

Planning & Real Estate Consultants

June 4, 2020

David Hands Chair  
Long Hill Township Planning Board  
915 Valley Road  
Gillette, New Jersey 07933

**RE: Application #: 19-13P**  
**Applicant: Prism Millington, LLC**  
**Address: 50 Division Avenue**  
**Block: 12301/ Lot: 1**  
**Block: 10100/ Lot 7.01**  
**LI-1 Light Industrial Zone and MU-O Mixed Use Overlay Zone**  
**Preliminary and Final Major Site Plan**

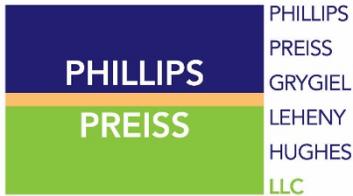
Dear Chairperson Hands and Members of the Board:

Prism Millington, LLC (the "Applicant") is seeking Preliminary and Major Site Plan approval to develop 140 multifamily residential units, an 1,800 square foot community building with adjacent swimming pool, ±4,992 square feet of commercial space and other site improvements on Block 12301, Lot 1 and Block 10100, Lot 7.01 in Millington. The property has a street address of 50 Division Avenue and is known as the Tifa Site. The following is a review letter of the application.

#### **Documents Reviewed**

The following documents have been reviewed in preparation of this letter:

- Application for Development.
- Preliminary and Final Major Site Plans for Enclave at Millington consisting of 18 sheets, signed and sealed by Charles D. Olivo, P.E. of Stonefield Engineering and Design, dated October 25, 2019.
- Architectural Plans and Elevations for Prism Capital Partners, LLC, Millington Apartments, Millington, NJ, consisting of 6 sheets, prepared by Devereaux and Associates, PC Architects and Planners, dated June 20, 2019.
- Site Photographs consisting of 7 sheets, prepared by Stonefield Engineering and Design, dated October 25, 2019.
- Environmental Impact Statement Enclave at Millington, Block 12301, Lot 1 and Block 10100, Lot 7.01, 50 Division Avenue, Millington, Township of Long Hill, Morris County, New Jersey prepared by Stonefield Engineering and Design, LLC, dated October 25, 2019 with revisions through April 3, 2020.
- Stormwater Management Report Enclave at Millington prepared by Stonefield Engineering and Design, dated October 25, 2019 with revisions through April 3, 2020.
- Letter to Debra Coonce entitled "RE: Application 19-13P" dated April 3, 2020 and signed by Jeffrey Martell, PE, PP, CME, LEED AP and Jonathan R. Istranyi, PE, PP, CME, CFM of Stonefield Engineering and Design, LLC.



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- Letter to Debra Coonce entitled “RE: Application 19-13P” dated April 9, 2020 and signed by Jeffrey Martell, PE, PP, CME, LEED AP and Jonathan R. Istranyi, PE, PP, CME, CFM of Stonefield Engineering and Design, LLC.
- Traffic Impact Assessment Report dated April 3, 2020 and prepared by Charles D. Olivo, PE, PP, PTOE and Matthew J. Seckler, PE, PP, PTOE of Stonefield Engineering and Design, LLC.
- Perspective Rendering and Building and Pool Rendering, undated.

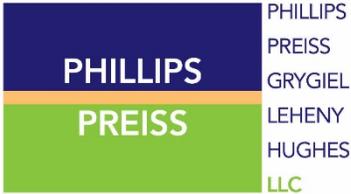
### **Site Description**

The proposed project involves two separate tax block and lots: Block 12301, Lot 1 and Block 10100, Lot 7.01, with a street address of 50 Division Avenue. The property is ±11.90 acres and is located at the northwest quadrant of the intersection of Division Avenue and Stone House Road in Millington. It is bounded by the NJ Transit railroad and Commerce Street to the north, Division Avenue to the east, Stone House Road to the south, and the Passaic River to the west.

The property is known as the “Tifa Site” and was formerly the location of an asbestos products manufacturing facility and a pesticide application equipment manufacturer and pesticide packaging distribution facility. The total project area is 518,322 SF (11.90 acres) and is divided into two areas: the “Restricted Area” and the “Developable Area”. The western portion of the property encompasses approximately 4.5 acres and is referred to as the Restricted Area and consists of a fenced-in closed asbestos landfill which is a delisted National Priorities List (NPL or Superfund) area. The landfill is capped and covered by soil and vegetation as an engineering control. The Developer is responsible for the implementation of an operation and maintenance plan under EPA and NJDEP oversight. There are no plans on redeveloping the Restricted Area. The eastern portion of the property encompasses approximately 7.5 acres and is referred to as the Developable Area. Remedial investigations have been conducted on, and in the vicinity of the Developable Area under the direction and oversight of a New Jersey Department of Environmental Protection (NJDEP) Licensed Site Remediation Professional (LSRP). The Redevelopment Area currently is a multitenant industrial / business park. The site consists of two 1-story buildings, a 2-story building, and a 3-story building, as well as an asphalt parking area.

### **Proposed Project**

The Applicant proposes to demolish the extant buildings onsite and develop fourteen 10-unit multifamily residences, an 1,800 square foot community building with adjacent swimming pool, a 4,992 square foot retail building, and site improvements including off-street parking areas, landscaping, utilities, site lighting, and stormwater management measures. Access is proposed via one full-movement driveway along Division Avenue and one full-movement driveway along Stone House Road. Of the 140 residential units, 15 percent or 21 units will be reserved as affordable housing units. The majority of the residential units will be 2-bedrooms (126) with the balance



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(14) being 3-bedrooms. The residential buildings will be 3 stories in height with ground floor garage parking.

**Relationship to Settlement Agreement with Fair Share Housing Center**

The Township filed a declaratory judgment action on July 6, 2015 seeking a declaration of compliance with the Mount Laure doctrine and Fair Housing Act of 1985. Subsequently, the Township reached a settlement agreement with Fair Share Housing Center (FSHC), a Supreme Court-designated interested party in the matter in accordance with In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015). The terms of the Settlement Agreement were memorialized in an agreement dated September 27, 2017 and included the requirement that the Township address its Fair Share obligation, in part, by placing overlay zoning on four sites including the Tifa Site. The terms of the agreement indicated that the Tifa site could produce 21 rental units of affordable housing or 28 ownership units of affordable housing. By Ordinance #413-18, the Township adopted zoning regulations necessary to implement the Settlement Agreement including the MU-O Mixed Use Overlay Zone for the Tifa site.

**Zoning Compliance**

The site's underlying zoning is LI-2 Light Industrial which allows the manufacturing, processing, treatment or design of a number of items, plus research labs, recording studios, printing and publishing, wholesale trade, warehousing and offices. However, the site is located in the MU-O Mixed Use Overlay Zone, the purposes of which is "to provide zoning for affordable housing which allows a realistic opportunity for the construction of very low-, low- and moderate-income housing." The Applicant is pursuing a development scheme consistent with the overlay zoning for the site.

***Permitted Uses***

Permitted uses in the MU-O overlay zone include commercial uses consisting of retail, personal services, restaurants and offices and multi-family dwelling units for the provision of inclusionary affordable housing. Further, commercial buildings may only face Division Avenue and the NJ Transit railroad right-of-way.

The zoning standards specify that the properties at this location in the MU-O zone overlay "shall be used for inclusionary affordable housing multi-family dwelling units." Further, not less than 15 percent of the total number of units shall be affordable to very low-, low- and moderate-income households or 20 percent of any for sale units. Any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of more than or equal to 0.5 shall be rounded up. The affordable units must meet the relevant income and bedroom distribution requirements of the Fair Housing Act (i.e., N.J.S.A. 52:27D-329.1) and Uniform Housing Affordability Controls (i.e. N.J.A.C. 5:80-26.3).

A zoning table indicating the overlay zone requirements and proposed development compliance is provided below.

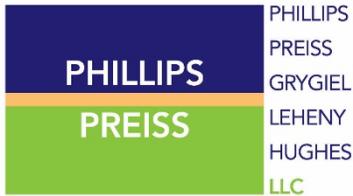
**MU-O Mixed Use Overlay Zone**

Bulk Requirements	Required/ Permitted	Existing	Proposed	Relief Needed
<b>A maximum of 10,000 SF of commercial space for retail, personal service, restaurant and office uses</b>	Up to 10,000	N/A	4,992	—
<b>Min. Lot Area (acres)</b>	11	11.9	11.9	—
<b>Max. Residential Density (dwelling units/acre)</b>	12	N/A	11.8	
<b>Min. Lot Width (ft.)</b>	500	532.98	532.98	—
<b>Min. Affordable Housing Set Aside (%)</b>	15/20	N/A	15 (21 units)	—
<b>Max. Height of Building (stories/feet)</b>				
<i>Facing Division Avenue (east boundary line) or NJ Transit Railroad Tracks (north boundary line)</i>	2.5/35	1/20	1/<20	—
<i>Facing Stone House Road (south boundary line) and in the interior of the property</i>	3/45	3/45	3/<45	—
<b>Min. Front Yard (ft.)</b>				
<i>Division Avenue</i>	50	20.9	50	—
<i>Commercial Buildings Facing Division Avenue</i>	20	20.9	20	—
<i>Stone House Road</i>	30	9.3	33.8	—
<b>Min. Side Yard (ft.)</b>	30	49.2	30	—
<b>Min. Rear Yard (ft.)</b>	50	241.1	90.1	—
<b>Max. Building Coverage (%)</b>	20	29.7	14.1	—
<b>Max. Lot Coverage (%)</b>	40	59.3	39.8	—
<b>Floor Area Ratio (FAR)</b>	0.5	0.47	0.39	—
<b>Buffer</b>	10	49.2	20	—

V= Variance Required

**Planning Comments**

1. The Applicant should provide testimony as to the current status of the remediation on the property including if any contamination is anticipated under the buildings proposed to be demolished.
2. The Applicant should provide testimony as to how residents will be prevented from entering the restricted area on the site.
3. The Applicant should provide testimony on the location and bedroom count of the Mt. Laurel units to ensure compliance with UHAC's bedroom distribution requirements. Also, the Applicant should provide testimony that they will meet the income requirements pursuant to the Fair Housing Act and UHAC (i.e., 50 percent moderate income/50 percent low-income and of the low-income 13 percent are very low-income). Finally, the Applicant should provide testimony as to how the affordable units will be managed, i.e., will the developer contract with



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an Administrative Agent be who will be handling the affirmative marketing, income qualifying, etc.

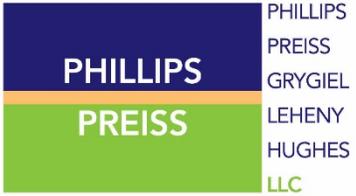
4. The Applicant should provide heights for the buildings rather than approximations (i.e, less than 20 feet and less than 45 feet).
5. The Applicant should provide color renderings of the buildings at the hearing on the application, as well as samples of the materials contemplated to be used.
6. The Applicant should indicate whether there will be any ventilation grilles located on the facades of the buildings. If so, the Applicant should show the grilles on the façade renderings and indicate what color these grilles will be.
7. The Applicant should provide elevations of the commercial building including information on how many retail spaces will be in the building and where the entrances to the retail building will be located. Additionally, the Applicant should provide testimony as to where trash would be stored and how it would be removed from the site. Furthermore, the Applicant should provide testimony on how deliveries will take place.
8. The Applicant should provide elevations of the community building and provide testimony on the community amenities proposed to be provided to residents in the common spaces, as well as whether these community spaces will be available to residents only.
9. The Applicant should provide details in the site plan drawings of the trash enclosures. Additionally, the Applicant should provide testimony as to how residents will dispose of trash and how trash will be picked-up.
10. The Applicant should provide testimony as to how pedestrians will safely circulate from the various residential buildings to the pool and community building, in terms of pedestrian crosswalks and walking paths.
11. The Applicant should provide testimony as to whether there will be provisions on site for electric car charging.
12. The Applicant should also provide testimony as to how many residents will have designated parking spaces and how the driveway spaces will be assigned (i.e., will residents with garage spaces be assigned the driveway space in front of the garage), as well as how parking will be assigned (if at all) to residents without garage spaces.

We trust that the above information is responsive to your needs.

Respectfully submitted,

Elizabeth Leheny, AICP, PP

cc: Debra Coonce  
Rich Keller, PE, PP, CME



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**Jolanta Maziarz, Esq.**

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