



TFPB-R3051

June 1, 2020
Via Email

Frank Lodato, Chairman
c/o Ms. Trish Sena, Secretary
Borough of Tinton Falls Planning Board
556 Tinton Avenue
Tinton Falls, NJ 07724

**Re: Senior Housing Development, LLC
1530 West Park Avenue
Block 124.63, Lot 30.01
Preliminary & Final Major Site Plan
Completeness & First Engineering Review
PB #2020-09**

Dear Chairman Lodato and Board Members:

As requested, our office has reviewed the following submittals for the above referenced property:

- Survey prepared by Eric V. Wilde, P.L.S., of Maser Consulting, dated January 31, 2020, last revised March 30, 2020, consisting of two (2) sheets.
- Preliminary & Final Major Site Plan prepared by Mark Lescavage, P.E., of Maser Consulting, dated March 27, 2020, consisting of fifteen (15) sheets.
- Stormwater Management Report, prepared by Mark Lescavage, P.E., of Maser Consulting, dated April 2020.
- Stormwater Operations and Maintenance Manual, prepared by Mark Lescavage, P.E., of Maser Consulting, dated April 2020.
- Subsurface Exploration Report, prepared by Michael Carnivale, III, P.E. of Maser Consulting, dated November 30, 2018.
- Infiltration Evaluation Report prepared by Michael Carnivale, III, P.E. of Maser Consulting, dated February 19, 2020.
- Environmental Impact Report prepared by Maser Consulting, dated March 2020.
- Traffic Assessment Report prepared by Michelle R. Briehof, P.E., of Maser Consulting, dated April 2, 2020.
- Architectural Plans, prepared by Gerald B. Menke, AIA, of EGA Architects, dated March 30, 2020, consisting of five (5) sheets.
- Recorded Easement agreement for Common Driveway Easement.
- Tinton Falls Planning Board Development Application.

Based on our review of the submitted documents, we offer the following comments for the Board's consideration:

A. Project Description

The 12.39 acre property is currently vacant and heavily wooded with wetlands areas throughout the site. The site is located in the Industrial Office Park (IOP) Zone of the Borough with frontage along West Park Avenue. With this application, the applicant is proposing to clear a portion of the



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site and construct a two-story approximately 58,000 sq. feet (29,000 sq. feet footprint) assisted living facility with 58 units (112 total beds) and all other appurtenant improvements including but not limited to; parking areas, utilities, drainage, lighting and landscaping. The proposed assisted living facility use is a permitted use in the IOP Zone.

B. Fees

The fees established through the Borough Development Application Fee Schedule as related to the subject application are as follows:

	<u>Administrative Fee</u>	<u>Escrow/Professional Fee</u>
Site Plan		
Nonresidential		
Preliminary	\$4,034.55	\$11,722.80
Final	\$2,017.50	\$0 (No Fee)
Waiver	\$0 (No Fee)	\$500.00
Bulk Variance	\$450.00	\$1000.00
G.I.S. Fee	\$108 (\$56 per Development Application + \$13 per Variance requested)	\$0 (No Fee)
Publication Fee	\$30.00	\$0 (No Fee)
Fire Prevention	\$100.00	\$0 (No Fee)
Total Fees	\$6,740.05	\$13,222.80

The applicant has posted \$6,780.00 in administrative fees and \$10,000.00 in escrow fees. The applicant shall post the remaining \$3,222.80 in escrow fees prior to any Board meetings.

C. Technical Completeness Review

1. The applicant has requested various submission waivers. Based on our review of the submitted materials, we have no objection to these waivers. I therefore recommend the application be



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considered **complete** from an engineering standpoint and scheduled for the next available Planning Board meeting.

D. Required Variances & Design Waivers

1. The following bulk “c” variances are required:

- a. Section 40-33.D.5.m. of the Ordinance states that fences and walls in side and rear yards shall not exceed six (6) feet in height, whereas the proposed retaining wall has a maximum height of 10.5 feet. A variance is therefore required. The applicant’s engineer shall provide testimony on why the height cannot be lowered to conform to the 6 foot requirement.
- b. Section 40-34.M.3.c(4) states that ground signs shall be a minimum of 20 feet from all property lines, whereas, the applicant is proposing a ground sign 10 feet from the front property line. A variance is therefore required. The Zoning Schedule shall also be revised to indicate the correct setback requirement of 20 feet.
- c. It appears that the applicant is proposing a 4’ x 8’ “Coming Soon” advertising sign to be installed while the site is under construction. Such a sign is not permitted under Section 40-34.O for Temporary Signs. A variance is therefore required. The location of the proposed sign shall be indicated on the plans. Should the Board grant a variance for this sign, I recommend that the sign be required to be removed once the building construction is completed and the permanent ground sign installed.
- d. Section 40-39.A.4 of the Ordinance requires a minimum 25 foot parking setback to lot lines and right-of way (R.O.W.) lines, whereas the applicant is proposing to construct drive aisles on adjacent Lot 30, approximately 20 feet beyond the side property line within an existing access easement. A turnaround area is also provided only 5 feet from the right-of-way line. A variance is therefore required.

2. The following design waivers are required:

- a. Section 40-26.G.6 of the Ordinance states that driveways shall have a minimum distance of 50 feet from intersecting streets, whereas, the applicant is proposing their driveway approximately 27 feet from the intersection of Wawa Way. The plans shall be revised, or a design waiver will be required.
- b. Section 40-26.G.8.c of the Ordinance states that driveways shall have a minimum distance of 20 feet from adjacent lot lines, whereas, the applicant is proposing their driveway approximately 20 feet beyond the side property line onto adjacent Lot 30. The plans shall be revised, or a design waiver will be required.



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- c. Section 40-26.M.2 of the Ordinance states that all deciduous trees in planting areas shall have a minimum caliper of 2.5 inches, whereas the plans indicate 1.5-inch caliper deciduous trees. The plans shall be revised to comply, or a design waiver will be required.
- d. Section 40-26.M.3 of the Ordinance states that all shade trees shall have a minimum diameter of 3 inches, whereas the plans indicate 2.5" caliper shade trees along West Park Avenue. The plans shall be revised, or a design waiver will be required.
- e. Section 40-26.M.5 of the Ordinance states that shade trees shall be planted approximately 40 feet apart and at a distance of 12.5 feet from the curblane. Although landscaping has been provided along the frontage, the plan does not meet this requirement. The plans shall be revised, or a design waiver will be required.
- f. Section 40-26.N.1.h of the Ordinance states that the maximum lighting level at property lines shall be 0.1 fc, whereas, the applicant exceeds that beyond the front and side property lines. A design waiver will be required.
- g. Section 40-26.N.1.j of the Ordinance states that the light intensity at ground level shall be as follows:
 - i. Minimum 0.5 footcandles
 - ii. Maximum 4.0 footcandles
 - iii. Maximum Average 2.0 footcandles
 - iv. Uniformity ratio (Not greater than) 4:1 footcandles

Based on the lighting plan, the applicant proposes a minimum lighting level of 0.2 FC and a maximum uniformity ratio of 19:1. Therefore, the plans shall be revised, or a design waiver will be required.

- h. Section 40-26.Q.p. of the Ordinance requires minimum parking setback of 10 feet from all property lines, whereas, the applicant is proposing approximately 5 feet to the side property line adjacent to Lot 30. The plans shall be revised, or a design waiver will be required.

The applicant shall provide testimony on the need for the above-referenced design waivers.

E. Traffic Impact & Site Requirements

- 1. For the proposed Assisted Living Facility, Parking Schedule 1 of Section 40-39 of the Ordinance requires 0.5 spaces per unit (bed). The following is a summary of the required parking spaces for the Assisted Living Facility:



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Assisted Living Facility: 0.5 Spaces Required Per Unit (Bed) x 112 Beds = **56 spaces**

A total of 56 parking spaces are required for the assisted living facility use, whereas 58 spaces are proposed. The applicant shall provide testimony on the anticipated parking demand and adequacy of the proposed number of parking spaces. In addition, the applicant shall revise the number of spaces provided in the Zoning Table on Sheet 1 to accurately reflect the parking provided.

2. Table 208.2 of the 2010 ADA standards indicates that 3 ADA accessible parking spaces are to be provided when there are between 51 and 75 parking spaces, whereas 4 ADA accessible parking spaces are proposed, therefore, the demand appears to be met. However, based on the proposed use, additional spaces may be warranted.
3. The applicant provided trip generation analysis based on the anticipated operations of the site. The report indicates the estimated number of peak hour trips based on the ITE Trip Generation rates for Assisted Living Facilities (Land Use Code 254). The applicant notes trips of 21 vehicles during the weekday AM peak hour and 37 trips during the weekday PM peak hour for the proposed site. The applicant states that since the project would generate less than 100 trips during the weekday morning and evening peak hours, it can be considered a de minimis increase in traffic on the adjacent roadway system. We have no objection to this assessment; however, the applicant shall document the weekend morning and evening peak hour traffic counts for reference.
4. The applicant is proposing a trash enclosure on the eastern side of the proposed building. Based on its location, refuse vehicles may have difficulties with ingress and egress from the trash enclosure. The applicant shall provide turning templates for refuse vehicles to confirm adequate access is provided.
5. The applicant shall confirm what types of delivery vehicles will be required to access the service driveway and provide turning templates for the largest anticipated vehicle requiring access. It appears that trucks will have to backup a significant distant and may have difficulty maneuvering.
6. The applicant shall confirm what types of vehicles will be utilizing the proposed drop off aisle at the front of the building, including but not limited to, passenger vehicles, ambulances, buses, etc. The applicant shall provide turning templates for the largest anticipated vehicle requiring access.
7. The applicant shall provide turning templates for emergency vehicles. We defer further review to the Fire Official.



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8. Section 40-26.T.1 of the Ordinance requires that outdoor mechanical equipment be placed in a location where it can be substantially screened from public view. The plans shall be revised to provide additional screening around the proposed generator, transformer, and hot box.
9. Section 40-33.D.5.x. of the Ordinance requires that signed and sealed structural plans, details and calculations prepared by a Professional Engineer shall be provided for all retaining walls three (3) feet in height or greater. The applicant shall provide this information for review by the Construction Official.
10. The applicant shall address the following regarding the proposed generator;
 - a. Section 40-33.D.15.h. of the Ordinance requires that generators be appropriately screened and buffered by evergreen plantings or a fence. The applicant shall provide additional screening to the proposed generator or a variance will be required.
 - b. The noise level of the proposed generator shall not exceed 70 decibels at any property line per Section 40-33.D.15.i. of the Ordinance. In addition, a weatherproof, sound attenuating enclosure is required per this section. Technical specifications for the generator shall be provided.
 - c. Routine testing and maintenance shall not occur more than once per week and shall not exceed 30 minutes. Testing is permitted Monday through Friday between the hours of 10:00 am and 5:00 pm. A note shall be added to the plans confirming same.
11. The applicant is proposing a guiderail and fence adjacent to the retaining wall in the southern parking area. The applicant shall address the following;
 - a. The guiderail does not extend beyond the final parking space on the eastern side of this lot. The plans shall be revised to provide guiderail in this location.
 - b. The applicant shall confirm that the proposed guiderail meets NJDOT or FHWA Standards.
 - c. The proposed fence appears to be provided as fall protection; however, the fence does not appear to extend the entire length of the retaining wall. We defer further review of this to the Building Department to confirm the current layout is adequate.
12. The applicant is proposing the main drive aisle within a 40 feet wide access easement which extends onto Lot 30. The applicant shall address the following;
 - a. The applicant shall confirm if the proposed improvements are permissible under the easement agreement.



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- b. The applicant is proposing construction of signage, retaining wall, fencing, curbing, drainage facilities and grading beyond the limits of the access easement on Lot 30, therefore, this work is not permitted unless additional easements from the adjacent property owner are obtained.
 - c. The applicant is proposing parking within the 20 feet section of the access easement which is on the applicant's property. The applicant shall confirm that this is permitted under the easement documents.
 - d. The applicant shall provide testimony regarding the intent of any future development on Lot 30 which would utilize the proposed access aisle.
13. Section 40-26.Q.2.k. of the Ordinance requires a minimum pavement thickness of 2" of surface course and 4" of base course, whereas the applicant proposes 1.5" and 3.0", respectively. The applicant shall revise the pavement detail to meet this requirement.
14. The applicant is proposing utility connections within West Park Avenue. The applicant shall show the limits of pavement, curb and sidewalk repairs associated with the proposed improvements. If possible, the connections shall be provided in one trench.
15. It appears that the applicant is proposing a 4 foot fence adjacent to the retaining wall. The fence shall be labelled on the plans and a construction detail provided.
16. A Stop Sign shall be provided at the main exit drive.

F. Grading, Drainage & Utilities

- 1. The proposed area of disturbance exceeds 1 acre (2.691 +/- ac) and the increase in impervious surface exceeds 0.25 acres, therefore, the project is considered a "major development" as defined by N.J.A.C. 7:8, and is subject to the NJDEP Stormwater Management standards.
- 2. The applicant indicates that the project meets the stormwater quantity requirements by reducing the post construction peak runoff rates for the 2, 10 and 100-year storm events to 50, 75, 80 percent, respectively, of the preconstruction peak runoff by using one (1) underground detention basin and one (1) underground infiltration basin.
- 3. This project increases the impervious surface area more than 0.25 acres; therefore, the water quality requirements are applicable per N.J.A.C. 7:8-5.5. The applicant indicates that the project meets the water quality requirements by using one (1) manufactured treatment device to reduce the post-construction load of total suspended solids (TSS) per N.J.A.C. 7:8-5.5.



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4. The applicant indicates that the project meets the groundwater recharge requirements to maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site, in accordance with N.J.A.C. 7:8-5.4(a)2i(1).
5. The applicant shall provide the existing contours to confirm the EO-2 Drainage Area and the TC path.
6. The applicant shall eliminate the proposed contour in the Existing Drainage Area Map.
7. The applicant shall confirm and revise the drainage area to match for existing conditions (13.52 ac) and proposed conditions (13.40 ac).
8. The applicant shall provide the new impervious area in the report.
9. The applicant shall confirm and revise the PD-2 Drainage Area (1.95 ac) on the Proposed Drainage Area Map to match the PD-2 Area (1.97 ac) in Proposed Condition Analysis.
10. The applicant shall revise the Primary Outlet Device #1 in the proposed analysis to match the Utilities Plan.
11. The applicant shall provide the drain down calculations for Basin 1 and Basin 2 for review.
12. As per the MTD Laboratory Certification of Up-Flo Filter EMC, Table 2, the 8 x 18.5 Vault can contain 70 – 36” Cartridges maximum. The applicant shall revise the size of proposed Up-Flo Filter Vault to be able to contain 85 – 36” Cartridges and update the details accordingly.
13. The applicant shall revise the Annual Groundwater Recharge analysis spreadsheet (GRS-32) to solve the Volume Balance.
14. The applicant shall revise the inverts of the Line No. P-200 to Outfall in the pipe calculations to match the Utilities Plan.
15. The applicant shall revise the Do and Wo in the Conduit Outlet Protection Calculations to match with the Utilities Plan.
16. The applicant shall revise the Seasonal High-Water Elevations and confirm the Infiltration Rates for all four (4) Test Pits on the Existing Conditions Plan to match the Preliminary Report of Infiltration Evaluation.
17. The applicant shall provide the inverts of all pipes that connect to the basins on the Utilities Plan.
18. The applicant shall provide the ‘Y’ Inlet detail for review.



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19. The applicant shall provide the Riprap Apron detail for review.
20. The applicant shall provide the proposed Reg-U-Flo Vortex Device detail for review.
21. The applicant shall revise the 48" HDPE to a 60" HDPE in the Outlet Control Structure S-101 detail on the Construction Details plan.
22. The applicant shall revise the 18" HDPE @ 1.00% to 18" HDPE @ 0.97% to match with the pipe calculations, on the Outlet Control Structure S-101 Detail on the Construction Details plan.
23. The applicant shall revise the 48" HDPE to 30" HDPE in the Outlet Control Structure S-201 Detail on the Construction Details plan.
24. The applicant provided the 'A' inlet detail on Construction Details plan for review. However, there is no proposed "A" inlet in the Utilities Plans.
25. All tables in the Stormwater Management Report shall be revised upon the revision of calculations.
26. The applicant will be required to submit a drainage easement(s) for the site giving the Borough the right, but not the obligation, to maintain and/or repair the stormwater management facilities if necessary.
27. The applicant shall fill out, to the extent possible, and provide a draft copy of the "Tier A MS4 NJPDES Permit – Attachment D – Major Development Stormwater Summary" form for review.
28. The Type "J" Eco Curb Piece should be removed from the construction detail. Type N is recommended.
29. The HDPE Storm Pipe construction detail only indicates crushed stone beneath the pipe. Crush stone is required up to the springline. The detail shall be revised accordingly.
30. Additional grading information shall be provided at all accessible curb ramps and along all accessible routes to confirm compliance with ADA Standards.
31. The property lines shall be shown on the Grading Plan.
32. The grading at the southwestern corner of the retaining wall should be reviewed. It appears that the proposed 125 foot contour ties into the existing 124 foot contour.



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33. The applicant is proposing a sanitary sewer connection within West Park Avenue. The applicant will be required to post a sewer connection fee in accordance with the Ordinance and shall be paid prior to the issuance of a Certificate of Occupancy.
34. The applicant shall obtain a Treatment Works Approval as applicable.
35. The sanitary sewer manhole detail shall indicate two coats of white epoxy, 8 mil thick, on the interior of the structure. In addition, the detail is for a standard manhole, whereas a doghouse manhole is proposed. The detail shall be revised accordingly.

G. Landscaping & Lighting

1. Section 40-26.M.3.f of the Ordinance states that routine maintenance of shade trees shall be the responsibility of the property owner.
2. Section 40-26.M.4 of the Ordinance states that any landscaping which dies within 2 years of planting, for any reason, shall be replaced by the developer(s) or by the current owner at their sole expense. The note on the plans shall be revised accordingly.
3. The applicant shall document compliance with Section 40-26.Q.a. of the Ordinance which requires a minimum of 10% of any surface parking facility to be landscaped and shall include one (1) shade tree for every five (5) parking spaces.
4. We defer to the Borough Shade Tree Commission for additional review and comments related to the proposed landscaping.
5. Section 40-26.N.1.c.1 indicates that all outdoor lighting during non-operating hours of the business on site, not necessary for safety and security purposes, shall be reduced, activated by motion-sensor devices or turned off. The applicant shall provide testimony on the proposed lights and hours of operation. It is recommended they be placed on a timer.
6. A construction detail for the Light Pole Foundation shall be provided.

H. Environmental

1. There are wetlands on the property that were delineated by Maser and a Freshwater Wetlands Letter of Interpretation application has been submitted to the NJDEP for verification of the wetland boundary and resource value of the wetlands. Once the LOI Is approved, a copy should be provided to the Borough.
2. It is important to point out that the following sections of the EIS should to be revised to include additional information:



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- a. Section 1.4 Permits – The applicant describes the pending Freshwater Wetlands Letter of Interpretation Application but does not describe any Freshwater Wetlands Permit Applications that are referenced in Section 9.0. This section should be revised to include information on all permit applications that are required for the proposed project.
 - b. Section 3.3.1 – The applicant shall provide details on the existing conditions of the wetlands on the property. The description should include information on the date of the wetland delineation and the wetland characteristics (i.e. forested/emergent, dominant vegetation, hydric soil conditions and signs of hydrology).
 - c. Section 4.3.1 – Wetland Impacts – This section does not describe the impacts to the wetlands on the property. According to the plans, there are regulated activities proposed in the wetlands and wetland buffers. The EIR should be revised to include details on the project impacts to the wetlands and the wetlands buffer. The report should also include information on the NJDEP permit applications and status of submission and/or permit approvals.
 - d. Section 4.3.3 – Impacts to Mature Vegetation – This section needs additional information including but not limited to the total square footage of vegetation to be removed and preserved, and information on the landscaping proposed to offset the vegetation removal. In addition, this section mentions a conservation restriction, with very little detail on what is being conserved and the status of the conservation restriction.
 - e. Section 4.6.1 – Impacts to Demographics – This section needs additional specific information on the proposed project impact to the population/demographics to the Borough.
 - f. Section 9.0 – The applicant has provided a list of licenses, permits, or other approvals, as required. The applicant should provide a status of the approvals. Since some of these approvals or permits are pending, the applicant should provide the Borough with a copy of the approvals, permits or license.
3. The plans should be revised to include information on the company that conducted the wetland delineation and the date the wetland delineation was completed.
 4. The plans need additional information on the proposed regulated activities. The plans should be revised to include callouts on the limit of disturbance for the proposed activities and the types of Freshwater Wetland Permits that would apply to the regulated activities. The plans should demonstrate that the proposed project complies with the Freshwater Wetland Protection Act Rules (NJAC 7:7A) for General Permits and Transition Area Waivers. If the applicant is submitting a Transition Area Waiver, the area of transition area reduction and compensation should be depicted on the plan.



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5. The EIR mentions a Conservation Restriction is proposed, the plans should indicate the location and acreage of the Conservation Restriction. The consultant should provide a copy of the Conservation Restriction to the Borough.
6. The applicant shall provide the Borough with the final approved permit plans upon receipt.

I. Miscellaneous

1. The applicant shall confirm compliance with Section 40-36.I.2., which states that apartments in assisted living facilities shall offer at a minimum, one furnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.
2. The survey indicates an 80 foot front yard setback, a 30 foot side yard setback, and a 30 foot rear yard setback. These should be revised to 50 feet, 10 feet, and 40 feet, respectively. These setbacks should be carried through to the site plan basemaps as well.
3. The applicant shall clarify the size of the proposed ground sign. The detail indicates 72" x 72" (36 square feet), whereas the Zoning Schedule on the Cover Sheet indicates 168 square feet. The maximum permitted area is 50 square feet. The Zoning Schedule shall be revised accordingly.
4. The Zoning Schedule indicates a maximum height requirement of 4 feet for ground signs. This shall be revised to the correct height requirement of 6 feet. A variance is therefore not required.
5. The applicant shall provide testimony on any proposed wall mounted signs. Any proposed signs must conform to Borough Standards.
6. A note shall be added to the plans indicating that all improvements are to be ADA compliant, where applicable.
7. The plans indicate a wooden trash enclosure. I recommend this be revised to a concrete block enclosure to increased durability. The size of the enclosure in the construction detail shall also match the size indicated on the site plan.
8. A construction detail is provided for a 6 foot high chain link fence, whereas such a fence is not shown on the plans. However, we also note that the fence around the dog run is not labeled. These discrepancies shall be addressed.
9. Testimony shall be provided regarding the proposed facility. The applicant shall be prepared to discuss the following:
 - a. Types of services provided (Borough Ordinance requires that supportive personal and health services be available to residents 24 hours per day).



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- b. Level of care required by residents.
 - c. Amenities to be provided.
 - d. Number of employees (total and maximum per shift).
 - e. Frequency and type of trucks that will access the site.
10. The applicant shall provide testimony on the trash and recyclables to be generated with the proposed use, along with the process, times and frequency of refuse pickup.
11. The applicant shall revise the engineer's signature block on the cover sheet to Planning Board Engineer, not Borough Engineer.
12. The plans shall include a signature block for the Borough Clerk stating that "I hereby certify that a Performance Guarantee has been posted for the site improvements as approved."
13. Notarized signature blocks for the owner/applicant with names, addresses and phone numbers should be added to the cover sheet
14. Approvals or waivers should be obtained from any agencies having jurisdiction. These may include, but shall not be limited to, the following:
- a. Monmouth County Planning Board.
 - b. Monmouth County Regional Health Commission.
 - c. Freehold Soil Conservation District.
 - d. New Jersey Department of Environmental Protection.
 - e. New Jersey Department of Community Affairs.
 - f. Any other agencies or departments having jurisdiction.

If you have any questions or require any additional information, please do not hesitate to call.

Very truly yours,

T&M ASSOCIATES

THOMAS P. NEFF, P.E., P.P., C.M.E., C.F.M.
TINTON FALLS PLANNING BOARD ENGINEER

TPN:GTG

cc: Jennifer Beahm, P.P., Board Planner
Dennis Collins, Esq., Board Attorney
Senior Housing Development, LLC, c/o Benjamin Wells, Applicant (bwells@kapdev.com)



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Mark Lescavage, PE, PP, CME, Maser Consulting, LLC (Mlescavage@maserconsulting.com)
Marc D. Policastro, Esq., Giordano, Halleran & Ciesla, P.C. (Mpolicastro@ghclaw.com)
Patricia E. Segedin, Permit Expediting Services (pes@permitexpediting.com)

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