

**LAW OFFICES
OF**

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August 6, 2020

Hand Delivered

Alyson Lazarus, Technical Assistant
Secretary to the Planning Board
Borough of Leonia
312 Broad Avenue
Leonia, NJ 07605

RE: Jeam Investments LLC
Premises: 401 Grand Avenue
Leonia, NJ 07605
Block: 803 Lot: 38 Calendar No. 2018-13

Dear Alyson:

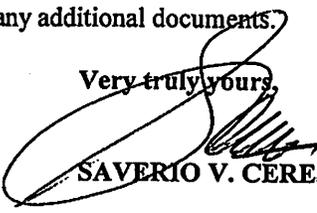
This office represents Jeam Investments LLC with reference to the above entitled application. Accordingly, I am providing you with the following:

1. **Two (2) full sets of the Site Plan prepared John J. Gilchrist, AIA revised as of August 3, 2020.**
2. **Fifteen (15) copies of 11 x 17 Zoning and Horizontal Control Plan prepared by John J. Gilchrist, AIA revised as of August 3, 2020.**
3. **Fifteen (15) copies of our Application to Amend and Correct Resolution of March 27, 2019 and Site Plan of January 11, 2019.**

Lastly, this letter will confirm that our matter will be on the agenda for Wednesday, August 26, 2020 at 7:30 p.m.

Kindly advise our office if you need any additional documents.

Very truly yours,


SAVERIO V. CERESTE

SVC/ev
encl.

Cc: Jeam Investments LLC – with enclosure – via email only
John J. Gilchrist, AIA – with enclosure – via email only
Daniel L. Steinhagen, Esq. (Borough Attorney) – with enclosure
Robert Costa, P.E. (Borough Engineer) – with enclosure
Jeffrey Janota, P.P. (Borough Planner) – with enclosure
Charles Olivio, P.E. (Borough Traffic Engineer) – with enclosure

misstated at 4,800 square feet. The difference in the building coverage as approved was 22.74% and the revised plan reflects 24.16%; Lot coverage approved was 39.07% versus the revised plan of 37.65% and total coverage approved was 60.93% versus the revised plan 63.35%.

Attached to this memorandum is the revised zoning schedule prepared by John Gilchrist, R.A. which reflects the correct coverage data (see Exhibit "C" Revised Zoning Datum dated March 14, 2020). The Board will note that the maximum building coverage is reflected at 24.16%, the landscape and open space at 37.65%, and the total coverage at 62.35%.

With reference to the front landscape area plantings and grading, they have changed due to the DOT requirement that the storm water retention system be moved into that area. The type and number of plants are reflected in the plan and are placed in different locations due to the placement of the storm water retention system.

In conclusion, the transposition error in the applicant's plans between what was stated in the Planning Zoning Datum has caused the inconsistency as was noted in the memorandum of Dan Melfi dated March 22, 2020. Accordingly, it is respectfully requested that the Zoning Datum covering the building coverage, lot coverage and total coverage along with the front landscape plan and elevation as stated in Exhibit "C" of John Gilchrist's Zoning Schedule be approved by the Planning Board.

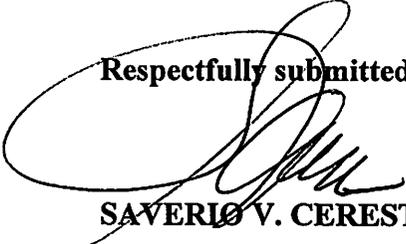
Respectfully submitted

SAVERIO V. CERESTE

EXHIBIT “A”

RESOLUTION DATED MARCH 27, 2019

Variances to exceed maximum density and number of bedrooms per acre, lot area, minimum lot frontage, minimum front yard setback, minimum side yard setback, building height, building length, building coverage, maximum retaining wall and fence height, accessory structure setback, landscaping, and driveway curb cut

**RESOLUTION
LEONIA PLANNING BOARD
APPLICATION OF JEAM INVESTMENTS, LLC**

CALENDAR NO. 2018-13

WHEREAS, Jeam Investments, LLC (hereinafter referred to as the "Applicant") applied for preliminary and final site plan approval with variances before the Leonia Planning Board (the "Board") to permit development of a multi-family townhouse development residential building with five units in violation of the lot area, lot frontage, front yard setback, side yard setback, building height, building length, building coverage, curb cut width, density, and number of bedrooms per acre permitted by the Borough of Leonia Zoning Ordinance thereby necessitating variance relief pursuant to *N.J.S.A. 40:55D-70(c)* and *N.J.S.A. 40:55D-70(d)(5)*; and

WHEREAS, the property subject of the application is identified on the Tax Map of the Borough of Leonia as Block 803, Lot 38, and is more commonly known as 401 Grand Avenue, Leonia, New Jersey (the "Property"); and

WHEREAS, the Property is located in the B Zone and the Applicant is a contract purchaser thereof; and

WHEREAS, the application was considered at public hearings held on October 24, 2018, December 19, 2018, and February 27, 2019 at which time the Applicant was represented by Saverio Cereste, Esq., 1624 Center Avenue, Fort Lee, New Jersey; and

WHEREAS, in support of the application, the Applicant presented the sworn testimony of its principal, Michael Sassano; its architect and engineer, John J. Gilchrist, RA, P.E., 210 Summit Avenue, Montvale, New Jersey 07645, who was sworn and qualified as an expert in the fields of architecture and civil engineering; Louis Luglio, P.E., Sam Schwartz Transportation Consultants, 30 Montgomery Street, Suite 1340, Jersey City, New Jersey 07302, who was sworn and qualified as an expert in the field of traffic engineering; and David Spatz, P.P., 60 Friend Terrace, Harrington Park, New Jersey 07640, who was sworn and qualified as an expert in the field of professional planning; and

WHEREAS, the Applicant provided proof that notice in accordance with the Municipal Land Use Law was provided; and

WHEREAS, the Applicant submitted architectural/engineering plans prepared by John J. Gilchrist, RA, P.E., dated September 7, 2018 (comprising 9 pages) that sought approval for the development of the Property with six (6) townhouses as part of the application; and

WHEREAS, during the course of the hearing, the Applicant revised the proposed layout for which approval was sought and thereafter submitted revised architectural/engineering plans prepared by John J. Gilchrist, RA, P.E., dated January 11, 2019 (comprising 9 pages) that sought approval for the development of the Property with five (5) townhouses as part of the application; and

WHEREAS, Daniel Melfi, the Borough Building Inspector / Zoning Officer provided testimony during the public hearing regarding the application; and

WHEREAS, the Board's professional consultants, Robert Costa, P.E., (civil engineering); Tom Behrens, P.P. (professional planning); and Matthew Seckler, P.E., PTOE and John Corak (traffic consulting), provided sworn testimony during the public hearing regarding the application; and

WHEREAS, the Board marked the following items into evidence during the hearing:

- A-1 Six (6) photographs of subject property and surrounding multiple dwellings Prepared by Saverio V. Cereste, Esq.
- A-2 Traffic & Parking Assessment of Lou Luglio, P.E. dated September 11, 2018
- A-3 Planner's Report of David Spatz, P.P. revised through July 12, 2018
- A-4 Architectural Plan (Townhouse Development) of John A. Gilchrist, R.A. dated July 10, 2018
- A-5 Recreation Area Plan of John A. Gilchrist, R.A. dated September 14, 2018
- A-6 Lighting Plan of John A. Gilchrist, R.A. dated July 30, 2018
- A-7 Landscape Plan, Fence & Wall Detail of John A. Gilchrist, R.A. dated August 29, 2018
- A-8 Zoning & Horizontal Control Plan of John A. Gilchrist, R.A. dated July 5, 2018
- A-9 Four (4) photographs of site and surrounding area prepared by David Spatz, P.P.
- A-10 NJDOT Report dated March 15, 2018
- A-11 Color Rendering of John J. Gilchrist, R.A.
- A-12 Stormwater Management Plan (Revised) November 18, 2018 prepared by Preferred Design & Construction, Inc.
- A-13 Revised Site & Architectural Plans (9 pages) dated November 15, 2018 prepared by John J. Gilchrist, R.A.
- A-14 Turning Templates of Sam Schwartz prepared by Louis Luglio, P.E. dated November 5, 2018
- A-15 Stormwater Management Plan revised as of February 4, 2019

- A-16 Revised Report of David Spatz, P.P. dated February 1, 2019
- A-17 Architectural Plan of John A. Gilchrist, R.A. dated January 11, 2019
- A-18 Letter of Denial of Dan Melfi dated January 22, 2019.
- B-1 Letter Report of Costa Engineering, dated October 24, 2018
- B-2 Letter Report of Stonefield Engineering, dated September 24, 2018
- B-3 Letter Report of Burgis Associates, dated October 19, 2018
- B-4 Letter Report of Burgis Associates, dated December 6, 2018
- B-5 Letter Report of Costa Engineering, dated December 17, 2018
- B-6 Letter Report of Stonefield Engineering, dated December 19, 2018
- B-7 Letter Report of Costa Engineering, dated February 27, 2019; and

WHEREAS, the following members of the public asked questions of the witnesses or provided testimony concerning the application:

1. Claire Heimarck, 190 Leonia Avenue, Leonia, New Jersey
2. John Biondi, 407 Grand Avenue, Leonia, New Jersey
3. Michael DeGidio, 408 Grand Avenue, Leonia, New Jersey
4. Karen Hannon, 392 Grand Avenue, Leonia, New Jersey
5. Paulina Polansky, 392 Grand Avenue, Leonia, New Jersey

WHEREAS, the Board has carefully considered application documents, plans, exhibits introduced into evidence and the testimony of the Applicant and its professionals, the questions and comments from members of the public, and the reports and testimony of the Board's consultants; and

WHEREAS, the Board, after considering the aforesaid hereby makes the following findings of fact:

A. The Applicant, Jeam Investments, LLC is the contract purchaser of the Property commonly known as 401 Grand Avenue, which is formally known and identified as Block 803, Lot 38 on the current Tax Map of the Borough of Leonia.

B. The Property is located in the B Zone and is currently improved with a single-family dwelling.

C. The Applicant has proposed a five-unit townhouse multi-family development. Initially, the Applicant sought approval to develop a six-unit townhouse development on the Property, and had previously applied for (but subsequently withdrew) an eighteen (18) unit apartment building on the Property.

D. The Property comprises 21,107 square feet in area and is generally rectangular in shape. As the minimum lot area in the B Zone is 43,560 square feet for multi-family development, the Property is currently non-conforming. The Applicant confirmed that there was no land nearby that was available for purchase to help mitigate the existing lot area deficiency.

E. The Property has dimensions of 87.46 feet along its frontage with Grand Avenue and a depth of 242.77 feet on its northern property line and 242.21 feet on its southern property line. The frontage on Grand Avenue is not perpendicular to the side lot lines, so the Property does not have ninety-degree corners and its shape is a parallelogram. The width of the Property along its frontage is deficient, as 100 feet of frontage for multifamily residential use is required in the B Zone.

F. The Property is bordered to the north by a single family dwelling that is located at 403 Grand Avenue. To the south of the Property on Lot 34 is a multi-family development.

G. The Property is steeply sloped from west to east, having a vertical elevation gain of approximately 25 feet from its frontage along Grand Avenue to its eastern lot line. As a

result, the Property requires significant grading and site work to adapt it for new development. This includes the installation of retaining walls along the side lot lines and in the rear yard of the Property. The retaining wall on the north side of the Property will range in height from between 5 feet near the frontage with Grand Avenue to 8 feet at the junction with the retaining wall in the rear yard. The rear yard retaining wall will be approximately 9 feet in height, while on the south side of the Property, there is a small retaining wall proposed between the townhouse structure and the retaining wall in the rear yard that will be approximately 6 feet in height. The building wall of the townhouses will serve as a retaining wall as well. The Applicant also proposes to install a 4-foot tall vinyl fence on the perimeter of the Property and a guard rail along the retaining wall in the rear yard to protect against falls.

H. The Property is located in an area of the Borough where there is significant multifamily development. In particular, as noted above, there is a garden apartment complex to the south of the Property. There are also apartment buildings on the west side of Grand Avenue (Grandview Meadows) that are directly across the street from the Property, and there is a townhouse development (Meadow Lane Condominiums) adjacent to that building that is located on the southwest corner of Grand Avenue and Schor Avenue is a garden apartment complex. Additionally, to the north of two single-family dwellings on Grand Avenue that are adjacent to the Property, there is additional multifamily development (Maple Hill Condominiums and The Grandview Apartments). With the exception of the garden apartment complex to the south of the Property and the Grandview Apartments on the corner of Grand Avenue and Hillside Avenue, none of these multifamily developments were constructed on lots that are in excess of one acre. The Applicant's planner testified during the hearing that the density of the proposed

development, even when the Applicant sought approval for six dwelling units on the Property, was lower than the density of the surrounding multifamily developments.

I. The Applicant proposes to construct a total of five (5) connected townhouses on the south side of the Property. The townhouses are proposed to have a setback of 6.09 feet to the southern property line and be 42 feet from the northern property line where 31.2 feet is required. The building will maintain a 25-foot front yard setback where a 35-foot setback is required based on the setbacks of adjacent structures, and a 63.95 foot rear yard setback.

J. The Applicant proposes to construct a 24-foot wide drive aisle on the northern side of the Property to provide ingress and egress to the dwellings. The Borough of Leonia code requires two separate driveways for multi-family development in the B Zone, where each driveway may be no more than 16 feet wide. There is also proposed an 18-foot wide turn-around area adjacent to the easternmost townhouse for larger vehicles. No on-street parking is proposed, and each unit will provide a two-car garage with a driveway that is large enough to accommodate parking for two additional vehicles.

K. Each townhouse, which is shown on the plans to be 3 stories in height, is proposed to have a floor area of 1,020 square feet. On the ground floor of each unit, there is an entry door, two-car garage comprising approximately 440 square feet, and a 450-square foot basement. On the second floor is a single room containing living area and a kitchen, as well as closet space and a bathroom. On the third floor, there are three bedrooms and two full bathrooms. The buildings are designed with pitched, rather than flat roofs, and comply with the 35-foot height limitation. However, because the garage/basement is above finished grade, the townhouses violate the B Zone's limitation of 2 stories. There is no access, however, from the basement room to the exterior of the townhouses.

L. The Applicant's architect testified that the Applicant intended to utilize stonework on the first floor of each townhouse and vinyl or HardiPlank siding on the second and third floors.

M. The final version of the Applicant's plans indicates that the building coverage on the Property will be 22.74%, where a maximum building coverage of 20% is permitted. By reducing the number of units during the course of the hearing, the Applicant brought the Property much closer to complying with the maximum building coverage.

N. With a total of five (5) townhouse units, the Applicant is proposing a density of 10.31 units per acre, where a maximum of 8 units per acre is permitted. Because each townhouse is a three-bedroom unit, the proposed development also exceeds the number of bedrooms per acre, as 30.95 bedrooms per acre are proposed where only 24 bedrooms per acre are permitted.

O. The maximum length of a building in the B Zone is 140 feet. The five connected townhouses are 150 feet in length. Due to the length of the building, the Applicant proposes to locate air conditioning units in the front yard of the Property because it believes that it may be unable to locate the units for the two westernmost townhouses behind the building due to the length of the coolant runs that would be required. These air conditioning units would be installed within the front yard setback although they are required to be in the side or rear yards. During the hearing, the Applicant agreed to use its best efforts to locate all of the air conditioning units in the rear yard of the Property, or in the alternative, provide year-round landscape screening to obscure the units in the front yard from view.

P. The Applicant's landscape plan indicates that it proposes to install several hundred bushes, ornamental shrubs, and trees, many of which will be low-maintenance to ensure

vitality. In particular, the Applicant proposes groundcover landscaping on the north side of the Property, blue spruce trees along the rear property line, extensive landscaping in the islands that separate the driveways of each townhouse, and in the front yard. The Applicant's landscape plan indicates that there is a total of 5,308 square feet of landscaped area between the front and rear yards, which represents 25.14% of the total area of the Property. In total, the Applicant's plans indicate that 39.07% of the Property will be landscaped and open space, with 60.93% of the Property covered by impervious surfaces.

Q. The Applicant's traffic consultant, Louis Luglio, P.E., testified that the proposed development would generate minimal traffic impacts. At the time when the Applicant sought approval for six townhouses on the Property, the expected trip generation was 3 vehicles during the morning peak hour and 4 vehicles during the afternoon/evening peak hour. With a reduction of units, the expected traffic is expected to be marginally lower. Luglio also testified that there was sufficient site distance for right and left turning movements even though there are retaining walls in the front yards of nearby properties. Finally, Luglio testified that even though the Applicant sought approval for more density than is permitted by the Borough's Zoning Ordinance, the resultant trip generation by the Property would not impact wait times for vehicles seeking to enter or exit the Property, nor would it cause traffic problems on Grand Avenue.

R. The Applicant's engineer, John J. Gilchrist, P.E., testified that stormwater runoff from the Property would be collected in stormwater detention basin placed in the driveway near the frontage on Grand Avenue. The detention basin would be constructed utilizing Storm Tech 740 detention and water quality chambers that are, in the opinion of the Board's Engineer, sufficient to accommodate the required design storms for the stormwater from the Property. There is also a trench drain to be installed in close proximity to the front property line along Grand Avenue to

collect any additional runoff from the parking lot, and the Applicant proposes to discharge its runoff, after detention and cleaning, into the existing storm sewers in Grand Avenue.

S. Lighting for the development will be provided by six pole-mounted lights, two of which will be 15 feet in height and located adjacent to the Property's entrance driveway, and four shall be 8 feet tall and located in the landscaped islands in front of Townhouses 1-4. A wall-pack light will be installed on the east side of Townhouse 5 to provide lighting for the turnaround area. The isometric lighting plan submitted by the Applicant confirms that no light spillage will fall on adjacent properties.

T. The Applicant does not propose to provide a garbage dumpster, and instead residents shall be required to store their trash and recycling within their garages or elsewhere in their units. The Applicant shall provide for garbage collection by private hauler, and during the hearings, the Applicant indicated that garbage and recycling pickup would be done by way of a pickup truck because there was, at one point during the hearings, insufficient turnaround room for a full-size garbage truck.

U. The Applicant offered testimony that confirmed that the site could accommodate the deviation occasioned by the density variance (number of units and bedrooms per acre), and explained that many of the bulk variances were the result of the narrowness of the Property. In particular, the testimony of the Applicant's witnesses demonstrated that the Property had sufficient space to provide for parking for all of the building's residents, by proposing a total of 20 parking spaces (2 in each garage, 2 in each driveway), where only 12 spaces are required by the Residential Site Improvement Standards (2 spaces per unit). Furthermore, although the proposed building exceeds the maximum number of stories, it complies with the total height requirements of the Borough of Leonia Zoning Ordinance as the building height is 35 feet.

V. The Applicant has demonstrated that the benefits of granting the following bulk variances substantially outweighs the negatives arising therefrom because it advances purposes of zoning as set forth in the Municipal Land Use Law: (i) lot area; (ii) lot frontage; (iii) front yard setback; (iv) side yard setback; (v) building height; (vi) building length; (vii) building coverage; (viii) retaining wall and fence height; (ix) driveway curb cut width; and (x) accessory structure setback (air conditioning units). In particular, as testified by the Applicant's professional planner, David Spatz, P.P., the project will provide more parking than is required by the Residential Site Improvement Standards (12 required, 20 provided), thereby ensuring that there will be no overflow parking on Grand Avenue. Because there is often a parking shortage in the Borough of Leonia, the Board finds that providing 50% more parking than is required is a substantial benefit to the general welfare in furtherance of *N.J.S.A. 40:55D-2(a)*. This also helps to ensure that traffic on Grand Avenue is not impeded, thereby furthering the goal of the MLUL set forth in *N.J.S.A. 40:55D-2(h)*. Additionally, by removing the existing dwelling, the Applicant is removing a deteriorating eyesore and is replacing it with an attractive, well-designed and well-landscaped multifamily apartment building that will help create an aesthetically pleasing visual environment in furtherance of *N.J.S.A. 40:55D-2(i)*. Furthermore, the Applicant is proposing a type of housing that is not commonly found in the Borough of Leonia – specifically, mid-sized 3-bedroom townhouses – that the Board believes will be a benefit to the Borough as encouraged by *N.J.S.A. 40:55D-2(g)*.

W. The Board also finds that without variance relief on account of the undersized lot, the Applicant would suffer a hardship as it would be unable to redevelop the Property with a multi-family use. As previously noted, the Property is currently developed with a single-family dwelling. Although there is sufficient space to develop the Property with two new houses, the

Property is too narrow and too steeply sloped to do so without variance relief and significant grading. It is unrealistic to believe that the Property could be redeveloped with anything but the proposed design. Without variance relief on account of the undersized lot area, the Applicant likely would not propose the redevelopment of the Property, and the benefits identified above would not be realized. Similarly, there is insufficient lot width to allow for the Applicant to provide separate ingress and egress driveways for the current configuration of the development. Given the slope of the Property, the Applicant needs to install retaining walls.

X. The Board finds that the grant of the aforesaid variances can be granted without substantial detriment to the public good. It reaches this conclusion based upon the physical design of the proposed development, its location on Grand Avenue, and the nearby multifamily developments. The Property will be attractively designed, well-landscaped, and will not interfere with the use of any adjacent property. Additionally, the Applicant is proposing substantial drainage upgrades over the existing conditions even though additional impervious coverage is proposed.

Y. The Board also finds that the grant of the aforesaid variances can be granted without substantial impairment of the zone plan and zoning ordinance. In particular, the Board notes that the Governing Body of the Borough of Leonia has zoned the Property to conditionally permit multi-family use. While proposed development exceeds the maximum number of units per acre and maximum number of bedrooms permitted per acre, it is not out of character with nearby developments. In particular, the Board relies on the testimony of the Applicant's planner, who testified that the proposed development is less dense than nearby developments, including the Maple Hill Condominium at 425 Grand Avenue (16.17 units per acre) and the Grandview Apartments at 445 Grand Avenue (19.35 units per acre), the garden apartment complex at 363

Grand Avenue (18.11 units per acre), 400 Grand Avenue (14 units per acre), and 392 Grand Avenue (13.7 units per acre). The Property is being developed with sufficient landscaped and open space, and compliant parking. Thus, while there is a density variance, the Board concludes that its grant does not substantially impair the intent and purposes of the zone plan and zoning ordinance.

Z. The bulk variances sought will not cause substantial detriment to the surrounding area. The limitation on the number of stories for multifamily development is designed more to limit the number of apartment units, rather than the actual height of the structure (and the Applicant complies with the 35-foot height limitation. Since the Applicant is proposing three-story townhomes rather than stacked flats, the design will not create adverse impacts through additional units. Similarly, the proposed deficient setbacks and the over-length building are minimal in nature and do not result in the substantial reduction of light, air and open space. The visual impact of the retaining walls is on the Applicant's property, rather than on adjacent properties, and the single, 24-foot wide driveway curb cut is less impactful than two 16-foot curb cuts and a parking aisle in the front yard that would be needed to connect the two driveways. The Applicant's agreement to screen and attenuate the noise from the air conditioning units that may be located in the front yard will result in no impacts on adjacent properties because they will not be visible or audible.

NOW THEREFORE, BE IT RESOLVED that the Application of Jeam Investments, LLC for preliminary and final site plan approval with variances to develop a five-unit townhouse development on the Property, as shown on the Architectural and Site Plan prepared by John J. Gilchrist, Architect, dated January 11, 2019, and as testified by the Applicant's witnesses during

the public hearings and as shown on the plans submitted to the Board is approved subject to the following conditions:

1. **Location and Type:** The Applicant shall be permitted to construct the proposed 5-unit townhouse development in a manner and location as testified by the Applicant and witness during the public hearing and as shown on the Plans prepared by John J. Gilchrist dated January 11, 2019 and submitted to the Board

2. **Specific Conditions of Approval:** During the course of the hearings, the Applicant agreed to be bound by the following conditions:

A. The Applicant shall submit an as-built survey prepared by a licensed professional land surveyor prior to obtaining a final certificate of occupancy showing all setbacks and coverages applicable in the zone. The Applicant shall also submit as-built drawings for all on and off-site sanitary sewers, storm drains, and roadways to the Borough of Leonia Building Department, Department of Public Works, and Borough Engineer prior to the issuance of a final certificate of occupancy.

B. No dumpster shall be placed on the Property. Garbage shall be collected by private hauler at the expense of the Applicant or any successor to the Applicant.

C. The Applicant shall revise its Site Plan to delineate a fire zone on the access driveway. No parking in the access driveway shall be permitted.

D. The townhouse development shall be managed by a condominium association or homeowners association. The Applicant shall submit a copy of the Master Deed and Bylaws to any such association to the Board Attorney for review and approval to confirm the following:

1. No garage on the Property shall be utilized for living space.

2. All garbage and recycling shall be stored within the garages of the individual townhouse units.

3. All landscaped areas on the Property shall be properly maintained at the expense of the association.

E. The Applicant shall use its best efforts to locate all air conditioning equipment in the rear yard of the Property on the east side of the building. In the event that the Applicant is unable to locate all air conditioning equipment on the east side of the building, the Applicant shall provide, in writing, the basis for its inability to do so. In that event, the Applicant may install two of the five air conditioning units in the front yard of the Property provided that each such unit is properly screened with year-round landscaping to obscure any view of the equipment. All air conditioning equipment shall be surrounded with noise-attenuating fencing or other devices to minimize operational noise.

F. The Applicant shall install bollards in front of the air conditioning units located in the rear yard of the Property to protect said units from impact by vehicular turning movements.

G. The Applicant shall comply with the conditions of approval set forth in the review letter of the Board's Engineer, Robert Costa, P.E., dated February 27, 2019, including but not limited to:

1. The Applicant shall submit will serve letters from all applicable utilities and shall provide sanitary sewer flow calculations to the Board Engineer for review and approval.

2. If the Applicant intends to install new sanitary sewer laterals, it shall property abandon any existing laterals, and all proposed sanitary laterals shall be ductile iron pipe with a minimum diameter of 6".

3. Sanitary sewers shall be inspected with a video probe, both before and after construction, to determine the extent of any damage and if any replacement and/or repair is necessary.
4. All sanitary sewer clean outs shall be constructed of ductile iron and shall be sufficient to support H-20 loading.
5. The Applicant shall revise its plans to show (i) the installation of a sanitary sewer manhole in accordance with comment 8 on Page 4 of the February 27, 2019 review letter, (ii) the relocation of the sanitary sewer pipe that removes wastewater from the Property to avoid impacts with the stormwater management system in accordance with comment 9 on Page 4 of the February 27, 2019 review letter, and (iii) the inverts and direction of sanitary sewer flow on Grand Avenue in accordance with comment 10 on Page 4 of the February 27, 2019 review letter
6. All sanitary sewers shall have at least three (3') feet of cover.
7. All sanitary sewer connections must be inspected and approved by the Borough Engineer, Department of Public Works and Building Department.
8. Prior to the installation of any drainage structures, the Applicant shall dig test pits and shall submit information to the Board Engineer for his review and approval concerning the soil quality and the existence of groundwater.
9. The Applicant shall provide a maintenance manual that includes a maintenance schedule for the proposed drainage system.
10. The Applicant's construction drawings shall include the diameter and slope of all roof leaders, which shall be reviewed and approved by the Board Engineer prior to

the issuance of a building permit. All pipes shall be schedule 40 and installed in accordance with the manufacturers' specifications.

11. The Applicant shall revise its plans in accordance with Comments 7, 9; 11, 12, 13 and 14 on Page 5 of the Board Engineer's February 27, 2019 review letter.
12. The Applicant shall submit detailed retaining wall calculations and construction details to the Board Engineer for review and approval prior to the issuance of any permit for any grading activities on the Property.
13. All drainage shall be sufficient to support H2O loading.
14. All concrete utilized on the Property shall be 4500 psi with embedded polypropylene fibers, curing compound and shall be sealed with Sika guard 701W (or equivalent).
15. All pipe clean outs shall be ductile iron pipe or have protective covers to protect against damage from truck traffic.
16. The Applicant shall replace all sidewalks, aprons and curbs along the entire frontage of the Property in accordance with Borough specifications. The curbs at the right of way shall be 6" high, while the sidewalk shall be 5" thick with a 6" base of clean 3/4" stone.
17. The Applicant shall install a concrete driveway with a thickness of at least 8" with #6 w.w.m, and with a 6" base of clean 3/4" stone.
18. The Applicant shall install bedding material for all pipes that is at least 6" thick utilizing clean 3/4" crushed stone.
19. Any structures in the municipal right of way or on adjacent properties that are damaged during construction shall be replaced.

20. The Applicant shall revise its lighting plan to correct the luminaire schedule and calculation summary table, as well as eliminate any light spillage at the Property's driveway.
21. The Applicant shall address Comments (e).1 through (e).3 on Page 6 of the Board Engineer's February 27, 2019 review letter to the satisfaction of the Board Engineer.
22. The Applicant shall revise its plans to incorporate traffic signs as required by Comment (g).1 of the Board Engineer's February 27, 2019 review letter, and to depict sight triangles, along with metes and bounds descriptions thereof, as required by Comment 14 on Page 7 of the Board Engineer's February 27, 2019 review letter.
23. The Applicant shall revise its plans to provide details for the entrance steps to each of the townhouse units in accordance with Comment 3 on Page 7 of the Board Engineer's February 27, 2019 review letter.
24. The Applicant shall revise its plans to show stormwater inlet protection details in accordance with Comment 13 on Page 7 of the Board Engineer's February 27, 2019 review letter.
25. The Applicant shall enter into a Developers Agreement with the Borough of Leonia to be prepared by the Borough Attorney.
26. The Applicant shall obtain all other necessary permits and approvals, which include, but may not be limited to: New Jersey Department of Transportation, Bergen County Planning Board, Bergen County Soil Conservation District, Borough of Leonia Police Department, Borough of Leonia Fire Department, Borough of Leonia Ambulance, Borough of Leonia Shade Tree Commission, and shall submit such approvals (or waiver of approval) prior to the issuance of any construction permit.

H. The Applicant shall comply with all other requirements not specifically enumerated herein that are set forth in the Board Engineer's review letters, which were marked during the hearing as Exhibit B-1, B-5 and B-7. A copy of the Board Engineer's Review Letter of February 27, 2019 is attached hereto as Exhibit "A".

3. **Legal and Engineering Fees:** The Applicant shall be responsible for all legal and engineering fees of the Planning Board in connection with this application and no Certificate of Occupancy shall be issued until all such fees are paid.

4. **Other Fees:** All additional fees, if any, required by the Borough Ordinances shall be paid.

5. **Reliance by Board on Testimony and Application:** This approval is specifically granted based upon the testimony of the Applicant, the exhibits, the application, any and amendments to same, submitted to the Board, all of which have been relied upon by the Board.

6. **Compliance with Ordinance:** Except for the variance(s) approved herein, the Applicant shall comply with all other provisions of the Zoning Code of the Borough of Leonia.

7. **Compliance with Laws:** The Applicant shall comply with all Borough Ordinances, and any and all State and Federal laws and applicable regulations.

8. **Non-Severability of Conditions:** The relief granted to the Applicant is specifically made subject to the conditions referred to herein. In the event any condition is held to be invalid, unenforceable, or unlawful, the entire variance shall be unenforceable. It is the intent of the Board that the variance(s) not be approved if any condition is invalid, and that the conditions are not severable from any variances or relief granted herein.

9. **Appeal Period:** The Applicant has been advised that there is an appeal period for the relief granted herein for a period of forty-five (45) days from the date of publication of notice of the relief granted pursuant to this Resolution in a newspaper of general circulation approved by the Board. Accordingly, any work or construction done prior to the expiration of the appeal period is accomplished at the sole risk of the Applicant.

Said Resolution was adopted by the following vote:

Moved by: Mr. Ford
 Seconded by: Mr. Stenken

	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Qualified To Vote</u>
Patrick Botten, Chairman	X				
Mayor Zeigler					X
Councilman Fusco					X
Richard Stenken	X				
Vincent Petti	X				
William Russell		X			
Ron Wolf					X
Gregg Edelman					X
Timothy Ford	X				
Alicia Stewart				X	
Seam Thompson	X				
Michael DeGidio					X

Dated: February 27, 2019

Said Resolution was memorialized at the meeting after the Resolution was adopted (as set forth above), by the following vote:

Moved by:
Seconded by:

Ford
Petti

	<u>For</u>	<u>Agains</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Qualified To Vote</u>
Patrick Botten, Chairman	✓				
Mayor Zeigler					X
Councilman Fusco					
Richard Stenken				✓	
Vincent Petti	✓				
William Russell					X
Ron Wolf					X
Gregg Edelman					X
Timothy Ford	✓				
Alicia Stewart					X
Seam Thompson	✓				
Michel DeGidio					X

Dated: March 27, 2019

LEONIA PLANNING BOARD

By: 
Patrick Botten, Chairman

CERTIFIED TO BE A TRUE COPY

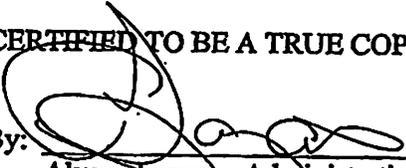
By: 
Alyson Lazarus, Administrative Secretary to
the Planning Board

EXHIBIT "A"



COSTA ENGINEERING CORPORATION

Professional Engineers • Surveyors • Planners
325 So. River Street, Suite 302, Hackensack, NJ 07601

Tel (201) 487-0015
Fax (201) 487-6122

Please Reply To:
325 So. River Street
Hackensack, NJ 07601

State of NJ Certificate of Authorization No. 276726

February 27, 2019

Members of the Leonia Planning Board
Borough of Leonia
312 Broad Avenue
Leonia, NJ 07605

RE: Jeam Investments LLC
401 Grand Avenue
Block 803, Lot 38
Borough of Leonia
Bergen County, New Jersey

Dear Board Members:

Our office has reviewed the plans and reports prepared for the proposed development of a New Development, consisting of five (5) three-bedroom town houses with twenty (20) parking spaces located at 401 Grand Avenue, Block 803, Lot 38, Leonia, NJ, 07605. Submitted by Jeam Investments LLC – 631 East Palisade Avenue, Englewood Cliffs, NJ 07632.

MATERIALS REVIEWED

1. Architectural Plans prepared by John J. GilChrist Architect – 210 Summit Avenue, Montvale, NJ 07645.
 - *“Key Maps – New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey”* sheet 1 of 9 dated December 1, 2017, revised January 11, 2019.
 - *“Zoning Plan and Site Plan – New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey”* sheet 2 of 9 dated December 1, 2017, revised January 11, 2019.
 - *“Soil Erosion & Sediment Control Plan & Landscaping Plan – New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey”* sheet 3 of 9 dated December 1, 2017, revised January 11, 2019.
 - *“Site Lighting Plan & Details – New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey”* sheet 4 of 9 dated December 1, 2017, revised January 11, 2019.
 - *“Site Sections and Driveway Profile – New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey”* sheet 4 of 9 dated December 1, 2017, revised January 11, 2019.

February 27, 2019

Members of the Leonia Planning Board
Borough of Leonia
312 Broad Avenue
Leonia, NJ 07605

RE: Jeam Investments LLC
401 Grand Avenue
Block 803, Lot 38
Borough of Leonia
Bergen County, New Jersey

- *"Site Details– New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey"* sheet 6 of 9 dated December 1, 2017, revised January 11, 2019.
 - *"Building Plans & Elevations – New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey"* sheet 7 of 9 dated December 1, 2017, revised January 11, 2019.
 - *"Landscaping Plan Fence & Wall Details – New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey"* sheet 8 of 9 dated December 1, 2017, revised January 11, 2019.
 - *"Floor Plans –New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey"* sheet 9 of 9 dated December 1, 2017, revised January 11, 2019.
 - *"Boundary and Topographic Survey–New Townhouse Development, 401 Grand Avenue, Block 803, Lot 38, Borough of Leonia, Bergen County, New Jersey"* sheet 1 of 1 dated April 12, 2017
2. Stormwater Management Plan (SMP) prepared by Preferred Design and construction Inc. 96 Buckhaven Hill, Upper Saddle River, New Jersey 07456 dated November 30, 2017 revised February 4, 2019.

	ITEM	REQUIRED	PROPOSED
A (1)	Min. Lot Area (sf)	43,560 SF	21,107 SF (V)
(2)	Max. Density 8 DU/Per Acre	4	5 (V)
	Max One Bedroom Units/Per Acre	2	0
	Max. Density @24 bedrooms Per Acre	12	15 (V)
(3)	Minimum Lot Frontage	100 ft	87.46 ft (V)
B (1)	Min. Front Yard	25 ft	25 ft
(2)	Min. Rear Yard	35 ft	63 ft (V)
(3)	Min. Side Yard (15 plus 1)	16 ft	6 ft (V)
C.	Distance Between Buildings	30 ft	n/a

February 27, 2019

Members of the Leonia Planning Board
 Borough of Leonia
 312 Broad Avenue
 Leonia, NJ 07605

RE: Jeam Investments LLC
 401 Grand Avenue
 Block 803, Lot 38
 Borough of Leonia
 Bergen County, New Jersey

D. (1)	Max. Building Height	2 sty/35 ft	3 sty/35 ft (V)
(2)	Max. Length of Building	140 ft	150.0 ft (V)
(3)	Max. Units per Building	8	5
(4)	Exterior to be brick, stone or equal		Complies
(5)	Max. Building Coverage	20%	22.74% (V)
E. (1)	No DU Shall exceed 3 bedrooms		Complies
(2)	Min. Livable Areas		
	0 to 1 bedrooms	825 S.F.	n/a
	2 bedrooms	1,050 S.F.	n/a
	3 bedrooms	1,275 S.F.	2,072 S.F.
(3)	Apts. shall not be located in basement		Complies
(4)	Each unit shall have 2 exposures		Complies
(5)	Airborne-sound-transition loss clarification	50 decibels	Complies
(6)	Basement storage space 500 CF per unit		Complies
F.	Garages		
(1)	Size of Garage Space	10x20	10x20
(2)	Design		Complies
(3)	Garage Setbacks	3	
G.(1)	Minimum Parking	15	20
(2)	Location-Front Yard Setback	25	25
	Location-Setback from Principal Bld.	10	N/A
	Location-Setback from lot line	5	6
(3)	Access Driveway	2 Accesses at 16 ft	One at 24'(W)
(4)	Concrete Sidewalk 4' wide		
	(a) Between Building and Parking		Complies
	(b) Between each entrance in each building		n/a
	(c) In other locations as warranted		Complies
(5)	Adequate exterior light		Complies
H.	Landscaping & Open space	15%	39.07%
L (1)	Utilities shall be underground		Complies
(2)	Water Supply & Sanitary Sewer subject to approval		
J.	Miscellaneous		Complies
K.	Site Plan approval required		Complies

(V) = Variance required



COSTA ENGINEERING CORPORATION

February 27, 2019

Members of the Leonia Planning Board
Borough of Leonia
312 Broad Avenue
Leonias, NJ 07605

RE: **Jeam Investments LLC**
401 Grand Avenue
Block 803, Lot 38
Borough of Leonia
Bergen County, New Jersey

CONCERNS

- a) **Sewer:** The applicant is proposing a sanitary sewer connection to the existing sewer along the Southwest portion of the property. The following requirements must be addressed:
- 1) Sanitary sewer flow calculations for the proposed system must be submitted.
 - 2) Existing sanitary sewer lateral location and proper abandonment on property, if any.
 - 3) The sanitary sewer must be TV inspected both before and after construction.
 - 4) Proposed sanitary sewer system shall have a Clean Out for each townhouse which shall be protected by a mini manhole for vehicle traffic.
 - 5) Clean out shall be Ductile Iron material to protect clean out and support H-20 loading.
 - 6) Sanitary sewer shall have at least three feet of cover (3').
 - 7) Accurate location of sanitary sewer shall be shown on plans providing inverts, grade, size and material of pipe. Addressed.
 - 8) Sanitary sewer manhole shall be added at the starting of the proposed system since access to sewer is critical from start to end.
 - 9) Sanitary sewer pipe leaving property crosses with storm water manhole.
 - 10) Inverts and direction of flow on Grand Avenue to be provided for Sanitary Sewer.
- b) **Drainage:** The applicant has proposed a drainage system composed by an infiltration system located under the parking lot in the Northwest portion of the property which will handle the storm water coming from the entire parking lot and roof leaders. Moreover, one trench drain is proposed at the entrance of the development as unique water inlet structure. Finally, the proposed system will be connected to a storm inlet located at the west side of Grand Avenue.
- 1) The applicant must provide a maintenance schedule for the proposed system.
 - 2) All impervious area runoff shall be controlled within property before exiting to Leonia Municipal Storm Water System. Addressed.
 - 3) All pipe diameters shall be shown on Site Plan, Grading and Drainage Plan. Addressed.
 - 4) Invert of Stormwater inlet at Grand Ave shall be shown on plans.
 - 5) Test pits are required in the location of the proposed drainage system.



COSTA ENGINEERING CORPORATION

February 27, 2019

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Borough of Leonia
312 Broad Avenue,
Leonia, NJ 07605

RE: Jeam Investments LLC
401 Grand Avenue
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Borough of Leonia
Bergen County,
New Jersey

- 6) All of the roof leaders' diameters and slopes need to be shown. Addressed.
 - 7) Second water inlet structure might be needed for access to roof leader pipes.
 - 8) The applicant should discuss how the infiltration system will be maintained and the access to it. Addressed.
 - 9) Stormwater drainage system details shall be updated with new design.
 - 10) Stormwater management report shall be updated showing new proposed design. Addressed.
 - 11) Proposed storm manhole should be relocated to the north due to its proximity to proposed retaining wall.
 - 12) Concrete cradle might be required where storm water pipe crosses with sanitary sewer pipe
 - 13) Proposed storm manhole where roof leader flow and trench drain flow encounter might not be capable of controlling storm water on a considerably rain event. Applicant shall provide information regarding this issue.
 - 14) Stormwater infiltration system might not have enough cover at entrance of northwest portion of property.
- c) Landscaping: A landscaping plan has been provided and should be testified at length during the public meeting.
- d) Lighting: The applicant has provided lighting information. However, the lighting must conform to the requirements as set forth in the Leonia Code, more specifically, lights spillage at street intersection. This shall include all site lighting, building exterior lighting, and parking lighting. Lighting plan shall be revised showing the correct luminaire schedule and calculation summary table for the new proposal.
- 1) Lighting plan shows light spillage at driveway exceeding amount cited in Leonia code 236-30.
 - 2) Lighting plan does not show radius of light from each lighting fixture. Addressed.

February 27, 2019

Members of the Leonia Planning Board
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312 Broad Avenue
Leonia, NJ 07605

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401 Grand Avenue
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Bergen County, New Jersey

- e) **Water Service:** The applicant has not provided information on the adequacy of water pressure or the sizing of mains for domestic and fire services.
- 1) Proposed water line might create a conflict if placed behind retaining wall.
 - 2) Proposed light fixture at entrance of site is located on top of proposed water line.
 - 3) Proposed water line to feed hydrant is located underneath retaining wall, conflict might be created if access to pipe is ever needed.
- f) **Other Utilities:** The applicant must provide information concerning the adequacy of other utilities necessary for the proposed building.
- g) **Traffic:** The applicant has provided information through traffic study by Lou Luglio, P.E. with regards to the parking requirements and traffic generation from the site. The plans provided do not show traffic circulation throughout the entire site not limited to deliveries, garbage pickup and emergency service vehicles.
- 1) Applicant shall incorporate traffic signs for Stop, ADA signage, etc. to proposed parking lot.
 - 2) Applicant shall submit emergency vehicle turning template. Addressed.
- h) **Grading:** The applicant has provided grading information and it is not adequate.
- 1) Applicant must provide detailed retaining wall calculations and construction details not limited to wall heights, length of grid, wall depth and proper backfill if using a Keystone type retaining wall.
 - 2) Driveway at 11% might represent
- i) **Miscellaneous:** The applicant must provide information on the following:
- 1) Revise all sheet numbers, and list of drawings on sheet 1 to match titles of each sheet. Provide all plans for review. Addressed
 - 2) Garbage Details. Addressed.
 - 3) Irrigation System.
 - 4) Drainage must support H-20 loading.
 - 5) Topographic survey signed and sealed shall be provided for review.
 - 6) All concrete shall be 4500 PSI w/ polypropylene fibers, curing compound and sealed with sika guard 701W or equivalent.



COSTA ENGINEERING CORPORATION

February 27, 2019

Members of the Leonia Planning Board
Borough of Leonia
312 Broad Avenue
Leonia, NJ 07605

RE: Jeam Investments LLC
401 Grand Avenue
Block 803, Lot 38
Borough of Leonia
Bergen County, New Jersey

- 1) All Pipe cleanouts need to be ductile iron pipe or protective covers due to heavy truck traffic.
- 2) Steps to the entrance of building shall be shown on details.
- 3) Sidewalk, apron and curb shall be replaced along entire property right-of-way.
- 4) Detailed calculations should be provided on the adequacy of the size of the dumpsters (if required). Addressed.
- 5) Bollards shall be placed at dumpster enclosure (if required). Addressed.
- 6) ADA ramps shall be presented on a separate plan showing grading and dimensions Addressed.
- 7) Concrete Vertical Curb at right of way shall be a minimum of 6" high for municipal road and 8" high for county roads, 4,500 psi, w/polypropylene fiber, cured at the time of pouring & sealed w/Sikagard 701W or similar approved. (NJDOT Specifications)
- 8) Concrete sidewalk shall be 5" thick, 4,500 psi, w/polypropylene fiber, cured at the time of pouring & sealed w/Sikagard 701W or similar approved.
- 9) Concrete driveway shall be 8" thick w/ w.w.m., 4,500 psi, w/polypropylene fiber, cured at the time of pouring & sealed w/Sikagard 701W or similar approved.
- 10) Applicant needs to discuss pedestrian access on site.
- 11) Bedding material for all pipes shall be minimum of 6" of ¾ clean crushed stone. Addressed.
- 12) Building Height calculations shall be shown on plans. Addressed.
- 13) Soil Erosion and Sediment Control plan does not show Stormwater inlet protection details.
- 14) Sight triangle shall be shown at the driveway entrance and exit and provide metes and bounds.

February 27, 2019

Members of the Leonia Planning Board
Borough of Leonia
312 Broad Avenue
Leonia, NJ 07605

RE: Jeam Investments LLC
401 Grand Avenue
Block 803, Lot 38
Borough of Leonia
Bergen County, New Jersey

APPROVALS REQUIRED

Furthermore, the applicant would be required to obtain additional approvals or waivers from the following:

- Bergen County Planning Board (REQUIRED)
- Bergen County Soil Conservation District (REQUIRED)
- Borough Police Department (REQUIRED)
- Borough Fire Department (REQUIRED)
- Borough Ambulance (REQUIRED)
- Borough Shade Tree (REQUIRED)
- NJDEP Wetlands Permit (NOT REQUIRED)
- NJDEP TWA Permit (NOT REQUIRED)
- NJDOT Permit Access and Drainage (REQUIRED)

GENERAL COMMENTS AND REQUIREMENTS

1. The Developer must enter into a Developer's Agreement which will include a performance bond.
2. Escrow fees must be posted to cover engineering review and inspection, legal expenses and DPW review and inspection.
3. Zoning requirements should be reviewed by the Zoning Official.
4. Borough specifications for curb, driveway and sidewalk construction must be followed.
5. As-built drawings for the on and off-site sanitary sewers, storm drains, roadways must be furnished to the Building Department, Department of Public Works and Borough Engineer, prior to the release of any certificate of occupancy.
6. Sanitary sewer connections must be approved and inspected by the Borough Engineer, Department of Public Works and Building Department.
7. Construction activities may only be conducted during hours stipulated by Borough Ordinance.
8. Any adjacent structure, retaining wall, landscaping, curb, piping, pavement, fencing, etc. damaged during construction must be repaired or replaced.
9. The applicant's plans should indicate an appropriate notation and reference that all construction work for the project must be performed in accordance with all applicable rules and regulations of the Occupational Safety and Health Administration (OSHA), the New Jersey Uniform Code, and good construction and engineering practice as it pertains to safety.



COSTA ENGINEERING CORPORATION

February 27, 2019

Members of the Leonia Planning Board
Borough of Leonia
312 Broad Avenue
Leonia, NJ 07605

RE: **Jeam Investments LLC**
401 Grand Avenue
Block 803, Lot 38
Borough of Leonia
Bergen County, New Jersey

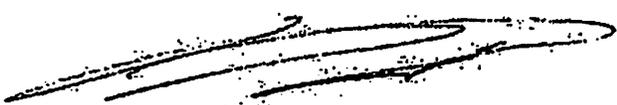
10. Two full sets of plans showing all site work including lighting and landscaping signed by the chairman and secretary of the planning board must be submitted to this office, construction code official, borough clerk, DPW director prior to the start of any work.
11. A pre-construction meeting must be held with representatives of this office, building department, and director of the DPW prior to the commencement of work on this site.
12. The applicant must provide a minimum of forty-eight (48) hours notice of any inspections.
13. Full-Time Inspection by a Geotechnical Engineer is required of all soil moving onsite and proper compaction, if necessary.

The foregoing comments are based on the review of the application and plans submitted. We have attempted to make this review as complete as possible. However, any new submission depending upon the nature of any revision may require additional review and comment.

Should you require additional information or have any further questions please do not hesitate to contact our office at (201) 487-0015.

Very truly yours,

COSTA ENGINEERING CORPORATION



Robert L. Costa, P.E., P.P. & C.M.E.
Leonia Planning Board Engineer

cc: Alyson Lazarus, Borough of Leonia
Mark Moeller, Construction Code Official
JEAM Investments LLC
Daniel Steinhagen, Esq. Planning Board Attorney

Ad Number: 0004326210



Ad Order Number
0004326210

STATE OF NEW JERSEY
COUNTY OF PASSAIC SS:

[Handwritten Signature]

Of full age, being duly sworn according to law, on his/her oath says that he/she is employed at North Jersey Media Group publisher of the The Record. Included herewith is a true copy of the notice that was published on the following date(s):

04/03/19

in The Record, a newspaper of general circulation and published in Hackensack, in the County of Bergen and circulated in Bergen, Passaic, Hudson, Morris and Essex Counties. Said newspaper is published seven days a week.

Subscribed and sworn before me this 3 day of April, 2019 at Woodland Park, NJ

[Handwritten Signature]
A Notary Public of New Jersey



***NOTICE OF APPROVAL
LEONIA PLANNING BOARD
APPLICATION OF JEAM INVEST-
MENTS, LLC
401 Grand Avenue
Leonía, New Jersey
Block: 803 Lot: 38
Calendar No. 2018-13**

Please take notice that the above entitled Planning Board Application for Preliminary and Final Site Plan Approval for the construction of five (5) townhouse residential units located at 401 Grand Avenue, Leonia, New Jersey was approved and memorialized by Resolution of the Leonia Planning Board on March 27, 2019. A complete copy of the Resolution can be secured from the Borough Clerk and/or the Administrative Secretary to the Leonia Planning Board.

Dated: March 29, 2019
Saverio V. Cereste,
Attorney for Jeam Investments, LLC
The Record April 3, 2019
Fee: \$15.40 (28) 4326210

EXHIBIT “B”

**MEMORANDUM OF DAN MELFI
DATED MARCH 22, 2020**

From: Dan Melfi <dmelfi@leonianj.gov>

Subject: 401 Grand Ave.

Date: March 22, 2020 at 11:01:27 AM EDT

To: "Saverio V. Cereste, Esq." <scereste@verizon.net>, John J Gilchrist <jgilchristaia@aol.com>

Cc: Alyson Lazarus <alazarus@leonianj.gov>, Mark Moeller <mmoeller@leonianj.gov>, "Steinhagen, Daniel L." <DSteinhagen@beattielaw.com>, Robert Costa <robertc@costaeng.com>

A review was completed comparing the board approved plan date 1-11-19 to the new revised plan dated 3-14-20. Please note your plan changes;

Building coverage
Approved 22.74%.
Revised plan 24.16%

Lot Coverage
Approved 39.07%
New plan 37.65%

Total coverage
Approved 60.93%
New plan 63.35%.

It also looks like the front landscaping / elevation has changed.

Please composed a detailed letter on the above and any other changes by you or required by DOT.

Be advised any changes to a prior approved board plan can require an amended site plan application.

Please do not take these Sunday emails as normal. I will reply during the business week. I will try to do what I can when I can due to the current circumstances.

EXHIBIT “C”

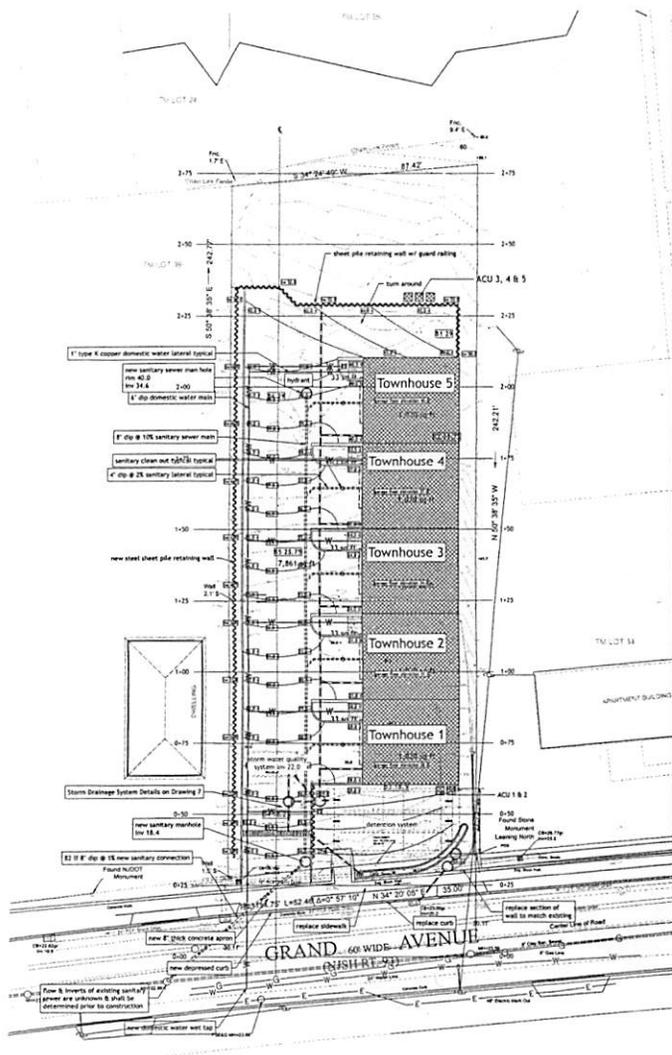
**REVISED ZONING DATUM
DATED MARCH 14, 2020**

Zoning Schedule				
Article VI: District B Multi-Family				
290-20 Area, yard & building requirements		Ordinance	Proposed	
A.(1)	Minimum Lot Area	43,560	21,107	variance
(2)	Maximum Density @ 8 DU per acre	4	5	variance
	Max number of one bedroom units per acre	2	0	
	Maximum Density @ 24 bedrooms per acre	12	15	variance
(3)	Minimum Lot Frontage	100	87.46	variance
B.(1)	Minimum Front Yard	25	25	
(2)	Minimum Rear Yard	35	63	variance
(3)	Minimum Side Yard (15 plus 1)	16	6	variance
C.	Distance between buildings	30'	n/a	
D.(1)	Maximum Building Height	2 sty/35'	3st/ 35'	variance
(2)	Maximum Length of Building	140	150.0	variance
(3)	Maximum Units per Building	8	5	
(4)	Exterior to be brick, stone or equal		complies	
(5)	Maximum Building Coverage	20%	24.16%	22.74% variance
E.(1)	No DU shall exceed three bedrooms		complies	
(2)	Minimum Livable Floor Areas			
	0 or 1 bedroom	825	n/a	
	2 bedrooms	1,050	n/a	
	3 bedrooms	1,275	2,072	
(3)	Apartments shall not be located in basement		complies	
(4)	Each unit shall have two exposures		complies	
(5)	Airborne-sound-transition loss classification	50 decibels	complies	
(6)	Basement storage space 500 cf per unit		complies	
F.	Garages			
(1)	Size of garage space	10x20	10x20	
(2)	Design		complies	
(3)	Garage setbacks	3		
G.(1)	Minimum Parking 2 per unit	10	20	
(2)	Location- Front Yard Setback	25	25.0	
	Location- Setback from Principal Building	10	n/a	
	Location -Setback from lot line	5	6	
(3)	Access Drive, two at 16'		one @ 24'	waiver
(4)	Concrete Sidewalks 4' wide			
	(a) Between building & parking areas		complies	
	(b) Between each entrance in each building		n/a	
	(c) In other locations as warranted		complies	
(5)	Adequate exterior lighting		complies	
H.	Landscaping & Open Space	15%	37.65%	39.07%
I.(1)	Utilities shall be underground		complies	
(2)	Water Supply & sanitary sewer subject to approval			
J.	Miscellaneous		complies	
K.	Site plan approval required		complies	

(5 buildings @ 1,020 each per resolution)	Building Coverage	5,100	4,800	300
	Driveways, Parking & Road	7,861		
	Sidewalks	200		
	Total Coverage	13,161	12,861	62.35%
	Open Space	7,246	8,246	

B.(3) for each 10 feet ...building exceeds 30'...setback shall be increased by 1 foot

Unit Summary	Units	Bedrooms
Total Units/ Bedrooms	5	15



Site Plan

Scale: 1" = 20.0'

0' 10' 20'

Prepared with information taken from, "Boundary & Topographic Survey, 401 Grand Avenue, Lot 38 Block 803, Situated in the Borough of Leonia, Bergen County, NJ," by Mark Martins Engineering LLC dated 4-12-17 & revised through 4-6-19



Zoning Schedule			
Article VI: District B Multi-Family			
290-20 Area, yard & building requirements			Ordinance
290-20 Area, yard & building requirements			Proposed
A.(1)	Minimum Lot Area	43,560	21,107
(2)	Maximum Density @ 8 DU per acre	4	5
Max number of one bedroom units per acre			4
Maximum Density @ 24 bedrooms per acre			12
(3)	Minimum Lot Frontage	100	87.46
B.(1)	Minimum Front Yard	25	25
(2)	Minimum Rear Yard	35	63
(3)	Minimum Side Yard (15 plus 1)	16	6
C.	Distance between buildings	30	n/a
D.(1)	Maximum Building Height	2 sty/35'	36'/ 35'
(2)	Maximum Length of Building	140	150.0
(3)	Maximum Units per Building	8	
(4)	Exterior to be brick, stone or equal		complies
(5)	Maximum Building Coverage	20%	24.16%
E.(1)	No DU shall exceed three bedrooms		complies
(2)	Minimum Livable Floor Areas		
0 or 1 bedroom			825
2 bedrooms			1,050
3 bedrooms			1,275
(3)	Apartment shall not be located in basement		complies
(4)	Each unit shall have two exposures		complies
(5)	Airborne-sound-transition loss classification	50 decibels	complies
(6)	Basement storage space 500 cf per unit		complies
F.	Garages		
(1) Size of garage space			10x20
(2) Design			complies
(3) Garage setbacks			3
G.(1)	Minimum Parking 2 per unit	10	20
(2)	Location- Front Yard Setback	25	25.0
(3)	Location- Setback from Principal Building	10	n/a
(4)	Location- Setback from lot line	5	6
(5)	Access Drive, two at 16'		one @ 24'
(6)	Concrete Sidewalks 4' wide		complies
(a)	Between building & parking areas		n/a
(b)	Between each entrance in each building		complies
(c)	In other locations as warranted		complies
H.	Adequate exterior lighting		complies
I.	Landscape & Open Space	15%	17.65%
(1)	Utilities shall be underground		complies
(2)	Water Supply & sanitary sewer subject to approval		complies
J.	Miscellaneous		complies
K.	Site plan approval required		complies

(5 buildings @ 1,020 each per resolution) Building Coverage 5,100 4,800 300
 Driveways, Parking & Road 7,861
 Sidewalks 200
 Total Coverage 13,161 12,861 62.35%
 Open Space 7,914 8,246

B.(1) for each 10 feet building exceeds 30' setback shall be increased by 1 foot

Unit Summary	Units	Bedrooms
Total Units/ Bedrooms	5	15

A. To be signed before submission:
 I CONSENT TO THE PLANS OF THIS SITE PLAN.
 Owner Date
 Applicant Date

B. To be completed before submission:
 LOT 38 BLOCK 803
 DATE SCALE
 APPLICANT ADDRESS

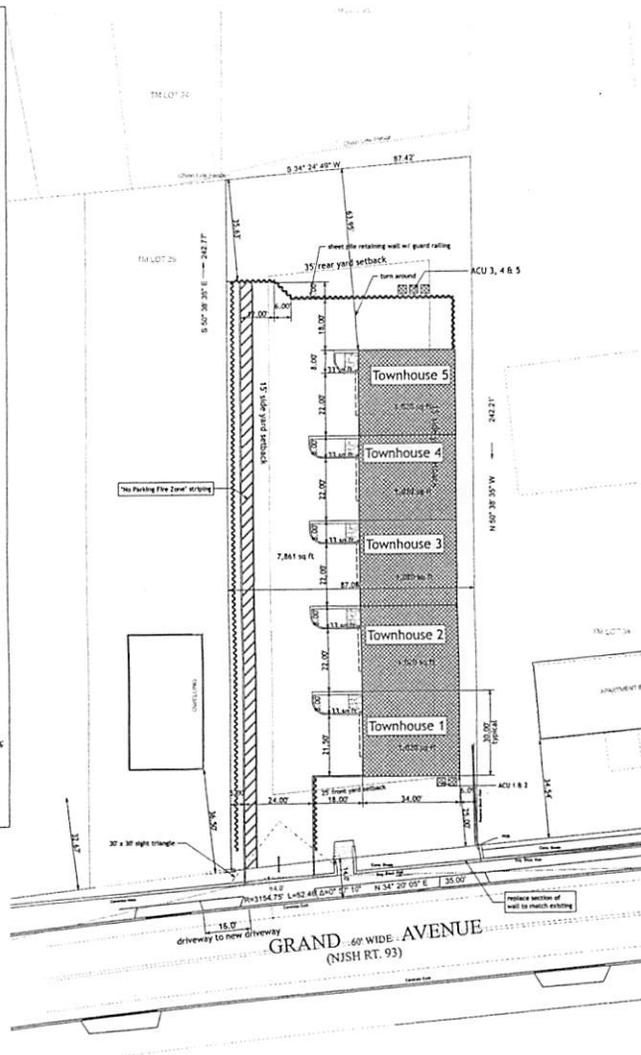
C. To be signed before submission:
 I HEREBY CERTIFY THAT I HAVE PREPARED THIS SITE PLAN AND THAT ALL DIMENSIONS AND OTHER INFORMATION SET FORTH ARE CORRECT.
 Name John J Gilchrist
 Architect Engineer RA 10567 PE 38077
 Title and License Number

D. To be signed before issuance of building permit:
 APPROVED BY THE BOARD OF THE BOROUGH OF LEONIA.
 By: Chairman Date

E. To be signed before (preliminary or final) approval is given:
 I HAVE REVIEWED THIS SITE PLAN AND CERTIFY THAT IT MEETS ALL ORDINANCES AND REGULATIONS UNDER MY JURISDICTION.
 Borough Engineer Date

F. To be signed before issuance of a certificate of occupancy:
 I HEREBY CERTIFY THAT ALL REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED OR THAT A PERFORMANCE GUARANTEE HAS BEEN POSTED IN ACCORDANCE WITH THE SITE PLAN ORDINANCE.
 Construction Official
 Borough Engineer

G. To be signed prior to issuance of certificate of occupancy:
 I HEREBY CERTIFY THAT ALL THE REQUIRED IMPROVEMENTS OF THIS SITE PLAN HAVE BEEN INSTALLED IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES AND REGULATIONS.
 Borough Engineer Date
 Construction Official Date
 OCCUPANCY PERMIT ISSUED:



Zoning & Horizontal Control Plan

Scale: 1" = 20.0'

0' 10' 20'

Prepared with information taken from, "Boundary & Topographic Survey, 401 Grand Avenue, Lot 38 Block 803, Situated in the Borough of Leonia, Bergen County, NJ," by Mark Martins Engineering LLC dated 4-12-17 & revised through 4-6-19



Sight Triangle: nothing shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of 2 1/2 feet above the center-line grade of the street or driveway. The municipality shall have the right of entry to remove any obstruction to vision within a site easement area not conforming to the standards of this definition, following due notice to the property owner.

JOHN J
 GILCHRIST
 ARCHITECT
 A Professional Corporation

Owner:
 Jeam Investments LLC
 contract purchaser
 631 E Palisades Avenue
 Englewood Cliffs NJ 07632
 8-3-20 revise zoning schedule J.J.G.

Date	Issue	Initial
3-14-20	Leonia Review	J.J.G.
2-27-20	NJDOT Submittal	J.J.G.
1-24-20	NJDOT Submittal	J.J.G.
1-15-20	NJDOT Submittal	J.J.G.
12-5-19	NJDOT Submittal	J.J.G.
8-30-19	NJDOT Submittal	J.J.G.
5-1-19	NJDOT Submittal	J.J.G.
1-11-19	five units	J.J.G.

New Townhouse Development
401 Grand
 401 Grand Avenue
 Borough of Leonia
 New Jersey 07605
 Lot 38 Block 803

Zoning Plan & Site Plan

 RA 10567 PE 38077

John J Gilchrist
 Architect
 A Professional Corporation
 210 Summit Avenue
 Montvale NJ 07645
 Phone 201 573 1877
 JGilchristAIA@aol.com

1" = 20.0'
 170622