

Michael P. Fowler Associates, LLC  
1270 West Todd Road  
Toms River, N.J. 08755  
732-779-3894  
732-349-7062 fax  
[mpfowlerassociates@gmail.com](mailto:mpfowlerassociates@gmail.com)

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TO: Borough of Sayreville Planning Board

FROM: Michael P. Fowler, AICP/PP, Board Planner

DATE: February 24, 2023

SUBJECT: Rocville, LLC  
National Lead Redevelopment  
Preliminary and Final Major Site Plan  
Block 297, Lot 1, Block 332, Lots 1 – 4, and Lot 333, Lot 1  
Sayreville, NJ

We have reviewed the Preliminary and Final Site Plans prepared by Langan Engineering and Environmental Services, Inc. last revised 12/16/2022 and dated 12/20/2019 for the subject project and are providing the following information for your consideration.

**A. PROJECT**

1. The Project, Rocville, LLC, is considered an Inclusionary Development and consists of 132 residential units located in 18 multifamily buildings on a 23.10-acre site. The site is heavily wooded with some remnants of its prior water treatment plant use, including concrete pads, depressions left by former settling ponds, and telephone poles. A 30-inch cast iron water main crosses the site from north to south for which the Applicant is providing a 30-foot-wide easement to the County.
2. The site's general location is bounded by Route 35 directly to the east and the Garden State Parkway to the west. The eastern section of the site has frontage on Cross Avenue and will provide the site's only point of ingress and egress.

The site will front on a realigned and improved Cross Avenue for access on its eastern side and, also, abuts the City of South Amboy along the southeastern property line. To the west is a single-family development, to the south are light industrial uses and an abandoned rail right-of-way, and to the north is a mix of commercial and residential uses.

3. Comprising the 132 residential units are 125 3-bedroom townhomes contained within 17 separate Townhome buildings and a 7-unit stand-alone building containing two 1-bedroom, three 2-bedroom, and two 3-bedroom units. All 7 units will be designated as Affordable in accordance with State standards for affordability.

The site's proposed internal system of private roadways will be coupled with a continuous network of sidewalks, providing ample pedestrian pathways. Each of the proposed 125 market rate townhomes contains garage parking and a full-sized driveway. There are 16 on-street perpendicular parking spaces proposed adjacent to the seven affordable units and 63 on-street parallel parking spaces spread throughout the development to accommodate guest parking. In addition, four infiltration basins are planned to address stormwater quantity and quality and a Tot Lot with seating is depicted on the Plans.

4. The site is located in the AH-3 Affordable Housing 3 Zone (Cross Ave/NL) which was agreed to in the Affordable Housing Settlement Agreement, signed June 2018. The current AH Zoning supersedes the 2018 Settlement Agreement. However, as noted in the Board Engineer's history of the Subject Site, there was subsequent litigation between the Borough and the Applicant resulting in an additional Settlement Agreement, dated November 2022, that contains several supplemental zoning and design provisions. A copy of both Agreements has been submitted to the Board Members by our Engineer, along with his report.

## **B. AFFORDABLE HOUSING**

1. As explained in Item 4 above and within the Board Engineer's report, the property in question and its future development was the subject of litigation which led to Settlement Agreements between the Borough and the Owner/Applicant. The application and plans before the Board appear to be consistent with the Settlement Agreements, the Borough's Affordable Housing Plan and Ordinance. However, there are some minor differences between the concept plan included as part of the AH-3 Ordinance and the proposed plans. The Applicant should describe those differences and how the proposed plans satisfy the requirement that the Concept Plan and proposed plans are mostly consistent.
2. In our opinion, the most relevant requirements of note for the Board are; 7 of the 132 proposed units will be affordable and that number of affordable units should approximate 5.35 percent of the total units for the project; the bedroom distribution and income distribution (very low, low & moderate) shall be consistent with Ordinance Requirements; the development of all affordable units shall comply with the UHAC, N.J.A.C. 5:80-26.1 et seq. and the deed restrictions and affordability controls shall remain in place for 50 years; and all of the aspects of the affordable housing components of the project, including but not limited to monitoring, advertisement, eligibility, controls, and restrictions, shall be in conformance with the Borough's affordable housing ordinance, found in Chapter 35 of the Borough's Revised General Code.

3. The Applicant should provide testimony as to the number of affordable housing units being provided onsite and the bedroom distribution, and that the provision of those units is consistent with the Settlement Agreements and Borough Ordinance that requires the units be designated as affordable to very low, low, and moderate-income households. The distribution of units shall be very low (at least 13%), low (up to 37%) and moderate (no more than 50%).
4. As a condition of Resolution Compliance, an Agreement should be prepared and executed by the Applicant and the Borough relative to the affordable housing components of the project, subsequent to it being reviewed and approved by the Board and Borough Attorneys and the Borough Housing Planner.

#### **C. MASTER PLAN**

1. The Planning Board adopted the Amended Housing Element and Fair Share Plan, last amended April 2019. The amendment incorporates the elements of the Settlement Agreement and appends to the Affordable Housing Ordinance for the inclusion of (Cross Ave/NL) as a designated affordable housing site.

#### **D. ZONING**

1. In addition to the affordable housing requirements, the AH-3 Zone includes applicable bulk and design requirements. The AH-3 requirements are listed in the Zoning Table provided on Sheet CS002 of the Applicant's Site Plan set. The application appears to comply with the bulk requirements. However, the Ordinance requires a minimum of a 25-foot perimeter building setback along all property lines except the westerly property line where a 100-foot minimum building setback is required. The Applicant's latest Plan revisions replaces at grade patios to the rear of the market rate units with 10 x10 decks. The decks on building clusters 7, 8, & 9 encroach into the 100-foot building setback and decks on building clusters 1 and 3 encroach on the 25-foot minimum building setback at the front of the site. Regarding the units in question, it is recommended that the Applicant seek a determination from the Borough's Zoning Officer regarding the need for variances for the decks.
2. The Applicant should address compliance with the AH-3 Zone, Section 9. (b) regarding the two free standing signs proposed at the site entrance.

#### **E. TRAFFIC AND CIRCULATION**

1. The Applicant should address how moving trucks, garbage trucks, emergency vehicles and school buses will navigate the site. We have reviewed the truck turning Plan Sheets provided by Langan Engineering and would like the turning movements addressed for the benefit of the

Board.

2. The Applicant should provide testimony relative to the number of Handicapped parking spaces required on site and the locations selected for those spaces.
3. The site has only one point of ingress. The Applicant should address whether there are any other opportunities to provide for emergency access.
4. The Applicant should address the Cross Avenue improvements and any right-of-way dedications required.

#### **F. LANDSCAPING**

1. It is recommended that some of the plantings in-between back-to-back buildings be removed to allow room for emergency access.
2. Supplementing the existing vegetation at the rear of the site after clearing would better buffer the existing residents to the west. This would involve moving trees planned in-between back-to-back buildings into the buffer's perimeter or in other sparse areas within the buffer. No additional trees would be required.
3. The Applicant should address the post-construction status of the area being utilized to extend utilities to the site from Oak Street. Such as, revegetation, maintenance, and the crossing of the County Water Main.

#### **G. GENERAL COMMENTS**

1. As noted in the Applicant's Environmental Impact Assessment, "the project site has been the subject of remedial investigations and remedial actions under the oversight of a licensed site remediation professional (LSRP) (Figure 7 – NJDEP Known Contaminated Areas Map). These actions were completed by NL Industries, Inc. (NL), the former owners of the Project site. The former Oak Street raw water treatment plant property has New Jersey Department of Environmental Protection (NJDEP) Program Interest (PI) No. 582223, and ISRA Case No. E88768".

"A Remedial Investigation Report (RIR) was prepared to fulfill the requirements under N.J.A.C. 7:26C – Administrative Requirements for the Remediation of Contaminated Sites (ARRCS), N.J.A.C. 7:26E - Technical Requirements for Site Remediation (TRSR) and applicable guidance documents from 1988 to the present".

The Applicant should update the Board with respect to the remedial actions.

2. State law now requires EV Charging Stations in Multi-family developments. The Applicant should address how the requirement applies to the subject site and compliance with same.
3. The Applicant should provide a Construction Phasing Plan for the site. It seems a Phasing Plan

would be appropriate to properly coordinate the site improvements required to allow safe access to each of the 18 buildings during construction. In addition, the Applicant should address in which phase the Affordable units will be produced.

4. The Applicant should address the site's development regarding the amount of fill being brought on site and the depth of fill required in various locations and how it will be stabilized.
5. The Applicant should address how the site will be managed once occupancy begins. No leasing area is depicted. The Applicant should address whether any temporary improvements will be required for a leasing office and visitors.
6. The site will contain retaining walls in several locations. The Applicant should identify the location of the retaining walls and the height from the top to the bottom of the wall. It should be discussed if safety fencing has been proposed where needed.
7. The Applicant should address the type of perimeter fencing being provided for the infiltration basins and the type and location of any other fencing proposed in the development.
8. The Applicant should identify proposed internal directional signage and the location and access to the mailboxes provided for the residents.
9. The Site Plans should be reviewed and approved by the Borough's Bureau of Fire Prevention and the Division of Traffic Safety.
10. All street and building mounted lighting should be shielded from adjacent residential areas to prevent glare and spillover.
11. The Applicant should present Architectural elevations and floor plans for the buildings, addressing varying building heights, unit counts and sizes, exterior design elements, points of ingress and egress, apartment layouts, and available storage and garage areas. It should be noted the most recent version of the unit plans include full basements, which alleviates the storage issues generally experienced in Townhome developments. The AH-3 Ordinance allows for full basements, which may include a bathroom, but cannot be used as a separate living unit.
12. As noted in the Board Engineer's review, approval of this project is subject to all applicable outside agency approvals.

Very Truly Yours,

*Michael P. Fowler*

Michael P. Fowler, AICP/PP

Michael P. Fowler Associates, LLC