No. 080955-C1-001**

Dear Ms. Valenti:

This letter is to supplement Amended Site Plan Application and reiterate the notification of de minimis exceptions to the Residential Site Improvement Standards (RSIS) that are being requested in this application. The specific exceptions relate to the proposed right-of way (ROW) width of the Lone Pine Drive extension and the installation of a sidewalk on only one side of Lone Pine Drive wherein a sidewalk is required for both sides per RSIS.

The extension of Lone Pine Drive into the Modera site is considered a Multi-Family Access cul-de-sac as it is defined in RSIS Table 4.2 – Residential Street Hierarchy Definitions as follows:

*"A street with a single means of ingress and egress, which serves multifamily development, that provides a means for vehicles to turn around. Average daily traffic maximum is 1,000 trips".*

The project is considered under the RSIS as a Mid-Rise apartment as it has more than 2 levels (floors) and less than 10 levels. The average daily traffic peak rate per RSIS Table 4.1 is 5.5 per unit for a Mid-Rise apartment building. The project is proposed at 173 units, which equates to 952 trips and which is less than the 1,000-trip maximum for this roadway classification.

The design considerations for the Multi-Access cul-de-sac are outlined in RSIS Table 4.3, Footnote m. Cartway widths shall conform to the residential access street type, which in this case is a residential access street - no parking - high intensity (> 8 units/acre) with a minimum cartway width requirement of 20 feet. The proposal is for a 24-foot-wide cartway, which exceeds the minimum.

With respect to the ROW and the exception request, the RSIS requirement is for a ROW 8 feet beyond the edge of the cartway. For the required 20-foot-wide road, this would result in a 36-foot-wide ROW requirement and for the proposed 24-foot-wide cartway, it would result in a 40 wide ROW requirement.

54 Horsehill Road, Suite 100, Cedar Knolls, NJ 07927  
P: 973.359.8400 | F: 973.359.8455  
**bowmanconsulting.com**

The proposal is for a 35-foot-wide ROW, which is only 1 foot less than the requirement if the narrower 20-foot cartway was proposed, and which we believe provides sufficient ingress and egress for this site. Thus, the unnecessary increase to the ROW width requirement over what would typically be required for a permitted 20 foot cartway is only due to the proposed cartway width of 24 feet, which exceeds the RSIS standard, but is desired to provide for safe traffic flow into and out of the site. Compliance with the ROW width standard is therefore achievable, but not desirable, as compliance would not provide optimal ingress and egress. We are therefore requesting a de minimis exception from the Planning Board for the ROW width with our Amended Site Plan application.

Strict compliance with the ROW width standard of 40 feet given the 24-foot cartway width would also result in practical difficulties because of the relative narrowness of the site depth in relation to the site width. Specifically, the unnecessary additional ROW width would encroach into the building footprint thus hindering the redevelopment of the site in accordance with the Redevelopment Plan and the Court approved affordable housing settlement agreement. In addition, a wider ROW would also cause practical difficulties, and is a poor planning alternative, because it would result in further encroachment into the freshwater wetlands transition area on the site.

We note that this exception was identified and was addressed in the Consistency Review as prepared by the Township Planner Keenan Hughes. He specifically noted the following in his April 29, 2019 (updated on May 14, 2019) Consistency Review report for the project. He stated:

*"RSIS requires an 8-foot-wide right-of-way line beyond the edge of both sides of the cartway. For the proposed 24-foot cartway, a right-of-way of 40 feet in width is required for the Lone Pine Drive extension. The total width of the proposed right-of-way is 35 feet. The applicant should provide testimony to address the de minimis exception required for the 35 feet right-of-way width. In reviewing the exception request, it should be noted that the proposed cartway exceeds the minimum required by 4 feet and that an adequate sidewalk is provided along one side of the extension."*

We have also indicated that we are requesting a de minimis exception from the requirement that sidewalks be provided on both sides of the roadway. The requirement is outlined in RSIS Table 4.3. Sidewalk is proposed only on the west side of Lone Pine Drive consistent with the previously approved plans to provide a pedestrian link from the project to the commercial center and for connection to the train station.

Strict compliance with the sidewalk standard would result in practical difficulties because of the existing site conditions and environmental constraints on the north side of the roadway. There is limited area available and the land slopes to a stream and wooded area. The construction of a sidewalk would serve no pedestrian circulation or safety purpose as the property to the north is fenced and would have no access to this sidewalk; additionally a sidewalk on this side of Lone Pine Drive would result in additional disturbance of the stream and associated vegetation, riparian zone and wetland areas. Also, the additional sidewalk would push the road to the south where it would encroach into the building footprint and environmentally constrained areas on the south side of the roadway, which would hinder the redevelopment of the site in accordance with the Redevelopment Plan and the Court-approved affordable housing settlement

Ms. Connie Valenti  
Block 703, Lots 3, 4, & 8  
August 10, 2020  
Page 2

agreement. Furthermore, there is no sidewalk on the northern side of the existing Lone Pine Drive, so a new sidewalk on the northern side would not lead anywhere that pedestrians could continue to walk. Therefore there is no justification for the second sidewalk and there will be no negative impact from not providing it.

We have provided testimony during the previous Site Plan Application regarding the *de minimus* exceptions for both of these design conditions and can provide additional testimony in further support of these at the Planning Board hearing for the amended application if necessary.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. Hamilton', with a long horizontal line extending to the right.

William H. Hamilton, PP, AICP, LLA, LEED AP

Principal

[whamilton@bowmanconsulting.com](mailto:whamilton@bowmanconsulting.com)

cc: Andy S. Norin, Esq.  
Lone Pine Drive Urban Renewal LLC

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY  
PLANNING BOARD  
CHECK LIST - SITE PLAN

Applicant's Name and Address LONE PINE DRIVE URBAN RENEWAL LLC  
ONE EVERTRUST PLAZA, SUITE 804, JERSEY CITY, NJ 07302

Phone: ( ) 908-234-1382 FAX: ( ) \_\_\_\_\_

Project: MODERA BERKELEY HEIGHTS Location: BLOCK 703, LOTS 3, 4, & 8

Date Received: \_\_\_\_\_ Engineer: BOWMAN CONSULTING GROUP, LTD.

At least sixteen (16) sets of sealed plans and copies of properly executed application forms shall be submitted at least twenty-eight (28) days prior to the Regular Planning Board Meeting for the purpose of review and discussion.

If the Applicant is a Corporation, representation by a New Jersey Attorney is required at the Public Hearing.

Unless the following items appear on the SITE PLAN, or if they fail to conform to the requirements herein listed, a Public Hearing will not be scheduled.

The Applicant's Engineer shall complete each item on the CHECK LIST as follows:  
 ( Y ) Yes, ( N ) No, or (N/A) Not Applicable

<u>Applicant</u>	<u>Township Official Verification</u>	<u>Item</u>
( Y )	( )	Calculation of Application Fee
( Y )	( )	Proper Scale (not less than 1" = 30')
( Y )	( )	Graphic Scale
( Y )	( )	Key Map (not less than 1" = 500')
( Y )	( )	Reference meridian
( Y )	( )	Date (on all documents and drawings)
( Y )	( )	Revision dates
( Y )	( )	Entire tract shown
( Y )	( )	List of all drawings and documents included in application
( Y )	( )	Name of development or project
( Y )	( )	Name and address of owner of record
( Y )	( )	Name and address of applicant
( Y )	( )	Name, address, signature and seal of Professional Engineer or Architect licensed in the State of New Jersey who prepared the plans
( Y )	( )	Survey of tract certified by licensed Land Surveyor
( Y )	( )	Names of adjoining owners and owners within 200' with block and lot numbers and tax sheet numbers
( Y )	( )	Space provided for endorsement of the Chairman, Secretary of the Planning Board and Township Engineer
( Y )	( )	Tax map identification (Sheet number, lot and block numbers) on plan
( Y )	( )	Tract boundaries and dimensions
( Y )	( )	Tract area (within .01 acres)
( Y )	( )	Zone boundaries and existing schools within 200'
( Y )	( )	Proposed Right of Ways
( Y )	( )	Proposed streets and street names
( Y )	( )	Proper size sheet
( Y )	( )	Areas dedicated to public use
( Y )	( )	All easements or deed restriction on or related to the tract



SITE PLAN - CHECK LIST

<u>Applicant</u>	<u>Township Official Verification</u>	<u>Item</u>
( N/A )	( )	Any adjacent lots in which applicant has a direct or indirect interest
( Y )	( )	Improvements to adjoining streets and roads
( Y )	( )	All distances to the nearest intersection with any public street (measured along sideline or centerline of adjacent street)
( Y )	( )	Streams, waterways and flood plains within 200' of tract
( Y )	( )	Setback lines; Provided and Required
( Y )	( )	Building height, size and location
( Y )	( )	Percent (%) of building coverage
( Y )	( )	Location and size of existing buildings and structures
( Y )	( )	Structures to be removed shall be indicated by dashed lines
( N/A )	( )	Existing structures on Historic Landmarks' Inventory maintained by Union County Planning Board
( W )	( )	Existing elevations and contours (2' contour internal and extended 50' beyond tract)
( W )	( )	Proposed elevations and contours (2' contour internal and extended 50' beyond tract)
( Y )	( )	Elevation drawings (front, back and side of proposed and existing buildings and signs) with dimensions
( Y )	( )	Floor plans with dimensions
( Y )	( )	Exterior wall material
( Y )	( )	Exterior architectural lighting and details
( Y )	( )	Access streets (Names, width, lanes)
( Y )	( )	Vehicular ingress and egress to and from site onto public streets
( Y )	( )	Directional traffic flow on site
( Y )	( )	Calculation of parking; Provided and Required
( Y )	( )	Location, scaled design of offstreet parking
( Y )	( )	Size and location of bays, aisles and planting areas
( Y )	( )	Offstreet parking areas, paved and curbed
( Y )	( )	Written Use Plan
( Y )	( )	Size and location of driveways and curbcuts
( Y )	( )	No driveway within five (5) feet of property line
( Y )	( )	Driveways conform to maximum and minimum dimensions required
( N/A )	( )	Sight easements shown on plan
( Y )	( )	Sidewalks, walkways and pedestrian lanes
( Y )	( )	Fire Lanes
( Y )	( )	Loading spaces or docks
( Y )	( )	Traffic Impact Analysis for sites generating more than 25 vehicles per hour
( Y )	( )	Existing storm sewer system
( Y )	( )	Proposed storm sewer system
( Y )	( )	Documentation showing that the rate-of-runoff after development will not exceed rate-of-runoff prior to development (drainage calculations)

**SITE PLAN - CHECK LIST**

<u>Applicant</u>	<u>Township Official Verification</u>	<u>Item</u>
( Y )	( )	Existing sanitary sewers
( Y )	( )	Proposed sanitary sewers
( Y )	( )	Existing and proposed water mains and hydrants
( Y )	( )	Existing and proposed gas lines
( Y )	( )	Existing and proposed electric lines
( Y )	( )	Existing and proposed telephone lines
( N/A )	( )	Existing and proposed common space
( N/A )	( )	Existing and proposed open space
( Y )	( )	Solid waste collection and disposal method
( Y )	( )	Buffer areas including height, width and type of buffer and its expected effectiveness in screening views, auto headlights and reducing noise
( Y )	( )	Seeded or sodded areas, groundcover, retaining walls, fencing, shrubbery, trees, including height and caliper
( Y )	( )	Location of single trees not in wooded areas with diameter of six (6) inches or more as measured three (3) feet above the base of the trunk
( Y )	( )	Conforms to Master Plan
( W )	( )	Environmental Impact Statement
( Y )	( )	Certification by Tax Collector that taxes are paid on property
( Y )	( )	Bonds, Cash Escrows and Inspection Fees posted for improvements
( Y )	( )	Map of properties within 200'
( Y )	( )	Proof of Service of notification of Public Hearing to all property owners within 200'
( Y )	( )	Soil Erosion and Sediment Control
( Y )	( )	Construction Details
( Y )	( )	Owner's Letter of Consent, if applicant is not the owner
( Y )	( )	Submission of plans to Union County Planning Board
( Y )	( )	Submission of plans to Somerset-Union Soil Conservation District
( W )	( )	Soil Movement Permit
( N/A )	( )	For sites containing hazardous materials under NJDEP jurisdiction: Documentation from NJDEP approving clean up plan per Ordinance #30-00
( N/A )	( )	For sites containing hazardous materials under USEPA jurisdiction: Documentation from USEPA approving clean up plan per Ordinance #30-00
( Y )	( )	Disclosure Statement of ten percent (10%) ownership interest of Corporation or Partnership (NJSA:40:55D-48.1 and 48.2)

- |     | <u>Name</u>   | <u>Address</u> |
|-----|---------------|----------------|
| 1.  | SEE ENCLOSURE |                |
| 2.  |               |                |
| 3.  |               |                |
| 4.  |               |                |
| 5.  |               |                |
| 6.  |               |                |
| 7.  |               |                |
| 8.  |               |                |
| 9.  |               |                |
| 10. |               |                |


SITE PLAN - CHECK LIST

MANAGING DIRECTOR  
 SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_  
 LONE PINE URBAN RENEWAL LLC  
 NAME OF CORPORATION OR PARTNERSHIP \_\_\_\_\_  
 ONE EVERTRUST PLAZA, SUITE 804, JERSEY CITY, NJ 07302  
 ADDRESS \_\_\_\_\_

NOTE: No Planning Board, Board of Adjustment or Municipal Governing Body shall approve the application of any Corporation or Partnership which does not comply with these Disclosure Acts as per New Jersey Statute 40:55D-48.3.

Such other information or data as may be required by the Planning Board in order to determine that the details on the Site Plan are in accordance with the standards of the Zoning Ordinances of the Township of Berkeley Heights.

( ) ( ) Completion of Check List

 ERIC D. KELLER, P.E.,  
 BOWMAN CONSULTING GROUP, LTD.  
 SIGNATURE OF ENGINEER PREPARING CHECK LIST \_\_\_\_\_ DATE 8/13/2020

\_\_\_\_\_  
 TOWNSHIP OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_

NOTE: For submission procedures and required information, see the Secretary of the Planning Board

FOR PLANNING BOARD USE ONLY - DO NOT WRITE BELOW THIS LINE

Reports from Department and/or Board or Agencies:

Routed To: \_\_\_\_\_ Received From: \_\_\_\_\_

- Township Engineer: \_\_\_\_\_
- Construction Official: \_\_\_\_\_
- Traffic Safety Officer: \_\_\_\_\_
- Environmental Commission: \_\_\_\_\_
- Fire Prevention Bureau: \_\_\_\_\_
- County Planning Board: \_\_\_\_\_
- Clerk of Adjoining Municipality: \_\_\_\_\_  
 (if within 200')

- ( ) ( ) Advertise Public Hearing ten (10) days in advance of meeting
- ( ) ( ) Letter of Planning Board Action to Applicant, date: \_\_\_\_\_
- ( ) ( ) Publication of Decision within ten (10) days, date: \_\_\_\_\_
- ( ) ( ) Verbatim Recording of Regular Meeting
- ( ) ( ) Performance Guarantee Posted
- ( ) ( ) Soil Erosion and Sediment Control Plan Approved

SITE PLAN - CHECK LIST

Richard M. [Signature] MANAGING DIRECTOR  
SIGNATURE TITLE

LONE PINE URBAN RENEWAL LLC  
NAME OF CORPORATION OR PARTNERSHIP  
ONE EVERTRUST PLAZA, SUITE 804, JERSEY CITY, NJ 07302  
ADDRESS

NOTE: No Planning Board, Board of Adjustment or Municipal Governing Body shall approve the application of any Corporation or Partnership which does not comply with these Disclosure Acts as per New Jersey Statute 40:55D-48.3.

Such other information or data as may be required by the Planning Board in order to determine that the details on the Site Plan are in accordance with the standards of the Zoning Ordinances of the Township of Berkeley Heights.

( ) ( ) Completion of Check List

ERIC L. KELLER, P.E.,  
BOWMAN CONSULTING GROUP, LTD.  
SIGNATURE OF ENGINEER PREPARING CHECK LIST DATE

TOWNSHIP OFFICIAL DATE

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- Environmental Commission: \_\_\_\_\_
- Fire Prevention Bureau: \_\_\_\_\_
- County Planning Board: \_\_\_\_\_
- Clerk of Adjoining Municipality: \_\_\_\_\_  
(if within 200')

- ( ) ( ) Advertise Public Hearing ten (10) days in advance of meeting
- ( ) ( ) Letter of Planning Board Action to Applicant, date: \_\_\_\_\_
- ( ) ( ) Publication of Decision within ten (10) days, date: \_\_\_\_\_
- ( ) ( ) Verbatim Recording of Regular Meeting
- ( ) ( ) Performance Guarantee Posted
- ( ) ( ) Soil Erosion and Sediment Control Plan Approved

TOWNSHIP OF BERKELEY HEIGHTS, UNION COUNTY

ORDINANCE No. 16-2010

An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending, Revising and Supplementing the Zoning Ordinances to Adopt the Official Design Standards Checklist for Land Use Applications Before the Township Planning Board and Zoning Board of Adjustment.

BE IT ORDAINED by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, as follows:

Section 1. A Check List for Design Standards is hereby adopted for all land use applications filed with the Township Planning Board or Zoning Board of Adjustment to read as follows:

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY  
PLANNING BOARD / ZONING BOARD OF ADJUSTMENT

CHECK LIST – DESIGN STANDARDS

Applicant's Name and Address LONE PINE URBAN RENEWAL, LLC  
ONE EVERTRUST PLAZA, SUITE 804, JERSEY CITY, NJ 07302

Phone: ( ) 908-234-1382 Fax: ( ) \_\_\_\_\_

Project: MODERA BERKELEY HEIGHTS Location: BLOCK 703, LOTS 3, 4 & 8

Date Received: \_\_\_\_\_ Engineer: BOWMAN CONSULTING GROUP LTD

The Standards and Guidelines set forth in Part 19 – Design Standards shall apply to all districts throughout Berkeley Heights except that they shall not apply to those AH and OR-A Zone Districts in which the development is conducted in substantial conformity with any conceptual site plan and elevations specifically referenced in the applicable Developer's Agreement for such zone or which received preliminary site plan approval from the Planning Board or Board of Adjustment prior to January 1, 1994 (Section 19.4.1). However, the standards and guidelines set forth specifically for the Downtown (Article 19.5) shall override the general standards and guidelines, for applications within the Downtown, namely to the DD, HB-2, HB-3, DH-12, DH-18 and DH-24 Districts.

The Applicant's Engineer / Architect shall complete each item on the Check List as follows: ( ) Yes,  
 ( ) No, or (N/A) Not Applicable.

CHECK LIST – TOWNSHIP DESIGN STANDARDS

<u>Applicant</u>	<u>Township Official Verification</u>	<u>Item</u>
( Y )	( )	A report shall be submitted by the Applicant that demonstrates Compliance with all applicable design standards and guidelines Contained within Part 19 – Design Standards of the Municipal Land Use Procedures Ordinance in accordance with Section 19.3.1 and:
( Y )	( )	Site Plans per Section 19.4.2
( Y )	( )	Urban Design Plan per Section 19.4.3
( Y )	( )	Architectural Design per Section 19.4.4
( N/A )	( )	Multi-Use Buildings per Section 19.4.5
( Y )	( )	Multi-Family Buildings per Section 19.4.6
		<u>Standards and Guidelines for the Downtown</u>
( Y )	( )	Urban Design per Section 19.5.3
( Y )	( )	Streetscape per Section 19.5.4
( Y )	( )	Material and Color Standards and Guidelines per Section 19.5.5
( Y )	( )	Consistent with the Visual Preference Survey Guidelines
( Y )	( )	Consistent with the Illustrated Streetscape Sketches
( Y )	( )	Are any modifications or waivers being requested from Part 19 – Design Standards?

**Fee and Escrow Calculation Sheet**

**Fee:**

Amended Preliminary Site Plan:	\$750 (building exceeding 10,000 SF)
Amended Final Site Plan:	\$600 (\$50 plus \$550 for buildings exceeding 50,000 SF)
<b>Total:</b>	<b>\$1,350</b>

**Escrow:**

Amended Preliminary Site Plan:	\$7,500 (over 100 units)
Amended Final Site Plan:	\$3,250
<b>Total:</b>	<b>\$10,750</b>

# Bowman

February 19, 2019  
Updated August 10, 2020

## Design Standards Compliance Report

Amended Preliminary and Final Site Plan  
Modera Berkeley Heights  
Block 703, Lot 3, 4, & 8.  
Township of Berkeley Heights, Union County, New Jersey  
BCG # 080955-C1-001

The following report addresses the Part 19-Design Standards requirements pursuant to the Berkeley Heights Township Code:

### 19.1 – PURPOSES

This project is consistent with the Design Standards purpose by the development of a plan that gives due consideration to the physical, visual, and special character and scale of the existing streetscape, neighborhood and the township at large. The plan is consistent with the amended DH-24 Redevelopment Plan. In addition, the front, side and rear of the building is designed in an efficient and aesthetically pleasing manner that is consistent with the Amended Redevelopment Plan.

### 19.2 – MODIFICATIONS AND WAIVERS

The Site Plans and supporting documents are consistent with the Amended Redevelopment Plan. The only request relief from the standards are for minor deviations with respect to the RSIS and regarding parking in the front yard as noted on the Site Plans for the project. The applicant has provided and will provide further testimony as required to the Board on compliance with the criteria for exceptions pursuant to N.J.S.A. 40:55D-51 and the specific requirements of Section 19.2.

A list of proposed waivers for the project is as follows:

- RSIS *de minimus* waiver for a 35' right-of-way
- RSIS *de minimus* waiver for a sidewalk on only one side of the roadway
- Waiver from §11.1.1.I to permit (banked) parking within the front yard.



## 19.4 – GENERAL STANDARDS AND GUIDELINES

### 19.4.2 – Site Plans

#### 19.4.2.B.1

The building is located to front on the proposed extension of Lone Pine Drive, consistent with the Amended Redevelopment Plan.

#### 19.4.2B.2

The proposed parking areas are largely consistent with the redevelopment plan in that the majority of the parking is located in the rear of the property in a parking structure. There are several surface parking spaces proposed near the entrance of the building. The parking areas are screened from the right-of-way and adjacent properties. Banked parking spaces are proposed; a portion of the banked spaces are located in the front yard. A waiver is requested for this banked parking area at the location of the fire lane, as front yard here is measured from Lot 6.

#### 19.4.2B.3, 4, & 5

A barrier free pedestrian circulation route is proposed among the parking areas, the building, and the public street. Streetscape lighting improvements are consistent with the Township design standards and the redevelopment plan. The proposed street fixtures are consistent with streetscape design in the area.

#### 19.4.2.B.6

This section is not applicable as there is only one proposed building for the project site. The proposed building elevations are consistent with the exhibits presented in the Amended Redevelopment Plan.

### 19.4.3 – Urban Design

The physical character and appearance of the proposed structure draws from the nearby buildings and streetscape, making sure that all elements of materials, proportion, scale, and consistency is followed as best as possible. The design is consistent with the Amended Redevelopment Plan.

### 19.4.4 – Architectural Design

The architectural design is consistent with this section design standards and the Amended Redevelopment Plan.

#### 19.4.6 – Multi-Family Buildings

The proposed project does not conform to the required building type mix for multi-family buildings. The regulations state that for developments of 50 units or more, 40% of the total number of units may not be in the same building. The proposed project has all of the units in one building.

The proposed project does not comply with these standards as they relate to individuality of dwelling units and buildings. These regulations are geared towards townhouse development, not multi-family apartment buildings.

The remaining requirements of 19.4.6 are consistent with the section and the Amended Redevelopment Plan.

#### 19.5.4 – Urban Design

The architectural design is consistent with the design standards and the Amended Redevelopment Plan.

#### 19.5.5 – Streetscape

Proposed streetscape improvements are consistent with the design standards and the Amended Redevelopment Plan.

#### 19.5.6 – Signage

The proposed signage improvements are consistent with the Amended Redevelopment Plan.

#### 19.5.7 – Materials and Color Standards and Guidelines

The proposed architectural and streetscape designs are consistent with the design standards and the Amended Redevelopment Plan.



TOWNSHIP OF BERKELEY HEIGHTS

29 PARK AVENUE

BERKELEY HEIGHTS, NEW JERSEY 07922



PHONE: (908) 464-2700 x 2146

FAX: (908) 286-2222

OFFICE OF THE  
TAX COLLECTOR

RACHELE SANFILIPPO  
RSANFILIPPO@BHTWP.COM

CERTIFICATION OF TAXES

June 10, 2020

Faegre Drinker Biddle & Reath LLP  
Attn: Erica Antonya Parlavecchio  
600 Campus Drive  
Florham Park, NJ 07932

Re: Block#703, Lot#s 3,4 and 8  
Lone Pine Drive and Erie Lack R R, Berkeley Heights, NJ

In response to your request, I am certifying that the property taxes for the above mentioned property was paid in full through to the second quarter 2020. The parcel block #703, Lot#8 is municipal property and is exempt from property taxes.

I have enclosed a copy of the tax balance inquiries.

If you have any further questions, please do not hesitate to contact our office.

Sincerely,

Rachele San Filippo  
Tax Collector

June 10, 2020  
09:56 AM

TOWNSHIP OF BERKELEY HEIGHTS  
Tax Account Detail Inquiry

BLQ: 703. 3. Tax Year: 2020 to 2020  
Owner Name: TWIN PINE REALTY CORP. Property Location: LONE PINE DR

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	6,077.54	6,077.53	0.00	0.00	12,155.07
Payments:	6,077.54	6,077.53	0.00	0.00	12,155.07
Balance:	0.00	0.00	0.00	0.00	0.00

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
								12,155.07		12,155.07
		Original Billed								
02/03/20	1	Payment	001	1734	CK	9105	45 5920	6,077.54	0.00	6,077.53
04/28/20	2	Payment	001	1942	CK	9319	2 5981	6,077.53	0.00	0.00

Total Principal Balance for Tax Years in Range: 0.00

June 10, 2020  
09:56 AM

TOWNSHIP OF BERKELEY HEIGHTS  
Tax Account Detail Inquiry

BLQ: 703. 4. Tax Year: 2020 to 2020  
Owner Name: TWIN PINE REALTY CORP. Property Location: LONE PINE DR

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	3,739.46	3,739.46	0.00	0.00	7,478.92
Payments:	3,739.46	3,739.46	0.00	0.00	7,478.92
Balance:	0.00	0.00	0.00	0.00	0.00

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
								7,478.92		7,478.92
		Original Billed								
02/03/20	1	Payment	001	1734	CK	9105	46 5920	3,739.46	0.00	3,739.46
04/28/20	2	Payment	001	1942	CK	9319	3 5981	3,739.46	0.00	0.00

Total Principal Balance for Tax Years in Range: 0.00

BLQ: 703. 8. Tax Year: 2020 to 2020  
Owner Name: TOWNSHIP OF BERKELEY HEIGHTS Property Location: ERIE LACK R R

Tax Year: 2020	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Payments:	0.00	0.00	0.00	0.00	0.00
Balance:	0.00	0.00	0.00	0.00	0.00

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2020 Prin Balance
		Description								
		Original Billed						0.00		0.00

Total Principal Balance for Tax Years in Range: 0.00