

The meeting was called to order by Chairman Paul Boisvert and the opening statement was read by the Board Secretary/

ROLL CALL: Showed the following members were present: Joseph Cristiano, Brian Greenfield, Nicholas Huszar, Robert Seaman, Megan Talente, Brian Tannenhaus, Councilman Fred Gasior, Christopher Mercer and Chairman Paul Boisvert. Matthew Kyle was excused.

Also in attendance were Austin Mueller, Board Attorney, Ron Cucchiaro, Board Attorney, Laura Neumann, Board Engineer, Jennifer Beahm, Board Planner, Shari Spero, Board Licensed Tree Expert, Russell Schlafer, Traffic Engineer and Eileen Rubano, Board Secretary.

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: Mr. Tannenhaus made a motion to approve the minutes from the November 3, 2023 meeting. Motion was seconded by Ms. Talente and carried with Mr. Cristiano, Mr. Greenfield, Mr. Huszar, Ms. Talente, Mr. Tannenhaus and Chairman Boisvert voting for the motion.

Mr. Tannenhaus made a motion to approve the minutes from the Reorganization and Regular Meeting of January 5, 2023. Motion was seconded by Councilman Gasior and carried with Mr. Greenfield, Mr. Huszar, Mr. Seaman, Ms. Talente, Mr. Tannenhaus, Councilman Gasior, Mr. Mercer and Chairman Boisvert voting to approve.

VOUCHERS: None

CORRESPONDENCE: The Board Secretary said she sent out an email regarding mandatory training for all new members which will be virtual. There is no experienced training this year. She was happy to report that all new planning board members already signed up for class.

RESOLUTIONS:

- a. **Case No. SP-1041A / Smith Family Properties, LLC**

Mr. Cristiano made a motion to memorialize the resolution granting a One Year Extension of Time to Smith Family Properties. Motion was seconded by Ms. Talente and carried with Mr. Cristiano, Mr. Greenfield, Mr. Huszar, Ms. Talente, Mr. Tannenhaus and Chairman Boisvert voting to memorialize.

SUBMISSION WAIVERS BEFORE THE BOARD:

- a. **Case No. SP-1078A / New Horizon Properties, LLC**

Stu Challoner, Engineer, appeared for the applicant and Ms. Neumann, Board Engineer, stated that the submission waivers were outlined in Item 3 of her January 16, 2023 report. The applicant is

**HOWELL TOWNSHIP PLANNING BOARD
REGULAR MEETING**

2

FEBRUARY 2, 2023

seeking to amend the approval previously granted by the Board. The site is currently under construction and the applicant is seeking to change the tenancy to a medical tenant. Ms. Neumann said the applicant has agreed to provide the Utility Plan which is checklist item 80 and she took no exception to the granting of the waivers for all other items so the application can be deemed complete especially given the scope and nature of the application.

Mr. Tannenhaus made a motion to grant the submission waivers for New Horizon Properties. Motion was seconded by Mr. Cristiano and carried with Mr. Cristiano, Mr. Greenfield, Mr. Huszar, Mr. Seaman, Ms. Talente, Mr. Tannenhaus, Councilman Gasior, Mr. Mercer and Chairman Boisvert voting for the motion.

APPLICATIONS BEFORE THE BOARD:

a. Case No. SP-1100 / Monmouth Commerce Center, LLC

Adam Faiella, Attorney for the Applicant, appeared and said he received the Board Secretary's email regarding availability for a special meeting. After some discussion, Mr. Faiella said his traffic engineer and planner would be available for April 20, 2023 and he granted an extension of time through April 21, 2023. Board Attorney Mueller made an announcement for the members of the public that this application would be carried to April 20, 2023 with no further notice.

b. Case No. SP-1095 / AAFRHW Property, LLC - Frisa

SEE TRANSCRIPT ATTACHED

MASTER PLAN STATUS REPORT: There was no master plan update at this meeting.

EXECUTIVE SESSION: Board Attorney, Ron Cucchiaro, notified the Board that he needed an executive session to discuss litigation with case SP-1085. Mr. Seaman made a motion that the Board go into executive session. Motion was seconded by Ms. Talente and carried with all members voting for the motion and the Board Secretary read the executive session resolution into the record.

Mr. Seaman made a motion to adjourn the regular meeting. Motion was seconded by Ms. Talente and carried with all Board members voting for the motion.

Since there was no other business, the regular meeting adjourned at 10:05 p.m. and the Board went into executive session.

Respectfully submitted,



**Eileen Rubano
Recording Secretary**

NOTE: A CD or DVD of this meeting is available on request.

1 TOWNSHIP OF HOWELL PLANNING BOARD
2 COUNTY OF MONMOUTH - STATE OF NEW JERSEY

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5 REGULAR MEETING FOR:

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7 AAFRHW PROPERTY, LLC (Frisa)
8 BLOCK 177, LOT 8.01
9 FAIRFIELD ROAD

10 APPLICATION NO. SP-1095
11 - - - - -

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THURSDAY, FEBRUARY 2, 2023

14

7:00 P.M.

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- - -

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TRANSCRIPT OF PROCEEDINGS

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REMOTE PUBLIC HEARING

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AB COURT REPORTING, LLC
CERTIFIED COURT REPORTERS
26 ALGONQUIN TERRACE

24

MILLSTONE TOWNSHIP, NEW JERSEY 08535

25

TEL: (732)882-3590

angelabuonocsr@gmail.com

1 BOARD MEMBERS PRESENT:

2 PAUL BOISVERT, Chairman

3 JOSEPH CRISTIANO

4 FRED GASIOR, Councilman

5 BRIAN GREENFIELD

6 NICHOLAS HUSZAR, Vice-Chairman

7 CHRISTOPHER MERCER

8 ROBERT SEAMAN

9 MEGAN TALENTE

10 BRIAN TANNENHAUS

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12 BOARD CONSULTANTS AND STAFF PRESENT:13 RONALD CUCCHIARO, ESQUIRE, Board Attorney
14 - Weiner Law Group, LLP15 AUSTIN MUELLER, ESQUIRE, Substitute Board Attorney
16 - Weiner Law Group, LLP17 JENNIFER BEAHM, P.P., Board Planner
18 - Leon S. Avakian, Inc.19 LAURA NEUMANN, P.E., BOARD ENGINEER
20 - CME Associates21 RUSSELL SCHLAFER, P.E., PTOE, Board Traffic Engineer
22 - CME Associates23 SHARI SPERO, Board Licensed Tree Expert
24 - CME Associates25 EILEEN RUBANO, Administrative Officer, Planning/Zoning
- Township of Howell

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27 STENOGRAPHICALLY REPORTED BY:

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29 ANGELA BUONANTUONO, CCR, RPR, License No. 30XI00233100
30 -AB Court Reporting, LLC

1 A P P E A R A N C E S: (Via Video Conference)

2

3 DAY PITNEY LLP

BY: CRAIG M. GIANETTI, ESQUIRE

4

One Jefferson Road

Parsippany, New Jersey 07054-2891

5

T: (973) 966 8053

F: (973) 206 6273

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Email: cgianetti@daypitney.com

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--Counsel for the Applicant

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13 A L S O P R E S E N T:

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PAUL LATHAM, P.E.

15

- Active Acquisitions, LLC

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SEAN NAEGER, RA

- M+H Architects

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JUSTIN AUCIELLO, P.P.

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- Cofone Consulting Group, LLC

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I N D E X

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WITNESSES

PAGE

JEROMIE LANGE
Active Acquisitions, LLC

21

TUNG-TO LAM, P.E.
Bohler Engineering

46

DAN DISARIO, P.E., PTOE
Langan Engineering

92

PUBLIC COMMENT:

NAME

ADDRESS

PAGE

NONE.

	APPLICANT EXHIBITS		
	<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1			
2			
3	A-1	Development application	*
4	A-2	Application Checklist	*
5	A-3	Preliminary and Final Major Site Plans	*
6		consisting of eighty-five (85) sheets	
7		prepared by Bohler Engineering, dated	
		November 2, 2021, last revised 7/15/22	
8	A-4	Boundary & Topographic Survey	*
9		consisting of nine (9) sheets prepared	
		by Control Point Associates, Inc.	
10		Dated 9/17/21, unrevised	
11	A-5	Proposed Right of Way Dedication	*
12		Sketch consisting of one (1) sheet	
		prepared by Control Point Associates,	
		Inc. Dated 11/12/21, unrevised	
13	A-6	Right of Way legal description	*
14		prepared by Control Point Associates	
		Inc., dated 11/12/21, unrevised	
15	A-7	Building A Overall Floor Plan and	*
16		Elevations consisting of two (2)	
17		sheets prepared by Mitchell and	
		Hugeback Architects, Inc., dated	
		1/18/22 last revised 6/29/22	
18	A-8	Building B Overall Floor Plan and	*
19		Elevations consisting of two (2)	
20		sheets prepared by Mitchell and	
		Hugeback Architects, Inc., dated	
		1/18/22 last revised 6/29/22	
21	A-9	Color Rendering consisting of one (1)	*
22		sheet prepared by Mitchell and	
		Hugeback Architects, Inc., dated	
		6/29/22	
23	A-10	Traffic Impact Study prepared by	*
24		Langan Engineering & Environmental	
25		Services, Inc., dated 11/1/21,	
		unrevised	

APPLICANT EXHIBITS

- Continued -

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
3	A-21 Rock Solid Landscape Exhibit entitled	*
4	Tree Replacement Exhibit prepared by	
	Bohler Engineering dated 5/31/22	
5	A-22 Truck Turning Exhibits consisting of	*
6	three (3) sheets (WB-67, Fire Truck	
	and Trash Truck) prepared by Bohler	
	Engineering dated 4/27/22	
7	A-23 NJDEP Freshwater Wetland Letter of	*
8	Interpretation Line Verification dated	
	3/9/22	
9	A-24 Narrative Statement of Proposed	*
10	Operations in letter from Bohler	
	Engineering dated 8/1/22	
11	A-25 Limited Site Investigation Report by	*
12	Melick-Tully & Associates dated	
	10/7/21, unrevised	
13	A-26 Preliminary Assessment Report prepared	*
14	by Melick-Tully & Associates dated	
	9/3/21, unrevised	
15	A-27 Phase I Environmental Site Assessment	*
16	prepared by Melick-Tully & Associates	
	dated 8/31/21, unrevised	
17	A-28 Groundwater Mounding Analysis	*
18	A-29 MTA Supplemental Stormwater Test Pits	*
19	and Permeability Testing 7/25/22	
20	A-30 Underground Basin Detail Exhibit	*
21	prepared by Bohler Engineering,	
	dated 8/16/22	
22	A-31 Basin Information Charts dated 8/16/22	*
23	A-32 Grading Phasing Exhibit prepared by	*
	Bohler Engineering, dated 8/16/22	
24	A-33 Traffic Statement for AAVRHW Property	*
25	LLC, prepared by Langan, dated	
	3/18/22, last revised 4/29/22	

APPLICANT EXHIBITS

- Continued -

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1		
2		
3	A-34 MTA Letter re drums prepared by	*
4	Melick-Tully & Associates dated	
	8/16/22	
5	A-35 ADA Grading Exhibit consisting of one	*
6	sheet prepared by Bohler Engineering	
	dated 8/16/22	
7	A-36 WB-67 Truck Turning Exhibit consisting	*
8	of one sheet prepared by Bohler	
	Engineering dated 8/18/2022	
9	A-37 Letter from Attorney Kenneth Pape to	*
10	Chairman Tannenhaus regarding Waivers,	
	dated 2/22/22	
11	A-38 Letter from Attorney Kenneth Pape to	*
12	Chairman regarding waiver relief,	
	dated 2/24/22	
13	A-39 Certification of Seth Gerszberg,	*
14	dated 6/15/22	
15	A-40 Letter from Attorney Kenneth Pape to	*
16	Greg Hutchinson, Tax Assessor	
	requesting confirmation of Roll Back	
	Stipulation of Settlement dated	
	8/12/22	
17	A-41 Letter from Attorney Kenneth Pape to	*
18	Greg Hutchinson, Tax Assessor	
19	regarding Settlement Stipulation to	
	Rollback Complaint dated 8/9/22	
20	A-42 Submission Response Letter from Bohler	*
21	Engineering, dated 2/22/22	
22	A-43 Submission Response Letter from Bohler	*
	Engineering, dated 5/18/22	
23	A-44 Submission Response Letter from Bohler	*
24	Engineering, dated 8/1/22	
25	A-45 Initial submission letter from	*
	Attorney Pape, dated 11/4/21	

BOARD EXHIBITS

<u>No.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1		
2		
3		
4	B-1 Farmers Advisory Committee site plan review dated 11/18/21	*
5	B-2 Shade Tree Commission site plan review, dated 11/17/21	*
6		
7	B-3 Fire Bureau site plan review dated 12/8/21	*
8	B-4 Environmental Commission site plan review dated 12/8/21	*
9		
10	B-5 Monmouth County Board of Health site plan review, date 12/20/21	*
11	B-6 Monmouth County Planning Board Final Approval, dated 12/13/21	*
12		
13	B-7 Board Engineer's review letter, dated 12/23/21	*
14	B-8 Shade Tree Commission site plan review, dated 12/15/21	*
15		
16	B-9 Fire Bureau site plan review, dated 3/7/22	*
17	B-10 Environmental Commission site plan review, dated 3/9/22	*
18		
19	B-11 Shade Tree Commission site plan review, dated 3/16/22	*
20	B-12 Freehold Soil Conservation District review revision letter, dated 3/21/22	*
21		
22	B-13 Freshwater Wetlands Application Notice to Owners, dated 11/15/21	*
23	B-14 Farmers Advisory Committee site plan review, dated 3/31/22	*
24		
25	B-15 Board Engineer's review letter, dated 4/5/22	*

BOARD EXHIBITS
(Continued)

	<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1			
2			
3			
4	B-16	Preliminary Water Service approval letter, dated 4/7/22	*
5	B-17	Preliminary Conceptual Sewer Service approval letter, dated 4/7/22	*
6			
7	B-18	Monmouth County Board of Health site plan review, dated 4/11/22	*
8	B-19	Farmers Advisory Committee site plan review, dated 5/26/22	*
9			
10	B-20	Board Engineer's review letter, dated 6/10/22	*
11	B-21	Board Planner's review letter, dated 6/13/22	*
12			
13	B-22	Environmental Commission site plan review, dated 6/8/22	*
14	B-23	Fire Bureau site plan review, dated 6/14/22	*
15			
16	B-24	Shade Tree Committee site plan review, dated 6/15/22	*
17	B-25	Board Engineer's review letter, dated 8/12/22	*
18			
19	B-26	Environmental Commission site plan review, dated 8/10/22	*
20	B-27	Monmouth County Board of Health site plan review, dated 8/15/22	*
21			
22	B-28	Shade Tree Commission site plan review dated 8/17/22	*
23	B-29	Board Planner's review letter dated 8/25/22	*
24			
25	B-30	Freehold Soil Conservation District review revisions letter dated 10/5/22	*

BOARD EXHIBITS
(Continued)

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1		
2		
3		
4	B-31 Monmouth County Board of Health site plan review, dated 6/13/22	*
5	B-32 Township Tree Acceptance letter, dated 11/3/22	*
6		
7	B-33 Farmers Advisory Committee site plan review, dated 10/27/22	*
8	B-34 Freehold Soil Conservation District Review Revisions Letter, dated 11/2/22	*
9		
10	B-35 Freehold Soil Conservation District Certification letter dated 11/18/22 and a request to submit a request for authorization for a NJPDES permit dated 11/18/22	*
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(*) Exhibits were premarked prior to commencement.

13

1 ADMINISTRATIVE OFFICER: Township of
 2 Howell Planning Board Meeting, Thursday, February 2,
 3 2023.

4 I hereby declare this meeting of the
 5 Howell Township Planning Board to be open. Adequate
 6 notice having been given pursuant to the New Jersey
 7 Open Public Meetings Act in the following manner:

8 First, on January 6, 2023, a copy of
 9 said notice was mailed to the Asbury Park Press and
 10 The Star Ledger; second, on January 6, 2023, a copy
 11 of said notice was hand-delivered to the clerk of
 12 the Township of Howell; third, on January 6th, 2023,
 13 said notice was posted in the office of the planning
 14 board and on the bulletin board in the Howell
 15 Township Municipal Building, 4567 Route 9, Howell
 16 Township, New Jersey.

17 Members of the public will have a
 18 chance to ask questions and comment on applications
 19 once the Chairman opens the hearing up to members of
 20 the public. If you wish to ask questions or comment
 21 on an application, you will need to use the Raise
 22 Your Hand feature, and we will bring you into the
 23 meeting one at a time. You will need to have audio
 24 and video capability. You will be sworn in and you
 25 will need to provide your name and address.

14

1 For anyone calling in you can press *9
 2 to raise or lower your hand, and *6 to mute or
 3 unmute yourself.

4 This meeting is being videotaped for
 5 possible future broadcast on Howell Township TV-77.
 6 Thank you.

7 CHAIRMAN BOISVERT: Roll-call, please.

8 ADMINISTRATIVE OFFICER: Mr. Cristiano?
 9 MEMBER CRISTIANO: Present.

10 ADMINISTRATIVE OFFICER: Mr. Greenfield?
 11 MEMBER GREENFIELD: Here.

12 ADMINISTRATIVE OFFICER: Mr. Huszar?
 13 VICE-CHAIRMAN HUSZAR: Here.

14 ADMINISTRATIVE OFFICER: Mr. Seaman?
 15 MEMBER SEAMAN: Here.

16 ADMINISTRATIVE OFFICER: Ms. Talente?
 17 MEMBER TALENTE: Here.

18 ADMINISTRATIVE OFFICER: Mr. Tannenhaus?
 19 MEMBER TANNENHAUS: Here.

20 ADMINISTRATIVE OFFICER: Councilman
 21 Gasior?
 22 COUNCILMAN GASIOR: Here.

23 ADMINISTRATIVE OFFICER: Matthew Kyle
 24 has been excused.
 25 Mr. Mercer?

15

1 MEMBER MERCER: Here.

2 ADMINISTRATIVE OFFICER: And Chairman
 3 Boisvert?

4 CHAIRMAN BOISVERT: Here.

5 ADMINISTRATIVE OFFICER: You have a
 6 quorum. And tonight we have Austin Mueller sitting
 7 in for Ron Cucchiaro until Ron gets here; he's
 8 running a little late.

9 CHAIRMAN BOISVERT: Okay. So let's
 10 rise for the pledge to the flag and a moment of
 11 silence for our troops serving abroad and at home.
 12

13 (Pledge of Allegiance.)
 14 - - -

15 (Whereupon, the board continues with
 16 its posted agenda.)
 17 - - -

18 (Application commences at 7:20 p.m.)
 19

20 CHAIRMAN BOISVERT: So next up is Case
 21 Number SP-1095, AAFRHW Property, LLC, for
 22 Preliminary and Final Major Site Plan with design
 23 waiver relief.

24 ADMINISTRATIVE OFFICER: Just give me
 25 one second. We have Craig Gianetti, the attorney.

16

1 I have a couple other people, I'm sure, need to be
 2 brought in.

3 Mr. Gianetti, I just brought in
 4 Tung-To Lam and Sean Naeger. I guess do you need
 5 Paul Latham as well?

6 ATTORNEY GIANETTI: Yes. We're going
 7 to need Jeromie Lange, Tung-To, Sean Naeger, Dan
 8 Disario, Paul Latham, Christine Cofone and Justin
 9 Auciello, if he's there.

10 I can repeat those if you need it.

11 ADMINISTRATIVE OFFICER: Craig, I
 12 don't think Christine is here, it's just Justin.

13 ATTORNEY GIANETTI: Yeah. And at some
 14 point Christine will be here and we'll elevate her.

15 ADMINISTRATIVE OFFICER: Just give me
 16 a minute. So I have Jeromie, Tung-To, Paul Latham,
 17 Justin, Sean Naeger.

18 Am I missing somebody?

19 ATTORNEY GIANETTI: Dan Disario. And
 20 eventually Christine Cofone. And if Paul Latham can
 21 have, you know, if he can have the screen, he'll be
 22 managing the exhibits.

23 ADMINISTRATIVE OFFICER: Okay, we got
 24 him in. And you have a court reporter, do you want
 25 me to bring the court reporter in?

17

1 ATTORNEY GIANETTI: You might as well,
 2 in case she needs to tell people to stop talking
 3 over each other or something.
 4 ADMINISTRATIVE OFFICER: Okay, we have
 5 everyone.
 6 ATTORNEY GIANETTI: Great. So good
 7 evening, Chairman, Members of the Board. Craig.
 8 Gianetti of the law firm Day Pitney on behalf of the
 9 applicant, AAFRHW Property, LLC.
 10 This is an application for Preliminary
 11 Final Major Site Plan approval as was indicated for
 12 property along Fairfield Road, identified in the
 13 township tax map as Block 177, Lot 8.01. The
 14 property is located in the SED, Special Economic
 15 Development Zone.
 16 The property is approximately 45 acres
 17 in size and the applicant is proposing to remove the
 18 existing one-story dwelling and construct two
 19 one-story warehouses with office spaces in each.
 20 The matter was previously scheduled for
 21 a hearing on November 22nd, 2022, but there was no
 22 evidence or no testimony presented and we have been
 23 carried eventually to this meeting.
 24 The two proposed warehouses -- there's
 25 identified on the site plan Proposed Warehouse A and

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1 Proposed Warehouse B -- Proposed Warehouse A is
 2 approximately 350,000 square feet of warehouse
 3 space, plus approximately 20,000 square feet of
 4 office space and associated loading bays, drive-in
 5 bays and vehicular parking, as well as some trailer
 6 parking as well.
 7 Proposed Warehouse B is approximately
 8 125,000 square feet of warehouse space, 10,000
 9 square feet of office and associated loading bays
 10 and drive bays. No trailer parking space is
 11 proposed as part of that warehouse. And then
 12 vehicular parking spaces as well.
 13 The proposed warehouse use is permitted
 14 in the SED zone. The site plan as resubmitted to
 15 the board is fully conforming both to the SED zone
 16 and the township's site plan ordinance. And we'll
 17 present our witnesses this evening to go through
 18 obviously the site plan and the board professional
 19 review letters.
 20 I did want to note at the outset in the
 21 latest board engineer review letter, dated
 22 January 30, 2023. They did identify two design
 23 waivers, which we will be addressing one for
 24 driveway and one for proposing tree replacement
 25 off-site.

19

1 With respect to the driveway aisle
 2 width, there was a letter submitted by prior
 3 counsel, dated February 22nd, 2022, by Ken Pape.
 4 And then as well as July 29, 2022, from Michele
 5 Donato, and another letter from Ms. Donato, dated
 6 November 21, 2022, outlining essentially that it was
 7 our position a design waiver is not required for the
 8 driveway width in part because of the way the
 9 ordinance was drafted and applying it as such would
 10 creat conflict.
 11 Section 188-106A of the township land
 12 use ordinance has a provision that states, you know,
 13 the planning board can approve driveway access
 14 exceeding 24 feet in width subject to certain site
 15 plan features with respect to the driveways. But
 16 then there's another specific section related to
 17 commercial and industrial areas, where there's a
 18 minimum 30-foot requirement for driveways coming in.
 19 So our proposal of 30 feet conforms to what the
 20 ordinance requires and we don't believe that the 24
 21 width would require a waiver.
 22 With respect to the tree replacement
 23 ordinance, again, it was our interpretation and as
 24 we, you know, made the application we do not believe
 25 a waiver is required. We are proposing to plant

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1 trees off-site as part of the tree replacement plan.
 2 We read the ordinance to permit that without a
 3 waiver.
 4 We also received a letter from the
 5 township, dated November 3rd, 2022, entitled
 6 Township Acceptance of Tree Replacement, wherein the
 7 township indicated it was willing to accept the
 8 applicant planting the trees off-site on township
 9 property provided the planning board approves this
 10 application, and provided further that there's space
 11 on the township property for these trees.
 12 So we interpreted that as a waiver not
 13 being required. It was identified in the CME review
 14 letter as a waiver so we will present testimony to
 15 that effect to address that waiver.
 16 BOARD PLANNER: It's also in my letter
 17 as a waiver too, just so you know, Craig.
 18 ATTORNEY GIANETTI: Thank you.
 19 So with that I would like to get into
 20 our direct presentation. We have, as we noted
 21 getting them into the meeting, we have several
 22 witnesses. Starting with Jeromie Lange, who is a
 23 representative of the applicant; and then we have
 24 Tung-To Lam with Bohler Engineering for civil
 25 engineering; Sean Naeger who is the architect; Dan

J. Lange

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1 Disario who is our traffic engineer; and then
 2 Christine Cofone, who is our professional planner.
 3 So at this time I guess I want to
 4 address or confirm, I guess, on housekeeping
 5 matters, we'll be able to present our witnesses,
 6 essentially all in a row as we go, and then at the
 7 end of the presentation it will be opened up to the
 8 public for questions or comments with respect to the
 9 testimony; is that my understanding?
 10 CHAIRMAN BOISVERT: Correct.
 11 ATTORNEY GIANETTI: Thank you. So at
 12 this time I would like to call our first witness,
 13 Jeromie Lange.
 14 JEROMIE LANGE: Good evening.
 15 ATTORNEY MUELLER: Raise your right
 16 hand. Do you swear to tell the truth, the whole
 17 truth and nothing but the truth?
 18 JEROMIE LANGE: I do.
 19 ATTORNEY MUELLER: All right.
 20
 21 E X A M I N A T I O N
 22 - - -
 23 BY ATTORNEY GIANETTI:
 24 Q. So, Mr. Lange, if you could just please
 25 provide to the board your role with the applicant

J. Lange

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1 and scope with respect to this project?
 2 A. Certainly. Good evening, again.
 3 Jeromie Lange from Active Acquisitions where I am
 4 the Director of Development. Active Acquisitions is
 5 essentially the parent company to the entity that is
 6 the applicant this evening.
 7 In terms of my experience, I have
 8 approximately 28 years of experience in land
 9 development, most of which in my capacity as a
 10 consulting engineer and consulting planner. The
 11 last two and a half years, though, I have been the
 12 Director of Development at Active Acquisitions.
 13 The company was founded in 2018 and
 14 since that time has gotten approvals for over
 15 5.6 million square feet of warehousing, which
 16 includes two fully constructed buildings of about a
 17 million square feet. We have another three
 18 buildings under active construction right now, and
 19 we're about to start a sixth building in the
 20 relatively near future.
 21 BOARD ENGINEER: If I could just --
 22 hold on one second. Eileen, Ron is on.
 23 ADMINISTRATIVE OFFICER: Yes, I've got
 24 him. Thank you.
 25 ATTORNEY MUELLER: As stated earlier I

J. Lange

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1 was just filling in until Ron gets in, so he'll be
 2 taking over from here.
 3 ATTORNEY GIANETTI: Thanks, Austin.
 4 THE WITNESS: Ron, are you all
 5 situated?
 6 ATTORNEY CUCCHIARO: I'm all situated.
 7 You can continue, Jeromie.
 8 THE WITNESS: Okay, thank you.
 9 So as Craig mentioned this is in the
 10 SED zone. We are proposing to, what I'll
 11 characterize as two traditional warehouse buildings,
 12 and I'll explain a little bit more about that in a
 13 second.
 14 This is a phased project for us. We
 15 intend to build the first building, the 370,000
 16 square feet plus or minus building which is the one
 17 closer to Fairfield, that would be Phase 1. And
 18 then the second building, approximately 135,000
 19 square feet, further back, will be our Phase 2. In
 20 totality it's roughly 47 percent impervious coverage
 21 on the site where 70 percent is permitted. Just to
 22 give you kind of an idea of how we are on the site.
 23 So I mentioned a second ago traditional
 24 warehouse. So what do I mean by that? I'm just
 25 going to go through a couple of things. First, it's

J. Lange

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1 not major distribution. It is not fulfillment. And
 2 it's not last mile.
 3 So, in other words, although there is
 4 not really a bright-line definition of different
 5 types of warehouse, there are a lot of different
 6 sources you can look to that have some guidelines.
 7 And I think the best way to characterize it is these
 8 warehouses are going to be primarily storage.
 9 Distribution is, of course, it's part of a warehouse
 10 because, you know, you're storing the stuff to
 11 eventually distribute it; it would be a secondary or
 12 tertiary activity. Whereas, a distribution
 13 warehouse, distribution would be the main goal. So
 14 that the trucks roll in, it's the main event, the
 15 storage is more temporal and, you know, just an
 16 in-between step in the handling process.
 17 So in this case this is traditional
 18 warehousing, storage is the primary goal;
 19 distribution is a distant second in terms of the
 20 activity level.
 21 Now in terms of activity level that, of
 22 course, as you might imagine, is highly variable
 23 between different industries, different end-users.
 24 They all have different processes. So there's
 25 always going to be a range when we talk about these

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1 types of things.

2 In this type of use, this traditional

3 warehousing type of use, we would expect an

4 inventory turnover something like every 2 to

5 3 months where these contents in the building would

6 turn over. Again, though, it's highly variable.

7 Some things go quicker, other things, particularly

8 like seasonal items, they may sit for half a year

9 and then, you know, if it's something like barbecue

10 grills or something, they go out obviously in the

11 spring for the summer season.

12 So what makes this site traditional

13 warehousing? You know, why couldn't it just also

14 be, you know, a major distribution center. And

15 there's several reasons for that.

16 First, with the geography, the site

17 itself. While we are very conveniently located,

18 about 1,000 feet away from the interchange with

19 State Highway Route 33, we are somewhat distant, a

20 little over five miles to Interstate 195. We're a

21 little over 16 miles to the New Jersey Turnpike.

22 So if your main business is to roll

23 trucks, it's not a great location; you're a little

24 bit too far really from the Turnpike if that's your

25 main business. If your main business is storage,

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1 this makes a lot more sense. And then particularly

2 it makes more sense if your main business is

3 regional distribution. So, in other words, you're

4 not distributing all over the United States but you

5 want to be here because you're serving some kind of

6 New Jersey market, or New Jersey-centered market.

7 So that from a geography standpoint really kind of

8 sets the stage.

9 Once you get into the site itself you

10 have to kind of look at the rest of it, the site

11 layout, the building, and that kind of dictates how

12 it will be used. So in this case, you will notice

13 on the two buildings, both A and B as the front and

14 back, they're single-loaded with their loading

15 docks.

16 If this was a distribution use, it

17 would be a cross-docked building. So in other

18 words, materials would come in one side and go out

19 the other. That efficiency sets up a real nice flow

20 rate. So if you're moving product at a high

21 velocity, you're going to want that efficiency.

22 When you are single-loaded like this,

23 the product is less efficient when you build a

24 warehouse. So it's really more set up on maximizing

25 storage than maximizing velocity. So that's an

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1 important characteristic of this site.

2 Next is the more you handle the goods,

3 the faster you move the goods, the more employees

4 you need. Correct? That stands to reason. In this

5 case we have relatively limited parking. The

6 warehousing is parked at the ordinance requirement

7 of one per 5,000. That's, frankly, just not enough

8 people to manage a major distribution facility. You

9 would need a lot more people for the product

10 handling in order to keep up with that flow of

11 velocity. So the parking is definitely a major

12 factor.

13 Maybe not necessarily lastly but

14 importantly, the buildings are relatively small.

15 Generally distribution centers are larger. They're

16 usually a half a million square feet or more and can

17 go up to well over a million square feet. In this

18 case both buildings are well under half a million

19 square feet. So again, they lend themselves to a

20 regional storage type of use with a regional

21 distribution model.

22 For a warehouse like this in totality

23 the range of employees will vary wildly. On the

24 upper end we would say maybe 275 total employees. A

25 maximum shift, which could be an only shift, it

J. Lange

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1 doesn't necessarily have to be a multi-shift user,

2 but a maximum shift we would anticipate is

3 175 people. And again, that would be the worst-case

4 scenario.

5 So as a traditional warehouse in terms

6 of the trucks per day it's a similar thing; if your

7 velocity is slower, your storage is more long-term,

8 like I said measured in terms of months, not days or

9 weeks, you're going to have far fewer trucks. As

10 far as exactly how many, again it is very dependent

11 on the end-user so it is a fairly wide range. But I

12 would estimate, based on my experience, anywhere

13 from 30 to 100 trucks in a day. That would be kind

14 of the range.

15 I think it will actually be somewhere

16 towards the lower end of that range for this area.

17 And what I'm basing that on is based on the actual

18 end-users who have expressed an interest in the

19 Howell market. Based on that, those types of users

20 are definitely going to be on the lower end of that

21 range. I can't promise that it wouldn't open and be

22 a higher one, 100 mark, but it's more likely going

23 to be on the lower end of that range.

24 The other thing we've done here is to

25 provide long-term flexibility. While most of the

1 interests we have seen are for end-users that want
2 to take the entire buildings -- and for the
3 buildings that we've sold and/or constructed to date
4 it has been single users -- we do have the
5 flexibility to design into different structures. So
6 the larger building, Building A, the one up front by
7 Fairfield, we have a total of four tenants that are
8 potentially available on that site.

9 You will see here on the exhibit which
10 is -- I'm not sure what exhibit number this is.

11 ATTORNEY GIANETTI: That's the colored
12 rendering?

13 JEROMIE LANGE: I think there's an
14 exhibit label there. A-58?

15 ATTORNEY GIANETTI: I think it's A-58.

16 THE WITNESS: A-58. So we're looking
17 at Exhibit A-58. It's a color site rendering
18 prepared by Bohler. Tung-To, who is our next
19 witness, will go into a lot more detail, but just
20 for an orientation standpoint, Building A is the
21 large building on the left, Building B is the
22 smaller building on the right.

23 If you look on the left side of the
24 bigger building, Building A, you will see there's
25 four kind of equally sized structures. Those are

1 all kind of office uses that are in those locations.
2 So we could have up to four separate offices. There
3 will be demising walls then splitting the spaces.

4 Of important note and in compliance
5 with your ordinance, all of those end-users will be
6 more than 5,000 square feet. So they will fully
7 comply with the ordinance in the multi-tenant
8 building. The smaller building, the 135,000 square
9 foot one, that is only set up for a potential for
10 two tenants. And you can see the offices located in
11 either top corner of that structure.

12 There is the potential for these sites
13 to be a 24/7 operation. In our experience,
14 especially in a regional market like this, if a
15 third shift exists at all it's usually very light,
16 it's just maintenance type of staff, maybe some
17 receiving staff, but there's really not a lot of
18 activity going on. Sometimes there's a second
19 shift, depends on what they're handling and kind of
20 how their work-flow is, but that's a potential. But
21 generally they're one shift, maybe two.

22 We're not anticipating any significant
23 amounts of flammable or hazardous materials on-site.
24 The site is not set up that way for any bulk
25 storage, but to the extent there are any they will

1 be handled in accordance with both local and state
2 requirements.

3 So just from an operation standpoint on
4 the site plan, a couple of quick things. We are
5 blessed in this location to be just over 1,000 feet
6 from the Route 33 interchange, as I mentioned
7 before. So that makes it very convenient for our
8 trucks to get onto Route 33, which then has full
9 access ultimately to the highway network in
10 New Jersey.

11 We do have two driveways on the site.
12 They're both full movements. So we're anticipating
13 employees to use both driveways, depending on which
14 direction they're coming from.

15 And then access the parking lots, you
16 can see we have got one parking lot for the larger
17 building that is essentially parallel to Fairfield
18 Road. And then the smaller building there's parking
19 lots on either end adjacent to the two offices.

20 In terms of trucks, trucks always like
21 to circulate around a warehouse building in a
22 counter-clockwise fashion. The reason for that is
23 so that the driver can see the loading dock that
24 he's backing into. So on the bigger building, we
25 would anticipating the trucks to enter at this low

1 or southerly driveway, circulate in a
2 counter-clockwise motion around Building A, back
3 into the assigned dock position.

4 And then leaving, it would actually
5 continue going north and exit out of the opposite
6 driveway, the northerly driveway, which would work
7 out well which will put him closest to the Route 33
8 interchange where he would be heading.

9 And a similar vein on the smaller
10 building, here the trucks would actually enter the
11 north driveway always because the circulation both
12 in and out would be from the north driveway. What
13 would be different, though, is they would come into
14 the site, they would pass Building A and then that
15 first driveway into Building B they would make the
16 right turn, again going in a counter-clockwise
17 fashion. And then upon exiting kind of the same
18 thing, they would continue counter-clockwise, go all
19 the way around and back out toward 33.

20 In terms of refuse and recycling, it's
21 difficult to see this far away but there are
22 compactor unit locations. There is four of them set
23 up on the building right now. There is the ability
24 to add additional for the end-user if you would want
25 to do that, but in our experience the four locations

1 are more than accurate.
 2 Also the recycling, like bottles, cans,
 3 things like that are typically handled inside and
 4 then they're just rolled out in a rolling container
 5 down the ramps at pick up. So that's how we
 6 anticipate refuse and recycling.
 7 A couple of things you just should be
 8 aware of as part of one of our other applications,
 9 we did complete some NJDOT roadway improvements at
 10 the interchange of Fairfield and Route 33. So those
 11 improvements are fully done.
 12 And then as we speak both water and
 13 sewer, public water and sewer are being extended to
 14 this site as part of another application. We are
 15 expecting that work be complete by this spring so
 16 that public water and sewer would be available.
 17 So that's my operations testimony.
 18 There are four kind of decision points. Craig
 19 mentioned at the beginning that we do have, we
 20 believe, a fully conforming application but there
 21 are four kind of asterisks on that. So I'm going to
 22 run through them quickly from an operations
 23 standpoint, kind of tell you where we're thinking
 24 and see what the board is out on it.
 25 First would be lighting. The lighting

1 that's submitted as our main application is fully
 2 conforming with the ordinance. However, in
 3 conforming with the ordinance it necessarily means
 4 it is not conforming with the Illuminating
 5 Engineering Society standards. It is typical for a
 6 warehouse to be lit to those standards.
 7 From an operational standpoint we agree
 8 that it's a more secure, more functional level of
 9 lighting that would be appropriate for a warehouse
 10 site. So Tung-To will describe after me, the civil
 11 engineer, will describe in more detail the
 12 differences between the two lighting plans, but you
 13 should know from an operations standpoint we would
 14 prefer the IES standard-based lighting, but that
 15 does require a waiver from the board.
 16 The ordinance level of lighting is
 17 sufficient. It's more like just sufficient where
 18 the IES is definitely a step up and a better level
 19 of lighting. But we would defer to the board on
 20 that; if that is something they would agree, we
 21 would be happy to seek that waiver.
 22 The next issue has to do with
 23 landscaping along the building. The add issue is
 24 actually along the docks, the loading docks
 25 themselves. The ordinance can be read to require

1 landscaping along the actual loading docks, so a
 2 couple of thoughts on that.
 3 One, those loading docks are located in
 4 the back of the building. So this is not something
 5 that is going to be seen from the general public.
 6 Secondly, you know, as most people are aware loading
 7 docks actually have a four-foot grade differential
 8 from the finished floor. So what that creates is
 9 the loading dock at the ground level where the
 10 landscaping would be located is actually down in a
 11 hole that is roughly four feet deep from the
 12 surrounding grade. So not only is it back but it's
 13 also in a hole.
 14 The net effect of that is the truck
 15 drivers are really going to be the only people that
 16 are going to see the landscaping as they're backing
 17 into the loading dock. And they'll probably have
 18 some colorful remarks for the guy, and me, you know,
 19 as to who put it there.
 20 So I think it doesn't really serve the
 21 intended purpose. And from an operations standpoint
 22 while we can certainly make it work, it will be
 23 something that requires regular maintenance and so
 24 forth. It doesn't really serve a purpose in terms
 25 of beautifying the site whether internally or

1 externally.
 2 You can see here kind of a depiction of
 3 what it might look like. So it would be sort of my
 4 opinion that we were not doing that and seeking a
 5 waiver, but again we're happy to --
 6 ATTORNEY GIANETTI: I'm sorry,
 7 Jeromie, which exhibit? Is that just a zoom-in of
 8 the current exhibit?
 9 BOARD PLANNER: That's just zooming
 10 in. Is that a different sheet?
 11 ATTORNEY GIANETTI: No, I think it's a
 12 new exhibit.
 13 JEROMIE LANGE: It is the same image,
 14 so it is just a zoom-in of the image you were
 15 looking at but it is A -- what was it, 59?
 16 ATTORNEY GIANETTI: A-59.
 17 THE WITNESS: Yeah, A-59 we're looking
 18 at. And it just gives you, you know, more of a
 19 rendering of what it might like look. Similar to
 20 foundation plantings, just along the loading docks.
 21 That would be highly unusual and,
 22 frankly, in my entire career I have never actually
 23 seen that anywhere. But again, we will certainly
 24 put it in if that's the board's pleasure, but I
 25 think from an operations standpoint it would be

1 better for the waiver to be granted, and, you know,
2 better for more efficiency and use and maintenance
3 standpoint. And again not a whole lot of benefit
4 derived because of its location and the elevation
5 for which it's at.

6 So I'll leave it there.

7 BOARD PLANNER: Can I just interrupt
8 you for one second?

9 THE WITNESS: Yeah.

10 BOARD PLANNER: So this exhibit, I'm
11 assuming, is the big building that is fronting -- is
12 closer to the road, correct?

13 THE WITNESS: Yes.

14 BOARD PLANNER: Is it the same issue
15 with the grade differential for the smaller building
16 in the back?

17 THE WITNESS: It is. In both cases
18 the surrounding grade. It's not immediately the
19 four-foot hole, so it's not that you get to the end
20 of the dock and it's four feet down --

21 BOARD PLANNER: Right.

22 THE WITNESS: -- but if you look at
23 the grade at the property line it's four feet, or
24 more actually in some cases, down.

25 BOARD PLANNER: But it's still like

1 the same situation where it would be -- whether it's
2 four feet or not, it's still like a downward
3 elevation into that --

4 THE WITNESS: Correct.

5 BOARD PLANNER: -- section in the back,
6 right?

7 THE WITNESS: Exactly, yes.

8 BOARD PLANNER: So, Mr. Chair, I'm
9 sure that the applicant's, like the engineering
10 testimony --

11 Craig, you have an engineer that is
12 going to testify, correct?

13 ATTORNEY GIANETTI: Correct.

14 BOARD PLANNER: I'm sure the engineer
15 is going to testify to this, but I don't take
16 exception to this. I see that they can comply with
17 the requirement. I don't see how this landscaping
18 is actually going to survive, to be perfectly
19 honest.

20 So I don't take exception if the board
21 were to grant the waiver but, again, it's up to the
22 board.

23 CHAIRMAN BOISVERT: Right.

24 BOARD PLANNER: Jeromie, I'm sorry for
25 interrupting.

1 THE WITNESS: No, not at all. Thank
2 you, that was great input. I very much appreciate
3 it.

4 The next item I wanted to touch on,
5 Craig had mentioned this earlier was about the
6 trees. So again, Tung-To will go into this in a lot
7 more detail, but the Reader's Digest version is we
8 have about 879 trees being removed. That yields
9 under the ordinance a requirement of roughly 1,990
10 to be replaced. And then when you net out the 927
11 trees that we're installing, you wind up with 1,063
12 trees as the deficit. That is within the range that
13 that November 3rd letter Craig referenced
14 contemplates, which is 1,000 to 1,100.

15 And just to -- it doesn't say this as
16 clear as this could have been in the letter but our
17 intent to is plant the trees. So we're not just
18 writing a check for the township to figure it out.
19 The idea is the township would say plant it here and
20 we're going to physically install it in that
21 location, wherever it is.

22 ATTORNEY GIANETTI: And that tree
23 acceptance letter is B-32, for the record.

24 JEROMIE LANGE: Thank you, Craig.
25 So I do want to make that clear, this

1 is, you know, a turnkey operation. The trees will
2 be fully planted. And just like any other
3 landscaping we would install, it would have the
4 guarantees, the maintenance guarantees and all, just
5 like landscaping as if it was on-site. It would be
6 the same, you know, protections.

7 VICE-CHAIRMAN HUSZAR: And, Mr. Chair,
8 can I ask a question on that?

9 CHAIRMAN BOISVERT: Yeah.

10 VICE-CHAIRMAN HUSZAR: Does the town
11 have capacity to plant 1,000 trees on township
12 property and how --

13 ATTORNEY CUCCHIARO: Well, here's how
14 it would work. If the board determines that that is
15 something that it's interested in granting, then
16 they would have as a condition of approval, there
17 would have to be a planting plan that shows exactly
18 where all these trees are being planted and where
19 they're being planted. And if they don't have that
20 capacity that condition would not be satisfied and
21 they would have to return to the board.

22 VICE-CHAIRMAN HUSZAR: How long do
23 they have?

24 ATTORNEY CUCCHIARO: I would give it,
25 you know, rather than a temporal -- well you

1 could -- you could make it a certain amount of
2 months or you could attach it to, you know, prior
3 to, you know, any permits, you know, to put a shovel
4 in the ground, you know, or something like that.

5 It's generally up to the board as to
6 what the benchmark is.

7 ATTORNEY GIANETTI: I think our
8 expectation was it would be a condition of approval
9 as part of resolution compliance and any Developer's
10 Agreement. We would have to satisfy that with the
11 township, and if we couldn't, we couldn't satisfy
12 that condition, we would have to come back to the
13 board.

14 JEROMIE LANGE: That's all I had on
15 that. Unless there's any other questions?

16 If not, the last thing I wanted to talk
17 about was the building facade. And our architect
18 will do a much deeper dive into this but I wanted to
19 just present a couple different options basically
20 that we have in Howell. I brought a rendering
21 basically of how it would look, just to kind of walk
22 the board through it.

23 But essentially we've got two different
24 architectural facades. One meets the ordinance
25 standard literally in every respect. The other we

1 think is a little bit better, and the reason I'm
2 talking about it is because it's more functional
3 from an operational standpoint. The main difference
4 being the walls in the one that is fully ordinance
5 compliant have much more undulations in a much
6 shorter distance than the one that we think actually
7 looks better and would definitely be more
8 functional.

9 The more undulations you have on the
10 wall the less efficiency there is on the space in
11 the interior. So that makes sense, inside a
12 warehouse you're using storage, it's generally on a
13 racking system. You've got travel ways, the
14 forklifts and other equipment to move through, and
15 you want those generally as straight and rectangular
16 as possible.

17 When you've got a wall that undulates a
18 lot that becomes much more difficult. And what
19 you're really going to do is start to lose some of
20 the interior spaces; there's going to have to be a
21 buffer off of that wall essentially that's just not
22 usable.

23 And while we can certainly make that
24 work, and if the board thinks the one that is before
25 you is compliant, it's a better looking building,

1 we're happy to build it that way, but our preference
2 would be what we're calling Option 1.

3 I'm hopeful that Paul is able to get
4 those exhibits up here shortly. But you're going to
5 see these exhibits too but Sean Naeger will be the
6 one discussing those.

7 BOARD PLANNER: Can I just interject?
8 We worked through this already. So now you're
9 telling me you're going to work backwards from what
10 we've worked through?

11 Like my letter said it was compliant,
12 and now all of a sudden you're going backwards? Or
13 what's the deal because...

14 JEROMIE LANGE: Then I misunderstood,
15 Jen. And maybe this is my point of confusion then;
16 I thought it wasn't compliant.

17 BOARD PLANNER: It was compliant. We
18 worked through it. It was absolutely compliant.
19 Myself, Laura, all of us had it compliant. And now
20 you're working backwards. And I haven't seen
21 anything that is non-compliant.

22 So I'm seeing this for the first time
23 tonight and I'm not thrilled about it, just so you
24 know. So you guys can decide what you want to do,
25 it's your application, but I'm here to tell you this

1 non-compliant situation that you're talking about
2 that works better for you is something that I
3 haven't seen and I'm not thrilled about. Just so
4 you know.

5 Maybe you guys want to think about it
6 and go for it however you want, but...

7 JEROMIE LANGE: Then that's my
8 mistake, I misunderstood and I withdraw the request.
9 We're going to stick then with what we had.

10 So, Paul, you can go back to the
11 overall rendering.

12 Okay. So then there's really only the
13 three issues then to talk about. And again, my
14 mistake, my confusion on that.

15 But I have gone through all those now
16 so if there's any discussion from an operational
17 standpoint on those, like I said there will be
18 additional testimony from Tung-To to go into more of
19 the technical details of each of those issues, but
20 if there's any questions from the board or
21 professionals, I'm certainly available.

22 ATTORNEY GIANETTI: Yeah, and as
23 Mr. Lange noted, yes, Mr. Lam will testify in more
24 detail as to the civil engineering, we have the
25 architect testifying more as to the building

1 materials, facade and layout, we also have our
2 traffic engineer as to the truck traffic. But
3 Mr. Lange is here to answer questions of the board
4 or its professionals as to his testimony.

5 MEMBER CRISTIANO: Mr. Chair, I have a
6 question.

7 CHAIRMAN BOISVERT: Please. Go ahead.

8 MEMBER CRISTIANO: Earlier in your
9 testimony you said as for storage there is nothing
10 substantial for flammables. What is the nothing
11 substantial? I would like to know.

12 THE WITNESS: Well in a warehouse
13 you're likely to have cleaning products and things
14 like that that are going to be necessary so there's
15 some level of things like that. But it's typically
16 cleaning products.

17 MEMBER CRISTIANO: Thank you.

18 THE WITNESS: To clean the floors,
19 maintain the building.

20 MEMBER CRISTIANO: Thank you.

21 CHAIRMAN BOISVERT: Anybody else from
22 the board have any questions of him?

23 Okay.

24 THE WITNESS: All right, thank you.

25 ATTORNEY GIANETTI: Thank you.

1 Rutgers Institute of Technology with a bachelor of
2 science degree in civil engineering technology.
3 Currently a Ph.D. candidate at Rutgers in civil
4 environmental engineering.

5 I am a licensed professional in the
6 State of New Jersey.

7 CHAIRMAN BOISVERT: We accept his
8 credentials.

9 ATTORNEY GIANETTI: Thank you.

10 BY ATTORNEY GIANETTI:

11 Q. Mr. Lam, did you or someone in your
12 direction prepare any exhibits in connection with
13 tonight's meeting?

14 A. We did. We prepared Exhibit A-57,
15 which is their aerial exhibit. And that will be the
16 first exhibit for tonight on my testimony.

17 Q. Sure. Maybe using A-57 just kind of
18 orient the board as to, you know, north, south, west
19 and the surrounding area.

20 A. Yes. The aerial exhibit is Exhibit 57
21 prepared by Bohler. It is dated January 27th, 2023.
22 The aerial background, that photo was taken from
23 October 7th, 2022.

24 As you could see directly across from
25 Fairfield Road the Rock Solid project is under

1 At this time I would like to call our
2 civil engineer, Tung-To Lam.

3 TUNG-TO LAM: Yes. Yes, sir.

4 ATTORNEY CUCCHIARO: Do you swear or
5 affirm the testimony you are about to give this
6 board is the truth, the whole truth, and nothing but
7 the truth?

8 TUNG-TO LAM: Yes, sir.

9 ATTORNEY CUCCHIARO: Please state and
10 spell your name for the record.

11 If you could just state and spell your
12 name for the record.

13 TUNG-TO LAM: First name is Tung-To,
14 T-U-N-G hyphen T-O. Last name Lam, L-A-M.

15 ATTORNEY CUCCHIARO: Okay, go ahead,
16 Counsel, you can qualify.

17 ATTORNEY GIANETTI: Thank you.

E X A M I N A T I O N

- - -

21 BY ATTORNEY GIANETTI:

22 Q. Mr. Lam, can you just please provide to
23 the board your qualifications, experience and
24 licenses in the field of civil engineering.

25 A. Yes. I am a 2004 graduate from

1 construction. So to the north is the top of
2 exhibit. The site in question is highlighted in
3 yellow. And then the zone boundary is highlighted
4 in blue. And the lot boundaries for adjacent lots
5 are highlighted in black.

6 Q. And I guess we can maybe move forward
7 with the other exhibits you have, identify them as
8 marked, and then we'll go through your direct
9 testimony using those exhibits.

10 A. Okay. The next exhibit I would like
11 to introduce would be Exhibit A-62. It is a street
12 perspective prepared by our photo simulation
13 company. It's a view looking southeast at the
14 building and then there is a total of four, but
15 we're only going to be looking at Page 1 and Page 2.

16 Basically Page 1 of the A-62 exhibit
17 is for the planting height at day one of
18 installation. And then the only difference between
19 Sheet 1 and Sheet 2 of Exhibit A-62 is Sheet 2 shows
20 the planting heights at maturity which is about 10
21 to 15 years after planting.

22 And then we will not be talking about
23 Sheets 3 and 4 at all.

24 Q. And that was the alternative that
25 Mr. Lange referred to earlier that we're

T. Lam, P.E. 49

1 withdrawing?

2 A. Exactly.

3 Q. So the option, the first and second

4 sheet are the fully conforming architectural

5 facades, correct?

6 A. Correct. Those are the architectural

7 facades that has been submitted by our architect,

8 M + H, and it's been reviewed by the board

9 professionals.

10 Q. And what about with respect to the site

11 plan; we've already had Exhibit A-58 marked --

12 A. Correct.

13 Q. -- as an exhibit?

14 A. Yes, Exhibit A-58 is a site plan

15 rendering prepared by Bohler, dated January 25th,

16 2023.

17 And once again, same orientation as

18 Exhibit A-57, which was the aerial exhibit, north is

19 to the top of the page. Same aerial background.

20 And then the green is their landscaping that is

21 being proposed as part of this project. The tan

22 outlines are the buildings, which you see there are

23 two boxes of. And then the gray are the pavement

24 associated for this project.

25 And those are basically the three

T. Lam, P.E. 50

1 exhibits I'll be using tonight.

2 Q. Great. So maybe starting with Exhibit

3 A-57, if you could just identify the location of the

4 property and the size of the property?

5 A. It is Block 177, Lot 8.01, with

6 frontages and access only off of Fairfield Road.

7 The size of the property is 43.93 acres and that is

8 after 1.22 acres of right-of-way dedication so we

9 could provide additional roadway improvements for

10 Fairfield Road, adding shoulders and things of that

11 nature.

12 So prior to the right-of-way dedication

13 the total size of the property is 45.15 acres. The

14 site is located in the SED zone, which is the

15 special economic development district.

16 Q. Maybe if you could just identify the

17 kind of surrounding uses and neighborhood of the

18 property?

19 A. Yeah. To the north of the property is

20 the New Jersey Natural Gas facility. And then to

21 the south of the facility is Baker Road, which is a

22 private roadway with residential gardening centers

23 and farmlands beyond.

24 To the east of our project within that

25 almost inverted U-shape, there's that garden center

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1 and then behind our property is just wooded areas.

2 And then to the west we have the

3 Fairfield Road as the frontage and then we have the

4 Rock Solid project which is under construction.

5 That is beyond the street.

6 Q. And what about the existing condition

7 of the subject property?

8 A. The site is almost 50 percent

9 woodlands and 50 percent farmlands. There is one

10 structure on-site, it is tucked away, very hard to

11 see. It's actually a small footprint of a

12 residential building, 1,140 square feet is the

13 footprint for that two-story residential building.

14 Q. Now maybe if you can give a brief kind

15 of overview of the proposed development. And I

16 guess initially you heard from myself and from

17 Mr. Lange that the application or the site plan is

18 fully conforming to the zone and that there's no

19 variance relief being requested.

20 Is that essentially the mission given

21 to you in designing this site plan?

22 A. Yes, that was the ask and I think we

23 have achieved that.

24 Q. Maybe give a brief overview using

25 exhibit I guess A-58, kind of just describing the

T. Lam, P.E. 52

1 proposed development.

2 A. Yes. Switching over to A-58, we're

3 proposing two warehouse for this project. Each of

4 those would have an office component; each office is

5 5,000 square feet. So Building A, which is the

6 front building closest to Fairfield Road, it is

7 3,600 -- sorry, 369,242 square feet. And then

8 Building 2, which is the building directly behind

9 Building A is 134,714 square feet.

10 Both the buildings are consistent with

11 features, such as parking, sidewalks, driveway,

12 loading docks, trailer parking, stormwater

13 improvements and associated utility improvements for

14 those buildings.

15 Q. And maybe you describe for the board

16 kind of the topography of the site and how the

17 grading is going to work with respect to this site.

18 A. The site basically drains from two

19 directions. But we are proposing importing soil to

20 provide the proper separation between the seasonal

21 high groundwater as part of their DEP stormwater

22 requirement. So the bottom of stormwater feature

23 has sufficient separation between that.

24 So that really drove our site design

25 and how we raised the site and things of that

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1 nature.

2 Q. And I guess again, what -- well, as

3 part of the site plan proposal are we changing the

4 way the stormwater is going to follow as part of the

5 grading or is it going to function as it does today?

6 A. The grading of the proposed condition

7 is intended to mimic the existing drainage pattern.

8 We have reviewed the review letter from CME and

9 there are minor comments that we will comply with.

10 Q. And with respect to stormwater if you

11 could just give kind of a brief outline of how the

12 stormwater management will function and obviously

13 compliance with State regulations and municipal

14 regulations?

15 A. Right, so we're fully compliant with

16 the DEP requirements. Same thing with Howell

17 Township requirement, the county requirement.

18 Basically the stormwater for this project are

19 captured with either inlets or trench drains located

20 throughout the site and they are either piped to an

21 underground infiltration basins which are basins

22 within the parking lots or above-ground basins which

23 in this exhibit you could see in the light yellow

24 colors.

25 As part of the DEP requirements we are

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1 using small scale, so they're basically spread

2 throughout. The only non-small scale basin that

3 we're using is for the roof area which are clean

4 waters so they do not need to be the small scale

5 features.

6 Q. And you mentioned that the stormwater

7 management design complies with the DEP regulations.

8 That's also what the most recent version of the DEP

9 regulations that were adopted I think a year or so

10 ago, all the projects must comply with now?

11 A. Correct. This is in full compliance

12 with their adopted stormwater quantity from March of

13 2021.

14 Q. And it's also compliant with the

15 township stormwater management requirements?

16 A. Yes.

17 Q. And I guess the stormwater management

18 system being on the private property will be

19 privately owned by the property, the property owner

20 as well as being maintained by the property owner?

21 A. Correct.

22 Q. And as part of the application and any

23 approval would there be an operations and

24 maintenance manual to deal with kind of, again, the

25 operation of the stormwater management system and

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1 the maintenance of it?

2 A. Yes, it will. It will be reviewed by

3 the township and recorded with the deed.

4 Q. How about potable water and sanitary

5 sewer, if you can describe that?

6 A. The water improvements will be

7 provided by New Jersey American Water, which is the

8 service provider in this area. We are coordinating

9 with New Jersey American Water for a water main

10 extension which will provide both domestic and fire

11 service for these two buildings.

12 In addition to that the fire

13 requirements will have a fire tank on-site, which is

14 140,000 gallons. It is a 26-foot diameter, a height

15 of 25 feet. And adjacent to that fire tank will be

16 the pump house. And that will be a 20-by-24

17 structure and the height of that structure will be

18 less than 25 feet.

19 And then in terms of sanitary

20 improvements, as part of the Rock Solid

21 improvements, sanitary sewer is essentially ongoing

22 so this project will have the benefit of that, we

23 will tie into it. And the sewer application is

24 under review by the township and the MUA.

25 Q. And what about circulation on-site, how

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1 that will work with the vehicles and the trucks?

2 A. We're proposing two driveway off of

3 Fairfield Road. They are providing circulation for

4 both their warehouse and also for employee parking

5 lots. There are employee parking lot located to the

6 western side of Warehouse A, which is the front

7 building. And then on Warehouse B, which is their

8 employee parking lots on two ends, will be on the

9 western and eastern end, the short side of those

10 buildings.

11 The truck courts which is their loading

12 operation is being proposed on the eastern side of

13 Warehouse A, and the southern side of Warehouse B.

14 And there is a 30-foot-wide ring road essentially

15 connecting the on-site circulation to either

16 driveway features.

17 Q. I indicated we have a traffic engineer,

18 Dan Disario, who will be testifying as to traffic as

19 well as circulation.

20 During the site plan process have you

21 worked with Mr. Disario in the township to make sure

22 that the vehicle movements can be accommodated

23 on-site?

24 A. We have designed the driveway in

25 conjunction with Mr. Disario so that the truck can

1 enter and exit at the same time without impacting
 2 each other.

3 Q. And has this plan been reviewed by the
 4 fire bureau and the fire chief?

5 A. It has been reviewed by Chief Lewis.

6 Q. And were there any issues or concerns
 7 raised about the circulation or truck traffic?

8 A. Not with the circulation, no.

9 Q. And if you can just identify the
 10 dimensions of all those routes again with respect to
 11 the ring road and the drive aisles?

12 A. The ring roads for this project is
 13 30 feet and it connects the two buildings with out
 14 to the street.

15 And then in addition to that there is a
 16 30-foot drive aisle for the parking lot in front for
 17 Warehouse A. And then there is a 25-foot-wide drive
 18 aisles for the employee parking lots for
 19 Warehouse B. And then the court itself which is
 20 where the loading operation will occur, that is
 21 70 feet wide.

22 Q. And moving into the loading docks just
 23 describe and identify, you know, the location and
 24 how many there are?

25 A. For total there is 82 loading docks

1 being proposed for this project. Warehouse A on the
 2 east end of that there is 50 loading docks. And
 3 then for Warehouse B there's 32 located on the
 4 western end.

5 Q. And how about tractor-trailer storage
 6 or parking?

7 A. Trailer storage is only being proposed
 8 for Warehouse A. And there's 30 of them located
 9 opposite of the truck court.

10 ATTORNEY GIANETTI: Paul, are you able
 11 to kind of move the cursor over that? Yeah, that
 12 area over there is for the tractor-trailer storage.

13 Q. Now what about vehicular parking, you
 14 know, lot size and location?

15 A. For Warehouse A we're proposing 137
 16 parking spaces with eight of them being ADA and nine
 17 of them being EV spaces. And that is located
 18 between Fairfield Road and Warehouse A.

19 And then for Warehouse B we're
 20 screening the parking lot so on the two short ends,
 21 each end would have 29 total parking spots and two
 22 of those spaces will be ADA and two of those spaces
 23 would be EV.

24 So in total for this project we're
 25 proposing 195 parking spaces and 12 of those are ADA

1 and 13 of those are EV. That is fully compliant
 2 with the township requirement.

3 Q. I guess overall the circulation,
 4 parking, drive aisle widths, truck turning is all
 5 complying with township requirements?

6 A. Yes.

7 Q. And you heard me in my introduction
 8 there was a waiver noted in the CME review letter
 9 with respect to drive aisle width.

10 In designing the 30 feet were you
 11 relying on the ordinance that requires driveways
 12 into commercial/industrial areas have a minimum
 13 width of 30 feet?

14 A. Yes.

15 Q. And does this proposal comply with
 16 that?

17 A. It does.

18 Q. And if we can maybe now move onto
 19 lighting?

20 A. Yes. So we've submitted a fully
 21 compliant lighting plan as part of our package. And
 22 then, in addition, we have also submitted an
 23 alternate lighting plan. The only difference is the
 24 fully compliant lighting plans obviously have no
 25 design waivers or variances from the township

1 requirement.

2 ATTORNEY GIANETTI: And if we could
 3 just, hold on one second, if we could just identify
 4 the exhibit number of the exhibit that is up right
 5 now?

6 PAUL LATHAM: This is from the site
 7 plans, A-3.

8 ATTORNEY GIANETTI: It's from the site
 9 plan, A-3. Thank you.

10 Q. Okay, so we can -- this is a lighting
 11 plan from the site plan set of A-3?

12 A. Correct. So the only difference
 13 between this and the next exhibit that we'll be
 14 talking about, is this lighting design fully
 15 complies with the township requirements. The only
 16 difference, once again, is it does not meet the IES
 17 requirement.

18 Q. And what is the IES requirement?

19 A. There are a total of four items, it is
 20 their minimum average for warehouse and loading
 21 dock, 10 foot-candle being required. Then the
 22 average to minimum for warehouse and the loading
 23 dock being a ratio of 5 to 1 being permitted.

24 Q. Now when you say IES, what is IES?

25 A. Oh, I'm sorry. I'm having a senior

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1 moment.

2 BOARD TREE EXPERT: It's Illuminating

3 Engineering Society.

4 THE WITNESS: Yes. I am sorry.

5 BOARD TREE EXPERT: No problem.

6 BY ATTORNEY GIANETTI:

7 Q. Okay, so you indicated the plan being

8 presented is not in conformance with the town

9 ordinance, is not in conformance with the IES

10 lighting standard?

11 A. Correct. So the difference is it's a

12 slightly brighter lighting design.

13 So while we can provide the lighting

14 design that is in full compliance with the township

15 requirement, if the town prefers we can switch over

16 to the alternate lighting plan which complies with

17 the IES requirements. But it does require a

18 deviation from the township requirements, which is

19 their maximum average for the entire site, half a

20 foot-candle is permitted.

21 If we switch over to the alternate

22 lighting plan then that level jumps up to 3.07

23 foot-candles.

24 Q. Is what we're showing now on the sheet

25 is the alternate lighting plan?

T. Lam, P.E. 62

1 PAUL LATHAM: A-16.

2 Q. A-16. And so, again, I guess the

3 testimony is too that from your perspective this

4 lighting plan that is compliant with the IES

5 standards is more appropriate, provides better

6 lighting. But if it's the town's preference to have

7 it fully conforming with the ordinance that has a

8 little less brightness, we can do either/or

9 essentially?

10 A. Absolutely.

11 Q. With respect to the light fixtures what

12 are the heights of those?

13 A. They are 24 feet in both designs.

14 Q. And are they all recessed and shielded?

15 A. The LED itself are shielded but there

16 are some particular lights that have additional

17 house-side shields added onto them. And that is on

18 the township fully compliance one.

19 The alternate lighting plan has the LED

20 equipped items but it does not have any extra

21 house-side shield to certain lights.

22 That is one of their main difference.

23 Q. And with respect to the lighting plan,

24 is there any spillage of lighting onto adjacent

25 property owners I guess under any lighting scenario?

T. Lam, P.E. 63

1 A. Both options would have no spillage.

2 Q. And what about, you know, dimming after

3 hours; how would the lighting work during after

4 hours or overnight hours?

5 A. All the proposed lights are to be

6 provided with a dimming control to allow for dimming

7 options when the site is not active.

8 So that comes with the package on

9 either lighting design, the fully compliant one or

10 IES lighting plan.

11 Q. And then maybe moving on to

12 landscaping?

13 A. Yes.

14 Q. Let me bring up I guess using the

15 overall aerial exhibit, A-58?

16 A. Yes.

17 Q. So as part of this project there are

18 23 acres that are located outside of the area of

19 disturbance. So that's either being proposed or

20 additional landscaping is being added to them.

21 Q. And what are the dimensions of the

22 landscaped areas?

23 A. We are fully in compliance with

24 there's a 50-foot residential buffer along Baker

25 Road. There is also a 50-foot active farmland

T. Lam, P.E. 64

1 buffer along Block 177, Lot 12 and we are in full

2 compliance with their buffering requirement from the

3 township.

4 Q. And I guess with that, we have the

5 increased landscaping in the buffer areas?

6 A. Yes, we do.

7 Q. And we're willing to work with

8 Ms. Spero as to the landscaping plan, addressing any

9 landscaping concerns she has?

10 A. Absolutely.

11 Q. Now you heard the testimony, I guess I

12 don't know if we need to get into it, of the

13 foundation plantings near the loading docks. I

14 guess you heard the testimony of Mr. Lange, he

15 didn't think it was appropriate and Ms. Beahm as

16 well --

17 BOARD PLANNER: Craig, we talked about

18 that already. I don't mean to interrupt you and

19 it's totally your case, you can put on whatever you

20 want, but I think that --

21 ATTORNEY GIANETTI: I was just going

22 to ask him if he was in agreement with you and

23 Mr. Lange.

24 BOARD PLANNER: Oh, okay. I'm sorry,

25 I didn't mean to interrupt, but I thought we

1 addressed that.

2 BY ATTORNEY GIANETTI:

3 Q. Are you in agreement with Ms. Beahm and

4 Mr. Lange as to the reasonableness of providing that

5 landscaping in the loading area?

6 A. Yes, we agree that it should not be

7 provided at the loading dock.

8 Q. Now can you talk about the number,

9 current number of trees on the property that would

10 be removed, as well as the number that would have to

11 be replaced either on-site or off-site?

12 A. Yes, 879 trees are being proposed to

13 be removed. As part of the township calculation

14 1,990 trees are required to be replaced. We are

15 able to provide 927 replacement trees on-site

16 without counting for any additional trees along

17 Fairfield Road.

18 If you followed with all that mumbo

19 jumbles, it would come out to be 1,063 replacement

20 trees that are being proposed off-site on the

21 township facility. And the details would be worked

22 out as part of our resolution compliance.

23 And as part of this project we're also

24 proposing 2,737 plants in total over 39 species.

25 And, if needed, we could provide additional

1 information about the shade trees and so on and so

2 forth, but in total 2,737 plants and 39 different

3 species.

4 Q. And what about signage, if you can

5 please testify as to the signage proposed for the

6 project?

7 A. Signage, there is only one monument

8 sign that is being proposed at the northern

9 driveway. The sign detail is located within the

10 architectural package that was submitted, but it is

11 fully compliant.

12 We do comply with the 10-foot setback

13 from Fairfield Road. The size is 9 feet by 3 feet;

14 9 feet long by 3 feet high. And that is once again

15 also in compliance with your township requirement

16 which allows for 12 feet long and 3 feet high.

17 Q. And I know Mr. Lange touched on it

18 briefly. If you could just talk about the trash and

19 recycling storage and removal, you know, identify

20 locations of the trash and recycling at least

21 on-site or outside of the building?

22 A. Right adjacent to the drive-up ramps

23 for each of the two buildings, there is a total of

24 two drive-up ramps for each building; directly

25 adjacent to that we are proposing a compactor and it

1 is being screened by landscape area with landscape

2 islands. And the trash removal and recycling will

3 be done by a private hauler. And screening has been

4 provided.

5 Q. And what about the status of outside

6 agency approvals; what has been submitted and the

7 status of it?

8 A. We have county approval. That was

9 granted back in December of '21.

10 We have Freehold Soil Conservation

11 District certification.

12 The water is still under review by

13 New Jersey American Water. I think we're in

14 discussion with them about a water main extension.

15 And the fire service on-site does

16 require a fire tank and a pump house.

17 Sewer is still under review by Howell

18 Township.

19 MEMBER TANNENHAUS: I'm sorry, could

20 you repeat what you said about the fire tank?

21 THE WITNESS: Yes. The water,

22 domestic and fire service being provided by New

23 Jersey American Water but each of the building we're

24 proposing a 140-gallon fire tank.

25 MEMBER TANNENHAUS: You are? Is that

1 because you anticipate the water service not to be

2 adequate or are you just being cost -- what happens

3 if the water service is adequate?

4 THE WITNESS: Based on information

5 available today from New Jersey American Water we

6 believe those tanks are necessary. And they've been

7 coordinated with our fire suppression engineers.

8 MEMBER TANNENHAUS: What is the

9 proposed height of those tanks? Are you going wide

10 -- short or are you going tall?

11 THE WITNESS: 25 feet in height,

12 36 feet in diameter for the tank itself. The pump

13 house will be 24 by -- I'm sorry, 30 by 24 and the

14 height will be less than 25 feet.

15 MEMBER TANNENHAUS: It looks like by

16 your landscaping nobody will even know it's there;

17 it's going to be buried in the trees eventually, is

18 that what the plan is?

19 THE WITNESS: Exactly. We want to

20 hide it and tucked away as best as we can.

21 MEMBER TANNENHAUS: And what would be

22 the height of those trees when they're full grown?

23 THE WITNESS: More than 25 but I'll

24 have to confirm the exact number and species for

25 you.

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1 MEMBER TANNENHAUS: And that tank and
 2 pump house will be for both buildings?
 3 THE WITNESS: No, it's one for each
 4 building.
 5 MEMBER TANNENHAUS: Where is the
 6 second one?
 7 THE WITNESS: Paul, can you pan over?
 8 Sorry, mistake; it is one for both buildings, not
 9 two.
 10 MEMBER TANNENHAUS: Okay. And has
 11 that been reviewed by our fire department?
 12 THE WITNESS: Yes.
 13 MEMBER TANNENHAUS: Thank you.
 14 THE WITNESS: Just to continue with
 15 outside approvals, NJDEP, the wetland delineation
 16 has been received and there is no threatened and
 17 endangered species noted.
 18 There is a general permit and
 19 transition averaging; it's under current review.
 20 Environmental Commission, it was
 21 reviewed and we have a letter from our environmental
 22 consultant to address their additional comments,
 23 which was also some -- addressing CME's prior
 24 comments.
 25 And the fire has no objection. And

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1 that letter was dated back in June of '22.
 2 And that concludes the status of the
 3 outside agencies.
 4 BY ATTORNEY GIANETTI:
 5 Q. And there have been various board
 6 professional review letters that have been
 7 submitted. Have you been involved with various
 8 meetings or TRCs with the board professionals to
 9 kind of discuss some of the comments in those
 10 letters?
 11 A. Yes. The latest one being Tuesday.
 12 Q. And even prior to that many of the
 13 plans were revised to address a lot of the comments
 14 in the earlier review letters?
 15 A. Yes.
 16 Q. And you're in receipt of the board
 17 engineer review letter, January 30th, 2023?
 18 A. Correct.
 19 Q. Can you review that review letter?
 20 A. Yes.
 21 Q. I believe you addressed a lot of it in
 22 your testimony, will you be able to comply -- I
 23 guess at the end of it, has some technical
 24 comments. Will you be able to comply with the
 25 comments in that letter?

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1 A. Correct.
 2 ATTORNEY GIANETTI: That's all I have
 3 for direct presentation of this witness, if there's
 4 any questions of the board or its professionals of
 5 Mr. Lam.
 6 BOARD ENGINEER: Mr. Chairman, I have
 7 a few questions.
 8 CHAIRMAN BOISVERT: Sure.
 9 BOARD ENGINEER: I'm not sure, I know
 10 that you guys said that you're going to comply with
 11 all of our technical comments. We had noted in the
 12 delineation plan there are significant overlaps with
 13 I believe 6 and 7 movements on the site, and I know
 14 Tung testified that the movements were all adequate,
 15 so are those -- is anything going to be made wider?
 16 Are the curbs going to be changed? How are you
 17 going to address the comment?
 18 ATTORNEY GIANETTI: I think our
 19 traffic engineer is going to address that comment.
 20 BOARD ENGINEER: Okay. And relative
 21 to frontage improvements, is that also going to be
 22 on your traffic engineer?
 23 Jeromie opened with he met with the
 24 DOT; there were improvements. Who is going to speak
 25 to that?

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1 THE WITNESS: Those improvements with
 2 DOT was constructed but our next witness, Dan, would
 3 be able to provide additional info on it.
 4 BOARD ENGINEER: And he's going to
 5 speak about frontage improvements?
 6 THE WITNESS: Yes, we can cover the
 7 frontage improvements.
 8 Paul, can you pull up the next exhibit
 9 which I believe is A-63.
 10 So what you have on this exhibit is a
 11 two-pager. The first page shows the north arrow
 12 being to the right side of the page so the top of
 13 the page is west. So it's showing Rock Solid which
 14 is the project under construction. Next to it is
 15 the Stavola site, which is a separate application
 16 that has not been before the planning board yet.
 17 And then on the bottom of the page is the Frisa site
 18 which is the application before us tonight.
 19 So we just focused in on the Rock Solid
 20 and the Frisa frontage. There are total of four
 21 driveways. And we are reconstructing and widening
 22 the road to your proper dimensions and we have
 23 coordinated that with your township engineer.
 24 Basically we are going to provide a
 25 12-foot travel lane, and one lane in each direction,

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1 a ten-foot shoulder and then a grass -- a five-foot
 2 grass strip followed by a five-foot sidewalk.
 3 In total it basically brings the
 4 right-of-way half width on our side to 33 feet. And
 5 existing roadway currently is only 22.4 feet and
 6 that's from pavement to pavement, and we're making
 7 substantial improvements to that.
 8 And additional detail and dimensions
 9 and things like that can be found under Sheet 2
 10 which is the same as Sheet 1 of this exhibit. It
 11 just zooms -- it's just focused in at different
 12 scale, that's all.
 13 BOARD ENGINEER: That's all I have at
 14 this time, Mr. Chairman.
 15 CHAIRMAN BOISVERT: Okay, thank you.
 16 BOARD TREE EXPERT: Mr. Chair, I have
 17 a question for him.
 18 CHAIRMAN BOISVERT: Sure.
 19 BOARD TREE EXPERT: You had mentioned,
 20 or Mr. Lange had mentioned, that the site was going
 21 to be built in two phases. Is it going to be
 22 cleared in one phase and will it be planted the
 23 same?
 24 THE WITNESS: Yes, we would do the
 25 clearing in one phase.

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1 BOARD TREE EXPERT: So you will clear,
 2 I guess, the entire site in one phase. And then
 3 what about how is the landscaping going to be broken
 4 out?
 5 THE WITNESS: The landscaping would
 6 basically be completed when the first building, it
 7 will be with that, and then the second building.
 8 Because we don't want to put plants in and then get
 9 impacted during the Phase 2 construction, which is
 10 why we're doing it that way.
 11 ATTORNEY CUCCHIARO: Here is my
 12 follow-up question to that, though, your tree
 13 replacement requirements are based upon the fact --
 14 well, you know, they're triggered when you clear.
 15 So, I mean, what is the timing for Phase 2? What
 16 happens if Phase 2 never happens?
 17 THE WITNESS: I believe the landscape
 18 bond would be in place. So if Phase 2 never happens
 19 those trees would still be fully bonded so.
 20 BOARD TREE EXPERT: So I assume just
 21 the trees around Building 2 wouldn't go in, but all
 22 the rest of this plant material would be installed
 23 as well as if the applicant plants for the township,
 24 too?
 25 THE WITNESS: Yes.

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1 ATTORNEY CUCCHIARO: What is the
 2 timing, though, for Phase 2, do you expect?
 3 ATTORNEY GIANETTI: That might be
 4 more -- that might be a question for Mr. Lange.
 5 THE WITNESS: The intention is for one
 6 building to follow another but it's highly
 7 market-driven. So our intention is to, you know, go
 8 one after the other.
 9 ATTORNEY CUCCHIARO: Well I assume if
 10 there's two phases it would go one after the other,
 11 but I guess my only concern is you have an
 12 obligation that gets triggered. We have some of
 13 that obligation accounted for but not all of it
 14 accounted for.
 15 So someone is going to have to explain
 16 to me, you know, how to button that up a little bit.
 17 It doesn't have to be right now but, you know, along
 18 the way here, before the end of the night.
 19 JEROMIE LANGE: Mr. Chair, would I be
 20 able to jump in? Would you mind if I just addressed
 21 that issue quickly?
 22 CHAIRMAN BOISVERT: No, no. Go ahead.
 23 ATTORNEY GIANETTI: He said -- can you
 24 hear me, Jeromie?
 25 JEROMIE LANGE: This is Jeromie Lange,

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1 remaining under oath.
 2 As far as the clearing if we were to
 3 clear both phases initially, typically in our
 4 experience in Howell it would be a restoration bond
 5 would be required. So not only would we be bonding
 6 for the off-site trees, but also to restore the
 7 site.
 8 If for some reason we cleared Phase 2
 9 and for whatever reason didn't go forward, there
 10 would be a restoration bond in place to replant that
 11 entire site.
 12 I could tell you we wouldn't clear it
 13 or go forward if we weren't pretty certain we were
 14 going to move forward with the full construction --
 15 BOARD ENGINEER: Respectfully --
 16 JEROMIE LANGE: -- unless there would be
 17 a substantial delay in time then we would not clear
 18 Phase 2 on day one.
 19 BOARD ENGINEER: All right.
 20 Respectfully, I think the town would be entitled to
 21 a restoration bond separate and apart from the
 22 required replacement of trees.
 23 JEROMIE LANGE: Correct.
 24 MEMBER TANNENHAUS: Ms. Neumann?
 25 BOARD ENGINEER: Yes.

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1 MEMBER TANNENHAUS: Didn't we amend
 2 our ordinance two years ago to make it if someone
 3 had multiple buildings on a site, they could only
 4 clear the part of the site the particular building
 5 they had a permit for?
 6 BOARD ENGINEER: Well, I think what
 7 they're saying is they want to clear it all in
 8 Phase 1. They are proposing phasing. They want to
 9 clear it all in Phase 1. But I think what Ron,
 10 myself and Shari are trying to understand is then
 11 when do we get the replacements for Phase 2.
 12 The replacements are automatically
 13 triggered when all the clearing is done.
 14 JEROMIE LANGE: Correct.
 15 MEMBER TANNENHAUS: I want to take the
 16 conversation to a different level. I understand
 17 that part. I thought that the council put into
 18 place, unless you had your building permit and you
 19 were ready to clear, you were not to clear that
 20 particular land.
 21 So if Phase 2 doesn't have a building
 22 permit at the same time they do the Phase 1, the
 23 Phase 2 portion of the property should remain at its
 24 natural state.
 25 BOARD ENGINEER: I have to be honest

T. Lam, P.E. 78

1 with you, Brian, I'm going to have to look in the
 2 code. I'm not aware that our ordinance would
 3 preclude that. Typically that is what we see, if
 4 something is cleared in phases we don't come in and
 5 clear our total -- sorry, I'm echoing -- and then
 6 replace in such a fashion.
 7 So I will quickly go through the code.
 8 I'm not familiar that our ordinance was amended that
 9 stated that you have to clear at that time. And
 10 certainly they're here for the woodlands management
 11 as one part, not in sections.
 12 MEMBER TANNENHAUS: Okay.
 13 MEMBER CRISTIANO: What is the time
 14 limit on a restoration bond before they have to
 15 replant?
 16 BOARD ENGINEER: So that's the issue,
 17 is the restoration bond. The town would have to
 18 call the bond. And again, I want to be clear, I
 19 think this should be a requirement for two bonds;
 20 something for restoring the site and then there
 21 should be something separate if they don't plant the
 22 trees that were required to be replaced.
 23 MEMBER CRISTIANO: Agreed.
 24 ATTORNEY CUCCHIARO: Okay. Well let's
 25 allow Laura some time to look that up. We can

T. Lam, P.E. 79

1 revisit it but the applicant is aware of that issue.
 2 So are there any other board questions?
 3 VICE-CHAIRMAN HUSZAR: I had a couple.
 4 Tung, are there any restrictions coming out of the
 5 subject property for tractor-trailers making a left
 6 or right onto Fairfield?
 7 THE WITNESS: Not that I'm aware of.
 8 ATTORNEY CUCCHIARO: Is that
 9 something, though, that the traffic engineer would
 10 be better to --
 11 THE WITNESS: Yes.
 12 ATTORNEY GIANETTI: Yeah, our traffic
 13 engineer will be addressing truck traffic and
 14 circulation.
 15 ATTORNEY CUCCHIARO: Okay.
 16 ATTORNEY GIANETTI: And the
 17 surrounding roadways.
 18 VICE-CHAIRMAN HUSZAR: My other
 19 question and, Tung, I'm not sure if you are the guy
 20 for this either. There was a Phase 1, there was a
 21 Preliminary Assessment, and there was a Limited Site
 22 Investigation done on the property for areas of
 23 concerns. And I noted that at the Environmental
 24 Commission that there's two open NJDEP case numbers
 25 for underground storage tanks that remain open.

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1 Now I know GZA went out and poked some
 2 holes and all the samples were all well and good,
 3 but those case numbers remain open.
 4 What is the deal and how do you guys
 5 plan on closing those?
 6 THE WITNESS: It's part of the
 7 construction. They'll be coordinated for those
 8 issues.
 9 BOARD ENGINEER: Do you have someone
 10 who is going to testify to that?
 11 BOARD PLANNER: Okay, coordinated but
 12 with who and by who?
 13 THE WITNESS: With the Active
 14 construction team and the GZA, which is our
 15 environmental consultant for this project who
 16 prepared the Phase 1, PA and SI.
 17 BOARD PLANNER: I mean I think that --
 18 ATTORNEY CUCCHIARO: Well just on this
 19 issue then, before -- again before any construction
 20 begins is there an RAO that has to be issued? Or
 21 what are the steps in the process?
 22 Like how does the remediation fit in
 23 with everything else going on on the property in
 24 terms of sequence?
 25 JEROMIE LANGE: In terms of -- I

T. Lam, P.E. 81

1 can...

2 ATTORNEY GIANETTI: I could hear you.

3 Mr. Lange?

4 JEROMIE LANGE: Yes. So Melick-Tully

5 went out there and did geophysical survey on all

6 locations where they believe the tanks might

7 possibly be. They also did soil testing out there

8 and they weren't able to find any evidence of any

9 spills or tanks. The only way to be 100 percent

10 sure is actually to do the construction and in the

11 course of doing all the earth work, you know, if the

12 tank is there, they would then find it.

13 However, all the likely locations -- we

14 know where the house is, the house is still

15 physically there so it's not like we're trying to

16 figure out where the house used to be, we know

17 exactly where the house was. And you will see in

18 their site investigation report that they did the

19 testing all around the house. So we are very

20 confident, based on their work, that the tank is not

21 there.

22 In the event, though, that somehow the

23 tank was in a really bizarre location, you know, we

24 use professional contractors, they are well aware of

25 what to do if they hit any kind of environmental,

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1 whether it's a tank like this or some other

2 unforeseen or unknown thing.

3 So they know how to call, report to

4 DEP. They would get a case number and then go

5 through all the LSRP process if something

6 unexpected, either just entirely unexpected or in a

7 location that was not expected was, you know,

8 encountered.

9 VICE-CHAIRMAN HUSZAR: Well, I guess

10 the issue is you already have two open case numbers

11 with DEP.

12 BOARD PLANNER: Well, Nick, by the

13 way, Melick-Tully is a geotechnical engineering

14 firm, so like --

15 VICE-CHAIRMAN HUSZAR: Yeah, but GZA

16 owns them so I think --

17 BOARD PLANNER: Okay. That's what I

18 was going to ask. Like, who exactly went out there

19 and they said they did an investigation and they

20 didn't find the tanks or evidence of a spill? So

21 how did they determine there was no evidence of a

22 spill?

23 VICE-CHAIRMAN HUSZAR: Yeah, I mean

24 what we --

25 JEROMIE LANGE: By testing the soil.

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1 VICE-CHAIRMAN HUSZAR: Yeah.

2 BOARD PLANNER: So they tested the

3 soil?

4 VICE-CHAIRMAN HUSZAR: They did.

5 There was a few areas of concern, which it's all

6 well and good, I reviewed all the data and it's all

7 below DEP standards but these case numbers are -- I

8 think one is a 1996, if I remember correctly, and a

9 1998. So these are legacy cases that have been out

10 there for a while.

11 And, Jeromie, I understand what you're

12 saying that, you know, you're going to grade the

13 property, you'll find something, but what if you

14 don't find something? You still have these open

15 cases numbers that you've got to close the loop on.

16 And you don't necessarily need an LSRP

17 because they're home heating oil tanks; you can

18 close them with DEP and they can issue a No Further

19 Action letter. If you chose to do it with an LSRP,

20 that's fine, but you have these legacy cases that

21 are out there that need to be closed.

22 JEROMIE LANGE: I mean we can

23 certainly commit to endeavoring to close the cases

24 with the DEP. You know, I have no problem doing

25 that.

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1 MEMBER TANNENHAUS: Nick, what's up

2 with the 55-gallon drums indicated in the

3 Environmental Commission's...

4 VICE-CHAIRMAN HUSZAR: Yeah, I think

5 there were some drums that were -- again, none of

6 this stuff has been submitted to the DEP. This is

7 all kind of a quasi due diligence. I mean they went

8 out, they did some testing, they want to see what

9 was going on based upon Phase 1 and the PA. But

10 nothing has been submitted to the DEP an LSRP or

11 anything.

12 Again, I didn't see anything that stuck

13 out, any red flags, but as of right now it's an

14 administrative issue that needs to be taken care of.

15 ATTORNEY GIANETTI: So Jeromie, the

16 testimony is as part of any approval, agree to work

17 with the DEP to close out those legacy cases?

18 JEROMIE LANGE: Correct.

19 VICE-CHAIRMAN HUSZAR: That's all I've

20 got.

21 MEMBER TANNENHAUS: Are there bollards

22 at the parking that's perpendicular to the front

23 face of the facility?

24 THE WITNESS: Yes, there are.

25 MEMBER TANNENHAUS: I'm going to think

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1 about the lighting a little bit more, Mr. Chairman.
 2 CHAIRMAN BOISVERT: Okay.
 3 MEMBER TANNENHAUS: I think we'll
 4 probably discuss it with our professionals but I
 5 don't have an answer on that one or any comments
 6 right now on that, but I'm sure I will later.
 7 CHAIRMAN BOISVERT: Okay.
 8 Anybody else from the board have any
 9 questions?
 10 BOARD ENGINEER: Mr. Chairman, sorry,
 11 I just wanted to chime in on the trees. I haven't
 12 seen anything specific to phasing, but it appears in
 13 order to get a CO they would need to have their
 14 trees rectified. That's under 180-193, Subsection
 15 3. It says, "Prior to the issuance of a Certificate
 16 of Occupancy Construction Code Official shall
 17 receive a release from the Administrative Officer,
 18 or his or her designee, that all trees to be
 19 retained and all trees to be replaced under the Tree
 20 Removal Permit are, in fact, in existence and that
 21 all debris/generated as a result of these activities
 22 have been removed."
 23 So it would appear to me that if they
 24 submit this as one fee, in order to get a CO from
 25 that first building which is Phase 1, all of the

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1 replacements would have to be done.
 2 ATTORNEY CUCCHIARO: So that, Laura,
 3 would mean that all trees on-site, whether they are
 4 associated with Phase 1 or Phase 2 would need to be
 5 planted. And all trees that were to be planted
 6 off-site on municipal property would also need to be
 7 planted.
 8 MEMBER TANNENHAUS: Right. So that's
 9 basically the back door of you can't clear Phase 2
 10 if you want to get Phase 1 operational.
 11 ATTORNEY GIANETTI: Laura, can you
 12 give me that citation again?
 13 BOARD ENGINEER: Yes. It's 188-193
 14 C(2) -- C3.
 15 ATTORNEY GIANETTI: C2, C3?
 16 BOARD ENGINEER: No, sorry.
 17 188-193C(3).
 18 ATTORNEY GIANETTI: Got it. Thank
 19 you.
 20 MEMBER CRISTIANO: Mr. Chair, I have a
 21 question.
 22 CHAIRMAN BOISVERT: Go ahead.
 23 MEMBER CRISTIANO: I don't know who
 24 would answer this, maybe the professionals or Ron.
 25 So let's say, they finish their

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1 construction in Phase 1, how long are the permits
 2 open for Phase 2?
 3 ATTORNEY CUCCHIARO: That's within the
 4 construction code, I'm not sure. It's not a -- it's
 5 not a land use -- you know, a zoning issue, how long
 6 their, you know, their construction permits would be
 7 open for.
 8 MEMBER CRISTIANO: Well my question
 9 is, so let's just say -- I'll just throw a number
 10 out there, I don't know, five years. Well in those
 11 5 years technology advances. I mean they're
 12 probably going to build with the new technology, but
 13 that's not coming before the board now. It's going
 14 to be new tech.
 15 ATTORNEY CUCCHIARO: So if it's
 16 something that changes the plan that we approve,
 17 they have to come back.
 18 MEMBER CRISTIANO: Okay.
 19 ATTORNEY CUCCHIARO: In terms of our
 20 approval the plan that gets signed, that's what they
 21 have to build, and if they don't build that, they
 22 have to come back.
 23 MEMBER CRISTIANO: That was my
 24 question. Thank you.
 25 MEMBER SEAMAN: Mr. Chair, just a

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1 quick question.
 2 CHAIRMAN BOISVERT: Shoot.
 3 MEMBER SEAMAN: And I don't recall,
 4 they may have mentioned; there's no issue with any
 5 wetlands buffer? I think they said the wetland
 6 buffer was already done.
 7 Because isn't there a stream that runs
 8 to the -- on, like, the northeast side of that
 9 property a bit?
 10 THE WITNESS: I'm sorry, which stream
 11 are you referring to?
 12 MEMBER SEAMAN: It's small. I think
 13 it's just off to the northeast side, like where the
 14 road comes up for the second building, right on the
 15 northeast edge.
 16 Like over, yeah. I believe -- isn't
 17 there a small stream that runs or a creek that runs
 18 right behind that boundary?
 19 THE WITNESS: It's mostly wetlands and
 20 bogs beyond the property.
 21 MEMBER SEAMAN: But it's nothing that
 22 would trigger like a buffering issue where anything
 23 couldn't be built?
 24 THE WITNESS: No.
 25 MEMBER SEAMAN: Thank you.

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1 MEMBER CRISTIANO: Is there wetlands
 2 on the property?
 3 THE WITNESS: Yes, there are wetlands
 4 on the property. We received a delineation from
 5 NJDEP conforming those and the associated buffer.
 6 And there's confirmation that there's
 7 no threatened and endangered species on this
 8 property.
 9 MEMBER CRISTIANO: Do you happen to
 10 have a slide you can show us real quick, please?
 11 THE WITNESS: For the wetland?
 12 ATTORNEY GIANETTI: Tung, could you
 13 please identify the exhibit that is being used.
 14 THE WITNESS: This is A-3. This is
 15 the submitted site plan. So what you see in green
 16 --
 17 ATTORNEY GIANETTI: Which sheet, which
 18 sheet of the site plans?
 19 THE WITNESS: It's C-301 of the site
 20 plan. Basically Page 9, if you go by the PDF page
 21 number.
 22 So the area you see in the green are
 23 the wetlands that are confirmed by the DEP. And
 24 there are several of those throughout the property.
 25 And the area in orange are the

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1 confirmed buffers.
 2 And then the red are the compensation
 3 area for the areas in pink that we're disturbing.
 4 COUNCILMAN GASIOR: Mr. Chairman, I
 5 have a question.
 6 CHAIRMAN BOISVERT: Go ahead.
 7 COUNCILMAN GASIOR: Those wetlands,
 8 what becomes of them during this construction
 9 process after the trees are taken out; are they
 10 restored -- they're natural wetlands -- or are they
 11 gone?
 12 THE WITNESS: We're not disturbing the
 13 wetlands for this project; they remain untouched.
 14 CHAIRMAN BOISVERT: Okay. Anybody
 15 else?
 16 ATTORNEY GIANETTI: If there's no
 17 other questions of Mr. Lam, I would like to move on
 18 to my next witness, Dan Disario, who is our traffic
 19 engineer.
 20 VICE-CHAIRMAN HUSZAR: Paul, can we
 21 take a five?
 22 CHAIRMAN BOISVERT: Yes, we can. I
 23 was going to say that, actually.
 24 We're going to take a five-minute
 25 recess.

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1 ADMINISTRATIVE OFFICER: The board
 2 will take a five-minute recess. We'll be back at 8:56.
 3
 4 (A recess is taken at 8:51 p.m.)
 5 - - -
 6 (Time noted, 8:58 p.m.)
 7
 8 ADMINISTRATIVE OFFICER: The planning
 9 board will now reconvene.
 10 CHAIRMAN BOISVERT: You can call your
 11 next witness.
 12 ADMINISTRATIVE OFFICER: I don't know
 13 if he's back yet.
 14 ATTORNEY GIANETTI: Good evening,
 15 Chairman, we're back.
 16 CHAIRMAN BOISVERT: We're ready for
 17 your next witness, Mr. Gianetti.
 18 ATTORNEY GIANETTI: At this time I
 19 would like to call Dan Disario.
 20 ATTORNEY CUCCHIARO: Is he on screen?
 21 ATTORNEY GIANETTI: Yes, he's the one
 22 with the headset.
 23 ATTORNEY CUCCHIARO: Okay. Do you
 24 swear or affirm the testimony you are about to give
 25 this board is truth, the whole truth, and nothing

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1 but the truth?
 2 DAN DISARIO: Yes, I do.
 3 ATTORNEY CUCCHIARO: Please state and
 4 spell your name for the record.
 5 DAN DISARIO: Certainly. My name is
 6 Dan, last name is Disario, D-I-S as in Sam, A-R-I-O.
 7 ATTORNEY CUCCHIARO: Okay, Counsel, if
 8 you can qualify Mr. Disario?
 9 ATTORNEY GIANETTI: Sure.
 10
 11 E X A M I N A T I O N
 12 - - -
 13 BY ATTORNEY GIANETTI:
 14 Q. Mr. Disario, if you could please
 15 provide for the board your experience,
 16 qualifications and licenses in the field of traffic
 17 engineering?
 18 A. Certainly. I have a bachelor of
 19 science in civil engineering from Temple University.
 20 I also have a Master of Science in transportation
 21 engineering from the New Jersey Institute of
 22 Technology.
 23 Q. I am a licensed professional engineer
 24 in the State of New Jersey as well as other states.
 25 I am also a professional traffic operations

1 engineer, a PTOE, which is a national certification
2 upon successful completion of an exam.

3 I have prepared over a thousand traffic
4 studies for almost every conceivable land use. I
5 have been accepted as an expert in the field of
6 traffic engineering before hundreds of boards
7 throughout New Jersey.

8 Specifically regarding warehouse
9 projects, I have been involved with warehouse
10 projects throughout the country and am approaching
11 close to a billion square feet of warehouse projects
12 again throughout the country.

13 CHAIRMAN BOISVERT: We accept your
14 credentials.

15 THE WITNESS: Thank you, Mr. Chairman.
16 I would just like to add --

17 CHAIRMAN BOISVERT: I almost didn't
18 want to stop you.

19 ATTORNEY GIANETTI: He will go on all
20 night, if he could.

21 THE WITNESS: I don't want to belabor
22 it, just anecdotally just for a little levity to the
23 night, because I know it's getting late, I grew up
24 in Perth Amboy down the street from a Preferred
25 Freezer warehouse building. I was a block away from

1 it. I currently live in South Brunswick not far
2 from Exit 8A on the Turnpike. And I am broadcasting
3 to you from my home right now which is situated
4 again in South Brunswick across Route 130 from both
5 a Coca-Cola warehouse as well as a L'Oreal
6 warehouse.

7 So I would respectfully submit to the
8 board I think I was destined to work on warehouse
9 projects. I'm happy to appear before you this
10 evening. And thank you again.

11 CHAIRMAN BOISVERT: All righty.
12 BY ATTORNEY GIANETTI:

13 Q. Mr. Disario, in connection with this
14 application you and your office prepared a Traffic
15 Impact Study that was submitted with the
16 application?

17 A. We did. It's entitled Traffic Impact
18 Study, and it's dated November 1 of 2021.

19 Q. And if you could just describe kind of
20 what you did in preparation of preparing that report
21 and your findings with respect to it?

22 A. Certainly. And I would be happy to
23 answer any specific questions the board has in terms
24 of any of the details of the study. I will take you
25 through the different components of that traffic

1 study to convey to you the work that we have
2 completed as part of that study.

3 The first step with that study was to
4 establish existing traffic conditions by way of
5 traffic volumes. We arranged for traffic counts to
6 be conducted on Tuesday, October 5th, 2021, from
7 6:00 in the morning to 10:00 in the morning, and
8 then again from 2:00 in the afternoon to 6:00 in the
9 evening.

10 And we intentionally selected those
11 times to bracket school hours, not only arrival
12 times in the morning but dismissal times in the
13 afternoon. So typically you do counts from 7:00 to
14 9:00 and 4:00 to 6:00 to capture commute times, but
15 again we elected to do them 6:00 to 10:00 in the
16 morning and 2:00 to 6:00 in the evening.

17 Once we collected that traffic data in
18 terms of the intersections we counted along the
19 Fairfield Road corridor from the north, the
20 signalized intersection with Park Avenue, all the
21 way down to the south with Adelpia Road and all the
22 intersections in between, not only the unsignalized
23 intersections, like Baker Road and Bennett Road, but
24 the Route 33 ramps as well.

25 Based on that traffic count data that

1 we collected we identified that the hours with the
2 highest traffic volumes recorded at all those
3 intersections occurred during the morning from 7:30
4 to 8:30, and from 4:30 to 5:30 in the afternoon. So
5 we identified those as the peak hours where the
6 highest amount of volume through the Fairfield Road
7 study corridor was identified.

8 Once we established those peak hour
9 volumes based on the traffic counts that we
10 conducted and understanding that traffic conditions
11 were affected unfortunately by the pandemic that we
12 all had to live through, we elected to review
13 historic data that was available and published and
14 specifically NJDOT had some counts in the area from
15 2013 as well 2016. They specifically pertain to the
16 on and off ramps of Route 33 at Fairfield Road as
17 well as along Park Avenue, which is also known as
18 Business Route 33.

19 And looking at some of the DOT's
20 historic data versus the counts we conducted in 2021
21 we elected to make adjustments to the 2021-volume
22 data and we increased those volumes to be in line
23 with the historic NJDOT data. So we conservatively
24 adjusted our counts and our volumes higher to
25 reflect pre-pandemic levels.

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1 We also reviewed traffic data that was
 2 collected in 2018 and 2019 by another consultant in
 3 preparation of the application that appeared before
 4 this board for the Rock Solid project, which is
 5 directly across the street from the site that we are
 6 discussing this evening. And we found good
 7 consistency between that 2018 and 2019 data with the
 8 adjusted volumes that we derived from our 2021
 9 counts.

10 So respectfully with the adjustments
 11 we've made, I would submit to you that I believe the
 12 traffic volumes that we have established to
 13 represent existing conditions along the Fairfield
 14 Road corridor are conservative and likely higher
 15 than what would otherwise exist out there today.

16 Once we established those 2021 peak
 17 hour adjusted traffic volumes, we then applied a
 18 background growth rates to those volumes consistent
 19 with published growth rates that the NJDOT puts out
 20 for traffic studies.

21 So we chose a 2023 design year for
 22 purposes of analysis. So we took our adjusted 2021
 23 peak hour volumes and we grew them by various growth
 24 rates to take them to a 2023 baseline condition.

25 That application of the background

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1 traffic growth rate is to account for regional
 2 development that then creates regional traffic
 3 growth.

4 Once we established those 2023 base
 5 traffic volumes, we also looked at local traffic
 6 growth that would be created by local developments.
 7 We specifically accounted for four other
 8 developments and the traffic associated with those
 9 developments, the first one being Active 29 along
 10 Howell Road, which had previously appeared before
 11 this board. The Black Rock Enterprises project, as
 12 well as the Rock Solid, which is right across from
 13 this site, and then the New Jersey Natural Gas
 14 project which is just to the north of this site.

15 So we identified traffic volumes
 16 associated with those developments. We added the
 17 traffic from those developments on top of and in
 18 addition to the 2022 base volumes to create the 2023
 19 no-build volumes. So the volumes that would exist
 20 in the future without the proposed development that
 21 is before you this evening.

22 And again, given all of the adjustments
 23 that we've made, the accounting of background
 24 traffic growth as well as accounting for the local
 25 developments in the area, I would submit to you that

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1 our future 2023 base volumes are conservative and
 2 likely higher than what would otherwise occur.

3 So at that point we need to identify
 4 how much traffic this proposed project would
 5 generate. And typically traffic engineers rely on a
 6 publication which I'm sure the board is familiar
 7 with, it's entitled a *Trip Generation Manual*. And
 8 it's in its 11th edition.

9 Now that publication essentially
 10 creates trip rates by which traffic engineers across
 11 the nation use to estimate how much traffic a
 12 particular land use would generate. And it's based
 13 on empirical data that is collected from existing
 14 sites throughout the country.

15 Now you've heard from Mr. Lange earlier
 16 this evening in terms of the types of operations
 17 that he expects for the tenants that are likely to
 18 occupy these buildings. And at the risk of adding
 19 some confusion in terms of the vernacular that we're
 20 using, Jeromie was using traditional warehousing.

21 And in terms of the traffic engineering profession
 22 and specifically the *Trip Generation Manual*, a
 23 traditional warehouse is more representative of
 24 older warehouse buildings. You can think of
 25 buildings from, like, the '80s and '90s and earlier

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1 where there's not a lot of mechanization inside that
 2 building, there's not a lot of modernization inside
 3 those buildings, and those older warehouse buildings
 4 had more labor intensive operations. So they
 5 employed more people in order to run the inside
 6 operations of those buildings.

7 More modern warehouses and those that
 8 largely have been built in our state in the last 10
 9 to 15 years really are more known as high-cube
 10 warehouses and they're very modern,
 11 state-of-the-art, lots of mechanization inside them
 12 and less reliant on labor to run their operations.

13 So high-cube warehouses tend to
 14 generate on a per-square-foot basis less traffic in
 15 terms of cars and trucks. And traditional
 16 warehouses in terms of the published data tend to
 17 generate more traffic because they're more labor
 18 intensive and generate particularly more car
 19 traffic.

20 We've elected, again to be conservative
 21 with our analysis of the impacts of this project
 22 that is before you this evening, have elected to use
 23 traditional warehouse trip rates to estimate Trip
 24 Generation of this proposed project; specifically we
 25 used the trip rates for Land Use Code 150, which is

1 warehousing in the *Trip Generation Manual*.
2 I fully expect that the numbers I'm
3 going to give you in a moment, that the actual Trip
4 Generation once these buildings are occupied, if the
5 board grants approval, will generate less traffic
6 than what I'm about to describe.

7 So again based on Land Use Code 150,
8 warehousing, out of the *Trip Generation Manual*, its
9 11th Edition, we could estimate in round numbers --
10 they're going to vary a little bit from what's in
11 our study, but in round numbers during a morning
12 peak hour, so one hour between 7:00 and 9:00 in the
13 morning, 65 cars would come in, 30 cars would exit,
14 for a total two-way volume of 95-car trips.

15 Again in the morning peak hour based on ITE data we
16 would estimate for trucks five would come in, five
17 would exit for a total truck two-way volume of 10
18 trips. So the total trip generation both cars and
19 trucks for a morning peak hour we would estimate 70
20 coming in, 35 exiting, for a total two-way volume of
21 105 trips.

22 In the evening, so the evening peak
23 hour, one hour before 4:00 and 6:00 in the evening,
24 again using the same published trip rates, 20 cars
25 come in, 80 would exit, for a total two-way car

1 of 560 trips. 150 trucks would come in, 150 trucks
2 would exit, for a total truck volume of 300 trips
3 over the course of a day.

4 So total car and truck trips over the
5 course of a day, 430 trips coming in, 430 trips
6 exiting for a total two-way volume, vehicular
7 volume, cars and trucks of 860 trips.

8 Now these numbers are higher in terms
9 of the trucks than what Jeromie had indicated he
10 expects for this project. And I agree with Jeromie
11 in terms of the truck trips and the number of trucks
12 this project is going to generate will be lower than
13 the estimates I just testified to, but we
14 intentionally wanted to represent higher numbers
15 based on published data to put forth a very
16 conservative analysis in our traffic study and for
17 this board's consideration.

18 Now just to give you further references
19 in terms of what you can expect for this
20 development, industry experience typically, you'll
21 turn over a dock door anywhere from one to two times
22 a day. So if you wanted to go by that measure, if
23 you will, we have 82 dock doors, that might
24 translate into 82 trucks a day, up to 164 trucks a
25 day. But we based our analysis on 150 trucks a day.

1 volume of 100. And for trucks eight would come in,
2 eight would exit, for a total truck two-way volume
3 of 16 truck trips. And then the total for the
4 weekday evening peak hour both cars and truck, 28
5 trips in, 88 out for a total two-way volume of 116.

6 Now just to qualify that and give the
7 board a benchmark, if you will, to compare to, many
8 jurisdictions, including NJDOT, consider any land
9 use that generates 100 or less peak-hour trips in
10 any specific peak hour as not being a significant
11 traffic generator. Admittedly our estimates, 105
12 trips in the morning peak hour, 116 trips in the
13 evening peak hour, are more than that 100 trip
14 threshold, but I would submit to you not
15 significantly more.

16 So I would respectfully characterize
17 the level of trip generation that we expect this
18 development to generate will not be significant and
19 will not translate into any significant changes to
20 area traffic operations.

21 To give you an idea and an estimate for
22 a total 24-hour estimate of both car and truck
23 trips, so for a 24-hour period, using again the
24 published trip rates, 280 cars would come in,
25 280 cars would exit, for a total two-way car volume

1 We've also done counts at existing
2 warehouses in New Jersey, and I can tell you from my
3 experience based on collecting that data at existing
4 warehouses, that New Jersey warehouses by and large
5 generate less traffic than what would otherwise be
6 suggested by the published data. And I'll give you
7 a real world example, again to help frame for you
8 what we could reasonably expect this development to
9 generate.

10 So this development, round numbers,
11 500,000 square feet, two buildings. Each of those
12 buildings as you are aware are single-loaded. That
13 means they only have dock doors on one side of the
14 building. Having dock doors on only one side of
15 each of these buildings limits the amount of
16 throughput that each of these buildings could
17 process, which tends to lower the amount of activity
18 that could be conducted inside the buildings and
19 also translates into less traffic not only in terms
20 of trucks but cars as well.

21 So there's a relatively new warehouse
22 development. I didn't work on it specifically,
23 another consultant took it through entitlements, but
24 I did peer review of the traffic work that was being
25 done for the owner, for a potential purchaser of

1 that development, which they elected to go ahead and
2 buy that project and now they own it.

3 So it's over in Mansfield, right off
4 295. It's 960,000 square feet, two buildings. One
5 of the buildings is double-sided loading, so it has
6 loading docks on both sides; the other building is a
7 single-sided building much like the two that are
8 proposed before you this evening.

9 So it's 960,000 square feet. It's got
10 144 docks. So roughly double in size on a square
11 footage basis to what's before you this evening.
12 But in Mansfield that 960,000 square foot warehouse
13 development for the entire day it generated
14 121 cars, so 121 cars came in, 121 came out over the
15 entire day, and 52 trucks came in and 52 trucks came
16 out over the course of an entire day.

17 So what that translates to if you
18 wanted to look at truck generation on a
19 per-dock-door basis for that project or that
20 development in Mansfield, each dock door, and there
21 were 144 of them, generated .37 trucks per day.
22 That tends to be on the lower range of what industry
23 experience usually is, one to two times a day
24 turning over of dock doors.

25 That is consistent with what Jeromie's

1 expectation is, and I share that expectation for
2 this development. You have relatively small
3 warehouse buildings that are being proposed. I know
4 relatively speaking someone could think, okay,
5 360 -- call it 370,000 square foot building is a big
6 building, and it is. But in the context of
7 warehouse buildings these buildings I would
8 characterize respectfully as being small ones.

9 I, and this is just my personal belief,
10 anything from 450 down, in my opinion, is a small
11 warehouse building. 450 to 750, medium-sized
12 warehouse building. Anything bigger than 750,000
13 square feet is a large warehouse building. I have
14 seen warehouse buildings, I know one of my clients
15 has a 1.8 million square foot building in their
16 portfolio.

17 These buildings are small. You've
18 heard from Jeromie they're also being positioned
19 where they could be multi-tenanted; the big building
20 could have up to four tenants, the small building
21 could have up to two tenants. Very traditional
22 design in terms of providing the parking,
23 particularly on the smaller building on either end.

24 So the way these buildings are being
25 set up, the types of tenants that are likely to

1 occupy them are going to be ones that don't have a
2 lot of activity and throughput. They're limited by
3 the parking. They're limited by the fact that
4 there's only loading docks on one side of each of
5 these buildings.

6 So real world, bigger development in
7 Mansfield generating less traffic than the
8 numbers --

9 BOARD PLANNER: Dan, I'm just going to
10 cut you off because you have been going on for quite
11 a while about Mansfield, which is totally
12 irrelevant. Can we bring it back to what we're
13 doing here, please?

14 THE WITNESS: Yeah, absolutely. Yes.

15 BOARD PLANNER: Thank you.

16 THE WITNESS: Real world generates a
17 fraction of the traffic that we've identified based on
18 published trip rates.

19 And again, respectfully, our numbers
20 are conservative. I think the actual tenants
21 that would occupy these buildings will generate less
22 traffic than we've identified, but nonetheless we
23 have chosen to use the published rates, again, to
24 put forth a conservative analysis.

25 So with that, once we have identified

1 traffic estimates for this development we then have
2 to identify, okay, where is the traffic going to be
3 coming to and from. With respect to truck traffic
4 we fully expect trucks will be relegated to the
5 Route 33 corridor to and from the site.

6 So the trucks that will be coming to
7 and from this site will use Fairfield Road and
8 travel between the Route 33 interchange with
9 Fairfield Road and the proposed site driveways along
10 Fairfield Road. So our truck traffic will be
11 relegated to a very short section of Fairfield Road
12 between Route 33 and the proposed site driveways.

13 With respect to the car traffic we have
14 done what is called a journey-to-work model. It's
15 based on looking at census data for people that work
16 in this area and where do they live.

17 So based on that journey-to-work model
18 that we prepared we expect in terms of a split
19 between Fairfield Road to the north of the site and
20 Fairfield Road to the south of the site, 80 percent
21 of the cars will be to and from the north along
22 Fairfield Road with the majority of them using
23 Route 33 in both directions to come to and from the
24 site. And 20 percent of the cars would be to and
25 from the south along Fairfield Road, most of which

1 would use the Adelpia Road/County Route 524
 2 corridor to then proceed east and west.
 3 Once we've established how much traffic
 4 we estimate it will vary, we establish the trip
 5 distribution for cars and trucks, we then add that
 6 traffic onto the 2023 no-build volumes to come up
 7 with the 2023 build volumes with this project fully
 8 developed and fully operational.

9 If you look at the split of traffic
 10 that would emanate from this development both to the
 11 north and to the south along Fairfield Road during
 12 the peak hours, in most instances, in terms of all
 13 the turning movements at the various intersections,
 14 in any direction you will only see about one
 15 additional trip or less in any direction during the
 16 peak hours, each minute of those peak hours, which I
 17 would submit to you is not a significant amount of
 18 traffic.

19 And that is certainly borne out by the
 20 traffic operations analysis that we have prepared as
 21 part of the traffic study. That traffic analysis or
 22 operations analysis is based on the *Highway Capacity*
 23 *Manual*, which is published by the Transportation
 24 Research Board. And that methodology is what all
 25 traffic engineers use to assess and identify a

1 to that southbound left turn movement.

2 We did identify some timing changes
 3 that could be implemented to improve operations at
 4 that intersection, and obviously that would be
 5 subject to the county making those changes. You
 6 heard earlier that we do have county site plan
 7 approval and the county has not required any timing
 8 changes to be made by this applicant, but they are
 9 aware of what we identified in our study and that
 10 our study was part of the site plan review by the
 11 county.

12 Our analysis also shows that the
 13 proposed site driveways, again there are two
 14 driveways for this site along Fairfield Road, will
 15 operate efficiently with very little to moderate
 16 delays for turning movements both coming in and out
 17 of the driveways. And they will operate
 18 efficiently, acceptably and safely.

19 We have worked with Tung-To, the site
 20 engineer you heard from earlier, to evolve the
 21 driveway design in response to some of your board
 22 professionals' comments regarding the driveways
 23 along Fairfield Road. That design evolution has
 24 resulted in driveways that can accommodate trucks
 25 both turning into and out of those driveways

1 traffic operations.

2 We analyzed the Fairfield Road
 3 intersections with Park Avenue which is signalized;
 4 the Route 33 ramps which are stop controlled; Baker
 5 Road which is stop controlled; Bennett Road which is
 6 stop controlled; and then County Road 524, Adelpia
 7 Road which is signalized. And we also looked at the
 8 proposed site driveways both of which are full
 9 movement as well as stop controlled.

10 All the intersections that we analyzed
 11 operate efficiently with moderate to low delays with
 12 the exception of the southbound left-turn movement
 13 from Fairfield Road onto Adelpia Road/County Route
 14 524 during the weekday evening peak hour.

15 And it's clear, you can see this in
 16 terms of the travel patterns, people come along
 17 Route 33 by and large, they get onto Fairfield Road
 18 in the evening, they come down Fairfield Road past
 19 the site down to the 524 corridor, and a lot of
 20 people are making a left turn at that intersection.

21 So we did identify that movement as
 22 having substantial delay but the amount of traffic
 23 that we add to that movement during the weekday
 24 evening peak hour will all be cars and they amount
 25 to on average one additional car every four minutes

1 simultaneously, so that the trucks will not encroach
 2 on each other's turning paths as they come in or out
 3 of those driveways simultaneously.

4 You heard early that the fire official
 5 has reviewed those plans and they are acceptable to
 6 him.

7 In terms of parking, our parking
 8 complies with the ordinance requirement. And I do
 9 believe the parking is sufficient for the demands
 10 that you would anticipate or that I would anticipate
 11 with the types of buildings that are proposed given
 12 their limited operations.

13 The site design itself provides
 14 efficient circulation on the site interior. I don't
 15 see any areas of concern with respect to the
 16 internal site design.

17 And if, Paul, if you could call up the
 18 site plan, please?

19 BOARD PLANNER: Dan, I have to
 20 interrupt. This has been going on for like over an
 21 hour now. What -- can we just get to the point,
 22 please? Like, just get to the point. You have been
 23 going on for an hour. Like, can we just get to the
 24 point?

25 ATTORNEY CUCCHIARO: All right, hold

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1 on.

2 BOARD PLANNER: Please.

3 ATTORNEY CUCCHIARO: I understand but

4 it's their application.

5 BOARD PLANNER: I get that but I

6 mean...

7 ATTORNEY CUCCHIARO: They get to make

8 the record that they wish to make here.

9 ATTORNEY GIANETTI: Though we

10 submitted a report we've got to rely on the

11 testimony of it. It's a lengthy report. He

12 provided a lot of analysis as to the amount of

13 traffic generated, the impacts to the intersection,

14 and now going into the internal circulation. And I

15 think it's well within his purview to be thorough

16 and --

17 BOARD PLANNER: I get it, but we

18 listened to Mansfield and all this other stuff that

19 was drawing on and on and on. So I understand it --

20 ATTORNEY CUCCHIARO: Mr. Chairman, I

21 understand all this but they get to make the record

22 that they want.

23 THE WITNESS: And with all due

24 respect, Jen, I'm almost done.

25 ATTORNEY CUCCHIARO: You don't need to

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1 respond. No, you're going to listen to me now.

2 THE WITNESS: Okay.

3 ATTORNEY CUCCHIARO: I'm trying to say

4 that you can testify and make the record that you

5 want. You know, going back and forth is not going

6 to help you finish this testimony.

7 THE WITNESS: Okay.

8 ATTORNEY CUCCHIARO: So put on the

9 record what you think you need to get on the record

10 and we'll move on.

11 THE WITNESS: And thank you for that,

12 Ron. And with all due respect to the board as well

13 as Jen, I'm almost finished. That's all I was going

14 to say.

15 And actually I lost my train of

16 thought. But if you can pan over to the right,

17 please, Paul. We might have to -- put the overall

18 site plan up.

19 ATTORNEY GIANETTI: Maybe A-58?

20 THE WITNESS: Yes. So there were two

21 areas on the site plan on the site interior that

22 your professionals had raised in terms of concerns.

23 One area was on the northeast side of the small

24 building along that curve in that circulation road.

25 That circulation road is 30-foot wide.

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1 If two tractor-trailers are driving along that turn

2 in opposite directions there is some overlap with

3 their movements. We do recognize that as being a

4 concern. I can tell you, respectfully, that's a

5 typical design for warehouse developments.

6 Truck drivers do understand when

7 they're making these types of turns. There's clear

8 sight lines. It's low speed. Typically a truck

9 driver if they're coming in opposite directions, one

10 will stop and allow the other one to pass clearly

11 and then proceed with their specific turn.

12 Pan down to the bottom, please.

13 There was a similar concern raised down

14 at the southeast corner of the bigger building with

15 that curve. And what we would submit to the

16 professionals as well as the board, if this is a

17 concern what we would suggest is, to address that

18 concern, is we would make the circulation around

19 these curves one-way. And one-way in the direction

20 that is preferred for truckers to circulate when

21 they're accessing truck docks.

22 And finally, you heard from the site

23 engineer that we are -- the applicant is proposing

24 to widen Fairfield Road. Essentially they're going

25 to mirror what is being done for the Rock Solid

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1 application so that in the end in both directions

2 along Fairfield Road you will have a 12-foot travel

3 lane with a 10-foot shoulder.

4 And in my opinion that road

5 cross-section, the combination of what's being done

6 for this application as well as what's under

7 construction with the Rock Solid application, will

8 provide a road frontage that will easily accommodate

9 not only the additional traffic from this

10 development but the other traffic that already

11 exists along Fairfield Road. And any vehicles

12 waiting to make a left-turn into our driveways, if

13 they were coming from the north, anyone that is

14 behind them proceeding south will have an area to

15 bypass any vehicles waiting to turn left into our

16 site.

17 So with that I believe the site

18 driveways as proposed will operate safely and

19 efficiently and can accommodate movements both into

20 and out of the site.

21 And with that I would be happy to

22 answer any questions.

23 BOARD TRAFFIC ENGINEER: Could you

24 discuss the Level of Service of the driveways

25 turning into and out of for the trucks, please?

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1 THE WITNESS: Certainly. For both
 2 driveways the Levels of Service for turning
 3 movements coming out of each driveway will be the
 4 Levels of Service B, with delays ranging from
 5 11.1 seconds per vehicle to 13 and a half seconds
 6 per vehicle, depending on what peak hour you are
 7 looking at.

8 COUNCILMAN GASIOR: I have a couple of
 9 questions.

10 THE WITNESS: Sure.

11 COUNCILMAN GASIOR: Mr. Disario, first
 12 I want to compliment you; you did something that a
 13 lot of traffic engineers don't do, you gave an
 14 estimation of which way you think the traffic is
 15 going to go. I think that was important considering
 16 Route 33 is right up the road here and the Adelphia
 17 school is the other direction, 80/20 is certainly a
 18 nice thing to hear.

19 Now I haven't heard exactly yet, what
 20 are the kinds of vehicles that are going to be going
 21 in and out of here? Are they going to be all semis
 22 or will there be box trucks included; do you know
 23 that, sir.

24 THE WITNESS: We assumed for purposes
 25 of analysis all tractor-trailers, semis.

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1 Practically speaking, if you get
 2 multiple tenants occupying these buildings, you
 3 could see less tractor-trailers, less semis and more
 4 box trucks, single-unit trucks.

5 COUNCILMAN GASIOR: Okay. I know you
 6 said something about 800 vehicles a day, but you
 7 were quite adamant that that number you thought
 8 would be higher than what it is.

9 When you looked at the directions of
 10 the trucks did you take anything into account, other
 11 roads like Bennett Road, if trucks went in those
 12 directions.

13 THE WITNESS: Not specifically. But I
 14 can tell you based on the analysis if trucks were to
 15 you say, let's say, Bennett, which I don't
 16 anticipate or expect, but the intersection of
 17 Bennett and Fairfield works very efficiently and
 18 could accommodate additional trucks. But
 19 practically speaking I fully expect all the trucks
 20 associated with this property, particularly
 21 tractor-trailers and semis, to be relegated to the
 22 33 corridor.

23 COUNCILMAN GASIOR: I brought that up
 24 because we have another case going on now that
 25 Bennett Road leads to roads that are weight

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1 restricted.

2 And this is a 24/7 operation, or you
 3 don't know yet?

4 THE WITNESS: It will be
 5 tenant-specific but, yes, we are applying for
 6 24-hour operation.

7 COUNCILMAN GASIOR: Okay, thank you
 8 very much.

9 THE WITNESS: You're welcome. My
 10 planner.

11 VICE-CHAIRMAN HUSZAR: Mr. Chair, if I
 12 may?

13 CHAIRMAN BOISVERT: Please.

14 VICE-CHAIRMAN HUSZAR: Dan, very
 15 informative. You've brought me back to my days
 16 sitting at Rutgers University there.

17 So I guess a couple of questions for
 18 you. Is there any restrictions of tractor-trailers
 19 -- I asked this of Tung before, I guess you're the
 20 man to answer this -- restriction of
 21 tractor-trailers making a left or right onto
 22 Fairfield out of the facility?

23 And I guess my question in follow-up to
 24 that is, I understand there's going to be road
 25 improvements in front of the subject property. Are

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1 those being done because one of the reasons being a
 2 tractor-trailer couldn't safely make an exit onto
 3 Fairfield without coming into oncoming traffic?

4 In other words, going in the other lane
 5 to safely get into his lane?

6 THE WITNESS: Let me start with the
 7 second question first. You can always -- a driveway
 8 could always be made wide enough with large enough
 9 radii so you can keep, say a truck on its own sides
 10 of the center lines both coming in and out.

11 So the fact that Fairfield Road in its
 12 existing width is what it is today, you could always
 13 design a driveway to keep a truck on its own side of
 14 the road or the driveway when making turns into and
 15 out of any site.

16 I think the widening along Fairfield
 17 Road was being done by this applicant because it
 18 makes sense to do the widening. It's a better
 19 situation with the widening. And I think the county
 20 also is requiring that widening to be done.

21 In terms of any turning prohibitions at
 22 the two proposed driveways we are -- we are seeking
 23 no prohibition right now. The county in its review
 24 did not implement any prohibitions on either of the
 25 driveways either.

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1 VICE-CHAIRMAN HUSZAR: Thank you.
 2 THE WITNESS: You're welcome.
 3 MEMBER CRISTIANO: Mr. Chair, I have a
 4 question.
 5 CHAIRMAN BOISVERT: Shoot.
 6 MEMBER CRISTIANO: Is there going to
 7 be signage installed saying No Left Turns for
 8 trucks?
 9 THE WITNESS: The current site plan
 10 doesn't have that kind of signage. Again, there's
 11 no -- we're not seeking any prohibitions in turns of
 12 turning movements.
 13 I will submit to you if the board feels
 14 that's appropriate, I can discuss it with the
 15 applicant and he could inform you whether that is
 16 something they would be acceptable of.
 17 BOARD ENGINEER: Dan, if I could ask
 18 you a question; you're reflecting a lot about county
 19 along Fairfield Road and their comments at the
 20 driveway. But isn't that a municipal road?
 21 THE WITNESS: I believe it is.
 22 BOARD ENGINEER: So the county opined
 23 on movements on the municipal street?
 24 THE WITNESS: I might have misspoke,
 25 Laura.

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1 BOARD ENGINEER: Okay. So then I'm
 2 just trying to understand whose direction was it to
 3 allow the full movement?
 4 THE WITNESS: Well, wait. Are you
 5 talking about the improvements that are proposed?
 6 BOARD ENGINEER: You had said that the
 7 county reviewed these improvements and the
 8 movements. I'm just trying to understand, you know,
 9 what level the -- I don't think it's a county road.
 10 THE WITNESS: It's not.
 11 BOARD ENGINEER: Okay, then you --
 12 THE WITNESS: I misspoke. I meant to
 13 say the municipal review, your review.
 14 But regardless if it's something the
 15 town wants or not, it's part of the application and
 16 the applicant is proposing to widen the road to
 17 mirror what was done for the Rock Solid application.
 18 In terms of the turning prohibitions,
 19 we're not seeking any. If the board wants to
 20 discuss prohibitions at the driveways particularly
 21 for trucks, I think the applicant would entertain
 22 that discussion.
 23 MEMBER CRISTIANO: I mean I would ask
 24 our professionals.
 25 Laura, what do you think about signage

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1 in the front?
 2 BOARD ENGINEER: I just don't know why
 3 you would want trucks to make a right. We would
 4 want them to go to 33. We don't want them to head
 5 towards the local roads. I know that there's weight
 6 restrictions as we near those roads.
 7 So it would be my recommendation that
 8 we force the trucks to head towards 33.
 9 THE WITNESS: Right.
 10 MEMBER CRISTIANO: And there will be
 11 signage for the planning board to approve.
 12 THE WITNESS: Yes. And I think the
 13 applicant is amenable to such signage, if the board
 14 would like that.
 15 And, frankly speaking, I think it
 16 reinforces what we believe to be the case, that
 17 trucks are going to be relegated to the Route 33
 18 corridor. So the applicant would be completely
 19 amenable to any such signage.
 20 ATTORNEY CUCCHIARO: So then,
 21 Mr. Chair, the board can make its decision whether
 22 it wants it. If it does, that would be a condition
 23 of approval.
 24 THE WITNESS: Right.
 25 ATTORNEY GIANETTI: I guess just to be

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1 clear, Mr. Disario, you're referring to
 2 tractor-trailers?
 3 THE WITNESS: Yes.
 4 ATTORNEY GIANETTI: There would be --
 5 THE WITNESS: There would be turning
 6 restrictions for trucks coming out of the site to
 7 make right turns only onto Fairfield Road to head
 8 north towards the Route 33 corridor.
 9 ATTORNEY GIANETTI: And I guess when
 10 you mentioned earlier there's a potential,
 11 especially if there's more tenants, to have smaller
 12 trucks or box trucks. I just want to be clear as to
 13 what -- you know, "trucks" is a general term; are we
 14 just referring to tractor-trailers or something
 15 beyond?
 16 THE WITNESS: I would respectfully
 17 submit to the board it should be a tractor-trailer
 18 restriction, but I would defer to the board and its
 19 professionals for guidance.
 20 BOARD ENGINEER: Mr. Chairman, I would
 21 have no issue limiting it back to tractor-trailers.
 22 CHAIRMAN BOISVERT: So just a right
 23 turn, right turn only for tractor-trailers?
 24 BOARD ENGINEER: Tractor-trailers.
 25 And the other thing I just wanted to

1 make sure gets touched upon because I'm unclear as
2 to how it works, is if that one drive went to
3 one-way. And I think the board needs to look at
4 that.

5 Currently it's two-way. I think
6 Mr. Disario testified that he could make that one
7 way in response to our comment which is that two
8 trucks cannot pass each other at that point. So in
9 a way to address it, they were going to do one-way
10 circulation.

11 And I'm just not sure if we do one-way
12 and that would only permit the trucks in that way
13 how the truck -- how a truck may get to the other
14 building.

15 So I just want to see that and how it
16 may impact the site plan so that the board can make
17 an informed decision.

18 MEMBER TANNENHAUS: Thank you,
19 Ms. Neumann. That was one of my questions as well;
20 what if the truck makes a -- gets to the point where
21 they say oh, oh, I can't go any further, it didn't
22 look like there was any turnaround to the site.

23 THE WITNESS: And, Laura, we would be
24 happy to work with you. If you would allow me just
25 a minute, I probably could clarify at least my

1 thoughts, so the board understands what we're
2 thinking, if that's okay?

3 BOARD ENGINEER: Yes.

4 THE WITNESS: So, Paul, if you could
5 zoom in, please, to the bottom portion of the site
6 plan. Perfect.

7 So the drive, the southerly driveway
8 along Fairfield Road would stay two-way. A truck
9 that would come in or any vehicle but particularly
10 trucks that would come in that southerly driveway
11 would go past the car parking lot. And at that
12 point, once you're east of the car parking lot, we
13 would change that to one-way.

14 So that any truck that would come in
15 off of Fairfield Road could pass where the parking
16 lot driveway is. Once they get to that southwest
17 corner of the building that would be one-way heading
18 east towards the truck court. Any truck that is in
19 the truck court for the big building would have to
20 proceed to the north and exit out of the site at the
21 northerly driveway.

22 Similarly for the small building the
23 northerly driveway would continue to be two-way --
24 just pan to the left, please, a little bit, thank
25 you.

1 So both cars and trucks they could come
2 off Fairfield Road at the northerly driveway, they
3 proceed in an easterly direction. That is all
4 two-way circulation. We would put signage that
5 would direct all trucks for the small building to
6 make the right turn where it's being indicated on
7 the exhibit right now -- and then if you continue to
8 pan all the way to the right please -- the
9 circulation aisle on the north side of the building
10 would continue to be two ways so that people could
11 get to the car parking that is on the east side of
12 the building, but trucks in the truck court if they
13 were going to -- I don't know why they would, but
14 if they wanted to come around that side, we would
15 have that circulation aisle just be one-way heading
16 back out of the site.

17 MEMBER TANNENHAUS: Ms. Neumann, I
18 think we're just looking -- I think we're just
19 looking for trouble. We are relying on signage too
20 much.

21 These aren't small vehicles. You know,
22 if they make a wrong turn or make a boo-boo, you
23 know, this is a big problem. If trucks have to
24 start backing up because one hits the turn point
25 where the other one is coming in, one would have to

1 back up and God knows how they back up or what they
2 back up into.

3 It's just -- it sounds silly to me.
4 Am I wrong?

5 ATTORNEY CUCCHIARO: Well, I just want
6 to be clear in what it is that we look at in terms
7 of the planning board. Our role is how do they get
8 in and out of this site; you know, is the ingress
9 and egress safe. General traffic in the area is
10 beyond what the --

11 MEMBER TANNENHAUS: I'm talking about
12 how they're circulating around the building. That
13 is what I'm talking about. That is our purview; is
14 it not?

15 ATTORNEY CUCCHIARO: Yes.

16 MEMBER TANNENHAUS: Yes, we're just
17 talking about circulation around the building.
18 There's a pinch -- there's two pinch points, in the
19 lower part of Warehouse A, and on the right side of
20 Warehouse B where Ms. Neumann pointed out.

21 And two trucks can't pass if they hit
22 the apex of that turn at the same time; is that what
23 I'm understanding?

24 THE WITNESS: Yes.

25 MEMBER TANNENHAUS: Okay. And so

1 we're not going to solve the problem by hoping that
2 trucks wait or adding signage to turn into a one-way
3 street then.

4 I'm sorry, I don't mean to use the
5 term, but I just think it's silly.

6 THE WITNESS: So staying with the
7 small building that we're looking at, any truck that
8 comes into this site that wants to get to the small
9 building, they are going to want to turn at that
10 first circulation aisle, and we'll have signage to
11 that effect. And the reason why they want to turn
12 there is that it positions them in the right
13 direction and correctly for them to then back into a
14 loading dock.

15 So truck drivers are going to
16 naturally gravitate to access the truck court in
17 that exact fashion because it allows them to back
18 up; they can look out their driver's side window as
19 they're backing up to a particular loading dock.

20 MEMBER GREENFIELD: So I have a
21 question real quick. You have a truck that comes in
22 on the south entrance, okay. He wants to go to
23 Warehouse B. He makes the wrong turn in there, he
24 goes north, right, along that driveway, then has to
25 make a hard right to go right again back around to

1 get to Warehouse B?

2 THE WITNESS: Yes.

3 MEMBER GREENFIELD: Or does he have to
4 go back out to Fairfield to do what? How is he
5 going to make that turn?

6 THE WITNESS: If a truck is destined
7 to Warehouse B and he goes in the southerly
8 driveway, you are correct. He would have to drive
9 through the truck court on Warehouse A and then make
10 that right turn in order to get over to Warehouse B.

11 MEMBER GREENFIELD: Well, how is he
12 going to make that right turn to make another right
13 turn to get into where you want to be the
14 counter-clockwise, you know what I mean, to get in
15 there?

16 How is he going to make that turn?

17 THE WITNESS: That turn they can't
18 make. That is why trucks that are associated with
19 Warehouse B are going to turn in the northerly
20 driveway.

21 MEMBER GREENFIELD: But who is going
22 to make sure of that? How do these guys know what
23 warehouse they're going to?

24 THE WITNESS: I think the tenants that
25 occupy these buildings will instruct their drivers

1 you need to turn in this driveway to get to our
2 building.

3 MEMBER TANNENHAUS: Mr. Chairman, we
4 seem to hear that a lot. I mean how much
5 more -- maybe it's a better question to Ron, hey
6 Ron, I know that the applicant has their ability to
7 put their testimony on there, but I mean, I guess we
8 just -- they say what they say and we have to take
9 our weight to that; is that the best way to handle
10 it?

11 ATTORNEY CUCCHIARO: You have to
12 listen to what they say, you know, listen to your
13 professionals' evaluation of their testimony, listen
14 to the public and, you know, based upon what our
15 jurisdiction is, make your decision.

16 MEMBER TANNENHAUS: Okay. Thank you.

17 THE WITNESS: So just to summarize, we
18 can address the two pinch points by creating one-way
19 circulation in those areas of concern, and we can do
20 it with appropriate signage and striping.

21 And again, these are low-speed
22 operations on the site interior. And I can tell you
23 that the way these buildings are laid out they are
24 pretty much standard layouts and typical designs.

25 MEMBER CRISTIANO: This is a two-phase

1 project, so wouldn't it make more sense to worry
2 about the first phase signage and ingress and
3 egress? And then maybe Number 2 never even gets
4 built, why worry about that now? Why not down the
5 road when you build Phase 2 would you then change
6 the signage?

7 MEMBER TANNENHAUS: Joe, as a board
8 member, I want to see the whole application, nothing
9 but the application.

10 MEMBER GREENFIELD: Yeah, because I
11 still -- I don't see how you can do a one-way and
12 make it work. It just doesn't make any sense.

13 MEMBER TANNENHAUS: I'm taking the
14 recommendation, Mr. Greenfield, that Mr. Cucchiaro
15 gave us and they've put their testimony on there and
16 I will use that accordingly to weigh my decision.

17 ATTORNEY GIANETTI: If I may, I
18 believe Jeromie Lange, who testified earlier as to
19 operations, he talked about kind of the route these
20 drivers will take, may be able to address some of
21 those comments, if you will allow him to come up.

22 MEMBER TANNENHAUS: I think
23 Mr. Greenfield probably feels the same that I do,
24 you can put whatever you want in testimony, I'm
25 happy to listen to it, but I'm going to weigh

1 accordingly. I'll just leave it at that.
 2 ATTORNEY GIANETTI: And we're just
 3 asking that you listen to the testimony.
 4 Mr. Lange?
 5 JEROMIE LANGE: Just to reinforce what
 6 Dan just said, if a truck were to come in the
 7 southerly driveway that's actually intended to go to
 8 B, and we believe this would be a rare event, but it
 9 could happen, you know, it's absolutely a
 10 possibility that the truck could be confused or for
 11 whatever reason go in a wrong driveway, this
 12 intersection where you exit the Building A truck
 13 court, right where the hand is at now there, that
 14 intersection because this is the truck court, this
 15 is extremely wide. You know, the throat of that,
 16 the narrowest part of that is like 70 feet wide, and
 17 the actual opening of the curb right there is much
 18 larger.
 19 So in the event that a truck is errant,
 20 you know, it's not regular operation but somebody is
 21 lost and makes the right turn, you can come out wide
 22 in that area and make that right turn. It's not
 23 that it's impossible to make, the turn can be made
 24 and you can go all the way around and into the
 25 correct driveway on B. That movement can be made.

1 It's not --
 2 BOARD ENGINEER: Jeromie --
 3 JEROMIE LANGE: -- that the truck would
 4 have to back up or that it would be impossible, you
 5 know, to make that movement.
 6 BOARD ENGINEER: Jeromie, but your
 7 truck circulation plan doesn't show that.
 8 JEROMIE LANGE: I'm sorry, I think
 9 Laura is talking but I can't hear her. I don't know
 10 if it's my end or...
 11 BOARD ENGINEER: Your truck
 12 Circulation Plan, for that movement --
 13 JEROMIE LANGE: It does not. No. I
 14 can hear you now, I think I had an issue with my
 15 speaker, I apologize for that.
 16 But no, Laura, to answer your question
 17 it does not. I would be happy to submit, you know,
 18 an exhibit that shows that, though.
 19 BOARD ENGINEER: And it doesn't
 20 interfere with trucks that could be leaving from
 21 Building B?
 22 JEROMIE LANGE: No, it probably will
 23 cross the centerline, but this is a stop condition
 24 here and there's plenty of line of sight here, so
 25 the truck would wait till there was -- and again,

1 it's been testified, there's really not that much
 2 traffic here so it would be really rare for two
 3 trucks to meet at the same time. But even if they
 4 did, he's simply waiting at the stop sign for the
 5 other truck to clear.
 6 And again this is an emergent
 7 situation where somebody has gone in the wrong
 8 driveway.
 9 My point is that the cure here, if they
 10 go in the wrong driveway, it's not that they have to
 11 back up. They'd simply come up to this intersection
 12 and if there is another vehicle that is oncoming,
 13 they're going to stop, once that vehicle clears then
 14 they're going to make the movement.
 15 ATTORNEY GIANETTI: Any other
 16 questions of Mr. Lange or Mr. Disario as to the
 17 circulation, internal circulation?
 18 So I guess again, Jeromie, just to
 19 summarize it, it's anticipated the trucks which will
 20 most likely, or the tractor-trailers most likely
 21 coming south on Fairfield Road, the first entrance
 22 is going to be the entrance used for the smaller
 23 warehouse in the back so that you come in and make
 24 that right as you mention, they want to go in that
 25 counter-clockwise pattern, correct?

1 JEROMIE LANGE: Correct. Yes, the
 2 trucks always want to go in a counter-clockwise
 3 pattern. It is much more difficult -- it's not
 4 impossible but it's much more difficult to back up
 5 the other way because you cannot look out the window
 6 and see the building. You are completely blind as
 7 to the building you're backing into if you do it the
 8 wrong way.
 9 So whether there's signage or not the
 10 trucks are going to go in this counter-clockwise
 11 circulation. That is just part of the DNA of a
 12 truck driver in a semi-truck.
 13 ATTORNEY GIANETTI: And to that point
 14 then also from the front warehouse, those
 15 tractor-trailers are going to come down Fairfield
 16 Road but come to the second entrance so it can make
 17 that pattern. So when it's coming in the one-way
 18 even under normal operations there would be no
 19 reason for a truck to be coming in that opposite
 20 direction, but we're agreeing to make it a one-way
 21 so to ensure it doesn't happen.
 22 JEROMIE LANGE: It's just belt and
 23 suspenders to make it one-way, but the natural
 24 operation is already one-way because it's going to
 25 go in a counter-clockwise flow. So it really is

1 already one-way. But we can just, belts and
2 suspenders, sign it that way, even though it's
3 already the natural traffic pattern.

4 MEMBER GREENFIELD: For a driver that
5 knows where he's going I would agree that it would
6 be one-way, that it would be natural to do that, but
7 unless this guy is driving here every day and knows
8 this layout, he's not going to know that.

9 JEROMIE LANGE: I'm not following,
10 Mr. Greenfield.

11 MEMBER GREENFIELD: You're saying --
12 you're saying that the truck is going to follow that
13 path naturally to go counter-clockwise, right?

14 JEROMIE LANGE: Right.

15 MEMBER GREENFIELD: Without signage?

16 JEROMIE LANGE: Because he's going to
17 see the building. So when the driver comes down --

18 MEMBER GREENFIELD: Right, but he's
19 going to see -- but this driver has never been to
20 this building. So unless this driver goes to this
21 building every single day, he's not going to know
22 where he's going, is he?

23 JEROMIE LANGE: What I mean, let me
24 attempt to clarify. So as he's coming south on
25 Fairfield, even it's his very first time, he has

1 never been here before, if Warehouse A is his
2 destination he's going to want to drive past it and
3 use the southerly driveway because he's going to
4 know that's the counter-clockwise rotation. Because
5 if you look at the building it's going to be clear
6 that the loading docks are in the back, he's going
7 to do the counter-clockwise.

8 MEMBER GREENFIELD: So are you going
9 to have a big A on the end of the building or a big
10 B that these guys can see?

11 JEROMIE LANGE: Yeah, I mean the code
12 requires the buildings to have numbers so -- I think
13 it's the fire code. So they will have a number on
14 it; it will have an address. It will be, you know,
15 100 Fairfield. I don't know what the actual number
16 will be, but it would be something. And that's
17 required to be on the building.

18 So there's going to be a number on the
19 building and, you know, we would have signage to
20 back this up. But if they know their destination,
21 their ticket, right, in their truck says 100
22 Fairfield and they see the 100 on the building,
23 they're going to know that that's their building and
24 they're going to know to circulate around that way.

25 Even if he didn't, let's just stay on

1 Building A for a minute, so let's say the guy's, you
2 know, completely confused and he goes in the wrong
3 way, he goes in the north driveway, he can still
4 make the turn; he can still get into the truck
5 court.

6 And like I said, they don't like to do
7 it but it is possible for them to back up the other
8 way, even if it takes him a couple extra movements.
9 So, you know, it's not that it's an unrecoverable
10 situation, it's just not as easy as going the other
11 way.

12 So even if he goes for Building A the
13 wrong way, there's still a solution that doesn't
14 involve him having to re-leave the site or doesn't
15 involve him going the wrong way on the driveway,
16 he'll simply make the maneuvers necessary in the
17 truck court, which is what it's, of course, designed
18 for.

19 ATTORNEY CUCCHIARO: Mr. Chairman?

20 CHAIRMAN BOISVERT: Yes.

21 ATTORNEY CUCCHIARO: So I just, you
22 know, it's 10 o'clock so I just wanted to just
23 remind you and the board that I do need an executive
24 tonight.

25 CHAIRMAN BOISVERT: Yeah,

1 ATTORNEY CUCCHIARO: So we need some
2 time for that. And if Jeromie is going to put
3 together, or someone from Jeromie's team, is going
4 to put together the exhibit he's talking about, they
5 may want to do that and have Laura and CME evaluate
6 it so that, you know, the board can have some of its
7 own professional testimony on that.

8 CHAIRMAN BOISVERT: Yeah.

9 ATTORNEY CUCCHIARO: But, you know, up
10 to the board as to how it wants to proceed tonight.

11 CHAIRMAN BOISVERT: Well what time are
12 we at now? We're at ten of five [sic].

13 MEMBER TANNENHAUS: If they're going
14 to put that together, real quick, I would like our
15 professionals when they're having their
16 conversation, determine if this new movement changes
17 any of the traffic testimony and how traffic would
18 be entering, exiting and queuing inside the -- and
19 queuing up inside this circulation when they present
20 next time.

21 CHAIRMAN BOISVERT: Yeah because, I
22 mean, I don't think that -- you know, Mr. Greenfield
23 is not talking about Building A; we're not worried
24 about Building A as far as the circulation. We're
25 talking about Building B. That's the biggest

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1 concern, if he passes that first driveway and that's
 2 the movement we're talking about.

3 We're not concerned with the first
 4 building. The first building, you're right, no
 5 matter what the truck will be able to get around it.
 6 It's getting to that back building.

7 MEMBER TANNENHAUS: And, you know,
 8 you're pushing all the trucks to go out on one side
 9 so now they're not using two different driveways, so
 10 the traffic pattern changes. It changes the whole
 11 dynamics of the site.

12 CHAIRMAN BOISVERT: Yeah.

13 JEROMIE LANGE: That part is not
 14 exactly accurate; all the trucks are exiting on the
 15 north driveway. That is always the plan.

16 MEMBER TANNENHAUS: I'm just trying to
 17 give you the last two minutes before we have to
 18 cut-off.

19 JEROMIE LANGE: Sure.

20 MEMBER TANNENHAUS: To make sure you're
 21 properly prepared for the next time that we meet,
 22 that's all.

23 JEROMIE LANGE: Outstanding. I
 24 appreciate that guidance. We'll definitely take you
 25 up on the offer. We'll certainly prepare those

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1 exhibits.

2 And with the board's permission we
 3 would be happy to work with Laura's office to go
 4 through all this and, you know, attempt to get
 5 something that everybody is comfortable with.

6 MEMBER TANNENHAUS: Thank you.

7 CHAIRMAN BOISVERT: Okay, good.

8 ATTORNEY CUCCHIARO: So with that
 9 said, Mr. Chairman, I know our next two meetings
 10 have this applicant's other applications on.

11 CHAIRMAN BOISVERT: Right.

12 ATTORNEY CUCCHIARO: So, Eileen, what
 13 is the first meeting after that that we can bring
 14 them back for this; I guess the second meeting in
 15 March?

16 ADMINISTRATIVE OFFICER: March 16th.

17 ATTORNEY CUCCHIARO: Mr. Gianetti, do
 18 you want to take a second just to talk to your guys
 19 to see if that's okay?

20 ATTORNEY GIANETTI: Yes, if you don't
 21 mind.

22 DAN DISARIO: Do you anticipate that
 23 meeting to be virtual?

24 ATTORNEY CUCCHIARO: Yes.

25 ADMINISTRATIVE OFFICER: Yes.

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1 JEROMIE LANGE: We're good then.

2 CHAIRMAN BOISVERT: The 16th?

3 JEROMIE LANGE: For the 16th, yes.

4 ATTORNEY CUCCHIARO: Let me just make
 5 the announcement.

6 ADMINISTRATIVE OFFICER: And,
 7 Mr. Gianetti, I need an extension of time as well.

8 ATTORNEY GIANETTI: Yes, we can
 9 provide it. I can shoot you an email confirming it.

10 ADMINISTRATIVE OFFICER: Perfect.
 11 Thank you.

12 ATTORNEY CUCCHIARO: Okay, so the case
 13 of AAFRHW Property, LLC, Case Number SP-1095, is
 14 going to be carried to the board's March -- you said
 15 18th, Eileen, or 15th? I'm sorry.

16 ADMINISTRATIVE OFFICER: 16th.

17 ATTORNEY GIANETTI: 16th.

18 ATTORNEY CUCCHIARO: -- March 16th,
 19 2023 meeting, which will begin at 7:00 o'clock. It
 20 will be a virtual meeting. The instructions on how
 21 to access the virtual meeting will be available on
 22 the township's website.

23 All documents associated with the
 24 application are available on the township's website
 25 and also physically at town hall for inspection,

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1 review and any copying.

2 There will be no further notice
 3 required for property owners or other interested
 4 parties. Okay?

5 ATTORNEY GIANETTI: Thank you very
 6 much.

7 CHAIRMAN BOISVERT: Thank you. Good
 8 night.

9
 10 (Application adjourned at 10:10 p.m.)
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I, ANGELA C. BUONANTUONO, a Notary Public and Certified Court Reporter of the State of New Jersey and Registered Professional Reporter, do hereby certify that prior to the commencement, the witnesses were duly sworn to testify the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the proceeding as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative, nor employee, nor attorney, nor counsel of any of the parties to this action, and that I am neither a relative, nor employee of such attorney or counsel, and that I am not financially interested in the action.



23 Angela C. Buonantuono, CCR, RPR, CLR
24 NJ State Board of Court Reporting
24 License No. 30XI00233100

25 Dated: February 10, 2023

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