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MEMO TO: City of Bayonne Planning Board

FROM: Malvika Apte, PP/AICP *MA*
Consulting City Planner

DATE: August 6, 2021

RE: Bayview JV, LLC
Preliminary and Final Subdivision
Preliminary and Final Major Site Plan with request for Extended Zoning Protection
and Design Exception
Planning Report # 1
Block 300.01 Lots 1, 2 and 3; Block 301.03 Lots 2 and 3; Block 511 Lot 1
Avenue A and North Street
Avenue A and Newark Bay and West 5TH street
Bayonne, New Jersey
Our File: PBYP0300.02/ 600.03
Application # P-21-017

As per your request, we have reviewed the aforementioned referenced application:

1. Preliminary and Final Major Subdivision and Site Plan Application Forms and supporting documents and checklists
2. Twenty Seven (27) sheets Site Plans entitled, *"Preliminary/Final Major Subdivision and Site Plan, 175 Avenue A – Bayview, Lots 1, 2, & 3, Block 300.01; Lots 2 & 3, Block 301.03; Lot 1, Block 511; City of Bayonne, County of Hudson, New Jersey 07002"*, prepared by Matthew J. Neuls, PE, of Dresdner Robin, dated May 25, 2021 and latest revised July 28, 2021
3. Four (4) sheets Plans entitled *"Bayview Pier 175 Avenue A"*, prepared by Dominic Desantis, PE, of McLaren Engineering Group, dated July 6, 2021
4. Twenty Sheets (20) Landscape Plans entitled, *"175 Avenue A – Bayview, 175 Avenue A; City of Bayonne, County of Hudson, NJ"*, prepared by Michael Van Valkenburgh, LLA, of Michael Van Valkenburgh Associates, Inc., dated May 20, 2021
5. One (1) sheet of Survey entitled, *"Boundary & Topographic Survey, Avenue A Shopping Center, Lots 1, 2 & 3 in Block 300.01; Lots 2 & 3 in Block 301.03; Lot 1 in Block 511, City of Bayonne, Hudson County, New Jersey,"* prepared by Dresdner Robin, dated September 26, 2018, last revised May 14, 2021



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6. Twenty Seven (27) sheets of architectural plans entitled, *“Application for Preliminary & Final Bayonne Site Plan and Major Subdivision Plan, 175 Avenue A - Bayview”*, prepared by Minno Wasko, dated May 25, 2021, and latest revised July 27, 2021
7. Report entitled, *“Stormwater Management and Engineer’s Report; 175 Avenue A; Block 300.01, Lots 1, 2, & 3 & Block 301.03, Lots 2 & 3; City of Bayonne, Hudson County, New Jersey”*, prepared by Matthew J. Neuls, PE of Dresdner Robin, dated May 2021.
8. Report entitled, *“Environmental Impact Statement for Bayview JV, LLC for Property Located at 175 Avenue A; Block 300.01, Lots 1, 2, & 3; Block 301.03, Lots 2 & 3; Block 511, Lot 1; City of Bayonne, Hudson County, NJ”*, prepared by John McDonough, LA, AICP, PP, of John McDonough Associates, LLC, dated May 19, 2021
9. Report entitled, *“Traffic Impact Study; 175 Avenue A – Bayview; Bayview JV, LLC; City of Bayonne, Hudson County, New Jersey”*, prepared by Jay S. Troutman, Jr., PE, of McDonough & Rea Associates, dated May 25, 2021.
10. Three prior approvals for the subject property

We offer the following comments for the Board’s consideration:

1. Summary of Application

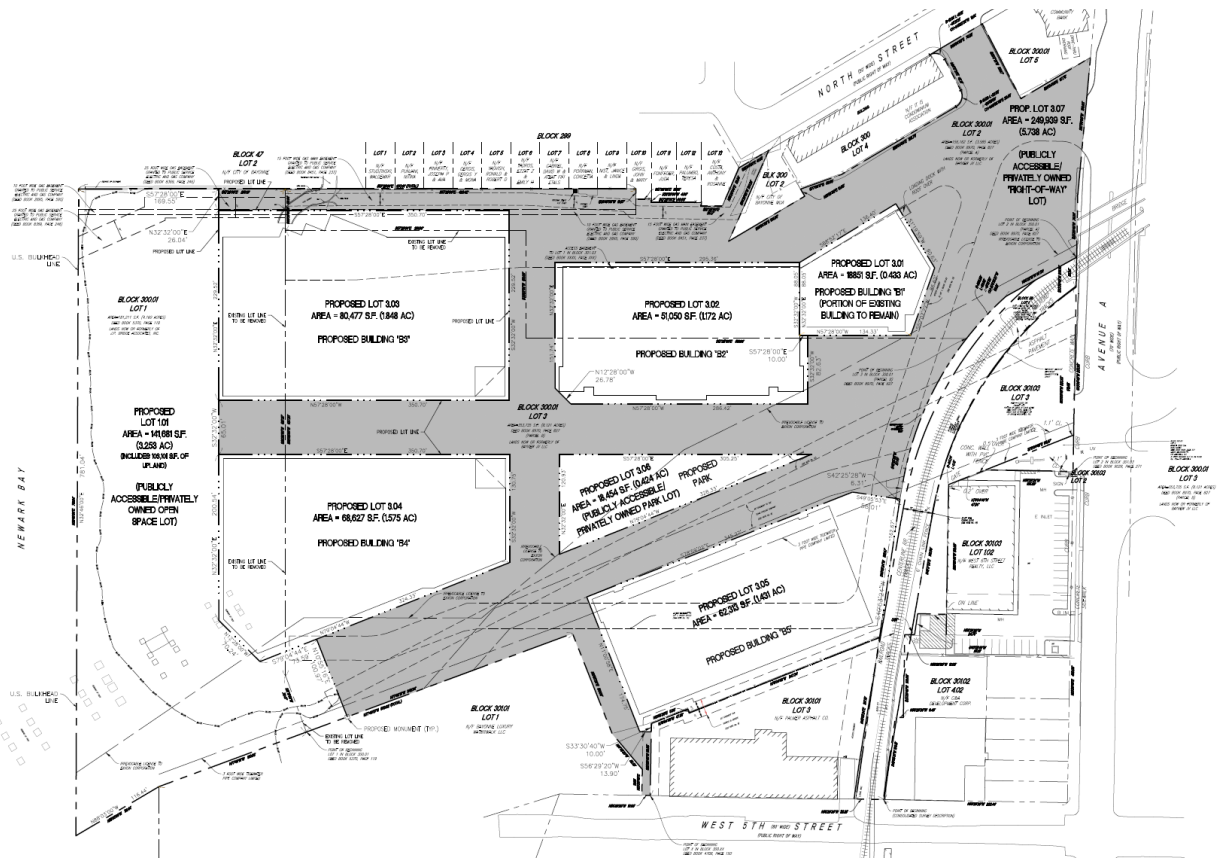
The applicant, Bayview JV, LLC is seeking a preliminary and final major site plan and preliminary and final subdivision approval to develop the aforementioned properties into a mixed-use waterfront development.

The site comprising of six (6) lots aforementioned above is known as the former A& P site in the City of Bayonne. The site of approximately 17.13 acres was previously developed as a shopping center. Though the former A & P Supermarket has been demolished, the Property still consists of an existing fitness center, liquor store and laundromat. The applicant is proposing to demolish the existing buildings except for the fitness center, which shall remain.



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The applicant is proposing to subdivide the property into eight (8) separate lots with development. The proposal includes the following:

- A. Proposed Lot 3.01 of 18,851 square feet (0.433 ac) shall contain one story retail of 14,278 square feet. This retail shall contain the existing fitness center. Parking for this retail space is to be provided on adjacent proposed lot 3.02
- B. Proposed Lot 3.02 of 51,050 square feet (1.72 ac) and shall be developed with an eight (8) story mixed use building comprising of 182 residential units, 6,585 square feet of retail space, 3,185 square feet of amenity space and a three (3) story garage containing 296 spaces.
- C. Proposed Lot 3.03 of 80,477 square feet (1.848 ac) and shall be developed with a twelve (12) story mixed use building comprising of 415 residential units, approximately 2,750 square feet of



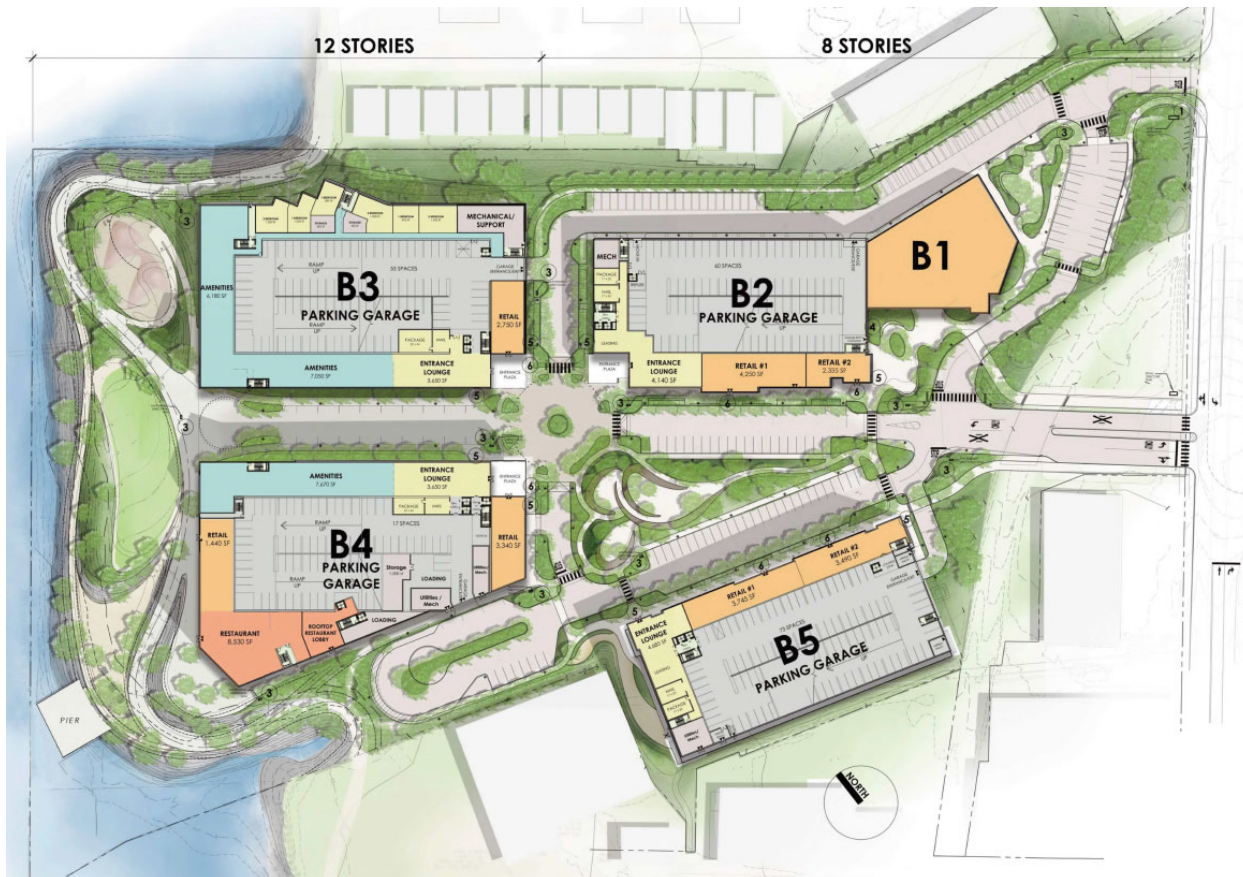
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non-residential (commercial/retail space), approximately 22,945 square feet of amenity space, five (5) floors of parking containing 456 parking spaces.

- D. Proposed Lot 3.04 of 68,627 square feet (1.575 ac) and shall be developed with a twelve (12) story mixed use building comprising of 303 residential units, approximately 4,780 square feet of retail space, approximately 18,105 square feet of rooftop and ground floor restaurant space including outdoor seating, approximately 13,520 square feet of amenity space, and five (5) floors of parking containing 396 spaces.
- E. Proposed Lot 3.05 of 62,313 square feet (1.431 ac) and shall be developed with eight (8) story mixed use building comprising of 200 dwelling units, approximately 7, 235 square feet of non-residential space, approximately 2,675 square feet of amenity space, three floors of parking containing 283 parking spaces.
- F. Proposed Lot 3.06 of 18,454 square feet (0.424ac) and shall be developed a publicly accessible privately owned park.
- G. Proposed Lot 3.07 shall comprise of internal access roads throughout the redevelopment area. Applicant should clarify if these are to dedicated roads to the City or privately held.
- H. Proposed Lot 1.01 of 141,681 square feet shall comprise of waterfront park, waterfront walkways, an amphitheater and a waterfront pier of approximately 1,700 square feet.

Overall the development shall comprise of four new buildings and one existing building, comprising of 50,000 square feet of retail and 1,100 residential units.



2. Zoning and Bulk Variances:

(a) Use:

The site is regulated by the City of Bayonne's Bayview Redevelopment plan dated August 11, 2020. The Redevelopment plan divides the entire redevelopment area into three zones:

Area A: Area along the waterfront with approximately 100,000 square feet, for waterfront recreational and public use purposes. The proposal includes proposed Lot 1.01 of approximately 103,101 square feet of upland to be developed with walkway, amphitheater along with a waterfront pier of 1,700 square feet. This complies.

Details regarding number of seating for the amphitheater should be provided. The 3D images shows a play structure while the plans indicate amphitheater this should be clarified. It should be noted



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several temporary uses are permitted that shall include outdoor art installation, temporary farmers market, outdoor music and art show and other such uses, that would require temporary permit from Zoning Officer. Intention of such uses should be discussed.

Area B: Per the redevelopment plan, this is the mixed-use district I, permitting multifamily residential units with a minimum 15,000 square feet of non-residential unit, including a minimum 2,500 square foot restaurant. The proposal includes, two (2) twelve story mixed use buildings containing 718 residential units with 25,635 square feet of non-residential including 18,105 square feet of restaurant space. This complies.

Area C: Per the redevelopment plan, this is the mixed-use district II, permitting multifamily residential units with a minimum 20,000 square feet of non-residential use. The proposal includes three (3) buildings, two- eight story buildings and one story retail comprising of a total 382 units with 28,098 square feet of non-residential use. This complies.

(b) Bulk Standards:

The following table notes the proposed development's compliance/non-compliance with Redevelopment Plan's zoning regulations:

Bulk Standards: Bayview Redevelopment Plan		
Design Standards	Requirements	Proposed
Maximum Building Height		
Area A: Waterfront District	Semi-permanent structures 2 sty/25 feet	
Area B: Mixed Use District I	12 sty/ 150 ft.*	12 sty/ 144.33 ft.
Area C: Mixed Use District II	8 sty/ 100 ft.*	8 sty/ 87.66 ft.
Maximum Building Setback		
From Avenue A	100 ft.	238.88 ft.
From Railroad ROW	5 ft.	10.80 ft.
From any other lot line	15 feet (from existing lot lines not new lot lines)	15.07 ft.
From the Waterfront	As required by NJDEP	50 ft.
Maximum Building Coverage Tract, excluding Block 511 Lot 1	60%	33%
Maximum Impervious Coverage for the Tract, excluding Block 511 Lot 1	75%	71%
Maximum Residential Units	Base Units: 825 units Bonus Units: 275 units** Total: 1,100 units	1,100 units

*Minimum sidewalk 12 feet ** Bonus density



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1. Per Redevelopment Plan 2.4. 2 a., minimum building setback from Avenue A is required to be 100 feet providing minimum sidewalk width of 12 feet. The sidewalk width should be confirmed.
2. Bonus Density: Per Redevelopment Plan 2.4. 5.b bonus density of 275 units, excluding Blok 511 Lot 1 is permitted if the following conditions are met:
 - (i) A second Boulevard entrance is provided to Avenue A or 5th Street including provision of any off site traffic improvements necessary to preserve level of service on any public roadways affected by the new entrance and associated traffic increases. A second Boulevard entrance is proposed. In terms of required off site traffic improvements, we defer to the Board Engineer.
 - (ii) Additional Public parking space at the ratio of 1/750 square feet is provided for public space in Area B and C. For a total public space area of 121,555 square feet, 163 public parking spaces are required. The proposal indicates 163 public spaces proposed. Applicant should provide testimony where these 163 public spaces are proposed. It should be noted that per the Redevelopment plan, Redeveloper shall not be permitted to charge a fee for public parking. Testimony regarding this should be provided.
 - (iii) Extension of public walkway along the waterfront at a minimum of 1,200 linear feet connecting to public walkway system running south from the property line through Block 301.01 Block 333.03 and Block 360 Lot 1. It appears public walkway is provided, applicant should provide testimony that this is met.
 - (iv) Traffic improvements to Avenue A, such as traffic lights and other traffic or pedestrian improvements as required by City Engineer. We defer to Board Engineer to determine what improvements are required. Applicant should testify that this is to be complied with.
 - (v) Construction of waterfront pier which creates a minimum 1,600 square feet for additional open space within Area A. The proposal includes waterfront pier of approximately 1,700 square feet. This complies.



(c) Parking Standards:

Design Standards	Requirement	Proposed
Residential Unit		
Studio	1.0 sp/unit x 219= 219	
One bedroom units	1.0 sp/unit x 604= 604	
Two- bedroom units	1.25 sp/unit x 219= 274	
Three- bedroom units	1.5 sp/ unit x 58 = 87	
Sub Total	1,184	
Retail	1 sp/ 1,000 square feet = 55,000*/1,000 = 55	
Public Parking	1sp/750 sq. ft. = 121,555/750 = 163	
		1,431 – structured parking
		165 – surface parking
	1,396	1,596
	0.5 sp/ unit = 550 spaces 1.0 sp/ 50 vehicles = 8.0	
Bicycle Parking	558 bicycle spaces	551 bicycle spaces
Electric Vehicle (EV) spaces	1 EV/ 30 ps = 54 spaces	50 EV spaces

- i. Retail Area: Applicant should confirm the retail area calculation. Per Sheet A1.1, this is calculating to be 53,733 square feet. This should be clarified and confirmed.
- ii. Bicycle Storage: We recommend additional seven (7) spaces along bicycle racks to meet the requirement. Details of bicycle racks are provided however, there location on streetscape is not shown.
- iii. Electric Vehicle: Per Redevelopment Plan, 1 EV space/ 30 parking spaces is to be provided. For 1,596 spaces proposed, 54 EV spaces are required. We calculate 50 spaces are provided. We recommend additional 4 spaces to be added in order to comply.



- iv. Shuttle Services: Per Redevelopment Plan, an operating shuttle service is required to be provided throughout the redevelopment area upon issuance of temporary certificate of occupancy for the first 400 units in any of the districts. Details on this shuttle services, including the proposed stops in the Redevelopment Area should be provided. A map showing shuttle service circulation throughout the site should be provided. Will this be a 24-hour service? Moreover, where would these vehicles be parked during off peak hour?
- v. Applicant should testify regarding parking space dimensions and its compliance with the Redevelopment Plan. Additionally, applicant should testify if any compact parking spaces or tandem spaces are proposed.
- vi. As noted above, there are approximately 163 public parking spaces provided. These are to be provided to the public. Given the waterfront area and occasionally temporary uses proposed in that area, applicant should provide detailed testimony on where these 163 public parking spaces are proposed. These should be conveniently available throughout the site for the general public to access the various uses provided in this redevelopment plan. It should be noted, Redeveloper is not permitted to charge a fee for public parking.
- vii. Parking shall be setback at least 10 feet from tract perimeter, further existing landscape berm and evergreen area adjacent to Block 200 Lots 1-13 shall remain intact. It appears this is being maintained, testimony regarding the same should be provided.

3. Additional Comments:

- (a) Non Residential Area: Per Redevelopment Plan 2.4. 6, maximum non-residential area of 55,000 square feet shall be permitted only if one or more additional access points are provided to Avenue A and W 5TH Street. Additional, access point to Avenue A is provided. Applicant should confirm the proposed width of the sidewalk.
- (b) Residential Requirements: The overall development shall include 219 studios, 604 one-bedroom units, 219 two-bedroom units and 58 three-bedroom units.



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(i)- Residential Units Floor Area: Per Redevelopment Plan, minimum unit sizes are required for studio, one-bedroom, two bedroom and three bedroom, 550 square feet, 750 square feet, 950 square feet and 1,200 square feet. Applicant should provide testimony that this complies.

(ii) Design Standards: Per the Redevelopment Plan, the following items are required. The applicant should testify on record that these are met:

- All bedrooms shall have one exterior window as natural source of light.
- At least 40% of residential units with waterfront views shall provide individual balconies of minimum 64 square feet.
- At least 20% of the residential units within the development shall be required to provide individual space of 200 cubic feet.

(iii)- Each of the proposed buildings contain sufficient amount of amenity space. Applicant should provide more details regarding this amenity space, especially interior amenity spaces.

(c) Building Design: Detailed testimony regarding the building design and its compliance with redevelopment plan should be provided. This should include the type of building materials proposed along the façade. All building façade shall be designed to be attractive from each vantage point and be consistent in their quality and finish on all elevations. Applicant should discuss the buildings along the waterfront and its visual façade along the waterfront including balconies proposed for residential units. Applicant should discuss the thematic consistency of the buildings within the redevelopment area.

Additionally, per Redevelopment Plan, all mechanical equipment on top of the roof should be concealed or integrated within the roof form. Details of this should be provided.

(d) Open Space: A minimum of 20% of the combined of Area B and Area C is required to be open space and/ or recreation facilities. This is identified as provided on the zoning table as 20% however, calculation of the same has not been provided. It is required that the area of open space in each area be provided. Please note this includes common terraces, rooftops, public plazas and piazzas.

(e) Sustainable and Green Features: Per Redevelopment plan, the applicant shall demonstrate that the project would meet requirements in order to achieve LEED Silver rating or greater. Testimony regarding the same should be provided. No LEED certification is required.

Additionally, a minimum 30% of aggregate roof area shall be devoted to green roof. This is shown on the architectural plans, however no details of the green roof and its plantings are provided.



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This is required to be provided and should be revised and approved by Board Planner and Board Engineer.

- (f) Lighting: Per Redevelopment Plan, maximum illumination of 0.5 foot-candles is permitted along side and rear yards and 3.0 feet along street frontage. Deviation from this standard is requested along for exceeding illumination level along north west portion of the property along Building B3 and along Building B5, B3 and B2.

- (g) Signage:

Type of Signs	Requirement	Proposed
Building 1		
Commercial		
Number of Signs	1 per business / endcap units permitted 2 signs	4 (e)
Max. Area	60 sq. ft. or 10% of storefront	No details provided; it is noted as existing non-conformity (see note (i) below)
Building 2		
Commercial		
Number of Signs	1 per business	1 per business = 2
Max. Area	60 sq. ft. or 10% of storefront	20 sq. ft.
Residential		
Number of Signs	1 along principal elevation	1
Max. Area	30 sq. ft.	220 sq. ft. (V)
Building 3		
Commercial		
Number of Signs	1 per business	1
Max. Area	60 sq. ft. or 10% of storefront	20
Building 4		
Commercial		
Number of Signs	1 per business	4
Max. Area	60 sq. ft. or 10% of storefront	20
Building 5		



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Type of Signs	Requirement	Proposed
Commercial		
Number of Signs	1 per business	2
Max. Area	60 sq. ft. or 10% of storefront	20
Freestanding Roadside Signage		
	Along Ave A	2
Max. Area	200 sq. ft.	66.5 sq. ft. + 88 sq. ft. = 154. 5 sq. ft.
Max. Height	30 ft.	30 ft .
Freestanding Directory Signs		
Number of Signs	-	11
Max. Area	16 sq. ft.	12 sq. ft.
Max. Height	8 ft.	< 8 ft.

- (i) Planet Fitness Sign: Per Sheet A12, Building B1 consists of four (4) wall signs and two (2) window signs. Per the Redevelopment Plan, endcap units are permitted, two (2) wall signs, of maximum 60 square feet each. We measure the signs as 120.98 square feet for the larger sign, 64.94 square feet for logo wall sign and 9.14 square feet for the window sign. Applicant should clarify these are all existing signs and therefore existing non-conformity. The architectural plans note this to comply. This should be clarified.
- (ii) Building Address/ Identification Sign: The proposal includes two (2) building address/identification sign for each of the proposed four (4) mixed-use buildings. Each of these signs will denote the number of the building and is to be 25.5 square feet each. The Redevelopment plan does not specifically identify a building identification sign but permits one sign per multifamily. It is our opinion that an address number for the building should be considered given the type of application and have no issue with the proposed eight (8) building identification signs.
- (iii) Applicant should clarify that the color and lighting of these signs shall be complimentary to the theme of the development.
- (iv) Applicant should discuss if temporary sign permits shall be requested at the later date from the Zoning Officer.



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(h) Landscaping:

- (i) A not stating “any landscaping which is not resistant to the environment or dies within two (2) years of planting shall be replaced by the Redeveloper” should be added to the landscaping plan.
- (ii) Details on roof terrace planting should be provided. Further, details on the proposed green roof design and type of planting must be provided. We recommend Green Roof Design and planting to be reviewed by the Board Planner and Board Engineer.
- (iii) Revise the plans to provide more detailed plans for proposed shrubs and groundcovers throughout the site, including, but not limited to, all public plazas, green roofs and waterfront areas. Plans should provide detailed locations of plant material with on-center spacing and minimum installation height, to ensure parking areas are sufficiently screened and entrances areas accented with landscaping, in accordance with Section 2.6.10 of the Redevelopment Plan.
- (iv) Revise the plans to provide greater diversity for proposed shrubs throughout the site. Currently, only two (2) species of shrubs are proposed within the ‘Planting Schedule’, sheet L307.
- (v) Revise the plans to select larger maturing tree species to be utilized in the vicinity of proposed parking lots, to help shade and reduce the heat island effect of wide-open asphalt areas.
- (vi) Revise the plans to provide an alternative to proposed Catalpa species, as this is not commercially available and is an invasive species.
- (vii) Staff does not recommend the use of PS (White Pine) in close proximity to proposed buildings and parking areas, due to the species mature habit of losing lower limbs as well as sap production. The Applicant should consider an alternative species within these locations.
- (viii) Staff recommends providing Milkweed species in some of the large garden plant mix areas, to increase the biodiversity of plant material and provide habitat for the endangered Monarch butterfly, which requires this species to complete its lifecycle.
- (ix) Review and revise the ‘Planting Schedule’, sheet L307, to ensure plant quantities correspond with proposed graphics. It appears two (2) OV (Hophornbeam) are depicted on



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sheet L305 however, the label indicates 1 OV. Also, provide only one (1) graphic symbol for each species. Currently, sheet L304 depicts two (2) groupings of ST (Weeping Willow) with two (2) different graphic types.

- (x) Revise the plans to provide general planting notes, to include, but not limited, to watering, handling, quality, etc., for further review.
- (xi) Revise the plans to provide additional details regarding proposed structural soil, to prevent confusion during construction.
- (xii) Revise the plans to provide the proposed tree grate detail, to prevent confusion during construction.
- (i) Trash and Recycling: A detailed testimony regarding the operations and trash pick-up along with truck turning diagrams should be provided. The trash and operations manual must include the estimate amount of trash, a recycling separation procedure and other details.
- (j) Affordable Housing: Affordable housing obligations shall be established in the Redevelopment Agreement. Testimony regarding the same should be provided.
- (k) Snow removal operations: Applicant should discuss the snow removal procedures for the development. This should include the location where the snow shall be stored.
- (l) Waterfront Walkway: Per Redevelopment plan, Waterfront Walkway shall be designed and constructed in accordance with NJDEP Hudson River Waterfront Walkway. We defer to the Board Engineer to determine if this complies.

The walkway includes a 16 feet wide walkway. The applicant should discuss if a 30 feet wide easement to provide public access is proposed. Additionally, maintenance and cleanup of this walkway is the responsibility of the redeveloper.

- (m) Extended Zoning Protection- Applicant is seeking extended Zoning Protection for a period of 20 years from the date of resolution adoption pursuant to NJSA 40:55 D-52 e. Per § 33-6.6, the zoning requirements applicable to the preliminary approval granted and all other rights conferred upon the developer pursuant to preliminary approval whether conditionally or otherwise shall not be changed for a period of two years after the date of final approval provided that in case of major subdivision rights conferred shall expire if plat has not been duly recorded within the time period per N.J.S.A 40:55 D-54. The Board may extend such period of protection for extensions of one



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year but not to exceed three extensions. Pursuant to N.J.S.A 40:55 D 52e, however in case of a site plan of more than 100 residential units, the Planning Board may grant the rights conferred for such period of time beyond two years and shall be determined by the Planning Board. The Board shall take into consideration (1) the number of dwelling units; (2) economic conditions (3) the comprehensiveness of the development.

- (n) We defer to the Board Engineer regarding drainage, storm water, traffic and other engineering issues related to the site.
- (o) The applicant should be prepared to discuss whether any additional permits/approvals are required by outside agencies.

If you should have any questions with regard to the above matter, please do not hesitate to call.

cc: Alicia Losonczy, Planning/Zoning Board of Adjustment Administrator
Richard N. Campisano, Esq., Board Attorney
Robert J Russo, PE, PP, CME, City Engineer
Tracey Tuohy, Zoning Officer
Andrew W. Raichle, PE, Consulting Engineer
Suzanne Mack PP, AICP, City Planner
Michael Miceli, Esq. Applicant's Attorney