

TOWNSHIP OF LONG HILL
PLANNING BOARD

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IN THE MATTER OF:

TRANSCRIPT

Application No. 19-13P
PRISM MILLINGTON, LLC
50 Division Avenue
Blocks 12301/10100 Lots 1/7.01
Major Preliminary and Final
Site Plan

OF
PROCEEDINGS

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Tuesday, July 14, 2020
Zoom Remote Hearing
Commencing at 7:47 p.m.

BOARD MEMBERS PRESENT:

DAVID HANDS, Chairman
THOMAS JONES, Vice Chairman
BRENDAN RAE, Mayor
JOHN FALVEY
VICTOR VERLEZZA
TOM MALINOUSKY
J. ALAN PFEIL
DENNIS SANDOW

A P P E A R A N C E S

JOLANTA MAZIARZ, ESQUIRE
Attorney for the Board

DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP
BY: FRANCIS REGAN, ESQUIRE
Attorneys for the Applicant

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

2 DEBRA COONCE, Planning & Zoning Board
Coordinator

3 ELIZABETH LEHENY, Township Planner

4 MICHAEL LANZAFAMA, Board Engineer

5 ROBERT FOURNIADIS (Previously sworn)

6 PAUL DeVITTO (Previously sworn)

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Demo
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Demo
Only

1 CHAIRMAN HANDS: Okay. With that,
2 we'll move into the continuation of the
3 application for major preliminary and final
4 site plan --

5 COORDINATOR COONCE: And with that,
6 Chairman, I'm sorry to interrupt you, but I'm
7 going to demote Mr. Richardson.

8 BOARD MEMBER RICHARDSON: I was up
9 on the big screen for a second.

10 COORDINATOR COONCE: You were.
11 We'll see you on August 4th. How about that?

12 BOARD MEMBER RICHARDSON: All right.
13 That sounds good.

14 COORDINATOR COONCE: Hold on. Let
15 me just go in here and -- okay. Thank you,
16 Mr. Richardson.

17 BOARD MEMBER RICHARDSON: Thank you.

18 COORDINATOR COONCE: Okay. I'm
19 sorry, Mr. Chairman. Please.

20 CHAIRMAN HANDS: That's fine. So we
21 have a continuation of the application for 50
22 Division Avenue.

23 There's a couple of comments first.
24 One, I think we left off last time with the
25 LSRP. I don't think the LSRP, correct me,

1 is -- I don't see him in attendance and I
2 think we left it that any communication or
3 questions either today -- are to be forwarded
4 on to the LSRP or I think maybe directly to
5 the LSRP.

6 Deb, I don't recall if there are any
7 questions that could have come in from the
8 public or anybody else for the LSRP?

9 COORDINATOR COONCE: I have no
10 questions, further questions, regarding the
11 testimony of the LSRP at this time.

12 CHAIRMAN HANDS: The attorney for
13 Prism, have you received anything further?

14 MR. FOURNIADIS: Yeah, I got a -- I
15 received a phone call from Mr. Caprio. He had
16 a few additional questions just relating to
17 the construction. And we actually had a nice
18 conversation. We were on the phone for about
19 a half hour and I believe he came away
20 satisfied.

21 CHAIRMAN HANDS: Other than that,
22 you've heard of no other questions directed to
23 the LSRP?

24 MR. FOURNIADIS: Nobody else. That
25 was it.

1 CHAIRMAN HANDS: Okay. And at this
2 point, it's your intention to bring the LSRP
3 back?

4 MR. FOURNIADIS: If any questions
5 come in that can't be satisfactorily answered
6 via e-mail or a telephone call, I stand by my
7 promise to bring him back at the end of the
8 hear -- at the end of everybody else's
9 testimony.

10 CHAIRMAN HANDS: Okay. Thank you.

11 A couple other things, just some
12 admin stuff.

13 Deb, if you don't mind, I know we
14 had some outstanding reports. We saw one came
15 in timely from the Shade Tree Commission. So
16 that was great.

17 Can you just go through the list of
18 who has submitted reports and who has -- and
19 whose reports are outstanding?

20 COORDINATOR COONCE: Absolutely.
21 Thank you, Mr. Chairman. There have been some
22 questions from the public regarding certain
23 areas of the Township submitting reports. So
24 I'll go through the list as the questions have
25 come to me.

1 The first question was of the police
2 department. In the beginning of the
3 application, I did submit a full copy of the
4 Prism application to Chief Naga and he did
5 review it. He verbally let us know that he
6 had no comments regarding the application at
7 this time.

8 The Shade Tree Commission reviewed
9 the plans in late February/early March, when
10 Mr. Don Farnell, I believe, was representing
11 the Shade Tree Commission. They recently
12 provided us with a report dated July 6th that
13 went up on the website under the Prism
14 application files and it was given -- I gave
15 it to all the Board members and the applicant.
16 So that is -- the Shade Tree Commission has
17 made their comments for review.

18 Board of Health came up in the
19 discussion, but just so the public is aware,
20 the Board of Health does not get involved in
21 this -- in the Board application process.
22 Anything with regard to the Board of Health is
23 strictly after the fact, during construction
24 permits. And the Board, we do not get
25 involved in anything with regard to the Board

1 of Health.

2 The Environmental Commission. The
3 Environmental Commission has had the reports.
4 I believe they have struggled to hold meetings
5 in this COVID environment, so they have not
6 been able to provide us with a report. Terry
7 Carruthers, I know, has been on the last
8 couple of meetings asking questions on behalf
9 of the Environmental Commission, so I'm under
10 the impression at some point we may receive a
11 written report, but they haven't confirmed
12 that for us yet.

13 The last commit -- the committee
14 that was brought to our attention was a
15 Historical Preservation Committee. This
16 particular site, 50 Division Avenue, is not a
17 historical site. It is not listed as -- in
18 the inventory of historical sites and
19 streetscapes of Long Hill Township within the
20 master plan. So, therefore, there is no need
21 for the HPAC to opine on this application.

22 And those are the areas that have
23 been questioned by the public, Mr. Chairman,
24 and where we stand.

25 CHAIRMAN HANDS: Thank you. Thank

1 you for that.

2 I know we're trying to -- the
3 website there, I know -- I just want to make
4 sure we keep true to what's been posted onto
5 the website under the application. I know
6 we've seen the Shade Tree Commission comments
7 were uploaded just recently, as well as the
8 revised report from our Board engineer.

9 COORDINATOR COONCE: Yes.

10 CHAIRMAN HANDS: I just want to
11 point out as well that there was a transcript
12 from 6/9. I don't think I've seen a
13 transcript from, I guess, the 6/23 meeting.

14 COORDINATOR COONCE: Not yet. Not
15 yet.

16 CHAIRMAN HANDS: That's going to be
17 done.

18 At this point in time, is it fair to
19 say that anything that's been received has
20 been posted and anything posted has been
21 reviewed by the --

22 COORDINATOR COONCE: Yes. After the
23 last meeting, I -- I received an e-mail from
24 Mr. Regan and I believe Mr. Fourniadis was on
25 that as well, one that responded with --

1 confirming that everything on the website, on
2 the documents that we have posted, is all
3 current and up-to-date.

4 I would suggest that Mike Lanzafama,
5 our Board engineer, just speak briefly about
6 the revised reports for those who are
7 unfamiliar with the reason why he revised that
8 particular report.

9 MR. LANZAFAMA: Certainly. The
10 report that was issued at the beginning of the
11 week, basically what we did to simplify the
12 review process for both the public and the
13 Board members was we integrated Stonefield's
14 initial response to our initial review so that
15 members of the Board that are reading our
16 second technical review could clearly
17 understand, for example, when we made a
18 response "comment satisfactorily addressed,"
19 they saw how Stonefield had modified the plan,
20 which sheet that response was addressed on.
21 So we felt that was certainly beneficial. And
22 what we did is we colorized the responses. So
23 in red are Stonefield's responses to our
24 initial memo.

25 So we didn't modify the report in

1 any way. We just simply integrated the
2 information that was already available to
3 simplify the review process.

4 CHAIRMAN HANDS: Thank you. And it
5 did make a better, an easier read. So thank
6 you for doing that.

7 MR. LANZAFAMA: Mr. Chairman, we
8 apologize about the initial confusion there.

9 MR. REGAN: If we could get a copy
10 of that. I know it's probably posted, but,
11 Deb, if you could provide us with the copy of
12 that, we'd appreciate --

13 COORDINATOR COONCE: Sure. I
14 apologize. I thought I sent it to you,
15 Mr. Regan. I'll do it right now.

16 MR. FOURNIADIS: This way we can see
17 what our engineer did, too.

18 MR. LANZAFAMA: You can see how he
19 gave the farm away.

20 CHAIRMAN HANDS: About the time. I
21 know in the preamble at the beginning, we
22 talked about 10:30. That's been typical. The
23 last couple meetings we have gone to 11
24 o'clock. A couple things. One, this is the
25 first recording and I think there is a three

1 and a half hour or so limit on that recording,
2 so I'm going to be very conscious tonight that
3 11 o'clock, if we need to extend, 11 o'clock
4 does become the extended hour in time.

5 Second, I'd like to close down
6 conversation around 10:15 just to enable us
7 to -- so we can gather our thoughts, finish
8 off any outstanding items on the agenda should
9 we want to continue the conversation. Last
10 time I think it got a little bit tight on time
11 and that didn't run as smoothly as it perhaps
12 could have done.

13 So about 10:15 I'd like to take a
14 stop, take a pause, see where we are, see what
15 we need to do and, you know, just discuss what
16 the next 15 minutes, half hour or so would
17 look like. I just want to mention that up
18 front.

19 And, Jolanta, may I just ask you to
20 speak about any e-mails to the Planning Board
21 at this point in time as well?

22 MS. MAZIARZ: Sure. So just a point
23 of housekeeping. If any members of the public
24 have a question with regard to the LSRP, we
25 discussed this a moment ago, the public was

1 directed at the last public meeting to send
2 any questions that they may have of the LSRP
3 to our planning and zoning coordinator. And
4 we're doing this only because of the pandemic
5 situation and the fact that we have to be on
6 Zoom meetings and that it does take more time
7 to conduct these types of meetings than if we
8 were together in person. But that is the only
9 thing that members of the public should be
10 e-mailing anybody about.

11 If members of the public have any
12 questions, any comments, any testimony, any
13 documents that they would like to submit, you
14 can submit them to the planning and zoning
15 coordinator. And if it is an administrative
16 matter or if there are documents that are
17 being submitted, then she will take note.

18 If there's any commentary, any
19 questions, any testimony, that is something
20 that must occur in public. Please do not send
21 e-mails of that nature to any Board members.
22 Board members cannot consider anything that
23 comes to them except during this hearing under
24 sworn testimony.

25 So if Board members are receiving

1 e-mails with regard to this application or any
2 application, then please forward them to the
3 planning and zoning coordinator. You can copy
4 me if you like, but please forward the
5 questions to the planning and zoning
6 coordinator only and she will determine
7 whether or not those questions are
8 administrative or legal and require some type
9 of response.

10 Under no circumstances is the
11 planning and zoning coordinator going to be
12 sending these e-mails along to Board members.
13 If Board members get them, send them, forward
14 them to Deb, and delete them. You are not to
15 consider these with regard to this application
16 or any other. The only testimony, the only
17 evidence, the only documentation, the only
18 commentary that the Board members should be
19 considering is the evidence, the testimony,
20 the documentary evidence that comes in via
21 this hearing.

22 So, again, if Board members are
23 receiving e-mails, delete them after
24 forwarding to the planning and zoning
25 coordinator.

1 Members of the public, if you have
2 something to share with the Board, please,
3 please, participate in these Zoom hearings and
4 please question the witnesses live and please
5 make your comments on the record during the
6 time that will be set aside for public
7 comment. We will not be accepting e-mails as
8 public comments or questions except for the
9 one exception that we made for LSRP questions.
10 I hope that's clear.

11 If there's anything unclear, please
12 let me know and I'm happy to explain this
13 again.

14 And this is only in accordance with
15 the Board's procedures and the Board's rules.
16 The Chairman read them at the beginning of
17 this meeting. The Chairman reads them at the
18 beginning of every meeting. This is a
19 quasi-judicial proceeding. So the only thing
20 that the Board gets to consider is things that
21 come in during the hearing because they are
22 acting like judges in a quasi-judicial
23 capacity.

24 So I'd appreciate it if everyone
25 could please cooperate with those rules and

1 have your very important information and
2 commentary come in in the appropriate way.

3 I thank you so much for your
4 attention.

5 CHAIRMAN HANDS: Thank you, Jolanta.
6 I appreciate that.

7 And, again, I think I have the sense
8 of the questions and -- so far from the
9 public.

10 Okay. So the last two meetings,
11 Frank or Bob, we obviously spent a lot of time
12 with the LSRP. Thank you for bringing that
13 gentleman to the table and to the Planning
14 Board. That was very efficient to do.

15 But I think you'd like to continue
16 on with the application, so I'll really just
17 hand it over to yourselves and to continue on.

18 MR. REGAN: Thank you, Mr. Chairman.
19 Frank Regan, the attorney for the Board.
20 We're going to proceed with the testimony, as
21 you indicated, of a number of our
22 professionals. We're going to start this
23 evening with our site engineer, Jeff Martell,
24 from Stonefield Engineering.

25 And then just in order of

1 presentation, just to bring everybody up to
2 speed, since it was -- I probably alluded to
3 this two meetings ago. After Mr. Martell
4 we're going to bring up our traffic engineer,
5 Matt Seckler, also from Stonefield
6 Engineering, and then we're going to have Paul
7 DeVitto, our landscape architect, also from
8 Stonefield Engineering. And then our last
9 witness will be our architect, Angela Alberto.
10 So I'd like to bring Jeff Martell
11 up, get him qualified, and start with his
12 testimony.

13 Jeff.

14 MS. MAZIARZ: Okay.

15 J E F F R E Y M A R T E L L,
16 having been duly sworn by the Board attorney,
17 was examined and testified as follows:

18 THE WITNESS: I do.

19 MS. MAZIARZ: Thank you. Please
20 state your name for the record and please
21 spell your last name.

22 THE WITNESS: Sure. Jeffrey
23 Martell, M-A-R-T-E-L-L, Stonefield Engineering
24 and Design, 92 Park Avenue in Rutherford.

25 MS. MAZIARZ: Thank you.

1 MR. REGAN: Okay. I'm glad to see
2 I'm not the only one wearing a tie.

3 DIRECT-EXAMINATION

4 BY MR. REGAN:

5 Q. If you could, for the Board's purposes
6 of qualifying you as an expert in civil
7 engineering, if you could give a little background
8 as to, you know, educational, professional
9 background and prior testimony work.

10 A. Sure. I am a licensed professional
11 engineer in the state of New Jersey. Bachelor's
12 degree from the University of Delaware in civil
13 engineering. Master's degree from N.J.I.T.
14 Practicing professional engineer for ten-plus
15 years. I've testified before 100-plus land use
16 boards in the state of New Jersey as an expert
17 witness in civil site engineering, including
18 approximately 12 to 15 multifamily residential
19 projects.

20 I'm also a professional planner and
21 certified municipal engineer, but I'll just be
22 testifying as a civil engineer this evening.

23 MR. REGAN: I offer Mr. Martell as
24 an expert in civil engineering.

25 CHAIRMAN HANDS: Thank you. I think

1 we accept the qualifications. Thank you.

2 MR. REGAN: Thank you, Mr. Chairman.

3 BY MR. REGAN:

4 Q. Mr. Martell, you were involved in the
5 preparation of the site plans that were submitted
6 to the Board with the application?

7 A. Correct.

8 Q. Also, obviously, you're familiar with
9 the site as a result of the involvement in the
10 preparation of those plans?

11 A. Yes, I am.

12 Q. Okay. I'm just going to turn it over to
13 you to start with, I guess, a brief description of
14 the existing conditions of the property and then
15 move on to the proposed site improvements.

16 A. Sure. As the Board knows, we submitted
17 a preliminary and final major site plan. With
18 that application, we submitted a survey, site
19 plan, stormwater management report, stormwater
20 operation and maintenance manual, environmental
21 impact statement, photo exhibit, as well as a
22 traffic impact study under the cover of Stonefield
23 Engineering.

24 You're going to hear from a couple
25 expert witnesses from Stonefield Engineering. I'm

1 going to testify to the site civil aspects.
2 You're also going to hear from a landscape
3 architect from Stonefield Engineering as well as a
4 traffic and parking expert.

5 So with that said, I'd like to go ahead
6 and share my screen and present a couple of
7 exhibits along with my testimony, if I may.

8 I think the host may have to --
9 COORDINATOR COONCE: Oh, I thought
10 you were able to share it. Let me see.

11 Without -- hold on. You can't -- you can't
12 share it, Mr. Martell? Hold on.

13 THE WITNESS: No.

14 COORDINATOR COONCE: All right.
15 Hold on. All right. If I make you co-host
16 for temporary, try that.

17 THE WITNESS: Great.

18 COORDINATOR COONCE: See if that
19 works.

20 THE WITNESS: I believe it does.

21 COORDINATOR COONCE: All right.

22 A. Great. So what we have here on the
23 board is what has been, I believe, premarked and
24 put on the website as Exhibit A-4. It's an aerial
25 exhibit prepared by Stonefield Engineering. It

1 has a date of October 25th, 2019.

2 For orientation purposes, north is to
3 the top of the page. There's an aerial image of
4 the property outlined in black. That is Exhibit
5 A-4.

6 With that said, a brief property
7 description. I know we spent a lot of time in the
8 prior meetings, so I'll be brief here, but I just
9 want to put a couple of points on the record
10 relative to my testimony.

11 The property in total is 11.8 acres.
12 It's located in the mixed-use overlay zone. It
13 has frontage on Commerce Street to the north,
14 Division Avenue to the east and Stone House Road
15 to the south.

16 The property consists of what we're
17 calling "the restricted area," which is
18 approximately 4.5 acres, and that is the fenced
19 area to the left side of the exhibit or the west
20 side of the property. The balance of the
21 property, or what we are calling "the developable
22 area," is approximately 7.5 acres. In the
23 existing condition, that is almost fully developed
24 with a series of buildings, as well as asphalt for
25 the parking and circulation areas.

1 Along the western property line is the
2 Passaic River. There is a flood zone associated
3 with that, as well as a riparian buffer associated
4 with that, both under jurisdiction of the NJDEP.
5 However, neither the flood zone or the riparian
6 buffer encroach beyond the restricted areas. So
7 they're all -- in other words, none of those areas
8 is located within the "developable area."

9 Of note, I believe, is there is a
10 35-foot grade change on the property. The high
11 side being the northeast corner or the top right
12 of Exhibit A-4, sloping all the way to the
13 southwest, at the bottom left, approximately 35
14 feet. Stone House Road itself drops approximately
15 25 feet along the property frontage.

16 If there are no questions on the
17 existing conditions relative to the civil
18 engineering, I'll move on to the proposed site
19 plan.

20 All right. Hearing none, what's been
21 premarked and identified on the website as Exhibit
22 A-5 is a site plan and rendering prepared by
23 Stonefield Engineering. It is essentially the
24 same as Sheet C-5 in your site plan package in
25 terms of the technical content. However, it has

1 been enhanced for the purpose of the presentation,
2 in color, with the landscaping overlaid, and an
3 aerial image underlain on the image here.

4 Within the developable area, the
5 applicant is proposing to remove all of the
6 existing structures, all of the existing pavement,
7 a couple of the existing pear trees that exist
8 along the perimeter. So essentially creating a
9 clean slate, so to speak, in terms of development
10 within the developable area.

11 The proposed construction is for a total
12 of 14 multifamily residential buildings that would
13 total 140 units. In addition to the multifamily
14 residential buildings, there is an
15 1800-square-foot community building, generally in
16 the northeast quadrant of the site, and then a
17 4,000-square-foot retail building to the far
18 northeast of the site. Generally in closest
19 proximity to the pedestrian path to the train
20 station.

21 There are a total of 307 parking spaces
22 proposed, a total of which -- 84 of which, excuse
23 me, would be located within garages.

24 Each residential building will have a
25 total of ten units. Looking at each building

1 individually, of those ten units, six units will
2 have a garage. Immediately behind the garage
3 there's also a parking space. And then four of
4 the units in each building would not have a garage
5 and would utilize the common parking field.

6 So in total, you have 84 units with
7 garage and 56 units without a garage. Worth
8 noting, I believe, to the Board is that none of
9 the proposed buildings will have a basement. So
10 there is no subsurface construction relative to
11 basements, storage area, habitable or
12 nonhabitable. There will be no basements on these
13 buildings.

14 Additional notable features on the site
15 plan: We have proposed three courtyard areas
16 within the clusters of the multifamily residential
17 buildings. Those courtyard areas contain a
18 combination of hardscape, landscape, as well as
19 some seating areas.

20 All of the trash handling for the
21 multifamily residential will be interior to the
22 building, so there will not be a series of
23 dumpsters around the development. Oftentimes you
24 see, you know, unsightly trash and recyclable
25 areas in these types of developments. In this

1 case, all of the trash and recycling for the
2 multifamily will be housed and contained within
3 the buildings. Part of the management operation
4 would be that they would be wheeled out in carts
5 for pickup.

6 In terms of the retail area, there is an
7 exterior trash and recycling customary to a
8 small-scale neighborhood commercial-type use.

9 In the -- towards the north area of the
10 site along Commerce Street, there's an area that's
11 green on A-5, kind of an open green area. What
12 we've done is we've tried to create a flat lawn
13 area on the property for general outdoor use by
14 the residents. Throw a frisbee. Do things of
15 that nature.

16 So, you know, having a 35-foot grade
17 change is a lot of slopes within the property. We
18 were able to provide flat areas for the courtyard
19 areas, but we wanted to provide, you know, kind of
20 just a larger lawn area for the purpose of the use
21 and enjoyment of the property as well.

22 In the northeast corner, we have
23 clustered the retail building as well as the
24 community center building. Worth noting is that
25 there is a pool within an enclosed area located

1 beyond the community -- behind the community
2 building.

3 The 4,000-square-foot retail building,
4 at least to my knowledge, doesn't have any tenants
5 at this point, but it has been designed with
6 sidewalks around all sides of the building, so
7 essentially it would be able to have a storefront
8 along Division. Would also be able to have an
9 access point to the parking field. I think that
10 would be something that would be tenant-specific
11 as the project advances.

12 The 1800-square-foot community building
13 is located generally to the west or to the left of
14 the retail building. It has access to sidewalk
15 areas and some of the parking areas as well and,
16 as I mentioned, the enclosed pool and patio area
17 to the south.

18 We are proud to report that all of the
19 lot area, setback, coverage and buffer
20 requirements are met as part of this project.

21 A couple general points to the project
22 as a whole. There are two access driveways
23 proposed: one along Division Avenue and one along
24 Stone House Road. We have located the Stone House
25 Road driveway generally approximately two-thirds

1 to the east of the developable area before the
2 grade continues to drop. So it was -- it was the
3 most efficient location for that driveway and also
4 functions nicely in terms of its setback to
5 Division.

6 The site has been designed with a master
7 utility plan. There is what we call a "water main
8 loop," which is essentially a term that is meant
9 to say that the water main has two connection
10 points to the public system. Good engineering
11 practice. There's also a series of fire hydrants
12 that are proposed.

13 Within the site, there's an internal
14 system of sanitary sewer mains, as well as gas,
15 electric and telecommunication lines. We'll talk
16 about the letter, engineering letter, at the end
17 of the presentation, but there is reference to
18 performing an off-site study to ensure that the
19 off-site sewer infrastructure is appropriately
20 sized, and the applicant agrees to do so if the
21 Board looks favorably upon this application.

22 A big item of note is there is a
23 reduction in impervious surface on the property by
24 over 2 acres. Almost worth restating, but 2
25 acres, almost a 20 percent of reduction of

1 impervious coverage. We're going from 59.3
2 percent impervious coverage to 39.4 percent.

3 Beyond the aesthetic value of having
4 more green space, having more areas for
5 landscaping. Also the big gain from an
6 engineering perspective and a floodplain
7 management perspective is that creates a natural
8 decrease in both the runoff rate leaving the site
9 as well as the volume leaving the site.

10 And the reason I make that distinction
11 is that most of the regulations -- and I shouldn't
12 say most. You're not necessarily required to
13 reduce volume leaving a site. You are allowed to
14 do a type of detention that decreases rate, but
15 also increases up volume.

16 But in this case, with the natural
17 decrease in rate and volume, the decrease in
18 impervious coverage, I think we're providing what
19 most engineers would consider the best of the best
20 management practices relative to stormwater
21 management and floodplain management.

22 We are fully compliant with all
23 stormwater management regulations related to the
24 site. To a lesser degree, I would also note that
25 there is also a significant reduction in the

1 building coverage on the property as well.

2 Great care has been taken to the
3 pedestrian paths within the property. We are
4 proud to state that they are all ADA compliant.
5 So all the concrete sidewalk areas you see have
6 been designed in accordance with the federal ADA
7 design standards. There's been care to provide
8 paths obviously within the site noting that people
9 may either walk between buildings, walk to the
10 community building, walk to the retail. Guests
11 may park and walk to various units.

12 So we've looked at the site as a whole.
13 Obviously we wanted to balance impervious coverage
14 and excessive pavement areas, but we also wanted
15 to provide functionality, give people paths to the
16 courtyard areas. So they do have an ADA path to
17 enjoy those areas as well. They don't have to
18 walk through grass areas or other types of areas
19 to get to those passive recreation areas.

20 So we are proud that the design has
21 incorporated all that and still managed to reduce
22 impervious coverage significantly.

23 We do have a bike rack area that's been
24 located by the community building, what we think
25 is an appropriate location.

1 I mentioned the grading or the
2 topography of the site, the 35-foot grade change.
3 We've been able to accommodate that grade change,
4 still maintaining typical slopes within the
5 parking and drive areas, driveway areas. So I
6 think all of our slopes on site are within
7 appropriate engineering standards. We won't have
8 an excessively steep site or type of parking area
9 that would be a nuisance to the future residents
10 or guests. They're all within customary
11 engineering design standards.

12 Around the perimeter of the site, we
13 have looked to make up certain grades in order to
14 provide safe grading on the site. We do have some
15 sloped areas within the lawns around the northeast
16 side. And then along the southwest side, we do
17 have a tiered retaining wall system with a split
18 rail fence on top.

19 What we've looked to do here
20 specifically at the southwest, but also around the
21 property as a whole, is consider the aesthetic and
22 a tasteful perspective from those driving by,
23 around the perimeter of the site, residents of
24 Long Hill or Basking Ridge or whoever's driving by
25 the property, that it's a nice property to look

1 at, but also have those safe slopes within the
2 property itself.

3 So we have been able to do that by
4 providing some sloped areas and a small area of
5 retaining walls at the southwest corner.

6 There is a series of what I would call
7 decorative light fixtures throughout the site.
8 They are, in my opinion, properly scaled and
9 within character of this type of community. So
10 we're not using the type of fixtures that you
11 would see at Walgreens or ShopRite or a commercial
12 center. These are specifically residential in
13 character in terms of height and the design.

14 There are a couple of comments that we
15 do have within the Board professionals' letters.
16 We have gone to great lengths in terms of the
17 internal design team and we do believe that we
18 will continue to work to satisfy the open comments
19 relative to the lighting design.

20 What I can state, it is the applicant's
21 intent to reduce the lumens, improve the
22 uniformity fixture and stay within the compliant
23 height of those fixtures and continue to look to
24 perfect the design to the maximum extent possible
25 relative to what the comments are in the Board

1 engineer's letter.

2 In terms of the landscaping design in
3 general, a couple statements I'll make. You will
4 hear detailed testimony from my colleague,
5 Mr. DeVitto, our licensed landscape architect, who
6 really was the main person behind the design. But
7 I would say, just from a general perspective, we
8 have removed a couple pear trees. And in an
9 effort to improve the streetscape and the
10 aesthetic from the perimeter, there is extensive
11 on-site landscaping. And the applicant wants to
12 make a statement that currently we're short the
13 total number of trees relative to the replacement
14 required.

15 The applicant is willing to and happy
16 to, I should say, comply with that total number.
17 We have tried to achieve a balance between the
18 function of the property, the usability of the
19 property and the aesthetic of the property.

20 And what I say by that is we've tried to
21 keep the -- some lawn areas between the buildings.
22 We find that these types of buildings, people do
23 need some space to walk their dog, throw a
24 frisbee, you know, play with their -- with their
25 children. Do things of that nature.

1 So we don't necessarily want to put
2 trees in every open space area that we proposed on
3 the property because we have looked to provide
4 those. We do think those will ultimately be
5 critical towards the use and enjoyment of the
6 property, but we also recognize the desire by the
7 community to have their tree replacement
8 requirement met. And the applicant is ultimately
9 willing to do so, continue to work with the Board
10 and professionals and would ultimately defer the
11 final design to the Board professionals relative
12 to the landscape design and the total number of
13 trees to be planted.

14 In terms of emergency services, we have
15 run fire trucks throughout the property. We have
16 submitted those templates. We do believe that a
17 fire truck can safely access the property itself.
18 It can navigate through the property.

19 The drive aisle widths, the turning
20 radii, et cetera, not only comply with the
21 RSIS standards relative to residential design
22 in the state of New Jersey, but specifically
23 we have run the turning templates for the Long
24 Hill Township or the Millington, you know,
25 fire station trucks and specifically run those

1 templates, not just relied upon standard
2 dimensions that the state puts forth. And we
3 do believe we've concluded that the fire truck
4 can safely navigate the site.

5 Similarly, for the retail, we've
6 considered a trash truck coming on to do the
7 dumpsters. You know, a large box truck, trash
8 truck. We've run that throughout the site.

9 We've also considered those box trucks
10 relative to parcel deliveries. You know, we all
11 know Amazon and FedEx and things of that nature
12 have become a way of life, so we wanted to make
13 sure that all those types of trucks could get on
14 the property, moving trucks, et cetera. So all of
15 those large box trucks can navigate the property
16 as well.

17 In terms of the environmental land use,
18 you've heard a lot of environmental discussion. I
19 think within my purview as a civil engineer, I've
20 use the term "land use." Those are the items that
21 the DEP regulates relative to floodplains,
22 wetlands, things of that nature.

23 So within that perspective, from the
24 environmental land use perspective, there is a
25 flood zone on the property. There is threatened

1 and endangered species documented on the property.
2 There is a riparian buffer on the property and we
3 know there's vegetation on the property.

4 The big point to make is all of that is
5 located on the west side of the property in the
6 restricted area. None of those environmental land
7 use concern areas extend within the developable
8 area. And the main reason that is, is because the
9 developable area is almost entirely developed in
10 its current condition.

11 So the flood zone doesn't encroach
12 there. It's within the banks of the Passaic
13 River. The threatened and endangered species are
14 all associated with the Passaic River. We are not
15 touching any part of the restricted area, which
16 essentially creates a healthy offset or setback
17 from any disturbance to the Passaic River.

18 I don't believe there's any impact to
19 geology, air quality, water quality, threatened
20 and endangered habitat, critical vegetation or
21 slope areas, or at least no negative impact from
22 this property. One could argue some positive
23 impacts, taking away the prior use and putting in
24 a much more benign use relative to the environment
25 with the residential.

1 In terms of other agencies having
2 jurisdiction on the project as a whole, from a
3 sanitary sewer perspective, we would seek both
4 local as well as state permits. From a water
5 perspective, the New Jersey American Water. We
6 would also have to seek and obtain a plan
7 certification from the Soil Conservation District.
8 That district essentially reviews and controls
9 items related to soil erosion, dust. They would
10 require tracking pads on and off the property,
11 silt fence and other measures to ensure that dust
12 and soil and sediment do not leave the property in
13 an unwanted manner.

14 They also perform periodic inspections.
15 The applicant would have to pay a fee to cover
16 those inspections. All of that would also --
17 would have to be done by the applicant and, of
18 course, the County as well.

19 And the last point I wanted to make is
20 we do not anticipate any NJDEP land use permits.
21 I mentioned a couple of items before, but none of
22 those would actually require a permit because we
23 are not located within -- or our disturbance, I
24 should say, is not located within any NJDEP
25 jurisdictional areas.

1 I don't know what the Board's pleasure
2 is relative to the engineering letter, but I
3 wanted to make a couple affirmative statements
4 because there were a couple of open items. We
5 have worked, we believe, diligently to address a
6 large majority of the letters -- excuse me, a
7 large majority of the comments. And I do
8 appreciate the format in which the latest letter
9 was issued by Casey & Keller, with the latest date
10 of July 6, 2020, with the updates to include the
11 Stonefield responses.

12 But a couple affirmative statements
13 I'd like to make is there are a couple of
14 items related to architectural and signage.
15 The applicant does intend to provide those
16 items and provide an expert witness at a later
17 meeting. I've stated it once, but I'll state
18 it again, it is the applicant's intent to
19 continue to work with the Board professionals
20 relative to landscaping and lighting. We
21 understand the scale and magnitude of this
22 project within Long Hill Township. We
23 recognize that, we respect that. We -- not
24 only as the applicant's team from the
25 community's perspective, but also the

1 applicant's own interest is to have a very
2 desirable development. Part of that is
3 aesthetic. Part of that is function.
4 Landscaping and lighting play into that, so we
5 will continue to work towards addressing all
6 of those comments.

7 We had -- there was a comment about
8 distributing the ADA parking stalls within the
9 property. We agree with that comment. We would
10 relocate some of the ADA parking spaces for better
11 distribution. Continue to work with the fire
12 protection folks. We do have the review letter.
13 I think we've hopefully provided a design that
14 will ultimately be satisfactory, but to the extent
15 they have comments, we'll continue to work.

16 We agree to provide a study of the sewer
17 conveyance system off site of the property if the
18 Board does act favorably upon the application.

19 And in terms of that tree replacement,
20 again, we just looked to find the right balance in
21 terms of the number of trees and the functionality
22 and the use and enjoyment of the property as well
23 as the design or the aesthetic of the property as
24 a whole. So ultimately those numbers of trees the
25 applicant is agreeable to provide or defer to the

1 Board professionals if there is another amount of
2 trees that still meets the intent, but keeps some
3 of those open areas open.

4 With that said, I don't have any
5 additional testimony in terms of direct testimony.
6 I will, again, note that the Board will hear from
7 the landscape architect, a traffic and parking
8 expert, as well as an architect. But in terms of
9 the site civil testimony, that is all I have for
10 direct testimony.

11 MR. REGAN: Thank you, Jeff.

12 I -- Mr. Chairman, I have nothing
13 further of Mr. Martell. I think he did a
14 comprehensive review of the total site plan,
15 so I'll open it, pass it on to you for
16 questions.

17 CHAIRMAN HANDS: Thank you.

18 And technically we would head to the
19 Board engineer. I appreciate your comments,
20 Jeff, about addressing a number of points, but
21 maybe it's easier, Michael, if you wouldn't
22 mind taking us through your reports.

23 MR. LANZAFAMA: Sure.

24 CHAIRMAN HANDS: And you can expand
25 on it, et cetera. We'll go with you first.

1 MR. LANZAFAMA: Sure. As
2 Mr. Martell pointed out, his willingness and
3 the client's willingness to work with us on
4 the open items. The biggest items for us were
5 the lighting and the landscaping. We felt
6 that a bigger effort could be made to improve
7 the plan. I know they made great strides
8 compared to the initial plan that was
9 submitted. However, I think we can take it
10 just one step further and we would be happy to
11 work with them. And I don't see any reason
12 why the Board couldn't make a condition of
13 approval the final review of the lighting and
14 landscaping and leave it to our office and our
15 landscape architect to work with theirs to
16 resolve any issues that might be outstanding
17 with regard to that.

18 They did an excellent job in
19 reworking the driveway configuration. The
20 initial plan had the driveway further to the
21 west, where the grades were more difficult to
22 negotiate. The new plan moves the driveway to
23 the east, where it's a flatter terrain.

24 The terrace retaining walls at the
25 southwest side I think actually could create

1 some aesthetic appeal from the streetscape. I
2 think we can still introduce some landscaping
3 in that area, some street trees, to soften the
4 appearance of the walls. But I think all in
5 all, we're headed in the right direction.

6 The only issue that I still have --
7 and perhaps it's going to be the traffic
8 consultant that talks about this -- is if you
9 look at the southern end of the site, I
10 believe it's Buildings 6, 7 and 8, in my mind
11 there's not sufficient parking in that area to
12 service those three buildings. If there's
13 some way to reconfigure the parking to
14 distribute not only the ADA spaces, but just
15 provide for some additional spaces, as
16 Mr. Martell pointed out, four units of each of
17 those buildings have no garages. So they're
18 going to have to rely on the surface parking
19 spaces for those tenants.

20 So if we can introduce a few more
21 spaces in that area, reconfigure something,
22 perhaps along Division Avenue, I'm not sure
23 exactly what would work, but I would reserve
24 any further comment until perhaps I heard from
25 their traffic consultant.

1 When we did the analysis, it was our
2 opinion that under the residential site
3 improvement standards technically, they were
4 about 36 cars short of what's required. Under
5 the RSIS, they provide for a number of parking
6 spaces based upon the number of bedrooms. And
7 built into that number is a half of one car is
8 assigned as a visitor's spot in an open public
9 area.

10 And the problem we were having was
11 that especially in the southern area of the
12 site, you don't have that capability. You
13 don't have those publicly accessible spaces.

14 Now, having said that, the site's
15 close proximity to the train station will most
16 likely result in less parking than the
17 residential site improvement standards had
18 anticipated when they developed those
19 regulations.

20 So I guess I would reserve any
21 further comment with regard to the parking
22 until perhaps I heard from the traffic
23 consultant. And I guess I would ask
24 Mr. Martell, I assume he's going to address
25 that? Jeff?

1 THE WITNESS: Yeah, correct. Yeah,
2 there's 139 what I'll call common pool parking
3 spaces and they would service the units
4 without the garage, as well as the retail.

5 Mr. Seckler will be talking about that within
6 his traffic testimony in terms of how that
7 would operate. We believe that is sufficient.

8 You know, we have taken your comment
9 to heart about the distribution of parking as
10 well. We do -- we do think we can provide a
11 couple more parking spaces on that southern
12 end of the -- of the development as well, but
13 I think we can hopefully find a happy
14 resolution to both his comments. But
15 Mr. Seckler will be addressing that, as you
16 mentioned, in more detail.

17 MR. LANZAFAMA: I look forward to
18 his testimony.

19 I don't think I have anything
20 further, Chairman Hands.

21 CHAIRMAN HANDS: Thank you.

22 A couple of things. I'm going
23 through your revised report and I do see a
24 number of places where it says testimony will
25 be coming through -- we'll have some

1 testimony. I hate to sort of skip over those
2 if -- we had a good summary. I appreciate the
3 summary from Jeff. But I would like to sort
4 of step through this in a bit more detail, if
5 you could pick up on points where testimony
6 will be given during the application during
7 this time. That is something, if you wouldn't
8 mind, you know, spending a few moments on.

9 I do have one very simple question
10 of access to the restricted area. Maybe it's
11 me. Can you just point out exactly where that
12 access to the restricted area is? It's just
13 -- it's bugging me a little bit.

14 Right now, as we know, there's gates
15 roughly where Buildings 2 and 3 probably are
16 to the restricted area. Can you just help me
17 understand where those gates or how access
18 will be made to the restricted area?

19 THE WITNESS: I don't know if the
20 applicant has specifically defined one at the
21 moment or the plans don't necessarily define
22 one. But the division was between Buildings 1
23 and 2 or 3 and 4 because it's a dead-end
24 parking area. That would be a gate. I don't
25 know if a decision has been made as to which

1 one of those, but that's -- that's the design
2 intent. You know, it would be --

3 MR. FOURNIADIS: Can I -- can I
4 briefly respond?

5 MR. REGAN: Go ahead, Bob.

6 MR. FOURNIADIS: Yeah. Our position
7 there was obviously in our administrative
8 consent order with the DEP, we did get the
9 right to replace the fence provided they
10 continue to provide security and limited
11 access to the site. So it was our plan to get
12 with the DEP. It can go in any of the
13 locations that Jeff mentioned with a depressed
14 curb and then a gate that, of course, the
15 manager/owner of the apartment complex, which
16 would be us, would control.

17 But before we pick the spot, we just
18 wanted to have a conversation with the DEP to
19 make sure they were happy with the location.
20 We'd like to keep it as close to the current
21 location as possible, but it will go in one of
22 those locations that Jeffrey mentioned.

23 CHAIRMAN HANDS: Okay. Between 1
24 and 2 or 3 and 4?

25 MR. FOURNIADIS: Right.

1 CHAIRMAN HANDS: On the sign -- I
2 don't know too much on this. On the signage I
3 didn't see any notification or device as to
4 what signage will be presented on the fence
5 for the restricted area.

6 Do you have any --

7 MR. FOURNIADIS: Well, there's a
8 sign now that's mandated by the DEP. It's
9 there, it's always been there, and it will
10 continue to be there. There's a sign on the
11 fence now.

12 CHAIRMAN HANDS: Yeah, yeah. Okay.
13 So you don't anticipate adding anything in
14 addition to that single sign?

15 MR. FOURNIADIS: No.

16 CHAIRMAN HANDS: Those are just --
17 thank you. I just wanted to get those out of
18 my mind before we go to this.

19 All right. I appreciate your work
20 and I know you sort of the went through your
21 commentary there, but as I mentioned, there
22 were a number of places in what we saw we're
23 going through these where testimony is going
24 to be given.

25 Can you just walk through -- can you

1 just walk through your report in a little bit
2 more detail or --

3 MR. LANZAFAMA: Sure. I'll be happy
4 to.

5 The first few instances where that
6 comment is found is on page 5, which was
7 basically regarding the LSRP. So we've
8 already heard that testimony with regard to
9 the demolition plan and things of that sort.
10 So that was provided by the LSRP. That's
11 on -- that was on page 5, Comments 5 and 6
12 under the demolition plan.

13 The -- the next instance is with
14 regard to circulation and the sidewalks. And
15 I think Jeff did a fine job in outlining how
16 the walkway system is going to work; that it
17 provides adequate sidewalks so that any
18 resident could find his way easily to the
19 pool, the community center, the retail, as
20 well as to the train station.

21 So, in my opinion, he had addressed
22 that appropriately.

23 Let's see. Where else? Under the
24 retail building, he talked about the refuse
25 area and how they're going to be accessing the

1 refuse for that building, as well as the
2 recycling for that building would be
3 accommodated within that refuse area.

4 Let's see. Testimony will be
5 provided with regard to the distribution of
6 parking. This is the issue that I just raised
7 and we're going to defer that to further
8 testimony from their traffic consultant.

9 Moving through the letter, let's
10 see, under Item J on page 10, it indicates
11 that -- where was that? Regarding the
12 interior network, depressed curbs have been
13 added to the site plans. This was with regard
14 to ADA accessibility. We want to be sure that
15 every person, whether wheelchair-bound or
16 impeded in some way, can maneuver through the
17 site, gain access to the sidewalks, without
18 having to deal with an obstruction. And their
19 new plans indicate that. There's
20 ADA-compliant ramp systems throughout the
21 site. It brings people and pedestrians up to
22 the upper areas of the site by the retail
23 building via ramps up to Division Avenue and
24 then they can gain access to the train
25 station.

1 And I believe that was -- I don't
2 want to put words in Jeff's mouth, but I
3 believe that's what he alluded to in his
4 testimony.

5 Let's see. Where else do we have
6 it?

7 The drainage plan, as Jeff said, was
8 definitely -- this is like the perfect best
9 management practice design that you can
10 implement. This is -- these are like dream
11 jobs for civil engineers where you get a site
12 that's fully paved and has buildings on it and
13 you're able to actually reduce the impervious
14 coverage and then reduce not only runoff rates
15 but runoff volumes. And I believe that's what
16 we heard from the applicant and that's why I
17 found the plan and the design satisfactory.

18 Under -- on page 14, under H, I
19 guess we did not hear about the water service.
20 Are the buildings going to be fire suppressed,
21 Jeff?

22 MR. FOURNIADIS: I can -- I can
23 answer that. Jeff's not the architect, but he
24 knows the answer. The answer is, yes, they
25 will be.

1 MR. LANZAFAMA: Okay. And how --
2 you're going to work with New Jersey American
3 on how to implement that? Where is the
4 backflow preventer going to be located, for
5 example? How will the water system be split
6 from domestic and fire? Do you have any
7 thoughts on that?

8 MR. FOURNIADIS: Yeah. Usually we
9 have two services coming into a multifamily
10 building like this. But once we get to the
11 MEP stage with the architects, we work hand in
12 hand with the engineer, too, to -- and the
13 architect to make sure the laterals are coming
14 off the right spot. And we do have a closet
15 for the water service which acts as a hot box,
16 protect it from the elements for the services
17 to come into the building.

18 MR. LANZAFAMA: Do you plan on
19 metering each apartment separately?

20 MR. FOURNIADIS: What we're going to
21 do is each building will be metered and then
22 we will submeter the individual apartments.
23 So we'll pay one water bill per building to
24 New Jersey American and then the tenants will
25 be submetered and pay us separately. That's

1 how we're doing it in most of our jobs right
2 now.

3 MR. LANZAFAMA: Okay. Thank you.

4 Moving on, I'm just looking for --
5 well, the landscaping elements, I assume we'll
6 hear from the landscaping architect on that.

7 Again, under "Technical Review," the
8 traffic impact assessment, we'll hear from
9 their traffic consultant with regard to that
10 element and with regard to the parking and how
11 that all works for them.

12 And our comments on the
13 environmental impact statement were
14 satisfactorily addressed in the amended report
15 and supplemented report.

16 Now, that's pretty much -- those are
17 the only elements where additional testimony
18 was required, Mr. Chairman.

19 CHAIRMAN HANDS: Thank you for that.

20 Just a couple of things that -- on
21 page 11, and just help me understand. It's E
22 on page 9.

23 MR. LANZAFAMA: I'm sorry,
24 Mr. Chairman, could you repeat that?

25 CHAIRMAN HANDS: Yeah. Point L on

1 page 11, it's the top of page 11, a
2 continuation from page 10. It says "Due to
3 existing topography along the roadway frontage
4 and on-site, a waiver is requested from RSIS
5 standards to permit a driveway slope greater
6 than 5 percent."

7 Can you just talk a little about
8 that or what that waiver is from and any more
9 details about what that entails?

10 MR. LANZAFAMA: Certainly. Under
11 the residential site improvement standards,
12 technically the first 50 feet of an
13 intersection is supposed to be at a grade of 5
14 percent or less. And in this particular case,
15 due to the topography of Stone House Road and
16 its steep grade, it's very difficult to meet
17 that standard.

18 They significantly improved the
19 deviation from the standard compared to the
20 original design, which had it up about 8 or 10
21 percent. Now I think they're at a much
22 flatter slope, much closer to the 5 percent,
23 and I have no problem. It's what they often
24 refer to as a de minimis exception under the
25 residential site improvement standards.

1 CHAIRMAN HANDS: So isn't it fair to
2 say the comment "waiver is requested" is no
3 longer applicable?

4 MR. LANZAFAMA: If the -- could you
5 please repeat that?

6 CHAIRMAN HANDS: Sorry. I just want
7 to see if I understand. The comment "waiver
8 is requested from RSIS standards," is that no
9 longer applicable?

10 MR. LANZAFAMA: Well, that's the de
11 minimis exception. That would be the waiver,
12 correct.

13 MR. REGAN: The waiver is still
14 required.

15 MR. LANZAFAMA: Yes.

16 MR. REGAN: It's just that we had
17 reduced it from what was originally proposed.

18 MR. LANZAFAMA: Correct. Correct.

19 CHAIRMAN HANDS: Okay. And just
20 apologize. Who is that waiver from?

21 MR. LANZAFAMA: It's from the
22 Planning Board.

23 CHAIRMAN HANDS: And the other -- if
24 I might, just another word that just strikes
25 me as -- hopefully we can be a bit more

1 precise on that topic. On page 13, under
2 "Drainage Plan," Item Number 2, it says "The
3 proposed drainage system will discharge into
4 four existing drainage lines which presumably
5 discharge into the Passaic River."

6 I just wanted to make sure we are
7 certain where that's discharging. And then
8 maybe explain, if I didn't pick it up
9 correctly, but --

10 MR. LANZAFAMA: Yeah, they all --
11 they all go to the Passaic River. That was a
12 word that did not need to be included in our
13 response.

14 CHAIRMAN HANDS: Okay. I wouldn't
15 mind at some point if this needs to be
16 updated, edited, just a clarification
17 somewhere on that because it just strikes me
18 as a little bit --

19 THE WITNESS: Yeah. We can
20 certainly do that. I will state that the
21 stormwater management report states it in no
22 uncertain terms, that it's all tributary
23 there. But point noted. We can update and
24 remove that, strike that letter from the
25 document -- strike that word, excuse me, from

1 the document.

2 CHAIRMAN HANDS: Yeah. Thank you.

3 I do note in a number of places were
4 conditions for, you know, a potential -- if we
5 get to approval state and such, I'm sure we
6 will come back through those in due course.

7 With that said, those are my quick
8 comments. I'll hand it over to any other
9 Board members for any questions? comments?

10 Alan.

11 BOARD MEMBER PFEIL: Mr. Martell,
12 quick question. The west side of the property
13 adjacent to the fenced area, what's the
14 distance between the fence and the sidewalks
15 on the west side of the buildings? And the
16 reason for my question is there don't seem to
17 be any tree plantings shown on that side at
18 all. I was just wondering if there's room
19 there to have the additional trees there. It
20 looks like there's no screening at all to the
21 west.

22 THE WITNESS: It's plus or minus 5
23 feet. Some of that area is going to be sloped
24 so that we don't disturb -- you know, we're
25 trying to achieve all these safe grades

1 throughout the parking lot and the site
2 itself. So some of that area is sloped where
3 we're really just looking at low maintenance
4 type cover there in that area. I'm not
5 sure -- I'll defer to the Board professional,
6 landscape architect, about trees or other
7 shrubs, but generally we're trying to keep
8 that area low maintenance.

9 There is plus or minus 5 feet, so
10 there is, I think, the ability to do something
11 modest if the Board was looking for it.

12 MR. LANZAFAMA: They're bringing --
13 their sidewalk basically runs right up to the
14 fence and there's not sufficient room in there
15 to introduce anything more than what they've
16 proposed.

17 They also have some of their
18 utilities running in there. They have their
19 gas lines and some of the other utilities run
20 in to feed the buildings in that area. So it
21 becomes very difficult to do any screening
22 there.

23 MR. FOURNIADIS: And if I may add
24 one thing to that, too, I know we all know
25 what's underneath the cap there. And, of

1 course, everybody's goal is to make sure it
2 stays undisturbed. But once we replace that
3 fence with something decorative, as we're
4 planning to, it's actually a really nice
5 scenic corridor looking down over the river
6 and then to the trees across the river. So
7 really it's going to be a nice view for the
8 people whose homes face the Passaic River and
9 the project once it's complete.

10 THE WITNESS: The other thing, too,
11 in terms of, you know, we don't necessarily
12 want to do trees, you know, for people to find
13 a game out of it, jumping over the fence or
14 climbing or what have you. So, you know, we
15 have kind of this low-level greenery to
16 provide a visual transition, but, you know, we
17 are trying to keep a little bit more of an
18 offset from, you know, trees and that fence, I
19 think as well.

20 BOARD MEMBER PFEIL: Okay. Thank
21 you for the answer.

22 CHAIRMAN HANDS: Tom.

23 VICE CHAIRMAN JONES: Thank you,
24 Mr. Chairman.

25 Mr. Martell, thank you very much for

1 your presentation. I just have two questions.
2 One question on the grade for the driveway
3 exiting out onto Stone House Road. According
4 to the standard, it is 5 degrees.

5 What is the new standard -- what is
6 the new -- or what is the planned pitch on
7 that road -- or driveway?

8 THE WITNESS: That has actually been
9 designed at 5 percent now, the one on Stone
10 House Road. So technically a waiver would not
11 necessarily be requested there. The one on
12 Division is approximately 6 to 6 and 1/2
13 percent.

14 VICE CHAIRMAN JONES: So that's
15 where the waiver would be needed?

16 THE WITNESS: Right.

17 VICE CHAIRMAN JONES: On the east
18 side.

19 THE WITNESS: Correct.

20 CHAIRMAN HANDS: Tommy, is that your
21 questions?

22 MR. FOURNIADIS: I think he froze.

23 CHAIRMAN HANDS: Yeah, you're right.

24 VICE CHAIRMAN JONES: Yeah, sorry.
25 I was frozen. All right. It looks like I'm

1 back now.

2 CHAIRMAN HANDS: Was there another
3 question, Tom?

4 VICE CHAIRMAN JONES: Yeah, if I can
5 squeeze it in.

6 CHAIRMAN HANDS: Yeah, go ahead.

7 VICE CHAIRMAN JONES: There are two
8 monitoring wells between Buildings 2 and 3,
9 and I think on your rendition, they will be
10 between -- approximately around Building 13.

11 What are the plans for that?

12 THE WITNESS: I don't specifically
13 know if it's being relocated.

14 I'm not sure, Bob, if you're aware.

15 MR. FOURNIADIS: I'll have to take a
16 look at it, but if it does need to be
17 relocated, we'll relocate it with the DEP's
18 consent. We've done it before.

19 Unfortunately, every job that we've built in
20 the past 12 years has had monitoring wells on
21 it, so we're very familiar with it. And if it
22 needs to be relocated --

23 THE WITNESS: I think the state --

24 (Indiscernible cross talk; reporter
25 requests one speaker.)

1 THE WITNESS: I think the statement
2 that we can make affirmatively is there'll be
3 no monitoring wells within buildings.
4 Sometimes in urban environments you have
5 nowhere else to go but in the building. In
6 this case, in a, you know, suburban/rural
7 setting, it would be relocated outside of the
8 building if it needs to be.

9 VICE CHAIRMAN JONES: All right.
10 Thank you very much. And thanks for leading
11 me through my technical glitch there. Thank
12 you.

13 CHAIRMAN HANDS: Any other questions
14 from the Board members? Dennis.

15 BOARD MEMBER SANDOW: I have two
16 questions. The first is on page 4, overall
17 site plan. And I'll wait while you open it
18 up.

19 THE WITNESS: Sure.

20 BOARD MEMBER SANDOW: On the
21 Division Avenue side, the east side of the
22 site, if you go to the driveway that exits
23 onto Division Avenue and then go about 15 feet
24 north of the driveway, you'll notice that the
25 sidewalk takes a 90-degree bend to the west,

1 runs west about 5 feet, and then takes another
2 90-degree bend to the north forming something
3 of a Z. And I'm just trying to figure out how
4 me and my sweetie can walk up that road or
5 walk up that sidewalk and make two right-angle
6 turns within 5 feet of each other instead of a
7 smooth transition.

8 THE WITNESS: Yeah. Well, I mean,
9 90 degrees is still ADA compliant. There's
10 no -- you know, I understand your -- your --

11 BOARD MEMBER SANDOW: That's a
12 rather awkward configuration.

13 THE WITNESS: What I'll tell you is
14 the reason there's a jog is because we're
15 basically trying to -- there's utility poles
16 in that area. And instead of having, you
17 know, sidewalk immediately adjacent to utility
18 poles, we're essentially just providing a nice
19 offset.

20 With that said, to your point in
21 terms of just general enjoyment of walking
22 down the street, so to speak, it doesn't have
23 to be 90-degree turns. So it's the Board's
24 purview to provide --

25 BOARD MEMBER SANDOW: I would

1 suggest -- I would suggest that you take a
2 ride on Central Avenue in Stirling and notice
3 how the sidewalk manages to wander and meander
4 up and down and around obstacles and try to
5 exhibit something like that on Division
6 Avenue, which is, in fact, nowhere near as
7 hard to navigate as Central Avenue.

8 THE WITNESS: Right. Yeah, point
9 well taken. I think definitely achievable and
10 point well taken. So we will do that.

11 BOARD MEMBER SANDOW: Okay. The
12 other comment that I have is on the cover
13 page. I think it's marked page 1. In the
14 lower left-hand corner, there is a block
15 marked "Agencies."

16 THE WITNESS: Yes.

17 BOARD MEMBER SANDOW: And can you
18 please explain to me why you have omitted
19 Verizon, which is the telephone company that
20 serves this site and the town? And, in fact,
21 right across the street from you.

22 THE WITNESS: Yes. So this is for
23 informational purposes only. What we've done
24 is -- obviously as part of this we're required
25 to provide public notice and we see the

1 applicant's attorney did it, to obtain a list
2 from the Township itself of who needs to be
3 notified. And I believe we just replicated
4 that here for informational purposes.

5 But in terms of the legality of it,
6 it would be based on the notice, which I think
7 the Board found was satisfactory.

8 So if Verizon is one of the agencies
9 that the Township --

10 BOARD MEMBER SANDOW: Wait. You're
11 giving me 150 words when 10 will suffice.

12 Verizon has conduit in that right-of-way, in
13 that street under the sidewalk. They've got
14 conduit running up a pole right there across
15 the street from their building.

16 How can you begin to do demolition
17 without notifying Verizon? Don't give me 150
18 words, please.

19 THE WITNESS: Ten-word version.
20 This list on the cover page matches the list
21 provided by the Township of agencies to be
22 notified.

23 BOARD MEMBER SANDOW: Well, perhaps
24 the Township's list is wrong.

25 MR. FOURNIADIS: Mr. Sandow, can I

1 answer that? "Agencies" refers to
2 governmental agencies that you have to give
3 notice to. Verizon, like every other utility,
4 be it Elizabethtown Gas or anybody else,
5 before we do any demolition, there's a number
6 of steps you have to go through terminating
7 all the services, disconnecting all the
8 meters. And we're always in contact with
9 all the utilities that have easements in the
10 area.

11 The last thing we want to do is
12 accidentally dig up a Verizon duct bank.
13 Never done it and I don't intend to ever do
14 it.

15 But my understanding of the language
16 you're referring to is with respect to outside
17 agencies. Verizon's not an agency. It's a
18 utility. And they will be notified and we
19 work very, very closely with them when it
20 comes time to do demolition in the area of any
21 of their facilities. It's what we do all the
22 time. I just did it in Woodbridge. Everybody
23 was on Rahway Avenue and Green Street and even
24 they didn't know where their stuff was when we
25 asked them. We had to carefully dig test pits

1 to find their dug banks. SO we're very, very
2 careful when it comes to --

3 BOARD MEMBER SANDOW: My question
4 was a very simple one. Why isn't it listed on
5 Sheet 1?

6 MR. LANZAFAMA: Mr. Sandow, Verizon
7 is listed, it's the third one from the bottom
8 on the property owners to be notified.

9 BOARD MEMBER SANDOW: I'm sorry, on
10 my copy, the third one from the bottom is
11 North American Water -- or New Jersey American
12 Water.

13 MR. LANZAFAMA: On the latest plan
14 it's Bell Atlantic-Verizon.

15 BOARD MEMBER SANDOW: Well, then, we
16 have different copies of the plan. Mine is
17 dated --

18 MR. LANZAFAMA: Well, this is the
19 one on the website that I just opened up.

20 BOARD MEMBER SANDOW: The copy that
21 I am looking at is dated 10/25/19. Issue 1.

22 MR. LANZAFAMA: You're looking at
23 the agencies to be notified. If you look at
24 the property owners to be notified --

25 BOARD MEMBER SANDOW: No, I'm not

1 talking about property owners. I'm talking
2 about agencies.

3 MR. LANZAFAMA: Well, Verizon
4 received notice through the property owners
5 list, I guess.

6 BOARD MEMBER SANDOW: Yeah, but that
7 goes to their tax office in Texas. That
8 doesn't go to the local engineer. And if you
9 would like, if the applicant would like, I
10 would be happy to notify Verizon, we have a
11 contact there, but it would seem to me that if
12 you're going to be doing demolition and taking
13 down poles that they have service on, you'd
14 want to be responsible for listing them.
15 After all, you list Cablevision, and
16 Cablevision hasn't operated in this town for
17 over eight years.

18 THE WITNESS: Yeah, I mean, to Bob's
19 point, in terms of responsible construction,
20 you know, Bob hit it on the head. And in
21 terms of demolition and all the work, we're
22 going to be working with utility companies.
23 This list is particularly slated to mimic the
24 Township's public notice list. And to the
25 extent it's not on that list, I can't answer

1 that, but regarding construction all the
2 proper procedures will take place.

3 MR. FOURNIADIS: I assure you, we
4 don't move anybody's poles. They move their
5 poles. We don't take poles down.

6 MR. REGAN: And for the record, on
7 the property owner list that we received from
8 the Township for purposes of providing notice
9 to property owners within 200 feet, inclusive
10 of utilities, those list Bell

11 Atlantic-Verizon, as pointed out correctly, an
12 Addison, Texas address.

13 BOARD MEMBER SANDOW: That's their
14 tax payment revenue office. That's not the
15 local engineer. And besides that, if they
16 didn't happen to accidentally have a building
17 across the street from you, they wouldn't be
18 within 200 feet and they'd still have a pole
19 on your property and you'd still have the
20 problem. I think you are confusing the need
21 to notify neighbors versus the need to notify
22 utilities.

23 MR. REGAN: We know we need to do
24 both.

25 BOARD MEMBER SANDOW: Will you be

1 adding Verizon to the plan?

2 MR. REGAN: I believe it's already
3 on the plan, the latest version of the plan.

4 Jeff, is that correct? I mean, I
5 think --

6 BOARD MEMBER SANDOW: I'm sorry, I'm
7 looking at the version that was handed off to
8 me as a Board member.

9 MR. REGAN: Okay. Well --

10 BOARD MEMBER SANDOW: It's the only
11 thing I have to operate on.

12 MR. REGAN: The most recent version
13 that was submitted to the Board actually does
14 include Verizon.

15 BOARD MEMBER SANDOW: And as I said,
16 Cablevision hasn't operated in this town for
17 over eight years.

18 MR. REGAN: Well, unfortunately,
19 that was on the list we got from the Town.

20 BOARD MEMBER SANDOW: Can you please
21 notify the Board secretary who in the town
22 sent that list? Because I'd like to get to
23 them and try to get a little bit up to date.

24 CHAIRMAN HANDS: Deb, are you good
25 with that, coming from Dennis about updated

1 lists?

2 COORDINATOR COONCE: Sure. I can
3 put him in touch with the tax assessor.
4 That's where it comes from.

5 MS. MAZIARZ: Well, the tax assessor
6 prepares the list of the property owners
7 within 200 feet. But in terms of utilities,
8 it is the utilities that --

9 BOARD MEMBER SANDOW: You don't have
10 to solve that now, Jolanta. We don't have to
11 solve that at this meeting.

12 MS. MAZIARZ: Okay. All right. But
13 it's the utility that registers with the
14 municipality. And once it's registered -- and
15 you know this, Dennis. Once you're
16 registered, you're registered forever. Nobody
17 really follows up to unregister. That's the
18 problem.

19 BOARD MEMBER SANDOW: Well, that
20 only makes it a little more difficult for this
21 Board to do its work. Let's try to be current
22 and reasonable in the lists that we provide to
23 the applicants.

24 MS. MAZIARZ: Well, that's going to
25 require the administrative officer, in this

1 case perhaps the clerk, to reach out to
2 various utilities to see if they still want to
3 stay registered on that list. So, you know,
4 but that's an administrative thing that,
5 you're right, Dennis, we can -- we can handle
6 that off line.

7 BOARD MEMBER SANDOW: Ignorance is
8 no excuse.

9 VICE CHAIRMAN JONES: Mr. Chairman,
10 can we move on?

11 THE WITNESS: The only thing I'll
12 add is that we do have property within 200
13 feet of, you know, another municipality --

14 BOARD MEMBER SANDOW: Do not confuse
15 the list of property owners with the list of
16 utilities. List of property owners is an
17 issue for Board approval. List of utilities
18 is an obvious construction matter that should
19 be on the site plan.

20 THE WITNESS: My point was we've
21 added the utilities from the neighboring
22 municipalities as well.

23 BOARD MEMBER SANDOW: Thank you.

24 THE WITNESS: Thank you.

25 CHAIRMAN HANDS: Any other questions

1 from the Board members?

2 BOARD MEMBER MALINOUSKY: I have a
3 question regarding our engineer's report on
4 page 15, under "Sanitary," Number 2, Comment
5 B. It requires a source study for the
6 immediate downstream to the connections, and
7 there's no timeline given for that. I was
8 wondering if it has been started or --

9 THE WITNESS: No.

10 MR. LANZAFAMA: No. They would have
11 to perform that prior to us signing off on
12 their application to the DEP for their
13 sanitary sewer extension permit. One of the
14 certifications we have to give is that our
15 collection system has adequate capacity. So
16 until they do that downstream study, we can't
17 sign off on their applications to the DEP. If
18 they don't have their sewer extension permit,
19 they don't get building permits.

20 BOARD MEMBER MALINOUSKY: All right.
21 Would that study begin at the tie-in manhole
22 on the southwest corner of the job site on
23 Stone House Road? Is that where you start?

24 MR. LANZAFAMA: Correct.

25 BOARD MEMBER MALINOUSKY: Okay. So

1 that's -- nothing with this application would
2 hold up our approval. It's something that
3 would have to be submitted before they could
4 move forward.

5 MR. LANZAFAMA: Correct. It would
6 be a condition of their approval.

7 BOARD MEMBER MALINOUSKY: Okay.

8 CHAIRMAN HANDS: Any other questions
9 from the Board?

10 I just have one quick question,
11 then. This may be more for the architect.
12 But you talked about the retail building,
13 Jeff.

14 THE WITNESS: Yes.

15 CHAIRMAN HANDS: In this day and age
16 of COVID and stuff, there's no outdoor --
17 maybe -- I'm not sure what you're planning for
18 the retail building necessarily. Is there any
19 way to perhaps think about an outdoor area,
20 seating for the building?

21 MR. REGAN: It might be best for Bob
22 to respond to that, though. I'm not sure he's
23 prepared for that.

24 CHAIRMAN HANDS: No, it's --

25 MR. FOURNIADIS: Yeah, this building

1 was obviously conceived in a pre-COVID era and
2 I'm hopeful by the time they pull the building
3 permit for it, COVID will be behind us. But
4 there is some green area on either side of the
5 building and we could do something.

6 And, again, we're still not sure at
7 this point what type of uses we're going to
8 have here. I don't know if we're going to
9 have a sit-down restaurant. The market's
10 going to tell us that and we'll have to deal
11 with that when it comes. It will maybe even
12 entail a redesign of the building, to remove
13 some of the building and create some outdoor
14 space. But we're a long way off for that.

15 We obviously want to do something
16 here that's going to work, that's going to be
17 good for the community, good for our project,
18 and, you know, profitable for us. So -- but
19 right now it's too soon to tell what we're
20 going to get in here.

21 CHAIRMAN HANDS: All right. Maybe
22 we can talk a little bit more to the architect
23 as well.

24 MR. FOURNIADIS: Yeah.

25 CHAIRMAN HANDS: Did you have any

1 comments -- I know it's not necessary from a
2 planning perspective, but any additional
3 comments?

4 MS. LEHENY: I do have a couple
5 questions about parking, but I will wait until
6 the parking engineer testifies.

7 CHAIRMAN HANDS: Thank you.

8 If I don't see more questions from
9 the Board members, can we open up to the
10 public discussion for comments -- or
11 questions, rather?

12 COORDINATOR COONCE: Yes. We have
13 Christina Berquist. Here we go.

14 MS. BERQUIST: Good evening. Can
15 you hear me okay?

16 COORDINATOR COONCE: Yes.

17 MS. BERQUIST: I had a question --
18 well, I'm guessing, I'm not exactly sure whom
19 to ask it to, but Mr. Lanzafama was the one
20 who spoke on this.

21 Now, you said earlier when you were
22 speaking about demolition -- I mean the plan,
23 I think you said it was page 5, that there was
24 a demolition -- that we heard about the
25 demolition plan from the LSRP.

1 And I'm a little bit confused on
2 that because last time there was a couple of
3 people from the public who were asking
4 specifically about demolition plans. And the
5 answer was that that's not under the purview
6 of Mr. Sullivan.

7 So I'm still actually very
8 interested to see the demolition plans or hear
9 about it because as a resident, that's my very
10 primary concern, even more so than the
11 building aesthetics and all that other stuff.

12 I mean, I recognize those are really
13 important and they are important, too. But
14 before I can even wrap my brain around the
15 aesthetics of this, that's still a big issue
16 in my brain.

17 So where -- where is -- like
18 where -- because I remember, Mr. Fourniadis,
19 last time, you also said there was a different
20 person going to testify about the demolition.

21 Is that still happening?

22 MR. FOURNIADIS: No. What I said
23 was the demolition plan will be submitted.
24 You have to apply for a demolition permit
25 after all the tenants have vacated, after all

1 the utilities have been turned off. And there
2 are specifics, very rigorous ones, and I'm
3 sure the town will hold us to, and we intend,
4 as Mr. Sullivan testified and I believe I
5 testified, to comply with all applicable
6 regulations, whether it's federal, state,
7 county or municipal, when it comes to
8 demolishing the building and tearing up the
9 parking lot. But right now there's no
10 demolition plan in place. That will be
11 something we apply for after we get all of our
12 approvals and satisfy all the conditions of
13 the approvals.

14 MS. BERQUIST: So is there something
15 that -- I mean, is there something that the
16 Board knows, you know, that I'm not
17 necessarily having access to? Because I know
18 Mr. Lanzafama spoke specifically about the
19 demolition plans.

20 So are you, as the Board, aware of
21 the demolition plans?

22 MR. LANZAFAMA: There is a
23 demolition plan, Sheet Number 3, in the set of
24 plans that were submitted, defines which
25 structures are to be demolished and how

1 certain procedures are to be taken with regard
2 to disconnecting the utilities, things of that
3 sort, which trees are to be removed.

4 So that is Sheet Number 3. That's
5 what I was referring to.

6 And then when I referred to the one
7 comment that was provided by Stonefield was
8 that in the early part of my review
9 memorandum, we questioned would we be hearing
10 from an LSRP with regard to the demolition?

11 And my response was, yes, they did provide the
12 LSRP at the prior two hearings. That's all I
13 was referring to.

14 MS. BERQUIST: Okay. So at this
15 point, there are no demolition plans yet?

16 MR. LANZAFAMA: Sheet Number 3 in
17 the set of plans defines what is to be
18 demolished. Is that your question?

19 MS. BERQUIST: Well, not -- not
20 exactly because it doesn't speak about how the
21 demolition will take place, but that's okay
22 because that's not this -- I'll, I guess -- I
23 think I would feel much better knowing that
24 the Town and the Board members know exactly
25 what's going on there because, as I said,

1 like, that's a very big concern, that the
2 demolition is going to be handled responsibly
3 and -- you know.

4 So, I mean, since you've referenced
5 it, I just was hoping that the Town at
6 least -- I mean, you guys are much more
7 professional than -- at, you know, knowing
8 what's going on than me, but I didn't know
9 what you were referring to and I was afraid I
10 missed something.

11 But I also have a question about the
12 design, the plans that you showed earlier. I
13 believe Mr. Martell, right, you --

14 THE WITNESS: Yes.

15 MS. BERQUIST: Are they on the
16 website? I couldn't find them. There are so
17 many documents, it's really hard to -- I was
18 trying to pull up the picture while I was
19 asking my question, but I wasn't able to find
20 it.

21 THE WITNESS: The main one is called
22 Prism Exhibit A-5.

23 MS. BERQUIST: Okay. Thank you.

24 So I wanted -- my question on that
25 was -- oh, okay. On Stone House Road, where

1 it doesn't appear -- are there any sidewalks
2 there? It doesn't appear that there are, but
3 I'm not sure if --

4 THE WITNESS: No, there are not.

5 MS. BERQUIST: And there's also no
6 sidewalks go -- that ramp from Stone House
7 Road onto the property.

8 Are there going to be sidewalks
9 there?

10 THE WITNESS: No. Just -- there's
11 sidewalk along Division. Obviously there's a
12 crosswalk along Commerce to get you over to
13 the rail crossing. And then there's a route
14 from Division onto the property, but nothing
15 on Stone House.

16 MS. BERQUIST: So aren't you -- and
17 what is that big giant green line that's also
18 parallel to Stone House Road and then it goes
19 around the corner?

20 THE WITNESS: That is just to
21 represent, like, a planting area between the
22 tiered retaining walls.

23 MS. BERQUIST: So there's going to
24 be retaining walls?

25 THE WITNESS: Correct. Yeah, you

1 know Stone House dips way down towards the
2 river.

3 MS. BERQUIST: Right.

4 THE WITNESS: So the site kind of
5 stays up a little bit higher than the road.

6 MS. BERQUIST: So how high would the
7 retaining wall be at its highest point? Which
8 I'm guessing would be the corner, right?

9 THE WITNESS: Yeah, generally. It's
10 about 12 feet, but that is -- it's a series of
11 three walls. So it's 12, maybe 13 feet from
12 top to bottom at the corner, split between the
13 three. It's going to -- you know, multiple
14 walls, so it's more of an aesthetic than
15 looking at one single wall.

16 MS. BERQUIST: Okay.

17 THE WITNESS: You're kind of looking
18 at walls stepping up with some vegetation.

19 MS. BERQUIST: So would it be a
20 consideration on your end to possibly put
21 sidewalks in there? Because there is a lot of
22 people, you know, who currently use this sort
23 of road. And especially the intersection from
24 Division and Stone House, it's really -- it's
25 really not a very safe intersection to walk

1 across because it's kind of wide open. There
2 is no -- you know, no markings or no corners.

3 And especially if you're talking
4 about having retail in there, I feel like it
5 might be worth a consideration to put a
6 sidewalk from Stone House Road that would be
7 able to access that area to encourage people
8 to go in there and use that.

9 THE WITNESS: Maybe from the extent
10 of where River or Waverly intersect and then
11 up towards Division. I would note that
12 there's no pedestrian accommodation on the
13 bridge over Passaic. So I wouldn't
14 necessarily want to lead people or promote,
15 you know, really pedestrians going over that
16 bridge or think that they have an
17 accommodation over that bridge because there
18 is none.

19 But to the extent people from, you
20 know, the neighborhood and River Road and all
21 that, you know, one could make an argument for
22 a sidewalk.

23 I would defer to the Board. I think
24 there's pros and cons. You know, the reality
25 is we don't want to lead them down towards the

1 river where there's nowhere to go. Mid block
2 crossings are typically discouraged. It's not
3 advisable really for people to walk across a
4 road unless it's at a stop sign or a traffic
5 signal.

6 So, you know, we really designed
7 this consistent with pedestrian design
8 practices, which is, you know, have the
9 sidewalk along Division, maybe a crosswalk
10 along Stone House might be a nice addition.
11 But beyond that, you know, I would be hesitant
12 to add any additional sidewalk along Stone
13 House. They really should walk up and cross
14 at a stop sign as opposed to crossing mid
15 block.

16 MS. BERQUIST: So how do you -- how
17 do you currently plan on drawing -- or what
18 types of -- for the businesses that are being
19 proposed in there, are you intending to draw
20 really only the people that live there to
21 those businesses or also the community around
22 it.

23 THE WITNESS: Both. I mean, we
24 don't have a tenant, so, you know, it's
25 somewhat tenant-specific, the question. But

1 in a general sense, I think both. If it was a
2 small retail, you know, type user or type
3 tenant, I'm sure they would want the residents
4 to use it. But also, you know, that parking
5 area would be open to the public as well
6 around the retail building, so --

7 MS. BERQUIST: It's just kind of
8 sad, like, as a resident. Like, up close, if
9 you're proposing something like that, it would
10 be nice to try to draw the community in rather
11 than --

12 THE WITNESS: Yeah. Nothing I'm
13 saying is trying to be --

14 MS. BERQUIST: No, I'm not --

15 THE WITNESS: I just wanted to
16 say -- because I don't -- we want to design a
17 site that, yes, the community feels invited to
18 use the retail. Yes, the residents enjoy it.
19 Yes, those that just live in the area think
20 it's a nice addition to the community. We
21 want to check all those boxes. We have
22 certain safety parameters as professionals
23 that we need to comply with. And having
24 pedestrian routes that lead to areas that
25 aren't designed for pedestrians is a little

1 bit of a gray spot.

2 So, yes, we want to be inviting.

3 We -- to the extent the Board and the Board's
4 professionals think additional sidewalk is
5 appropriate, we will provide it. But there's
6 nothing -- I don't want to be evasive and I'm
7 not trying to talk you -- talk you off your
8 point. I'm just trying to state that there's
9 a balance between providing those facilities
10 and providing safe measures.

11 So if a crosswalk along Stone House
12 or some additional sidewalk along Stone House
13 is the Board's and professionals' pleasure,
14 the applicant will do it. I just simply state
15 as a professional why it wasn't necessarily on
16 the plan as a default there are some
17 cautionary reasons why that may not be
18 appropriate.

19 So we'll ultimately let the Board,
20 you know, guide us on that. And I just wanted
21 to -- you know, the word "sad" came up and I
22 don't want to paint a picture that we're
23 trying to do anything other than what is in
24 the best interest of the final design of this
25 project.

1 CHAIRMAN HANDS: Thank you for that.
2 Christine, before we go any further,
3 I think you spoke before. I didn't catch
4 where -- normally when we introduce members of
5 the public, just mention where you're from.
6 Are you from --

7 MS. BERQUIST: Millington.

8 CHAIRMAN HANDS: Thank you.

9 MS. BERQUIST: And, Chairman Hands,
10 I also wanted to say I really like the idea of
11 creating more outdoor areas inside that area.
12 I think that would be a very nice thing
13 because it does right now very much appear,
14 like, you know, there is a lot of concrete.
15 It looks very regimented, you know, as far as
16 these houses.

17 I don't, you know -- I'm perfectly
18 happy with creating something nice there, but
19 it really does not look like Millington at the
20 moment or Long Hill. It really -- you know,
21 honestly it reminds me more of what it looks
22 like down at -- what are those condos in
23 Basking Ridge right there, that community? It
24 reminds me more of, like, Spring Ridge, you
25 know, where things are very, like, you know,

1 in a row and order and looking very much like
2 in the olden days of, you know -- I don't
3 know, like farming buildings.

4 CHAIRMAN HANDS: Okay. Christina,
5 thank you for that. Let me just -- you talked
6 about the sidewalk. What's the general
7 feeling there along Stone House or maybe part
8 of Stone House, at least from the access in
9 and maybe east of that to Division? Does the
10 Board have any thoughts about sidewalks in
11 general on Stone House?

12 VICE CHAIRMAN JONES: Mr. Chair,
13 along Stone House, I don't think we need
14 sidewalks there because I don't see a lot of
15 residential. There's a business across the
16 street and rightfully so. As you go down
17 Stone House heading west, there's a bridge and
18 there's no sidewalks on the bridge either. So
19 I don't see a lot of foot traffic. And
20 promoting it, I don't think that's a wise
21 thing to do.

22 Maybe down Division, the length of
23 Division, that might be more of a place to
24 continue the sidewalks, but that's just my
25 perspective.

1 CHAIRMAN HANDS: Division does have
2 it all the way down to the corner there from
3 what I can see.

4 VICE CHAIRMAN JONES: Oh, yeah,
5 okay. I see it. I see it. Thank you.

6 CHAIRMAN HANDS: Thank you.

7 MR. LANZAFAMA: But we should
8 perhaps introduce a crosswalk there. Maybe --
9 Jeff had indicated that. Maybe we need to
10 introduce a crosswalk there and prepare an
11 ADA-accessible sidewalk on the opposite side
12 of Stone House, on the south side of Stone
13 House.

14 THE WITNESS: I know I mentioned it,
15 but I tend to agree to that as well. I think
16 that for those that walk up Stone House, you
17 know, I think it's safest for them to walk up
18 Stone House and then cross Stone House at a
19 pedestrian crossing and get to the formal
20 sidewalk.

21 BOARD MEMBER PFEIL: I concur with
22 that. That makes sense.

23 MS. BERQUIST: That would be nice to
24 have a sidewalk. Because even though,
25 Chairman (sic) Jones, you said there was not a

1 lot of pedestrian traffic, but it is for all
2 of River Road, Francine, and all the roads
3 that go off of River Road, it actually is the
4 only path away from that area into the regular
5 Millington area, because if you were to want
6 to go for a walk, you're really stuck on that
7 road. If you cross over to the other side,
8 you have to cross Valley Road and especially
9 that area is not very safe. So as far as
10 walking in pedestrian traffic, including the
11 kids that are here, you know, and go up to the
12 school, it's -- it's a reasonable thought that
13 there is a lot of pedestrian traffic and would
14 even be more so if it was safer.

15 And especially in consideration of
16 the significant increase in traffic that's
17 going to occur.

18 (Indiscernible cross talk; reporter
19 requests one speaker.)

20 VICE CHAIRMAN JONES: Sorry. I just
21 had a question for Ms. Berquist.

22 Are there sidewalks on River Road?

23 MS. BERQUIST: No, there aren't, but
24 River Road is a 25-mile-an-hour road.

25 VICE CHAIRMAN JONES: Fair enough.

1 CHAIRMAN HANDS: Jeff, just remind
2 me, I don't think you were saying sidewalks.
3 You're saying a crossing. Can you just go
4 back over what your comment was? Jeff?

5 MR. LANZAFAMA: Jeff, unmute
6 yourself, Jeff, unmute yourself.

7 THE WITNESS: Sorry. Yeah, River
8 Road is a pretty narrow road, as was noted.
9 We understand there's a pocket, you know,
10 neighborhood in that area. So what I was
11 stating is if you were coming from River Road
12 and you were either walking to the train
13 station or walking to retail, most engineers
14 or designers, planners, what have you, would
15 guide the proper pedestrian -- or the safest
16 pedestrian path would be to walk up Stone
17 House Road on the same side of the street as
18 River Road and then make a crossing at the
19 stop sign. The term I used was we typically
20 don't suggest mid-block crossings, which would
21 essentially be right at the intersection of
22 River and Stone House, would be to put a
23 crosswalk across.

24 You know, there are times, maybe
25 churches, schools, where there's, you know,

1 pedestrian crossing guards and things of that
2 nature, or real urban areas maybe where you
3 would see that. But in a suburban setting,
4 drivers aren't expecting that and it's
5 generally deemed an unsafe, you know,
6 pedestrian design.

7 So that's why I essentially am
8 hesitant to really put a sidewalk down Stone
9 House Road because I think it kind of leads
10 you to make a decision to either cross the
11 road at an undefined location or continue on
12 and cross the bridge where there's no
13 pedestrian design.

14 So I think the idea of people
15 wanting to cross Stone House to get to the
16 project, the safest place is at the stop
17 sign at the intersection of Division,
18 provide a crosswalk, provide a receding ADA
19 sidewalk ramp. So that's clear and that's
20 consistent with, you know, good design
21 practices.

22 MAYOR RAE: There's one thing here.
23 If you come out -- as you come off River and
24 you walk up, I think you're talking the same
25 side, and so really traffic, you're walking

1 with traffic behind you and that's -- that is
2 not the optimum situation. And then -- and
3 it's a reasonable distance from there up to
4 the Division intersection.

5 And so, you know, I think a good
6 point was made that if there was some way of
7 doing a pedestrian crossing so that you
8 could -- so you could actually cross Stone
9 House and then walk up the other way, you're
10 on the other side going on a sidewalk there,
11 that may be -- that -- if it's possible, that
12 may be the optimal situation because, you
13 know, people do also, and in the wintertime,
14 whenever it's dark, you walk along that road
15 in order to get access to the station.

16 So if it was possible, I think it
17 would be a good thing.

18 THE WITNESS: I understand why the
19 comment is coming up. I just -- I suggest to
20 the Board that the mid-block crossing is a
21 less desirable scenario than having people
22 walk up Stone House. You know, you mentioned
23 dark. You know, I don't think drivers are
24 going to expect the crossing. You're going
25 down a hill. It's harder to brake. I don't

1 think -- I don't feel comfortable, honestly,
2 putting a mid block crosswalk there. I don't
3 think it warrants it. I don't think it would
4 be really an appropriate design. So with that
5 said, we do want to be, you know, as
6 accommodating as we can within the context of
7 this project.

8 If the whole project was a
9 neighborhood shopping center and we were
10 putting in another Walgreens and all these
11 things that people were going to want to walk
12 to, you know, a QuickChek, 7-Eleven, all
13 these, you know, attractions, Starbucks, you
14 know, I understand. Because we would create a
15 draw and then we would have to be responsible
16 for that draw. But we have 4,000 square feet
17 of retail, which is really a very small
18 amount. It's going to, I think, play off the
19 train station. I think it's going to play off
20 the residents. Will some people walk there?
21 You know, hopefully, yes, because I think it's
22 a nice addition to this, you know, pocket, you
23 know, within Millington. But I don't
24 necessarily think it's the -- the size of
25 retail doesn't necessarily warrant, I think,

1 introducing something like a mid-block
2 crosswalk or some other type of measure which
3 is generally discouraged.

4 So I respectfully understand the
5 comment, I respectfully agree with the
6 sentiment of the comment, but I do think we're
7 best served as the applicant, as the Board, as
8 the community, of, you know, sticking to the,
9 you know, kind of tried-and-true practices,
10 which is to create the crossing at the stop
11 bar and stick within driver -- driver's
12 expectation.

13 MAYOR RAE: I mean, since we're
14 being very respectful here, I respectfully
15 disagree with you. If you look at Millington,
16 we actually have the cross block, pedestrian
17 crossings are actually -- there are a couple
18 of them. And so it's not -- it's not unknown
19 within Millington to have something like that.

20 And I'm not so much bothered about
21 the draw of the retail necessarily. What I am
22 more concerned with is just making an area
23 which is now unsafe because there are -- there
24 aren't enough -- they're aren't sidewalks and
25 it would give people coming from Basking Ridge

1 across the bridge, they do use it right now,
2 it would enable them to utilize a crosswalk
3 and be much safer than they are right now.

4 Because quite -- quite frankly,
5 the -- the proposal that you make where people
6 walk up with traffic behind them from River
7 Road is more dangerous. I mean, it's an area
8 I'm very, very familiar with. And so I
9 respectfully disagree with you. And I would
10 ask you to reconsider that. Because anywhere
11 where there's a sidewalk, it makes it safer
12 for pedestrians.

13 MR. FOURNIADIS: Well, I don't
14 understand. What have people been doing up
15 until now?

16 MAYOR RAE: You know, up until now,
17 they've been using it and we've been trying to
18 actually get a sidewalk in there for some
19 time. We couldn't with TIFA, especially along
20 Division. And so this is just -- you know,
21 this is an idea or something that if -- all
22 I'm saying is if you can put a sidewalk in
23 there, it would be very much appreciated. It
24 would make it a lot safer. That's -- and
25 since you're doing so much there, a sidewalk

1 might be -- might -- we would very much
2 appreciate it. I'm asking for the
3 consideration of it, that's all. Because
4 people have been using it, but it's been
5 dangerous as far as I'm concerned.

6 MR. FOURNIADIS: And who's going to
7 own that sidewalk? Who's going to clean the
8 snow off it in wintertime? You expect us to
9 do that? I don't think that's right.

10 MAYOR RAE: I mean, you have the
11 whole site there that you're dealing with, so
12 why not include the sidewalk? That's --

13 MR. FOURNIADIS: Because it's on
14 our -- because it's on our property. If
15 somebody slips and falls on it, we're the ones
16 that are going to get sued.

17 MAYOR RAE: Yeah, but in Long Hill
18 Township, as a resident, right, with the
19 sidewalk outside your home, you're responsible
20 for that. So as a -- as a taxpayer in Long
21 Hill, you are not in any other -- you're not
22 at a disadvantage by having to maintain a
23 sidewalk.

24 MR. FOURNIADIS: I'm not in Long
25 Hill.

1 MAYOR RAE: And not everybody has a
2 sidewalk outside of their home. I think it's,
3 like, 25 percent of the town does. But,
4 nevertheless, you have to by ordinance make
5 sure that that is cleared within 24 hours.

6 And since you have a site -- since you have a
7 whole site you're taking care of, an extra
8 sidewalk surely is not that much of a burden.

9 COORDINATOR COONCE: Mr. Chairman,
10 may I suggest that we take a quick break?

11 It's 9:30 right now.

12 Is anybody up for a quick break?

13 CHAIRMAN HANDS: Yeah, I agree. One
14 second, though. Jeff, is this something you
15 might consider taking a look at? And if it
16 was --

17 MR. FOURNIADIS: We'll take a look
18 at it. But if it's going to entail a major
19 redesign of that side of the property, which,
20 as we all know, is very, very steep, I don't
21 see how we can do it or why we should do it.

22 It's not required by RSIS or by your
23 ordinance. If we can put a sidewalk in there
24 without having to change the plan, we'll
25 consider it.

1 MAYOR RAE: That's all I was asking
2 for.

3 MR. FOURNIADIS: All right. We'll
4 consider it.

5 MAYOR RAE: Just that consideration.
6 That was it.

7 MR. FOURNIADIS: We'll consider
8 that.

9 MR. LANZAFAMA: It's not a dictated
10 design of your project to introduce a sidewalk
11 there. The question becomes: How do we
12 safely cross Stone House? And I think Jeff
13 and his staff can figure something out and
14 we'll work with them.

15 CHAIRMAN HANDS: Okay. I see
16 there's one more hand up. So to your point,
17 Jeff, does anybody wish to take a ten-minute
18 break?

19 COORDINATOR COONCE: Yes, please.
20 Yes.

21 VICE CHAIRMAN JONES: How many
22 people do we have asking questions? How many
23 hands are up?

24 CHAIRMAN HANDS: I see one person,
25 Jon Caputo.

1 COORDINATOR COONCE: We have -- Jon
2 Caputo is next up.

3 VICE CHAIRMAN JONES: And how
4 many -- he's the only one?

5 COORDINATOR COONCE: Yes, as of
6 right now.

7 VICE CHAIRMAN JONES: Okay. Yeah,
8 then, I say, yeah, we go for a ten-minute
9 break.

10 CHAIRMAN HANDS: Okay. So back at,
11 say, just before ten to, quarter to ten.

12 VICE CHAIRMAN JONES: Quarter to
13 ten. Okay.

14 MR. FOURNIADIS: 9:45? Okay. Thank
15 you.

16 CHAIRMAN HANDS: Yeah, make it 9:45.
17 (Whereupon, a recess is taken.)

18 CHAIRMAN HANDS: All right. We'll
19 go back then. We'll carry on. It's 9:46.

20 Victor, you said you maybe wanted to
21 have a quick comment?

22 BOARD MEMBER VERLEZZA: Yes. Just
23 going back to the sidewalk situation, I don't
24 believe it would be anybody's intention on
25 this Board to have the builder undergo any

1 unnecessary expenses building a sidewalk or
2 have to deal with any continuing
3 responsibility maintaining a sidewalk and
4 shoveling it. However, we did hear from two
5 residents in that area who are familiar with
6 the pedestrian flow. And if it would be
7 safe -- a safer situation for pedestrians to
8 have a sidewalk there on Stone House, if you
9 would please just take another look at it and
10 consider it, it would be much appreciated.

11 MR. FOURNIADIS: We will. Yeah,
12 we'll take a look at it. I'll talk with Jeff
13 tomorrow. We'll look at the slopes and see
14 what would be involved in putting a sidewalk
15 in.

16 But I have -- I mean, I have to say
17 that I've been doing this long enough,
18 although I'm not an engineer, and I have to
19 agree with Jeff that having people cross in
20 the middle of the road at the mouth of a
21 narrow bridge coming from a darker, you know,
22 wooded area, I think it's -- I think it's very
23 dangerous.

24 And you don't have to take our word
25 for it. I'm sure you have traffic engineers

1 that you can talk to and I've got to believe
2 they would say the same thing. The safest
3 route for them is to stay on their side of
4 Stone House Road and walk up to Division
5 Avenue, but, you know, that's not a property
6 we control. But we'll take a look at it.

7 BOARD MEMBER VERLEZZA: Thank you.

8 MR. FOURNIADIS: You might consider
9 that. You might be making a bad situation
10 even worse by doing this. Anyway, we'll take
11 a look at it.

12 BOARD MEMBER VERLEZZA: I appreciate
13 your consideration.

14 CHAIRMAN HANDS: Okay. Deb.

15 COORDINATOR COONCE: So the next
16 member of the public, we have Jon Caputo.

17 MR. CAPUTO: Hello. Good evening,
18 everyone. I spoke at the last meeting. I'm a
19 resident of Millington. The spelling of my
20 name is C-A-P-U-T-O. Thank you for the chance
21 to speak.

22 I wasn't planning on asking this
23 question, but given the discussion about
24 sidewalk, I'd like to ask Mr. Martell if he
25 has referred to the adopted master plan of

1 Long Hill, both the 1986 version and the
2 pending, but not adopted, 2016 version, which
3 go into pretty specific details about the
4 goals toward the Millington Village,
5 specifically the portion -- and tell me if
6 it's not okay if I read off from this
7 document, but I'm quoting here. "The master
8 plan element looks to restore the central
9 commercial area of Millington Village as a
10 vibrant, walkable village center, where
11 residents and visitors can come to stroll,
12 shop, work, attend cultural and entertainment
13 events, enjoy food and drink and conduct civic
14 and other business activities."

15 So I'd like to hear the engineer's
16 thoughts on how the overall walking plan, both
17 on asphalt and sidewalks, and how it
18 interfaces with the roads around it
19 potentially would meet the requirements of the
20 master plan. That's something I think we all
21 hold very dear. I'll let him answer that
22 first.

23 THE WITNESS: Sure. Yeah. From a
24 big picture perspective, I think the project,
25 you know, advances the goal. Obviously

1 there's sidewalk along Division. We have a
2 sidewalk -- crosswalk that we're proposing
3 across Commerce and we've agreed tonight that
4 a crosswalk along Stone House Road also makes
5 sense.

6 So I think we're providing a good
7 chunk of connectivity to the Village area and
8 the train station and all the businesses in
9 that area. Obviously we're hoping to
10 introduce another business that hopefully
11 would just further supplement -- or I should
12 say another building, the retail building that
13 we have proposed, which, you know, albeit is
14 probably a stone's throw outside the original
15 area anticipated. I think it's, you know,
16 close enough that there's some continuity area
17 there. We specifically located up in the
18 northeast quadrant.

19 There's a ton of activity on the
20 property, to the community building,
21 throughout the property. So the property
22 itself I think is very well designed and
23 obviously we do hope that, you know, a certain
24 number of residents use the train station and
25 the businesses in and around there.

1 So from a global standpoint, I think
2 it's very consistent. You know, the one area
3 we've spoken a little bit about tonight and,
4 you know, we'll give it another look as to how
5 appropriate or not appropriate is a sidewalk
6 down Stone House and we'll pick up that
7 conversation after we've had a chance to look
8 at it in a little more detail.

9 MR. CAPUTO: Okay. Thank you. So
10 that's kind of a subjective part of master
11 plan, but a little more specific. It also
12 goes into detail about -- the 1996 master
13 plan, excuse me, that hoped that in addition
14 to mixed residential and commercial uses which
15 you've proposed, also you would add something
16 called pocket parks, and I'm not sure, it
17 might be an antiquated terminology, but my
18 interpretation of that would be open space
19 that's accessible to neighbors, perhaps
20 scattered around the site.

21 Then it goes on to talk about
22 outdoor cafes in an effort to increase the
23 presence of people in Millington.

24 And I know you can't affect what's
25 go on off your property, but is there perhaps

1 a better way that you could add or find a
2 location for these pocket parks, additional
3 green space, potentially a playground?
4 Something on the site that integrates the site
5 more to the presence of other families who
6 might be coming to visit, stroll by on a --
7 when they're taking a walk around and through
8 the property?

9 THE WITNESS: Yes. And there are,
10 you know, a number of areas on the property
11 itself that, you know, we're hoping the
12 residents utilize. I specifically mentioned
13 we have concrete courtyard areas, a community
14 building, and an open lawn area has been
15 created on the north side along Commerce.

16 So I think there has been specific
17 care to make sure that, you know, there are
18 facilities that would be in line with this
19 type of living style, multifamily, where you
20 don't have the use of the yard and your own
21 private property. It's important to have some
22 kind of common spaces that people can derive
23 that same, you know, type of activity in those
24 areas.

25 So I think a little bit different

1 than the master plan. The master plan likely
2 anticipated those pocket parks being to
3 service single-family lots, which obviously is
4 the majority of the township. So this is, you
5 know, I think a context-appropriate version of
6 that same idea.

7 Obviously I didn't necessarily have
8 a hand in the zoning itself, so, you know,
9 we're simply trying to look at the zoning,
10 come up with a project that is obviously safe
11 and appropriate for the community within the
12 parameters of the zoning, but also look to,
13 you know, do things that are going to make it,
14 you know, a pleasurable place to live.

15 And I think those, you know,
16 recreation areas within the complex are an
17 important part of it.

18 So a different spin probably than
19 what the master plan envisions. I don't think
20 necessarily the master plan had this
21 particular, you know, property in mind when it
22 came up with that pocket park idea, but in
23 this particular setting, I think we've
24 captured the spirit of it.

25 MR. CAPUTO: So there's no

1 playground that's being proposed, right?

2 THE WITNESS: None proposed, no.

3 Community building. There's a pool, there's

4 courtyard areas, and there's open space.

5 CHAIRMAN HANDS: Jon. Jon, do you

6 mind if I interrupt for a second? Are you

7 thinking more about nonresidents to the

8 property for some of your thoughts of pocket

9 parks and playgrounds? Are you thinking about

10 other residents surrounding the property?

11 MR. CAPUTO: Well, I'm using the

12 master plan here and it's pretty specific.

13 These aren't the intention to -- the intention

14 of the master plan wasn't to limit land use.

15 And it didn't mention single-family homes in

16 the master plan. The context in Millington

17 Village and specifically TIFA, the town has

18 been thinking about this property for 30 years

19 and what to do with it.

20 There is -- there is concern both in

21 my mind and others that a layout is proposed

22 of multiple identical buildings like this,

23 especially fronted towards Division. It

24 doesn't really give a welcoming face --

25 MR. FOURNIADIS: There's no

1 buildings that front Division specifically.
2 The only thing that fronts Division is the
3 retail building.

4 MR. CAPUTO: Okay. Well, the
5 sides -- the sides of 12, 10 and 8 are
6 pointing at Division.

7 MR. FOURNIADIS: And they're
8 significantly set back and heavily landscaped,
9 too.

10 MR. CAPUTO: The point -- the point
11 of mentioning that is that especially with the
12 landscape buffering that was proposed on the
13 last iteration of the plans, this does not
14 seem like a welcoming site. And I'm not -- I
15 think the Board especially should consider
16 whether it meets the stated goals for
17 Millington Village.

18 COORDINATOR COONCE: Any further
19 questions?

20 MR. CAPUTO: Yes. Yes. I just
21 noticed on the plans, Sheet C-10 was -- in a
22 previous iteration was landscaping. And in
23 the current version of the plans dated
24 April -- I can't read the date. The scan is
25 too poor to read the date. It looks like

1 April 3rd, 2020. Sheet C-10 does not contain
2 landscape plans. Were those withdrawn or --

3 MR. FOURNIADIS: No, landscaping is
4 at C-11.

5 THE WITNESS: It just got moved to
6 the next sheet.

7 MR. CAPUTO: Oh, it just got moved.

8 And I was also looking on the plans
9 for what kind of fencing was going to be used
10 around the asbestos cap area and I don't see
11 anything on here relating to that.

12 Has that been delineated?

13 MR. FOURNIADIS: Does it show that?

14 THE WITNESS: I think we were still
15 looking for direction on that, Stonefield was,
16 in terms of the fence from the LSRP. But we
17 understand we do have the ability to replace
18 it. Bob, I'm not sure we had a specific fence
19 style in mind.

20 MR. FOURNIADIS: No, we have to
21 check with -- whatever we're going to do, we
22 have to run it by the DEP. Because they, of
23 course, are concerned about people climbing
24 the fence and coming onto the property, even
25 though, as far as I know, that's never

1 happened. But ultimately, you know, we're
2 going to have to check with them. It would be
3 my -- if they allow us, we want to replace it
4 with the aluminum-style fencing. It kind of
5 looks like wrought iron, but it's not wrought
6 iron. Something a lot more decorative than a
7 regular chain-link fence and also something
8 that you can't scale.

9 MR. CAPUTO: Yeah. Okay. So it's
10 not shown. But the intent would be to
11 encompass the entire restricted area,
12 including where --

13 MR. FOURNIADIS: It has to stay
14 fully fenced. And, again, if we get an okay
15 from the DEP to do the type of fence we just
16 described, that's what we'll do. We'll come
17 back to either the engineer or to the Board,
18 you know, whatever it is if that will be a
19 condition of close -- not of closing, of the
20 approval that, you know, we come back with the
21 approved fence from the DEP to show the Board
22 or the Board's professionals. We have no
23 problem with that.

24 MR. CAPUTO: Okay. Speaking of the
25 restricted area, I meant to ask Mr. Martell.

1 So I reviewed the figures on Sheet
2 C-3 under the -- it's entitled the zoning --
3 "Land Use and Zoning Table." But,
4 Mr. Martell, you've indicated that the maximum
5 lot coverage of the proposed is 39.4 percent.
6 202,301 square feet.

7 Does that include the restricted
8 area as well?

9 THE WITNESS: Yeah, correct. The
10 land use and zoning table is the property in
11 its entirety.

12 MR. CAPUTO: So the entire 11.8-acre
13 site is the denominator of that equation,
14 correct?

15 THE WITNESS: Correct.

16 MR. CAPUTO: What evidence are you
17 giving -- and I understand this isn't the
18 Zoning Board, but what evidence are you giving
19 that the restricted area is zero percent
20 impervious given that we've heard that it's
21 a -- going to be off-limits, a deterrent for
22 anyone, and it's covered with the 20 percent
23 -- or, excuse me, the 20-inch compacted earth,
24 structured earth, low permeability cap? In
25 other areas -- or in other applications, I

1 don't see how that could be considered zero
2 percent impervious because it's --

3 THE WITNESS: It's a low
4 permeability cap, but it's still not
5 considered "impervious." Impervious is the
6 extreme. So, you know, the evidence is the
7 survey and observations. There's no
8 "impervious" coverage on the restricted area.
9 It has the cap, but the cap isn't
10 "impervious."

11 MR. CAPUTO: The cap isn't
12 impervious.

13 THE WITNESS: Correct.

14 MR. CAPUTO: So it lets -- it lets
15 100 percent of stormwater in?

16 THE WITNESS: Correct.

17 MR. CAPUTO: It allows recharge?

18 THE WITNESS: It's low -- it has a
19 low permeable cap.

20 MR. FOURNIADIS: Water does hit the
21 ground and then does percolate down and then
22 there is a cap buried beneath the surface, but
23 the cap does not come all the way up to the
24 surface.

25 MR. CAPUTO: How much additional

1 fill is on top of the cap?

2 MR. FOURNIADIS: I don't know, but
3 whatever it was, it was approved by the DEP
4 and the EPA.

5 MR. CAPUTO: Mr. Martell, don't you
6 think that's at odds with the intent of the
7 lot coverage zoning ordinance?

8 THE WITNESS: No.

9 MR. CAPUTO: If this were a private
10 residence and I had an impervious cap of some
11 sort, whether it be a driveway or a patio and
12 I -- and I covered it with a small amount of
13 dirt, I don't think that would be zero percent
14 impervious under the Long Hill zoning
15 ordinance.

16 Do you disagree?

17 THE WITNESS: I don't agree with
18 what you're representing is apples to apples
19 for what the cap is. The cap is a low
20 permeable cap that is not impervious. What
21 you just described is not an equivalent
22 comparison.

23 MR. CAPUTO: But is it zero percent
24 impervious or is it some lesser number? Is it
25 50 percent?

1 MR. REGAN: Is what, what you just
2 described, or the cap? What are you --

3 MR. CAPUTO: The cap. The cap.

4 THE WITNESS: The cap has criteria
5 that it has to be low permeability. It's not
6 impervious. So it will have some percentage
7 of permeability. And impervious is only the
8 complete absence of permeability. So that is
9 a very absolute scenario, impervious. This is
10 a low permeable cap which would be considered
11 not impervious. I do believe it meets the
12 zoning requirement, as well as what the DEP is
13 looking for.

14 Similar to if you had a site that
15 was underlaid with clay and you were in a
16 portion of the state that has had underlying
17 soil conditions, you wouldn't necessarily
18 consider that homeowner to have or that
19 development to have, you know, a hundred
20 percent impervious. You would acknowledge
21 that the subsurface condition is what it is.
22 As long as it's not a hard -- an impervious
23 cap, then it would be considered consistent
24 with the zoning, which is the case we have
25 here.

1 MR. CAPUTO: Okay. The reason for
2 bringing up this very important point is
3 without the benefit of being able to develop
4 on that property, the remainder of the
5 structures and the required parking covers a
6 very significant portion. If I back out the
7 186,000 square feet on the restricted area,
8 then the effective lot coverage, in other
9 words, what it feels like to be on the site,
10 is about 63 percent.

11 Do you -- would you say my math is
12 correct?

13 THE WITNESS: Your math sounds
14 correct, but I don't necessarily agree with
15 your -- your use of the word "effective lot
16 area" and things of that that have a
17 connotation that that was somehow part of the
18 zoning plan. The zoning plan to use the
19 entire property, it's one single lot. From a
20 Municipal Land Use Law perspective, we're very
21 much consistent with how zoning is
22 interpreted. So we've simply designated the
23 restricted area versus the developable area
24 because of certain environmental parameters
25 that have been discussed.

1 However, from a zoning standpoint,
2 it's very appropriate and really the only way
3 this property was considered relative to the
4 zoning of it, relative to the development of
5 it. Look at it as a whole.

6 And that area is predominantly
7 impervious. I think that was known at the
8 time of the creation of this particular zone,
9 so I would default to those who essentially
10 created this zoning as having already made
11 that decision that this is appropriate the way
12 it's being developed.

13 MR. REGAN: And, Jeff, this is
14 Frank. The requirement is maximum lot
15 coverage, not impervious coverage?

16 THE WITNESS: Well, no, in this
17 case, that's -- those two terms are being used
18 synonymously.

19 MR. CAPUTO: They're interchangeable
20 terms, Mr. Regan.

21 VICE CHAIRMAN JONES: This is Vice
22 Chairman Jones. I just need to ask a quick
23 question of Mr. Martell.

24 Mr. Martell, in your opening
25 statement, you stated a marketing statement

1 about having 20 percent more green space.

2 That 20 percent, is that an accurate
3 recollection?

4 THE WITNESS: Yeah. I wouldn't call
5 it a marketing statement, but, yes, it's
6 actually a 2-acre reduction, which brought it
7 from 59.3 percent to 39.4 percent, which is
8 about a --

9 VICE CHAIRMAN JONES: A statement of
10 fact.

11 THE WITNESS: Yes.

12 VICE CHAIRMAN JONES: So is that
13 extra 2 acres, is that part of the entire lot,
14 which includes the part that's being developed
15 and the restricted area, or is that just the
16 segment that is being developed?

17 THE WITNESS: So when I say "20
18 percent reduction," I'm talking about the
19 property as a whole. But all of that area
20 happens to be on the developable area. So
21 when I represent that mathematically, I'm
22 stating it in terms of the whole property.
23 But practically speaking, where does that
24 physical blade of grass exist, you know? That
25 would fall within the developable area. We're

1 not touching anything in the restricted area.

2 VICE CHAIRMAN JONES: Understood.

3 Understood. Thank you very much.

4 Sorry, Mr. Caputo. Back to you.

5 MR. CAPUTO: Yeah. May I continue?

6 CHAIRMAN HANDS: Before you

7 continue, do you have many more questions? I

8 just want to see how much time you're looking

9 for. Jon?

10 MR. CAPUTO: Oh, sorry.

11 CHAIRMAN HANDS: Yeah, I apologize.

12 MR. CAPUTO: I'm sorry, I didn't

13 hear you.

14 CHAIRMAN HANDS: How many more
15 questions do you have? Just thinking about

16 time.

17 MR. CAPUTO: Okay. I will -- I'll

18 keep it brief. I'd just like to finish this

19 line of thought, if possible.

20 My -- I think I can limit it to one

21 more question.

22 CHAIRMAN HANDS: Thank you.

23 MR. CAPUTO: So the -- so the --

24 with that in mind, that the development

25 appears to be cramped and not distributed

1 evenly across the site for obvious reasons, my
2 question is, Mr. Martell, would you -- since
3 you mentioned that you feel like you are
4 restricted by the zoning that was placed on
5 the site, which also includes parking
6 requirements, do you feel like you're
7 restricted from providing more green space by
8 parking restrictions? In other words, if you
9 were -- if it were up to you, would you rather
10 replace some of the parking stalls with
11 recreation fields, green parks, walks,
12 landscaped areas, or do you feel like this
13 is -- this is the best use of the overall
14 density here?

15 THE WITNESS: I think it's the
16 appropriate use of the density. As you noted,
17 and as I previously stated, you know, the
18 zoning was established. You know, my goal as
19 a civil engineer was to design a project that
20 was, you know, consistent with the zoning to
21 the maximum extent that we could and we're
22 able to meet all the bulk criteria that were
23 established.

24 And then, you know, as I stated in
25 testimony, try to provide a project, you know,

1 that's both going to be, you know, an asset to
2 the community as a whole and also to the
3 residents that live here and the commercial
4 customers.

5 So we've tried to balance those
6 objectives. I do think the parking is
7 appropriate in this -- for this type of
8 project, for the number of spaces that we're
9 proposing. You're going to hear from
10 Mr. Seckler, but I don't think, you know,
11 there's -- there's -- in good planning would
12 be to eliminate, you know, large chunks of
13 parking to reallocate that space for some
14 other purpose, a park or whatever else would
15 be anticipated.

16 So, you know, I think the density
17 quote is within the allowable zoning. The
18 impervious coverage is within the allowable,
19 setbacks are all done, the buildings are all
20 perpendicular to Division, as the applicant
21 noted.

22 So we've looked to implement as many
23 good design practices to make this a positive
24 project as we could. And, of course, we held
25 the zoning parameters, you know, as the hard

1 confines in which to provide that.

2 MR. CAPUTO: So except for the
3 relief that you're requesting on parking, you
4 wouldn't -- I just want to recap what you
5 said. You're not asking for any -- you
6 wouldn't ask for any additional relief on
7 parking from what is proposed here?

8 THE WITNESS: Yeah. You haven't
9 heard our parking testimony yet, but I think
10 there's an appropriate number of parking
11 stalls. I thought your question was would you
12 eliminate parking stalls for some other
13 purpose? And my answer was no.

14 MR. CAPUTO: Okay. And the
15 restricted area, if you had the opportunity to
16 utilize the restricted area for recreation, if
17 that were permitted, would that be -- would
18 that be desired?

19 MR. FOURNIADIS: I'd like to answer
20 that one, and that is absolutely not. Even if
21 the DEP says we can, we'd be crazy to let
22 people play on the restricted area.

23 MR. CAPUTO: Okay. All right. I'm
24 all set. Thank you, Chairman.

25 CHAIRMAN HANDS: Thank you, Jon.

1 Appreciate it.

2 We're coming up to 10:15. I see
3 Pam's got a hand up.

4 Let's turn it over to Pam to see
5 what you have to say for a minute?

6 COORDINATOR COONCE: Do you want to
7 extend the meeting a little bit further,
8 Mr. Chairman, before we --

9 CHAIRMAN HANDS: Let's get to Pam
10 first and get a sense from her what sort of
11 questions and what sort of time she has. Pam?

12 MS. OGENS: Can you hear me?

13 CHAIRMAN HANDS: Yeah. Just give me
14 a quick sense as to how much time you'd like
15 to spend and how many questions.

16 MS. OGENS: Well, I actually have
17 five questions, so I will try to keep it to 15
18 minutes. I'll do my best.

19 CHAIRMAN HANDS: Pam, before you do
20 that, then, I think we will go back. Would
21 you mind just holding that for a few minutes?

22 MS. OGENS: Okay. I mean, my
23 fire's -- my questions relate mostly to the
24 fire protection review and comments that were
25 provided with that regard.

1 CHAIRMAN HANDS: Jeff, is that
2 something you would be able to talk to?

3 THE WITNESS: Yeah. I think there
4 might be some that go to the architect's
5 world, but, yeah, to the extent I can answer
6 them, I'm happy to.

7 CHAIRMAN HANDS: Okay. So, Pam, can
8 we just hold off for a minute while we just
9 catch up on some other business and consider
10 what we want to do in the future meetings, et
11 cetera? Just so we don't rush to the 10:30.
12 And then if we need to extend to get your
13 questions, we'll extend no later than 11
14 o'clock.

15 MS. OGENS: Chairman Hands, I'm not
16 against holding my questions to the next
17 meeting if I'm the only person who's in line
18 with my hand raised.

19 CHAIRMAN HANDS: That would be very
20 much appreciated if you don't mind doing that.
21 And, Deb, we'll just make sure Pam has a
22 chance to speak early at the next meeting.

23 COORDINATOR COONCE: Absolutely.

24 CHAIRMAN HANDS: Thank you, Pam, for
25 being accommodating.

1 MS. OGENS: Not a problem. You're
2 welcome.

3 MS. LEHENY: Mr. Chairman, I just
4 have one quick comment. It's just based on
5 what Mr. Caputo had asked. And, I guess,
6 Jeff, my guess is, just based on other
7 projects I worked on, that there's going to be
8 some young families in this development. You
9 know, is that a fair assumption? Maybe mis --
10 Bob should answer that.

11 But the question I have is, if you
12 were to sort of -- would you consider finding
13 a place on the site plan for a potential tot
14 lot?

15 MR. FOURNIADIS: Well, when we first
16 came in, we had a gazebo and a sitting area in
17 the green area near Commerce Street, and we
18 were asked to take all of that stuff out there
19 and create a park that people could throw a
20 frisbee in, like Jeff says, you know, sit
21 around, you know, walk.

22 And so we did that. You want us to
23 put a tot lot back in there?

24 MS. LEHENY: I'm opening it up to
25 actually the Board to see if it's the Board's

1 pleasure, if they think so. I mean, you know,
2 if you do have young families, it may be
3 something for the Board to consider
4 requesting.

5 MR. FOURNIADIS: I would think it's
6 something for me to consider as to how well
7 I'm going to market the property. I don't
8 know how many children I'm going to get. So
9 far in the three apartment jobs that we've
10 done with almost 600 units between the two of
11 them, we have three children. So I don't know
12 how many we're going to get here. We may come
13 back one day and want to revisit the gazebo.
14 It depends on what the market tells us.

15 That's -- we like the idea of the
16 open park next to Commerce Street. That's why
17 we changed the plans. Right now I don't think
18 the tot lot is necessary. We have a swimming
19 pool, we have a clubhouse. That's my
20 position.

21 MS. LEHENY: I leave it up to the
22 Board.

23 CHAIRMAN HANDS: I'm fine as is.

24 MS. LEHENY: Okay.

25 CHAIRMAN HANDS: Maybe when we get

1 to the architect, we can talk about the retail
2 space and public. I think it lean a little
3 bit more towards the public area than the
4 residential area, but we can discuss that a
5 little bit later.

6 MS. LEHENY: That's fine.

7 CHAIRMAN HANDS: Thank you.

8 With that said, Heather, do we want
9 to carry forward -- I presume, firstly, if we
10 do finish at 10:30, we're okay to talk about a
11 continuation for another meeting? Can we talk
12 about that now?

13 COORDINATOR COONCE: Absolutely,
14 Mr. Chairman. I would suggest that the Board
15 carry the applicant to July 28th, as we've
16 decided to add that as a special meeting date.

17 And we would need a motion and a
18 second and all in favor.

19 BOARD MEMBER PFEIL: So moved.

20 MAYOR RAE: Second.

21 VICE CHAIRMAN JONES: Second.

22 CHAIRMAN HANDS: Mr. Pheil and Vice
23 Chairman Jones. All in favor?

24 (Whereupon, a voice vote was taken;
25 chorus of "ayes" heard.)

1 COORDINATOR COONCE: Any opposed?

2 So the applicant is carried to July 28th with
3 no further notice required.

4 MS. MAZIARZ: Okay. And if we are
5 going to take more testimony, we'll have to do
6 this again. But it's good that we did it now.
7 But we have to do this at the completion of
8 the testimony for this -- for this hearing on
9 this date and then carry it to the next. I
10 know it's a technicality, but, you know, if we
11 are going to take more testimony, I don't want
12 the public to think or anyone who's watching
13 this video after the fact to think that
14 testimony ended here, because this usually
15 happens at the end.

16 So just so everyone is aware, we're
17 going to do this again just so that no one's
18 confused that we're still taking testimony.

19 VICE CHAIRMAN JONES: Of course.

20 MS. MAZIARZ: I just want a clear
21 record.

22 CHAIRMAN HANDS: Okay. So on to new
23 business. Representatives, Commissioners,
24 thank you very much for your time and, Public,
25 for your questions so far.

1 So for the last ten minutes, do you
2 want to just go through some new business,
3 Deb, for the committee reports, et cetera?

4 MR. FOURNIADIS: So we're done,
5 then? We're free to go?

6 COORDINATOR COONCE: Yes. We will
7 see you on the 28th.

8 MS. MAZIARZ: Okay. So scratch what
9 I said. You have been carried without further
10 notice. I apologize. I thought that we were
11 going to still allow the public to ask
12 questions. I'm sorry.

13 COORDINATOR COONCE: Oh, no, no, no.
14 I'm sorry that was unclear. No. We will
15 resume public questions on the next meeting.

16 MS. MAZIARZ: All right. Thank you.

17 THE WITNESS: Thank you very much.
18 Have a good night.

19 (Whereupon, the proceedings were
20 adjourned at 10:22 p.m. to Tuesday, July 28,
21 2020, at 7:30 p.m.)

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