




WEST WINDSOR TOWNSHIP

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF ENGINEERING

MEMORANDUM

Date: June 23, 2022

To: West Windsor Township Planning Board

From: Dan Dobromilsky, LLA,PP,LTE
Landscape Architect 

Subject: **Senior Living @ Bear Creek, Prelim/Final Major Site Plan**
Landscape Architectural Plan Review
PB 19-13 Amended PRRC Zone
Block 33, Lot 1.02 Old Trenton Road & Village Road East

A site visit has been conducted and the plans (dated last revised, 6/14/2022) submitted for this application have been analyzed. The following comments regarding the landscape architectural aspects of this proposal are offered for consideration of the board as this application is reviewed:

1. The proposed changes appear to present a degree of enhancement regarding landscape design, aesthetics, and sustainability. Relocation of the HVAC equipment from ground position to the roof will reduce noise nuisance potential and result in more continuous landscape plantings. The modification to a flat roof presents the potential for the introduction of solar PV panel and renewable energy generation. These attributes could help offset any concern regarding the aesthetic difference in roof form between this new building and the existing facility on this property.
2. The proposed amendments present minimal modification of the landscape architectural design and no specific concerns or recommendations are offered regarding this aspect of the application amendment.
3. The applicant should describe the rationale for any program changes regarding the unit mix relative to social and recreational amenities. How will the amended facilities better serve the anticipated residents of this locale?

This review is based on the information received to date. Additional comments may be provided as new information is received

cc: Board Members
Applicant
Professionals



WEST WINDSOR TOWNSHIP

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF ENGINEERING

MEMORANDUM

TO: West Windsor Township Planning Board

FROM: Francis A. Guzik, PE, CME
Director of Community Development/Township Engineer

DATE: June 29, 2022

SUBJECT: **Senior Living @ Bear Creek**
Amended Final Major Site Plan
Block 33, Lot 1.02
Old Trenton Road (CR 535) and Village Road East
PB 19-13-AM

Documents Received/Reviewed:

The following documents have been submitted for review:

- A. Set of site plans entitled "Preliminary & Final Major Site Plan – Bear Creek Senior Independent Living – Lot 1.02, Block 33 - Township of West Windsor, Mercer County, New Jersey" prepared by Partner Engineering and Science, Inc., (Daphne A. Galvin, PE) dated May 3, 2019, revised through June 14, 2022 and consisting of eighteen (18) sheets;
- B. Set of architectural plans prepared by Steven S. Cohen, Architect P.C. (Stephen S. Cohen, RA) dated June 14, 2022 and consisting of seven (7) sheets;
- C. Set of landscaping and lighting plans prepared by Spiezle Architectural Group, Inc. (John Paul Carman, LLA) dated August 23, 2019, revised through June 14, 2022, consisting of six (6) sheets;
- D. Report entitled "Storm Water Management Report – Independent Living at Bear Creek – Block 33 – Lot 1.02 – Located in: Township of West Windsor, Mercer County, New Jersey" prepared by Partner Engineering and Science, Inc. (Daphne A. Galvin, PE) dated July 10, 2019, revised through June 14, 2022;
- E. Development Application Package, including:
 - Development application form;
 - Site Plan Checklist;
 - Green Development Practices Checklist; and

- Environmental Impact Statement Worksheet

Narrative:

The subject property is a 27.84-acre parcel located at the intersection of Old Trenton Road (CR 535) and Village Road East within the PRRC (Planned Residential Retirement Community) zoning district. A three-story assisted living facility with an aggregate floor area of approximately 99,000 square feet currently exists on the property. The applicant proposed to construct an additional 220 units (327,451 square feet total) of “congregate housing” as defined in the Township Land Use Ordinance for independent to semi-independent older persons. Appurtenant improvements and amenities include a swimming pool, tennis and pickleball courts, and a perimeter walking path.

The property is bounded on the northeast by Village Road East, on the southeast by The Hamlet at Bear Creek, farmland to the south and Old Trenton Road (CR 535) to the northeast. The property is subject to several environmental constraints, including wetlands transition areas and Township Greenbelt, whose limits have already been placed within a conservation easement under a previous application. The property is also subject to numerous drainage and utility easements, including sanitary sewer, water main and electric. An access easement to the benefit of Lot 1.01 extends from Village Road East to the entrance to The Hamlet at Bear Creek and Esplanade Drive is contained within its limits. In addition, a 100'-wide Sidewalk and Landscape Buffer easement extends along the entire frontage of both Village Road East and Old Trenton Road.

The subject property drains to the Assunpink Creek (Shipetaukin to Trenton Road) HUC 14 subwatershed and is part of the larger Assunpink Creek (Above Shipetaukin Creek) HUC 11 watershed which eventually drains to the Delaware River. The property is also located within the Stony Brook Regional Sewerage Authority (SBRSA) River Road Sewer Treatment Plant sewer service area. Domestic water supply will be provided by New Jersey American Water.

The proposed development received conditional Preliminary and Final Site Plan approval on February 26, 2020 under Planning Board File No. PB19-13 but has yet to receive a determination of resolution compliance. The applicant is now seeking Amended Final Site Plan approval. The application has been amended to decrease the footprint of the 3-story building to 94,440 square feet for an aggregate GFA of 288,284 square feet. Other modifications include:

- Eliminating SWM Recharge Area #5 due to the decrease in impervious coverage of the building;
- Adding an electric service easement in the location previously occupied by SWM Area #5;
- Replacing an existing sewer main as the proposed southerly building lateral;
- Adding 4 additional elevators;
- Changing the previous sloped roof with a flat roof and locating all HVAC equipment thereon;
- Increase of indoor amenity size to 15,000 square feet (SF) from 10,000 SF;
- Reduction of 2-bedroom market-rate units to 88 with a corresponding increase of market-rate 1-bedroom units to 81 and maintaining the number of 1-bedroom affordable units at 51, thus maintaining the overall 220-unit count.

I have reviewed the documentation submitted and offer the following for the Board's consideration:

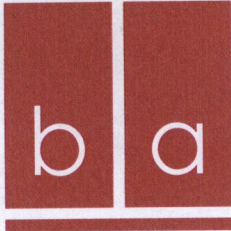
1.0 Amended Site Plan

- 1.01 The proposed amendments to the existing Site Plan approval (identified in the Narrative above) are primarily architectural in nature and have no impacts on the site engineering other than the first two bullet points. With those two changes the project remains in compliance with all aspects of the Township Stormwater Control Ordinance that was in effect at the time of the original approval.
- 1.02 The previously approved project has not been granted a determination of resolution compliance to date by this office, although the remaining items are minor in nature. I request a condition in the Amended Final Site Plan resolution that all conditions of the original resolution remain in effect, should the Board act favorably upon this application.

This completes the review of the referenced application documents. Other comments may be offered based on the responses to the above issues.

FG:IH

cc: Applicant (Fpetrino@eckertseamans.com)
Daphne Galvin, PE, Applicant's Engineer



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
ASSOCIATES, INC.

Principals:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

MEMORANDUM

To: West Windsor Planning Board
West Windsor Division of Land Use

From: David Novak PP, AICP

Subject: Senior Living at Bear Creek
Amended Final Major Site Plan Approval
Block 33 Lot 1.02
289 Village Road East

Date: June 27, 2022

BA#: 3576.28

WWT#: PB 19-13

Introduction

The applicant, Benjamin Zaitz, has submitted an application seeking amended final major site plan approval regarding a previously approved but not yet constructed independent living facility consisting of two hundred and twenty units. The site, which is identified by municipal tax records as Block 33 Lot 1.02, is located at 289 Village Road East in the PRRC Planned Residential Retirement Community District.

In addition to the application forms and application checklists, the following has been submitted for review:

1. Preliminary and Final Site Plan prepared by Partner Engineering and Science, Inc., dated May 3, 2019 (last revised June 14, 2022).
2. Landscape plan prepared by Spiezle Architectural Group, LLC, dated August 23, 2019 (last revised June 14, 2022), consisting of five (5) sheets.
3. Architectural plan prepared by Steven S. Cohen, Architect P.C., dated June 14, 2022 (no revision date).
4. Stormwater Management Report prepared by Partner Engineering and Science, Inc., dated July 10, 2019 (last revised June 14, 2022).
5. Letter from Steven S. Cohen, Architect P.C., dated June 14, 2022.

Property Description/Previous Approval

The subject site is located in the southeasterly portion of the Township, near the intersection of Old Trenton Road and Village Road East. The site has an area of approximately twenty-eight acres and is irregular in shape. It fronts along Old Trenton Road and Village Road East for approximately 1,410 feet and 540 feet, respectively. See the map at the end of this memorandum for an aerial view of the site and its surrounding environs.

The subject site is part of a larger, previously approved general development plan (GDP) for Bear Creek. In 1996, an initial GDP was granted for an age-restricted planned residential retirement community. Known as Bear Creek, the approval consisted of nine hundred and one dwelling units with a fifteen percent set-aside. These dwelling units consisted of the following:

1. Five hundred and forty dwelling units were to be constructed in the Villages at Bear Creek, including fourteen affordable units. A 15,000-square foot clubhouse and 6,500-square foot day care facility were also proposed.
2. Sixty-one multifamily units at the Hamlet, consisting of thirty-eight low-income and twenty-three moderate-income units. A 1,200 to 1,500-square foot community building was also proposed.
3. Three hundred dwelling units in a congregate care retirement community, consisting of two hundred and twenty apartments and eighty assisted living units. This included thirty low-income and thirty moderate-income units. A 29,500 square foot commons building, 10,500-square foot surgical building, and 3,500-square foot adult day care facility were also proposed.

In 1999, preliminary and final site plan approval was filed for the Esplanade, a senior citizen congregate care facility with "460 beds, below the ordinance maximum of 500, and 306 dwelling units." The resolution found that the proposal was largely consistent with the GDP, with the number of dwelling units increased from three hundred to three hundred and six and the number of affordable units increased from sixty to sixty-one. The total square footage of the project consisted of 408,529 square feet, and was to be contained within five buildings:

1. Building A was to contain a standard assisted living facility with a theater, chapel, beauty shop, spa, shopping area, and gift area.
2. Building B was to contain a special care unit for residents with dementia.
3. Building C was to be a community center.
4. Buildings D and E were to contain the independent living facilities, as well as all of the affordable housing units.

In 2005, the applicant submitted an application to subdivide the Esplanade property into two lots for financing purposes. Lot 1.02A would consist of 14.10 acres and would contain the assisted living buildings, while Lot 1.02B would consist of 13.74 acres and would contain the community buildings and independent living buildings. A separate application was also filed to amend the prior 1999 approval in which the applicant proposed to:

1. Reconfigure Buildings D and E into asymmetrical "T" shaped buildings;
2. Reduce the community building from two-stories and 50,924-square feet to one-story and 23,600;
3. Increase the internal common open space by 1.1 acres;
4. Reduce impervious coverage by 0.5%;
5. Redesign the apartment buildings to make them appear more residential, and;
6. Move ten (10) of the sixty-one (61) affordable units into the existing assisted living facility.

This approval called for nine hundred and seven units, the breakdown of which is provided on the following table. As shown, the previously approved development consisted of five hundred and forty single-family units, sixty-one multi-family units, and three hundred and six beds/independent units at the congregate care facility.

Table 1: Prior Approval

Unit Type	Total
Single-family	540
Multi-family	61
Congregate Care	306
Total	907

Of the previously approved three hundred and six beds/independent units, only eighty-six assisted living units/beds have been constructed. These units are located within the northwesterly portion of the subject site. The site has also been improved with a detention basin as well as circulation aisles and parking areas

The aforementioned remaining two hundred and twenty units have not yet been constructed. However, site plan approval and variance relief was granted in 2020 for the construction of an independent living facility consisting of two hundred and twenty units, including fifty-one affordable units.

Master Plan

The following is noted regarding the Township's comprehensive master planning documents:

Land Use Plan

As per the Township's 2020 Land Use Plan, the site is located in the Planned Residential Retirement Community (PRRC) land use category, which is designed to provide a variety of dwelling units and services for the elderly population, which has increased both locally and regionally throughout the past several decades. The Land Use Plan notes that the PRRC District permits a gross density of 1.45 dwelling units per acre is permitted, provided that at least 15% of the total units in the PRRC District are reserved for low- and moderate-income households. Congregate care beds and units are not included in the calculation of density

Housing Element and Fair Share Plan

The Township's 2019 Housing Element and Fair Share Plan (HE&FSP) identifies the subject site as one of the components to address the Township's prospective third round obligation. Specifically, the HE&FSP notes that the site is to be conceptually developed as a high-end independent living facility consisting of two hundred and twenty-two units, of which fifty-one are to be reserved for affordable housing.

Zoning

The site is located in the PRRC Planned Residential Retirement Community District. The following table provides the zoning regulations for this tract.

Table 2: PRRC Tract Standards

Area & Bulk Regulations	PRRC	Proposed	Code
Tract Area (ac)	400	420.8	200-194.C.(1)(a)
Min. Building/Parking Setback from Old Trenton Road (ft)	100	223.5/284.6	200-194.C.(1)(b)
Min. Building/Parking Setback from Tract Boundary (ft)	50	225.6/138.3	200-194.C.(1)(c)
Min. Building/Parking Setback from Residential Lot Lines (ft)	100	225.6/6138.3	200-194.C.(1)(c)
MIC for Total PRRC Tract Area (%)	25	17.5	200-194.C.(1)(d)
Common Open Space (%)	60	71.2	200-194.C.(1)(e)
Max. Building Height (st/ft)	3/45	3/38.5	200-194.C.(1)(f)

In addition to the aforementioned, the applicant has provided a separate zoning table with more specific bulk requirements for congregate care facilities.

Table 3: Congregate care facility/continuing care/extended care facility/outpatient facility Bulk Standards

Area & Bulk Regulations	PRRC	Proposed	Code
Minimum Lot Area*	10.1	27.84	200-194.C.(2)(g)[1]
Minimum Lot Frontage (ft)	100	> 600.00	200-194.C.(2)(g)[2]
Minimum Lot Depth (ft)	500	> 1,500.00	200-194.C.(2)(g)[3]
Minimum Front Yard Setback: Internal Road (ft)	50	(V) 33.8	200-194.C.(2)(g)[4]
Minimum Side Yard (ft)	50	94.0	200-194.C.(2)(g)[5]
Minimum Rear Yard (ft)	50	162.3	200-194.C.(2)(g)[6]
MIC (%)	70	41.8	200-194.C.(2)(g)[7]
Minimum Distance Between Buildings			200-194.C.(2)(g)[8]
Window wall to window wall	75	118.8	200-194.C.(2)(f)[2][a]
Window wall to end wall	30	n/a	200-194.C.(2)(f)[2][b]
End wall to end wall	12	n/a	200-194.C.(2)(f)[2][c]
Building face to parking	12	17.7	200-194.C.(2)(f)[2][d]
Building face to street curb	20	33.8	
Maximum FAR (%)	45	31.0	200-194.C.(2)(g)[9]

* 5 ac or one ac per each 42 beds, whichever is greater

The applicant has requested variance relief pursuant to NJSA 40:55D-70.c of the Municipal Land Use Law (MLUL) from Section 200-194.C.(2)(g)[4] of the Township's zoning regulations which establishes a minimum front yard setback of fifty feet for internal roadways, whereas the applicant has proposed a setback of 33.8 feet. However, we note that the applicant previously received approval for 25 feet. Since the amended plan reduces this proposed nonconformity, variance relief is not required from this item.

Design Requirements

The following design requirements are established for the PRRC District. Our comments regarding each standard are provided below each one.

1. *Section 200-194.D.(2). The development plan for the site, its developed facilities and the interior of residential units in a PRRC must be specifically designed to meet the potential physical and social needs and visual auditory, ambulatory and other impairments that may affect older persons, particularly as residents age in place.*

Comment. The applicant shall provide testimony regarding this matter.

2. *Section 200-194.D.(2)(a). There should be provided a safe and convenient system of walks accessible to all occupants. Due consideration should be given in planning walks and ramps to prevent slipping or stumbling. Handrails and ample space for rest should be provided. All walks, paths and risers shall be designed according to the requirements of the Americans with Disabilities Act (ADA).*

Comment. Walks have been provided along the exterior drive, within the parking area, and within the recreational area. Based upon the grading plane, it appears as though the sidewalks are relatively flat and avoid sloped areas. Furthermore, the applicant has provided bump-out areas that may accommodate benches to serve as rest spaces. The applicant should provide testimony ensuring ADA compliance with the walks and risers.

3. Section 200-194.D.(2)(b). *Artificial lighting shall be provided along all walks and interior roads and driveways and in all off-street parking areas, with sufficient illumination for the safety and convenience of older age residents, depending on anticipated nighttime use.*

Comment. Lighting fixtures have been provided around the proposed walkways and parking area. As noted by the lighting plan, loop road and security lighting will be on from dusk to dawn. All other lighting will be on from dusk till 11:00 PM.

4. Section 200-194.D.(2)(c). *A PRRC shall provide developed open space and common recreational or community facilities for the exclusive use of its residents.*

Comment. The definition of congregate care was amended to require access by residents of Block 33 Lot 1.01 and Block 33 Lot 1.02 to a restaurant and/or café as well as a wellness center offering health and fitness services and/or equipment. In addition, the restaurant and/or café may also be open to guests of residents.

5. Section 200-194.D.(2)(c)[1]. *There shall be not less than six square feet of floor space per dwelling unit provided in community or clubhouse buildings. Such facilities shall be designed and equipped to meet the social and recreational needs of the anticipated residents. This may include hobby and craft rooms, lounge areas, meeting rooms, card rooms, rooms providing support facilities for outdoor recreation facilities or other similar facilities.*

Comment. Based upon this requirement, the applicant requires 1,320 square feet of community/clubhouse space. The architectural plan notes that the total common area will consist of 20,209 square feet. When excluding office, storage, lobby, package, and bathroom spaces, a total of approximately 12,000 square feet of indoor amenity space is provided. We find this satisfactory.

6. Section 200-194.D.(2)(c)[2]. *Not less than 5% of the developable area of the PRRC and excluding developable public open space lands shall be developed for outdoor recreational use. This may include swimming pools and related facilities, shuffleboard and horseshoe courts, tennis courts and other appropriate facilities.*

Comment. The applicant has indicated that 5.3% of the developable area of the PRRC District consists of outdoor recreational use.

7. Section 200-194.D.(2)(d). *The interior of a residential unit in a PRRC shall be designed to accommodate the reasonable physical impairments of residents as they evolve from independence to limited functioning. Among the features which may be considered in unit design are skidproof floors, emergency call systems, elevated switches and electrical outlets that do not require the user to bend or crouch, grab bars at bathtubs and toilets, doors wide enough to accommodate wheelchairs, appliances that are front-mounted with easy to read dials and gauges and avoidance of barriers such as high doorsteps, uneven walking surfaces, hard to open doors (use lever handles) and difficult to operate plumbing fixtures.*

Comment. A note on Sheet A1.03 on the architectural plan indicates that the proposed building, including all living units, will conform to applicable sections of the 2018 IBC (New Jersey Edition) as well as ANSI, ICC A117.1 (2009).

8. Section 200-194.D.(2)(e). *An on-site security and maintenance service system may be provided for a PRRC, including an entrance gatehouse, fences, walls and supporting service buildings.*

Comment. This has not been proposed with this application.

9. Section 200-194.D.(3). *The entire planned residential retirement development shall be designed and constructed to provide utility services, including stormwater drainage, electric, telephone and, where desired, CATV cables, all of which shall be installed underground.*

Comment. The applicant is conforming with this standard.

Planning Review

The applicant now seeks amended final site plan approval for several changes to its previously approved development. The following is noted:

1. Resolution Compliance

We note that the prior application had addressed all of our prior comments regarding resolution compliance.

2. Improvement Coverage

The footprint of the building, as well as the amount of impervious coverage, has been reduced. These reductions are provided on Sheet 4 and are summarized in the table below. We note that acreage previously devoted to tennis courts have been proposed to be converted to pickleball courts. This was permitted by the prior resolution of approval.

Table 4: Coverage

Coverage	Original Approval	2020 Approval	2022 Approval
Roofs	3.43	3.37	3.19
Walks, Etc.	1.35	1.56	1.78
Parking	4.19	3.98	3.87
Roadways	2.25	2.26	2.28
Emergency	0.40	0.11	0.11
Tennis	0.00	0.33	0.16
Total	11.62	11.61	11.39

3. Bedroom Distribution

The applicant has proposed to amend the altered bedroom distribution. The following table summarizes these changes. As shown, the applicant no longer proposes any rooms with dens. The number of affordable units is not proposed to change.

Table 5: Bedroom Distribution Comparison

Unit Type	Prior Market	Prior Affordable	Prior Total	Proposed Market	Proposed Affordable	Proposed Total
One-Bedroom	9	51	60	81	51	132
One-Bedroom w/Den	40	0	40	0	0	0
Two-Bedroom	80	0	80	88	0	88
Two-Bedroom w/Den	40	0	40	0	0	0
Total	169	51	220	169	51	220

4. Roof

The roof of the building has proposed to be changed from a pitched roof to a flat roof. In the submission materials, the applicant notes that this will allow for the "220 air conditioning units to be placed away from the landscaping, and where noise will not disturb the comfort of residents." The applicant also notes that the "flat roof has drains that are routed through the building internally...[which] will allow a safer and more reliable system for discharging stormwater from the roof."

We note that the majority of the buildings in the PRRC feature sloped roofs. Thus, testimony should be provided as to how this building will relate architecturally to the remainder of the area. In addition, the applicant and the Board should discuss how the rooftop equipment will be screened. Sheet A1.04 provides the locations of the rooftop equipment in relationship to the rooflines. A site line from the loop road sidewalk is also provided, which suggests that the equipment will not be visible from that location due to the location of a parapet.

Design Waivers

The applicant previously received waiver relief from the following items. Testimony should be provided regarding whether these waivers are proposed to change with this application.

1. Lighting Hours

Waiver relief was granted from Section 200-31.D which establishes that lighting, other than that needed for security purposes, shall be set on a timer system that shuts off all but security lighting of the site by 11:00 pm.

2. Sidewalks

Waiver relief was granted from Section 200-60 which requires sidewalks to be located along both sides of the streets.

3. Excess Spaces

Waiver relief was granted from Section 200-28.D.(2)(b) for exceeding the minimum off-street parking requirements.

4. Identification Signage

Waiver relief was granted from Section 200-32.A for exceeding the permitted number of identification signs. Two existing signs were to remain, while a third sign was approved along Old Trenton Road. An additional waiver was also granted from Section 200-32.A for the size of the identification sign. A four square foot sign is permitted, whereas an eleven square foot sign and a sixteen square foot sign were approved.

5. Number of Loading Spaces

Waiver relief has been requested from Section 200-27.D.(2) for the number of required loading births, wherein four are required and one was approved.

6. Bicycle Lane Widths

Waiver relief is required from Section 200-29.N.(3), which establishes a bicycle lane width of eight feet for two-way traffic and a driveway width of thirty feet. The applicant was permitted to not install bicycle lanes.



Map 1: Aerial of Subject Site (scale: 1" = 400')

[https://burgis.sharepoint.com/sites/BurgisData/Shared Documents/W-DOCS/PUBLIC/Pb-3500series/Pb-3576.28/Planning Board - Amended/3576.28 Senior Living at Bear Creek Amended Final Site Plan \(PB 19-13 Amended\) -Planning Board Review 01.docx](https://burgis.sharepoint.com/sites/BurgisData/Shared Documents/W-DOCS/PUBLIC/Pb-3500series/Pb-3576.28/Planning Board - Amended/3576.28 Senior Living at Bear Creek Amended Final Site Plan (PB 19-13 Amended) -Planning Board Review 01.docx)